

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

4 **ORDINANCE 2022-194**

5 AN ORDINANCE REZONING APPROXIMATELY 4.38± ACRES  
6 LOCATED IN COUNCIL DISTRICT 10 AT 7071 103RD  
7 STREET, BETWEEN INTERSTATE-295 WEST AND 103RD  
8 STREET (R.E. NO. 014334-0000), OWNED BY SUN  
9 HOSPITALITY INN, LLC, AS DESCRIBED HEREIN, FROM  
10 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) DISTRICT  
11 AND COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2)  
12 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)  
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
14 ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL  
15 USES, AS DESCRIBED IN THE 103RD STREET VIVO PUD,  
16 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)  
17 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-  
18 5649-21C; PROVIDING A DISCLAIMER THAT THE  
19 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
20 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
21 PROVIDING AN EFFECTIVE DATE.  
22

23 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
24 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
25 portions of the Future Land Use Map series (FLUMs) in order to ensure  
26 the accuracy and internal consistency of the plan, pursuant to the  
27 companion land use application L-5649-21C; 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-5649-21C, an application to rezone and reclassify from  
31 Commercial Community/General-1 (CCG-1) District and Commercial

1 Community/General-2 (CCG-2) District to Planned Unit Development  
2 (PUD) District was filed by Jennifer Brooks on behalf of the owner  
3 of approximately 4.38± acres of certain real property in Council  
4 District 10, as more particularly described in Section 1; and

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

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

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

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

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

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

30 **Section 1. Subject Property Location and Description.** The  
31 approximately 4.38± acres are located in Council District 10 at 7071

1 103<sup>rd</sup> Street, between Interstate-295 West and 103<sup>rd</sup> Street (R.E. No.  
2 014334-0000), as more particularly described in **Exhibit 1**, dated  
3 December 21, 2021, and graphically depicted in **Exhibit 2**, both of  
4 which are **attached hereto** and incorporated herein by this reference  
5 (the "Subject Property").

6 **Section 2. Owner and Applicant Description.** The Subject  
7 Property is owned by Sun Hospitality Inn, LLC. The applicant is  
8 Jennifer Brooks, 1007 North Sepulveda Boulevard, #231, Manhattan  
9 Beach, California 90267; (949) 922-2456.

10 **Section 3. Property Rezoned.** The Subject Property,  
11 pursuant to adopted companion Small-Scale Amendment L-5649-21C, is  
12 hereby rezoned and reclassified from Commercial Community/General-1  
13 (CCG-1) District and Commercial Community/General-1 (CCG-1) District  
14 to Planned Unit Development (PUD) District. This new PUD district  
15 shall generally permit multi-family residential uses, and is  
16 described, shown and subject to the following documents, **attached**  
17 **hereto:**

18 **Exhibit 1** - Legal Description dated December 21, 2021.

19 **Exhibit 2** - Subject Property Map (prepared by P&DD).

20 **Exhibit 3** - Written Description dated March 1, 2022.

21 **Exhibit 4** - Site Plan dated December 21, 2021.

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

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

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

16  
17 Form Approved:

18  
19           /s/ Mary E. Staffopoulos          

20 Office of General Counsel

21 Legislation Prepared By: Bruce Lewis

22 GC-#1487346-v2-2022-194\_(Z-3956).docx