

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-196-E**

5 AN ORDINANCE REZONING APPROXIMATELY 16.19± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 BROWARD ROAD,
7 BETWEEN CLARK ROAD AND INTERSTATE-95 (R.E. NO.
8 022105-0010), OWNED BY DPC JAX, LLC, AS
9 DESCRIBED HEREIN, FROM COMMERCIAL
10 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT TO PLANNED
11 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
13 TOWNHOMES, AS DESCRIBED IN THE
14 BROWARD/INTERSTATE VILLAS PUD, PURSUANT TO
15 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
16 AMENDMENT APPLICATION NUMBER L-5652-21C; PUD
17 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER
18 THAT 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 the
26 companion land use application L-5652-21C; 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-5652-21C, an application to rezone and reclassify from
30 Commercial Community/General-1 (CCG-1) District to Planned Unit
31 Development (PUD) District was filed by T.R. Hainline, Esq., on behalf

1 of the owner of approximately 16.19± acres of certain real property
2 in Council District 8, as more particularly described in Section 1;
3 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 16.19± acres are located in Council District 8 at 0
31 Broward Road, between Clark Road and Interstate-95 (R.E. No. 022105-

1 0010), as more particularly described in **Exhibit 1**, dated December
2 22, 2021, and graphically depicted in **Exhibit 2**, both of which are
3 **attached hereto** and incorporated herein by this reference (the
4 "Subject Property").

5 **Section 2. Owner and Applicant Description.** The Subject
6 Property is owned by DPC JAX, LLC. The applicant is T.R. Hainline,
7 Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida
8 32207; (904) 346-5531.

9 **Section 3. Property Rezoned.** The Subject Property,
10 pursuant to adopted companion Small-Scale Amendment L-5652-21C, is
11 hereby rezoned and reclassified from Commercial Community/General-1
12 (CCG-1) District to Planned Unit Development (PUD) District. This
13 new PUD district shall generally permit townhomes, and is described,
14 shown and subject to the following documents, **attached hereto**:

15 **Exhibit 1** - Legal Description dated December 22, 2021.

16 **Exhibit 2** - Subject Property Map (prepared by P&DD).

17 **Exhibit 3** - Written Description dated February 1, 2022.

18 **Exhibit 4** - Site Plan dated December 22, 2021.

19 **Section 4. Rezoning Approved Subject to Conditions.** This
20 rezoning is approved subject to the following conditions. Such
21 conditions control over the Written Description and the Site Plan and
22 may only be amended through a rezoning:

23 (1) The proposed street typical cross section shall match that
24 found in City of Jacksonville Standard, Residential Local Subdivision
25 Street Classification, Plate P-127 Roadway Drawing.

26 (2) A traffic study shall be provided at Civil Site Plan Review
27 unless the Chief of the Traffic Engineering Division determines one
28 will not be required. Prior to commencement of the traffic study,
29 if applicable, the traffic professional shall conduct a methodology
30 meeting to determine the limits of the study. The methodology meeting
31 shall include the Chief of the Traffic Engineering Division, the

1 Chief of the Transportation Division and the traffic reviewer from
2 Development Services.

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

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

24 **Section 7. Effective Date.** The enactment of this Ordinance
25 shall be deemed to constitute a quasi-judicial action of the City
26 Council and shall become effective upon signature by the Council
27 President and the Council Secretary.
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1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

6 GC-#1498176-v1-2022-196-E