

1 Introduced by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2024-537**

5 AN ORDINANCE REZONING APPROXIMATELY 0.37± ACRES  
6 LOCATED IN COUNCIL DISTRICT 7 AT 2939 MANITOU  
7 AVENUE, BETWEEN ORTEGA BOULEVARD AND BALTIC  
8 CIRCLE (R.E. NO. 101602-0000), AS DESCRIBED  
9 HEREIN, OWNED BY MANITOU, LLC, FROM PLANNED UNIT  
10 DEVELOPMENT (PUD) DISTRICT (2020-0089-E) TO  
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO  
13 PERMIT A 4 UNIT MULTI-FAMILY RESIDENTIAL  
14 BUILDING, AS DESCRIBED IN THE COURTYARD HOMES  
15 PUD; PROVIDING A DISCLAIMER THAT THE REZONING  
16 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
17 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
18 PROVIDING AN EFFECTIVE DATE.  
19

20 **WHEREAS**, Manitou, LLC, the owner of approximately 0.37± acres  
21 located in Council District 7 at 2939 Manitou Avenue, between Ortega  
22 Boulevard and Baltic Circle (R.E. No. 101602-0000), as more  
23 particularly described in **Exhibit 1**, dated May 15, 2024, and  
24 graphically depicted in **Exhibit 2**, both of which are attached hereto  
25 (the "Subject Property"), has applied for a rezoning and  
26 reclassification of the Subject Property from Planned Unit  
27 Development (PUD) District (2020-0089-E) to Planned Unit Development  
28 (PUD) District, as described in Section 1 below; and

29 **WHEREAS**, the Planning Commission, acting as the local planning  
30 agency, has reviewed the application and made an advisory  
31 recommendation to the Council; and

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

3           **WHEREAS**, the Council finds that such rezoning is: (1)  
4 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,  
5 objectives and policies of the *2045 Comprehensive Plan*; and (3) is  
6 not in conflict with any portion of the City's land use regulations;  
7 and

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

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

17           **Section 1. Property Rezoned.** The Subject Property is  
18 hereby rezoned and reclassified from Planned Unit Development (PUD)  
19 District (2020-0089-E) to Planned Unit Development (PUD) District.  
20 This new PUD district shall generally permit a 4 unit multi-family  
21 residential building, and is described, shown and subject to the  
22 following documents, attached hereto:

23 **Exhibit 1** - Legal Description dated May 15, 2024.

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

25 **Exhibit 3** - Written Description dated May 15, 2024.

26 **Exhibit 4** - Site Plan dated May 15, 2024.

27           **Section 2. Owner and Description.** The Subject Property is  
28 owned by Manitou, LLC, and is legally described in **Exhibit 1**, attached  
29 hereto. The applicant is Ann McCarthy, who address is 4815 Apache  
30 Avenue, Jacksonville, Florida, 32210; (904) 673-4040.

31           **Section 3. Disclaimer.** The rezoning granted herein shall

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

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

16  
17  
18 Form Approved:

19  
20           /s/ Dylan Reingold          

21 Office of General Counsel

22 Legislation Prepared By: Andrew Hetzel

23 GC-#1636586-v1-2024-537.docx