

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-294**

5 AN ORDINANCE REZONING APPROXIMATELY 3.04± ACRES,
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 EAST 7TH
7 STREET AND 27 EAST 7TH STREET, BETWEEN MAIN
8 STREET AND HUBBARD STREET (R.E. NOS. 071383-0000
9 AND 071653-0000), AS DESCRIBED HEREIN, OWNED BY
10 27 EAST 7TH STREET LLC, FROM COMMERCIAL
11 COMMUNITY/GENERAL-SPRINGFIELD (CCG-S) DISTRICT
12 TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
14 PERMIT COMMERCIAL AND MULTI-FAMILY RESIDENTIAL
15 USES, AS DESCRIBED IN THE SPRINGFIELD 7TH STREET
16 EAST PUD, PURSUANT TO FUTURE LAND USE MAP SERIES
17 (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
18 NUMBER L-5811-23C; PROVIDING A DISCLAIMER THAT
19 THE REZONING GRANTED HEREIN SHALL NOT BE
20 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2045 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 companion application L-5811-23C; and

28 **WHEREAS,** in order to ensure consistency of zoning district with
29 the *2045 Comprehensive Plan* and the adopted companion Small-Scale
30 Amendment L-5811-23C, an application to rezone and reclassify from
31 Commercial Community/General-Springfield (CCG-S) District to Planned

1 Unit Development (PUD) District was filed by Paul Harden, Esq., on
2 behalf of the owner of approximately 3.04± acres of certain real
3 property in Council District 7, as more particularly described in
4 Section 1; and

5 **WHEREAS**, the Planning and Development Department, in order to
6 ensure consistency of this zoning district with the *2045 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 Committee, after due notice and
12 public hearing, has made its recommendation to the 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 *2045 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 3.04± acres are located in Council District 7 at 0 East
31 7th Street and 27 East 7th Street, between Main Street and Hubbard

1 Street (R.E. Nos. 071383-0000 and 071653-0000), as more particularly
2 described in **Exhibit 1**, dated October 12, 2022, and graphically
3 depicted in **Exhibit 2**, both of which are attached hereto and
4 incorporated herein by this reference (the "Subject Property").

5 **Section 2. Owner and Applicant Description.** The Subject
6 Property is owned by 27 East 7TH Street 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 5811-23C, is hereby rezoned and reclassified from Commercial
12 Community/General-Springfield (CCG-S) District to Planned Unit
13 Development (PUD) District. This new PUD district shall generally
14 permit commercial multi-family residential uses and is described,
15 shown and subject to the following documents, attached hereto:

16 **Exhibit 1** - Legal Description dated October 12, 2022.

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

18 **Exhibit 3** - Written Description dated May 2, 2023.

19 **Exhibit 4** - Site Plan dated March 22, 2023.

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; and further provided that if the companion
23 Small-Scale Amendment is challenged by the state land planning agency,
24 this rezoning shall not become effective until the state land planning
25 agency or the Administration Commission issues a final order
26 determining the companion Small-Scale Amendment is in compliance with
27 Chapter 163, *Florida Statutes*.

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

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

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

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14 Form Approved:

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16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Connor Corrigan

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