

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-635-E**

5 AN ORDINANCE REZONING APPROXIMATELY 28.86±
6 ACRES, LOCATED IN COUNCIL DISTRICT 7 AT 14670
7 DUVAL ROAD, BETWEEN DUVAL ROAD AND INTERSTATE
8 95 (R.E. NOS. 106478-0110 AND 106478-0120), AS
9 DESCRIBED HEREIN, OWNED BY BLUE SKY JAXAP, LLC
10 AND EAGLE LANDINGS OF JAX, LLC, FROM
11 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) AND
12 INDUSTRIAL BUSINESS PARK (IBP) DISTRICTS TO
13 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
15 TO PERMIT MIXED USED DEVELOPMENT, AS DESCRIBED
16 IN THE EAGLE LANDINGS PUD; PUD SUBJECT TO
17 CONDITIONS; PROVIDING A DISCLAIMER THAT THE
18 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE
20 LAWS; PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, Blue Sky Jaxap, LLC, and Eagle Landings of Jax, LLC,
23 the owners of approximately 28.86± acres, located in Council
24 District 7 at 14670 Duval Road, between Duval Road and Interstate
25 95 (R.E. Nos. 106478-0110 and 106478-0120), as more particularly
26 described in the **Legal Description** dated July 29, 2019, and
27 graphically depicted in the **Subject Property Map**, both of which are
28 **On File** in the City Council Legislative Services Divison (Subject
29 Property), have applied for a rezoning and reclassification of that
30 property from Commercial Community/General-1 (CCG-1) and Industrial
31 Business Park (IBP) Districts to Planned Unit Development (PUD)

1 District, as described in Section 1 below; and

2 **WHEREAS,** the Planning Commission has considered the
3 application and has rendered an advisory opinion; and

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

6 **WHEREAS,** the Council finds that such rezoning is: (1)
7 consistent with the *2030 Comprehensive Plan*; (2) furthers the
8 goals, objectives and policies of the *2030 Comprehensive Plan*; and
9 (3) is not in conflict with any portion of the City's land use
10 regulations; and

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

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

20 **Section 1. Property Rezoned.** The Subject Property is
21 hereby rezoned and reclassified from Commercial Community/General-1
22 (CCG-1) and Industrial Business Park (IBP) Districts to Planned
23 Unit Development (PUD) District. This new PUD district shall
24 generally permit mixed used development, and is described, shown
25 and subject to the following documents:

26 **On File** - Legal Description dated July 29, 2019.

27 **On File** - Subject Property per P&DD.

28 **On File** - Written Description dated July 19, 2019.

29 **On File** - Site Plan dated May 3, 2019.

30 **Section 2. Rezoning Approved Subject to Conditions.** This
31 rezoning is approved subject to the following conditions. Such

1 conditions control over the Written Description and the Site Plan
2 and may only be amended through a rezoning.

3 (1) A traffic study shall be provided to the City of
4 Jacksonville Planning and Development Department prior to the final
5 10-set review. The traffic study shall be conducted by a
6 professional traffic engineer, and a methodology meeting shall be
7 held with the Transportation Planning Division and the City Traffic
8 Engineer prior to the commencement of the study.

9 (2) The rezoning shall be developed in accordance with the
10 revised Land Use Table dated September 18, 2019.

11 (3) Prior to the first final inspection within any phase of
12 development, the owner or their agent shall submit to the Planning
13 and Development Department for its review and approval either: (a)
14 an affidavit documenting that all conditions to the development
15 order have been satisfied, or (b) a detailed agreement for the
16 completion of all conditions to the development order.

17 **Section 3. Owner and Description.** The Subject Property
18 is owned by Blue Sky Jaxap, LLC, and Eagle Landings of Jax, LLC,
19 and is described in the **Legal Description On File**. The agent is
20 Emily Pierce, Esq., 1301 Riverplace Boulevard, Suite 1500,
21 Jacksonville, Florida 32207; (904) 398-3911.

22 **Section 4. Disclaimer.** The rezoning granted herein
23 shall not be construed as an exemption from any other applicable
24 local, state, or federal laws, regulations, requirements, permits
25 or approvals. All other applicable local, state or federal permits
26 or approvals shall be obtained before commencement of the
27 development or use and issuance of this rezoning is based upon
28 acknowledgement, representation and confirmation made by the
29 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
30 or designee(s) that the subject business, development and/or use
31 will be operated in strict compliance with all laws. Issuance of

1 this rezoning does **not** approve, promote or condone any practice or
2 act that is prohibited or restricted by any federal, state or local
3 laws.

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

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9 Form Approved:

10
11 /s/ Shannon K. Eller

12 Office of General Counsel

13 Legislation Prepared By: Arimus Wells

14 GC-#1319683-v1-2019-635-E