

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-72**

5 AN ORDINANCE REZONING APPROXIMATELY 54.48± ACRES
6 IN COUNCIL DISTRICT 11 AT 0 PHILIPS HIGHWAY,
7 BETWEEN ENERGY CENTER DRIVE AND SEVERN STREET
8 (R.E. NOS. 167907-0010, 168152-0110, 168152-
9 0220 (PORTION) AND 168152-0310) OWNED BY SPHINX
10 MANAGEMENT, INC., SWEETWATER FARM ENTERPRISES,
11 INC., AND DAVIS CREEK FOREST, INC., AS DESCRIBED
12 HEREIN, FROM COMMERCIAL OFFICE (CO) DISTRICT,
13 RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT,
14 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT AND
15 AGRICULTURE (AGR) DISTRICT TO PLANNED UNIT
16 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
17 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
18 RESIDENTIAL, COMMERCIAL AND CONSERVATION USES,
19 AS DESCRIBED IN THE DAVIS CREEK PUD, PURSUANT TO
20 FUTURE LAND USE MAP SERIES (FLUMS) LARGE-SCALE
21 AMENDMENT APPLICATION L-5527-21A; PROVIDING A
22 DISCLAIMER THAT THE REZONING GRANTED HEREIN
23 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
24 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
25 DATE.

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27 **WHEREAS,** the City of Jacksonville adopted a Large-Scale
28 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
29 portions of the Future Land Use Map series (FLUMs) in order to ensure
30 the accuracy and internal consistency of the plan, pursuant to the
31 companion land use ordinance for application L-5527-21A; and

1 **WHEREAS**, in order to ensure consistency of zoning district with
2 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
3 Amendment L-5527-21A, an application to rezone and reclassify from
4 Commercial Office (CO) District, Residential Low Density-60 (RLD-60)
5 District, Residential Rural-Acre (RR-Acre) District and Agriculture
6 (AGR) District to Planned Unit Development (PUD) District was filed
7 by Cyndy Trimmer, Esq., on behalf of Sphinx Management, Inc.,
8 Sweetwater Farm Enterprises, Inc., and Davis Creek Forest, Inc., the
9 owners of approximately 54.48± acres of certain real property in
10 Council District 11, as more particularly described in Section 1; and

11 **WHEREAS**, the Planning and Development Department, in order to
12 ensure consistency of this zoning district with the *2030 Comprehensive*
13 *Plan*, has considered the rezoning and has rendered an advisory
14 opinion; and

15 **WHEREAS**, the Planning Commission has considered the application
16 and has rendered an advisory opinion; and

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

19 **WHEREAS**, the City Council after due notice held a public hearing,
20 taking into consideration the above recommendations as well as all
21 oral and written comments received during the public hearings, the
22 Council finds that such rezoning is consistent with the *2030*
23 *Comprehensive Plan* adopted under the comprehensive planning ordinance
24 for future development of the City of Jacksonville; and

25 **WHEREAS**, the Council finds that the proposed PUD does not affect
26 adversely the orderly development of the City as embodied in the
27 *Zoning Code*; will not affect adversely the health and safety of
28 residents in the area; will not be detrimental to the natural
29 environment or to the use or development of the adjacent properties
30 in the general neighborhood; and the proposed PUD will accomplish the
31 objectives and meet the standards of Section 656.340 (Planned Unit

1 Development) of the *Zoning Code* of the City of Jacksonville; now,
2 therefore

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

4 **Section 1. Subject Property Location and Description.** The
5 approximately 54.48± acres are in Council District 11 at 0 Philips
6 Highway, between Energy Center Drive and Severn Street (R.E. Nos.
7 167907-0010, 168152-0110, 168152-0220 (portion) and 168152-0310), as
8 more particularly described in **Exhibit 1**, dated November 18, 2021,
9 and graphically depicted in **Exhibit 2**, both of which are **attached**
10 **hereto** and incorporated herein by this reference (the "Subject
11 Property").

12 **Section 2. Owner and Applicant Description.** The subject
13 property is owned by Sphinx Management, Inc., Sweetwater Farm
14 Enterprises, Inc., and Davis Creek Forest, Inc. The applicant is
15 Cyndy Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville,
16 Florida 32202; (904) 807-0185.

17 **Section 3. Property Rezoned.** The Subject Property,
18 pursuant to adopted companion Large-Scale Amendment L-5527-21A, is
19 hereby rezoned and reclassified from Commercial Office (CO) District,
20 Residential Low Density-60 (RLD-60) District, Residential Rural-Acre
21 (RR-Acre) District and Agriculture (AGR) District to Planned Unit
22 Development (PUD) District. This new PUD district shall generally
23 permit residential, commercial and conservation uses, and is
24 described, shown and subject to the following documents, **attached**
25 **hereto**:

26 **Exhibit 1** - Legal Description dated November 18, 2021.

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

28 **Exhibit 3** - Written Description dated January 5, 2022.

29 **Exhibit 4** - Site Plan dated January 7, 2022.

30 **Section 4. Contingency.** This rezoning shall not become
31 effective until 31 days after adoption of the companion Large-Scale

1 Amendment unless challenged by the state land planning agency; and
2 further provided that if the companion Large-Scale Amendment is
3 challenged by the state land planning agency, this rezoning shall not
4 become effective until the state land planning agency or the
5 Administration Commission issues a final order determining the
6 companion Large-Scale Amendment is in compliance with Chapter 163,
7 *Florida Statutes*.

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

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

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25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Erin Abney

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