Introduced by the Land Use and Zoning Committee:

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ORDINANCE 2022-396-E

AN ORDINANCE REZONING APPROXIMATELY 1.13± ACRES, LOCATED IN COUNCIL DISTRICT 10 AT 0 LENOX AVENUE AND 6572 LENOX AVENUE, BETWEEN LANE AVENUE SOUTH AND OLD MIDDLEBURG ROAD NORTH (R.E. NOS. 011767-0000 (PORTION), 011776-00000 (PORTION) AND 011776-0010 (PORTION)), AS DESCRIBED HEREIN, OWNED BY DESI BIXHAKU AND BRISILDA BIXHAKU, FROM RESIDENTIAL MEDIUM DENSITY-D (RMD-D) DISTRICT, COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) DISTRICT AND COMMERCIAL OFFICE (CO) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO PERMIT COMMERCIAL USES, AS DESCRIBED IN THE DESI TRANSPORT PUD; PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

23 WHEREAS, Desi Bixhaku and Brisilda Bixhaku, the owners of approximately 1.13± acres located in Council District 10 at 0 Lenox 24 25 Avenue and 6572 Lenox Avenue, between Lane Avenue South and Old Middleburg Road North (R.E. Nos. 011767-0000 (portion), 011776-00000 26 27 (portion) and 011776-0010 (portion)), as more particularly described 28 in Exhibit 1, dated March 31, 2022, and graphically depicted in 29 Exhibit 2, both of which are attached hereto (the "Subject Property"), 30 has applied for a rezoning and reclassification of that property from 31 Residential Medium Density-D (RMD-D) District, Commercial

Community/General-1 (CCG-1) District and Commercial Office (CO) District to Planned Unit Development (PUD) District, as described in Section 1 below; and

WHEREAS, the Planning Commission has considered the application
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

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

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

21 Section 1. Property Rezoned. The Subject Property is hereby rezoned and reclassified from Residential Medium Density-D 22 (RMD-D) District, Commercial Community/General-1 (CCG-1) District and 23 24 Commercial Office (CO) District to Planned Unit Development (PUD) 25 District. This new PUD district shall generally permit commercial 26 uses, and is described, shown and subject to the following documents, 27 attached hereto:

28 **Exhibit 1** - Legal Description dated March 31, 2022.

29 Exhibit 2 - Subject Property per P&DD.

30 **Exhibit 3** - Written Description dated March 25, 2022.

31 Exhibit 4 - Site Plan dated April 28, 2022.

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Section 2. Owner and Description. The Subject Property
 is owned by Desi Bixhaku and Brisilda Bixhaku and is legally described
 in Exhibit 1, attached hereto. The applicant is Josh Cockrell, P.O.
 Box 28327, Jacksonville, Florida 32226; (904) 720-4260.

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

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

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22 Form Approved:

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/s/ Mary E. Staffopoulos

25 Office of General Counsel

26 Legislation Prepared By: Erin Abney

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