

1 Introduced and twice amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-431-E**

5 AN ORDINANCE DENYING REZONING APPROXIMATELY
6 1.472± ACRES, LOCATED IN COUNCIL DISTRICT 2 AT
7 2465 NEW BERLIN ROAD, BETWEEN NEW BERLIN ROAD
8 AND ELMAR ROAD (R.E. NO. 106509-0100 (PORTION)),
9 AS DESCRIBED HEREIN, OWNED BY AL CENTURY, LLC,
10 FROM COMMERCIAL OFFICE (CO) DISTRICT TO PLANNED
11 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
13 COMMERCIAL USES, AS DESCRIBED IN THE NEW BERLIN
14 ROAD @ DUNN CREEK ROAD COMMERCIAL PUD; PROVIDING
15 AN EFFECTIVE DATE.
16

17 **WHEREAS**, AL Century, LLC, the owner of approximately 1.472±
18 acres, located in Council District 2 at 2465 New Berlin Road, between
19 New Berlin Road and Elmar Road (R.E. No. 106509-0100 (portion)), as
20 more particularly described in **Revised Exhibit 1**, dated January 13,
21 2020, and graphically depicted in **Revised Exhibit 2**, both of which
22 are **attached hereto** and incorporated herein by this reference (Subject
23 Property), has applied for a rezoning and reclassification of that
24 property from Commercial Office (CO) District to Planned Unit
25 Development (PUD) District, as described in Section 1 below; and

26 **WHEREAS**, the Planning Commission has considered the application
27 and has rendered an advisory opinion; and

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

30 **WHEREAS**, the Council finds that such rezoning: (1) is not
31 consistent with the *2030 Comprehensive Plan*; (2) does not further the

1 goals, objectives and policies of the *2030 Comprehensive Plan*; and
2 (3) is in conflict with the City's land use regulations; now,
3 therefore

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

5 **Section 1. Rezoning Denied.** Based on the competent
6 substantial evidence in the record, including the findings and
7 conclusions of the Land Use and Zoning Committee, the Council hereby
8 finds:

9 (1) This Ordinance shall serve as written notice to the
10 property owner, AL Century, LLC.

11 (2) The Council adopts the findings and conclusions in the
12 record of the Land Use and Zoning Committee meeting held on November
13 4, 2020.

14 (3) The application for rezoning and reclassification of the
15 Subject Property from Commercial Office (CO) District to Planned Unit
16 Development (PUD) District does not meet the criteria for rezoning
17 in Section 656.125, *Ordinance Code*, and Section 656.341, *Ordinance*
18 *Code*, and maintaining the current zoning district accomplishes a
19 legitimate public purpose, as defined in Section 656.125, *Ordinance*
20 *Code*.

21 Therefore, the application to rezone and reclassify the Subject
22 Property from Commercial Office (CO) District to Planned Unit
23 Development (PUD) District is hereby **denied**.

24 **Section 2. Owner and Description.** The Subject Property
25 is owned by AL Century, LLC, and is legally described in **Revised**
26 **Exhibit 1, attached hereto**. The agent is Robert K. Riley, 7350
27 Cumbria Boulevard, Jacksonville, Florida 32219; (904) 699-1050.

28 **Section 3. Notice.** Legislative Services is hereby
29 directed to mail a certified copy of this Ordinance, as enacted, to
30 the owner(s) listed in the rezoning application in the Legislative
31 Services file, and any other person who testified before the City

