

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2022-354-E**

5 AN ORDINANCE REZONING APPROXIMATELY 16.88±
6 ACRES, LOCATED IN COUNCIL DISTRICT 8 AT 0
7 INTERSTATE-95 SOUTH AND 0 WALGREEN ROAD, BETWEEN
8 INTERSTATE-95 AND WALGREEN ROAD (R.E. NOS.
9 027243-5000, 027241-0000, 027242-0000 AND
10 027243-0000), AS DESCRIBED HEREIN, OWNED BY JA-
11 RU, INC., SETZER FAMILY FOUNDATION, INC., AND
12 LAWRENCE J. DUBOW AND LINDA J. DUBOW, FROM
13 COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2) DISTRICT
14 AND INDUSTRIAL LIGHT (IL) DISTRICT TO PLANNED
15 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
17 COMMERCIAL AND INDUSTRIAL USES WITH A HOMELESS
18 CENTER, AS DESCRIBED IN THE WALGREEN ROAD PUD;
19 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
20 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
21 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
22 EFFECTIVE DATE.
23

24 **WHEREAS**, JA-RU, Inc., Setzer Family Foundation, Inc., and
25 Lawrence J. DuBow and Linda J. DuBow, the owners of approximately
26 16.88± acres, located in Council District 8 at 0 Interstate-95 South
27 and 0 Walgreen Road, between Interstate-95 and Walgreen Road (R.E.
28 Nos. 027243-5000, 027241-0000, 027242-0000 and 027243-0000), as more
29 particularly described in **Exhibit 1**, dated December 28, 2021, and
30 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
31 (the "Subject Property"), have applied for a rezoning and

1 reclassification of that property from Commercial Community/General-
2 2 (CCG-2) District and Industrial Light (IL) District to Planned Unit
3 Development (PUD) District, as described in Section 1 below; and

4 **WHEREAS**, the Planning Commission has considered the application
5 and has rendered an advisory opinion; and

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

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

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

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

21 **Section 1. Property Rezoned.** The Subject Property is
22 hereby rezoned and reclassified from Commercial Community/General-2
23 (CCG-2) District and Industrial Light (IL) District to Planned Unit
24 Development (PUD) District. This new PUD district shall generally
25 permit commercial and industrial uses with a homeless center, and is
26 described, shown and subject to the following documents, **attached**
27 **hereto:**

28 **Exhibit 1** - Legal Description dated December 28, 2021.

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

30 **Exhibit 3** - Written Description dated March 14, 2022.

31 **Exhibit 4** - Site Plan dated March 14, 2022.

1 **Section 2. Owner and Description.** The Subject Property
2 is owned by JA-RU, Inc., Setzer Family Foundation, Inc., and Lawrence
3 J. DuBow and Linda J. DuBow, and is legally described in **Exhibit 1,**
4 **attached hereto.** The applicant is Cyndy Trimmer, Esq., 1 Independent
5 Drive, Suite 1200, Jacksonville, Florida 32202; (904) 807-0185.

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

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

22
23 Form Approved:

24
25 _____ /s/ Mary E. Staffopoulos

26 Office of General Counsel

27 Legislation Prepared By: Connor Corrigan

28 GC-#1496439-v2-2022-354_(Z-3987).docx