

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-295-E**

5 AN ORDINANCE REZONING APPROXIMATELY 4.79± ACRES  
6 LOCATED IN COUNCIL DISTRICT 1 AT 7820 ARLINGTON  
7 EXPRESSWAY, BETWEEN OAKS PLANTATION DRIVE AND  
8 CENTURY STREET (R.E. NO. 142483-0100), OWNED BY  
9 KOZMAN REALTY, INC., AS DESCRIBED HEREIN, FROM  
10 COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2) AND  
11 COMMERCIAL RESIDENTIAL OFFICE (CRO) DISTRICTS  
12 TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,  
14 TO PERMIT MULTI-FAMILY RESIDENTIAL USES, AS  
15 DESCRIBED IN THE 7820 ARLINGTON APARTMENTS PUD,  
16 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)  
17 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-  
18 5437-20C; PROVIDING A DISCLAIMER THAT THE  
19 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
20 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
21 PROVIDING AN EFFECTIVE DATE.  
22

23 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
24 Amendment to the *2030 Comprehensive Plan* for the purpose of  
25 revising portions of the Future Land Use Map series (FLUMs) in  
26 order to ensure the accuracy and internal consistency of the plan,  
27 pursuant to application L-5437-20C and companion land use Ordinance  
28 2020-294; and

29 **WHEREAS**, in order to ensure consistency of zoning district  
30 with the *2030 Comprehensive Plan* and the adopted companion Small-  
31 Scale Amendment L-5437-20C, an application to rezone and reclassify

1 from Commercial Community/General-2 (CCG-2) and Commercial  
2 Residential Office (CRO) Districts to Planned Unit Development  
3 (PUD) District was filed by Joseph Loretta, RLA, on behalf of the  
4 owner of approximately 4.79± acres of certain real property in  
5 Council District 1, as more particularly described in Section 1;  
6 and

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

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

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

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

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

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

2           **Section 1.           Subject Property Location and Description.** The  
3 approximately 4.79± acres (R.E. No. 142483-0100) are located in  
4 Council District 1, at 7820 Arlington Expressway, between Oaks  
5 Plantation Drive and Century Street, as more particularly described  
6 in **Exhibit 1**, dated April 16, 2020, and graphically depicted in  
7 **Exhibit 2**, both of which are **attached hereto** and incorporated  
8 herein by this reference (Subject Property).

9           **Section 2.           Owner and Applicant Description.** The subject  
10 property is owned by Kozman Realty, Inc. The applicant is Joseph  
11 Loretta, RLA, 6621 Southpoint Drive North, Jacksonville, Florida  
12 32216; (904) 441-8365.

13           **Section 3.           Property Rezoned.** The Subject Property,  
14 pursuant to adopted companion Small-Scale Amendment L-5437-20C, is  
15 hereby rezoned and reclassified from Commercial Community/General-2  
16 (CCG-2) and Commercial Residential Office (CRO) Districts to  
17 Planned Unit Development (PUD) District. This new PUD district  
18 shall generally permit multi-family residential uses, and is  
19 described, shown and subject to the following documents, **attached**  
20 **hereto:**

21 **Exhibit 1** - Legal Description dated April 16, 2020.

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

23 **Exhibit 3** - Written Description dated March 20, 2020.

24 **Exhibit 4** - Site Plan dated February 19, 2020.

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

1 companion Small-Scale Amendment is in compliance with Chapter 163,  
2 *Florida Statutes*.

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

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

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21 Form Approved:

22  
23     /s/ Shannon K. Eller    

24 Office of General Counsel

25 Legislation Prepared By: Connie Quinto

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