

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-327-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.45± ACRES
6 LOCATED IN COUNCIL DISTRICT 5 AT 1300 HENDRICKS
7 AVENUE, BETWEEN NIRA STREET AND GARY STREET (R.E.
8 NO. 080822-0100), AS DESCRIBED HEREIN, OWNED BY
9 CHADBOURNE II MF LLC, FROM PLANNED UNIT
10 DEVELOPMENT (PUD) DISTRICT (2017-136-E) TO
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
13 PERMIT MIXED-USE DEVELOPMENT, AS DESCRIBED IN THE
14 1300 HENDRICKS PUD; PUD SUBJECT TO CONDITIONS;
15 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
17 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
18 EFFECTIVE DATE.
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20 **WHEREAS**, Chadbourne II MF LLC, the owner of approximately 3.45±
21 acres located in Council District 5 at 1300 Hendricks Avenue, between
22 Nira Street and Gary Street (R.E. No. 080822-0100), as more
23 particularly described in **Exhibit 1**, dated March 3, 2023, and
24 graphically depicted in **Exhibit 2**, both of which are attached hereto
25 (the "Subject Property"), has applied for a rezoning and
26 reclassification of the Subject Property from Planned Unit
27 Development (PUD) District (2017-136-E) to Planned Unit Development
28 (PUD) District, as described in Section 1 below; and

29 **WHEREAS**, the Planning Commission, acting as the local planning
30 agency, has reviewed the application and made an advisory
31 recommendation to the Council; and

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

3 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
4 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives
5 and policies of the *2045 Comprehensive Plan*; and (3) is not in
6 conflict with any portion of the City's land use regulations; and

7 **WHEREAS**, the Council finds the proposed rezoning does not
8 adversely affect the orderly development of the City as embodied in
9 the Zoning Code; will not adversely affect the health and safety of
10 residents in the area; will not be detrimental to the natural
11 environment or to the use or development of the adjacent properties
12 in the general neighborhood; and will accomplish the objectives and
13 meet the standards of Section 656.340 (Planned Unit Development) of
14 the Zoning Code; now, therefore

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

16 **Section 1. Property Rezoned.** The Subject Property is
17 hereby rezoned and reclassified from Planned Unit Development (PUD)
18 District (2017-136-E) to Planned Unit Development (PUD) District.
19 This new PUD district shall generally permit mixed-use development,
20 and is described, shown and subject to the following documents,
21 attached hereto:

22 **Exhibit 1** - Legal Description dated March 3, 2023.

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

24 **Exhibit 3** - Written Description dated March 3, 2023.

25 **Exhibit 4** - Site Plan dated April 22, 2020.

26 **Section 2. Rezoning Approved Subject to Conditions.** This
27 rezoning is approved subject to the following conditions. Such
28 conditions control over the Written Description and the Site Plan and
29 may only be amended through a rezoning:

30 (1) The minimum 5,000 square feet of non-residential floor area
31 shall be located on the ground floor and shall not include areas

1 devoted to parking or open space.

2 (2) There shall be no outside amplified music after 10:00 p.m.,
3 Sunday through Thursday, and after midnight, Friday and Saturday. If
4 amplified music is to be played indoors, it must be soundproofed from
5 the units above.

6 (3) Any needed operational improvements (such as restriping or
7 timing of lights) will be the responsibility of the developer. In
8 no event shall developer be required to make improvements to add
9 traffic capacity. This condition is subject to review and approval
10 by the Planning Department.

11 (4) The permitted uses and limitations on the location of
12 specific uses detailed in Section IV.A. of the March 3, 2023 Written
13 Description (the "Written Description") may only be modified through
14 a rezoning.

15 (5) The building setbacks detailed in Section V.A.5. and
16 pedestrian access elements detailed in Section V.B.3. of the Written
17 Description may only be modified through a rezoning.

18 (6) The provisions regarding maximum signage reflected in
19 Section V.C. of the Written Description may only be modified through
20 a rezoning; however, a 5% variation in the size of tenant/commercial
21 establishment signs may be permitted through a minor modification to
22 this PUD.

23 (7) The project shall provide for a minimum of 30,000 square
24 feet of active recreation space on site and may address any shortfall
25 as detailed in Section V.E. of the Written Description.

26 (8) The transparency requirements contained in Section V.F. of
27 the Written Description are hereby incorporated as conditions of this
28 rezoning.

29 (9) The minimum parking standards established in Section V.B.1.
30 of the Written Description are hereby incorporated as conditions of
31 this rezoning.

