

1 Introduced by the Land Use and Zoning Committee:  
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3

4 **ORDINANCE 2023-393**

5 AN ORDINANCE REZONING APPROXIMATELY 8.09± ACRES,  
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 MARKET STREET  
7 NORTH, 2303 MARKET STREET NORTH, 2335 MARKET  
8 STREET NORTH, 2402 MARKET STREET NORTH, 0  
9 HUBBARD STREET, 2305 HUBBARD STREET, 2401  
10 HUBBARD STREET, 2245 MAIN STREET NORTH, 2301  
11 MAIN STREET NORTH, 0 14TH STREET EAST, 0 15TH  
12 STREET EAST AND 2336 LIBERTY STREET NORTH,  
13 BETWEEN MAIN STREET NORTH AND LIBERTY STREET  
14 NORTH (R.E. NOS. 044910-0000, 044911-0000,  
15 044912-0000, 044914-0000, 044922-0005, 044931-  
16 0000, 044932-0000, 044936-0000, 044938-0005,  
17 044941-0010, 044941-0060, 044942-0000 AND  
18 055295-0000), AS DESCRIBED HEREIN, OWNED BY FOC  
19 JP PROP 1A, LLC, FOC JP PROP 2, LLC, FOC JP PROP  
20 3, LLC, FOC JP PROP 4, LLC, FOC JP PROP 5, LLC,  
21 FOC JP PROP 6, LLC AND FOC JP PROP 7, LLC, FROM  
22 INDUSTRIAL BUSINESS PARK (IBP) DISTRICT,  
23 INDUSTRIAL LIGHT (IL) DISTRICT, RESIDENTIAL  
24 MEDIUM DENSITY-B (RMD-B) DISTRICT AND PLANNED  
25 UNIT DEVELOPMENT (PUD) DISTRICT (2019-551-E) TO  
26 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
27 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO  
28 PERMIT COMMERCIAL, MULTI-FAMILY RESIDENTIAL,  
29 LIGHT INDUSTRIAL, AND INDOOR/OUTDOOR  
30 RECREATIONAL USES, AS DESCRIBED IN THE PHOENIX  
31 ARTS + INNOVATION DISTRICT PUD, PURSUANT TO

1 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE  
2 AMENDMENT APPLICATION NUMBER L-5826-23C;  
3 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
4 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
5 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
6 EFFECTIVE DATE.

7  
8 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
9 Amendment to the *2045 Comprehensive Plan* for the purpose of revising  
10 portions of the Future Land Use Map series (FLUMS) in order to ensure  
11 the accuracy and internal consistency of the plan, pursuant to  
12 companion application L-5826-23C; and

13 **WHEREAS**, in order to ensure consistency of zoning district with  
14 the *2045 Comprehensive Plan* and the adopted companion Small-Scale  
15 Amendment L-5826-23C, an application to rezone and reclassify from  
16 Industrial Business Park (IBP) District, Industrial Light (IL)  
17 District, Residential Medium Density-B (RMD-B) District and Planned  
18 Unit Development (PUD) District (2019-551-E) to Planned Unit  
19 Development (PUD) District was filed by Emily Pierce, Esq. on behalf  
20 of the owners of approximately 8.09± acres of certain real property  
21 in Council District 7, as more particularly described in Section 1;  
22 and

23 **WHEREAS**, the Planning and Development Department, in order to  
24 ensure consistency of this zoning district with the *2045 Comprehensive*  
25 *Plan*, has considered the rezoning and has rendered an advisory  
26 opinion; and

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

29 **WHEREAS**, the Land Use and Zoning Committee, after due notice and  
30 public hearing, has made its recommendation to the Council; and

31 **WHEREAS**, the City Council, after due notice, held a public

1 hearing, and taking into consideration the above recommendations as  
2 well as all oral and written comments received during the public  
3 hearings, the Council finds that such rezoning is consistent with the  
4 *2045 Comprehensive Plan* adopted under the comprehensive planning  
5 ordinance for future development of the City of Jacksonville; and

6 **WHEREAS**, the Council finds that the proposed PUD does not affect  
7 adversely the orderly development of the City as embodied in the  
8 *Zoning Code*; will not affect adversely the health and safety of  
9 residents in the area; will not be detrimental to the natural  
10 environment or to the use or development of the adjacent properties  
11 in the general neighborhood; and the proposed PUD will accomplish the  
12 objectives and meet the standards of Section 656.340 (Planned Unit  
13 Development) of the *Zoning Code* of the City of Jacksonville; now,  
14 therefore

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

16 **Section 1. Subject Property Location and Description.** The  
17 approximately 8.09± acres are located in Council District 7 at 0  
18 Market Street North, 2303 Market Street North, 2335 Market Street  
19 North, 2402 Market Street North, 0 Hubbard Street, 2305 Hubbard  
20 Street, 2401 Hubbard Street, 2245 Main Street North, 2301 Main Street  
21 North, 0 14<sup>th</sup> Street East, 0 15<sup>th</sup> Street East and 2336 Liberty Street  
22 North, between Main Street North and Liberty Street North (R.E. Nos.  
23 044910-0000, 044911-0000, 044912-0000, 044914-0000, 044922-0005,  
24 044931-0000, 044932-0000, 044936-0000, 044938-0005, 044941-0010,  
25 044941-0060, 044942-0000 and 055295-0000), as more particularly  
26 described in **Exhibit 1**, dated April 21, 2023, and graphically depicted  
27 in **Exhibit 2**, both of which are attached hereto and incorporated  
28 herein by this reference (the "Subject Property").

29 **Section 2. Owner and Applicant Description.** The Subject  
30 Property is owned by FOC JP PROP 1A, LLC, FOC JP PROP 2, LLC, FOC JP  
31 PROP 3, LLC, FOC JP PROP 4, LLC, FOC JP PROP 5, LLC, FOC JP PROP 6,

1 LLC and FOC JP PROP 7, LLC. The applicant is Emily Pierce, Esq.,  
2 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;  
3 (904) 398-3911.

4 **Section 3. Property Rezoned.** The Subject Property,  
5 pursuant to adopted companion Small-Scale Amendment Application L-  
6 5826-23C, is hereby rezoned and reclassified from Industrial Business  
7 Park (IBP) District, Industrial Light (IL) District, Residential  
8 Medium Density-B (RMD-B) District and Planned Unit Development (PUD)  
9 District (2019-551-E) to Planned Unit Development (PUD) District.  
10 This new PUD district shall generally permit commercial, multi-family  
11 residential, light industrial and indoor/outdoor recreational uses,  
12 and is described, shown and subject to the following documents,  
13 attached hereto:

14 **Exhibit 1** - Legal Description dated April 21, 2023.

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

16 **Exhibit 3** - Written Description dated February 10, 2023.

17 **Exhibit 4** - Site Plan dated February 9, 2023.

18 **Section 4. Contingency.** This rezoning shall not become  
19 effective until thirty-one (31) days after adoption of the companion  
20 Small-Scale Amendment; and further provided that if the companion  
21 Small-Scale Amendment is challenged by the state land planning agency,  
22 this rezoning shall not become effective until the state land planning  
23 agency or the Administration Commission issues a final order  
24 determining the companion Small-Scale Amendment is in compliance with  
25 Chapter 163, *Florida Statutes*.

26 **Section 5. Disclaimer.** The rezoning granted herein  
27 shall not be construed as an exemption from any other applicable  
28 local, state, or federal laws, regulations, requirements, permits or  
29 approvals. All other applicable local, state or federal permits or  
30 approvals shall be obtained before commencement of the development  
31 or use and issuance of this rezoning is based upon acknowledgement,

1 representation and confirmation made by the applicant(s), owner(s),  
2 developer(s) and/or any authorized agent(s) or designee(s) that the  
3 subject business, development and/or use will be operated in strict  
4 compliance with all laws. Issuance of this rezoning does **not** approve,  
5 promote or condone any practice or act that is prohibited or  
6 restricted by any federal, state or local laws.

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

11  
12 Form Approved:

13  
14           /s/ Shannon K. Eller          

15 Office of General Counsel

16 Legislation Prepared By: Kaysie Cox

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