

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-556-E**

5 AN ORDINANCE REZONING APPROXIMATELY 22.90±
6 ACRES, LOCATED IN COUNCIL DISTRICT 1 AT 651
7 COMMERCE CENTER DRIVE, BETWEEN SOUTHSIDE
8 CONNECTOR SERVICE ROAD AND COMMERCE CENTER DRIVE
9 (R.E. NO. 120819-0700 (PORTION)), AS DESCRIBED
10 HEREIN, OWNED BY SOUTHSIDE RETAIL, LLC, FROM
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2001-
12 15-E) TO PLANNED UNIT DEVELOPMENT (PUD)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
15 DESCRIBED IN THE ELECTRIC AUTO REPAIR PUD; PUD
16 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER
17 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, Southside Retail, LLC, the owner of approximately
22 22.90± acres located in Council District 1 at 651 Commerce Center
23 Drive, between Southside Connector Service Road and Commerce Center
24 Drive (R.E. No. 120819-0700 (portion)), as more particularly
25 described in **Exhibit 1**, dated May 31, 2022, and graphically depicted
26 in **Exhibit 2**, both of which are attached hereto (the "Subject
27 Property"), has applied for a rezoning and reclassification of that
28 property from Planned Unit Development (PUD) District (2001-15-E) to
29 Planned Unit Development (PUD) District, as described in Section 1
30 below; and

31 **WHEREAS**, the Planning Commission has considered the application

1 and has rendered an advisory opinion; and

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

4 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
5 with the *2030 Comprehensive Plan*; (2) furthers the goals, objectives
6 and policies of the *2030 Comprehensive Plan*; and (3) is not in
7 conflict with any portion of the City's land use 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 Planned Unit Development (PUD)
19 District (2001-15-E) to Planned Unit Development (PUD) District. This
20 new PUD district shall generally permit commercial uses, and is
21 described, shown and subject to the following documents, attached
22 hereto:

23 **Exhibit 1** - Legal Description dated May 31, 2022.

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

25 **Exhibit 3** - Written Description dated May 31, 2022.

26 **Exhibit 4** - Site Plan dated May 31, 2022.

27 **Section 2. Rezoning Approved Subject to Conditions.** This
28 rezoning is approved subject to the following conditions. Such
29 conditions control over the Written Description and the Site Plan and
30 may only be amended through a rezoning:

31 (1) The developer will provide screening and landscaping for

1 any outdoor vehicle storage areas, as appropriate, or as approved by
2 the Planning and Development Department.

3 (2) The operator will agree to maintain any bay doors in a
4 closed position, other than for entry and existing of vehicles.

5 **Section 3. Owner and Description.** The Subject Property
6 is owned by Southside Retail, LLC, and is legally described in **Exhibit**
7 **1**, attached hereto. The applicant is Michael Herzberg, 12483 Aladdin
8 Road, Jacksonville, Florida 32223; (904) 731-8806.

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

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

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26 Form Approved:

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28 /s/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Bruce Lewis

31 GC-#1525615-v1-2022-556-E