

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

4 **ORDINANCE 2019-317**

5 AN ORDINANCE REZONING APPROXIMATELY 48.53±
6 ACRES, LOCATED IN COUNCIL DISTRICT 3 AT 0
7 HODGES BOULEVARD AND 13190 GLEN KERNAN
8 PARKWAY, BETWEEN INTERSTATE 295 AND GLEN
9 KERNAN PARKWAY (R.E. NOS. 167735-0055 AND
10 167735-0065), AS DESCRIBED HEREIN, OWNED BY
11 HODGES BOULEVARD DEVELOPMENT GROUP, INC., AND
12 THE GEORGE H. HODGES, JR. TRUST, FROM PLANNED
13 UNIT DEVELOPMENT (PUD) DISTRICT (ORDINANCES
14 92-1930-1372 AND 2003-169-E) TO PLANNED UNIT
15 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
17 MIXED-USE DEVELOPMENT, AS DESCRIBED IN THE JTB
18 & HODGES NWQ PUD; PROVIDING A DISCLAIMER THAT
19 THE REZONING GRANTED HEREIN SHALL NOT BE
20 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS**, Hodges Boulevard Development Group, Inc., and the
24 George H. Hodges, Jr. Trust, the owners of approximately 48.53±
25 acres, located in Council District 3 at 0 Hodges Boulevard and
26 13190 Glen Kernan Parkway, between Interstate 295 and Glen Kernan
27 Parkway (R.E. Nos. 167735-0055 and 167735-0065), as more
28 particularly described in **Exhibit 1**, dated February 11, 2019, and
29 graphically depicted in **Exhibit 2**, both of which are **attached**
30 **hereto** and incorporated herein by this reference (Subject
31 Property), have applied for a rezoning and reclassification of that

1 property from Planned Unit Development (PUD) District (Ordinances
2 92-1930-1372 and 2003-169-E) to Planned Unit Development (PUD)
3 District, as described in Section 1 below; and

4 **WHEREAS**, the Planning Commission has considered the
5 application and has rendered an advisory opinion; and

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

8 **WHEREAS**, the Council finds that such rezoning is: (1)
9 consistent with the *2030 Comprehensive Plan*; (2) furthers the
10 goals, objectives and policies of the *2030 Comprehensive Plan*; and
11 (3) is not in conflict with any portion of the City's land use
12 regulations; and

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

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

22 **Section 1. Property Rezoned.** The Subject Property is
23 hereby rezoned and reclassified from Planned Unit Development (PUD)
24 District (Ordinances 92-1930-1372 and 2003-169-E) to Planned Unit
25 Development (PUD) District. This new PUD district shall generally
26 permit mixed-use development, and is described, shown and subject
27 to the following attached documents:

28 **Exhibit 1** - Legal Description dated February 11, 2019.

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

30 **Revised Exhibit 3** - Revised Written Description dated July 6, 2020.

31 **Revised Exhibit 4** - Revised Site Plan dated September 9, 2019.

1 **Section 2. Owner and Description.** The Subject Property
2 is owned by Hodges Boulevard Development Group, Inc., and the
3 George H. Hodges, Jr. Trust, and is legally described in **Exhibit 1,**
4 **attached hereto.** The agent is Paul M. Harden, Esq., 501 Riverside
5 Avenue, Suite 901, Jacksonville, Florida 32202; (904) 396-5731.

6 **Section 3. Disclaimer.** The rezoning granted herein
7 shall not be construed as an exemption from any other applicable
8 local, state, or federal laws, regulations, requirements, permits
9 or approvals. All other applicable local, state or federal permits
10 or approvals shall be obtained before commencement of the
11 development or use and issuance of this rezoning is based upon
12 acknowledgement, representation and confirmation made by the
13 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
14 or designee(s) that the subject business, development and/or use
15 will be operated in strict compliance with all laws. Issuance of
16 this rezoning does not approve, promote or condone any practice or
17 act that is prohibited or restricted by any federal, state or local
18 laws.

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

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24 Form Approved:

25
26 /s/ Shannon K. Eller

27 Office of General Counsel

28 Legislation Prepared By: Bruce Lewis

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