

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-410-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.89± ACRES
6 LOCATED IN COUNCIL DISTRICT 10 AT 5811 LE SABRE
7 ROAD, BETWEEN 103RD STREET AND 118 STREET (R.E.
8 NO. 013730-1000 (PORTION OF)), OWNED BY PARK CITY
9 BAPTIST CHURCH, INC., AS DESCRIBED HEREIN, FROM
10 PUBLIC BUILDINGS AND FACILITIES-2 (PBF-2)
11 DISTRICT, RESIDENTIAL LOW DENSITY-60 (RLD-60)
12 DISTRICT AND RESIDENTIAL MEDIUM DENSITY-B (RMD-
13 B) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL
16 USES, AS DESCRIBED IN THE LE SABRE PUD, PURSUANT
17 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
18 AMENDMENT APPLICATION NUMBER L-5549-21C;
19 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
20 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
21 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
22 EFFECTIVE DATE.
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24 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
25 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
26 portions of the Future Land Use Map series (FLUMs) in order to ensure
27 the accuracy and internal consistency of the plan, pursuant to
28 application L-5549-21C and companion land use Ordinance 2021-409; and

29 **WHEREAS**, in order to ensure consistency of zoning district with
30 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
31 Amendment L-5549-21C, an application to rezone and reclassify from

1 Public buildings and Facilities-2 (PBF-2) District, Residential Low
2 Density-60 (RLD-60) District and Residential Medium Density-B (RMD-
3 B) District to Planned Unit Development (PUD) District was filed by
4 Paul M. Harden, Esq. on behalf of Park City Baptist Church, Inc., the
5 owners of approximately 3.89± acres of certain real property in
6 Council District 10, as more particularly described in Section 1; and

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

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

13 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
14 notice, held a public hearing and made its recommendation to the
15 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 *2030 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 affect
23 adversely the orderly development of the City as embodied in the
24 *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 3.89± acres (R.E. No. 013730-1000 (portion of)) is
3 located in Council District 10, at 5811 Le Sabre Road, between 103rd
4 Street and 118th Street, as more particularly described in **Exhibit**
5 **1**, dated March 3, 2021, and graphically depicted in **Exhibit 2**, both
6 of which are **attached hereto** and incorporated herein by this reference
7 (the "Subject Property").

8 **Section 2. Owner and Applicant Description.** The Subject
9 Property is owned by Park City Baptist Church, Inc. The applicant is
10 Paul M. Harden, Esq. 1431 Riverplace Boulevard, Suite 901,
11 Jacksonville, Florida 32207; (904) 396-5731.

12 **Section 3. Property Rezoned.** The Subject Property,
13 pursuant to adopted companion Small-Scale Amendment L-5549-21C, is
14 hereby rezoned and reclassified from Public Buildings and Facilities-
15 2 (PBF-2) District, Residential Low Density-60 (RLD-60) District and
16 Residential Medium Density-B (RMD-B) District to Planned Unit
17 Development (PUD) District. This new PUD district shall generally
18 permit multi-family residential uses, and is described, shown and
19 subject to the following documents, **attached hereto:**

20 **Exhibit 1** - Legal Description dated March 3, 2021.

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

22 **Exhibit 3** - Written Description dated June 15, 2021.

23 **Exhibit 4** - Site Plan dated February 26, 2021.

24 **Section 4. Contingency.** This rezoning shall not become
25 effective until 31 days after adoption of the companion Small-Scale
26 Amendment unless challenged by the state land planning agency; and
27 further provided that if the companion Small-Scale Amendment is
28 challenged by the state land planning agency, this rezoning shall not
29 become effective until the state land planning agency or the
30 Administration Commission issues a final order determining the
31 companion Small-Scale Amendment is in compliance with Chapter 163,

1 *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:

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22 Office of General Counsel

23 Legislation Prepared By: Connie Quinto

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