

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-797**

5 AN ORDINANCE REZONING APPROXIMATELY 8.69±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 7 AT 0 MAIN  
7 STREET NORTH, BETWEEN OUTBACK DRIVE AND  
8 CASTLEBERRY ROAD (R.E. NO. 107655-0010  
9 (PORTION)), AS DESCRIBED HEREIN, OWNED BY OLD  
10 NO. 1 PARTNERS, LLC, FROM PLANNED UNIT  
11 DEVELOPMENT (PUD) DISTRICT (2005-177-E) TO  
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,  
14 TO PERMIT COMMERCIAL USES, AS DESCRIBED IN THE  
15 NORTH MAIN STREET COMMERCIAL CENTER PUD;  
16 PROVIDING A DISCLAIMER THAT THE REZONING  
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
19 PROVIDING AN EFFECTIVE DATE.  
20

21 **WHEREAS**, Old No. 1 Partners, LLC, the owner of approximately  
22 8.69± acres, located in Council District 7 at 0 Main Street North,  
23 between Outback Drive and Castleberry Road (R.E. No. 107655-0010  
24 (portion)), as more particularly described in **Exhibit 1**, dated  
25 August 15, 2019, and graphically depicted in **Exhibit 2**, both of  
26 which are **attached hereto** (Subject Property), has applied for a  
27 rezoning and reclassification of that property from Planned Unit  
28 Development (PUD) District (2005-177-E) to Planned Unit Development  
29 (PUD) District, as described in Section 1 below; and

30 **WHEREAS**, the Planning Commission has considered the  
31 application and has rendered an advisory opinion; and

1           **WHEREAS**, the Land Use and Zoning Committee, after due notice  
2 and public hearing, has made its recommendation to the Council; and

3           **WHEREAS**, the Council finds that such rezoning is: (1)  
4 consistent with the *2030 Comprehensive Plan*; (2) furthers the  
5 goals, objectives and policies of the *2030 Comprehensive Plan*; and  
6 (3) is not in conflict with any portion of the City's land use  
7 regulations; and

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

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

17           **Section 1.           Property Rezoned.**       The Subject Property is  
18 hereby rezoned and reclassified from Planned Unit Development (PUD)  
19 District (2005-177-E) to Planned Unit Development (PUD) District.  
20 This new PUD district shall generally permit commercial uses, and  
21 is described, shown and subject to the following documents,  
22 **attached hereto:**

23 **Exhibit 1** - Legal Description dated August 15, 2019.

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

25 **Exhibit 3** - Written Description dated July 31, 2019.

26 **Exhibit 4** - Site Plan dated October 25, 2019.

27           **Section 2.           Owner and Description.**       The Subject Property  
28 is owned by Old No. 1 Partners, LLC, and is legally described in  
29 **Exhibit 1, attached hereto.**       The agent is David Touring, 4206  
30 Tradewinds Drive, Jacksonville, Florida 32250; (904) 614-3302.

31           **Section 3.           Disclaimer.**       The rezoning granted herein

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

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

17  
18 Form Approved:

19  
20           /s/ Shannon K. Eller          

21 Office of General Counsel

22 Legislation Prepared By: Bruce Lewis

23 GC-#1315224-v1-North\_Main\_Street\_Commercial\_PUD\_Z-2430