Introduced, substituted and amended by the Land Use and Zoning
 Committee:

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ORDINANCE 2022-10-E

6 AN ORDINANCE REZONING APPROXIMATELY 1.89± ACRES 7 LOCATED IN COUNCIL DISTRICT 8 AT 0 INTERSTATE 8 CENTER DRIVE, BETWEEN INTERSTATE CENTER DRIVE AND 9 BROWARD ROAD (R.E. NO. 020703-0010), OWNED BY 10 CLDG LAND III, LLC, AS DESCRIBED HEREIN, FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2018-11 12 72-E) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, 13 14 TO PERMIT MULTI-FAMILY RESIDENTIAL USES, AS DESCRIBED IN THE INTERSTATE CENTER PUD, PURSUANT 15 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE 16 17 AMENDMENT APPLICATION NUMBER L-5624-21C; PUD SUBJECT TO CONDITION; PROVIDING A DISCLAIMER THAT 18 THE REZONING GRANTED HEREIN SHALL 19 NOT ΒE 20 CONSTRUED AS AN EXEMPTION FROM ANY OTHER 21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville adopted a Small-Scale Amendment to the 2030 Comprehensive Plan for the purpose of revising portions of the Future Land Use Map series (FLUMs) in order to ensure the accuracy and internal consistency of the plan, pursuant to companion land use ordinance for application L-5624-21C; and

WHEREAS, in order to ensure consistency of zoning district with the 2030 Comprehensive Plan and the adopted companion Small-Scale Amendment L-5624-21C, an application to rezone and reclassify from Planned Unit Development (PUD) District (2018-72-E) to Planned Unit Development (PUD) District was filed by Paul Harden, Esq., on behalf of the owner of approximately 1.89± acres of certain real property in Council District 8, as more particularly described in Section 1; and

5 WHEREAS, the Planning and Development Department, in order to 6 ensure consistency of this zoning district with the 2030 Comprehensive 7 Plan, has considered the rezoning and has rendered an advisory 8 opinion; and

9 WHEREAS, the Planning Commission has considered the application10 and has rendered an advisory opinion; and

11 WHEREAS, the Land Use and Zoning (LUZ) Committee, after due 12 notice, held a public hearing and made its recommendation to the 13 Council; and

14 WHEREAS, the City Council, after due notice, held a public 15 hearing, and taking into consideration the above recommendations as 16 well as all oral and written comments received during the public 17 hearings, the Council finds that such rezoning is consistent with the 18 2030 Comprehensive Plan adopted under the comprehensive planning 19 ordinance for future development of the City of Jacksonville; and

20 WHEREAS, the Council finds that the proposed PUD does not affect 21 adversely the orderly development of the City as embodied in the 22 Zoning Code; will not affect adversely the health and safety of 23 residents in the area; will not be detrimental to the natural 24 environment or to the use or development of the adjacent properties 25 in the general neighborhood; and the proposed PUD will accomplish the 26 objectives and meet the standards of Section 656.340 (Planned Unit 27 Development) of the Zoning Code of the City of Jacksonville; now, 28 therefore

BE IT ORDAINED by the Council of the City of Jacksonville:
Section 1. Subject Property Location and Description. The
approximately 1.89± acres are located in Council District 8 at 0

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Interstate Center Drive, between Interstate Center Drive and Broward Road (R.E. No. 020703-0010), as more particularly described in **Exhibit** , dated October 7, 2021, and graphically depicted in **Exhibit 2**, both of which are **attached hereto** and incorporated herein by this reference (the "Subject Property").

6 Section 2. Owner and Applicant Description. The Subject 7 Property is owned by CLDG Land III, LLC. The applicant is Paul 8 Harden, Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville, 9 Florida 32207; (904) 396-5731.

10 Section 3. Property Rezoned. The Subject Property, 11 pursuant to adopted companion Small-Scale Amendment Application L-12 5624-21C, is hereby rezoned and reclassified from Planned Unit 13 Development (PUD) District (2018-72-E) to Planned Unit Development 14 (PUD) District. This new PUD district shall generally permit multi-15 family residential uses, and is described, shown and subject to the 16 following documents, attached hereto:

17 **Exhibit 1** - Legal Description dated October 7, 2021.

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

19 **Exhibit 3** - Written Description dated February 22, 2022.

20 Exhibit 4 - Site Plan dated February 10, 2022.

21 Section 4. Rezoning Approved Subject to Condition. This 22 rezoning is approved subject to the following condition. Such 23 condition controls over the Written Description and the Site Plan and 24 may only be amended through a rezoning:

(1) The driveway to the Subject Property shall either align
with or be 75 feet from any driveway across Interstate Center Drive,
subject to review and approval of the Planning and Development
Department.

Section 5. Contingency. This rezoning shall not become effective until thirty-one (31) days after adoption of the companion Small-Scale Amendment unless challenged by the state land planning

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agency;; and further provided that if the companion Small-Scale Amendment is challenged by the state land planning agency, this rezoning shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the companion Small-Scale Amendment is in compliance with Chapter 163, *Florida Statutes*.

7 Section 6. Disclaimer. The rezoning granted herein 8 shall **not** be construed as an exemption from any other applicable 9 local, state, or federal laws, regulations, requirements, permits or 10 approvals. All other applicable local, state or federal permits or 11 approvals shall be obtained before commencement of the development 12 or use and issuance of this rezoning is based upon acknowledgement, 13 representation and confirmation made by the applicant(s), owner(s), 14 developer(s) and/or any authorized agent(s) or designee(s) that the 15 subject business, development and/or use will be operated in strict 16 compliance with all laws. Issuance of this rezoning does not approve, 17 promote or condone any practice or act that is prohibited or 18 restricted by any federal, state or local laws.

19 Section 7. Effective Date. The enactment of this Ordinance 20 shall be deemed to constitute a quasi-judicial action of the City 21 Council and shall become effective upon signature by the Council 22 President and the Council Secretary.

24 Form Approved:

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/s/ Mary E. Staffopoulos

27 Office of General Counsel

28 Legislation Prepared By: Bruce Lewis

29 GC-#1500493-v1-2022-10-E