

Introduced and amended by the Land Use and Zoning Committee:

**ORDINANCE 2025-583-E**

AN ORDINANCE REZONING APPROXIMATELY 3.13± ACRES  
LOCATED IN COUNCIL DISTRICT 9 AT 2828 12<sup>TH</sup> STREET  
WEST AND 0 WICKWIRE STREET, BETWEEN ST. CLAIRE  
STREET AND HURON STREET (R.E. NO(S). 048485-0000,  
048489-0050, 048489-0100, 048489-0150, 048489-  
0200, 048489-0250, 048489-0300, 048489-0350, AND  
048489-0400), AS DESCRIBED HEREIN, OWNED BY  
SOUTHEAST FREIGHT, INC., FROM RESIDENTIAL LOW  
DENSITY-60 (RLD-60) DISTRICT AND INDUSTRIAL  
LIGHT (IL) DISTRICT TO PLANNED UNIT DEVELOPMENT  
(PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER  
THE ZONING CODE, TO PERMIT A COMMERCIAL OFFICE,  
INCLUDING ASSOCIATED PARKING, STORAGE, AND  
MAINTENANCE OF COMPANY TRACTORS AND TRAILERS, AS  
DESCRIBED IN THE SOUTHEAST FREIGHT PUD, PURSUANT  
TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE  
AMENDMENT APPLICATION NUMBER L-5919-24C; 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-5919-24C; and

1       **WHEREAS**, in order to ensure consistency of zoning district  
2 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale  
3 Amendment L-5919-24C, an application to rezone and reclassify from  
4 Residential Low Density-60 (RLD-60) District and Industrial Light  
5 (IL) District to Planned Unit Development (PUD) District was filed  
6 by Michael Herzberg, on behalf of Southeast Freight, Inc., owner of  
7 approximately 3.13± acres of certain real property in Council District  
8 9, as more particularly described in Section 1 below; and

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

13       **WHEREAS**, the Planning Commission has considered the  
14 application and has rendered an advisory opinion; and

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

18       **WHEREAS**, the City Council, after due notice, held a public  
19 hearing, and taking into consideration the above recommendations as  
20 well as all oral and written comments received during the public  
21 hearings, the Council finds that such rezoning is consistent with the  
22 *2045 Comprehensive Plan* adopted under the comprehensive planning  
23 ordinance for future development of the City of Jacksonville; and

24       **WHEREAS**, based on the staff report of the Planning and  
25 Development Department and other competent and substantial evidence  
26 received at the public hearings, the Council finds that the proposed  
27 PUD does not affect adversely the orderly development of the City as  
28 embodied in the *Zoning Code*; will not affect adversely the health and  
29 safety of residents in the area; will not be detrimental to the  
30 natural environment or to the use or development of the adjacent  
31 properties in the general neighborhood; and the proposed PUD will

accomplish the objectives and meet the standards of Section 656.340 (Planned Unit Development) of the *Zoning Code* of the City of Jacksonville; now therefore

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

**Section 1. Subject Property Location and Description.** The approximately 3.13± acres are located in Council District 9 at 2828 12<sup>th</sup> Street West and 0 Wickwire Street, between St. Claire Street and Huron Street (R.E. No(s). 048485-0000, 048489-0050, 048489-0100, 048489-0150, 048489-0200, 048489-0250, 048489-0300, 048489-0350, and 048489-0400), as more particularly described in **Exhibit 1**, dated September 5, 2024, 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 Southeast Freight, Inc. 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-5919-24C, is hereby rezoned and reclassified from Residential Low Density-60 (RLD-60) and Industrial Light (IL) District to Planned Unit Development (PUD) District. This new PUD district shall generally permit a commercial office, including associated parking, storage, and maintenance of company tractors and trailers, and is described, shown and subject to the following documents, attached hereto:

**Exhibit 1** - Legal Description dated September 5, 2024.

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

**Exhibit 3** - Written Description dated May 7, 2024.

**Exhibit 4** - Site Plan dated September 11, 2024.

**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) Parking shall be provided per Part 6 of the Zoning Code, unless otherwise approved by the Development Services Division.

(2) All landscaping except uncomplimentary land use buffers shall be provided per part 12 of the Zoning Code, unless otherwise approved by the Development Services Division.

(3) A curbed cement driveway apron from Huron Street shall be constructed and maintained consistent with the profile provided in the City of Jacksonville Land Development Procedures Manual.

(4) The business owner shall confine their operation to the interior limits of the Subject Property.

**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.

Form Approved:

/s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Kaysie Cox

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