

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-854-E**

5 AN ORDINANCE REZONING APPROXIMATELY 31.20± ACRES
6 LOCATED IN COUNCIL DISTRICT 11 AT 0 PHILIPS
7 HIGHWAY, BETWEEN STATE ROAD 9B AND WELLS CREEK
8 PARKWAY (R.E. NO. 168090-0040), OWNED BY TRI LAKE
9 INVESTMENTS, LLC, AS DESCRIBED HEREIN, FROM
10 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2017-
11 622-E) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT
12 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
13 TO PERMIT MULTI-FAMILY RESIDENTIAL AND
14 COMMERCIAL USES, AS DESCRIBED IN THE ELLIS COVE
15 PUD, PURSUANT TO FUTURE LAND USE MAP SERIES
16 (FLUMS) SMALL-SCALE AMENDMENT APPLICATION NUMBER
17 L-5764-22C; 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**, the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 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-5764-22C; and

27 **WHEREAS**, in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5764-22C, an application to rezone and reclassify from
30 Planned Unit Development (PUD) District (2017-622-E) to Planned Unit
31 Development (PUD) District was filed by Emily Pierce, Esq., on behalf

1 of the owner of approximately 31.20± acres of certain real property
2 in Council District 11, as more particularly described in Section 1;
3 and

4 **WHEREAS**, the Planning and Development Department, in order to
5 ensure consistency of this zoning district with the *2030 Comprehensive*
6 *Plan*, has considered the rezoning and has rendered an advisory
7 opinion; and

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

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

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

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

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

29 **Section 1. Subject Property Location and Description.** The
30 approximately 31.20± acres are located in Council District 11 at 0
31 Philips Highway, between State Road 9B and Wells Creek Parkway (R.E.

1 No. 168090-0040), as more particularly described in **Exhibit 1**, dated
2 July 12, 2022, and graphically depicted in **Exhibit 2**, both of which
3 are attached hereto and incorporated herein by this reference (the
4 "Subject Property").

5 **Section 2. Owner and Applicant Description.** The Subject
6 Property is owned by Tri Lake Investments, LLC. The applicant is
7 Emily Pierce, Esq., 1301 Riverplace Boulevard, Suite 1500,
8 Jacksonville, Florida 32207; (904) 398-3911.

9 **Section 3. Property Rezoned.** The Subject Property,
10 pursuant to adopted companion Small-Scale Amendment Application L-
11 5764-22C, is hereby rezoned and reclassified from Planned Unit
12 Development (PUD) District (2017-622-E) to Planned Unit Development
13 (PUD) District. This new PUD district shall generally permit multi-
14 family residential and commercial uses, and is described, shown and
15 subject to the following documents, attached hereto:

16 **Exhibit 1**- Legal Description dated July 12, 2022.

17 **Exhibit 2** - Subject Property Map (prepared by P&DD).

18 **Exhibit 3** - Written Description dated November 14, 2022.

19 **Exhibit 4** - Site Plan dated October 3, 2022.

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

28 **Section 5. Disclaimer.** The rezoning granted herein
29 shall not be construed as an exemption from any other applicable
30 local, state, or federal laws, regulations, requirements, permits or
31 approvals. All other applicable local, state or federal permits or

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

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

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14 Form Approved:

15
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Erin Abney

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