

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-498**

5 AN ORDINANCE REZONING APPROXIMATELY 16.85±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 11 AT 0  
7 KERNAN BOULEVARD SOUTH, BETWEEN BEACH  
8 BOULEVARD AND KERNAN BOULEVARD SOUTH (R.E. NO.  
9 167065-0220), AS DESCRIBED HEREIN, OWNED BY  
10 THE TRIANGLE LAND TRUST, FROM PLANNED UNIT  
11 DEVELOPMENT (PUD) DISTRICT (2005-288-E) TO  
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,  
14 TO PERMIT A BORROW PIT AND POND, AS DESCRIBED  
15 IN THE SOUTHWEST BEACH AND KERNAN BORROW PIT  
16 PUD; PROVIDING A DISCLAIMER THAT THE REZONING  
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
19 PROVIDING AN EFFECTIVE DATE.  
20

21 **WHEREAS**, the Triangle Land Trust, the owner of approximately  
22 16.85± acres, located in Council District 11 at 0 Kernan Boulevard  
23 South, between Beach Boulevard and Kernan Boulevard South (R.E. No.  
24 167065-0220), as more particularly described in **Exhibit 1**, dated  
25 June 13, 2019, and graphically depicted in **Exhibit 2**, both of which  
26 are **attached hereto** and incorporated herein by this reference  
27 (Subject Property), has applied for a rezoning and reclassification  
28 of that property from Planned Unit Development (PUD) (2005-288-E)  
29 District to Planned Unit Development (PUD) District, as described  
30 in Section 1 below; and

31 **WHEREAS**, the Planning Commission has considered the

1 application and has rendered an advisory opinion; and

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

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

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

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

18 **Section 1. Property Rezoned.** The Subject Property is  
19 hereby rezoned and reclassified from Planned Unit Development (PUD)  
20 District (2005-288-E) to Planned Unit Development (PUD) District.  
21 This new PUD district shall generally permit a borrow pit and pond,  
22 and is described, shown and subject to the following attached  
23 documents:

24 **Exhibit 1** - Legal Description dated June 13, 2019.

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

26 **Exhibit 3** - Written Description dated June 12, 2019.

27 **Exhibit 4** - Site Plan dated June 13, 2019.

28 **Section 2. Owner and Description.** The Subject Property  
29 is owned by the Triangle Land Trust, and is legally described in  
30 **Exhibit 1, attached hereto.** The agent is Eric Sloan, 1 Sleiman  
31 Parkway, Suite 100, Jacksonville, Florida 32216; (904) 731-4875.

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

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

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19 Form Approved:

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21           /s/ Shannon K. Eller          

22 Office of General Counsel

23 Legislation Prepared By: Arimus Wells

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