

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-668**

5 AN ORDINANCE REZONING APPROXIMATELY 4.05± ACRES,
6 LOCATED IN COUNCIL DISTRICT 9 AT 6133 BLANDING
7 BOULEVARD, BETWEEN BLANDING BOULEVARD AND
8 WESCONNETT BOULEVARD (R.E. NO. 097727-0100),
9 OWNED BY MELISSA WILSON CHURCH, PATRICIA WILSON-
10 BANKS, AND JUDITH A. WILSON, FORMERLY KNOWN AS
11 JUDITH A. THOMASON, AS DESCRIBED HEREIN, FROM
12 COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2) DISTRICT
13 AND RESIDENTIAL MEDIUM DENSITY-A (RMD-A)
14 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
15 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
16 ZONING CODE, TO PERMIT UP TO 50 TOWNHOMES, AS
17 DESCRIBED IN THE WEST ORTEGA LANDING PUD,
18 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
19 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-
20 5735-22C; 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-5735-22C; 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-5735-22C, an application to rezone and reclassify from
2 Commercial Community/General-2 (CCG-2) District and Residential
3 Medium Density-A (RMD-A) District to Planned Unit Development (PUD)
4 District was filed by Elizabeth Rothenberg, Esq., on behalf of the
5 owners of approximately 4.05± acres of certain real property in
6 Council District 9, as more particularly described 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 4.05± acres are located in Council District 9 at 6133
3 Blanding Boulevard, between Blanding Boulevard and Wesconnett
4 Boulevard (R.E. No. 097727-0100), as more particularly described in
5 **Exhibit 1**, dated June 10, 2022, and graphically depicted in **Exhibit**
6 **2**, both of which are attached hereto and incorporated herein by this
7 reference (the "Subject Property").

8 **Section 2. Owner and Applicant Description.** The Subject
9 Property is owned by Melissa Wilson Church, Patricia Wilson-Banks,
10 and Judith A. Wilson, formerly known as Judith A. Thomason. The
11 applicant is Elizabeth Rothenberg, Esq., 233 East Bay Street, Suite
12 1113, Jacksonville, Florida 32034; (904) 479-6425.

13 **Section 3. Property Rezoned.** The Subject Property,
14 pursuant to adopted companion Small-Scale Amendment L-5735-22C, is
15 hereby rezoned and reclassified from Commercial Community/General-2
16 (CCG-2) District and Residential Medium Density-A (RMD-A) District
17 to Planned Unit Development (PUD) District. This new PUD district
18 shall generally permit up to a maximum of 50 townhomes and is
19 described, shown and subject to the following documents, attached
20 hereto:

21 **Exhibit 1** - Legal Description dated June 10, 2022.

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

23 **Exhibit 3** - Written Description dated August 1, 2022.

24 **Exhibit 4** - Site Plan dated March 23, 2022.

25 **Section 4. Contingency.** This rezoning shall not become
26 effective until thirty-one (31) days after adoption of the companion
27 Small-Scale Amendment unless challenged by the state land planning
28 agency; and further provided that if the companion Small-Scale
29 Amendment is challenged by the state land planning agency, this
30 rezoning shall not become effective until the state land planning
31 agency or the Administration Commission issues a final order

1 determining the companion Small-Scale Amendment is in compliance with
2 Chapter 163, *Florida Statutes*.

3 **Section 5. Disclaimer.** The rezoning granted herein
4 shall **not** be construed as an exemption from any other applicable
5 local, state, or federal laws, regulations, requirements, permits or
6 approvals. All other applicable local, state or federal permits or
7 approvals shall be obtained before commencement of the development
8 or use and issuance of this rezoning is based upon acknowledgement,
9 representation and confirmation made by the applicant(s), owner(s),
10 developer(s) and/or any authorized agent(s) or designee(s) that the
11 subject business, development and/or use will be operated in strict
12 compliance with all laws. Issuance of this rezoning does **not** approve,
13 promote or condone any practice or act that is prohibited or
14 restricted by any federal, state or local laws.

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

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20 Form Approved:

21
22 /s/ Mary E. Staffopoulos

23 Office of General Counsel

24 Legislation Prepared By: Bruce Lewis

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