

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-842**

5 AN ORDINANCE REZONING APPROXIMATELY 17.28±
6 ACRES, LOCATED IN COUNCIL DISTRICT 5 AT 0
7 PHILIPS HIGHWAY, 2600 PHILIPS HIGHWAY AND 1905
8 PROMENADE WAY, BETWEEN MITCHELL AVENUE AND
9 RIVER OAKS ROAD (R.E. NOS. 126825-0020,
10 126826-0200, AND 126826-0300), AS DESCRIBED
11 HEREIN, OWNED BY CHANCE PHILIPS OWNER, LLC,
12 AND CRP/CHANCE SMP OWNER, LLC, FROM PLANNED
13 UNIT DEVELOPMENT (PUD) DISTRICT (2008-563-E)
14 TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
15 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
16 TO PERMIT MIXED USE DEVELOPMENT, AS DESCRIBED
17 IN THE SAN MARCO PROMENADE PUD; PROVIDING A
18 DISCLAIMER THAT THE REZONING GRANTED HEREIN
19 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM
20 ANY OTHER APPLICABLE LAWS; PROVIDING AN
21 EFFECTIVE DATE.
22

23 **WHEREAS**, Chance Philips Owner, LLC, and CRP/Chance SMP Owner,
24 LLC, the owners of approximately 17.28± acres, located in Council
25 District 5 at 0 Philips Highway, 2600 Philips Highway and 1905
26 Promenade Way, between Mitchell Avenue and River Oaks Road (R.E.
27 Nos. 126825-0020, 126826-0200, and 126826-0300), as more
28 particularly described in the **Exhibit 1**, dated November 6, 2019,
29 and graphically depicted in the **Exhibit 2**, both of which are
30 **attached hereto** (Subject Property), have applied for a rezoning and
31 reclassification of that property from Planned Unit Development

1 (PUD) District (2008-563-E) to Planned Unit Development (PUD)
2 District, as described in Section 1 below; and

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

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

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

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

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

21 **Section 1. Property Rezoned.** The Subject Property is
22 hereby rezoned and reclassified from Planned Unit Development (PUD)
23 District (2008-563-E) to Planned Unit Development (PUD) District.
24 This new PUD district shall generally permit mixed use development,
25 and is described, shown and subject to the following documents,
26 **attached hereto:**

27 **Exhibit 1** - Legal Description dated November 6, 2019.

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

29 **Exhibit 3** - Written Description dated November 6, 2019.

30 **Exhibit 4** - Site Plan dated October 2, 2019.

31 **Section 2. Owner and Description.** The Subject Property

1 is owned by Chance Philips Owner, LLC, and CRP/Chance SMP Owner,
2 LLC, and is legally described in the **Exhibit 1, attached hereto.**
3 The agent is T.R. Hainline, Esq., 1301 Riverplace Boulevard, Suite
4 1500, Jacksonville, Florida 32207; (904) 346-5531.

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

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

22
23 Form Approved:

24
25 /s/ Shannon K. Eller

26 Office of General Counsel

27 Legislation Prepared By: Connie Quinto

28 GC-#1321592-v1-San_Marco_Promenade_PUD_Z-2563