

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-629-E**

5 AN ORDINANCE REZONING APPROXIMATELY 5.64± ACRES
6 LOCATED IN COUNCIL DISTRICT 5 AT 3036 PHILIPS
7 HIGHWAY, 3114 PHILIPS HIGHWAY AND 0 ST. AUGUSTINE
8 ROAD, OWNED BY 3036 JAX, LLC, VEERASAMY VEERAMAH,
9 AND PURNWATIE D. VEERAMAH, AS DESCRIBED HEREIN,
10 FROM COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2)
11 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL
14 AND COMMERCIAL USES, AS DESCRIBED IN THE 3036
15 PHILIPS HIGHWAY PUD, PURSUANT TO FUTURE LAND USE
16 MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
17 APPLICATION NUMBER L-5609-21C; 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.
21

22 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 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-5609-21C; and

27 **WHEREAS**, in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5609-21C, an application to rezone and reclassify from
30 Commercial Community/General-2 (CCG-2) District to Planned Unit

1 Development (PUD) District was filed by Steve Diebenow, Esq., on
2 behalf of the owners of approximately 5.64± acres of certain real
3 property in Council District 5, as more particularly described in
4 Section 1; and

5 **WHEREAS**, the Planning and Development Department, in order to
6 ensure consistency of this zoning district with the *2030 Comprehensive*
7 *Plan*, has considered the rezoning and has rendered an advisory
8 opinion; and

9 **WHEREAS**, the Planning Commission has considered the application
10 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 *2030 Comprehensive Plan* adopted under the comprehensive planning
19 ordinance for future development of the City of Jacksonville; and

20 **WHEREAS**, the Council finds that the proposed PUD does not affect
21 adversely the orderly development of the City as embodied in the
22 *Zoning Code*; will not affect adversely the health and safety of
23 residents in the area; will not be detrimental to the natural
24 environment or to the use or development of the adjacent properties
25 in the general neighborhood; and the proposed PUD will accomplish the
26 objectives and meet the standards of Section 656.340 (Planned Unit
27 Development) of the *Zoning Code* of the City of Jacksonville; now,
28 therefore

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

30 **Section 1. Subject Property Location and Description.** The
31 approximately 5.64± acres are located in Council District 5, at 3036

1 Philips Highway, 3114 Philips Highway and 0 St. Augustine Road, as
2 more particularly described in **Exhibit 1**, dated August 30, 2021, and
3 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
4 and incorporated herein by this reference (the "Subject Property").

5 **Section 2. Owner and Applicant Description.** The Subject
6 Property is owned by 3036 Jax, LLC, Veerasamy Veeramah, and Purnwatie
7 D. Veeramah. The applicant is Steve Diebenow, Esq., One Independent
8 Drive, Suite 1200, Jacksonville, Florida 32202; (904) 301-1269.

9 **Section 3. Property Rezoned.** The Subject Property,
10 pursuant to adopted companion Small-Scale Amendment L-5609-21C, is
11 hereby rezoned and reclassified from Commercial Community/General-2
12 (CCG-2) District to Planned Unit Development (PUD) District. This
13 new PUD district shall generally permit multi-family residential and
14 commercial uses, and is described, shown and subject to the following
15 documents, **attached hereto**:

16 **Exhibit 1** - Legal Description dated August 30, 2021.

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

18 **Revised Exhibit 3** - Revised Written Description dated September 14,
19 2021.

20 **Exhibit 4** - Site Plan dated August 27, 2021.

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

30 **Section 5. Disclaimer.** The rezoning granted herein shall
31 not be construed as an exemption from any other applicable local,

1 state, or federal laws, regulations, requirements, permits or
2 approvals. All other applicable local, state or federal permits or
3 approvals shall be obtained before commencement of the development
4 or use and issuance of this rezoning is based upon acknowledgement,
5 representation and confirmation made by the applicant(s), owner(s),
6 developer(s) and/or any authorized agent(s) or designee(s) that the
7 subject business, development and/or use will be operated in strict
8 compliance with all laws. Issuance of this rezoning does not approve,
9 promote or condone any practice or act that is prohibited or
10 restricted by any federal, state or local laws.

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

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16 Form Approved:

17
18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Bruce Lewis

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