

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-756-E**

5 AN ORDINANCE REZONING APPROXIMATELY 26.41±
6 ACRES, LOCATED IN COUNCIL DISTRICT 8 AT 1845
7 BASSETT ROAD, BETWEEN LEM TURNER ROAD AND
8 MADISON AVENUE (R.E. NO. 032146-0000), AS
9 DESCRIBED HEREIN, OWNED BY IPS ENTERPRISES,
10 INC., FROM COMMERCIAL, RESIDENTIAL AND OFFICE
11 (CRO) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT CONSTRUCTION OF A SCHOOL,
14 AS DESCRIBED IN THE IDEA SCHOOLS BASSETT ROAD
15 PUD; PUD SUBJECT TO CONDITIONS; PROVIDING A
16 DISCLAIMER THAT THE REZONING GRANTED HEREIN
17 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
18 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
19 DATE.
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21 **WHEREAS**, IPS Enterprises, Inc., the owner of approximately
22 26.41± acres located in Council District 8 at 1845 Bassett Road,
23 between Lem Turner Road and Madison Avenue (R.E. No. 032146-0000),
24 as more particularly described in **Exhibit 1**, dated July 14, 2022, and
25 graphically depicted in **Exhibit 2**, both of which are attached hereto
26 (the "Subject Property"), has applied for a rezoning and
27 reclassification of that property from Commercial, Residential and
28 Office (CRO) District to Planned Unit Development (PUD) District, as
29 described in Section 1 below; and

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

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

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

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

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

16 **Section 1. Property Rezoned.** The Subject Property is
17 hereby rezoned and reclassified from Commercial, Residential and
18 Office (CRO) District to Planned Unit Development (PUD) District.
19 This new PUD district shall generally permit construction of a school
20 and is described, shown and subject to the following documents,
21 attached hereto:

22 **Exhibit 1** - Legal Description dated July 14, 2022.

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

24 **Exhibit 3** - Written Description dated August 15, 2022.

25 **Exhibit 4** - Site Plan dated May 5, 2021.

26 **Section 2. Rezoning Approved Subject to Conditions.** This
27 rezoning is approved subject to the following conditions. Such
28 conditions control over the Written Description and the Site Plan and
29 may only be amended through a rezoning:

30 (1) The electronic messaging board on the freestanding
31 (monument) sign shall be turned off 30 minutes after sunset each day

1 and cannot be turned back on until 30 minutes before sunrise each
2 day.

3 (2) Any change to the freestanding (monument) sign as described
4 in **Exhibit 3** will require Council approval through a PUD to PUD
5 rezoning.

6 **Section 3. Owner and Description.** The Subject Property
7 is owned by IPS Enterprises, Inc. and is legally described in **Exhibit**
8 **1**, attached hereto. The applicant is Lilyann Linehan, 3111 West Dr.
9 Martin Luther King Jr. Boulevard, Suite 375, Tampa, Florida 33607;
10 (561) 687-2220.

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

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

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