

1 Introduced by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2019-368**

5 AN ORDINANCE REZONING APPROXIMATELY 58.86±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 2 AT 0  
7 CEDAR POINT ROAD, 4499 CEDAR POINT ROAD, 4509  
8 CEDAR POINT ROAD, AND 4666 CEDAR POINT ROAD,  
9 BETWEEN GATE ROAD AND BONEY ROAD (R.E. NOS.  
10 159827-0050, 159829-0010 (PORTION), 159854-  
11 0020 AND 159854-0200), AS DESCRIBED HEREIN,  
12 OWNED BY JACOB J. SHACTER, ET AL., SUSTAINABLE  
13 JAX, LLC, AND VERNON A. BRINSON, ET AL., FROM  
14 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT AND  
15 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT  
16 (ORDINANCE 2017-44-E) TO PLANNED UNIT  
17 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
18 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
19 SINGLE FAMILY RESIDENTIAL USES, AS DESCRIBED  
20 IN THE BRADLEY POND UNITS 1 & 2 PUD; PROVIDING  
21 A DISCLAIMER THAT THE REZONING GRANTED HEREIN  
22 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM  
23 ANY OTHER APPLICABLE LAWS; PROVIDING AN  
24 EFFECTIVE DATE.  
25

26 **WHEREAS**, Jacob J. Shacter, et al., Sustainable Jax, LLC, and  
27 Vernon A. Brinson, et al., the owners of approximately 58.86±  
28 acres, located in Council District 2 at 0 Cedar Point Road, 4499  
29 Cedar Point Road, 4509 Cedar Point Road, and 4666 Cedar Point Road,  
30 between Gate Road and Boney Road (R.E. Nos. 159827-0050, 159829-  
31 0010 (portion), 159854-0020 and 159854-0200), as more particularly

1 described in **Exhibit 1**, dated May 9, 2019, and graphically depicted  
2 in **Exhibit 2**, both of which are **attached hereto** and incorporated  
3 herein by this reference (Subject Property), have applied for a  
4 rezoning and reclassification of that property from Residential  
5 Rural-Acre (RR-Acre) District and Planned Unit Development (PUD)  
6 District (Ordinance 2017-44-E) to Planned Unit Development (PUD)  
7 District, as described in Section 1 below; and

8 **WHEREAS**, the Planning Commission has considered the  
9 application and has rendered an advisory opinion; and

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

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

17 **WHEREAS**, the Council finds the proposed rezoning does not  
18 adversely affect the orderly development of the City as embodied in  
19 the Zoning Code; will not adversely affect the health and safety of  
20 residents in the area; will not be detrimental to the natural  
21 environment or to the use or development of the adjacent properties  
22 in the general neighborhood; and will accomplish the objectives and  
23 meet the standards of Section 656.340 (Planned Unit Development) of  
24 the Zoning Code; now, therefore

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

26 **Section 1. Property Rezoned.** The Subject Property is  
27 hereby rezoned and reclassified from Residential Rural-Acre (RR-  
28 Acre) District and Planned Unit Development (PUD) District  
29 (Ordinance 2017-44-E) to Planned Unit Development (PUD) District.  
30 This new PUD district shall generally permit single family  
31 residential uses, and is described, shown and subject to the

1 following attached documents:

2 **Exhibit 1** - Legal Description dated May 9, 2019.

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

4 **Exhibit 3** - Written Description dated May 2, 2019.

5 **Exhibit 4** - Site Plan dated March-2019.

6 **Section 2. Owner and Description.** The Subject Property  
7 is owned by Jacob J. Shacter, et al., Sustainable Jax, LLC, and  
8 Vernon A. Brinson, et al., and is legally described in **Exhibit 1,**  
9 **attached hereto.** The agent is Lara D. Hipps, 1650 Margaret Street  
10 #323, Jacksonville, Florida 32204; (904) 781-2654.

11 **Section 3. Disclaimer.** The rezoning granted herein  
12 shall **not** be construed as an exemption from any other applicable  
13 local, state, or federal laws, regulations, requirements, permits  
14 or approvals. All other applicable local, state or federal permits  
15 or approvals shall be obtained before commencement of the  
16 development or use and issuance of this rezoning is based upon  
17 acknowledgement, representation and confirmation made by the  
18 applicant(s), owner(s), developer(s) and/or any authorized agent(s)  
19 or designee(s) that the subject business, development and/or use  
20 will be operated in strict compliance with all laws. Issuance of  
21 this rezoning does **not** approve, promote or condone any practice or  
22 act that is prohibited or restricted by any federal, state or local  
23 laws.

24 **Section 4. Effective Date.** The enactment of this  
25 Ordinance shall be deemed to constitute a quasi-judicial action of  
26 the City Council and shall become effective upon signature by the  
27 Council President and the Council Secretary.

1 Form Approved:

2

3           /s/ Shannon K. Eller          

4 Office of General Counsel

5 Legislation Prepared By: Connie Patterson

6 GC-#1283490-v1-Bradley\_Pond\_PUD\_Z-2315