

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-438**

5 AN ORDINANCE REZONING APPROXIMATELY 7.21± ACRES,
6 LOCATED IN COUNCIL DISTRICT 3 AT 14105 W.M.
7 DAVIS PARKWAY, BETWEEN PABLO PROFESSIONAL COURT
8 AND KENDALL HENCH CIRCLE, AS DESCRIBED HEREIN,
9 OWNED BY WH SAN PABLO, LLC, AND WHEELHOUSE SAN
10 PABLO CONDOMINIUM ASSOCIATION, INC., ET AL.,
11 FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT
12 (2019-188-E) TO PLANNED UNIT DEVELOPMENT (PUD)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
15 DESCRIBED IN THE AMENDMENT TO WHEEL HOUSE AT
16 W.M. DAVIS PUD; PROVIDING A DISCLAIMER THAT THE
17 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS,** the owners of approximately 7.21± acres located in
22 Council District 3 at 14105 W.M. Davis Parkway, between Pablo
23 Professional Court and Kendall Hench Circle (R.E. Nos. 167452-6020,
24 167452-7100, 167452-7110, 167452-7115, 167452-7120, 167452-7125,
25 167452-7130, 167452-7135, 167452-7140, 167452-7145, 167452-7150,
26 167452-7155, 167452-7160, 167452-7165, 167452-7170, 167452-7175,
27 167452-7180, 167452-7185, 167452-7190, 167452-7195, 167452-7200,
28 167452-7205, 167452-7210, 167452-7215, 167452-7220, 167452-7225,
29 167452-7230, 167452-7235, 167452-7240, 167452-7245, 167452-7250,
30 167452-7255, 167452-7260, 167452-7265, 167452-7270, 167452-7275,
31 167452-7280 and 167452-7285), as more particularly described in

1 **Exhibit 1**, dated March 30, 2022, and graphically depicted in **Exhibit**
2 **2**, both of which are attached hereto (the "Subject Property"), have
3 applied for a rezoning and reclassification of that property from
4 Planned Unit Development (PUD) District (2019-188-E) to Planned Unit
5 Development (PUD) District, as described in Section 1 below; and

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

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

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

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

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

23 **Section 1. Property Rezoned.** The Subject Property is
24 hereby rezoned and reclassified from Planned Unit Development (PUD)
25 District (2019-188-E) to Planned Unit Development (PUD) District.
26 This new PUD district shall generally permit commercial uses, and is
27 described, shown and subject to the following documents, **attached**
28 **hereto:**

29 **Exhibit 1** - Legal Description dated March 30, 2022.

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

31 **Exhibit 3** - Written Description dated June 6, 2022.

1 **Exhibit 4** - Site Plan dated January 25, 2022.

2 **Section 2. Owner and Description.** The Subject Property
3 is owned by WH San Pablo, LLC, Wheelhouse San Pablo Condominium
4 Association, Inc., Imagestorehouse Real Estate LLC, David Fellows and
5 Helga Tan Fellows, Loyalsock Properties, LLC, Clay Finance, LLC,
6 Thomas Gilliland and Peggy M. Gilliland, Marc C. Angelo, Peter A.
7 Harbeck and Michelle P. Harbeck, Andrew Dano Davis, as Sole Trustee
8 of the Andrew Dano Davis Revocable Trust u/a June 16, 1980, Benjamin
9 P. Frisch, Trustee of the Benjamin P. Frisch Declaration of Living
10 Trust dated October 15, 1996, Donald F. Glisson, Jr., Trustee of the
11 Donald F. Glisson, Jr., Revocable Trust dated February 22, 2018,
12 Collier Investments IV, LLC, Chiefco, LLC, William L. Heitzenrater,
13 Kenneth D. Sweder and Barbara C. Sweder, Corporation De Capital
14 Macaron (2017), Cannestra Vehicle Holdings, LLC, Edward W. Lane, III,
15 Lancaster Motorsports, LLC, Prith Peiris and Mariette Peiris, Lucas
16 E. Kessler, Parc Spaces, LLC, Richard D. Anderson and Kimberly May
17 Anderson, Don P. Wilford, Trustee of the Don P. Wilford Revocable
18 Living Trust dated December 6, 2004, and Lou Ann Wilford, Trustee of
19 the Lou Ann Wilford Revocable Living Trust dated December 6, 2004,
20 Big Red Racing, LLC, Christopher C. Aitken, Don Young and Joke
21 Holdings, LLC, and is legally described in **Exhibit 1**, attached hereto.
22 The applicant is Paul Harden, Esq., 1431 Riverplace Boulevard, Suite
23 901, Jacksonville, Florida 32207; (904) 396-5731.

24 **Section 3. Disclaimer.** The rezoning granted herein
25 shall **not** be construed as an exemption from any other applicable
26 local, state, or federal laws, regulations, requirements, permits or
27 approvals. All other applicable local, state or federal permits or
28 approvals shall be obtained before commencement of the development
29 or use and issuance of this rezoning is based upon acknowledgement,
30 representation and confirmation made by the applicant(s), owner(s),
31 developer(s) and/or any authorized agent(s) or designee(s) that the

1 subject business, development and/or use will be operated in strict
2 compliance with all laws. Issuance of this rezoning does **not** approve,
3 promote or condone any practice or act that is prohibited or
4 restricted by any federal, state or local laws.

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

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10 Form Approved:

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12 _____
13 /s/ Mary E. Staffopoulos

14 Office of General Counsel

15 Legislation Prepared By: Bruce Lewis

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