

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-408**

5 AN ORDINANCE REZONING APPROXIMATELY 74.17± ACRES  
6 IN COUNCIL DISTRICT 5 AT 0 POWERS AVENUE,  
7 BETWEEN POWERS AVENUE AND PHILLIPS HIGHWAY (R.E.  
8 NO. 152593-0000) OWNED BY THE ARTHUR CHESTER  
9 SKINNER, JR. REVOCABLE LIVING TRUST DATED  
10 SEPTEMBER 10, 1981, AS DESCRIBED HEREIN, FROM  
11 INDUSTRIAL BUSINESS PARK (IBP) DISTRICT TO  
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO  
14 PERMIT SINGLE FAMILY RESIDENTIAL USES, AS  
15 DESCRIBED IN THE POWERS AVENUE PUD, PURSUANT TO  
16 FUTURE LAND USE MAP SERIES (FLUMS) LARGE-SCALE  
17 AMENDMENT APPLICATION L-5502-20A; PROVIDING A  
18 DISCLAIMER THAT THE REZONING GRANTED HEREIN  
19 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY  
20 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE  
21 DATE.  
22

23 **WHEREAS,** the City of Jacksonville adopted a Large-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 ordinance for application L-5502-20A; and

28 **WHEREAS,** in order to ensure consistency of zoning district with  
29 the *2030 Comprehensive Plan* and the adopted companion Large-Scale  
30 Amendment L-5502-20A, an application to rezone and reclassify from  
31 Industrial Business Park (IBP) District to Planned Unit Development

1 (PUD) District was filed by Wyman R. Duggan, Esq., on behalf of the  
2 Arthur Chester Skinner, Jr. Revocable Living Trust Dated September  
3 10, 1981, the owner of approximately 74.17± acres of certain real  
4 property in Council District 5, as more particularly described in  
5 Section 1; and

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

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

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

14 **WHEREAS**, the City Council after due notice held a public hearing,  
15 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  
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 74.17± acres (R.E. No. 152593-0000) are in Council

1 District 5 at 0 Powers Avenue, between Powers Avenue and Phillips  
2 Highway, as more particularly described in **Exhibit 1**, dated December  
3 1, 2020, **attached hereto** and incorporated herein by this reference  
4 (the "Subject Property").

5 **Section 2. Owner and Applicant Description.** The Subject  
6 Property is owned by the Arthur Chester Skinner, Jr. Revocable Living  
7 Trust Dated September 10, 1981. The applicant is Wyman R. Duggan,  
8 Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida  
9 32207; (904) 398-3911.

10 **Section 3. Property Rezoned.** The Subject Property,  
11 pursuant to adopted companion Large-Scale Amendment L-5502-20A, is  
12 hereby rezoned and reclassified from Industrial Business Park (IBP)  
13 District to Planned Unit Development (PUD) District. This new PUD  
14 district shall generally permit single family residential uses, and  
15 is described, shown and subject to the following documents, **attached**  
16 **hereto:**

17 **Exhibit 1** - Legal Description dated December 1, 2020.

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

19 **Exhibit 3** - Written Description dated July 18, 2021.

20 **Exhibit 4** - Site Plan dated July 9, 2021.

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

30 **Section 5. Disclaimer.** The rezoning granted herein  
31 shall **not** be construed as an exemption from any other applicable

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

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

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16 Form Approved:

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18           /s/ Mary Staffopoulos          

19 Office of General Counsel

20 Legislation Prepared By: Connor Corrigan

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