

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-333-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.26± ACRES
6 LOCATED IN COUNCIL DISTRICT 14 AT 1541
7 RIVERSIDE AVENUE, 1551 RIVERSIDE AVENUE, 1715
8 MEMORIAL PARK DRIVE, 1721 MEMORIAL PARK DRIVE
9 AND 1729 MEMORIAL PARK DRIVE, BETWEEN MEMORIAL
10 PARK DRIVE AND LANCASTER STREET (R.E. NOS.
11 090180-0000, 090181-0000, 090182-0000, 090183-
12 0000 AND 090188-0000), OWNED BY SCHIAVONE
13 ENTERPRISES, INC., SCHIAVONE PROPERTIES, INC.,
14 SCHIAVONE ASSOCIATES, INC., AND SCHIAVONE
15 REALTY, INC., AS DESCRIBED HEREIN, FROM
16 COMMERCIAL RESIDENTIAL OFFICE (CRO) DISTRICT TO
17 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
18 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
19 TO PERMIT COMMERCIAL USES, AS DESCRIBED IN THE
20 RIVERSIDE VILLAGE PUD, PURSUANT TO FUTURE LAND
21 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
22 APPLICATION NUMBER L-5428-20C; PROVIDING A
23 DISCLAIMER THAT THE REZONING GRANTED HEREIN
24 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
25 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
26 DATE.
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28 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
29 Amendment to the *2030 Comprehensive Plan* for the purpose of
30 revising portions of the Future Land Use Map series (FLUMs) in
31 order to ensure the accuracy and internal consistency of the plan,

1 pursuant to application L-5428-20C and companion land use Ordinance
2 2020-332; and

3 **WHEREAS**, in order to ensure consistency of zoning district
4 with the *2030 Comprehensive Plan* and the adopted companion Small-
5 Scale Amendment L-5428-20C, an application to rezone and reclassify
6 from Commercial Residential Office (CRO) District to Planned Unit
7 Development (PUD) District was filed by Paul M. Harden, Esq., on
8 behalf of the owners of approximately 1.26± acres of certain real
9 property in Council District 14, as more particularly described in
10 Section 1; and

11 **WHEREAS**, the Planning and Development Department, in order to
12 ensure consistency of this zoning district with the *2030*
13 *Comprehensive Plan*, has considered the rezoning and has rendered an
14 advisory opinion; and

15 **WHEREAS**, the Planning Commission has considered the
16 application and has rendered an advisory opinion; and

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

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

27 **WHEREAS**, the Council finds that the proposed PUD does not
28 affect adversely the orderly development of the City as embodied in
29 the *Zoning Code*; will not affect adversely the health and safety of
30 residents in the area; will not be detrimental to the natural
31 environment or to the use or development of the adjacent properties

1 in the general neighborhood; and the proposed PUD will accomplish
2 the objectives and meet the standards of Section 656.340 (Planned
3 Unit Development) of the *Zoning Code* of the City of Jacksonville;
4 now, therefore

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

6 **Section 1. Subject Property Location and Description.** The
7 approximately 1.26± acres (R.E. Nos. 090180-0000, 090181-0000,
8 090182-0000, 090183-0000 and 090188-0000) are located in Council
9 District 14, at 1541 Riverside Avenue, 1551 Riverside Avenue, 1715
10 Memorial Park Drive, 1721 Memorial Park Drive and 1729 Memorial
11 Park Drive, between Memorial Park Drive and Lancaster Street, as
12 more particularly described in **Exhibit 1**, dated January 6, 2020,
13 and graphically depicted in **Exhibit 2**, both of which are **attached**
14 **hereto** and incorporated herein by this reference (Subject
15 Property).

16 **Section 2. Owner and Applicant Description.** The Subject
17 Property is owned by Schiavone Enterprises, Inc., Schiavone
18 Properties, Inc., Schiavone Associates, Inc., and Schiavone Realty,
19 Inc. The applicant is Paul M. Harden, Esq., 501 Riverside Avenue,
20 Suite 901, Jacksonville, Florida 32202; (904) 396-5731.

21 **Section 3. Property Rezoned.** The Subject Property,
22 pursuant to adopted companion Small-Scale Amendment L-5428-20C, is
23 hereby rezoned and reclassified from Commercial Residential Office
24 (CRO) District to Planned Unit Development (PUD) District. This
25 new PUD district shall generally permit commercial uses, and is
26 described, shown and subject to the following documents, **attached**
27 **hereto:**

28 **Exhibit 1** - Legal Description dated January 6, 2020.

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

30 **Revised Exhibit 3** - Revised Written Description dated August 25,
31 2020.

1 **Exhibit 4** - Site Plan dated February 20, 2020.

2 **Section 4. Contingency.** This rezoning shall not become
3 effective until 31 days after adoption of the companion Small-Scale
4 Amendment unless challenged by the state land planning agency; and
5 further provided that if the companion Small-Scale Amendment is
6 challenged by the state land planning agency, this rezoning shall
7 not become effective until the state land planning agency or the
8 Administration Commission issues a final order determining the
9 companion Small-Scale Amendment is in compliance with Chapter 163,
10 *Florida Statutes*.

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

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

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Form Approved:

 /s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Arimus Wells

GC-#1384587-v1-2020-333-E