

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-695-E**

5 AN ORDINANCE REZONING APPROXIMATELY 4.5± ACRES,
6 LOCATED IN COUNCIL DISTRICT 8 AT 2150 SOUDEL
7 DRIVE, BETWEEN 2ND AVENUE AND CAREY AVENUE (R.E.
8 NO. 035838-0000), AS DESCRIBED HEREIN, OWNED BY
9 NGJAX LLC, FROM COMMERCIAL COMMUNITY/GENERAL-1
10 (CCG-1) DISTRICT TO PLANNED UNIT DEVELOPMENT
11 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
12 THE ZONING CODE, TO PERMIT COMMERCIAL USES, AS
13 DESCRIBED IN THE 2150 SOUDEL DRIVE PUD; PUD
14 SUBJECT TO CONDITION; PROVIDING A DISCLAIMER
15 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
16 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, NGJax, LLC, the owner of approximately 4.5± acres,
20 located in Council District 8 at 2150 Soudel Drive, between 2nd Avenue
21 and Carey Avenue (R.E. No. 035838-0000), as more particularly
22 described in **Exhibit 1**, dated January 11, 2021, and graphically
23 depicted in **Exhibit 2**, both of which are **attached hereto** (the "Subject
24 Property"), has applied for a rezoning and reclassification of that
25 property from Commercial Community/General-1 (CCG-1) District to
26 Planned Unit Development (PUD) District, as described in Section 1
27 below; and

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

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

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

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

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

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

20 **Exhibit 1** - Legal Description dated January 11, 2021.

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

22 **Revised Exhibit 3** - Revised Written Description dated October 18,
23 2021.

24 **Exhibit 4** - Site Plan dated September 2, 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 Revised Written Description and the Site
28 Plan and may only be amended through a rezoning.

29 (1) An ADA compliant sidewalk shall be provided on the Subject
30 Property frontage along 2nd Avenue.

31 **Section 3. Owner and Description.** The Subject Property

1 is owned by NGJax, LLC, and is legally described in **Exhibit 1,**
2 **attached hereto.** The applicant is Lara Hipps, 1650 Margaret Street,
3 #323, Jacksonville, Florida 32204; (904) 781-2655.

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

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

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21 Form Approved:

22
23 /s/ Mary E. Staffopoulos

24 Office of General Counsel

25 Legislation Prepared By: Erin Abney

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