

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

4 **ORDINANCE 2022-241-E**

5 AN ORDINANCE REZONING APPROXIMATELY 7.25± ACRES,
6 LOCATED IN COUNCIL DISTRICT 9 AT 1505 DENNIS
7 STREET, 1720 DENNIS STREET, AND 1802 DENNIS
8 STREET, BETWEEN INTERSTATE-95 AND MARGARET
9 STREET (R.E. NOS. 075459-0000, 077741-0100, AND
10 076737-0000), OWNED BY 95 ARCH PARTNERS, LLC, AS
11 DESCRIBED HEREIN, FROM INDUSTRIAL LIGHT (IL)
12 DISTRICT AND INDUSTRIAL HEAVY (IH) DISTRICT TO
13 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
15 PERMIT MULTI-FAMILY RESIDENTIAL, OFFICE, LIGHT
16 INDUSTRIAL, AND COMMERCIAL USES, AS DESCRIBED IN
17 THE DENNIS + IVES PUD, PURSUANT TO FUTURE LAND
18 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
19 APPLICATION NUMBER L-5647-21C; PUD SUBJECT TO
20 CONDITION; PROVIDING A DISCLAIMER THAT THE
21 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
22 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
23 PROVIDING AN EFFECTIVE DATE.
24

25 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
26 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
27 portions of the Future Land Use Map series (FLUMs) in order to ensure
28 the accuracy and internal consistency of the plan, pursuant to the
29 companion land use ordinance for application L-5647-21C; and

30 **WHEREAS**, in order to ensure consistency of zoning district with
31 the *2030 Comprehensive Plan* and the adopted companion Small-Scale

1 Amendment L-5647-21C, an application to rezone and reclassify from
2 Industrial Light (IL) District and Industrial Heavy (IH) District to
3 Planned Unit Development (PUD) District was filed by Cyndy Trimmer,
4 Esq., on behalf of the owner of approximately 7.25± acres of certain
5 real property in Council District 9, as more particularly described
6 in Section 1; and

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

11 **WHEREAS**, the Planning Commission has considered the application
12 and has rendered an advisory opinion; and

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

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

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

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

1 **Section 1. Subject Property Location and Description.** The
2 approximately 7.25± acres are located in Council District 9 at 1505
3 Dennis Street, 1720 Dennis Street, and 1802 Dennis Street, between
4 Interstate-95 and Margaret Street (R.E. Nos. 075459-0000, 077741-
5 0100, and 076737-0000), as more particularly described in **Exhibit 1**,
6 dated December 10, 2021, and graphically depicted in **Exhibit 2**, both
7 of which are attached hereto and incorporated herein by this reference
8 (the "Subject Property")

9 **Section 2. Owner and Applicant Description.** The Subject
10 Property is owned by 95 Arch Partners, LLC. The applicant is Cyndy
11 Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville, Florida
12 32202; (904) 807-0185.

13 **Section 3. Property Rezoned.** The Subject Property,
14 pursuant to adopted companion Small-Scale Amendment L-5647-21C, is
15 hereby rezoned and reclassified from Industrial Light (IL) District
16 and Industrial Heavy (IH) District to Planned Unit Development (PUD)
17 District. This new PUD district shall generally permit multi-family
18 residential, office, light industrial, and commercial uses, and is
19 described, shown and subject to the following documents, attached
20 hereto:

21 **Exhibit 1** - Legal Description dated December 10, 2021.

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

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

24 **Exhibit 4** - Site Plan dated February 17, 2022.

25 **Section 4. Rezoning Approved Subject to Condition.** This
26 rezoning is approved subject to the following condition. Such
27 condition controls over the Written Description and the Site Plan and
28 may only be amended through a rezoning:

29 (1) Multi-family residential shall provide an active
30 recreation area consistent with Section 656.420(d) of the Zoning
31 Code.

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

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

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

26 Form Approved:

27
28 /s/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Bruce Lewis

31 GC-#1506362-v1-2022-241-E