

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2024-145**

5 AN ORDINANCE REZONING APPROXIMATELY 5.29± ACRES,  
6 LOCATED IN COUNCIL DISTRICT 3 AT 12636 IVYLENA  
7 ROAD AND 12640 IVYLENA ROAD, BETWEEN GIRVIN ROAD  
8 AND SOUTHERN ROSE DRIVE (R.E. NOS. 162213-0000  
9 AND 162213-0010), AS DESCRIBED HEREIN, OWNED BY  
10 CORTEZ POINTE INC., FROM RESIDENTIAL-RURAL ACRE  
11 (RR-ACRE) DISTRICT TO PLANNED UNIT DEVELOPMENT  
12 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER  
13 THE ZONING CODE, TO PERMIT UP TO 65 TOWNHOMES,  
14 AS DESCRIBED IN THE AVELINE TRAIL PUD, PURSUANT  
15 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-  
16 SCALE AMENDMENT APPLICATION NUMBER L-5876-23C;  
17 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
18 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
19 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
20 EFFECTIVE DATE.  
21

22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
23 Amendment to the *2045 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 companion application L-5876-23C; and

27 **WHEREAS,** in order to ensure consistency of zoning district with  
28 the *2045 Comprehensive Plan* and the adopted companion Small-Scale  
29 Amendment L-5876-23C, an application to rezone and reclassify from  
30 Residential-Rural Acre (RR-Acre) District to Planned Unit Development  
31 (PUD) District was filed by Josh Cockrell on behalf of the owner of

1 approximately 5.29± acres of certain real property in Council District  
2 3, as more particularly described in Section 1; and

3 **WHEREAS**, the Planning and Development Department, in order to  
4 ensure consistency of this zoning district with the *2045 Comprehensive*  
5 *Plan*, has considered the rezoning and has rendered an advisory  
6 opinion; and

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

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

11 **WHEREAS**, the City Council, after due notice, held a public  
12 hearing, and taking into consideration the above recommendations as  
13 well as all oral and written comments received during the public  
14 hearings, the Council finds that such rezoning is consistent with the  
15 *2045 Comprehensive Plan* adopted under the comprehensive planning  
16 ordinance for future development of the City of Jacksonville; and

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

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

27 **Section 1. Subject Property Location and Description.** The  
28 approximately 5.29± acres are located in Council District 3 at 12636  
29 Ivylena Road and 12640 Ivylena Road, between Girvin Road and Southern  
30 Rose Drive (R.E. Nos. 162213-0000 and 162213-0010), as more  
31 particularly described in **Exhibit 1**, dated January 4, 2024, and

1 graphically depicted in **Exhibit 2**, both of which are attached hereto  
2 and incorporated herein by this reference (the "Subject Property").

3 **Section 2. Owner and Applicant Description.** The Subject  
4 Property is owned by Cortez Pointe Inc. The applicant is Josh  
5 Cockrell, P.O. Box 28327, Jacksonville, Florida 32226; (904) 759-  
6 6424.

7 **Section 3. Property Rezoned.** The Subject Property,  
8 pursuant to adopted companion Small-Scale Amendment Application L-  
9 5876-23C, is hereby rezoned and reclassified from Residential-Rural  
10 Acre (RR-Acre) District to Planned Unit Development (PUD) District.  
11 This new PUD district shall generally permit up to a maximum of 65  
12 townhomes, and is described, shown and subject to the following  
13 documents, attached hereto:

14 **Exhibit 1** - Legal Description dated January 4, 2024.

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

16 **Exhibit 3** - Written Description dated January 24, 2024.

17 **Exhibit 4** - Site Plan dated January 23, 2024.

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

26 **Section 5. Disclaimer.** The rezoning granted herein  
27 shall not be construed as an exemption from any other applicable  
28 local, state, or federal laws, regulations, requirements, permits or  
29 approvals. All other applicable local, state or federal permits or  
30 approvals shall be obtained before commencement of the development  
31 or use and issuance of this rezoning is based upon acknowledgement,

1 representation and confirmation made by the applicant(s), owner(s),  
2 developer(s) and/or any authorized agent(s) or designee(s) that the  
3 subject business, development and/or use will be operated in strict  
4 compliance with all laws. Issuance of this rezoning does **not** approve,  
5 promote or condone any practice or act that is prohibited or  
6 restricted by any federal, state or local laws.

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

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12 Form Approved:

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14           /s/ Mary E. Staffopoulos          

15 Office of General Counsel

16 Legislation Prepared By: Bruce Lewis

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