

1 Introduced and amended by the Land Use and Zoning Committee:



2  
3 2014.143attach.tif

4 **ORDINANCE 2014-143-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.22± ACRES  
6 LOCATED IN COUNCIL DISTRICTS 7 AND 8 ON TROUT  
7 RIVER DRIVE, BETWEEN SYCAMORE STREET AND U.S.  
8 17 (R.E NO(S). 032720-0000, 032865-0000,  
9 032716-0000, 032725-0000), AS DESCRIBED  
10 HEREIN, OWNED BY CDA TECHNICAL INSTITUTE,  
11 INC., FROM COMMERCIAL COMMUNITY/GENERAL-2  
12 (CCG-2) DISTRICT TO PLANNED UNIT DEVELOPMENT  
13 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED  
14 UNDER THE ZONING CODE, TO PERMIT A COMMERCIAL  
15 DIVING ACADEMY AS DESCRIBED IN THE APPROVED  
16 WRITTEN DESCRIPTION AND SITE PLAN FOR THE  
17 COMMERCIAL DIVING ACADEMY PUD; PUD REZONING  
18 SUBJECT TO CONDITION(S) AND MEMORANDUM;  
19 PROVIDING AN EFFECTIVE DATE.

20  
21 **WHEREAS,** CDA Technical Institute, Inc., the owner of  
22 approximately 3.22± acres located in Council Districts 7 and 8 on  
23 Trout River Drive, between Sycamore Street and U.S. 17 (R.E. No(s)  
24 032720-0000, 032865-0000, 032716-0000, 032725-0000), as more  
25 particularly described in **Revised Exhibit 1, attached hereto**  
26 (Subject Property), has applied for a rezoning and reclassification  
27 of that property from Commercial Community/General-2 (CCG-2)  
28 District to Planned Unit Development (PUD) District, as described  
29 in Section 1 below; and

30 **WHEREAS,** the Planning Commission has considered the  
31 application and has rendered an advisory opinion; and

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

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

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

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

17           **Section 1.           Property Rezoned.**       The Subject Property is  
18 hereby rezoned and reclassified from Commercial Community/General-2  
19 (CCG-2) District to Planned Unit Development (PUD) District, as  
20 shown and described in the approved revised site plan dated May 22,  
21 2015 and revised written description dated June 2, 2015, for the  
22 Commercial Diving Academy PUD. The PUD district for the Subject  
23 Property shall generally permit a commercial diving academy as more  
24 specifically shown and described in the approved site plan and  
25 written description, both **attached hereto** as **Revised Exhibit 2**.

26           **Section 2.           Rezoning Approved Subject to Conditions and**  
27 **Memorandum.** This rezoning is approved subject to the following  
28 condition(s). The following conditions supersede any contradictory  
29 language in the revised Written Description, and modification of  
30 such shall require rezoning:

31           (a) The subject property shall be developed in accordance

1 with the revised legal description dated May 22, 2015, **attached**  
2 **hereto** as **Revised Exhibit 1**.

3 (b) The subject property shall be developed in accordance  
4 with the revised written description dated, June 2, 2015 and the  
5 revised site plan dated May 22, 2015, both **attached hereto** as  
6 **Revised Exhibit 2**.

7 (c) Outdoor events, gatherings, or similar activities on the  
8 property shall be prohibited from occurring between the hours of  
9 9:00 pm and 6:00 am on all parcels east of U.S. 17.

10 (d) The maximum number of students living on the main campus  
11 shall be limited to 250 students.

12 (e) The Commercial Dive Academy shall provide copies of all  
13 current and new leases with the FDOT to the Planning and  
14 Development Department.

15 (f) The Commercial Dive Academy (Ord. 2014-143) cannot and  
16 does not have the legal right to prevent public access from the  
17 closed portion of Trout River Drive under the US 17 Trout River  
18 Bridge. No obstruction and no parking shall be allowed within Lot  
19 100 in the area that is not currently envisioned as being leased  
20 from FDOT. The area that is to remain open is graphically depicted  
21 on **Exhibit 4, attached hereto**, and shown in yellow highlight. The  
22 Commercial Dive Academy shall not have a fence prohibiting public  
23 pedestrian access via the closed Trout River Drive right-of-way  
24 under the Trout River Bridge. The Commercial Dive Academy shall  
25 construct and maintain a chain link fence on either side of the  
26 pedestrian access under the US 17 Trout River Bridge (Parcel 100).  
27 Said fence will also follow the Commercial Dive Academy property  
28 line on the east side of the US 17 Trout River Bridge to the City  
29 of Jacksonville Trout River Drive right-of-way. The Commercial  
30 Dive Academy shall remove the wooden privacy fence currently  
31 erected adjacent to the embankment along the east side of US 17.

1 (g) If shuttle service is utilized to transport students and  
2 personnel from off-site parking, the shuttle drop-off and loading  
3 shall occur on Trout River Drive west of the US 17 Trout River  
4 Bridge.

5 (h) The proposed off-street parking in Lot A, as Lot A is  
6 located on **Exhibit 4, attached hereto**, shall be a minimum of 33  
7 parking spaces, meeting the requirements of Part 6 and Part 12 of  
8 the Zoning Code, and construction of said improved parking shall be  
9 completed within six (6) months of enactment of this legislation.

10 (i) The Commercial Dive Academy will not object to the  
11 placement of "No Parking" signs or weight limit signs prohibiting  
12 vehicles in excess of 10,000 pounds on the roads on the east side  
13 of US 17 in the vicinity of the Academy campus.

14 (j) The square footage of the total of all buildings and  
15 structures on the main campus shall not exceed the square footage  
16 used by the Planning and Development Department to calculate the  
17 262 spaces needed. No additional square footage shall be allowed  
18 without a rezoning. The calculation by the Planning and  
19 Development Department is **attached hereto** as **Exhibit 5**.

20 Additionally, the PUD shall be subject to the Development  
21 Services Memorandum, attached hereto as **Exhibit 3**, dated March 10,  
22 2014 or as otherwise approved by the Planning and Development  
23 Department.

24 **Section 3. Owner and Description.** The Subject Property  
25 is owned by CDA Technical Institute, Inc., and is legally described  
26 in **Revised Exhibit 1**. The agent is Lara Diane Hipps, Hipps Group,  
27 Inc., 1650 Margaret Street #323, Jacksonville, Florida 32204; (904)  
28 781-2654.

29 **Section 4. Effective Date.** The adoption of this  
30 ordinance shall be deemed to constitute a quasi-judicial action of  
31 the City Council and shall become effective upon signature by the

1 Council President and the Council Secretary.

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3 Form Approved:

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6           /s/ Susan C. Grandin          

7 Office of General Counsel

8 Legislation Prepared By Jason R. Gabriel

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