

1 Introduced, substituted and amended by the Land Use and Zoning  
2 Committee:

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4  
5 **ORDINANCE 2020-291-E**

6 AN ORDINANCE REZONING APPROXIMATELY 0.81± OF AN  
7 ACRE, LOCATED IN COUNCIL DISTRICT 11, AT 0  
8 PHILIPS HIGHWAY, BETWEEN ENERGY CENTER DRIVE  
9 AND PINNACLE POINT DRIVE (R.E. NO. 168151-  
10 0020), AS DESCRIBED HEREIN, OWNED BY DONALD  
11 MACLEAN, FROM COMMERCIAL OFFICE (CO) DISTRICT  
12 TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,  
14 TO PERMIT COMMERCIAL USES, AS DESCRIBED IN THE  
15 AUTOVISION PUD; PROVIDING A DISCLAIMER THAT  
16 THE REZONING GRANTED HEREIN SHALL NOT BE  
17 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

19  
20 **WHEREAS**, Donald MacLean, the owner of approximately 0.81± of  
21 an acre located in Council District 11, at 0 Philips Highway,  
22 between Energy Center Drive and Pinnacle Point Drive (R.E. No.  
23 168151-0020), as more particularly described in **Exhibit 1**, dated  
24 January 22, 2020, and graphically depicted in **Exhibit 2**, both of  
25 which are **attached hereto** (Subject Property), has applied for a  
26 rezoning and reclassification of that property from Commercial  
27 Office (CO) District to Planned Unit Development (PUD) District, as  
28 described in Section 1 below; and

29 **WHEREAS**, the Planning Commission has considered the  
30 application and has rendered an advisory opinion; and

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice

1 and public hearing, has made its recommendation to the Council; and

2       **WHEREAS**, the Council finds that such rezoning is: (1)  
3 consistent with the *2030 Comprehensive Plan*; (2) furthers the  
4 goals, objectives and policies of the *2030 Comprehensive Plan*; and  
5 (3) is not in conflict with any portion of the City's land use  
6 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 Commercial Office (CO)  
18 District to Planned Unit Development (PUD) District. This new PUD  
19 district shall generally permit commercial uses, and is described,  
20 shown and subject to the following documents, **attached hereto**:

21 **Exhibit 1** - Legal Description dated January 22, 2020.

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

23 **Revised Exhibit 3** - Revised Written Description dated July 28,  
24 2020.

25 **Exhibit 4** - Site Plan dated May 21, 2020.

26       **Section 2. Owner and Description.** The Subject Property  
27 is owned by Donald MacLean, and is legally described in **Exhibit 1**,  
28 **attached hereto**. The agent is Cyndy Trimmer, Esq., 1 Independent  
29 Drive, Suite 1200, Jacksonville, Florida 32202; (904) 807-0185.

30       **Section 3. Disclaimer.** The rezoning granted herein  
31 shall **not** be construed as an exemption from any other applicable

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

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

16  
17 Form Approved:

18  
19           /s/ Shannon K. Eller          

20 Office of General Counsel

21 Legislation Prepared By: Bruce Lewis

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