

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-388-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.07±
6 ACRES, LOCATED IN COUNCIL DISTRICT 10 AT 1718
7 EDGEWOOD AVENUE NORTH, BETWEEN LUCILLE ROAD
8 AND 5TH STREET WEST (R.E. NO. 048942-0102), AS
9 DESCRIBED HEREIN, OWNED BY JOHN F. GARCIA AND
10 CARMEN E. GARCIA, FROM COMMERCIAL OFFICE (CO)
11 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT COMMERCIAL, OFFICE, AND
14 EDUCATION USES, AS DESCRIBED IN THE STRIVING
15 FOR EXCELLENCE ACADEMY PUD; PROVIDING A
16 DISCLAIMER THAT THE REZONING GRANTED HEREIN
17 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM
18 ANY OTHER APPLICABLE LAWS; PROVIDING AN
19 EFFECTIVE DATE.
20

21 **WHEREAS**, John F. Garcia and Carmen E. Garcia, the owners of
22 approximately 1.07± acres, located in Council District 10 at 1718
23 Edgewood Avenue North, between Lucille Road and 5th Street West
24 (R.E. No. 048942-0102), as more particularly described in **Exhibit**
25 **1**, dated June 17, 2020, and graphically depicted in **Exhibit 2**, both
26 of which are **attached hereto** (Subject Property), have applied for a
27 rezoning and reclassification of that property from Commercial
28 Office (CO) District to Planned Unit Development (PUD) District, as
29 described in Section 1 below; and

30 **WHEREAS**, the Planning Commission has considered the
31 application and has rendered an advisory opinion; and

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

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

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

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

17 **Section 1. Property Rezoned.** The Subject Property is
18 hereby rezoned and reclassified from Commercial Office (CO)
19 District to Planned Unit Development (PUD) District. This new PUD
20 district shall generally permit commercial, office, and education
21 uses, and is described, shown and subject to the following
22 documents, **attached hereto**:

23 **Exhibit 1** - Legal Description dated June 17, 2020.

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

25 **Exhibit 3** - Written Description dated June 17, 2020.

26 **Exhibit 4** - Site Plan dated November 23, 2019.

27 **Section 2. Owner and Description.** The Subject Property
28 is owned by John F. Garcia and Carmen E. Garcia, and is legally
29 described in **Exhibit 1, attached hereto**. The agent is Mildred T.
30 Ivey, President, Striving for Excellence Academy, Inc., 617 Huron
31 Street, Jacksonville, FL 32210; (904) 365-3580.

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

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

Form Approved:

 /s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Bruce Lewis