

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-372-E**

5 AN ORDINANCE REZONING APPROXIMATELY 31.00±
6 ACRES, LOCATED IN COUNCIL DISTRICT 11 AT 14485
7 PHILIPS HIGHWAY, 14193 PHILIPS HIGHWAY, 14501
8 PHILIPS HIGHWAY AND 14557 PHILIPS HIGHWAY,
9 BETWEEN WELLS CREEK PARKWAY AND WILLIAMSTOWN
10 DRIVE, AS DESCRIBED HEREIN, OWNED BY FRAPAG
11 POWERS BAY, LLC, FROM PLANNED UNIT DEVELOPMENT
12 (PUD) DISTRICT (2006-1152-E AND 2013-650-E) TO
13 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
15 PERMIT MULTI-FAMILY RESIDENTIAL AND COMMERCIAL
16 USES, AS DESCRIBED IN THE PHILIPS HIGHWAY MIXED-
17 USE PUD; PROVIDING A DISCLAIMER THAT THE
18 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, FRAPAG Powers Bay, LLC, the owner of approximately
23 31.00± acres, located in Council District 11 at 14485 Philips Highway,
24 14193 Philips Highway, 14501 Philips Highway and 14557 Philips
25 Highway, between Wells Creek Parkway and Williamstown Drive, as more
26 particularly described in **Exhibit 1**, dated March 30, 2021, and
27 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
28 (Subject Property), has applied for a rezoning and reclassification
29 of that property from Planned Unit Development (PUD) District (2006-
30 1152-E and 2013-650-E) to Planned Unit Development (PUD) District,
31 as described in Section 1 below; and

1 **WHEREAS**, the Planning Commission has considered the application
2 and has rendered an advisory opinion; and

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

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

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

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Planned Unit Development (PUD)
20 District (2006-1152-E and 2013-650-E) to Planned Unit Development
21 (PUD) District. This new PUD district shall generally permit multi-
22 family residential and commercial uses, and is described, shown and
23 subject to the following documents, **attached hereto**:

24 **Exhibit 1** - Legal Description dated March 30, 2021.

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

26 **Exhibit 3** - Revised Written Description dated June 30, 2021.

27 **Exhibit 4** - Revised Site Plan dated August 4, 2021.

28 **Section 2. Owner and Description.** The Subject Property
29 is owned by FRAPAG Powers Bay, LLC, and is legally described in
30 **Exhibit 1, attached hereto**. The applicant is Mark Shelton, 12740
31 Gran Bay Parkway West, Suite 2350, Jacksonville, Florida 32258; (904)

1 828-3933.

2 **Section 3. Disclaimer.** The rezoning granted herein
3 shall **not** be construed as an exemption from any other applicable
4 local, 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), owner(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 the Council Secretary.

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19 Form Approved:

20
21 /s/ Mary E. Staffopoulos

22 Office of General Counsel

23 Legislation Prepared By: Bruce Lewis

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