

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-842-E**

5 AN ORDINANCE REZONING APPROXIMATELY 17.28±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 5 AT 0  
7 PHILIPS HIGHWAY, 2600 PHILIPS HIGHWAY AND 1905  
8 PROMENADE WAY, BETWEEN MITCHELL AVENUE AND  
9 RIVER OAKS ROAD (R.E. NOS. 126825-0020,  
10 126826-0200, AND 126826-0300), AS DESCRIBED  
11 HEREIN, OWNED BY CHANCE PHILIPS OWNER, LLC,  
12 AND CRP/CHANCE SMP OWNER, LLC, FROM PLANNED  
13 UNIT DEVELOPMENT (PUD) DISTRICT (2008-563-E)  
14 TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
15 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,  
16 TO PERMIT MIXED USE DEVELOPMENT, AS DESCRIBED  
17 IN THE SAN MARCO PROMENADE PUD; PUD SUBJECT TO  
18 CONDITIONS; PROVIDING A DISCLAIMER THAT THE  
19 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
20 AS AN EXEMPTION FROM ANY OTHER APPLICABLE  
21 LAWS; PROVIDING AN EFFECTIVE DATE.  
22

23 **WHEREAS**, Chance Philips Owner, LLC, and CRP/Chance SMP Owner,  
24 LLC, the owners of approximately 17.28± acres, located in Council  
25 District 5 at 0 Philips Highway, 2600 Philips Highway and 1905  
26 Promenade Way, between Mitchell Avenue and River Oaks Road (R.E.  
27 Nos. 126825-0020, 126826-0200, and 126826-0300), as more  
28 particularly described in the **Exhibit 1**, dated November 6, 2019,  
29 and graphically depicted in the **Exhibit 2**, both of which are  
30 **attached hereto** (Subject Property), have applied for a rezoning and  
31 reclassification of that property from Planned Unit Development

1 (PUD) District (2008-563-E) to Planned Unit Development (PUD)  
2 District, as described in Section 1 below; and

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

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

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

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

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

21 **Section 1. Property Rezoned.** The Subject Property is  
22 hereby rezoned and reclassified from Planned Unit Development (PUD)  
23 District (2008-563-E) to Planned Unit Development (PUD) District.  
24 This new PUD district shall generally permit mixed use development,  
25 and is described, shown and subject to the following documents,  
26 **attached hereto:**

27 **Exhibit 1** - Legal Description dated November 6, 2019.

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

29 **Exhibit 3** - Written Description dated November 6, 2019.

30 **Exhibit 4** - Site Plan dated October 2, 2019.

31 **Section 2. Rezoning Approved Subject to Conditions.** This

1 rezoning is approved subject to the following conditions. Such  
2 conditions control over the Written Description and the Site Plan  
3 and may only be amended through a rezoning.

4 (1) Development is subject to conditions (a) through (m) and  
5 conditions (o) through (s) in Ordinance 2008-563-E, as provided  
6 below. Condition (n) in Ordinance 2008-563-E is revised to  
7 eliminate the timing condition for Phase 2 of the development so  
8 that development of the remaining residential units may occur  
9 before construction of the commercial parcels, as provided below:

10 (a) Ordinance 2008-563-E served as the Final Order  
11 pursuant to Council Rule 6.310. The Council adopted findings as  
12 attached to Ordinance 2008-563-E.

13 (b) Development shall proceed in accordance with the  
14 Development Services Division Memorandum dated September 8, 2008,  
15 except for Comment #3, and the FDOT Memorandum dated July 22, 2008,  
16 or as otherwise approved by the Planning and Development Department  
17 and FDOT.

18 (c) At the time of verification of substantial  
19 compliance of the PUD, the developer shall submit a phasing  
20 schedule for review and approval by the Planning and Development  
21 Department.

22 (d) Prior to any residential development beyond 30 units  
23 per acre, an enhanced mass transit station with amenities shall be  
24 completed in a manner that is consistent with, and supports long-  
25 range planning options, including a potential BRT, bus rapid  
26 transit, commuter, or other transit modes identified by the JTA.  
27 The enhanced transit station shall accommodate a current fixed  
28 route bus to BRT services, and shall include two kiosks providing  
29 passenger and system information, route maps, ticketing via  
30 machine, real time schedules, next bus arriving information,  
31 lighting, music, cooling fans, and benches. The station shall be

1 oriented to allow waiting passengers convenient access to retail  
2 services, and the facility shall substantially comply with the  
3 facility requirements in Part 14 of the Zoning Code, subject to  
4 review and approval by the Planning and Development Department.

5 (e) The roundabouts shall contain a fountain feature  
6 and/or piece of public art.

7 (f) The developer shall provide at least one dedicated  
8 parking space per multifamily dwelling unit, plus one guest parking  
9 space per three multifamily dwelling units, or a minimum of 1.33  
10 spaces per multifamily dwelling unit.

11 (g) Sidewalks along Jackson Square Boulevard shall be at  
12 least eight feet in width.

13 (h) At the time of verification of substantial  
14 compliance of the PUD, the developer shall provide a pedestrian  
15 plan that shows street trees, street furniture along Jackson Square  
16 Boulevard and perimeter landscaping areas fronting Philips Highway.

17 (i) All entry signage shall be architecturally  
18 consistent, monument style, and limited to 200 square feet per sign  
19 face.

20 (j) Signage that advertises multifamily uses shall be  
21 nonilluminated or externally illuminated, except on Philips Highway  
22 or Jackson Square Boulevard, where signage may be internally  
23 illuminated.

24 (k) Development shall substantially comply with the Site  
25 Plan dated September 17, 2008, as modified by the Site Plan dated  
26 October 2, 2019, and maximum lot coverage shall not exceed 80%.

27 (l) Any multifamily housing development within the PUD  
28 shall be designed and constructed in accordance with CPTED  
29 standards, as recommended by the Jacksonville Journey Neighborhood  
30 Safety and Stability Committee.

31 (m) The owner and management of any multifamily

1 apartments developed within the PUD shall participate in the  
2 Jacksonville Sheriff's Office Crime Free Multi-family Housing  
3 Program in accordance with the recommendations of the Jacksonville  
4 Journey Neighborhood Safety and Stability Committee.

5 (n) Phase One residential development shall be limited  
6 to 30 units per gross acre of the PUD, and shall not exceed 510  
7 units. ~~Phase One shall contain a minimum of 10,000 square feet of~~  
8 ~~retail/office uses.~~ The project shall be limited to 750 residential  
9 units total. Additional residential development beyond 510 units  
10 shall not be permitted until a minimum of 30,000 square feet of  
11 retail/office has been constructed.

12 (o) No development greater than 53 feet in height shall  
13 be permitted within 100 feet of the westerly boundary of the PUD,  
14 adjacent to the FEC right-of-way.

15 (p) Development shall comply with the Comprehensive Plan  
16 requirement of 150 square feet of open space per residential unit.

17 (q) A minimum of 50% of the landscaping requirements  
18 shall be provided on-site. A ten foot perimeter buffer shall be  
19 provided adjacent to single family residences located along the  
20 north property line at the time of verification of substantial  
21 compliance of the PUD. Vehicle Use Areas shall be landscaped in  
22 accordance with Part 12 of the Zoning Code.

23 (r) Traffic calming devices shall be provided along  
24 River Oaks Road, subject to review and approval by the Planning and  
25 Development Department.

26 (s) The 30-foot right-of-way proposed for dedication to  
27 the JTA shall be dedicated to the JTA without cost or conditions if  
28 and when JTA determines that it will accept the right-of-way and  
29 has plans to use such corridor for rapid transit purposes.

30 (2) Prior to the first final inspection within any phase of  
31 development, the owner or their agent shall submit to the Planning

1 and Development Department for its review and approval either: (a)  
2 an affidavit documenting that all conditions to the development  
3 order have been satisfied, or (b) a detailed agreement for the  
4 completion of all conditions to the development order.

5       **Section 3.       Owner and Description.**       The Subject Property  
6 is owned by Chance Philips Owner, LLC, and CRP/Chance SMP Owner,  
7 LLC, and is legally described in the **Exhibit 1, attached hereto.**  
8 The agent is T.R. Hainline, Esq., 1301 Riverplace Boulevard, Suite  
9 1500, Jacksonville, Florida 32207; (904) 346-5531.

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

23       **Section 5.       Effective Date.**       The enactment of this  
24 Ordinance shall be deemed to constitute a quasi-judicial action of  
25 the City Council and shall become effective upon signature by the  
26 Council President and the Council Secretary.

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connie Quinto

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