

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-803-E**

5 AN ORDINANCE REZONING APPROXIMATELY 8.57± ACRES  
6 LOCATED IN COUNCIL DISTRICT 7 AT 703 NEW BERLIN  
7 ROAD, BETWEEN GILLESPIE AVENUE AND PULASKI ROAD  
8 (R.E. NO. 106987-0000), OWNED BY SN FIVE  
9 INVESTORS, L.L.C., AS DESCRIBED HEREIN, FROM  
10 COMMERCIAL OFFICE (CO) DISTRICT AND RESIDENTIAL  
11 LOW DENSITY-60 (RLD-60) DISTRICT TO RESIDENTIAL  
12 MEDIUM DENSITY-C (RMD-C) DISTRICT, AS DEFINED AND  
13 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO  
14 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE  
15 AMENDMENT APPLICATION NUMBER L-5619-21C;  
16 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
17 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
18 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
19 EFFECTIVE DATE.  
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21 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
22 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
23 portions of the Future Land Use Map series (FLUMs) in order to ensure  
24 the accuracy and internal consistency of the plan, pursuant to  
25 companion application L-5619-21C; and

26 **WHEREAS**, in order to ensure consistency of zoning district with  
27 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
28 Amendment L-5619-21C, an application to rezone and reclassify from  
29 Commercial Office (CO) District and Residential Low Density-60 (RLD-  
30 60) District to Residential Medium Density-C (RMD-C) District was  
31 filed by T.R. Hainline, Esq, on behalf of the owner of approximately

1 8.57± acres of certain real property in Council District 7, as more  
2 particularly described in Section 1; and

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

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

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

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

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

20 **Section 1. Subject Property Location and Description.** The  
21 approximately 8.57± acres (R.E. No. 106987-0000) are located in  
22 Council District 7 at 703 New Berlin Road, between Gillespie Avenue  
23 and Pulaski Road, as more particularly described in **Exhibit 1**, dated  
24 September 27, 2021, and graphically depicted in **Exhibit 2**, both of  
25 which are **attached hereto** and incorporated herein by this reference  
26 (the "Subject Property").

27 **Section 2. Owner and Applicant Description.** The Subject  
28 Property is owned by SN Five Investors, L.L.C. The applicant is T.R.  
29 Hainline, Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville,  
30 Florida 32207; (904) 346-5531.

31 **Section 3. Property Rezoned.** The Subject Property,

1 pursuant to adopted companion Small-Scale Amendment Application L-  
2 5619-21C, is hereby rezoned and reclassified from Commercial Office  
3 (CO) District and Residential Low Density-60 (RLD-60) District to  
4 Residential Medium Density-C (RMD-C) District.

5       **Section 4. Contingency.** This rezoning shall not become  
6 effective until 31 days after adoption of the companion Small-Scale  
7 Amendment; and further provided that if the companion Small-Scale  
8 Amendment is challenged by the state land planning agency, this  
9 rezoning shall not become effective until the state land planning  
10 agency or the Administration Commission issues a final order  
11 determining the companion Small-Scale Amendment is in compliance with  
12 Chapter 163, *Florida Statutes*.

13       **Section 5. Disclaimer.** The rezoning granted herein  
14 shall not be construed as an exemption from any other applicable  
15 local, state, or federal laws, regulations, requirements, permits or  
16 approvals. All other applicable local, state or federal permits or  
17 approvals shall be obtained before commencement of the development  
18 or use and issuance of this rezoning is based upon acknowledgement,  
19 representation and confirmation made by the applicant(s), owner(s),  
20 developer(s) and/or any authorized agent(s) or designee(s) that the  
21 subject business, development and/or use will be operated in strict  
22 compliance with all laws. Issuance of this rezoning does not approve,  
23 promote or condone any practice or act that is prohibited or  
24 restricted by any federal, state or local laws.

25       **Section 6. Effective Date.** The enactment of this Ordinance  
26 shall be deemed to constitute a quasi-judicial action of the City  
27 Council and shall become effective upon signature by the Council  
28 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: Connie Quinto

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