

1 Introduced by the Land Use and Zoning Committee:
2

3 **ORDINANCE 2022-153-E**

4 AN ORDINANCE REZONING APPROXIMATELY 1.28± ACRES
5 LOCATED IN COUNCIL DISTRICT 9 AT 0 KINGS ROAD,
6 BETWEEN PALAFOX STREET AND DANSON STREET (R.E.
7 NO. 052494-0000 (PORTION)), AS DESCRIBED
8 HEREIN, OWNED BY SETZER FAMILY FOUNDATION,
9 INC., FROM RESIDENTIAL MEDIUM DENSITY-A (RMD-A)
10 DISTRICT TO COMMERCIAL COMMUNITY/GENERAL-1
11 (CCG-1) DISTRICT, AS DEFINED AND CLASSIFIED
12 UNDER THE ZONING CODE; PROVIDING A DISCLAIMER
13 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
14 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
15 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
16

17 **WHEREAS**, Setzer Family Foundation, Inc., the owner of
18 approximately 1.28± acres located in Council District 9 at 0 Kings
19 Road, between Palafox Street and Danson Street (R.E. No. 052494-0000
20 (portion)), as more particularly described in **Exhibit 1**, dated
21 February 14, 2022, and graphically depicted in **Exhibit 2**, both of
22 which are **attached hereto** (the "Subject Property"), has applied for
23 a rezoning and reclassification of the Subject Property from
24 Residential Medium Density-A (RMD-A) District to Commercial
25 Community/General-1 (CCG-1) District; and

26 **WHEREAS**, the Planning and Development Department has considered
27 the application and has rendered an advisory recommendation; and

28 **WHEREAS**, the Planning Commission, acting as the local planning
29 agency, has reviewed the application and made an advisory
30 recommendation to the Council; and

31 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due

1 notice, held a public hearing and made its recommendation to the
2 Council; and

3 **WHEREAS**, taking into consideration the above recommendations and
4 all other evidence entered into the record and testimony taken at the
5 public hearings, the Council finds that such rezoning: (1) is
6 consistent with the *2030 Comprehensive Plan*; (2) furthers the goals,
7 objectives and policies of the *2030 Comprehensive Plan*; and (3) is
8 not in conflict with any portion of the City's land use regulations;
9 now, therefore

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

11 **Section 1. Property Rezoned.** The Subject Property is
12 hereby rezoned and reclassified from Residential Medium Density-A
13 (RMD-A) District to Commercial Community/General-1 (CCG-1) District,
14 as defined and classified under the Zoning Code, City of Jacksonville,
15 Florida.

16 **Section 2. Owner and Description.** The Subject Property is
17 owned by Setzer Family Foundation, Inc., and is described in **Exhibit**
18 **1, attached hereto.** The applicant is Emily Pierce, Esq., 1301
19 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207; (904)
20 398-3911.

21 **Section 3. Disclaimer.** The rezoning granted herein shall
22 **not** be construed as an exemption from any other applicable local,
23 state, or federal laws, regulations, requirements, permits or
24 approvals. All other applicable local, state or federal permits or
25 approvals shall be obtained before commencement of the development
26 or use and issuance of this rezoning is based upon acknowledgement,
27 representation and confirmation made by the applicant(s), owners(s),
28 developer(s) and/or any authorized agent(s) or designee(s) that the
29 subject business, development and/or use will be operated in strict
30 compliance with all laws. Issuance of this rezoning does **not** approve,
31 promote or condone any practice or act that is prohibited or

1 restricted by any federal, state or local laws.

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

6
7 Form Approved:

8
9 /s/ Mary E. Staffopoulos

10 Office of General Counsel

11 Legislation Prepared By: Andrew Hetzel

12 GC-#1484364-v2-2022-153_(Z-3991).docx