

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-860**

5 AN ORDINANCE REZONING APPROXIMATELY 14.0± ACRES
6 LOCATED IN COUNCIL DISTRICT 9 AT 0 LANE AVENUE,
7 BETWEEN NORMANDY BOULEVARD AND LENOX AVENUE (R.E.
8 NO(S). 011778-0055), AS DESCRIBED HEREIN, OWNED
9 BY IPS ENTERPRISES, INC., FROM RESIDENTIAL MEDIUM
10 DENSITY-D (RMD-D) DISTRICT AND COMMERCIAL
11 COMMUNITY/GENERAL-1 (CCG-1) TO PLANNED UNIT
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT A
14 RESIDENTIAL SUBDIVISION, AS DESCRIBED IN THE
15 CEDAR RIVER STATION PUD, PURSUANT TO FUTURE LAND
16 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
17 APPLICATION NUMBER L-5972-24C; PROVIDING A
18 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
19 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

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22 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2045 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 the
26 companion land use application L-5972-24C; and

27 **WHEREAS**, in order to ensure consistency of zoning district
28 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5972-24C, an application to rezone and reclassify from
30 Residential Medium Density-D (RMD-D) and Commercial
31 Community/General-1 (CCG-1) to Planned Unit Development (PUD)

1 District was filed by Shalene Estes, on behalf of IPS Enterprises,
2 Inc., owner of approximately 14.0± acres of certain real property in
3 Council District 9, as more particularly described in Section 1 below;
4 and

5 **WHEREAS,** the Planning and Development Department, in order to
6 ensure consistency of this zoning district with the *2045 Comprehensive*
7 *Plan*, has considered the rezoning and has rendered an advisory
8 opinion; and

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

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

14 **WHEREAS,** the City Council, after due notice, held a public
15 hearing, and taking into consideration the above recommendations as
16 well as all oral and written comments received during the public
17 hearings, the Council finds that such rezoning is consistent with the
18 *2045 Comprehensive Plan* adopted under the comprehensive planning
19 ordinance for future development of the City of Jacksonville; and

20 **WHEREAS,** based on the staff report of the Planning and
21 Development Department and other competent and substantial evidence
22 received at the public hearings, the Council finds that the proposed
23 PUD does not affect adversely the orderly development of the City as
24 embodied in the *Zoning Code*; will not affect adversely the health and
25 safety of residents in the area; will not be detrimental to the
26 natural environment or to the use or development of the adjacent
27 properties in the general neighborhood; and the proposed PUD will
28 accomplish the objectives and meet the standards of Section 656.340
29 (Planned Unit Development) of the *Zoning Code* of the City of
30 Jacksonville; now therefore

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

1 **Section 1. Subject Property Location and Description.** The
2 approximately 14.0± acres are located in Council District 9 at 0 Lane
3 Avenue, between Normandy Boulevard and Lenox Avenue (R.E. No(s).
4 011778-0055), as more particularly described in **Exhibit 1**, dated
5 August 21, 2024, and graphically depicted in **Exhibit 2**, both of which
6 are **attached hereto** and incorporated herein by this reference (the
7 "Subject Property").

8 **Section 2. Owner and Applicant Description.** The Subject
9 Property is owned by IPS Enterprises, Inc. The applicant is Shalene
10 Estes, 14785 Old St. Augustine Road, Suite 300, Jacksonville, Florida,
11 32258; (904) 899-5948.

12 **Section 3. Property Rezoned.** The Subject Property,
13 pursuant to adopted companion Small-Scale Amendment L-5972-24C, is
14 hereby rezoned and reclassified from Residential Medium Density-
15 D (RMD-D) and Commercial Community/General-1 (CCG-1) District to
16 Planned Unit Development (PUD) District. This new PUD district shall
17 generally permit a residential subdivision, and is described, shown
18 and subject to the following documents, **attached hereto**:

19 **Exhibit 1** - Legal Description dated August 21, 2024.

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

21 **Exhibit 3** - Written Description dated October 21, 2024.

22 **Exhibit 4** - Site Plan dated October 22, 2024.

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

31 **Section 5. 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), owner(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 6. 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 the Council Secretary.

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17 Form Approved:

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19 /s/ Dylan Reingold

20 Office of General Counsel

21 Legislation Prepared By: Bruce Lewis

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