

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-549**

5 AN ORDINANCE REZONING APPROXIMATELY 11.12±
6 ACRES, LOCATED IN COUNCIL DISTRICT 13 AT 2130
7 MAYPORT ROAD, BETWEEN FAIRWAY VILLAS DRIVE AND
8 DUTTON ISLAND ROAD WEST (R.E. NO. 169421-
9 0010), AS DESCRIBED HEREIN, OWNED BY MV
10 ACQUISITION, LLC, FROM RESIDENTIAL MEDIUM
11 DENSITY-A (RMD-A), RESIDENTIAL MEDIUM DENSITY-
12 D (RMD-D) AND COMMERCIAL COMMUNITY/GENERAL-2
13 (CCG-2) DISTRICTS TO PLANNED UNIT DEVELOPMENT
14 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED
15 UNDER THE ZONING CODE, TO PERMIT MULTI-FAMILY
16 RESIDENTIAL USES, AS DESCRIBED IN THE
17 MARINER'S VILLAGE PUD; PROVIDING A DISCLAIMER
18 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
19 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, MV Acquisition, LLC, the owner of approximately
23 11.12± acres, located in Council District 13 at 2130 Mayport Road,
24 between Fairway Villas Drive and Dutton Island Road West (R.E. No.
25 169421-0010), as more particularly described in **Exhibit 1**, dated
26 June 13, 2019, and graphically depicted in **Exhibit 2**, both of which
27 are **attached hereto** and incorporated herein by this reference
28 (Subject Property), has applied for a rezoning and reclassification
29 of that property from Residential Medium Density-A (RMD-A),
30 Residential Medium Density-D (RMD-D) and Commercial
31 Community/General-2 (CCG-2) Districts to Planned Unit Development

1 (PUD) District, as described in Section 1 below; and

2 **WHEREAS,** the Planning Commission has considered the
3 application and has rendered an advisory opinion; and

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

6 **WHEREAS,** the Council finds that such rezoning is: (1)
7 consistent with the *2030 Comprehensive Plan*; (2) furthers the
8 goals, objectives and policies of the *2030 Comprehensive Plan*; and
9 (3) is not in conflict with any portion of the City's land use
10 regulations; and

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

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

20 **Section 1. Property Rezoned.** The Subject Property is
21 hereby rezoned and reclassified from Residential Medium Density-A
22 (RMD-A), Residential Medium Density-D (RMD-D) and Commercial
23 Community/General-2 (CCG-2) Districts to Planned Unit Development
24 (PUD) District. This new PUD district shall generally permit multi-
25 family residential uses, and is described, shown and subject to the
26 following attached documents:

27 **Exhibit 1** - Legal Description dated June 13, 2019.

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

29 **Exhibit 3** - Written Description dated July 5, 2019.

30 **Exhibit 4** - Site Plan dated April 19, 2019.

31 **Section 2. Owner and Description.** The Subject Property

1 is owned by MV Acquisition, LLC, and is legally described in
2 **Exhibit 1, attached hereto.** The agent is Steve Diebenow, Esq., One
3 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)
4 301-1269.

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

18 **Section 4. Effective Date.** The enactment of this
19 Ordinance shall be deemed to constitute a quasi-judicial action of
20 the City Council and shall become effective upon signature by the
21 Council President and the Council Secretary.

22
23 Form Approved:

24
25 /s/ Shannon K. Eller

26 Office of General Counsel

27 Legislation Prepared By: Erin Abney

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