

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2025-583**

5 AN ORDINANCE REZONING APPROXIMATELY 3.13± ACRES
6 LOCATED IN COUNCIL DISTRICT 9 AT 2828 12TH STREET
7 WEST AND 0 WICKWIRE STREET, BETWEEN ST. CLAIRE
8 STREET AND HURON STREET (R.E. NO(S). 048485-0000,
9 048489-0050, 048489-0100, 048489-0150, 048489-
10 0200, 048489-0250, 048489-0300, 048489-0350, AND
11 048489-0400), AS DESCRIBED HEREIN, OWNED BY
12 SOUTHEAST FREIGHT, INC., FROM RESIDENTIAL LOW
13 DENSITY-60 (RLD-60) DISTRICT AND INDUSTRIAL
14 LIGHT (IL) DISTRICT TO PLANNED UNIT DEVELOPMENT
15 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
16 THE ZONING CODE, TO PERMIT A COMMERCIAL OFFICE,
17 INCLUDING ASSOCIATED PARKING, STORAGE, AND
18 MAINTENANCE OF COMPANY TRACTORS AND TRAILERS, AS
19 DESCRIBED IN THE SOUTHEAST FREIGHT PUD, PURSUANT
20 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
21 AMENDMENT APPLICATION NUMBER L-5919-24C;
22 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
23 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
24 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
25 EFFECTIVE DATE.
26

27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
28 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
29 portions of the Future Land Use Map series (FLUMs) in order to ensure
30 the accuracy and internal consistency of the plan, pursuant to the
31 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

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

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

5 **Section 1. Subject Property Location and Description.** The
6 approximately 3.13± acres are located in Council District 9 at 2828
7 12th Street West and 0 Wickwire Street, between St. Claire Street and
8 Huron Street (R.E. No(s). 048485-0000, 048489-0050, 048489-0100,
9 048489-0150, 048489-0200, 048489-0250, 048489-0300, 048489-0350, and
10 048489-0400), as more particularly described in **Exhibit 1**, dated
11 September 5, 2024, and graphically depicted in **Exhibit 2**, both of
12 which are **attached hereto** and incorporated herein by this reference
13 (the "Subject Property").

14 **Section 2. Owner and Applicant Description.** The Subject
15 Property is owned by Southeast Freight, Inc. The applicant is Michael
16 Herzberg, 12483 Aladdin Road, Jacksonville, Florida, 32223; (904)
17 731-8806.

18 **Section 3. Property Rezoned.** The Subject Property,
19 pursuant to adopted companion Small-Scale Amendment L-5919-24C, is
20 hereby rezoned and reclassified from Residential Low Density-60 (RLD-
21 60) and Industrial Light (IL) District to Planned Unit Development
22 (PUD) District. This new PUD district shall generally permit a
23 commercial office, including associated parking, storage, and
24 maintenance of company tractors and trailers, and is described, shown
25 and subject to the following documents, attached hereto:

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

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

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

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

30 **Section 4. Contingency.** This rezoning shall not become
31 effective until thirty-one (31) days after adoption of the companion

1 Small-Scale Amendment; and further provided that if the companion
2 Small-Scale Amendment is challenged by the state land planning agency,
3 this rezoning shall not become effective until the state land planning
4 agency or the Administration Commission issues a final order
5 determining the companion Small-Scale Amendment is in compliance with
6 Chapter 163, *Florida Statutes*.

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

19 **Section 6. Effective Date.** The enactment of this Ordinance
20 shall be deemed to constitute a quasi-judicial action of the City
21 Council and shall become effective upon signature by the Council
22 President and the Council Secretary.

23
24 Form Approved:

25
26 /s/ Dylan Reingold

27 Office of General Counsel

28 Legislation Prepared By: Kaysie Cox

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