

1 Introduced by the Land Use and Zoning Committee:
2
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4 **ORDINANCE 2021-307**

5 AN ORDINANCE REZONING APPROXIMATELY 3.90± ACRES
6 LOCATED IN COUNCIL DISTRICT 11 AT 8737 BAYMEADOWS
7 ROAD, BETWEEN BAYMEADOWS WAY AND INTERSTATE 95
8 (R.E. NO. 152612-0290), OWNED BY LENOX COVE
9 APARTMENTS, LLC, AS DESCRIBED HEREIN, FROM
10 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (89-584-
11 375) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT,
12 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
13 TO PERMIT MULTI-FAMILY RESIDENTIAL USES, AS
14 DESCRIBED IN THE 8737 BAYMEADOWS ROAD PUD,
15 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
16 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5542-
17 21C; PROVIDING A DISCLAIMER THAT THE REZONING
18 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
19 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to
26 application L-5542-21C and companion land use Ordinance 2021-306; and

27 **WHEREAS,** in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5542-21C, an application to rezone and reclassify from
30 Planned Unit Development (PUD) District (89-584-375) to Planned Unit
31 Development (PUD) District was filed by Wyman Duggan, Esq., on behalf

1 of the owner of approximately 3.90± acres of certain real property
2 in Council District 11, as more particularly described in Section 1;
3 and

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

8 **WHEREAS**, the Planning Commission has considered the application
9 and has rendered an advisory opinion; and

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

13 **WHEREAS**, the City Council, after due notice, held a public
14 hearing, and taking into consideration the above recommendations as
15 well as all oral and written comments received during the public
16 hearings, the Council finds that such rezoning is consistent with the
17 *2030 Comprehensive Plan* adopted under the comprehensive planning
18 ordinance for future development of the City of Jacksonville; and

19 **WHEREAS**, the Council finds that the proposed PUD does not affect
20 adversely the orderly development of the City as embodied in the
21 *Zoning Code*; will not affect adversely the health and safety of
22 residents in the area; will not be detrimental to the natural
23 environment or to the use or development of the adjacent properties
24 in the general neighborhood; and the proposed PUD will accomplish the
25 objectives and meet the standards of Section 656.340 (Planned Unit
26 Development) of the *Zoning Code* of the City of Jacksonville; now,
27 therefore

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

29 **Section 1. Subject Property Location and Description.** The
30 approximately 3.90± acres (R.E. No. 152612-0290) are located in
31 Council District 11, at 8737 Baymeadows Road, between Baymeadows Way

1 and Interstate 95, as more particularly described in **Exhibit 1**, dated
2 April 13, 2021, and graphically depicted in **Exhibit 2**, both of which
3 are **attached hereto** and incorporated herein by this reference (Subject
4 Property).

5 **Section 2. Owner and Applicant Description.** The Subject
6 Property is owned by Lenox Cove Apartments, LLC. The applicant is
7 Wyman Duggan, Esq., 1301 Riverplace Boulevard, Suite 1500,
8 Jacksonville, Florida 32207; (904) 398-3911.

9 **Section 3. Property Rezoned.** The Subject Property,
10 pursuant to adopted companion Small-Scale Amendment L-5542-21C, is
11 hereby rezoned and reclassified from Planned Unit Development (PUD)
12 District (89-584-375) to Planned Unit Development (PUD) District.
13 This new PUD district shall generally permit multi-family residential
14 uses, and is described, shown and subject to the following documents,
15 **attached hereto:**

16 **Exhibit 1** - Legal Description dated April 13, 2021.

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

18 **Exhibit 3** - Written Description dated March 14, 2021.

19 **Exhibit 4** - Site Plan dated February 2021.

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

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

