

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

4 **ORDINANCE 2021-6-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.46± ACRES  
6 LOCATED IN COUNCIL DISTRICT 9 AT 0 CANAL STREET  
7 NORTH, 3124 CANAL STREET NORTH AND 3134 CANAL  
8 STREET NORTH, BETWEEN MARTIN LUTHER KING, JR.  
9 PARKWAY AND 23<sup>RD</sup> STREET WEST (R.E. NOS. 084320-  
10 0000, 084321-0000, 084322-0000 and 084323-0010),  
11 OWNED BY TRC CANAL, LLC, AS DESCRIBED HEREIN,  
12 FROM RESIDENTIAL LOW DENSITY-60 (RLD-60)  
13 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)  
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
15 ZONING CODE, TO PERMIT COMMERCIAL USES, AS  
16 DESCRIBED IN THE MLK JR. & CANAL ST. PUD,  
17 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)  
18 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5489-  
19 20C; PROVIDING A DISCLAIMER THAT THE REZONING  
20 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
21 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
22 PROVIDING AN EFFECTIVE DATE.  
23

24 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
25 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
26 portions of the Future Land Use Map series (FLUMs) in order to ensure  
27 the accuracy and internal consistency of the plan, pursuant to  
28 application L-5489-20C and companion land use Ordinance 2021-5; and

29 **WHEREAS,** in order to ensure consistency of zoning district with  
30 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
31 Amendment L-5489-20C, an application to rezone and reclassify from

1 Residential Low Density-60 (RLD-60) District to Planned Unit  
2 Development (PUD) District was filed by Paul M. Harden, Esq., on  
3 behalf of TRC Canal, LLC, the owner of approximately 1.46± acres of  
4 certain real property in Council District 9, as more particularly  
5 described in Section 1; and

6 **WHEREAS**, the Planning and Development Department, in order to  
7 ensure consistency of this zoning district with the *2030 Comprehensive*  
8 *Plan*, has considered the rezoning and has rendered an advisory  
9 opinion; and

10 **WHEREAS**, the Planning Commission has considered the application  
11 and has rendered an advisory opinion; and

12 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
13 notice, held a public hearing and made its recommendation to the  
14 Council; and

15 **WHEREAS**, the City Council, after due notice, held a public  
16 hearing, and taking into consideration the above recommendations as  
17 well as all oral and written comments received during the public  
18 hearings, the Council finds that such rezoning is consistent with the  
19 *2030 Comprehensive Plan* adopted under the comprehensive planning  
20 ordinance for future development of the City of Jacksonville; and

21 **WHEREAS**, the Council finds that the proposed PUD does not affect  
22 adversely the orderly development of the City as embodied in the  
23 *Zoning Code*; will not affect adversely the health and safety of  
24 residents in the area; will not be detrimental to the natural  
25 environment or to the use or development of the adjacent properties  
26 in the general neighborhood; and the proposed PUD will accomplish the  
27 objectives and meet the standards of Section 656.340 (Planned Unit  
28 Development) of the *Zoning Code* of the City of Jacksonville; now,  
29 therefore

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

31 **Section 1. Subject Property Location and Description.** The

1 approximately 1.46± acres (R.E. Nos. 084320-0000, 084321-0000,  
2 084322-0000 and 084323-0010) are located in Council District 9, at 0  
3 Canal Street North, 3124 Canal Street North and 3134 Canal Street  
4 North, between Martin Luther King, Jr. Parkway and 23<sup>rd</sup> Street West,  
5 as more particularly described in **Exhibit 1**, dated October 20, 2020,  
6 and graphically depicted in **Exhibit 2**, both of which are **attached**  
7 **hereto** and incorporated herein by this reference (Subject Property).

8 **Section 2. Owner and Applicant Description.** The Subject  
9 Property is owned by TRC Canal, LLC. The applicant is Paul M. Harden,  
10 Esq., 501 Riverside Avenue, Suite 901, Jacksonville, Florida 32202;  
11 (904) 396-5731.

12 **Section 3. Property Rezoned.** The Subject Property,  
13 pursuant to adopted companion Small-Scale Amendment L-5489-20C, is  
14 hereby rezoned and reclassified from Residential Low Density-60 (RLD-  
15 60) District to Planned Unit Development (PUD) District. This new  
16 PUD district shall generally permit commercial uses, and is described,  
17 shown and subject to the following documents, **attached hereto**:

18 **Exhibit 1** - Legal Description dated October 20, 2020.

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

20 **Exhibit 3** - Written Description dated October 20, 2020.

21 **Revised Exhibit 4** - Revised Site Plan dated September 10, 2020.

22 **Section 4. Contingency.** This rezoning shall not become  
23 effective until 31 days after adoption of the companion Small-Scale  
24 Amendment unless challenged by the state land planning agency; and  
25 further provided that if the companion Small-Scale Amendment is  
26 challenged by the state land planning agency, this rezoning shall not  
27 become effective until the state land planning agency or the  
28 Administration Commission issues a final order determining the  
29 companion Small-Scale Amendment is in compliance with Chapter 163,  
30 *Florida Statutes*.

31 **Section 5. Disclaimer.** The rezoning granted herein

