

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-574**

5 AN ORDINANCE REZONING APPROXIMATELY 8.58± ACRES  
6 LOCATED IN COUNCIL DISTRICT 4 AT 0 PARENTAL HOME  
7 ROAD, BETWEEN BOWDEN ROAD AND PARENTAL HOME ROAD  
8 (R.E. NO. 152570-0200), OWNED BY 223 S. 9TH AVE.,  
9 INC., AS DESCRIBED HEREIN, FROM COMMERCIAL  
10 NEIGHBORHOOD (CN) AND COMMERCIAL RESIDENTIAL  
11 OFFICE DISTRICTS TO PLANNED UNIT DEVELOPMENT  
12 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER  
13 THE ZONING CODE, TO PERMIT MULTI-FAMILY  
14 RESIDENTIAL USES, AS DESCRIBED IN THE BOWDEN  
15 CORNERS PUD, PURSUANT TO FUTURE LAND USE MAP  
16 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION  
17 NUMBER L-5465-20C; PROVIDING A DISCLAIMER THAT  
18 THE REZONING GRANTED HEREIN SHALL NOT BE  
19 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
21

22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
23 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
24 portions of the Future Land Use Map series (FLUMs) in order to ensure  
25 the accuracy and internal consistency of the plan, pursuant to  
26 application L-5465-20C and companion land use Ordinance 2020-573; and

27 **WHEREAS,** in order to ensure consistency of zoning district with  
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
29 Amendment L-5465-20C, an application to rezone and reclassify from  
30 Commercial Neighborhood (CN) and Commercial Residential Office (CRO)  
31 Districts to Planned Unit Development (PUD) District was filed by

1 Gregory E. Matovina, on behalf of the owner of approximately 8.58±  
2 acres of certain real property in Council District 4, as more  
3 particularly described in Section 1; 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; 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 8.58± acres (R.E. No. 152570-0200) are located in  
31 Council District 4, at 0 Parental Home Road, between Bowden Road and

1 Parental Home Road, as more particularly described in **Exhibit 1**,  
2 dated August 31, 2020, and graphically depicted in **Exhibit 2**, both  
3 of which are **attached hereto** and incorporated herein by this reference  
4 (Subject Property).

5 **Section 2. Owner and Applicant Description.** The Subject  
6 Property is owned by 223 S. 9th Ave., Inc. The applicant is Gregory  
7 E. Matovina, 12443 San Jose Boulevard, Suite 504, Jacksonville,  
8 Florida 32223; (904) 292-0778.

9 **Section 3. Property Rezoned.** The Subject Property,  
10 pursuant to adopted companion Small-Scale Amendment L-5465-20C, is  
11 hereby rezoned and reclassified from Commercial Neighborhood (CN) and  
12 Commercial Residential Office (CRO) Districts to Planned Unit  
13 Development (PUD) District. This new PUD district shall generally  
14 permit multi-family residential uses, and is described, shown and  
15 subject to the following documents, **attached hereto**:

16 **Exhibit 1** - Legal Description dated August 31, 2020.

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

18 **Exhibit 3** - Written Description dated August 31, 2020.

19 **Exhibit 4** - Site Plan dated August 31, 2020.

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

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

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

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

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15 Form Approved:

16  
17 /s/ Shannon K. Eller

18 Office of General Counsel

19 Legislation Prepared By: Arimus Wells

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