

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-551**

5 AN ORDINANCE REZONING APPROXIMATELY 2.27±
6 ACRES, LOCATED IN COUNCIL DISTRICT 7 AT 0
7 MARKET STREET, 2303 MARKET STREET, 2320
8 LIBERTY STREET AND 2336 LIBERTY STREET.
9 BETWEEN 11TH STREET AND 14TH STREET (R.E. NOS.
10 044938-0000, 044939-0000 (PORTION), 044940-
11 0000 AND 044941-0000), AS DESCRIBED HEREIN,
12 OWNED BY PHOENIX ARTS DISTRICT, LLC, 2336
13 LIBERTY STREET AT 14TH, LLC, AND GEORGIA
14 SOUTHERN AND FLORIDA RAILWAY COMPANY, FROM
15 INDUSTRIAL LIGHT (IL) DISTRICT TO PLANNED
16 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED
17 AND CLASSIFIED UNDER THE ZONING CODE, TO
18 PERMIT MIXED-USE DEVELOPMENT, AS DESCRIBED IN
19 THE PHOENIX ARTS DISTRICT PUD; PROVIDING A
20 DISCLAIMER THAT THE REZONING GRANTED HEREIN
21 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM
22 ANY OTHER APPLICABLE LAWS; PROVIDING AN
23 EFFECTIVE DATE.
24

25 **WHEREAS**, Phoenix Arts District, LLC, 2336 Liberty Street at
26 14th, LLC, and Georgia Southern and Florida Railway Company, the
27 owners of approximately 2.27± acres, located in Council District 7
28 at 0 Market Street, 2303 Market Street, 2320 Liberty Street and
29 2336 Liberty Street, between 11th Street and 14th Street (R.E. Nos.
30 044938-0000, 044939-0000 (portion), 044940-0000 and 044941-0000),
31 as more particularly described in **Exhibit 1**, dated July 16, 2019,

1 and graphically depicted in **Exhibit 2**, both of which are **attached**
2 **hereto** and incorporated herein by this reference (Subject
3 Property), have applied for a rezoning and reclassification of that
4 property from Industrial Light (IL) District to Planned Unit
5 Development (PUD) District, as described in Section 1 below; and

6 **WHEREAS**, the Planning Commission has considered the
7 application and has rendered an advisory opinion; and

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

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

15 **WHEREAS**, the Council finds the proposed rezoning does not
16 adversely affect the orderly development of the City as embodied in
17 the Zoning Code; will not adversely affect the health and safety of
18 residents in the area; will not be detrimental to the natural
19 environment or to the use or development of the adjacent properties
20 in the general neighborhood; and will accomplish the objectives and
21 meet the standards of Section 656.340 (Planned Unit Development) of
22 the Zoning Code; now, therefore

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

24 **Section 1. Property Rezoned.** The Subject Property is
25 hereby rezoned and reclassified from Industrial Light (IL) District
26 to Planned Unit Development (PUD) District. This new PUD district
27 shall generally permit mixed-use development, and is described,
28 shown and subject to the following attached documents:

29 **Exhibit 1** - Legal Description dated July 16, 2019.

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

31 **Exhibit 3** - Written Description dated May 14, 2019.

1 **Exhibit 4** - Site Plan dated March 15, 2019.

2 **Section 2. Owner and Description.** The Subject Property
3 is owned by Phoenix Arts District, LLC, 2336 Liberty Street at 14th,
4 LLC, and Georgia Southern and Florida Railway Company, and is
5 legally described in **Exhibit 1, attached hereto.** The agent is Jack
6 Shad, 1022 Park Street, #209, Jacksonville, Florida 32204; (904)
7 699-5694.

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

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

25
26 Form Approved:

27
28 _____ /s/ Shannon K. Eller

29 Office of General Counsel

30 Legislation Prepared By: Connor Corrigan

31 GC-#1295973-v1-Phoenix_Arts_PUD_Z-2303