

1 Introduced and substituted by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2022-10**

5 AN ORDINANCE REZONING APPROXIMATELY 1.89± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 INTERSTATE
7 CENTER DRIVE, BETWEEN INTERSTATE CENTER DRIVE AND
8 BROWARD ROAD (R.E. NO. 020703-0010), OWNED BY
9 CLDG LAND III, LLC, AS DESCRIBED HEREIN, FROM
10 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2018-
11 72-E) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT,
12 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
13 TO PERMIT MULTI-FAMILY RESIDENTIAL USES, AS
14 DESCRIBED IN THE INTERSTATE CENTER PUD, PURSUANT
15 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
16 AMENDMENT APPLICATION NUMBER L-5624-21C;
17 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
18 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
19 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
20 EFFECTIVE DATE.
21

22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to
26 companion land use ordinance for application L-5624-21C; and

27 **WHEREAS,** in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5624-21C, an application to rezone and reclassify from
30 Planned Unit Development (PUD) District (2018-72-E) to Planned Unit
31 Development (PUD) District was filed by Paul Harden, Esq., on behalf

1 of the owner of approximately 1.89± acres of certain real property
2 in Council District 8, as more particularly described in Section 1;
3 and

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

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

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

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

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

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

29 **Section 1. Subject Property Location and Description.** The
30 approximately 1.89± acres are located in Council District 8 at 0
31 Interstate Center Drive, between Interstate Center Drive and Broward

1 Road (R.E. No. 020703-0010), as more particularly described in **Exhibit**
2 **1**, dated October 7, 2021, and graphically depicted in **Exhibit 2**, both
3 of which are **attached hereto** and incorporated herein by this reference
4 (the "Subject Property").

5 **Section 2. Owner and Applicant Description.** The Subject
6 Property is owned by CLDG Land III, LLC. The applicant is Paul
7 Harden, Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville,
8 Florida 32207; (904) 396-5731.

9 **Section 3. Property Rezoned.** The Subject Property,
10 pursuant to adopted companion Small-Scale Amendment Application L-
11 5624-21C, is hereby rezoned and reclassified from Planned Unit
12 Development (PUD) District (2018-72-E) to Planned Unit Development
13 (PUD) District. This new PUD district shall generally permit multi-
14 family residential uses, and is described, shown and subject to the
15 following documents, **attached hereto**:

16 **Exhibit 1** - Legal Description dated October 7, 2021.

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

18 **Exhibit 3** - Written Description dated February 22, 2022.

19 **Exhibit 4** - Site Plan dated February 10, 2022.

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

29 **Section 5. Disclaimer.** The rezoning granted herein
30 shall **not** be construed as an exemption from any other applicable
31 local, state, or federal laws, regulations, requirements, permits or

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

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

14
15 Form Approved:

16
17 /s/ Mary E. Staffopoulos

18 Office of General Counsel

19 Legislation Prepared By: Bruce Lewis

20 GC-#1486939-v1-2022-10_LUZ_Sub_&_Rerefer_(Enrolled)