

1 Introduced and substituted by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-575-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.22± OF AN
6 ACRE, LOCATED IN COUNCIL DISTRICT 7 AT 0 PEARL
7 STREET NORTH, BETWEEN 18TH STREET WEST AND 19TH
8 STREET WEST (R.E. NO. 044390-0000), AS
9 DESCRIBED HEREIN, OWNED BY EMILIO MONTILLA
10 INVESTMENTS, INC., FROM COMMERCIAL
11 NEIGHBORHOOD (CN) DISTRICT TO PLANNED UNIT
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
14 COMMERCIAL USES, AS DESCRIBED IN THE PEARL
15 STREET PUD; PROVIDING A DISCLAIMER THAT THE
16 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
17 AS AN EXEMPTION FROM ANY OTHER APPLICABLE
18 LAWS; PROVIDING AN EFFECTIVE DATE.
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20 **WHEREAS**, Emilio Montilla Investments, Inc., the owner of
21 approximately 0.22± of an acre, located in Council District 7 at 0
22 Pearl Street, between 18th Street West and 19th Street West (R.E. No.
23 044390-0000), as more particularly described in **Exhibit 1**, dated
24 August 28, 2020, and graphically depicted in **Exhibit 2**, both of
25 which are **attached hereto** (Subject Property), has applied for a
26 rezoning and reclassification of that property from Commercial
27 Neighborhood (CN) District to Planned Unit Development (PUD)
28 District, as described in Section 1 below; and

29 **WHEREAS**, the Planning Commission has considered the
30 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 Neighborhood (CN)
19 District to Planned Unit Development (PUD) District. This new PUD
20 district shall generally permit commercial uses, and is described,
21 shown and subject to the following documents, **attached hereto**:

22 **Exhibit 1** - Legal Description dated August 28, 2020.

23 **Exhibit 2** - Subject Property Map (prepared by P&DD).

24 **Exhibit 3** - Written Description dated June 10, 2021.

25 **Exhibit 4** - Site Plan dated June 10, 2021.

26 **Section 2. Owner and Description.** The Subject Property
27 is owned by Emilio Montilla Investments, Inc., and is described in
28 **Exhibit 1, attached hereto.** The applicant is Roy L. Mosley, 111
29 East 16th Street, Jacksonville, Florida 32206; (786) 663-6595.

30 **Section 3. Disclaimer.** The rezoning granted herein

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

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

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18 Form Approved:

19
20 /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation Prepared By: Bruce Lewis

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