

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-12**

5 AN ORDINANCE REZONING APPROXIMATELY 2.28± ACRES,
6 LOCATED IN COUNCIL DISTRICT 5 AT 0 HOOD ROAD,
7 9506 HOOD ROAD, 5024 SUNBEAM ROAD AND 9513 NEAL
8 DRIVE, BETWEEN HOOD ROAD AND NEAL DRIVE (R.E.
9 NOS. 149103-0050, 149105-0000, 149106-0000 AND
10 149106-0030), AS DESCRIBED HEREIN, OWNED BY
11 ADVANCED COMMERCIAL PROPERTIES, LLC, ADVANCED
12 COMMERCIAL HOLDINGS, LLC AND 9506 HOOD RD
13 PROPERTIES, LLC, FROM INDUSTRIAL BUSINESS PARK
14 (IBP) DISTRICT AND COMMERCIAL OFFICE (CO)
15 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
16 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
17 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
18 DESCRIBED IN THE TILLMAN COMMERCIAL PUD,
19 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
20 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-
21 5889-23C; PROVIDING A DISCLAIMER THAT THE
22 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
23 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
24 PROVIDING AN EFFECTIVE DATE.
25

26 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
27 Amendment to the *2045 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
30 companion application L-5889-23C; and

31 **WHEREAS**, in order to ensure consistency of zoning district

1 with the *2045 Comprehensive Plan* and the adopted companion Small-
2 Scale Amendment L-5889-23C, an application to rezone and reclassify
3 from Industrial Business Park (IBP) District and Commercial Office
4 (CO) District to Planned Unit Development (PUD) District was filed
5 by Curtis Hart on behalf of the owners of approximately 2.28± acres
6 of certain real property in Council District 5, as more particularly
7 described in Section 1; and

8 **WHEREAS,** the Planning and Development Department, in order to
9 ensure consistency of this zoning district with the *2045 Comprehensive*
10 *Plan*, has considered the rezoning and has rendered an advisory
11 opinion; and

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

14 **WHEREAS,** the Land Use and Zoning Committee, after due notice
15 and public hearing, has made its recommendation to the Council; 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 *2045 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
23 affect adversely the orderly development of the City as embodied in
24 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 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 2.28± acres are located in Council District 5 at 0 Hood
3 Road, 9506 Hood Road, 5024 Sunbeam Road and 9513 Neal Drive, between
4 Hood Road and Neal Drive (R.E. Nos. 149103-0050, 149105-0000, 149106-
5 0000 and 149106-0030), as more particularly described in **Exhibit 1**,
6 dated November 21, 2023, 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 Advanced Commercial Properties, LLC, Advanced
11 Commercial Holdings, LLC and 9506 Hood Rd Properties, LLC. The
12 applicant is Curtis Hart, 8051 Tara Lane, Jacksonville, Florida 32216;
13 (904) 993-5008.

14 **Section 3. Property Rezoned.** The Subject Property,
15 pursuant to adopted companion Small-Scale Amendment Application
16 L-5889-23C, is hereby rezoned and reclassified from Industrial
17 Business Park (IBP) District and Commercial Office (CO) District to
18 Planned Unit Development (PUD) District. This new PUD district shall
19 generally permit commercial uses, and is described, shown and subject
20 to the following documents, attached hereto:

21 **Exhibit 1** - Legal Description dated November 21, 2023.

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

23 **Exhibit 3** - Written Description dated December 14, 2023.

24 **Exhibit 4** - Site Plan dated November 9, 2023.

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; and further provided that if the companion
28 Small-Scale Amendment is challenged by the state land planning agency,
29 this rezoning shall not become effective until the state land planning
30 agency or the Administration Commission issues a final order
31 determining the companion Small-Scale Amendment is in compliance with

1 Chapter 163, *Florida Statutes*.

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

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

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19 Form Approved:

20
21 /s/ Jason Teal

22 Office of General Counsel

23 Legislation Prepared By: Caroline Fulton

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