

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2022-394-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.28± ACRES,  
6 LOCATED IN COUNCIL DISTRICT 9 AT 2007 KINGS  
7 ROAD, BETWEEN MCMILLAN STREET AND UNIVERSITY  
8 STREET (R.E. NO. 051242-0000 (PORTION)), AS  
9 DESCRIBED HEREIN, OWNED BY EMILIO MONTILLA  
10 INVESTMENTS, INC., FROM COMMERCIAL  
11 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT TO PLANNED  
12 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
14 COMMERCIAL USES, AS DESCRIBED IN THE KINGS ROAD  
15 CAR WASH PUD; PUD SUBJECT TO CONDITIONS;  
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.  
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21 **WHEREAS**, Emilio Montilla Investments, Inc., the owner of  
22 approximately 0.28± acres located in Council District 9 at 2007 Kings  
23 Road, between McMillan Street and University Street (R.E. No. 051242-  
24 0000 (portion)), as more particularly described in **Exhibit 1**, dated  
25 April 21, 2022, and graphically depicted in **Exhibit 2**, both of which  
26 are **attached hereto** (the "Subject Property"), has applied for a  
27 rezoning and reclassification of that property from Commercial  
28 Community/General-1 (CCG-1) District to Planned Unit Development  
29 (PUD) District, as described in Section 1 below; and

30 **WHEREAS**, the Planning Commission has considered the application  
31 and has rendered an advisory opinion; and

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

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

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

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

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

22           **Exhibit 1** - Legal Description dated April 21, 2022.

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

24           **Exhibit 3** - Written Description dated April 21, 2022.

25           **Exhibit 4** - Site Plan dated March 4, 2022.

26           **Section 2.           Rezoning Approved Subject to Conditions.** This  
27 rezoning is approved subject to the following conditions. Such  
28 conditions control over the Written Description and the Site Plan and  
29 may only be amended through a rezoning:

30           (1) A six-foot high, 100% opaque wood or vinyl fence shall be  
31 installed and maintained along the northern border of the Subject

1 Property.

2 (2) The existing driveway to Ella Street from the subject  
3 parcel shall be removed in keeping with Section V.B.2. of the PUD  
4 Written Description, which states "[t]here shall be no vehicular  
5 access from Ella Street", or as otherwise approved by the Planning  
6 and Development Department.

7 **Section 3. Owner and Description.** The Subject Property  
8 is owned by Emilio Montilla Investments, Inc. and is legally described  
9 in **Exhibit 1, attached hereto.** The applicant is Jimmye Bankhead,  
10 2115 College Circle North, Jacksonville, Florida 32209; (904) 534-  
11 9480.

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

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

1 Form Approved:

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3           /s/  Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

6 GC-#1511031-v1-2022-394-E