

1 Introduced and amended by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2022-340-E**

5 AN ORDINANCE REZONING APPROXIMATELY 44.98±
6 ACRES, LOCATED IN COUNCIL DISTRICT 11 AT 0
7 INTERSTATE-95 AND 0 RACETRACK ROAD, BETWEEN
8 INTERSTATE-95 AND STATE ROAD 9B (R.E. NOS.
9 168139-0105 (PORTION), 168139-0115, 168139-
10 0540, AND 168139-0550), OWNED BY BARTRAM COMMONS
11 PROPERTY OWNERS ASSOCIATION, INC., CHADBOURNE VI
12 LLC, CHADBOURNE VII LLC, AND CHADBOURNE VIII
13 LLC, AS DESCRIBED HEREIN, FROM AGRICULTURE (AGR)
14 DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD)
15 DISTRICT (2000-452-E) TO PLANNED UNIT
16 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
17 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
18 MULTI-FAMILY RESIDENTIAL USES, AS DESCRIBED IN
19 THE BARTRAM PARK PUD, PURSUANT TO FUTURE LAND
20 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
21 APPLICATION NUMBER L-5668-22C; PROVIDING A
22 DISCLAIMER THAT THE REZONING GRANTED HEREIN
23 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
24 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
25 DATE.
26

27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
28 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
29 portions of the Future Land Use Map series (FLUMs) in order to ensure
30 the accuracy and internal consistency of the plan, pursuant to the
31 companion land use ordinance for application L-5668-22C; and

1 **WHEREAS**, in order to ensure consistency of zoning district with
2 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
3 Amendment L-5668-22C, an application to rezone and reclassify from
4 Agriculture (AGR) District and Planned Unit Development (PUD)
5 District (2000-452-E) to Planned Unit Development (PUD) District was
6 filed by Staci Rewis, Esq., on behalf of the owners of approximately
7 44.98± acres of certain real property in Council District 11, as more
8 particularly described in Section 1; and

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

13 **WHEREAS**, the Planning Commission has considered the application
14 and has rendered an advisory opinion; and

15 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
16 notice and public hearing, has made its recommendation to the Council;
17 and

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

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

1 therefore

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

3 **Section 1. Subject Property Location and Description.** The
4 approximately 44.98± acres are located in Council District 11 at 0
5 Interstate-95 and 0 Racetrack Road, between Interstate-95 and State
6 Road 9B (R.E. Nos. 168139-0105 (portion), 168139-0115, 168139-0540,
7 and 168139-0550), as more particularly described in **Exhibit 1**, dated
8 February 22, 2022, and graphically depicted in **Exhibit 2**, both of
9 which are attached hereto and incorporated herein by this reference
10 (the "Subject Property").

11 **Section 2. Owner and Applicant Description.** The Subject
12 Property is owned by Bartram Commons Property Owners Association,
13 Inc., Chadbourne VI LLC, Chadbourne VII LLC, and Chadbourne VIII LLC.
14 The applicant is Staci Rewis, Esq., One Independent Drive, Suite
15 1200, Jacksonville, Florida 32202; (904) 301-1269.

16 **Section 3. Property Rezoned.** The Subject Property,
17 pursuant to adopted companion Small-Scale Amendment L-5668-22C, is
18 hereby rezoned and reclassified from Agriculture (AGR) District and
19 Planned Unit Development (PUD) District (2000-452-E) to Planned Unit
20 Development (PUD) District. This new PUD district shall generally
21 permit multi-family residential uses, and is described, shown and
22 subject to the following documents, attached hereto:

23 **Exhibit 1** - Legal Description dated February 22, 2022.

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

25 **Exhibit 3** - Written Description dated March 4, 2022.

26 **Exhibit 4** - Site Plan dated March 3, 2022.

27 **Section 4. Contingency.** This rezoning shall not become
28 effective until thirty-one (31) days after adoption of the companion
29 Small-Scale Amendment unless challenged by the state land planning
30 agency; and further provided that if the companion Small-Scale
31 Amendment is challenged by the state land planning agency, this

1 rezoning shall not become effective until the state land planning
2 agency or the Administration Commission issues a final order
3 determining the companion Small-Scale Amendment is in compliance with
4 Chapter 163, *Florida Statutes*.

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

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

21
22 Form Approved:

23
24 /s/ Mary E. Staffopoulos

25 Office of General Counsel

26 Legislation Prepared By: Kaysie Cox

27 GC-#1506373-v1-2022-340-E