Introduced by the Land Use and Zoning Committee:

## ORDINANCE 2023-430-E

AN ORDINANCE REZONING APPROXIMATELY 0.86± ACRES LOCATED IN COUNCIL DISTRICT 13 AT 0 BAMBOO DRIVE, 13582 BAMBOO DRIVE AND 13600 BAMBOO DRIVE, BETWEEN ATLANTIC BOULEVARD AND COCOANUT ROAD (R.E. NOS. 167212-0000, 167214-0500 AND 167215-0000), AS DESCRIBED HEREIN, OWNED BY SAN PABLO -BAMBOO GROVE SOUTH, LLC, FORMERLY KNOWN AS SAN PABLO-BAMBOO-TOWNHOUSE LLC, FROM RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT TO RESIDENTIAL MEDIUM DENSITY-D (RMD-D) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE; PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, San Pablo - Bamboo Grove South, LLC, f/k/a San Pablo-Bamboo-Townhouse LLC, the owner of approximately 0.86± acres located in Council District 13 at 0 Bamboo Drive, 13582 Bamboo Drive and 13600 Bamboo Drive, between Atlantic Boulevard and Cocoanut Road (R.E. Nos. 167212-0000, 167214-0500 and 167215-0000), as more particularly described in Exhibit 1, dated May 16, 2023, and graphically depicted in Exhibit 2, both of which are attached hereto (the "Subject Property"), has applied for a rezoning and reclassification of the Subject Property from Residential Low Density-60 (RLD-60) District to Residential Medium Density-D (RMD-D) District; and

WHEREAS, the Planning and Development Department has considered

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the application and has rendered an advisory recommendation; and

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

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

WHEREAS, taking into consideration the above recommendations and all other evidence entered into the record and testimony taken at the public hearings, the Council finds that such rezoning: (1) is consistent with the 2045 Comprehensive Plan; (2) furthers the goals, objectives and policies of the 2045 Comprehensive Plan; and (3) is not in conflict with any portion of the City's land use regulations; now, therefore

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

Section 1. Property Rezoned. The Subject Property is hereby rezoned and reclassified from Residential Low Density-60 (RLD-60) District to Residential Medium Density-D (RMD-D) District, as defined and classified under the Zoning Code, City of Jacksonville, Florida.

Section 2. Owner and Description. The Subject Property is owned by San Pablo - Bamboo Grove South, LLC, f/k/a San Pablo-Bamboo-Townhouse LLC, and is legally described in **Exhibit 1**, attached hereto. The applicant is Marshall Phillips, Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207; (904) 346-5535.

Section 3. Disclaimer. The rezoning granted herein shall not be construed as an exemption from any other applicable local, state, or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this rezoning is based upon acknowledgement,

representation and confirmation made by the applicant(s), owners(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this rezoning does **not** approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.

Section 4. Effective Date. The enactment of this Ordinance shall be deemed to constitute a quasi-judicial action of the City Council and shall become effective upon signature by the Council President and Council Secretary.

Form Approved:

## /s/ Shannon K. Eller

15 Office of General Counsel

Legislation Prepared by: Stephen Nutt

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