

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-431**

5 AN ORDINANCE REZONING APPROXIMATELY 1.472±
6 ACRES, LOCATED IN COUNCIL DISTRICT 2 AT 2465 NEW
7 BERLIN ROAD, BETWEEN NEW BERLIN ROAD AND ELMAR
8 ROAD (R.E. NO. 106509-0100 (PORTION)), AS
9 DESCRIBED HEREIN, OWNED BY AL CENTURY, LLC, FROM
10 COMMERCIAL OFFICE (CO) DISTRICT TO PLANNED UNIT
11 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
13 COMMERCIAL USES, AS DESCRIBED IN THE NEW BERLIN
14 ROAD @ DUNN CREEK ROAD COMMERCIAL PUD; PROVIDING
15 A DISCLAIMER THAT THE REZONING GRANTED HEREIN
16 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
17 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
18 DATE.

19
20 **WHEREAS**, AL Century, LLC, the owner of approximately 1.472±
21 acres, located in Council District 2 at 2465 New Berlin Road, between
22 New Berlin Road and Elmar Road (R.E. No. 106509-0100 (portion)), as
23 more particularly described in **Revised Exhibit 1**, dated January 13,
24 2020, and graphically depicted in **Revised Exhibit 2**, both of which
25 are **attached hereto** and incorporated herein by this reference (Subject
26 Property), has applied for a rezoning and reclassification of that
27 property from Commercial Office (CO) District to Planned Unit
28 Development (PUD) District, as described in Section 1 below; and

29 **WHEREAS**, the Planning Commission has considered the application
30 and has rendered an advisory opinion; and

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

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

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

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

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

15 **Section 1. Property Rezoned.** The Subject Property is
16 hereby rezoned and reclassified from Commercial Office (CO) District
17 to Planned Unit Development (PUD) District. This new PUD district
18 shall generally permit commercial uses, and is described, shown and
19 subject to the following attached documents:

20 **Revised Exhibit 1** - Revised Legal Description dated January 13, 2020.

21 **Revised Exhibit 2** - Revised Subject Property per P&DD.

22 **Revised Exhibit 3** - Revised Written Description dated February 4,
23 2020.

24 **Revised Exhibit 4** - Revised Site Plan dated January 13, 2020.

25 **Section 2. Owner and Description.** The Subject Property
26 is owned by AL Century, LLC, and is legally described in **Revised**
27 **Exhibit 1, attached hereto.** The agent is Robert K. Riley, 7350
28 Cumbria Boulevard, Jacksonville, Florida 32219; (904) 699-1050.

29 **Section 3. Disclaimer.** The rezoning granted herein
30 shall not be construed as an exemption from any other applicable
31 local, state, or federal laws, regulations, requirements, permits or

1 approvals. All other applicable local, state or federal permits or
2 approvals shall be obtained before commencement of the development
3 or use and issuance of this rezoning is based upon acknowledgement,
4 representation and confirmation made by the applicant(s), owner(s),
5 developer(s) and/or any authorized agent(s) or designee(s) that the
6 subject business, development and/or use will be operated in strict
7 compliance with all laws. Issuance of this rezoning does **not** approve,
8 promote or condone any practice or act that is prohibited or
9 restricted by any federal, state or local laws.

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

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15 Form Approved:

16
17 /s/ Shannon K. Eller

18 Office of General Counsel

19 Legislation Prepared By: Bruce Lewis

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