

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-829-E**

5 AN ORDINANCE REZONING APPROXIMATELY 56.86± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 8475 GARDEN
7 STREET AND 8439 GARDEN STREET, BETWEEN PAXTON
8 ROAD AND MESSER ROAD (R.E. NOS. 002830-0000,
9 002830-0030 AND 002832-0000), OWNED BY COOPER
10 MEADOWS LLC, AS DESCRIBED HEREIN, FROM
11 AGRICULTURE (AGR) DISTRICT TO RESIDENTIAL LOW
12 DENSITY-50 (RLD-50) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
14 FUTURE LAND USE MAP SERIES (FLUMS) LARGE-SCALE
15 AMENDMENT APPLICATION NUMBER L-5521-21A;
16 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
17 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
18 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
19 EFFECTIVE DATE.
20

21 **WHEREAS,** the City of Jacksonville adopted a Large-Scale
22 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
23 portions of the Future Land Use Map series (FLUMs) in order to ensure
24 the accuracy and internal consistency of the plan, pursuant to
25 companion application L-5521-21A; and

26 **WHEREAS,** in order to ensure consistency of zoning district with
27 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
28 Amendment L-5521-21A, an application to rezone and reclassify from
29 Agriculture (AGR) District to Residential Low Density-50 (RLD-50)
30 District was filed by Curtis L. Hart on behalf of Cooper Meadows LLC,

1 the owner of approximately 56.86± acres of certain real property in
2 Council District 8, as more particularly described in Section 1; and

3 **WHEREAS**, the Planning and Development Department, in order to
4 ensure consistency of this zoning district with the *2030 Comprehensive*
5 *Plan*, has considered the rezoning and has rendered an advisory
6 opinion; and

7 **WHEREAS**, the Planning Commission has considered the application
8 and has rendered an advisory opinion; and

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

12 **WHEREAS**, the City Council, after due notice, held a public
13 hearing, and taking into consideration the above recommendations as
14 well as all oral and written comments received during the public
15 hearings, the Council finds that such rezoning is consistent with the
16 *2030 Comprehensive Plan* adopted under the comprehensive planning
17 ordinance for future development of the City of Jacksonville; now,
18 therefore

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

20 **Section 1. Subject Property Location and Description.** The
21 approximately 56.86± acres are located in Council District 8 at
22 8475 Garden Street and 8439 Garden Street, between Paxton Road and
23 Messer Road (R.E. Nos. 002830-0000, 002830-0030 and 002832-0000), as
24 more particularly described in **Exhibit 1**, dated November 2, 2021, and
25 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
26 and incorporated herein by this reference (the "Subject Property").

27 **Section 2. Owner and Applicant Description.** The Subject
28 Property is owned by Cooper Meadows LLC. The applicant is Curtis L.
29 Hart, 8051 Tara Lane, Jacksonville, Florida 32216; (904) 993-5008.

30 **Section 3. Property Rezoned.** The Subject Property,
31 pursuant to adopted companion Large-Scale Amendment Application L-

1 5521-21A, is hereby rezoned and reclassified from Agriculture (AGR)
2 District to Residential Low Density-50 (RLD-50).

3 **Section 4. Contingency.** This rezoning shall not become
4 effective until thirty-one (31) days after adoption of the companion
5 Large-Scale Amendment; and further provided that if the companion
6 Large-Scale Amendment is challenged by the state land planning agency,
7 this rezoning shall not become effective until the state land planning
8 agency or the Administration Commission issues a final order
9 determining the companion Large-Scale Amendment is in compliance with
10 Chapter 163, *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 or
14 approvals. All other applicable local, state or federal permits or
15 approvals shall be obtained before commencement of the development
16 or use and issuance of this rezoning is based upon acknowledgement,
17 representation and confirmation made by the applicant(s), owner(s),
18 developer(s) and/or any authorized agent(s) or designee(s) that the
19 subject business, development and/or use will be operated in strict
20 compliance with all laws. Issuance of this rezoning does not approve,
21 promote or condone any practice or act that is prohibited or
22 restricted by any federal, state or local laws.

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

27 Form Approved:

28
29 /s/ Mary E. Staffopoulos

30 Office of General Counsel

31 Legislation Prepared By: Erin Abney

