

1 The Land Use and Zoning Committee offers the following Substitute to
2 File No. 2024-484:

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4 Introduced by the Land Use and Zoning Committee:

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7 **ORDINANCE 2024-484**

8 AN ORDINANCE REZONING APPROXIMATELY 3.73± ACRES
9 LOCATED IN COUNCIL DISTRICT 12 AT 9985 103RD
10 STREET, ON THE NORTH SIDE OF 103RD STREET, EAST
11 OF CONNIE JEAN ROAD (A PORTION OF R.E. NO.
12 012989-0020), AS DESCRIBED HEREIN, OWNED BY NEW
13 AGE PROPERTIES, LLC FROM PLANNED UNIT DEVELOPMENT
14 (PUD) DISTRICT (2008-714-E) TO COMMERCIAL
15 COMMUNITY/GENERAL-2 (CCG-2) DISTRICT, AS DEFINED
16 AND CLASSIFIED UNDER THE ZONING CODE; PROVIDING
17 A DISCLAIMER THAT THE REZONING GRANTED HEREIN
18 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
19 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
20 DATE.

21
22 **WHEREAS**, New Age Properties, LLC, the owner of approximately
23 3.73± acres located in Council District 12 at 9985 103rd Street, on
24 the north side of 103rd Street, east of Connie Jean Road (a portion
25 of R.E. No. 012989-0020), as more particularly described in **Exhibit**
26 **1**, dated August 14, 2024, and graphically depicted in **Exhibit 2**, both
27 of which are attached hereto (the "Subject Property"), have applied
28 for a rezoning and reclassification of the Subject Property from
29 Planned Unit Development (PUD) District (2008-714-E) to Commercial
30 Community/General-2 (CCG-2) District; and

31 **WHEREAS**, the Planning and Development Department has

1 considered the application and has rendered an advisory
2 recommendation; and

3 **WHEREAS**, the Planning Commission, acting as the local planning
4 agency, has reviewed the application and made an advisory
5 recommendation to the Council; and

6 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
7 notice, held a public hearing and made its recommendation to the
8 Council; and

9 **WHEREAS**, taking into consideration the above recommendations
10 and all other evidence entered into the record and testimony taken
11 at the public hearings, the Council finds that such rezoning: (1) is
12 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
13 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
14 not in conflict with any portion of the City's land use regulations;
15 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 Planned Unit Development (PUD)
19 District (2008-714-E) to Commercial Community/General-2 (CCG-2)
20 District, as defined and classified under the Zoning Code, City of
21 Jacksonville, Florida.

22 **Section 2. Owner and Description.** The Subject Property is
23 owned by New Age Properties, LLC. The applicant is Michael Herzberg,
24 12483 Aladdin Road, Jacksonville, Florida 32223; (904) 731-8806.

25 **Section 3. Disclaimer.** The rezoning granted herein shall
26 not be construed as an exemption from any other applicable local,
27 state, or federal laws, regulations, requirements, permits or
28 approvals. All other applicable local, state or federal permits or
29 approvals shall be obtained before commencement of the development
30 or use and issuance of this rezoning is based upon acknowledgement,
31 representation and confirmation made by the applicant(s), owners(s),

1 developer(s) and/or any authorized agent(s) or designee(s) that the
2 subject business, development and/or use will be operated in strict
3 compliance with all laws. Issuance of this rezoning does **not** approve,
4 promote or condone any practice or act that is prohibited or
5 restricted by any federal, state or local laws.

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

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11 Form Approved:

12
13 /s/ Dylan Reingold

14 Office of General Counsel

15 Legislation Prepared By: Kaysie Cox

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