

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-893**

5 AN ORDINANCE REZONING APPROXIMATELY 14.98± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 5175 JUSTAMERE
7 ROAD, BETWEEN 103RD STREET AND MAGNOLIA HILLS
8 DRIVE (R.E. NO. 012966-0100), OWNED BY RICARDO
9 RAMON AND RACHAEL D. RAMON, AS DESCRIBED HEREIN,
10 FROM COMMERCIAL OFFICE (CO) DISTRICT,
11 RESIDENTIAL LOW DENSITY-100B (RLD-100B) DISTRICT
12 AND PLANNED UNIT DEVELOPMENT (PUD) DISTRICT
13 (1987-871-E) TO PLANNED UNIT DEVELOPMENT (PUD)
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE, TO PERMIT UP TO 209 TOWNHOMES, AS
16 DESCRIBED IN THE JUSTAMERE PUD, PURSUANT TO
17 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
18 AMENDMENT APPLICATION NUMBER L-5756-22C;
19 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
20 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
21 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
22 EFFECTIVE DATE.
23

24 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
25 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
26 portions of the Future Land Use Map series (FLUMs) in order to ensure
27 the accuracy and internal consistency of the plan, pursuant to
28 companion application L-5756-22C; and

29 **WHEREAS,** in order to ensure consistency of zoning district with
30 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
31 Amendment L-5756-22C, an application to rezone and reclassify from

1 Commercial Office (CO) District, Residential Low Density-100B (RLD-
2 100B) District and Planned Unit Development (PUD) District (1987-871-
3 E) to Planned Unit Development (PUD) District was filed by William
4 Michaelis, Esq., on behalf of the owners of approximately 14.98± acres
5 of certain real property in Council District 12, as more particularly
6 described in Section 1; and

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

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

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

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

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

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

1 **Section 1. Subject Property Location and Description.** The
2 approximately 14.98± acres are located in Council District 12 at 5175
3 Justamere Road, between 103rd Street and Magnolia Hills Drive (R.E.
4 No. 012966-0100), as more particularly described in **Exhibit 1**, dated
5 September 13, 2022, and graphically depicted in **Exhibit 2**, both of
6 which are attached hereto and incorporated herein by this reference
7 (the "Subject Property").

8 **Section 2. Owner and Applicant Description.** The Subject
9 Property is owned by Ricardo Ramon and Rachael D. Ramon. The
10 applicant is William Michaelis, Esq., 1301 Riverplace Boulevard,
11 Suite 1500, Jacksonville, Florida 32207; (904) 346-5914.

12 **Section 3. Property Rezoned.** The Subject Property,
13 pursuant to adopted companion Small-Scale Amendment Application L-
14 5756-22C, is hereby rezoned and reclassified from Commercial Office
15 (CO) District, Residential Low Density-100B (RLD-100B) District and
16 Planned Unit Development (PUD) District (1987-871-E) to Planned Unit
17 Development (PUD) District. This new PUD district shall generally
18 permit up to a maximum of 209 townhomes, and is described, shown and
19 subject to the following documents, attached hereto:

20 **Exhibit 1**- Legal Description dated September 13, 2022.

21 **Exhibit 2** - Subject Property Map.

22 **Exhibit 3** - Written Description dated November 14, 2022.

23 **Exhibit 4** - Site Plan dated November 11, 2022.

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

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

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

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18 Form Approved:

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20 /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation Prepared By: Erin Abney

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