

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-747-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.71± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 9TH STREET
7 WEST, 330 9TH STREET WEST, 1824 PEARL STREET AND
8 1830 PEARL STREET, BETWEEN 9TH STREET WEST AND 8TH
9 STREET WEST, OWNED BY THE BOYS' & GIRLS' CLUBS
10 OF NORTHEAST FLORIDA, INC., AS DESCRIBED HEREIN,
11 FROM RESIDENTIAL MEDIUM DENSITY-SPRINGFIELD
12 (RMD-S) DISTRICT, PUBLIC BUILDINGS AND
13 FACILITIES-1 (PBF-1) DISTRICT, COMMERCIAL
14 COMMUNITY/GENERAL-SPRINGFIELD (CCG-S) DISTRICT
15 AND COMMERCIAL RESIDENTIAL OFFICE-SPRINGFIELD
16 (CRO-S) DISTRICT TO PLANNED UNIT DEVELOPMENT
17 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
18 THE ZONING CODE, TO PERMIT MIXED USE DEVELOPMENT,
19 AS DESCRIBED IN THE 330 9TH STREET WEST PUD,
20 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
21 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5488-
22 20C; PROVIDING A DISCLAIMER THAT THE REZONING
23 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
24 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
25 PROVIDING AN EFFECTIVE DATE.
26

27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
28 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
29 portions of the Future Land Use Map series (FLUMs) in order to ensure
30 the accuracy and internal consistency of the plan, pursuant to
31 application L-5488-20C and companion land use Ordinance 2020-746; and

1 **WHEREAS**, in order to ensure consistency of zoning district with
2 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
3 Amendment L-5488-20C, an application to rezone and reclassify from
4 Residential Medium Density-Springfield (RMD-S) District, Public
5 Buildings and Facilities-1 (PBF-1) District, Commercial
6 Community/General-Springfield (CCG-S) District and Commercial
7 Residential Office-Springfield (CRO-S) District to Planned Unit
8 Development (PUD) District was filed by Frank M. Ringhofer, on behalf
9 of The Boys' & Girls' Clubs of Northeast Florida, Inc., the owner of
10 approximately 1.71± acres of certain real property in Council District
11 7, as more particularly described in Section 1; and

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

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

18 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
19 notice, held a public hearing and made its recommendation to the
20 Council; and

21 **WHEREAS**, the City Council, after due notice, held a public
22 hearing, and taking into consideration the above recommendations as
23 well as all oral and written comments received during the public
24 hearings, the Council finds that such rezoning is consistent with the
25 *2030 Comprehensive Plan* adopted under the comprehensive planning
26 ordinance for future development of the City of Jacksonville; and

27 **WHEREAS**, the Council finds that the proposed PUD does not affect
28 adversely the orderly development of the City as embodied in the
29 *Zoning Code*; will not affect adversely the health and safety of
30 residents in the area; will not be detrimental to the natural
31 environment or to the use or development of the adjacent properties

1 in the general neighborhood; and the proposed PUD will accomplish the
2 objectives and meet the standards of Section 656.340 (Planned Unit
3 Development) of the *Zoning Code* of the City of Jacksonville; now,
4 therefore

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

6 **Section 1. Subject Property Location and Description.** The
7 approximately 1.71± acres is located in Council District 7, at 0 9th
8 Street West, 330 9th Street West, 1824 Pearl Street and 1830 Pearl
9 Street, between 9th Street West and 8th Street West, as more
10 particularly described in **Revised Exhibit 1**, dated January 12, 2021,
11 and graphically depicted in **Exhibit 2**, both of which are **attached**
12 **hereto** and incorporated herein by this reference (Subject Property).

13 **Section 2. Owner and Applicant Description.** The Subject
14 Property is owned by the Boys' & Girls' Clubs of Northeast Florida,
15 Inc. The applicant is Frank M. Ringhofer, 4141 Southpoint Drive
16 East, Suite 200, Jacksonville, Florida 32216; (904) 224-0001.

17 **Section 3. Property Rezoned.** The Subject Property,
18 pursuant to adopted companion Small-Scale Amendment L-5488-20C, is
19 hereby rezoned and reclassified from Residential Medium Density-
20 Springfield (RMD-S) District, Public Buildings and Facilities-1 (PBF-
21 1) District, Commercial Community/General-Springfield (CCG-S)
22 District and Commercial Residential Office-Springfield (CRO-S)
23 District to Planned Unit Development (PUD) District. This new PUD
24 district shall generally permit mixed use development, and is
25 described, shown and subject to the following documents, **attached**
26 **hereto**:

27 **Revised Exhibit 1** - Revised Legal Description dated January 12, 2021.

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

29 **Revised Exhibit 3** - Revised Written Description dated January 19,
30 2021.

31 **Exhibit 4** - Site Plan dated October 22, 2020.

1 **Section 4. Contingency.** This rezoning shall not become
2 effective until 31 days after adoption of the companion Small-Scale
3 Amendment unless challenged by the state land planning agency; and
4 further provided that if the companion Small-Scale Amendment is
5 challenged by the state land planning agency, this rezoning shall not
6 become effective until the state land planning agency or the
7 Administration Commission issues a final order determining the
8 companion Small-Scale Amendment is in compliance with Chapter 163,
9 *Florida Statutes*.

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

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

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27 Form Approved:

28 /s/ Shannon K. Eller

29 Office of General Counsel

30 Legislation Prepared By: Arimus Wells