Introduced and amended by the Land Use and Zoning Committee:

## ORDINANCE 2022-668-E

5 AN ORDINANCE REZONING APPROXIMATELY 4.05± ACRES, LOCATED IN COUNCIL DISTRICT 9 AT 6133 BLANDING 6 BOULEVARD, BETWEEN BLANDING BOULEVARD AND 7 8 WESCONNETT BOULEVARD (R.E. NO. 097727-0100), 9 OWNED BY MELISSA WILSON CHURCH, PATRICIA WILSON-BANKS, AND JUDITH A. WILSON, FORMERLY KNOWN AS 10 JUDITH A. THOMASON, AS DESCRIBED HEREIN, FROM 11 COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2) DISTRICT 12 13 AND RESIDENTIAL MEDIUM DENSITY-A (RMD-A) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) 14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE 15 ZONING CODE, TO PERMIT UP TO 50 TOWNHOMES, AS 16 DESCRIBED IN THE WEST ORTEGA LANDING PUD, 17 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS) 18 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-19 20 5735-22C; PUD SUBJECT TO CONDITIONS; PROVIDING 21 A DISCLAIMER THAT THE REZONING GRANTED HEREIN 22 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY 23 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE 24 DATE.

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26 WHEREAS, the City of Jacksonville adopted a Small-Scale 27 Amendment to the 2030 Comprehensive Plan for the purpose of revising 28 portions of the Future Land Use Map series (FLUMs) in order to ensure 29 the accuracy and internal consistency of the plan, pursuant to the 30 companion land use ordinance for application L-5735-22C; and

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WHEREAS, in order to ensure consistency of zoning district with

## Amended 11/09/22

the 2030 Comprehensive Plan and the adopted companion Small-Scale Amendment L-5735-22C, an application to rezone and reclassify from Commercial Community/General-2 (CCG-2) District and Residential Medium Density-A (RMD-A) District to Planned Unit Development (PUD) District was filed by Elizabeth Rothenberg, Esq., on behalf of the owners of approximately 4.05± acres of certain real property in Council District 9, as more particularly described in Section 1; and

8 WHEREAS, the Planning and Development Department, in order to 9 ensure consistency of this zoning district with the 2030 Comprehensive 10 Plan, has considered the rezoning and has rendered an advisory 11 opinion; and

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

14 WHEREAS, the Land Use and Zoning (LUZ) Committee, after due 15 notice and public hearing, has made its recommendation to the Council; 16 and

WHEREAS, the City Council, after due notice, held a public hearing, and taking into consideration the above recommendations as well as all oral and written comments received during the public hearings, the Council finds that such rezoning is consistent with the 2000 Comprehensive Plan adopted under the comprehensive planning ordinance for future development of the City of Jacksonville; and

WHEREAS, the Council finds that the proposed PUD does not affect 23 24 adversely the orderly development of the City as embodied in the 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 28 in the general neighborhood; and the proposed PUD will accomplish the 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:

Section 1. Subject Property Location and Description. The approximately 4.05± acres are located in Council District 9 at 6133 Blanding Boulevard, between Blanding Boulevard and Wesconnett Boulevard (R.E. No. 097727-0100), as more particularly described in Exhibit 1, dated June 10, 2022, and graphically depicted in Exhibit 2, both of which are attached hereto and incorporated herein by this reference (the "Subject Property").

9 Section 2. Owner and Applicant Description. The Subject 10 Property is owned by Melissa Wilson Church, Patricia Wilson-Banks, 11 and Judith A. Wilson, formerly known as Judith A. Thomason. The 12 applicant is Elizabeth Rothenberg, Esq., 233 East Bay Street, Suite 13 1113, Jacksonville, Florida 32034; (904) 479-6425.

14 Section 3. Property Rezoned. The Subject Property, 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 19 shall generally permit up to a maximum of 50 townhomes and is described, shown and subject to the following documents, attached 20 21 hereto:

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

23 Exhibit 2 - Subject Property per P&DD.

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

25 Exhibit 4 - Site Plan dated March 23, 2022.

26 Section 4. Rezoning Approved Subject to Conditions. This 27 rezoning is approved subject to the following conditions. Such 28 conditions control over the Written Description and the Site Plan and 29 may only be amended through a rezoning:

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(1) There shall be no parking in the City right-of-way.

## Amended 11/09/22

1 (2) The portion of Wesconnett Boulevard adjacent to the Subject 2 Property is a three-lane road. The center lane shall be modified to 3 accept the new road being constructed for access to and from the 4 development.

5 (3) The proposed street typical cross-section for the 6 development shall match that found in City Standard Details for City 7 of Jacksonville, Plate P-127.

8 Section 5. Contingency. This rezoning shall not become 9 effective until thirty-one (31) days after adoption of the companion 10 Small-Scale Amendment unless challenged by the state land planning agency; and further provided that if the companion Small-Scale 11 Amendment is challenged by the state land planning agency, this 12 rezoning shall not become effective until the state land planning 13 agency or the Administration Commission issues a final order 14 15 determining the companion Small-Scale Amendment is in compliance with 16 Chapter 163, Florida Statutes.

Section 6. 17 Disclaimer. The rezoning granted herein 18 shall **not** be construed as an exemption from any other applicable 19 local, state, or federal laws, regulations, requirements, permits or 20 approvals. All other applicable local, state or federal permits or 21 approvals shall be obtained before commencement of the development 22 or use and issuance of this rezoning is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), 23 24 developer(s) and/or any authorized agent(s) or designee(s) that the 25 subject business, development and/or use will be operated in strict 26 compliance with all laws. Issuance of this rezoning does not approve, 27 promote or condone any practice or act that is prohibited or 28 restricted by any federal, state or local laws.

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

- 4 -

1	President and the Council Secretary.
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3	Form Approved:
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5	/s/ Mary E. Staffopoulos
6	Office of General Counsel
7	Legislation Prepared By: Bruce Lewis
8	GC-#1535514-v1-2022-668-E.docx