

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-170**

5 AN ORDINANCE REZONING APPROXIMATELY 2.74± ACRES,
6 LOCATED IN COUNCIL DISTRICT 14 AT 0 LAKESIDE
7 DRIVE AND 4228 LAKESIDE DRIVE, BETWEEN EUCLID
8 STREET AND HERSCHEL STREET (R.E. NOS. 094170-
9 0100 AND 094170-0152) AS DESCRIBED HEREIN, OWNED
10 BY BBC ORTEGA LANDING, LLC, FROM PLANNED UNIT
11 DEVELOPMENT (PUD) DISTRICT (2004-12-E) TO
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
14 PERMIT MULTI-FAMILY RESIDENTIAL AND ASSISTED
15 LIVING USES, AS DESCRIBED IN THE ORTEGA SENIOR
16 LIVING PUD; PROVIDING A DISCLAIMER THAT THE
17 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, BBC Ortega Landing, LLC, the owner of approximately
22 2.74± acres, located in Council District 14 at 0 Lakeside Drive and
23 4228 Lakeside Drive, between Euclid Street and Herschel Street (R.E.
24 Nos. 094170-0100 and 094170-0152), as more particularly described in
25 **Exhibit 1**, dated March 16, 2021, and graphically depicted in **Exhibit**
26 **2**, both of which are **attached hereto** (Subject Property), has applied
27 for a rezoning and reclassification of that property from Planned
28 Unit Development (PUD) District (2004-12-E) to Planned Unit
29 Development (PUD) District, as described in Section 1 below; and

30 **WHEREAS**, the Planning Commission has considered the application
31 and has rendered an advisory opinion; and

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

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

7 **WHEREAS**, the Council finds the proposed rezoning does not
8 adversely affect the orderly development of the City as embodied in
9 the Zoning Code; will not adversely affect the health and safety of
10 residents in the area; will not be detrimental to the natural
11 environment or to the use or development of the adjacent properties
12 in the general neighborhood; and will accomplish the objectives and
13 meet the standards of Section 656.340 (Planned Unit Development) of
14 the Zoning Code; now, therefore

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

16 **Section 1. Property Rezoned.** The Subject Property is
17 hereby rezoned and reclassified from Planned Unit Development (PUD)
18 District (2004-12-E) to Planned Unit Development (PUD) District. This
19 new PUD district shall generally permit multi-family residential and
20 assisted living uses, and is described, shown and subject to the
21 following documents, **attached hereto**:

22 **Exhibit 1** - Legal Description dated March 16, 2021.

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

24 **Exhibit 3** - Written Description dated February 23, 2021.

25 **Exhibit 4** - Site Plan dated February 25, 2021.

26 **Section 2. Owner and Description.** The Subject Property
27 is owned by BBC Ortega Landing, LLC, and is legally described in
28 **Exhibit 1, attached hereto.** The applicant is Cyndy Trimmer, One
29 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)
30 807-0185.

31 **Section 3. Disclaimer.** The rezoning granted herein

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

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

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17 Form Approved:

18
19 /s/ Shannon K. Eller

20 Office of General Counsel

21 Legislation Prepared By: Erin Abney

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