

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-12-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.95± ACRES,
6 LOCATED IN COUNCIL DISTRICT 3 AT 13748 ATLANTIC
7 BOULEVARD AND 13713 BETTY DRIVE, BETWEEN
8 SUNNYSIDE AVENUE AND RIVERVIEW DRIVE, AS
9 DESCRIBED HEREIN, OWNED BY CANNON MARINE
10 PARTNERS, LLC, FROM COMMERCIAL
11 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT AND
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2006-
13 911-E AND 2009-249-E) TO PLANNED UNIT
14 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
15 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
16 COMMERCIAL USES, AS DESCRIBED IN THE ATLANTIC
17 COAST MARINE PUD; PUD SUBJECT TO CONDITIONS;
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.

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23 **WHEREAS**, Cannon Marine Partners, LLC, the owner of approximately
24 1.95± acres, located in Council District 3 at 13748 Atlantic Boulevard
25 and 13713 Betty Drive, between Sunnyside Avenue and Riverview Drive,
26 as more particularly described in **Exhibit 1**, dated September 25,
27 2020, and graphically depicted in **Exhibit 2**, both of which are
28 **attached hereto** (Subject Property), has applied for a rezoning and
29 reclassification of that property from Commercial Community/General-
30 1 (CCG-1) District and Planned Unit Development (PUD) District (2006-
31 911-E and 2009-249-E) to Planned Unit Development (PUD) District, as

1 described in Section 1 below; and

2 **WHEREAS**, the Planning Commission has considered the application
3 and has rendered an advisory opinion; and

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

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

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

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

19 **Section 1. Property Rezoned.** The Subject Property is
20 hereby rezoned and reclassified from Commercial Community/General-1
21 (CCG-1) District and Planned Unit Development (PUD) District (2006-
22 911-E and 2009-249-E) to Planned Unit Development (PUD) District.
23 This new PUD district shall generally permit commercial uses, and is
24 described, shown and subject to the following documents, **attached**
25 **hereto:**

26 **Exhibit 1** - Legal Description dated September 25, 2020.

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

28 **Exhibit 3** - Written Description dated December 9, 2020.

29 **Exhibit 4** - Site Plan dated August 28, 2020.

30 **Section 2. Rezoning Approved Subject to Conditions.** This
31 rezoning is approved subject to the following conditions. Such

1 conditions control over the Written Description and the Site Plan and
2 may only be amended through a rezoning.

3 (1) There shall be no retail sales of automobiles on the
4 Subject Property, and this condition supersedes anything to the
5 contrary in the Written Description.

6 (2) Externally illuminated wall signs shall be permitted on
7 the east, west and north building sides, not exceeding ten percent
8 of the square footage of the respective side of the building. One
9 double-faced monument sign shall be permitted, not exceeding 80 square
10 feet in sign-face area and 18 feet in height. The sign shall be
11 oriented so the sign face aligns east to west.

12 **Section 3. Owner and Description.** The Subject Property
13 is owned by Cannon Marine Partners, LLC, and is legally described in
14 **Exhibit 1, attached hereto.** The applicant is Lara D. Hipps, 1650
15 Margaret Street, #323, Jacksonville, Florida 32204; (904) 781-2654.

16 **Section 4. Disclaimer.** The rezoning granted herein
17 shall not be construed as an exemption from any other applicable
18 local, state, or federal laws, regulations, requirements, permits or
19 approvals. All other applicable local, state or federal permits or
20 approvals shall be obtained before commencement of the development
21 or use and issuance of this rezoning is based upon acknowledgement,
22 representation and confirmation made by the applicant(s), owner(s),
23 developer(s) and/or any authorized agent(s) or designee(s) that the
24 subject business, development and/or use will be operated in strict
25 compliance with all laws. Issuance of this rezoning does not approve,
26 promote or condone any practice or act that is prohibited or
27 restricted by any federal, state or local laws.

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

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