

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

3
4
5 **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
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2018-
12 72-E) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT,
13 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
14 TO PERMIT MULTI-FAMILY RESIDENTIAL USES, AS
15 DESCRIBED IN THE INTERSTATE CENTER PUD, PURSUANT
16 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
17 AMENDMENT APPLICATION NUMBER L-5624-21C; PUD
18 SUBJECT TO CONDITION; PROVIDING A DISCLAIMER THAT
19 THE REZONING GRANTED HEREIN SHALL NOT BE
20 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

22
23 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
25 portions of the Future Land Use Map series (FLUMs) in order to ensure
26 the accuracy and internal consistency of the plan, pursuant to
27 companion land use ordinance for application L-5624-21C; and

28 **WHEREAS**, in order to ensure consistency of zoning district with
29 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
30 Amendment L-5624-21C, an application to rezone and reclassify from
31 Planned Unit Development (PUD) District (2018-72-E) to Planned Unit

1 Development (PUD) District was filed by Paul Harden, Esq., on behalf
2 of the owner of approximately 1.89± acres of certain real property
3 in Council District 8, as more particularly described in Section 1;
4 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 application
10 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

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

30 **Section 1. Subject Property Location and Description.** The
31 approximately 1.89± acres are located in Council District 8 at 0

1 Interstate Center Drive, between Interstate Center Drive and Broward
2 Road (R.E. No. 020703-0010), as more particularly described in **Exhibit**
3 **1**, dated October 7, 2021, and graphically depicted in **Exhibit 2**, both
4 of which are **attached hereto** and incorporated herein by this reference
5 (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:

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

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

1 agency;; and further provided that if the companion Small-Scale
2 Amendment is challenged by the state land planning agency, this
3 rezoning shall not become effective until the state land planning
4 agency or the Administration Commission issues a final order
5 determining the companion Small-Scale Amendment is in compliance with
6 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.

23
24 Form Approved:

25
26 /s/ Mary E. Staffopoulos

27 Office of General Counsel

28 Legislation Prepared By: Bruce Lewis

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