

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-556**

5 AN ORDINANCE REZONING APPROXIMATELY 22.90±
6 ACRES, LOCATED IN COUNCIL DISTRICT 1 AT 651
7 COMMERCE CENTER DRIVE, BETWEEN SOUTHSIDE
8 CONNECTOR SERVICE ROAD AND COMMERCE CENTER DRIVE
9 (R.E. NO. 120819-0700 (PORTION)), AS DESCRIBED
10 HEREIN, OWNED BY SOUTHSIDE RETAIL, LLC, FROM
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2001-
12 15-E) TO PLANNED UNIT DEVELOPMENT (PUD)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
15 DESCRIBED IN THE ELECTRIC AUTO REPAIR PUD;
16 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
17 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
18 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
19 EFFECTIVE DATE.
20

21 **WHEREAS**, Southside Retail, LLC, the owner of approximately
22 22.90± acres located in Council District 1 at 651 Commerce Center
23 Drive, between Southside Connector Service Road and Commerce Center
24 Drive (R.E. No. 120819-0700 (portion)), as more particularly
25 described in **Exhibit 1**, dated May 31, 2022, and graphically depicted
26 in **Exhibit 2**, both of which are attached hereto (the "Subject
27 Property"), has applied for a rezoning and reclassification of that
28 property from Planned Unit Development (PUD) District (2001-15-E) to
29 Planned Unit Development (PUD) District, as described in Section 1
30 below; and

31 **WHEREAS**, the Planning Commission has considered the application

1 and has rendered an advisory opinion; and

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

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

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

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

17 **Section 1. Property Rezoned.** The Subject Property is
18 hereby rezoned and reclassified from Planned Unit Development (PUD)
19 District (2001-15-E) to Planned Unit Development (PUD) District. This
20 new PUD district shall generally permit commercial uses, and is
21 described, shown and subject to the following documents, attached
22 hereto:

23 **Exhibit 1** - Legal Description dated May 31, 2022.

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

25 **Exhibit 3** - Written Description dated May 31, 2022.

26 **Exhibit 4** - Site Plan dated May 31, 2022.

27 **Section 2. Owner and Description.** The Subject Property
28 is owned by Southside Retail, LLC, and is legally described in **Exhibit**
29 **1**, attached hereto. The applicant is Michael Herzberg, 12483 Aladdin
30 Road, Jacksonville, Florida 32223; (904) 731-8806.

31 **Section 3. Disclaimer.** The rezoning granted herein

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

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

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17 Form Approved:

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19 /s/ Mary E. Staffopoulos

20 Office of General Counsel

21 Legislation Prepared By: Bruce Lewis

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