

1 Introduced and amended by the Land Use and Zoning Committee and
2 substituted on the Floor of Council:

3
4
5 **ORDINANCE 2022-606-E**

6 AN ORDINANCE REZONING APPROXIMATELY 5.39± ACRES,
7 LOCATED IN COUNCIL DISTRICT 12 AT 0 BULLS BAY
8 HIGHWAY, BETWEEN BEAVER STREET WEST AND OLD
9 PLANK ROAD (R.E. NO. 006222-0230), OWNED BY RAY
10 LANE PROPERTIES, LLC, AS DESCRIBED HEREIN, FROM
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (1995-
12 609-E) TO PLANNED UNIT DEVELOPMENT (PUD)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
15 DESCRIBED IN THE BULLS BAY PUD; PUD SUBJECT TO
16 CONDITIONS; PROVIDING A DISCLAIMER THAT THE
17 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, the owner of approximately 5.39± acres located in
22 Council District 12 at 0 Bulls Bay Highway, between Beaver Street
23 West and Old Plank Road (R.E. No. 006222-0230), as more particularly
24 described in **Exhibit 1**, dated March 3, 2022, and graphically depicted
25 in **Exhibit 2**, both of which are attached hereto (the "Subject
26 Property"), has applied for a rezoning and reclassification of that
27 property from Planned Unit Development (PUD) District (1995-609-E)
28 to Planned Unit Development (PUD) District, as described in Section
29 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 Planned Unit Development (PUD)
18 District (1995-609-E) to Planned Unit Development (PUD) District.
19 This 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 March 3, 2022.

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

24 **Exhibit 3** - Written Description dated September 9, 2022.

25 **Exhibit 4** - Site Plan dated August 31, 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 ten foot wide undisturbed natural buffer shall be
31 maintained the length of Nevada Street and Jackson Avenue North to

1 Arizona Street.

2 (2) No access shall be permitted from Nevada Street.

3 (3) The access to Bulls Bay Highway shall align with the center
4 of the three driveways across the street.

5 (4) No traffic study is required if the use will be storage as
6 shown on the Site Plan. However, if the use changes, a traffic study
7 may be required, subject to the review and approval of the Planning
8 and Development Department.

9 **Section 3. Owner and Description.** The Subject Property
10 is owned by Ray Lane Properties, LLC. The applicant is Paul Harden,
11 Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville, Florida
12 32207; (904) 396-5731.

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

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

1 Form Approved:

2

3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

6 GC-#1534406-v1-2022-606-E.docx