

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-499**

5 AN ORDINANCE REZONING APPROXIMATELY 7.12±
6 ACRES, LOCATED IN COUNCIL DISTRICT 10 AT 7097
7 RAMPART ROAD, BETWEEN MORSE AVENUE AND GREY
8 FOX LANE (PORTION OF R.E. NO. 015835-0000), AS
9 DESCRIBED HEREIN, OWNED BY W. SMITH
10 ENTERPRISES, LLC, FROM PLANNED UNIT
11 DEVELOPMENT (PUD) DISTRICT (2012-256-E) TO
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
14 TO PERMIT COMMERCIAL USES, AS DESCRIBED IN THE
15 RAMPART ROAD II PUD; PROVIDING A DISCLAIMER
16 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
17 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

19
20 **WHEREAS**, W. Smith Enterprises, LLC, the owner of approximately
21 7.12± acres, located in Council District 10 at 7097 Rampart Road,
22 between Morse Avenue and Grey Fox Lane (portion of R.E. No. 015835-
23 0000), as more particularly described in **Exhibit 1**, dated April 18,
24 2019, and graphically depicted in **Exhibit 2**, both of which are
25 **attached hereto** and incorporated herein by this reference (Subject
26 Property), has applied for a rezoning and reclassification of that
27 property from Planned Unit Development (PUD) (2012-256-E) District
28 to Planned Unit Development (PUD) District, as described in Section
29 1 below; and

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

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

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

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

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

17 **Section 1. Property Rezoned.** The Subject Property is
18 hereby rezoned and reclassified from Planned Unit Development (PUD)
19 District (2012-256-E) to Planned Unit Development (PUD) District.
20 This new PUD district shall generally permit commercial uses, and
21 is described, shown and subject to the following attached
22 documents:

23 **Exhibit 1** - Legal Description dated April 18, 2019.

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

25 **Exhibit 3** - Written Description dated June 17, 2019.

26 **Exhibit 4** - Site Plan dated May 8, 2019.

27 **Section 2. Owner and Description.** The Subject Property
28 is owned by W. Smith Enterprises, LLC, and is legally described in
29 **Exhibit 1, attached hereto.** The agent is L. Charles Mann, 165
30 Arlington Road, Jacksonville, Florida 32211; (904) 721-1546.

31 **Section 3. Disclaimer.** The rezoning granted herein

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

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

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18 Form Approved:

19
20 /s/ Shannon K. Eller

21 Office of General Counsel

22 Legislation Prepared By: Arimus Wells

23 GC-#1291565-v1-Rampart_Road_II_PUD_Z-2379