

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

4 **ORDINANCE 2024-860-E**

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; PUD SUBJECT TO
18 CONDITIONS; PROVIDING A DISCLAIMER THAT THE
19 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
20 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
21 PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
25 portions of the Future Land Use Map series (FLUMs) in order to ensure
26 the accuracy and internal consistency of the plan, pursuant to the
27 companion land use application L-5972-24C; and

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

1 Community/General-1 (CCG-1) to Planned Unit Development (PUD)
2 District was filed by Shalene Estes, on behalf of IPS Enterprises,
3 Inc., owner of approximately 14.0± acres of certain real property in
4 Council District 9, as more particularly described in Section 1 below;
5 and

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

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

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

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

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

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

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

9 **Section 2. Owner and Applicant Description.** The Subject
10 Property is owned by IPS Enterprises, Inc. The applicant is Shalene
11 Estes, 14785 Old St. Augustine Road, Suite 300, Jacksonville, Florida,
12 32258; (904) 899-5948.

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

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

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

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

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

24 **Section 4. PUD Rezoning Approved Subject to Conditions.**
25 This PUD rezoning is approved subject to the following conditions.
26 Such conditions control over the Written Description and the Site
27 Plan and may only be amended through a rezoning:

28 (1) The development shall provide a minimum of fifty-eight (58)
29 guest parking spaces.

30 (2) Per the written description Section III.A.2, "The gated
31 emergency access shown on the southwestern area of the PUD map will

1 be equipped with an entry key switch (i.e. KNOX) and made accessible
2 to the fire department and first responders in the need of an
3 emergency." If this road is to be used as emergency only, it will
4 otherwise act as a "dead end" and shall be terminated properly with
5 an acceptable roadway termination. If it will be open at all times,
6 a traffic study shall be provided at Civil Site Plan Review to
7 determine the need for turn lanes on Lenox Avenue. The traffic study
8 shall meet the requirements of the Land Development Procedures Manual
9 Section 1.1.11 (January 2024).

10 (3) Internal subdivision sidewalks shall be required per
11 Section 654.133 (e) and (f) of City of Jacksonville Code of
12 Ordinances.

13 **Section 5. Contingency.** This rezoning shall not become
14 effective until thirty-one (31) days after adoption of the companion
15 Small-Scale Amendment; and further provided that if the companion
16 Small-Scale Amendment is challenged by the state land planning agency,
17 this rezoning shall not become effective until the state land planning
18 agency or the Administration Commission issues a final order
19 determining the companion Small-Scale Amendment is in compliance with
20 Chapter 163, *Florida Statutes*.

21 **Section 6. Disclaimer.** The rezoning granted herein shall
22 not be construed as an exemption from any other applicable local,
23 state, or federal laws, regulations, requirements, permits or
24 approvals. All other applicable local, state or federal permits or
25 approvals shall be obtained before commencement of the development
26 or use, and issuance of this rezoning is based upon acknowledgement,
27 representation and confirmation made by the applicant(s), owner(s),
28 developer(s) and/or any authorized agent(s) or designee(s) that the
29 subject business, development and/or use will be operated in strict
30 compliance with all laws. Issuance of this rezoning does not approve,
31 promote or condone any practice or act that is prohibited or

1 restricted by any federal, state or local laws.

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

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7 Form Approved:

8
9 /s/ Dylan Reingold

10 Office of General Counsel

11 Legislation Prepared By: Bruce Lewis

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