

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-634**

5 AN ORDINANCE REZONING APPROXIMATELY 1.04±
6 ACRES, LOCATED IN COUNCIL DISTRICT 8 AT 6926
7 GARDEN STREET, BETWEEN IOWA AVENUE AND OLD
8 KINGS ROAD (R.E. NO. 003968-0010), AS
9 DESCRIBED HEREIN, OWNED BY JOEL ARREGUIN-
10 AGUILAR, FROM COMMERCIAL RESIDENTIAL OFFICE
11 (CRO) DISTRICT TO PLANNED UNIT DEVELOPMENT
12 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED
13 UNDER THE ZONING CODE, TO PERMIT COMMERCIAL
14 AND RESIDENTIAL USES, AS DESCRIBED IN THE
15 GARDEN ST. PUD; PROVIDING A DISCLAIMER THAT
16 THE REZONING GRANTED HEREIN SHALL NOT BE
17 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

19
20 **WHEREAS**, Joel Arreguin-Aguilar, the owner of approximately
21 1.04± acres, located in Council District 8 at 6926 Garden Street,
22 between Iowa Avenue and Old Kings Road (R.E. No. 003968-0010), as
23 more particularly described in the **Legal Description**, dated August
24 27, 2019, and graphically depicted in the **Subject Property Map**,
25 both of which are **On File** with Legislative Services (Subject
26 Property), has applied for a rezoning and reclassification of that
27 property from Commercial Residential Office (CRO) District to
28 Planned Unit Development (PUD) District, as described in Section 1
29 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 Residential Office
19 (CRO) District to Planned Unit Development (PUD) District. This new
20 PUD district shall generally permit commercial and residential
21 uses, and is described, shown and subject to the following
22 documents:

23 **On File** - Legal Description dated August 27, 2019.

24 **On File** - Subject Property per P&DD.

25 **On File** - Written Description dated August 22, 2019.

26 **On File** - Site Plan dated August 22, 2019.

27 **Section 2. Owner and Description.** The Subject Property
28 is owned by Joel Arreguin-Aguilar, and is legally described in the
29 **Legal Description, On File.** The agent is Joel Arreguin-Aguilar,
30 8505 Moncrief Road West, Jacksonville, Florida 32219; (904) 545-
31 5680.

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

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

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19 Form Approved:

20
21 /s/ Shannon K. Eller

22 Office of General Counsel

23 Legislation Prepared By: Bruce Lewis

24 GC-#1303324-v1-Garden_Street_PUD_Z-2471