

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-421**

5 AN ORDINANCE REZONING APPROXIMATELY 1.11± ACRES
6 LOCATED IN COUNCIL DISTRICT 6 AT 12489 SAN JOSE
7 BOULEVARD, BETWEEN PADDLE CREEK DRIVE AND
8 JULINGTON CREEK ROAD (R.E. NO. 159181-0150), AS
9 DESCRIBED HEREIN, OWNED BY H&M VENTURE PROPERTIES
10 LLC, FROM COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1)
11 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
14 DESCRIBED IN THE 12489 SAN JOSE BLVD. COMMERCIAL
15 DEVELOPMENT PUD; PROVIDING A DISCLAIMER THAT THE
16 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
17 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
18 PROVIDING AN EFFECTIVE DATE.
19

20 **WHEREAS**, H&M Venture Properties LLC, the owner of approximately
21 1.11± acres located in Council District 6 at 12489 San Jose Boulevard,
22 between Paddle Creek Drive and Julington Creek Road (R.E. No. 159181-
23 0150), as more particularly described in **Exhibit 1**, dated October 14,
24 2022, and graphically depicted in **Exhibit 2**, both of which are
25 attached hereto (the "Subject Property"), has applied for a rezoning
26 and reclassification of the Subject Property from Commercial
27 Community/General-1 (CCG-1) District to Planned Unit Development
28 (PUD) District, as described in Section 1 below; and

29 **WHEREAS**, the Planning Commission, acting as the local planning
30 agency, has reviewed the application and made an advisory
31 recommendation to the Council; and

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

3 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
4 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives
5 and policies of the *2045 Comprehensive Plan*; and (3) is not in
6 conflict with any portion of the City's land use regulations; and

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

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

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

22 **Exhibit 1** - Legal Description dated October 14, 2022.

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

24 **Exhibit 3** - Written Description dated October 14, 2022.

25 **Exhibit 4** - Site Plan dated October 14, 2022.

26 **Section 2. Owner and Description.** The Subject Property is
27 owned by H&M Venture Properties LLC and is legally described in
28 **Exhibit 1**, attached hereto. The applicant is Joe McClure, 11071
29 Losco Pines Court, Jacksonville, Florida 32257; (904) 864-7558.

30 **Section 3. Disclaimer.** The rezoning granted herein shall
31 **not** be construed as an exemption from any other applicable local,

