Introduced and amended by the Land Use and Zoning Committee: 1 2 3 ORDINANCE 2020-309-E 4 5 AN ORDINANCE REZONING APPROXIMATELY 0.19± OF AN 6 ACRE, LOCATED IN COUNCIL DISTRICT 14 AT 2951 7 POST STREET, BETWEEN WILLOWBRANCH AVENUE AND 8 ROOSEVELT BOULEVARD (R.E. NO. 064127-0000), AS 9 DESCRIBED HEREIN, OWNED BY POST MODERN 10 BREWING, LLC, FROM COMMERCIAL DISTRICT 11 COMMUNITY/GENERAL-2 (CCG-2)ТΟ 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 2951 POST STREET PUD; PROVIDING A DISCLAIMER 16 THAT THE REZONING GRANTED HEREIN SHALL NOT BE 17 CONSTRUED AS AN EXEMPTION FROM ANY OTHER 18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE. 19

20 WHEREAS, Post Modern Brewing, LLC, the owner of approximately 0.19± of an acre, located in Council District 14 at 2951 Post 21 Street, between Willowbranch Avenue and Roosevelt Boulevard (R.E. 22 23 No. 064127-0000), as more particularly described in **Exhibit 1**, 24 dated May 12, 2020, and graphically depicted in Exhibit 2, both of 25 which are attached hereto (Subject Property), has applied for a 26 rezoning and reclassification of that property from Commercial 27 Community/General-2 (CCG-2) District to Planned Unit Development 28 (PUD) District, as described in Section 1 below; and

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

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

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

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

7 WHEREAS, the Council finds the proposed rezoning does not adversely affect the orderly development of the City as embodied in 8 9 the Zoning Code; will not adversely affect the health and safety of 10 residents in the area; will not be detrimental to the natural 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:

Section 1. Property Rezoned. The Subject Property is hereby rezoned and reclassified from Commercial Community/General-2 (CCG-2) District to Planned Unit Development (PUD) District. This new PUD district shall generally permit commercial uses, and is described, shown and subject to the following documents, attached hereto:

22 **Exhibit 1** - Legal Description dated May 12, 2020.

23 Exhibit 2 - Subject Property per P&DD.

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24 Revised Exhibit 3 - Revised Written Description dated July 22, 25 2020.

26 **Revised Exhibit 4** - Revised Site Plan dated July 21, 2020.

Section 2. Owner and Description. The Subject Property is owned by Post Modern Brewing, LLC, and is legally described in Exhibit 1, attached hereto. The agent is Jack Shad, 1022 Park Street, #209, Jacksonville, Florida 32204; (904) 699-5694.

31 Section 3. Disclaimer. The rezoning granted herein

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

18 Form Approved:

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20 /s/ Shannon K. Eller

21 Office of General Counsel

22 Legislation Prepared By: Connie Quinto

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