

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-801**

5 AN ORDINANCE REZONING APPROXIMATELY 0.48± OF
6 AN ACRE LOCATED IN COUNCIL DISTRICT 5, AT 3838
7 ST. AUGUSTINE ROAD AND 3838 BROOKER ROAD,
8 BETWEEN BREWSTER ROAD AND BROOKER ROAD (R.E.
9 NOS. 070292-0000 AND 070319-0000), AS
10 DESCRIBED HEREIN, OWNED BY SNACK & GAS, INC.,
11 FROM COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1)
12 DISTRICT TO COMMERCIAL COMMUNITY/GENERAL-2
13 (CCG-2) DISTRICT, AS DEFINED AND CLASSIFIED
14 UNDER THE ZONING CODE; PROVIDING A DISCLAIMER
15 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
16 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, Snack & Gas, Inc., the owner of approximately 0.48±
20 of an acre located in Council District 5, at 3838 St. Augustine
21 Road and 3838 Brooker Road, between Brewster Road and Brooker Road
22 (R.E. Nos. 070292-0000 and 070319-0000), as more particularly
23 described in **Exhibit 1**, dated October 14, 2019, and graphically
24 depicted in **Exhibit 2**, both of which are **attached hereto** (Subject
25 Property), has applied for a rezoning and reclassification of the
26 Subject Property from Commercial Community/General-1 (CCG-1)
27 District to Commercial Community/General-2 (CCG-2) District; and

28 **WHEREAS**, the Planning and Development Department has
29 considered the application and has rendered an advisory
30 recommendation; 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**, taking into consideration the above recommendations
6 and all other evidence entered into the record and testimony taken
7 at the public hearings, the Council finds that such rezoning: (1)
8 is 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; now, therefore

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

13 **Section 1. Property Rezoned.** The Subject Property is
14 hereby rezoned and reclassified from Commercial Community/General-1
15 (CCG-1) District to Commercial Community/General-2 (CCG-2)
16 District, as defined and classified under the Zoning Code, City of
17 Jacksonville, Florida.

18 **Section 2. Owner and Description.** The Subject Property
19 is owned by Snack & Gas, Inc., and is described in **Exhibit 1,**
20 **attached hereto.** The agent is Kamal Yazji, 5488 River Trail Road
21 South, Jacksonville, Florida 32277; (904) 465-3215.

22 **Section 3. Disclaimer.** The rezoning granted herein shall
23 **not** be construed as an exemption from any other applicable local,
24 state, or federal laws, regulations, requirements, permits or
25 approvals. All other applicable local, state or federal permits or
26 approvals shall be obtained before commencement of the development
27 or use and issuance of this rezoning is based upon acknowledgement,
28 representation and confirmation made by the applicant(s),
29 owners(s), developer(s) and/or any authorized agent(s) or
30 designee(s) that the subject business, development and/or use will
31 be operated in strict compliance with all laws. Issuance of this

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

4 **Section 4. 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 Council Secretary.

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9 Form Approved:

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11 /s/ Shannon K. Eller

12 Office of General Counsel

13 Legislation Prepared By: Connor Corrigan

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