

1 EIntroduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-637-E**

5 AN ORDINANCE REZONING APPROXIMATELY 32.43±
6 ACRES, LOCATED IN COUNCIL DISTRICT 14 ON THE
7 NORTH AND SOUTH SIDES OF PONDUE LANE, BETWEEN
8 PARTRIDGE WAY AND INTERSTATE 295 WEST, AS
9 DESCRIBED HEREIN, OWNED BY GULFSTREAM
10 JACKSONVILLE, LLC, FROM RESIDENTIAL MEDIUM
11 DENSITY-A (RMD-A) AND RESIDENTIAL MEDIUM
12 DENSITY-C (RMD-C) DISTRICTS TO PLANNED UNIT
13 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
14 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
15 MULTI-FAMILY RESIDENTIAL USES, AS DESCRIBED IN
16 THE GULFSTREAM TOWNHOMES/APARTMENTS PUD; PUD
17 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER
18 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
19 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS,** Gulfstream Jacksonville, LLC, the owner of
23 approximately 32.43± acres, located in Council District 14 on the
24 north and south sides of Pondue Lane, between Partridge Way and
25 Interstate 295 West, as more particularly described in the **Legal**
26 **Description** dated July 19, 2019, and graphically depicted in the
27 **Subject Property Map**, both of which are **On File** with the City
28 Council Legislative Services Division (Subject Property), has
29 applied for a rezoning and reclassification of that property from
30 Residential Medium Density-A (RMD-A) and Residential Medium

1 Density-C (RMD-C) Districts to Planned Unit Development (PUD)
2 District, as described in Section 1 below; and

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

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

7 **WHEREAS**, the Council finds that such rezoning is: (1)
8 consistent with the *2030 Comprehensive Plan*; (2) furthers the
9 goals, objectives and policies of the *2030 Comprehensive Plan*; and
10 (3) is not in conflict with any portion of the City's land use
11 regulations; and

12 **WHEREAS**, the Council finds the proposed rezoning does not
13 adversely affect the orderly development of the City as embodied in
14 the Zoning Code; will not adversely affect the health and safety of
15 residents in the area; will not be detrimental to the natural
16 environment or to the use or development of the adjacent properties
17 in the general neighborhood; and will accomplish the objectives and
18 meet the standards of Section 656.340 (Planned Unit Development) of
19 the Zoning Code; now, therefore

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

21 **Section 1. Property Rezoned.** The Subject Property is
22 hereby rezoned and reclassified from Residential Medium Density-A
23 (RMD-A) and Residential Medium Density-C (RMD-C) Districts to
24 Planned Unit Development (PUD) District. This new PUD district
25 shall generally permit multi-family residential uses, and is
26 described, shown and subject to the following documents:

27 **On File** - Legal Description dated July 19, 2019.

28 **On File** - Subject Property per P&DD.

29 **On File** - Written Description dated July 19, 2019.

30 **On File** - Site Plan dated February 26, 2019.

31 **Section 2. Rezoning Approved Subject to Conditions.** This

1 rezoning is approved subject to the following conditions. Such
2 conditions control over the Written Description and the Site Plan
3 and may only be amended through a rezoning.

4 (1) Apartment buildings adjacent to the north and west
5 property lines shall have a maximum height of forty-five (45) feet.

6 (2) "T" or "Hammerhead" turnarounds are permitted if the
7 roads remain private.

8 (3) A traffic study shall be submitted at the time of
9 verification of substantial compliance for review and approval by
10 the Planning and Development Department. The study shall include a
11 traffic signal warrant study and the need for left and right turn
12 lanes. If warranted, the turn lane deceleration lengths shall meet
13 FDOT standards based on the posted speed limit. The queue length
14 for the turn lanes will be determined by the study.

15 (4) If a left turn lane is required, the entire area which
16 encompasses the existing pavement, from the beginning of the taper
17 to the end of the taper, shall be resurfaced in accordance with
18 City Standards.

19 (5) Prior to the first final inspection within any phase of
20 development, the owner or their agent shall submit to the Planning
21 and Development Department for its review and approval either: (a)
22 an affidavit documenting that all conditions to the development
23 order have been satisfied, or (b) a detailed agreement for the
24 completion of all conditions to the development order.

25 **Section 3. Owner and Description.** The Subject Property
26 is owned by Gulfstream Jacksonville, LLC, and is described in the
27 **Legal Description On File.** The agent is Robert McLaughlin, 900
28 Gulf Boulevard, #303, Indian Rocks Beach, Florida 33785; (727) 595-
29 7634.

30 **Section 4. Disclaimer.** The rezoning granted herein
31 shall not be construed as an exemption from any other applicable

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

12 **Section 5. Effective Date.** The enactment of this
13 Ordinance shall be deemed to constitute a quasi-judicial action of
14 the City Council and shall become effective upon signature by the
15 Council President and the Council Secretary.

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17 Form Approved:

18
19 /s/ Shannon K. Eller

20 Office of General Counsel

21 Legislation Prepared By: Bruce Lewis

22 GC-#1313373-v1-2019-637-E