

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2021-310**

5 AN ORDINANCE REZONING APPROXIMATELY 0.29± OF AN
6 ACRE LOCATED IN COUNCIL DISTRICT 10 AT 5402
7 MONCRIEF ROAD WEST, BETWEEN SOUTEL DRIVE AND
8 HULL STREET (R.E. NO. 041718-0000 (PORTION)),
9 AS DESCRIBED HEREIN, OWNED BY PLAZA STREET FUND
10 176, LLC, FROM COMMERCIAL NEIGHBORHOOD (CN)
11 DISTRICT AND COMMERCIAL OFFICE (CO) DISTRICT TO
12 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE; PROVIDING A DISCLAIMER THAT THE
15 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
16 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
17 PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, Plaza Street Fund 176, LLC, the owner of approximately
20 0.29± of an acre located in Council District 10 at 5402 Moncrief Road
21 West, between Soutel Drive and Hull Street (R.E. No. 041718-0000
22 (portion)), as more particularly described in **Exhibit 1**, dated April
23 6, 2021, and graphically depicted in **Exhibit 2**, both of which are
24 **attached hereto** (Subject Property), has applied for a rezoning and
25 reclassification of the Subject Property from Commercial Neighborhood
26 (CN) District and Commercial Office (CO) District to Commercial
27 Community/General-1 (CCG-1) District; and

28 **WHEREAS**, the Planning and Development Department has considered
29 the application and has rendered an advisory recommendation; and

30 **WHEREAS**, the Planning Commission, acting as the local planning
31 agency, has reviewed the application and made an advisory

1 recommendation to the Council; and

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

4 **WHEREAS**, taking into consideration the above recommendations and
5 all other evidence entered into the record and testimony taken at the
6 public hearings, the Council finds that such rezoning: (1) is
7 consistent with the *2030 Comprehensive Plan*; (2) furthers the goals,
8 objectives and policies of the *2030 Comprehensive Plan*; and (3) is
9 not in conflict with any portion of the City's land use regulations;
10 now, therefore

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

12 **Section 1. Property Rezoned.** The Subject Property is
13 hereby rezoned and reclassified from Commercial Neighborhood (CN)
14 District and Commercial Office (CO) District to Commercial
15 Community/General-1 (CCG-1) District, as defined and classified under
16 the Zoning Code, City of Jacksonville, Florida.

17 **Section 2. Owner and Description.** The Subject Property is
18 owned by Plaza Street Fund 176, LLC, and is described in **Exhibit 1,**
19 **attached hereto.** The applicant is Paul Harden, Esq., 1401 Riverplace
20 Boulevard, Suite 901, Jacksonville, Florida 32207; (904) 396-5731.

21 **Section 3. Disclaimer.** The rezoning granted herein shall
22 **not** be construed as an exemption from any other applicable local,
23 state, or federal laws, regulations, requirements, permits or
24 approvals. All other applicable local, state or federal permits or
25 approvals shall be obtained before commencement of the development
26 or use and issuance of this rezoning is based upon acknowledgement,
27 representation and confirmation made by the applicant(s), owners(s),
28 developer(s) and/or any authorized agent(s) or designee(s) that the
29 subject business, development and/or use will be operated in strict
30 compliance with all laws. Issuance of this rezoning does **not** approve,
31 promote or condone any practice or act that is prohibited or

1 restricted by any federal, state or local laws.

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

6
7 Form Approved:

8
9 /s/ Shannon K. Eller

10 Office of General Counsel

11 Legislation Prepared By: Bruce Lewis

12 GC-#1432867-v1-Rez_-_5402_Moncrief_Rd_W_Z-3469.docx