

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-826**

5 AN ORDINANCE REZONING APPROXIMATELY 13.56± ACRES  
6 LOCATED IN COUNCIL DISTRICT 11 AT 10880 ANGEL  
7 FISH WAY, BETWEEN GATE PARKWAY AND BURNT MILL  
8 ROAD (R.E. NO. 167742-0480), AS DESCRIBED HEREIN,  
9 OWNED BY DFI ARELIA, LLC, FROM PLANNED UNIT  
10 DEVELOPMENT (PUD) DISTRICT (2007-28-E) TO  
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO  
13 PERMIT ADDITIONAL MULTI-FAMILY RESIDENTIAL USES,  
14 AS DESCRIBED IN THE ARELIA JAMES ISLAND PUD;  
15 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
17 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
18 EFFECTIVE DATE.

19  
20 **WHEREAS**, DFI Arelia, LLC, the owner of approximately 13.56±  
21 acres located in Council District 11 at 10880 Angel Fish Way, between  
22 Gate Parkway and Burnt Mill Road (R.E. No. 167742-0480), as more  
23 particularly described in **Exhibit 1**, dated August 18, 2023, and  
24 graphically depicted in **Exhibit 2**, both of which are attached hereto  
25 (the "Subject Property"), has applied for a rezoning and  
26 reclassification of the Subject Property from Planned Unit  
27 Development (PUD) District (2007-28-E) to Planned Unit Development  
28 (PUD) District, as described in Section 1 below; and

29 **WHEREAS**, the Planning Commission, acting as the local planning  
30 agency, has reviewed the application and made an advisory  
31 recommendation to the Council; and

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

3           **WHEREAS**, the Council finds that such rezoning is: (1) consistent  
4 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives  
5 and policies of the *2045 Comprehensive Plan*; and (3) is not in  
6 conflict with any portion of the City's land use regulations; and

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

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

16           **Section 1.           Property Rezoned.**     The Subject Property is  
17 hereby rezoned and reclassified from Planned Unit Development (PUD)  
18 District (2007-28-E) to Planned Unit Development (PUD) District. This  
19 new PUD district shall generally permit multi-family residential uses  
20 and provides for conversion of garage structures to create 30  
21 additional carriage (apartment) units and 75 garage parking spaces,  
22 and is described, shown and subject to the following documents,  
23 attached hereto:

24           **Exhibit 1** - Legal Description dated August 18, 2023.

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

26           **Exhibit 3** - Written Description dated June 5, 2023.

27           **Exhibit 4** - Site Plan dated September 29, 2023.

28           **Section 2.           Owner and Description.**     The Subject Property is  
29 owned by DFI Arelia, LLC and is legally described in **Exhibit 1**,  
30 attached hereto.     The applicant is Steve Diebenow, Esq., One  
31 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)

1 301-1269.

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

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

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19 Form Approved:

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21           /s/ Mary E. Staffopoulos          

22 Office of General Counsel

23 Legislation Prepared By: Connor Corrigan

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