

1 Introduced and amended by the Land Use and Zoning Committee and
2 amended on the Floor of Council:

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ORDINANCE 2021-736-E

AN ORDINANCE REZONING APPROXIMATELY 27.82± ACRES
LOCATED IN COUNCIL DISTRICT 10 AT 0 RAMPART ROAD,
7729 RAMPART ROAD, 7733 RAMPART ROAD, 7745
RAMPART ROAD, 7773 RAMPART ROAD, 7761 RAMPART
ROAD, 7143 COLLINS ROAD, 7155 COLLINS ROAD, 7167
COLLINS ROAD, 7169 COLLINS ROAD, 7171 COLLINS
ROAD, AND 7187 COLLINS ROAD, BETWEEN RAMPART ROAD
AND COLLINS ROAD, OWNED BY THE GENEVA MAE ADAIR
REVOCABLE TRUST (GENEVA MAE ADAIR, GLORIA MAE
PEACOCK, PAMA L. CUMMINGS, AND PATRICIA L.
KEENE, AS TRUSTEES), WILLIAM TYRONE TERRELL,
LESLIE W. TERRELL, FAYE TERRELL, FREDERICK G.
BUERMAN, JR., TRUSTEE UNDER THE FREDERICK G.
BUERMAN, JR. LIVING TRUST DATED AUGUST 11,
2020, KENNETH DAVID WILLIAMSON, KELLY ANN
CACERES AND THE RAY VOELKEL, JR. LIFE ESTATE,
AS DESCRIBED HEREIN, FROM AGRICULTURE (AGR)
DISTRICT, RESIDENTIAL LOW DENSITY-60 (RLD-60)
DISTRICT, AND RESIDENTIAL RURAL-ACRE (RR-ACRE)
DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
ZONING CODE, TO PERMIT MIXED USES, AS DESCRIBED
IN THE RAMPART AND COLLINS MIXED USE PUD,
PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)

1 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5606-
2 21C; PUD SUBJECT TO CONDITIONS; PROVIDING A
3 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
4 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
5 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
6

7 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
8 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
9 portions of the Future Land Use Map series (FLUMs) in order to ensure
10 the accuracy and internal consistency of the plan, pursuant to the
11 companion land use application L-5606-21C; and

12 **WHEREAS**, in order to ensure consistency of zoning district with
13 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
14 Amendment L-5606-21C, an application to rezone and reclassify from
15 Agriculture (AGR) District, Residential Low Density-60 (RLD-60)
16 District, and Residential Rural-Acre (RR-Acre) District to Planned
17 Unit Development (PUD) District was filed by T.R. Hainline, Esq., on
18 behalf of the owners of approximately 27.82± acres of certain real
19 property in Council District 10, as more particularly described in
20 Section 1; and

21 **WHEREAS**, the Planning and Development Department, in order to
22 ensure consistency of this zoning district with the *2030 Comprehensive*
23 *Plan*, has considered the rezoning and has rendered an advisory
24 opinion; and

25 **WHEREAS**, the Planning Commission has considered the application
26 and has rendered an advisory opinion; and

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

30 **WHEREAS**, the City Council, after due notice, held a public
31 hearing, and taking into consideration the above recommendations as

1 well as all oral and written comments received during the public
2 hearings, the Council finds that such rezoning is consistent with the
3 *2030 Comprehensive Plan* adopted under the comprehensive planning
4 ordinance for future development of the City of Jacksonville; and

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

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

15 **Section 1. Subject Property Location and Description.** The
16 approximately 27.82± acres are located in Council District 10, at 0
17 Rampart Road, 7729 Rampart Road, 7733 Rampart Road, 7745 Rampart
18 Road, 7773 Rampart Road, 7761 Rampart Road, 7143 Collins Road, 7155
19 Collins Road, 7167 Collins Road, 7169 Collins Road, 7171 Collins
20 Road, and 7187 Collins Road, between Rampart Road and Collins Road,
21 as more particularly described in **Exhibit 1**, dated July 7, 2021, and
22 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
23 and incorporated herein by this reference (the "Subject Property").

24 **Section 2. Owner and Applicant Description.** The Subject
25 Property is owned by the Geneva Mae Adair Revocable Trust (Geneva
26 Mae Adair, Gloria Mae Peacock, Pama L. Cummings, and Patricia L.
27 Keene, as Trustees), William Tyrone Terrell, Leslie W. Terrell,
28 Faye Terrell, Frederick G. Buerman, Jr., Trustee under the
29 Frederick G. Buerman, Jr. Living Trust dated August 11, 2020,
30 Kenneth David Williamson, Kelly Ann Caceres and the Ray Voelkel,
31 Jr. Life Estate. The applicant is T.R. Hainline, Esq., 1301

1 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207; (904)
2 346-5531.

3 **Section 3. Property Rezoned.** The Subject Property,
4 pursuant to adopted companion Small-Scale Amendment L-5606-21C, is
5 hereby rezoned and reclassified from Agriculture (AGR) District,
6 Residential Low Density-60 (RLD-60) District, and Residential Rural-
7 Acre (RR-Acre) District to Planned Unit Development (PUD) District.
8 This new PUD district shall generally permit mixed uses, and is
9 described, shown and subject to the following documents, **attached**
10 **hereto:**

11 **Exhibit 1** - Legal Description dated July 7, 2021.

12 **Exhibit 2** - Subject Property Map (prepared by P&DD).

13 **Revised Exhibit 3** - Revised Written Description dated January 13,
14 2022.

15 **Revised Exhibit 4** - Revised Site Plan dated January 10, 2022.

16 **Section 4. Rezoning Approved Subject to Conditions.** This
17 rezoning is approved subject to the following conditions. Such
18 conditions control over the Written Description and the Site Plan and
19 may only be amended through a rezoning:

20 (1) A traffic study shall be provided at the Civil Site Plan
21 Review. Prior to commencement of the traffic study, the traffic
22 professional shall conduct a methodology meeting to determine the
23 limits of the study. The methodology meeting shall include the Chief
24 of the Traffic Engineering Division, the Chief of the Transportation
25 Division, and the traffic reviewer from Development Services.

26 (2) If any of the accesses to the public right-of-way will be
27 gated, the gate shall be located so that at no time will the vehicles
28 waiting for the gate to open extend to the public street. A queuing
29 analysis will be required with the Civil Site Plan Review.

30 (3) Any parking space smaller than 9 feet by 18 feet shall be

1 considered compact parking. Such spaces shall have signs and pavement
2 marking designating them as parking for compact cars only per Section
3 656.607 of the Zoning Code. A maximum of 30% of the parking spaces
4 can be designated as compact parking.

5 (4) Signs, landscaping, structures and fixtures shall not block
6 horizontal site distance at the exits to public rights-of-way. The
7 clear sight triangle shall be as defined in the FDOT Design Manual
8 Section 212.11.

9 (5) A six-foot sidewalk is required with a minimum of five-foot
10 sidewalks if right-of-way constraints are shown.

11 (6) Bicycle parking shall be provided at a minimum rate of 2%
12 of required vehicle parking. The developer or its successor shall
13 follow the current City of Jacksonville Zoning Code (Section 656.608)
14 for bicycle parking within multi-family and retail commercial
15 developments.

16 (7) Adult entertainment and dancing entertainment
17 establishments shall be prohibited within the PUD.

18 **Section 5. Contingency.** This rezoning shall not become
19 effective until 31 days after adoption of the companion Small-Scale
20 Amendment unless challenged by the state land planning agency; and
21 further provided that if the companion Small-Scale Amendment is
22 challenged by the state land planning agency, this rezoning shall not
23 become effective until the state land planning agency or the
24 Administration Commission issues a final order determining the
25 companion Small-Scale Amendment is in compliance with Chapter 163,
26 *Florida Statutes*.

27 **Section 6. Disclaimer.** The rezoning granted herein
28 shall not be construed as an exemption from any other applicable
29 local, state, or federal laws, regulations, requirements, permits or
30 approvals. All other applicable local, state or federal permits or

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

9 **Section 7. Effective Date.** The enactment of this Ordinance
10 shall be deemed to constitute a quasi-judicial action of the City
11 Council and shall become effective upon signature by the Council
12 President and the Council Secretary.

13
14 Form Approved:

15
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Kaysie Cox

19 GC-#1480370-v2-2021-736-E