

Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2024-97-E

AN ORDINANCE REZONING APPROXIMATELY 6.41± ACRES,
LOCATED IN COUNCIL DISTRICT 4 AT 0 DEAN ROAD,
2458 DEAN ROAD, 2512 DEAN ROAD AND 0 BENNETT
ROAD, BETWEEN TERRY ROAD AND BENNETT ROAD (R.E.
NOS. 138573-0000, 138573-0100, 138577-0000 AND
138579-0020), AS DESCRIBED HEREIN, OWNED BY
SAMAN PROPERTIES, LLC, FROM RESIDENTIAL LOW
DENSITY-60 (RLD-60) DISTRICT TO PLANNED UNIT
DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
CLASSIFIED UNDER THE ZONING CODE, TO PERMIT UP
TO 77 TOWNHOMES, AS DESCRIBED IN THE DEAN ROAD
TOWN HOUSE DEVELOPMENT PUD, PURSUANT TO FUTURE
LAND USE MAP SERIES (FLUMS) SMALL-SCALE
AMENDMENT APPLICATION NUMBER L-5843-23C; PUD
SUBJECT TO CONDITION; PROVIDING A DISCLAIMER
THAT THE REZONING GRANTED HEREIN SHALL NOT BE
CONSTRUED AS AN EXEMPTION FROM ANY OTHER
APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville adopted a Small-Scale
Amendment to the *2045 Comprehensive Plan* for the purpose of revising
portions of the Future Land Use Map series (FLUMs) in order to ensure
the accuracy and internal consistency of the plan, pursuant to
companion application L-5843-23C; and

WHEREAS, in order to ensure consistency of zoning district
with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
Amendment L-5843-23C, an application to rezone and reclassify from

1 Residential Low Density-60 (RLD-60) District to Planned Unit
2 Development (PUD) District was filed by Paul Harden, Esq. on behalf
3 of the owner of approximately 6.41± acres of certain real property
4 in Council District 4, as more particularly described in Section 1;
5 and

6 **WHEREAS,** the Planning and Development Department, in order to
7 ensure consistency of this zoning district with the *2045 Comprehensive*
8 *Plan*, has considered the rezoning and has rendered an advisory
9 opinion; and

10 **WHEREAS,** the Planning Commission has considered the
11 application and has rendered an advisory opinion; and

12 **WHEREAS,** the Land Use and Zoning Committee, after due notice
13 and public hearing, has made its recommendation to the Council; and

14 **WHEREAS,** the City Council, after due notice, held a public
15 hearing, and taking into consideration the above recommendations as
16 well as all oral and written comments received during the public
17 hearings, the Council finds that such rezoning is consistent with the
18 *2045 Comprehensive Plan* adopted under the comprehensive planning
19 ordinance for future development of the City of Jacksonville; and

20 **WHEREAS,** the Council finds that the proposed PUD does not
21 affect adversely the orderly development of the City as embodied in
22 the *Zoning Code*; will not affect adversely the health and safety of
23 residents in the area; will not be detrimental to the natural
24 environment or to the use or development of the adjacent properties
25 in the general neighborhood; and the proposed PUD will accomplish the
26 objectives and meet the standards of Section 656.340 (Planned Unit
27 Development) of the *Zoning Code* of the City of Jacksonville; now
28 therefore

29 **BE IT ORDAINED** by the Council of the City of Jacksonville:

30 **Section 1. Subject Property Location and Description.** The
31 approximately 6.41± acres are located in Council District 4 at 0 Dean

1 Road, 2458 Dean Road, 2512 Dean Road and 0 Bennett Road, between
2 Terry Road and Bennett Road (R.E. Nos. 138573-0000, 138573-0100,
3 138577-0000 and 138579-0020), as more particularly described in
4 **Exhibit 1**, dated May 17, 2023, and graphically depicted in **Exhibit**
5 **2**, both of which are attached hereto and incorporated herein by this
6 reference (the "Subject Property").

7 **Section 2. Owner and Applicant Description.** The Subject
8 Property is owned by Saman Properties, LLC. The applicant is Paul
9 Harden, Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville,
10 Florida 32207; (904) 396-5731.

11 **Section 3. Property Rezoned.** The Subject Property,
12 pursuant to adopted companion Small-Scale Amendment Application
13 L-5843-23C, is hereby rezoned and reclassified from Residential Low
14 Density-60 (RLD-60) District to Planned Unit Development (PUD)
15 District. This new PUD district shall generally permit up to a maximum
16 of 77 townhomes, and is described, shown and subject to the following
17 documents, attached hereto:

18 **Exhibit 1** - Legal Description dated May 17, 2023.

19 **Exhibit 2** - Subject Property per P&DD.

20 **Revised Exhibit 3** - Revised Written Description dated March 20, 2024.

21 **Exhibit 4** - Site Plan dated September 1, 2023.

22 **Section 4. Rezoning Approved Subject to Condition.** This
23 rezoning is approved subject to the following condition. Such
24 condition controls over the Written Description and the Site Plan and
25 may only be amended through a rezoning:

26 (1) A traffic study shall be provided for review and approval
27 by the Traffic Engineering Division of the Department of Public Works
28 prior to the submittal of Civil Site Plans. The traffic study shall
29 comply with Section 1.1.11 of the Land Development Procedures Manual
30 (January 2024 edition).

31 **Section 5. Contingency.** This rezoning shall not become

effective until thirty-one (31) days after adoption of the companion Small-Scale Amendment; and further provided that if the companion Small-Scale Amendment is challenged by the state land planning agency, this rezoning shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the companion Small-Scale Amendment is in compliance with Chapter 163, *Florida Statutes*.

Section 6. Disclaimer. The rezoning granted herein shall not be construed as an exemption from any other applicable local, state, or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this rezoning is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this rezoning does not approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.

Section 7. Effective Date. The enactment of this Ordinance shall be deemed to constitute a quasi-judicial action of the City Council and shall become effective upon signature by the Council President and the Council Secretary.

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Kaysie Cox

GC-#1620720-v1-2024-97-E.docx