

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2018-608**

5 AN ORDINANCE REZONING APPROXIMATELY 4.97± ACRES
6 LOCATED IN COUNCIL DISTRICT 12, AT 10062 103RD
7 STREET AND 0 103RD STREET, BETWEEN CONNIE JEAN
8 ROAD AND CHARDON DRIVE (R.E. NOS. 015347-0000 AND
9 015347-0010), AS DESCRIBED HEREIN, OWNED BY
10 VINCENT SERRANO, FROM PLANNED UNIT DEVELOPMENT
11 (PUD) DISTRICT (PORTION OF PUD ADOPTED BY
12 ORDINANCE 2006-475-E) TO PLANNED UNIT DEVELOPMENT
13 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
14 THE ZONING CODE, TO PERMIT COMMERCIAL USES, AS
15 DESCRIBED IN THE 103RD STREET PUD, PURSUANT TO
16 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
17 AMENDMENT APPLICATION NUMBER L-5303-18C;
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.
22

23 **WHEREAS**, the City of Jacksonville adopted a Small-Scale Amendment
24 to the *2030 Comprehensive Plan* for the purpose of revising portions of
25 the Future Land Use Map series (FLUMs) in order to ensure the accuracy
26 and internal consistency of the plan, pursuant to application L-5303-
27 18C and companion land use Ordinance 2018-607; 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-5303-18C, an application to rezone and reclassify from
31 Planned Unit Development (PUD) District (portion of PUD adopted by

1 Ordinance 2006-475-E) to Planned Unit Development (PUD) District was
2 filed by Lara D. Hipps, on behalf of Vincent Serrano, the owner of
3 approximately 4.97± acres of certain real property in Council District
4 12, 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 opinion;
8 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 Council, after due notice, held a public hearing,
15 and taking into consideration the above recommendations as well as all
16 oral and written comments received during the public hearings, the
17 Council finds that such rezoning is consistent with the *2030*
18 *Comprehensive Plan* adopted under the comprehensive planning ordinance
19 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 *Zoning*
22 *Code*; will not affect adversely the health and safety of residents in
23 the area; will not be detrimental to the natural environment or to the
24 use or development of the adjacent properties in the general
25 neighborhood; and the proposed PUD will accomplish the objectives and
26 meet the standards of Section 656.340 (Planned Unit Development) of the
27 *Zoning Code* of the City of Jacksonville; now therefore

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

29 **Section 1. Subject Property Location and Description.** The
30 approximately 4.97± acres (R.E. Nos. 015347-0000 and 015347-0010) is
31 located in Council District 12, at 10062 103rd Street and 0 103rd

1 Street, between Connie Jean Road and Chardon Drive, as more
2 particularly described in **Exhibit 1**, dated August 21, 2018, **attached**
3 **hereto** and incorporated herein by this reference (Subject Property).

4 **Section 2. Owner and Applicant Description.** The subject
5 property is owned by Vincent Serrano. The applicant is Lara D. Hipps,
6 Hipps Group, Inc., 1650 Margaret Street, #323, Jacksonville, Florida
7 32204; (904) 781-2654.

8 **Section 3. Property Rezoned.** The Subject Property, pursuant
9 to adopted companion Small-Scale Amendment L-5303-18C, is hereby
10 rezoned and reclassified from Planned Unit Development (PUD) District
11 (portion of PUD adopted by Ordinance 2006-475-E), to Planned Unit
12 Development (PUD) District. This new PUD district shall generally
13 permit commercial uses, and is described, shown and subject to the
14 following attached documents:

15 **Exhibit 1** - Legal Description dated August 21, 2018.

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

17 **Exhibit 3** - Written Description dated May 30, 2018.

18 **Exhibit 4** - Site Plan dated May 30, 2018.

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

28 **Section 5. Disclaimer.** The rezoning granted herein shall
29 not be construed as an exemption from any other applicable local,
30 state, or federal laws, regulations, requirements, permits or
31 approvals. All other applicable local, state or federal permits or

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

9 **Section 6. Effective Date.** The adoption of this ordinance
10 shall be deemed to constitute a quasi-judicial action of the City
11 Council and shall become effective upon signature by the Council
12 President and the Council Secretary.

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14 Form Approved:

15
16 /s/ Shannon K. Eller

17 Office of General Counsel

18 Legislation Prepared By: Connie Patterson

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