

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-574-E**

5 AN ORDINANCE REZONING APPROXIMATELY 8.58± ACRES  
6 LOCATED IN COUNCIL DISTRICT 4 AT 0 PARENTAL HOME  
7 ROAD, BETWEEN BOWDEN ROAD AND PARENTAL HOME ROAD  
8 (R.E. NO. 152570-0200), OWNED BY 223 S. 9TH AVE.,  
9 INC., AS DESCRIBED HEREIN, FROM COMMERCIAL  
10 NEIGHBORHOOD (CN) AND COMMERCIAL RESIDENTIAL  
11 OFFICE DISTRICTS TO PLANNED UNIT DEVELOPMENT  
12 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER  
13 THE ZONING CODE, TO PERMIT MULTI-FAMILY  
14 RESIDENTIAL USES, AS DESCRIBED IN THE BOWDEN  
15 CORNERS PUD, PURSUANT TO FUTURE LAND USE MAP  
16 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION  
17 NUMBER L-5465-20C; PUD SUBJECT TO CONDITIONS;  
18 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
19 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
20 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
21 EFFECTIVE DATE.

22  
23 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
24 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
25 portions of the Future Land Use Map series (FLUMs) in order to ensure  
26 the accuracy and internal consistency of the plan, pursuant to  
27 application L-5465-20C and companion land use Ordinance 2020-573; and

28 **WHEREAS**, in order to ensure consistency of zoning district with  
29 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
30 Amendment L-5465-20C, an application to rezone and reclassify from  
31 Commercial Neighborhood (CN) and Commercial Residential Office (CRO)

1 Districts to Planned Unit Development (PUD) District was filed by  
2 Gregory E. Matovina, on behalf of the owner of approximately 8.58±  
3 acres of certain real property in Council District 4, as more  
4 particularly 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 Comprehensive*  
7 *Plan*, has considered the rezoning and has rendered an advisory  
8 opinion; and

9 **WHEREAS**, the Planning Commission has considered the application  
10 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 the  
18 *2030 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 affect  
21 adversely the orderly development of the City as embodied in the  
22 *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 8.58± acres (R.E. No. 152570-0200) are located in

1 Council District 4, at 0 Parental Home Road, between Bowden Road and  
2 Parental Home Road, as more particularly described in **Exhibit 1**,  
3 dated August 31, 2020, and graphically depicted in **Exhibit 2**, both  
4 of which are **attached hereto** and incorporated herein by this reference  
5 (Subject Property).

6 **Section 2. Owner and Applicant Description.** The Subject  
7 Property is owned by 223 S. 9th Ave., Inc. The applicant is Gregory  
8 E. Matovina, 12443 San Jose Boulevard, Suite 504, Jacksonville,  
9 Florida 32223; (904) 292-0778.

10 **Section 3. Property Rezoned.** The Subject Property,  
11 pursuant to adopted companion Small-Scale Amendment L-5465-20C, is  
12 hereby rezoned and reclassified from Commercial Neighborhood (CN) and  
13 Commercial Residential Office (CRO) Districts to Planned Unit  
14 Development (PUD) District. This new PUD district shall generally  
15 permit multi-family residential uses, and is described, shown and  
16 subject to the following documents, **attached hereto**:

17 **Exhibit 1** - Legal Description dated August 31, 2020.

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

19 **Revised Exhibit 3** - Revised Written Description dated January 29,  
20 2021.

21 **Revised Exhibit 4** - Revised Site Plan dated February 9, 2021.

22 **Section 4. Rezoning Approved Subject to Conditions.** This  
23 rezoning is approved subject to the following conditions. Such  
24 conditions control 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 to determine the  
27 operation and safety of the location of the proposed entrance  
28 road. If it is determined that vehicles entering the development  
29 will interfere with the operation of the signal, an eastbound left  
30 turn lane shall be built at the entrance, or the entrance shall be  
31 moved eastward to a point where it will not interfere with the

1 operation of the signal.

2 (2) There shall be no parking on Parental Home Road.

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

24 **Section 7. Effective Date.** The enactment of this Ordinance  
25 shall be deemed to constitute a quasi-judicial action of the City  
26 Council and shall become effective upon signature by the Council  
27 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: Arimus Wells

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