

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2024-535-W**

5 AN ORDINANCE REZONING APPROXIMATELY 2.6± ACRES
6 LOCATED IN COUNCIL DISTRICT 10 AT 8374 NEW KINGS
7 ROAD, BETWEEN GILCHRIST ROAD AND FINCH AVENUE
8 (R.E. NO(S). 039967-0000), AS DESCRIBED HEREIN,
9 OWNED BY AND PROPERTY, LLC, FROM COMMERCIAL
10 COMMUNITY/GENERAL-2 (CCG-2) DISTRICT TO PLANNED
11 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
13 COMMERCIAL USES; AS DESCRIBED IN THE NEW KINGS
14 ROAD PUD; PROVIDING A DISCLAIMER THAT THE
15 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
16 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
17 PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS,** And Property, LLC, the owner of approximately 2.6±
20 acres located in Council District 10 at 8374 New Kings Road, between
21 Gilchrist Road and Finch Avenue (R.E. No(s). 039967-0000), as more
22 particularly described in **Exhibit 1**, dated April 2, 2024, and
23 graphically depicted in **Exhibit 2**, both of which are attached hereto
24 (the "Subject Property"), has applied for a rezoning and
25 reclassification of the Subject Property from Commercial
26 Community/General-2 (CCG-2) District to Planned Unit Development
27 (PUD) District, as described in Section 1 below; and

28 **WHEREAS,** the Planning Commission, acting as the local planning
29 agency, has reviewed the application and made an advisory
30 recommendation to the Council; and

31 **WHEREAS,** the Land Use and Zoning Committee, after due notice

1 and public hearing, has made its recommendation to the Council; and

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

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

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

16 **Section 1. Property Rezoned.** The Subject Property is
17 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
18 District to Planned Unit Development (PUD) District. This new PUD
19 district shall generally permit commercial uses, and is described,
20 shown and subject to the following documents, attached hereto:

21 **Exhibit 1** - Legal Description dated April 2, 2024.

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

23 **Exhibit 3** - Written Description dated April 18, 2024.

24 **Exhibit 4** - Site Plan dated March 26, 2024.

25 **Section 2. Owner and Description.** The Subject Property is
26 owned by And Property, LLC, and is legally described in **Exhibit 1**,
27 attached hereto. The applicant is Paul M. Harden, Esq., 1431
28 Riverplace Boulevard, Suite 901, Jacksonville, Florida, 32207; (904)
29 396-5731.

30 **Section 3. 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), owners(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 4. 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 Council Secretary.

15
16
17 Form Approved:

18
19 /s/ Dylan Reingold

20 Office of General Counsel

21 Legislation Prepared By: Kaysie Cox

22 GC-#1636944-v1-2024-535.docx