

1 Introduced and amended by the Land Use and Zoning Committee:  
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3

4 **ORDINANCE 2022-192-E**

5 AN ORDINANCE REZONING APPROXIMATELY 6.45± ACRES,  
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 DUNN AVENUE,  
7 BETWEEN NEW KINGS ROAD AND INTERSTATE-295 WEST  
8 (R.E. NO. 004258-0690, OWNED BY INNOVATIVE  
9 HEALTH CARE PROPERTIES, II, LLC, AS DESCRIBED  
10 HEREIN, FROM PLANNED UNIT DEVELOPMENT (PUD)  
11 DISTRICT (2015-279-E) TO PLANNED UNIT  
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
14 MULTI-FAMILY RESIDENTIAL USES, AS DESCRIBED IN  
15 THE DINSMORE DUNN AVENUE PUD, PURSUANT TO FUTURE  
16 LAND USE MAP SERIES (FLUMS) SMALL-SCALE  
17 AMENDMENT APPLICATION NUMBER L-5645-21C;  
18 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
19 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
20 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
21 EFFECTIVE DATE.  
22

23 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
24 Amendment to the *2030 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 the  
27 companion land use ordinance for application L-5645-21C; and

28 **WHEREAS,** in order to ensure consistency of zoning district with  
29 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
30 Amendment L-5645-21C, an application to rezone and reclassify from  
31 Planned Unit Development (PUD) District (2015-279-E) to Planned Unit

1 Development (PUD) District was filed by Paul Harden, Esq., on behalf  
2 of the owner of approximately 6.45± acres of certain real property  
3 in Council District 8, as more particularly described in Section 1;  
4 and

5 **WHEREAS**, the Planning and Development Department, in order to  
6 ensure consistency of this zoning district with the *2030 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 (LUZ) Committee, after due  
12 notice and public hearing, has made its recommendation to the Council;  
13 and

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

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

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

30 **Section 1. Subject Property Location and Description.** The  
31 approximately 6.45± acres are located in Council District 8 at 0 Dunn

1 Avenue, between New Kings Road and Interstate-295 West (R.E. No.  
2 004258-0690), as more particularly described in **Exhibit 1**, dated  
3 December 10, 2021, and graphically depicted in **Exhibit 2**, both of  
4 which are **attached hereto** and incorporated herein by this reference  
5 (the "Subject Property").

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

10 **Section 3. Property Rezoned.** The Subject Property,  
11 pursuant to adopted companion Small-Scale Amendment L-5645-21C, is  
12 hereby rezoned and reclassified from Planned Unit Development (PUD)  
13 District (2015-279-E) to Planned Unit Development (PUD) District.  
14 This new PUD district shall generally permit multi-family residential  
15 uses, and is described, shown and subject to the following documents,  
16 **attached hereto:**

17 **Exhibit 1** - Legal Description dated December 10, 2021.

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

19 **Revised Exhibit 3** - Revised Written Description dated April 1, 2022.

20 **Exhibit 4** - Site Plan dated December 10, 2021.

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

30 **Section 5. Disclaimer.** The rezoning granted herein  
31 shall **not** be construed as an exemption from any other applicable

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

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

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16 Form Approved:

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18           /s/ Mary E. Staffopoulos          

19 Office of General Counsel

20 Legislation Prepared By: Connor Corrigan

21 GC-#1498166-v1-2022-192-E\_