

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-478**

5 AN ORDINANCE REZONING APPROXIMATELY 0.95± OF AN
6 ACRE LOCATED IN COUNCIL DISTRICT 10 AT 6607 OLD
7 KINGS ROAD, BETWEEN MILLWRIGHT COURT AND SOUTEL
8 DRIVE (R.E. NO. 003459-0210), OWNED BY DGFL2,
9 LLC, AS DESCRIBED HEREIN, FROM RESIDENTIAL
10 RURAL-ACRE (RR-ACRE) DISTRICT TO PLANNED UNIT
11 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
13 OFFICE, COMMERCIAL, AND LIGHT INDUSTRIAL USES,
14 AS DESCRIBED IN THE SOUTEL C.T.L. PUD, PURSUANT
15 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-
16 SCALE AMENDMENT APPLICATION NUMBER L-5390-19C;
17 PROVIDING A DISCLAIMER THAT THE REZONING
18 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
19 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of
24 revising portions of the Future Land Use Map series (FLUMs) in
25 order to ensure the accuracy and internal consistency of the plan,
26 pursuant to application L-5390-19C and companion land use Ordinance
27 2020-477; and

28 **WHEREAS,** in order to ensure consistency of zoning district
29 with the *2030 Comprehensive Plan* and the adopted companion Small-
30 Scale Amendment L-5390-19C, an application to rezone and reclassify
31 from Residential Rural-Acre (RR-Acre) District to Planned Unit

1 Development (PUD) District was filed by Eric J. Almond, P.E., on
2 behalf of the owner of approximately 0.95± of an acre of certain
3 real property in Council District 10, as more particularly
4 described in Section 1; and

5 **WHEREAS**, the Planning and Development Department, in order to
6 ensure consistency of this zoning district with the *2030*
7 *Comprehensive Plan*, has considered the rezoning and has rendered an
8 advisory opinion; and

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

11 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
12 notice, held a public hearing and made its recommendation to the
13 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
18 the *2030 Comprehensive Plan* adopted under the comprehensive
19 planning ordinance for future development of the City of
20 Jacksonville; and

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

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

31 **Section 1. Subject Property Location and Description.** The

1 approximately 0.95± of an acre (R.E. No. 003459-0210) is located in
2 Council District 10, at 6607 Old Kings Road, between Millwright
3 Court and Soutel Drive, as more particularly described in **Exhibit**
4 **1**, dated July 29, 2020, and graphically depicted in **Exhibit 2**, both
5 of which are **attached hereto** and incorporated herein by this
6 reference (Subject Property).

7 **Section 2. Owner and Applicant Description.** The Subject
8 Property is owned by DGFL2, LLC. The applicant is Eric J. Almond,
9 P.E., 6277 Dupont Station Court East, Unit 1, Jacksonville, Florida
10 32217; (904) 306-0162.

11 **Section 3. Property Rezoned.** The Subject Property,
12 pursuant to adopted companion Small-Scale Amendment L-5390-19C, is
13 hereby rezoned and reclassified from Residential Rural-Acre (RR-
14 Acre) District to Planned Unit Development (PUD) District. This
15 new PUD district shall generally permit office, commercial, and
16 light industrial uses, and is described, shown and subject to the
17 following documents, **attached hereto**:

18 **Exhibit 1** - Legal Description dated July 29, 2020.

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

20 **Exhibit 3** - Written Description dated January 28, 2020.

21 **Exhibit 4** - Site Plan dated April 1, 2020.

22 **Section 4. Contingency.** This rezoning shall not become
23 effective until 31 days after adoption of the companion Small-Scale
24 Amendment unless challenged by the state land planning agency; and
25 further provided that if the companion Small-Scale Amendment is
26 challenged by the state land planning agency, this rezoning shall
27 not become effective until the state land planning agency or the
28 Administration Commission issues a final order determining the
29 companion Small-Scale Amendment is in compliance with Chapter 163,
30 *Florida Statutes*.

31 **Section 5. Disclaimer.** The rezoning granted herein

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

13 **Section 6. Effective Date.** The enactment of this
14 Ordinance shall be deemed to constitute a quasi-judicial action of
15 the City Council and shall become effective upon signature by the
16 Council President and the Council Secretary.

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18 Form Approved:

19
20 /s/ Shannon K. Eller

21 Office of General Counsel
22 Legislation Prepared By: Connor Corrigan

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