Introduced by the Land Use and Zoning Committee:

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ORDINANCE 2021-170-W

AN ORDINANCE REZONING APPROXIMATELY 2.74± ACRES, LOCATED IN COUNCIL DISTRICT 14 AT 0 LAKESIDE DRIVE AND 4228 LAKESIDE DRIVE, BETWEEN EUCLID STREET AND HERSCHEL STREET (R.E. NOS. 094170-0100 AND 094170-0152) AS DESCRIBED HEREIN, OWNED BY BBC ORTEGA LANDING, LLC, FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2004-12-E) PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL AND ASSISTED LIVING USES, AS DESCRIBED IN THE ORTEGA SENIOR LIVING PUD; 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, BBC Ortega Landing, LLC, the owner of approximately 2.74± acres, located in Council District 14 at 0 Lakeside Drive and 4228 Lakeside Drive, between Euclid Street and Herschel Street (R.E. Nos. 094170-0100 and 094170-0152), as more particularly described in Exhibit 1, dated March 16, 2021, and graphically depicted in Exhibit 2, both of which are attached hereto (Subject Property), has applied for a rezoning and reclassification of that property from Planned Unit Development (PUD) District (2004-12-E) to Planned Unit Development (PUD) District, as described in Section 1 below; and

WHEREAS, the Planning Commission has considered the application

and has rendered an advisory opinion; and

WHEREAS, the Land Use and Zoning Committee, after due notice and public hearing, has made its recommendation to the Council; and

WHEREAS, the Council finds that such rezoning is: (1) consistent with the 2030 Comprehensive Plan; (2) furthers the goals, objectives and policies of the 2030 Comprehensive Plan; and (3) is not in conflict with any portion of the City's land use regulations; and

WHEREAS, the Council finds the proposed rezoning does not adversely affect the orderly development of the City as embodied in the Zoning Code; will not adversely affect the health and safety of residents in the area; will not be detrimental to the natural environment or to the use or development of the adjacent properties in the general neighborhood; and will accomplish the objectives and meet the standards of Section 656.340 (Planned Unit Development) of the Zoning Code; 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 Planned Unit Development (PUD) District (2004-12-E) to Planned Unit Development (PUD) District. This new PUD district shall generally permit multi-family residential and assisted living uses, and is described, shown and subject to the following documents, attached hereto:

- Exhibit 1 Legal Description dated March 16, 2021.
- **Exhibit 2** Subject Property per P&DD.

- 24 Exhibit 3 Written Description dated February 23, 2021.
 - Exhibit 4 Site Plan dated February 25, 2021.

Section 2. Owner and Description. The Subject Property is owned by BBC Ortega Landing, LLC, and is legally described in Exhibit 1, attached hereto. The applicant is Cyndy Trimmer, One Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904) 807-0185.

Section 3. Disclaimer. The rezoning granted herein

shall **not** be construed as an exemption from any other applicable 1 2 local, state, or federal laws, regulations, requirements, permits or 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 7 developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict 8 9 compliance with all laws. Issuance of this rezoning does not approve, 10 promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws. 11

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 the Council Secretary.

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Form Approved:

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/s/ Shannon K. Eller

20 Office of General Counsel

21 Legislation Prepared By: Erin Abney

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