

Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2025-628-E

AN ORDINANCE REZONING APPROXIMATELY 7.49± ACRES
LOCATED IN COUNCIL DISTRICT 10 AT 5713 MONCRIEF
ROAD, BETWEEN RUTLEDGE AVENUE AND ROWE AVENUE
(R.E. NO(S). 026276-0010), AS DESCRIBED HEREIN,
OWNED BY TNY INVESTMENT CORPORATION, FROM
RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT AND
COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2) DISTRICT
TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
PERMIT A COMMERCIAL BUSINESS PARK, AS DESCRIBED
IN THE MONCRIEF COMMERCIAL OFFICE COMPLEX PUD,
PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
SMALL-SCALE AMENDMENT APPLICATION NUMBER L-6061-
25C; PUD SUBJECT TO CONDITIONS; PROVIDING A
DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville adopted a Small-Scale
Amendment to the *2045 Comprehensive Plan* for the purpose of revising
portions of the Future Land Use Map series (FLUMs) in order to ensure
the accuracy and internal consistency of the plan, pursuant to the
companion land use application L-6061-25C; and

WHEREAS, in order to ensure consistency of zoning district
with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
Amendment L-6061-5C, an application to rezone and reclassify from
Residential Low Density-60 (RLD-60) District and Commercial

1 Community/General-2 (CCG-2) District to Planned Unit Development
2 (PUD) District was filed by Michael Herzberg, on behalf of TNY
3 Investment Corporation, owner of approximately 7.49± acres of certain
4 real property in Council District 10, as more particularly described
5 in Section 1 below; and

6 **WHEREAS,** the Planning and Development Department, in order to
7 ensure consistency of this zoning district with the *2045 Comprehensive*
8 *Plan*, has considered the rezoning and has rendered an advisory
9 opinion; and

10 **WHEREAS,** the Planning Commission has considered the
11 application and has rendered an advisory opinion; and

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

15 **WHEREAS,** the City Council, after due notice, held a public
16 hearing, and taking into consideration the above recommendations as
17 well as all oral and written comments received during the public
18 hearings, the Council finds that such rezoning is consistent with the
19 *2045 Comprehensive Plan* adopted under the comprehensive planning
20 ordinance for future development of the City of Jacksonville; and

21 **WHEREAS,** based on the staff report of the Planning and
22 Development Department and other competent and substantial evidence
23 received at the public hearings, the Council finds that the proposed
24 PUD does not affect adversely the orderly development of the City as
25 embodied in the *Zoning Code*; will not affect adversely the health and
26 safety of residents in the area; will not be detrimental to the
27 natural environment or to the use or development of the adjacent
28 properties in the general neighborhood; and the proposed PUD will
29 accomplish the objectives and meet the standards of Section 656.340
30 (Planned Unit Development) of the *Zoning Code* of the City of
31 Jacksonville; now therefore

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

Section 1. Subject Property Location and Description. The approximately 7.49± acres are located in Council District 10 at 5713 Moncrief Road, between Rutledge Avenue and Rowe Avenue (R.E. No(s). 026276-0010), as more particularly described in **Exhibit 1**, dated May 21, 2025, and graphically depicted in **Exhibit 2**, both of which are **attached hereto** and incorporated herein by this reference (the "Subject Property").

Section 2. Owner and Applicant Description. The Subject Property is owned by TNY Investment Corporation. The applicant is Michael Herzberg, 12483 Aladdin Road, Jacksonville, Florida, 32223; (904) 731-8806.

Section 3. Property Rezoned. The Subject Property, pursuant to adopted companion Small-Scale Amendment L-6061-25C, is hereby rezoned and reclassified from Residential Low Density-60 (RLD-60) and Commercial Community/General-2 (CCG-2) District to Planned Unit Development (PUD) District. This new PUD district shall generally permit a commercial business park, and is described, shown and subject to the following documents, attached hereto:

Exhibit 1 - Legal Description dated May 21, 2025.

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

Exhibit 3 - Written Description dated May 6, 2025.

Exhibit 4 - Site Plan dated May 27, 2025.

Section 4. Rezoning Approved Subject to Conditions. This rezoning is approved subject to the following conditions. Such conditions control over the Written Description and the Site Plan and may only be amended through a rezoning:

(1) Linen supply, freight movers, business machine services, service and repair of general appliances and small engines, and mobile care detailing services shall be prohibited.

(2) Sign manufacturing companies shall be limited to a maximum

of 5,000 square feet of gross floor area.

Section 5. Contingency. This rezoning shall not become effective until thirty-one (31) days after adoption of the companion Small-Scale Amendment; and further provided that if the companion Small-Scale Amendment is challenged by the state land planning agency, this rezoning shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the companion Small-Scale Amendment is in compliance with Chapter 163, *Florida Statutes*.

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

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

1 Form Approved:

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4 Office of General Counsel

5 Legislation Prepared By: Connor Corrigan

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