

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-514-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.83± OF AN
6 ACRE LOCATED IN COUNCIL DISTRICT 5 AT 1750
7 BOULDER STREET, 3462 ST. AUGUSTINE ROAD, 3466
8 ST. AUGUSTINE ROAD, 3470 ST. AUGUSTINE ROAD AND
9 3478 ST. AUGUSTINE ROAD, BETWEEN FLEET STREET
10 AND ST. AUGUSTINE ROAD (R.E. NOS. 069803-0000,
11 069804-0000, 069804-0500, 069807-0000, AND
12 069819-0000), OWNED BY RAM PARTNERS HOLDINGS,
13 LLC, AS DESCRIBED HEREIN, FROM COMMERCIAL
14 COMMUNITY/GENERAL-2 (CCG-2) DISTRICT,
15 RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT,
16 AND PLANNED UNIT DEVELOPMENT (PUD) DISTRICT
17 (96-1040-635) TO PLANNED UNIT DEVELOPMENT (PUD)
18 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
19 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
20 DESCRIBED IN THE 3470 ST. AUGUSTINE ROAD PUD,
21 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
22 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-
23 5448-20C; PROVIDING A DISCLAIMER THAT THE
24 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
25 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
26 PROVIDING AN EFFECTIVE DATE.

27
28 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
29 Amendment to the *2030 Comprehensive Plan* for the purpose of
30 revising portions of the Future Land Use Map series (FLUMs) in
31 order to ensure the accuracy and internal consistency of the plan,

1 pursuant to application L-5448-20C and companion land use Ordinance
2 2020-513; and

3 **WHEREAS**, in order to ensure consistency of zoning district
4 with the *2030 Comprehensive Plan* and the adopted companion Small-
5 Scale Amendment L-5448-20C, an application to rezone and reclassify
6 from Commercial Community/General-2 (CCG-2) District, Residential
7 Low Density-60 (RLD-60) District, and Planned Unit Development
8 (PUD) District (96-1040-635) to Planned Unit Development (PUD)
9 District was filed by Cyndy Trimmer, Esq., on behalf of the owner
10 of approximately 0.83± of an acre of certain real property in
11 Council District 5, as more particularly described in Section 1;
12 and

13 **WHEREAS**, the Planning and Development Department, in order to
14 ensure consistency of this zoning district with the *2030*
15 *Comprehensive Plan*, has considered the rezoning and has rendered an
16 advisory opinion; and

17 **WHEREAS**, the Planning Commission has considered the
18 application and has rendered an advisory opinion; and

19 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
20 notice, held a public hearing and made its recommendation to the
21 Council; and

22 **WHEREAS**, the City Council, after due notice, held a public
23 hearing, and taking into consideration the above recommendations as
24 well as all oral and written comments received during the public
25 hearings, the Council finds that such rezoning is consistent with
26 the *2030 Comprehensive Plan* adopted under the comprehensive
27 planning ordinance for future development of the City of
28 Jacksonville; and

29 **WHEREAS**, the Council finds that the proposed PUD does not
30 affect adversely the orderly development of the City as embodied in
31 the *Zoning Code*; will not affect adversely the health and safety of

1 residents in the area; will not be detrimental to the natural
2 environment or to the use or development of the adjacent properties
3 in the general neighborhood; and the proposed PUD will accomplish
4 the objectives and meet the standards of Section 656.340 (Planned
5 Unit Development) of the *Zoning Code* of the City of Jacksonville;
6 now, therefore

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

8 **Section 1. Subject Property Location and Description.** The
9 approximately 0.83± of an acre (R.E. Nos. 069803-0000, 069804-0000,
10 069804-0500, 069807-0000, and 069819-0000) is located in Council
11 District 5, at 1750 Boulder Street, 3462 St. Augustine Road, 3466
12 St. Augustine Road, 3470 St. Augustine Road and 3478 St. Augustine
13 Road, between Fleet Street and St. Augustine Road, as more
14 particularly described in **Exhibit 1**, dated May 18, 2020, and
15 graphically depicted in **Exhibit 2**, both of which are **attached**
16 **hereto** and incorporated herein by this reference (Subject
17 Property).

18 **Section 2. Owner and Applicant Description.** The Subject
19 Property is owned by RAM Partners Holdings, LLC. The applicant is
20 Cyndy Trimmer, Esq., One Independent Drive, Suite 1200,
21 Jacksonville, Florida 32202; (904) 807-0185.

22 **Section 3. Property Rezoned.** The Subject Property,
23 pursuant to adopted companion Small-Scale Amendment L-5448-20C, is
24 hereby rezoned and reclassified from Commercial Community/General-2
25 (CCG-2) District, Residential Low Density-60 (RLD-60) District, and
26 Planned Unit Development (PUD) District (96-1040-635) to Planned
27 Unit Development (PUD) District. This new PUD district shall
28 generally permit commercial uses, and is described, shown and
29 subject to the following documents, **attached hereto**:

30 **Exhibit 1** - Legal Description dated May 18, 2020.

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

1 **Exhibit 3** - Written Description dated August 5, 2020.

2 **Exhibit 4** - Site Plan dated August 6, 2020.

3 **Section 4. Contingency.** This rezoning shall not become
4 effective until 31 days after adoption of the companion Small-Scale
5 Amendment unless challenged by the state land planning agency; and
6 further provided that if the companion Small-Scale Amendment is
7 challenged by the state land planning agency, this rezoning shall
8 not become effective until the state land planning agency or the
9 Administration Commission issues a final order determining the
10 companion Small-Scale Amendment is in compliance with Chapter 163,
11 *Florida Statutes*.

12 **Section 5. Disclaimer.** The rezoning granted herein
13 shall not be construed as an exemption from any other applicable
14 local, state, or federal laws, regulations, requirements, permits
15 or approvals. All other applicable local, state or federal permits
16 or approvals shall be obtained before commencement of the
17 development or use and issuance of this rezoning is based upon
18 acknowledgement, representation and confirmation made by the
19 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
20 or designee(s) that the subject business, development and/or use
21 will be operated in strict compliance with all laws. Issuance of
22 this rezoning does not approve, promote or condone any practice or
23 act that is prohibited or restricted by any federal, state or local
24 laws.

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

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