

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-430**

5 AN ORDINANCE REZONING APPROXIMATELY 17.88±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 3 AT 12210  
7 ATLANTIC BOULEVARD, 12220 ATLANTIC BOULEVARD  
8 AND 12230 ATLANTIC BOULEVARD, BETWEEN  
9 KENSINGTON GARDEN BOULEVARD AND KERNAN  
10 BOULEVARD (R.E. NOS. 165265-4000, 165265-4200,  
11 165265-4500 AND 165265-4550), AS DESCRIBED  
12 HEREIN, OWNED BY THE ATLANTIC KERNAN LAND  
13 TRUST, FROM PLANNED UNIT DEVELOPMENT (PUD)  
14 DISTRICT (ORDINANCE 89-569-317) TO PLANNED  
15 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED  
16 AND CLASSIFIED UNDER THE ZONING CODE, TO  
17 PERMIT COMMERCIAL USES, AS DESCRIBED IN THE  
18 ATLANTIC-KERNAN SHOPPES II PUD; PROVIDING A  
19 DISCLAIMER THAT THE REZONING GRANTED HEREIN  
20 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM  
21 ANY OTHER APPLICABLE LAWS; PROVIDING AN  
22 EFFECTIVE DATE.  
23

24 **WHEREAS,** the Atlantic Kernan Land Trust, the owner of  
25 approximately 17.88± acres, located in Council District 3 at 12210  
26 Atlantic Boulevard, 12220 Atlantic Boulevard and 12230 Atlantic  
27 Boulevard, between Kensington Garden Bouelvard and Kernan Boulevard  
28 (R.E. Nos. 165265-4000, 165265-4200, 165265-4500 and 165265-4550),  
29 as more particularly described in **Exhibit 1**, dated May 6, 2019,  
30 2019, and graphically depicted in **Exhibit 2**, both of which are  
31 **attached hereto** and incorporated herein by this reference (Subject

1 Property), has applied for a rezoning and reclassification of that  
2 property from Planned Unit Development (PUD) District (Ordinance  
3 89-569-317) to Planned Unit Development (PUD) District, as  
4 described in Section 1 below; and

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

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

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

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

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

23 **Section 1. Property Rezoned.** The Subject Property is  
24 hereby rezoned and reclassified from Planned Unit Development (PUD)  
25 District (Ordinance 89-569-317) to Planned Unit Development (PUD)  
26 District. This new PUD district shall generally permit commercial  
27 uses, and is described, shown and subject to the following attached  
28 documents:

29 **Exhibit 1** - Legal Description dated May 6, 2019.

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

31 **Exhibit 3** - Written Description dated March 18, 2019.

1 **Exhibit 4** - Site Plan dated May 7, 2019.

2           **Section 2.           Owner and Description.**       The Subject Property  
3 is owned by the Atlantic Kernan Land Trust, and is legally  
4 described in **Exhibit 1, attached hereto.** The agent is Eric Sloan,  
5 1 Sleiman Parkway, Suite 100, Jacksonville, Florida 32216; (904)  
6 731-4875.

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

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

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25 Form Approved:

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27           /s/ Shannon K. Eller          

28 Office of General Counsel

29 Legislation Prepared By: Connor Corrigan

30 GC-#1285165-v1-Atlantic-Kernan\_II\_PUD\_Z-2324