

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

4 **ORDINANCE 2023-125**

5 AN ORDINANCE REZONING APPROXIMATELY 0.18± ACRES
6 LOCATED IN COUNCIL DISTRICT 5 AT 0 WRIGHT AVENUE,
7 BETWEEN EMERSON STREET AND POWERS AVENUE (R.E.
8 NO. 070424-0000), AS DESCRIBED HEREIN, OWNED BY
9 DEC2029 LLC, FROM PLANNED UNIT DEVELOPMENT (PUD)
10 DISTRICT (1995-1198-E) TO RESIDENTIAL MEDIUM
11 DENSITY-A (RMD-A) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE; PROVIDING A
13 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
14 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
15 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
16

17 **WHEREAS**, DEC2029 LLC, the owner of approximately 0.18± acres
18 located in Council District 5 at 0 Wright Avenue, between Emerson
19 Street and Powers Avenue (R.E. No. 070424-0000), as more particularly
20 described in **Exhibit 1**, dated October 25, 2022, and graphically
21 depicted in **Exhibit 2**, both of which are attached hereto (the "Subject
22 Property"), has applied for a rezoning and reclassification of the
23 Subject Property from Planned Unit Development (PUD) District (1995-
24 1198-E) to Residential Medium Density-A (RMD-A) District; and

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

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

30 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
31 notice, held a public hearing and made its recommendation to the

1 Council; and

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

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

10 **Section 1. Property Rezoned.** The Subject Property is
11 hereby rezoned and reclassified from Planned Unit Development (PUD)
12 District (1995-1198-E) to Residential Medium Density-A (RMD-A)
13 District, as defined and classified under the Zoning Code, City of
14 Jacksonville, Florida.

15 **Section 2. Owner and Description.** The Subject Property is
16 owned by DEC2029 LLC and is described in **Exhibit 1**, attached hereto.
17 The applicant is Stephen Carroll, 2387 West Clovelly Lane, St.
18 Augustine, Florida 32092; (904) 333-4441.

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

31 **Section 4. Effective Date.** The enactment of this Ordinance

1 shall be deemed to constitute a quasi-judicial action of the City
2 Council and shall become effective upon signature by the Council
3 President and Council Secretary.

4

5 Form Approved:

6

7 /s/ Mary E. Staffopoulos

8 Office of General Counsel

9 Legislation Prepared By: Andrew Hetzel

10 GC-#1548761-v2-2023-125_(Z-4581).docx