

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-696**

5 AN ORDINANCE REZONING APPROXIMATELY 19.35±
6 ACRES, LOCATED IN COUNCIL DISTRICT 4 AT 0 NEWTON
7 ROAD, BETWEEN NEWTON ROAD AND TOUCHTON ROAD
8 (R.E. NOS. 154211-0000 AND 154210-0000), AS
9 DESCRIBED HEREIN, OWNED BY NEWTON ROAD, LLC AND
10 GRIFFIN FAMILY INVESTMENT COMPANY ONE LIMITED
11 PARTNERSHIP, FROM PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT (2003-1506-E AND 2004-1079-E) TO
13 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
15 PERMIT 172 TOWNHOMES AND RECREATIONAL USES, AS
16 DESCRIBED IN THE WESTGATE PUD; PROVIDING A
17 DISCLAIMER THAT THE REZONING GRANTED HEREIN
18 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
19 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
20 DATE.

21
22 **WHEREAS**, Newton Road, LLC and Griffin Family Investment Company
23 One Limited Partnership, the owners of approximately 19.35± acres,
24 located in Council District 4 at 0 Newton Road, between Newton Road
25 and Touchton Road (R.E. Nos. 154211-0000 and 154210-0000), as more
26 particularly described in **Exhibit 1**, dated August 4, 2021, and
27 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
28 (the "Subject Property"), have applied for a rezoning and
29 reclassification of that property from Planned Unit Development (PUD)
30 District (2003-1506-E and 2004-1079-E) to Planned Unit Development
31 (PUD) District, as described in Section 1 below; and

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

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

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

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

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Planned Unit Development (PUD)
20 District (2003-1506-E and 2004-1079-E) to Planned Unit Development
21 (PUD) District. This new PUD district shall generally permit 172
22 townhomes and recreational uses, and is described, shown and subject
23 to the following documents, **attached hereto**:

24 **Exhibit 1** - Legal Description dated August 4, 2021.

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

26 **Exhibit 3** - Written Description dated August 25, 2021.

27 **Exhibit 4** - Site Plan dated August 31, 2021.

28 **Section 2. Owner and Description.** The Subject Property
29 is owned by Newton Road, LLC and Griffin Family Investment Company
30 One Limited Partnership, and is legally described in **Exhibit 1**,
31 **attached hereto**. The applicant is William Michaelis, Esq., 1301

1 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207; (904)
2 346-5914.

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

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

19
20 Form Approved:

21
22 /s/ Mary E. Staffopoulos

23 Office of General Counsel

24 Legislation Prepared By: Kaysie Cox

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