

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-169-E**

5 AN ORDINANCE REZONING APPROXIMATELY 2.56± ACRES,  
6 LOCATED IN COUNCIL DISTRICT 2 AT 0 MCCORMICK  
7 ROAD, BETWEEN KERNAN BOULEVARD AND CHANDELIER  
8 DRIVE (R.E. NO. 161020-0800) AS DESCRIBED  
9 HEREIN, OWNED BY WONDERWOOD LAND TRUST, FROM  
10 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2015-  
11 208-E) TO PLANNED UNIT DEVELOPMENT (PUD)  
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
13 ZONING CODE, TO PERMIT COMMERCIAL USES, AS  
14 DESCRIBED IN THE MCCORMICK STATION 2 PUD; PUD  
15 SUBJECT TO CONDITION; PROVIDING A DISCLAIMER  
16 THAT THE REZONING GRANTED HEREIN SHALL NOT BE  
17 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
19

20 **WHEREAS**, Wonderwood Land Trust, the owner of approximately 2.56±  
21 acres, located in Council District 2 at 0 McCormick Road, between  
22 Kernan Boulevard and Chandelier Drive (R.E. No. 161020-0800), as more  
23 particularly described in **Exhibit 1**, dated February 23, 2021, and  
24 graphically depicted in **Exhibit 2**, both of which are **attached hereto**  
25 (Subject Property), has applied for a rezoning and reclassification  
26 of that property from Planned Unit Development (PUD) District (2015-  
27 208-E) to Planned Unit Development (PUD) District, as described in  
28 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 Planned Unit Development (PUD)  
17 District (2015-208-E) to Planned Unit Development (PUD) District.  
18 This new PUD district shall generally permit commercial uses, and is  
19 described, shown and subject to the following documents, **attached**  
20 **hereto:**

21 **Exhibit 1** - Legal Description dated February 23, 2021.

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

23 **Exhibit 3** - Written Description dated February 18, 2021.

24 **Revised Exhibit 4** - Revised Site Plan dated April 22, 2021.

25       **Section 2.       Rezoning Approved Subject to Condition.**       This  
26 rezoning is approved subject to the following condition.       Such  
27 condition controls over the Written Description and the Site Plan and  
28 may only be amended through a rezoning.

29       (1) All sag lenses, drop lenses and convex lenses shall be  
30 prohibited.       Illumination levels at all property lines shall not  
31 exceed one-half (.5) foot candles (f.c.) when the building or parking

1 areas are located adjacent to residential areas and shall not exceed  
2 one (1.0) f.c. when abutting other non-residential properties. All  
3 lighting lamp sources within parking and pedestrian areas shall be  
4 metal halide, compact fluorescent, or LED. The maximum light pole  
5 height in all parking areas should not exceed thirty feet (30' - 0").  
6 An exterior lighting design plan, including a photometrics plan, and  
7 pole and fixtures schedules shall be submitted at the time of  
8 Verification of Substantial Compliance of the PUD for review and  
9 approval by the Planning and Development Department.

10 **Section 3. Owner and Description.** The Subject Property  
11 is owned by Wonderwood Land Trust, and is legally described in **Exhibit**  
12 **1, attached hereto.** The applicant is Michael Herzberg, 12483 Aladdin  
13 Road, Jacksonville, Florida 32223; (904) 731-8806.

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

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

