

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-425-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.52± ACRES
6 LOCATED IN COUNCIL DISTRICT 1 AT 0 DAMES POINT
7 CROSSING BOULEVARD, BETWEEN MERRILL ROAD AND
8 DAMES POINT CROSSING BOULEVARD NORTH (R.E. NO.
9 112897-1545), AS DESCRIBED HEREIN, OWNED BY
10 AUTOZIM LLC, FROM PLANNED UNIT DEVELOPMENT (PUD)
11 DISTRICT (2003-192-E) TO PLANNED UNIT
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
14 COMMERCIAL RETAIL SALES AND SERVICES AND
15 WAREHOUSING USES, AS DESCRIBED IN THE DAMES POINT
16 CROSSING AUTO PUD; PUD SUBJECT TO CONDITIONS;
17 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
18 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
19 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
20 EFFECTIVE DATE.
21

22 **WHEREAS**, Autozim LLC, the owner of approximately 0.52± acres
23 located in Council District 1 at 0 Dames Point Crossing Boulevard,
24 between Merrill Road and Dames Point Crossing Boulevard North (R.E.
25 No. 112897-1545), as more particularly described in **Exhibit 1**, dated
26 April 24, 2023, and graphically depicted in **Exhibit 2**, both of which
27 are attached hereto (the "Subject Property"), has applied for a
28 rezoning and reclassification of the Subject Property from Planned
29 Unit Development (PUD) District (2003-192-E) to Planned Unit
30 Development (PUD) District, as described in Section 1 below; and

31 **WHEREAS**, the Planning Commission, acting as the local planning

1 agency, has reviewed the application and made an advisory
2 recommendation to the Council; and

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

5 **WHEREAS**, the Council finds that such rezoning is: (1)
6 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
7 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
8 not in conflict with any portion of the City's land use regulations;
9 and

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

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

19 **Section 1. Property Rezoned.** The Subject Property is
20 hereby rezoned and reclassified from Planned Unit Development (PUD)
21 District (2003-192-E) to Planned Unit Development (PUD) District.
22 This new PUD district shall generally permit commercial retail sales
23 and services and warehousing uses, and is described, shown and subject
24 to the following documents, attached hereto:

25 **Exhibit 1** - Legal Description dated April 24, 2023.

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

27 **Revised Exhibit 3** - Revised Written Description dated November 1,
28 2023.

29 **Revised Exhibit 4** - Revised Site Plan dated February 1, 2024.

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 and
2 may only be amended through a rezoning:

3 (1) Any applicable permitted use shall meet the additional
4 performance standards outlined in Section 656.399.62.E.4 of the
5 Zoning Code.

6 (2) The PUD and adjacent parcels may have cross access
7 easements to share the proposed access points. The final location and
8 number of access points is subject to review and approval by the
9 City's Traffic Engineer and the Planning and Development Department.

10 (3) The maximum lot coverage for any lot within the development
11 is 35%.

12 (4) There shall be no bay doors facing Dames Point Crossing
13 Boulevard.

14 (5) This rezoning shall have no impact on any covenants and
15 restrictions recorded pursuant to Ordinance 2003-192-E.

16 **Section 3. Owner and Description.** The Subject Property is
17 owned by Autozim LLC, and is legally described in **Exhibit 1**, attached
18 hereto. The applicant is Charles Blumstein, Esq., Post Office Box
19 330583, Atlantic Beach, Florida 32233; (904) 386-0704.

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

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

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6 Form Approved:

7
8 /s/ Mary E. Staffopoulos

9 Office of General Counsel

10 Legislation Prepared By: Kaysie Cox

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