

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-394**

5 AN ORDINANCE REZONING APPROXIMATELY 0.39± ACRES  
6 LOCATED IN COUNCIL DISTRICT 14 AT 800 LOMAX  
7 STREET, BETWEEN MARGARET STREET AND OAK STREET  
8 (R.E. NO. 090322-0000), AS DESCRIBED HEREIN,  
9 OWNED BY 800 LOMAX LLC, FROM COMMERCIAL  
10 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT TO PLANNED  
11 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
12 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
13 COMMERCIAL USES, AS DESCRIBED IN 800 LOMAX PUD;  
14 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
15 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
16 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
17 EFFECTIVE DATE.  
18

19 **WHEREAS**, 800 Lomax LLC, the owner of approximately 0.39± acres  
20 located in Council District 14 at 800 Lomax Street, between Margaret  
21 Street and Oak Street (R.E. No. 090322-0000), as more particularly  
22 described in **Exhibit 1**, dated December 5, 2022, and graphically  
23 depicted in **Exhibit 2**, both of which are attached hereto (the "Subject  
24 Property"), has applied for a rezoning and reclassification of the  
25 Subject Property from Commercial Community/General-1 (CCG-1) District  
26 to Planned Unit Development (PUD) District, as described in Section  
27 1 below; and

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

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice and

1 public hearing, has made its recommendation to the Council; and

2       **WHEREAS**, the Council finds that such rezoning is: (1) consistent  
3 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives  
4 and policies of the *2045 Comprehensive Plan*; and (3) is not in  
5 conflict with any portion of the City's land use regulations; and

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

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

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

21 **Exhibit 1** - Legal Description dated December 5, 2022.

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

23 **Exhibit 3** - Written Description dated April 5, 2023.

24 **Exhibit 4** - Site Plan dated December 5, 2022.

25       **Section 2.       Owner and Description.**       The Subject Property is  
26 owned by 800 Lomax LLC and is legally described in **Exhibit 1**, attached  
27 hereto. The applicant is Steve Diebenow, Esq., One Independent Drive,  
28 Suite 1200, Jacksonville, Florida 32202; (904) 301-1269.

29       **Section 3.       Disclaimer.**       The rezoning granted herein shall  
30 **not** be construed as an exemption from any other applicable local,  
31 state, or federal laws, regulations, requirements, permits or

1 approvals. All other applicable local, state or federal permits or  
2 approvals shall be obtained before commencement of the development  
3 or use and issuance of this rezoning is based upon acknowledgement,  
4 representation and confirmation made by the applicant(s), owners(s),  
5 developer(s) and/or any authorized agent(s) or designee(s) that the  
6 subject business, development and/or use will be operated in strict  
7 compliance with all laws. Issuance of this rezoning does **not** approve,  
8 promote or condone any practice or act that is prohibited or  
9 restricted by any federal, state or local laws.

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

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15 Form Approved:

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17           /s/ Shannon K. Eller          

18 Office of General Counsel

19 Legislation Prepared By: Kaysie Cox

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