

1 Introduced by the Land Use and Zoning Committee:

4 **ORDINANCE 2019-457 -E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.23±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 2 AT 0  
7 MERRILL ROAD, BETWEEN WOMPI DRIVE AND FT.  
8 CAROLINE ROAD (R.E. NO. 112982-0050), AS  
9 DESCRIBED HEREIN, OWNED BY AM PM PROPERTY,  
10 LLC, FROM COMMERCIAL COMMUNITY/GENERAL-1 (CCG-  
11 1) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)  
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
13 ZONING CODE, TO PERMIT COMMERCIAL AND OFFICE  
14 USES, AS DESCRIBED IN THE MERRILL ROAD TIRE  
15 STORE PUD; PROVIDING A DISCLAIMER THAT THE  
16 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
17 AS AN EXEMPTION FROM ANY OTHER APPLICABLE  
18 LAWS; PROVIDING AN EFFECTIVE DATE.

19  
20 **WHEREAS**, AM PM Property, LLC, the owner of approximately 1.23±  
21 acres, located in Council District 2 at 0 Merrill Road, between  
22 Wompi Drive and Ft. Caroline Road (R.E. No. 112982-0050), as more  
23 particularly described in **Exhibit 1**, dated June 4, 2019, and  
24 graphically depicted in **Exhibit 2**, both of which are **attached**  
25 **hereto** and incorporated herein by this reference (Subject  
26 Property), has applied for a rezoning and reclassification of that  
27 property from Commercial Community/General-1 (CCG-1) District to  
28 Planned Unit Development (PUD) District, as described in Section 1  
29 below; and

30 **WHEREAS**, the Planning Commission has considered the  
31 application and has rendered an advisory opinion; and

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

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

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

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

17           **Section 1.           Property Rezoned.**       The Subject Property is  
18 hereby rezoned and reclassified from Commercial Community/General-1  
19 (CCG-1) District to Planned Unit Development (PUD) District. This  
20 new PUD district shall generally permit commercial and office uses,  
21 and is described, shown and subject to the following attached  
22 documents:

23           **Exhibit 1** - Legal Description dated June 4, 2019.

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

25           **Exhibit 3** - Written Description dated June 5, 2019.

26           **Exhibit 4** - Site Plan dated April 10, 2019.

27           **Section 2.           Owner and Description.**       The Subject Property  
28 is owned by AM PM Property, LLC, and is legally described in  
29 **Exhibit 1, attached hereto.**   The agent is L. Charles Mann, Mann-  
30 Pellicer, 165 Arlington Road, Jacksonville, Florida 32211; (904)  
31 721-1546.

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

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

18  
19 Form Approved:

20  
21           /s/ Shannon K. Eller          

22 Office of General Counsel

23 Legislation Prepared By: Connor Corrigan

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