

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-537-E**

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.

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18 Form Approved:

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20 /s/ Dylan Reingold

21 Office of General Counsel

22 Legislation Prepared By: Andrew Hetzel

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