

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following first amendment to File No. 2019-551:

- (1) On **page 1, line 19, after** "PUD;" **insert** "PUD SUBJECT TO CONDITIONS;"; and
- (2) On **page 3, line 1½, insert** a new Section 2 to read as follows:

"Section 2. Rezoning Approved Subject to Conditions.

This rezoning is approved subject to the following conditions. Such conditions control over the Written Description and the Site Plan and may only be amended through a rezoning.

(1) The following use is removed from the Written Description under Permissible Uses by Exception: (7) Residential treatment facilities for persons with disabilities, meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code, if applicable.

(2) The PUD is subject to the following conditions regarding the Emerald Trail and parking:

(a) Phoenix Art District, LLC, shall grant the City of Jacksonville and Groundwork Jacksonville, Inc. an easement to build the Emerald Trail through its property upon completion of a mutually agreeable trail design;

(b) Once the above easement is formally executed, the City of Jacksonville will enter into a

written agreement to allow Phoenix Art District, LLC, to use parcel 045009-3000 between Market and Liberty streets for parking for a term of five (5) years, which may be renewed, subject to approval by the City Council;

(c) If construction of the Emerald Trail through the Phoenix Art District, LLC, land does not commence by October 31, 2021, then (a) and (b) above are void; and

(d) Phoenix Art District, LLC, may occasionally close the trail to bike traffic in order to hold special events in the space, however, cyclists may walk their bikes through the space, subject to City permitting requirements, if applicable.

(3) Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either: (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.”; and

(3) Renumber the remaining Sections.

(4) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

/s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Shannon K. Eller

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