

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-127-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.09± ACRES  
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 OUTBACK DRIVE,  
7 BETWEEN MAIN STREET NORTH AND BENTON STREET (R.E.  
8 NO. 107669-0300), AS DESCRIBED HEREIN, OWNED BY  
9 OLD NO. 1 PARTNERS, LLC, FROM PLANNED UNIT  
10 DEVELOPMENT (PUD) DISTRICT (2006-770-E) TO  
11 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) DISTRICT,  
12 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE;  
13 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
14 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
15 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
16 EFFECTIVE DATE.  
17

18 **WHEREAS**, Old No. 1 Partners, LLC, the owner of approximately  
19 1.09± acres located in Council District 7 at 0 Outback Drive, between  
20 Main Street North and Benton Street (R.E. No. 107669-0300), as more  
21 particularly described in **Exhibit 1**, dated January 5, 2023, and  
22 graphically depicted in **Exhibit 2**, both of which are attached hereto  
23 (the "Subject Property"), has applied for a rezoning and  
24 reclassification of the Subject Property from Planned Unit  
25 Development (PUD) District (2006-770-E) to Commercial  
26 Community/General-1 (CCG-1) District; and

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

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

1           **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
2 notice, held a public hearing and made its recommendation to the  
3 Council; and

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

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

12           **Section 1.           Property Rezoned.**     The Subject Property is  
13 hereby rezoned and reclassified from Planned Unit Development (PUD)  
14 District (2006-770-E) to Commercial Community/General-1 (CCG-1)  
15 District, as defined and classified under the Zoning Code, City of  
16 Jacksonville, Florida.

17           **Section 2.           Owner and Description.**   The Subject Property is  
18 owned by Old No. 1 Partners, LLC, and is described in **Exhibit 1**,  
19 attached hereto.   The applicant is Marshall Phillips, Esq., 1301  
20 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207; (904)  
21 346-5535.

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

1 promote or condone any practice or act that is prohibited or  
2 restricted by any federal, state or local laws.

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

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8 Form Approved:

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10                     /s/ Mary E. Staffopoulos          

11 Office of General Counsel

12 Legislation Prepared By: Erin Abney

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