

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

4 **ORDINANCE 2018-608-E**

5 AN ORDINANCE REZONING APPROXIMATELY 4.97± ACRES  
6 LOCATED IN COUNCIL DISTRICT 12, AT 10062 103<sup>RD</sup>  
7 STREET AND 0 103<sup>RD</sup> STREET, BETWEEN CONNIE JEAN  
8 ROAD AND CHARDON DRIVE (R.E. NOS. 015347-0000 AND  
9 015347-0010), AS DESCRIBED HEREIN, OWNED BY  
10 VINCENT SERRANO, FROM PLANNED UNIT DEVELOPMENT  
11 (PUD) DISTRICT (PORTION OF PUD ADOPTED BY  
12 ORDINANCE 2006-475-E) TO PLANNED UNIT DEVELOPMENT  
13 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER  
14 THE ZONING CODE, TO PERMIT COMMERCIAL USES, AS  
15 DESCRIBED IN THE 103<sup>RD</sup> STREET PUD, PURSUANT TO  
16 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE  
17 AMENDMENT APPLICATION NUMBER L-5303-18C;  
18 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
19 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
20 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
21 EFFECTIVE DATE.  
22

23 **WHEREAS**, the City of Jacksonville adopted a Small-Scale Amendment  
24 to the *2030 Comprehensive Plan* for the purpose of revising portions of  
25 the Future Land Use Map series (FLUMs) in order to ensure the accuracy  
26 and internal consistency of the plan, pursuant to application L-5303-  
27 18C and companion land use Ordinance 2018-607; and

28 **WHEREAS**, in order to ensure consistency of zoning district with  
29 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
30 Amendment L-5303-18C, an application to rezone and reclassify from

1 Planned Unit Development (PUD) District (portion of PUD adopted by  
2 Ordinance 2006-475-E) to Planned Unit Development (PUD) District was  
3 filed by Lara D. Hipps, on behalf of Vincent Serrano, the owner of  
4 approximately 4.97± acres of certain real property in Council District  
5 12, as more particularly described in Section 1; and

6 **WHEREAS**, the Planning and Development Department, in order to  
7 ensure consistency of this zoning district with the *2030 Comprehensive*  
8 *Plan*, has considered the rezoning and has rendered an advisory opinion;  
9 and

10 **WHEREAS**, the Planning Commission has considered the application  
11 and has rendered an advisory opinion; and

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

15 **WHEREAS**, the Council, after due notice, held a public hearing,  
16 and taking into consideration the above recommendations as well as all  
17 oral and written comments received during the public hearings, the  
18 Council finds that such rezoning is consistent with the *2030*  
19 *Comprehensive Plan* adopted under the comprehensive planning ordinance  
20 for future development of the City of Jacksonville; and

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

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

30 **Section 1. Subject Property Location and Description.** The  
31 approximately 4.97± acres (R.E. Nos. 015347-0000 and 015347-0010) is

1 located in Council District 12, at 10062 103<sup>rd</sup> Street and 0 103<sup>rd</sup>  
2 Street, between Connie Jean Road and Chardon Drive, as more  
3 particularly described in **Exhibit 1**, dated August 21, 2018, **attached**  
4 **hereto** and incorporated herein by this reference (Subject Property).

5 **Section 2. Owner and Applicant Description.** The subject  
6 property is owned by Vincent Serrano. The applicant is Lara D. Hipps,  
7 Hipps Group, Inc., 1650 Margaret Street, #323, Jacksonville, Florida  
8 32204; (904) 781-2654.

9 **Section 3. Property Rezoned.** The Subject Property, pursuant  
10 to adopted companion Small-Scale Amendment L-5303-18C, is hereby  
11 rezoned and reclassified from Planned Unit Development (PUD) District  
12 (portion of PUD adopted by Ordinance 2006-475-E), to Planned Unit  
13 Development (PUD) District. This new PUD district shall generally  
14 permit commercial uses, and is described, shown and subject to the  
15 following attached documents:

16 **Exhibit 1** - Legal Description dated August 21, 2018.

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

18 **Revised Exhibit 3** - Revised Written Description dated May 17, 2019.

19 **Revised Exhibit 4** - Revised Site Plan dated May 30, 2019.

20 **Section 4. Contingency.** This rezoning shall not become  
21 effective until 31 days after adoption of the companion Small-Scale  
22 Amendment unless challenged by the state land planning agency; and  
23 further provided that if the companion Small-Scale Amendment is  
24 challenged by the state land planning agency, this rezoning shall not  
25 become effective until the state land planning agency or the  
26 Administration Commission issues a final order determining the  
27 companion Small-Scale Amendment is in compliance with Chapter 163,  
28 *Florida Statutes*.

29 **Section 5. Disclaimer.** The rezoning granted herein shall  
30 not be construed as an exemption from any other applicable local,  
31 state, or federal laws, regulations, requirements, permits or

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

10 **Section 6. Effective Date.** The adoption of this Ordinance  
11 shall be deemed to constitute a quasi-judicial action of the City  
12 Council and shall become effective upon signature by the Council  
13 President and the Council Secretary.

14  
15 Form Approved:

16  
17           /s/ Shannon K. Eller          

18 Office of General Counsel

19 Legislation Prepared By: Connie Patterson

20 GC-#1289835-v1-2018-608-E