

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-823-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.55± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 CLARK ROAD AND
7 467 CLARK ROAD, BETWEEN BROWARD ROAD AND
8 INTERSTATE CENTER DRIVE (R.E. NOS. 020690-0400
9 AND 020694-0000), OWNED BY 435 CLARK ROAD
10 HOLDINGS LLC, AS DESCRIBED HEREIN, FROM PLANNED
11 UNIT DEVELOPMENT (PUD) DISTRICT (2021-70-E) TO
12 RESIDENTIAL MEDIUM DENSITY-D (RMD-D) DISTRICT,
13 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
14 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
15 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5713-
16 22C; PROVIDING A DISCLAIMER THAT THE REZONING
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
22 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
23 portions of the Future Land Use Map series (FLUMs) in order to ensure
24 the accuracy and internal consistency of the plan, pursuant to
25 companion application L-5713-22C; and

26 **WHEREAS**, in order to ensure consistency of zoning district with
27 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
28 Amendment L-5713-22C, an application to rezone and reclassify from
29 Planned Unit Development (PUD) District (2021-70-E) to Residential
30 Medium Density-D (RMD-D) District was filed by Janis Fleet on behalf

1 of the owner of approximately 3.55± 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; now,
19 therefore

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

21 **Section 1. Subject Property Location and Description.** The
22 approximately 3.55± acres are located in Council District 8 at 0 Clark
23 Road and 467 Clark Road, between Broward Road and Interstate Center
24 Drive (R.E. Nos. 020690-0400 and 020694-0000), as more particularly
25 described in **Exhibit 1**, dated September 19, 2022, and graphically
26 depicted in **Exhibit 2**, both of which are attached hereto and
27 incorporated herein by this reference (the "Subject Property").

28 **Section 2. Owner and Applicant Description.** The Subject
29 Property is owned by 435 Clark Road Holdings LLC. The applicant is
30 Janis Fleet, 11557 Hidden Harbor Way, Jacksonville, Florida 32223;
31 (904) 666-7038.

1 **Section 3. Property Rezoned.** The Subject Property,
2 pursuant to adopted companion Small-Scale Amendment Application L-
3 5713-22C, is hereby rezoned and reclassified from Planned Unit
4 Development (PUD) District (2021-70-E) to Residential Medium Density-
5 D (RMD-D) District.

6 **Section 4. Contingency.** This rezoning shall not become
7 effective until thirty-one (31) days after adoption of the companion
8 Small-Scale Amendment; and further provided that if the companion
9 Small-Scale Amendment is challenged by the state land planning agency,
10 this rezoning shall not become effective until the state land planning
11 agency or the Administration Commission issues a final order
12 determining the companion Small-Scale Amendment is in compliance with
13 Chapter 163, *Florida Statutes*.

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

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Brittany Figueroa

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