

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-493**

5 AN ORDINANCE REZONING APPROXIMATELY 16.99±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 2 AT 0 NEW  
7 BERLIN ROAD, BETWEEN AIRPORT CENTER DRIVE AND  
8 LORD NELSON BOULEVARD (PORTION OF R.E. NO.  
9 106939-0000), AS DESCRIBED HEREIN, OWNED BY  
10 THE JACKSONVILLE TRANSPORTATION AUTHORITY,  
11 FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT  
12 (2002-665-E) TO PLANNED UNIT DEVELOPMENT (PUD)  
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
14 ZONING CODE, TO PERMIT COMMERCIAL AND MULTI-  
15 FAMILY RESIDENTIAL USES, AS DESCRIBED IN THE  
16 CAPITOL PARK EAST PUD; PROVIDING A DISCLAIMER  
17 THAT THE REZONING GRANTED HEREIN SHALL NOT BE  
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
20

21 **WHEREAS**, the Jacksonville Transportation Authority, the owner  
22 of approximately 16.99± acres, located in Council District 2 at 0  
23 New Berlin Road, between Airport Center Drive and Lord Nelson  
24 Boulevard (portion of R.E. No. 106939-0000), as more particularly  
25 described in **Exhibit 1**, dated June 11, 2019, and graphically  
26 depicted in **Exhibit 2**, both of which are **attached hereto** and  
27 incorporated herein by this reference (Subject Property), has  
28 applied for a rezoning and reclassification of that property from  
29 Planned Unit Development (PUD) District (2002-665-E) to Planned  
30 Unit Development (PUD) District, as described in Section 1 below;  
31 and

1           **WHEREAS,** the Planning Commission has considered the  
2 application and has rendered an advisory opinion; and

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

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

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

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

19           **Section 1. Property Rezoned.** The Subject Property is  
20 hereby rezoned and reclassified from Planned Unit Development (PUD)  
21 District (2002-665-E) to Planned Unit Development (PUD) District.  
22 This new PUD district shall generally permit commercial and multi-  
23 family residential uses, and is described, shown and subject to the  
24 following attached documents:

25 **Exhibit 1** - Legal Description dated June 11, 2019.

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

27 **Exhibit 3** - Written Description dated June 11, 2019.

28 **Exhibit 4** - Site Plan dated June 6, 2019.

29           **Section 2. Owner and Description.** The Subject Property  
30 is owned by the Jacksonville Transportation Authority, and is  
31 legally described in **Exhibit 1, attached hereto.** The agent is Mark

1 H. Scruby, Esq., 1301 Riverplace Boulevard, Suite 1500,  
2 Jacksonville, Florida 32207; (904) 346-5537.

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

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

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21 Form Approved:

22  
23           /s/ Shannon K. Eller          

24 Office of General Counsel

25 Legislation Prepared By: Bruce Lewis

26 GC-#1292686-v1-Capitol\_Park\_East\_PUD\_Z-2416