

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-496-E**

5 AN ORDINANCE REZONING APPROXIMATELY 33.00±
6 ACRES, LOCATED IN COUNCIL DISTRICT 9 AT 0 120TH
7 STREET, BETWEEN MORSE AVENUE AND 120TH STREET
8 (R.E. NO. 015825-1300), AS DESCRIBED HEREIN,
9 OWNED BY SOUTHERN IMPRESSION HOMES, LLC, FROM
10 RESIDENTIAL MEDIUM DENSITY-A (RMD-A) AND
11 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICTS TO
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
14 TO PERMIT MULTI-FAMILY RESIDENTIAL USES, AS
15 DESCRIBED IN THE GENTLE WOODS VILLAS PUD; PUD
16 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER
17 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, Southern Impression Homes, LLC, the owner of
22 approximately 33.00± acres, located in Council District 9 at 0 120th
23 Street, between Morse Avenue and 120th Street (R.E. No. 015825-
24 1300), as more particularly described in **Exhibit 1**, dated May 28,
25 2019, and graphically depicted in **Exhibit 2**, both of which are
26 **attached hereto** and incorporated herein by this reference (Subject
27 Property), has applied for a rezoning and reclassification of that
28 property from Residential Medium Density-A (RMD-A) and Residential
29 Rural-Acre (RR-Acre) Districts to Planned Unit Development (PUD)
30 District, as described in Section 1 below; and

31 **WHEREAS**, the Planning Commission has considered the

1 application and has rendered an advisory opinion; and

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

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

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

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

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

24 **Exhibit 1** - Legal Description dated May 28, 2019.

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

26 **Revised Exhibit 3** - Revised Written Description dated July 25,
27 2019.

28 **Revised Exhibit 4** - Revised Site Plan dated July 25, 2019.

29 **Section 2. Rezoning Approved Subject to Conditions.** This
30 rezoning is approved subject to the following conditions. Such
31 conditions control over the Written Description and the Site Plan

1 and may only be amended through a rezoning.

2 (1) The owner shall record with the Planning and Development
3 Department and the Navy at the time of verification of substantial
4 compliance, an Airport Notice Zone Acknowledgement Form. The
5 developer shall include in a prominent place, a reference on the
6 site plan, covenants, deeds and restrictions of the community, and
7 the plat, the following statement "NOTICE: Buildings may be located
8 in an Airport Notice Zone and may be subject to increased noise or
9 hazard levels associated with air traffic operations."

10 (2) A traffic study, as required by the Planning and
11 Development Department, shall be submitted at the time of
12 verification of substantial compliance to the City of Jacksonville
13 Planning and Development Department for review and approval. The
14 traffic study shall include an analysis of the intersection of
15 120th Street and Erma Street.

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

22 (4) The property owner shall place a conservation designation
23 on the wetlands south of the developed area of the Subject Property
24 through a conservation easement, conservation zoning, or other
25 conservation designation, as approved by the Planning and
26 Development Department, or the City Council, as required by the
27 conservation designation process selected.

28 **Section 3. Owner and Description.** The Subject Property
29 is owned by Southern Impression Homes, LLC, and is legally
30 described in **Exhibit 1, attached hereto.** The agent is L. Charles
31 Mann, 165 Arlington Road, Jacksonville, Florida 32211; (904) 721-

1 1546.

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

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

19
20 Form Approved:

21
22 /s/ Shannon K. Eller

23 Office of General Counsel

24 Legislation Prepared By: Bruce Lewis

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