

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-145-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.21± ACRES
6 LOCATED IN COUNCIL DISTRICT 10 AT 2845 WEST
7 EDGEWOOD AVENUE, 0 CARROLL DRIVE, 0 GREENES
8 PLACE AND 2841 WEST EDGEWOOD AVENUE, BETWEEN
9 WEST EDGEWOOD AVENUE AND RAINES HIGH SCHOOL
10 (R.E. NOS. 040103-0000, 040103-0010, 040103-
11 0020, 040103-0030 AND 040115-0000), OWNED BY
12 INNOVATIVE HEALTH CARE PROPERTIES, INC. AND
13 INNOVATIVE HEALTH CARE PROPERTIES, II, LLC, AS
14 DESCRIBED HEREIN, FROM RESIDENTIAL LOW DENSITY-
15 60 (RLD-60) DISTRICT TO COMMERCIAL, RESIDENTIAL
16 AND OFFICE (CRO) DISTRICT, AS DEFINED AND
17 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
18 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
19 AMENDMENT APPLICATION NUMBER L-5643-21C;
20 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
21 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
22 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
23 EFFECTIVE DATE.
24

25 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
26 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
27 portions of the Future Land Use Map series (FLUMs) in order to ensure
28 the accuracy and internal consistency of the plan, pursuant to
29 companion application L-5643-21C; and

30 **WHEREAS**, in order to ensure consistency of zoning district with
31 the *2030 Comprehensive Plan* and the adopted companion Small-Scale

1 Amendment L-5643-21C, an application to rezone and reclassify from
2 Residential Low Density-60 (RLD) District to Commercial, Residential
3 and Office (CRO) District was filed by Paul Harden, Esq, on behalf
4 of the owner of approximately 3.21± acres of certain real property
5 in Council District 10, as more particularly described in Section 1;
6 and

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

11 **WHEREAS**, the Planning Commission has considered the application
12 and has rendered an advisory opinion; and

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

16 **WHEREAS**, the City Council, after due notice, held a public
17 hearing, and taking into consideration the above recommendations as
18 well as all oral and written comments received during the public
19 hearings, the Council finds that such rezoning is consistent with the
20 *2030 Comprehensive Plan* adopted under the comprehensive planning
21 ordinance for future development of the City of Jacksonville; now,
22 therefore

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

24 **Section 1. Subject Property Location and Description.** The
25 approximately 3.21± acres are located in Council District 10 at 2845
26 West Edgewood Avenue, 0 Carroll Drive, 0 Greenes Place and 2841
27 West Edgewood Avenue, between West Edgewood Avenue and Raines High
28 School (R.E. Nos. 040103-0000, 040103-0010, 040103-0020, 040103-
29 0030 and 040115-0000), as more particularly described in **Exhibit 1**,
30 dated December 8, 2021, and graphically depicted in **Exhibit 2**, both
31 of which are **attached hereto** and incorporated herein by this reference

1 (the "Subject Property").

2 **Section 2. Owner and Applicant Description.** The Subject
3 Property is owned by Innovative Health Care Properties, Inc. and
4 Innovative Health Care Properties, II, LLC. The applicant is Paul
5 Harden, Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville,
6 Florida 32207; (904) 396-5731.

7 **Section 3. Property Rezoned.** The Subject Property,
8 pursuant to adopted companion Small-Scale Amendment Application L-
9 5643-21C, is hereby rezoned and reclassified from Residential Low
10 Density-60 (RLD) District to Commercial, Residential and Office (CRO)
11 District.

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

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

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

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6 Form Approved:

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8 /s/ Mary E. Staffopoulos

9 Office of General Counsel

10 Legislation Prepared By: Kaysie Cox

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