

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-799**

5 AN ORDINANCE REZONING APPROXIMATELY 4.33±
6 ACRES, IN COUNCIL DISTRICT 5, GENERALLY
7 LOCATED IN THE SOUTHEAST QUADRANT OF THE
8 INTERSECTION OF HENDRICKS AVENUE AND ATLANTIC
9 BOULEVARD, AND OFF OF ALFORD PLACE, IN SAN
10 MARCO, AS DESCRIBED HEREIN, OWNED BY EAST SAN
11 MARCO, LLC, FROM PLANNED UNIT DEVELOPMENT
12 (PUD) DISTRICT (2014-131-E) TO PLANNED UNIT
13 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
14 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
15 MIXED USE DEVELOPMENT, AS DESCRIBED IN THE
16 EAST SAN MARCO (PARCELS A, C, D & E) PUD;
17 PROVIDING A DISCLAIMER THAT THE REZONING
18 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
19 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, East San Marco, LLC, the owner of approximately 4.33±
23 acres, in Council District 5, generally located in the southeast
24 quadrant of the intersection of Hendricks Avenue and Atlantic
25 Boulevard, and off of Alford Place, in San Marco, as more
26 particularly described in **Exhibit 1**, dated October 16, 2019, and
27 graphically depicted in **Exhibit 2**, both of which are **attached**
28 **hereto** (Subject Property), has applied for a rezoning and
29 reclassification of that property from Planned Unit Development
30 (PUD) District (2014-131-E) to Planned Unit Development (PUD)
31 District, as described in Section 1 below; and

1 **WHEREAS,** the Planning Commission has considered the
2 application and has rendered an advisory opinion; and

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

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

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

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

19 **Section 1. Property Rezoned.** The Subject Property is
20 hereby rezoned and reclassified from Planned Unit Development (PUD)
21 District (2014-131-E) to Planned Unit Development (PUD) District.
22 This new PUD district shall generally permit mixed use development,
23 and is described, shown and subject to the following documents,
24 **attached hereto:**

25 **Exhibit 1** - Legal Description dated October 16, 2019.

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

27 **Exhibit 3** - Written Description dated October 15, 2019.

28 **Exhibit 4** - Site Plan dated September 27, 2019.

29 **Section 2. Owner and Description.** The Subject Property
30 is owned by East San Marco, LLC, and is legally described in
31 **Exhibit 1, attached hereto.** The agent is Staci Rewis, Esq., 225

1 Water Street, Suite 1750, Jacksonville, Florida 32202; (904) 354-
2 1980.

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

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

20
21 Form Approved:

22
23 /s/ Shannon K. Eller

24 Office of General Counsel

25 Legislation Prepared By: Erin Abney

26 GC-#1315702-v1-East_San_Marco_PUD_Z-2556