

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-688**

5 AN ORDINANCE REZONING APPROXIMATELY 9.11±
6 ACRES, LOCATED IN COUNCIL DISTRICT 6 AT 0
7 MARBON ROAD AND 3011 MARBON ROAD, BETWEEN SAN
8 JOSE BOULEVARD AND MARBON ESTATES LANE (R.E.
9 NOS. 158156-0000 AND 158161-0100), AS
10 DESCRIBED HEREIN, OWNED BY FIRST COAST ENERGY,
11 LLP, FROM PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT (2017-493-E) TO PLANNED UNIT
13 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
14 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
15 COMMERCIAL USES, AS DESCRIBED IN THE 3011
16 MARBON ROAD PUD; PROVIDING A DISCLAIMER THAT
17 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**, First Coast Energy, LLP, the owner of approximately
22 9.11± acres, located in Council District 6 at 0 Marbon Road and
23 3011 Marbon Road, between San Jose Boulevard and Marbon Estates
24 Lane (R.E. Nos. 158156-0000 and 158161-0100), as more particularly
25 described in the **Exhibit 1**, dated August 9, 2019, and graphically
26 depicted in the **Exhibit 2**, both of which are **attached hereto**
27 (Subject Property), has applied for a rezoning and reclassification
28 of that property from Planned Unit Development (PUD) District
29 (2017-493-E) to Planned Unit Development (PUD) District, as
30 described 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 (2017-493-E) to Planned Unit Development (PUD) District.
21 This new PUD district shall generally permit commercial uses, and
22 is described, shown and subject to the following documents,
23 **attached hereto:**

24 **Exhibit 1** - Legal Description dated August 9, 2019.

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

26 **Exhibit 3** - Written Description dated September 4, 2019.

27 **Exhibit 4** - Site Plan dated August 6, 2019.

28 **Section 2. Owner and Description.** The Subject Property
29 is owned by First Coast Energy, LLP, and is legally described in
30 the **Exhibit 1, attached hereto**. The agent is Steve Diebenow, Esq.,
31 One Independent Drive, Suite 1200, Jacksonville, Florida 32202;

1 (904) 301-1269.

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

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

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20 Form Approved:

21
22 /s/ Shannon K. Eller

23 Office of General Counsel

24 Legislation Prepared By: Bruce Lewis

25 GC-#1304472-v1-Marbon_Rd_PUD_Z-2487