

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

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; PUD
16 SUBJECT TO CONDITION; PROVIDING A DISCLAIMER
17 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
19 APPLICABLE LAWS; 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 **Revised Exhibit 3** - Revised Written Description dated July 31,
26 2019.

27 **Revised Exhibit 4** - Revised Site Plan dated May 13, 2019.

28 **Section 2. Rezoning Approved Subject to Condition.** This
29 rezoning is approved subject to the following condition. Such
30 condition controls over the Written Description and the Site Plan
31 and may only be amended through a rezoning.

1 (1) Development shall be in accordance with the
2 Transportation Planning Division memorandum dated November 22,
3 2019, or as otherwise approved by the Planning & Development
4 Department.

5 **Section 3. Owner and Description.** The Subject Property
6 is owned by Old No. 1 Partners, LLC, and is legally described in
7 **Exhibit 1, attached hereto.** The agent is David Touring, 4206
8 Tradewinds Drive, Jacksonville, Florida 32250; (904) 614-3302.

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

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

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27 Form Approved:

28 /s/ Shannon K. Eller

29 Office of General Counsel

30 Legislation Prepared By: Bruce Lewis