

1 Introduced by the Land Use and Zoning Committee and amended on the
2 Floor by Council:

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4
5 **ORDINANCE 2020-545-E**

6 AN ORDINANCE REZONING APPROXIMATELY 189.05±
7 ACRES IN COUNCIL DISTRICT 3 AT 0 W.M. DAVIS
8 PARKWAY AND 0 SAN PABLO ROAD, BETWEEN BEACH
9 BOULEVARD AND J. TURNER BUTLER BOULEVARD (R.E.
10 NOS. 167452-6010 (PORTION) AND 167736-0020)
11 OWNED BY ESTUARY, LLC, AS DESCRIBED HEREIN, FROM
12 RESIDENTIAL RURAL-ACRE (RR-ACRE) AND
13 RESIDENTIAL MEDIUM DENSITY-A (RMD-A) DISTRICTS
14 TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
15 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
16 PERMIT COMMERCIAL, OFFICE, SINGLE FAMILY
17 RESIDENTIAL AND MULTI-FAMILY RESIDENTIAL USES,
18 AS DESCRIBED IN THE POINTE AT WILLIAM DAVIS
19 PARKWAY PUD, PURSUANT TO FUTURE LAND USE MAP
20 SERIES (FLUMS) LARGE-SCALE AMENDMENT
21 APPLICATION L-5380-19A; PROVIDING A DISCLAIMER
22 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
23 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
24 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

25
26 **WHEREAS**, the City of Jacksonville adopted a Large-Scale
27 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
28 portions of the Future Land Use Map series (FLUMs) in order to ensure
29 the accuracy and internal consistency of the plan, pursuant to
30 application L-5380-19A and companion land use Ordinance 2020-544; and

31 **WHEREAS**, in order to ensure consistency of zoning district with

1 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
2 Amendment L-5380-19A, an application to rezone and reclassify from
3 Residential Rural-Acre (RR-Acre) and Residential Medium Density-A
4 (RMD-A) Districts to Planned Unit Development (PUD) District was
5 filed by Paul M. Harden, Esq., on behalf of Estuary, LLC, the owner
6 of approximately 189.05± acres of certain real property in Council
7 District 3, as more particularly described in Section 1; and

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

12 **WHEREAS**, the Planning Commission has considered the application
13 and has rendered an advisory opinion; and

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

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

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

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

1 **Section 1. Subject Property Location and Description.** The
2 approximately 189.05± acres (R.E. Nos. 167452-6010 (portion) and
3 167736-0020) are in Council District 3 at 0 W.M. Davis Parkway and 0
4 San Pablo Road, between Beach Boulevard and J. Turner Butler
5 Boulevard, as more particularly described in **Exhibit 1**, dated June
6 10, 2019, **attached hereto** and incorporated herein by this reference
7 (Subject Property).

8 **Section 2. Owner and Applicant Description.** The subject
9 property is owned by Estuary, LLC. The applicant is Paul M. Harden,
10 Esq., 501 Riverside Avenue, Suite 901, Jacksonville, Florida 32202;
11 (904) 396-5731.

12 **Section 3. Property Rezoned.** The Subject Property,
13 pursuant to adopted companion Large-Scale Amendment L-5380-19A, is
14 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
15 and Residential Medium Density-A (RMD-A) Districts to Planned Unit
16 Development (PUD) District. This new PUD district shall generally
17 permit commercial, office, single family residential and multi-family
18 residential uses, and is described, shown and subject to the following
19 documents, **attached hereto**:

20 **Exhibit 1** - Legal Description dated June 10, 2019.

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

22 **Revised Exhibit 3** - Revised Written Description dated October 27,
23 2020.

24 **Exhibit 4** - Site Plan dated August 25, 2020.

25 **Section 4. Contingency.** This rezoning shall not become
26 effective until 31 days after adoption of the companion Large-Scale
27 Amendment unless challenged by the state land planning agency; and
28 further provided that if the companion Large-Scale Amendment is
29 challenged by the state land planning agency, this rezoning shall not
30 become effective until the state land planning agency or the
31 Administration Commission issues a final order determining the

1 companion Large-Scale Amendment is in compliance with Chapter 163,
2 *Florida Statutes*.

3 **Section 5. 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 6. 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.

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20 Form Approved:

21
22 /s/ Shannon K. Eller

23 Office of General Counsel
24 Legislation Prepared By: Bruce Lewis

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