

1 Introduced, substituted, and amended by the Land Use and Zoning
2 Committee:

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4
5 **ORDINANCE 2020-607-E**

6 AN ORDINANCE REZONING APPROXIMATELY 2.30± ACRES
7 LOCATED IN COUNCIL DISTRICT 2 AT 0 ST. JOHNS
8 BLUFF ROAD NORTH, 404 ST. JOHNS BLUFF ROAD NORTH
9 AND 10657 AIRPORT TERRACE DRIVE, BETWEEN CRAIG
10 DRIVE AND AIRPORT TERRACE DRIVE (R.E. NOS.
11 163215-0000, 163411-0010 AND 163411-0020), OWNED
12 BY ST. JOHNS 404, LLC, AS DESCRIBED HEREIN, FROM
13 RESIDENTIAL LOW DENSITY-60 (RLD-60) AND
14 COMMERCIAL RESIDENTIAL OFFICE (CRO) DISTRICTS TO
15 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
16 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
17 PERMIT OFFICE AND COMMERCIAL USES, AS DESCRIBED
18 IN THE ST. JOHNS 404 PUD, PURSUANT TO FUTURE LAND
19 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
20 APPLICATION NUMBER L-5460-20C; PUD SUBJECT TO
21 CONDITION; 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 *2030 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 application L-5460-20C and companion land use Ordinance 2020-606; and

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

1 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
2 Amendment L-5460-20C, an application to rezone and reclassify from
3 Residential Low Density-60 (RLD-60) and Commercial Residential Office
4 (CRO) Districts to Planned Unit Development (PUD) District was filed
5 by Patrick W. Krechowski, Esq., on behalf of the owner of
6 approximately 2.30± acres of certain real property in Council District
7 2, as more particularly described in Section 1; and

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

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

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

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

23 **WHEREAS**, the Council finds that the proposed PUD does not affect
24 adversely the orderly development of the City as embodied in the
25 *Zoning Code*; will not affect adversely the health and safety of
26 residents in the area; will not be detrimental to the natural
27 environment or to the use or development of the adjacent properties
28 in the general neighborhood; and the proposed PUD will accomplish the
29 objectives and meet the standards of Section 656.340 (Planned Unit
30 Development) of the *Zoning Code* of the City of Jacksonville; now,
31 therefore

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

2 **Section 1. Subject Property Location and Description.** The
3 approximately 2.30± acres (R.E. Nos. 163215-0000, 163411-0010 and
4 163411-0020) are located in Council District 2, at 0 St. Johns Bluff
5 Road North, 404 St. Johns Bluff Road North and 10657 Airport Terrace
6 Drive, between Craig Drive and Airport Terrace Drive, as more
7 particularly described in **Exhibit 1**, dated January 15, 2021, and
8 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
9 and incorporated herein by this reference (Subject Property).

10 **Section 2. Owner and Applicant Description.** The Subject
11 Property is owned by St. Johns 404, LLC. The applicant is Patrick
12 W. Krechowski, Esq., One Independent Drive, Suite 1800, Jacksonville,
13 Florida 32202; (904) 348-6877.

14 **Section 3. Property Rezoned.** The Subject Property,
15 pursuant to adopted companion Small-Scale Amendment L-5460-20C, is
16 hereby rezoned and reclassified from Residential Low Density-60 (RLD-
17 60) and Commercial Residential Office (CRO) Districts to Planned Unit
18 Development (PUD) District. This new PUD district shall generally
19 permit office and commercial uses, and is described, shown and subject
20 to the following documents, **attached hereto**:

21 **Exhibit 1** - Legal Description dated January 15, 2021.

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

23 **Revised Exhibit 3** - Revised Written Description dated March 12, 2021.

24 **Revised Exhibit 4** - Revised Site Plan dated March 11, 2021.

25 **Section 4. Rezoning Approved Subject to Condition.** This
26 rezoning is approved subject to the following condition. Such
27 condition controls over the Written Description and the Site Plan and
28 may only be amended through a rezoning.

29 (1) Structures and vehicle use areas are prohibited in the
30 retention pond area as depicted on the Revised Site Plan dated March
31 11, 2021.

1 **Section 5. 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 6. 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 7. 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.

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connie Quinto

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