Introduced by the Land Use and Zoning Committee:

ORDINANCE 2022-889

AN ORDINANCE REZONING APPROXIMATELY 12.95± ACRES LOCATED IN COUNCIL DISTRICT 13 AT 4915 SAN PABLO ROAD SOUTH, BETWEEN SAN PABLO ROAD AND DIXIE LANDING DRIVE (R.E. NO. 181767-0060), OWNED BY STEINEMANN SAN PABLO, LLC, AS DESCRIBED HEREIN, FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2008-653-E) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL AND COMMERCIAL USES, AS DESCRIBED IN THE SAN PABLO PLACE II PUD, PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5715-22C; PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER 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 application L-5715-22C; and

WHEREAS, in order to ensure consistency of zoning district with the *2030 Comprehensive Plan* and the adopted companion Small-Scale Amendment L-5715-22C, an application to rezone and reclassify from Planned Unit Development (PUD) District (2008-653-E) to Planned Unit Development (PUD) District was filed by Steve Diebenow, Esq., on

behalf of the owner of approximately 12.95± acres of certain real property in Council District 13, as more particularly described in Section 1; and

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

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

WHEREAS, the Land Use and Zoning (LUZ) Committee, after due notice, held a public hearing and made its recommendation to the Council; 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 *2030 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 adversely the orderly development of the City as embodied in the *Zoning Code*; will not affect adversely the health and safety of residents in the area; will not be detrimental to the natural environment or to the use or development of the adjacent properties in the general neighborhood; and the proposed PUD will accomplish the objectives and meet the standards of Section 656.340 (Planned Unit Development) of the *Zoning Code* of the City of Jacksonville; now, therefore

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

Section 1. Subject Property Location and Description. The approximately 12.95± acres are located in Council District 13 at 4915 San Pablo Road, between San Pablo Road and Dixie Landing Drive (R.E.

No. 181767-0060), as more particularly described in **Exhibit 1**, dated May 9, 2022, and graphically depicted in **Exhibit 2**, both of which are attached hereto and incorporated herein by this reference (the "Subject Property").

Section 2. Owner and Applicant Description. The Subject Property is owned by Steinemann San Pablo, LLC. The applicant is Steve Diebenow, Esq., One Independent Drive, Suite 1200, Jacksonville, Florida 32202; (843) 301-1269.

Section 3. Property Rezoned. The Subject Property, pursuant to adopted companion Small-Scale Amendment Application L-5715-22C, is hereby rezoned and reclassified from Planned Unit Development (PUD) District (2008-653-E) to Planned Unit Development (PUD) District. This new PUD district shall generally permit multi-family residential and commercial uses and is described, shown and subject to the following documents, attached hereto:

Exhibit 1 – Legal Description dated May 9, 2022.

Exhibit 2 – Subject Property per P&DD.

Exhibit 3 – Written Description dated November 11, 2022.

Exhibit 4 – Site Plan dated May 10, 2022.

Section 4. Contingency. This rezoning shall not become effective until thirty-one (31) days after adoption of the companion Small-Scale Amendment; 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.*

Section 5. Disclaimer. The rezoning granted herein shall **not** be construed as an exemption from any other applicable local, state, or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or

approvals shall be obtained before commencement of the development or use and issuance of this rezoning is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this rezoning does **not** approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.

Section 6. 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 President and the Council Secretary.

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Bruce Lewis

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