

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-575**

5 AN ORDINANCE REZONING APPROXIMATELY 0.22± OF AN  
6 ACRE LOCATED IN COUNCIL DISTRICT 7 AT 0 PEARL  
7 STREET NORTH, BETWEEN 18<sup>TH</sup> STREET WEST AND 19<sup>TH</sup>  
8 STREET WEST (R.E. NO. 044390-0000), AS  
9 DESCRIBED HEREIN, OWNED BY EMILIO MONTILLA  
10 INVESTMENTS, INC., FROM COMMERCIAL NEIGHBORHOOD  
11 (CN) DISTRICT TO COMMERCIAL COMMUNITY/GENERAL-  
12 1 (CCG-1) DISTRICT, AS DEFINED AND CLASSIFIED  
13 UNDER THE ZONING CODE; PROVIDING A DISCLAIMER  
14 THAT THE REZONING GRANTED HEREIN SHALL NOT BE  
15 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
16 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
17

18 **WHEREAS**, Emilio Montilla Investments, Inc., the owner of  
19 approximately 0.22± of an acre located in Council District 7 at 0  
20 Pearl Street North, between 18<sup>th</sup> Street West and 19<sup>th</sup> Street West (R.E.  
21 No. 044390-0000), as more particularly described in **Exhibit 1**, dated  
22 August 28, 2020, and graphically depicted in **Exhibit 2**, both of which  
23 are **attached hereto** (Subject Property), has applied for a rezoning  
24 and reclassification of the Subject Property from Commercial  
25 Neighborhood (CN) District to Commercial Community/General-1 (CCG-1)  
26 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 Committee, after due notice and  
2 public hearing has made its recommendation to the Council; and

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

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

11           **Section 1.           Property Rezoned.**     The Subject Property is  
12 hereby rezoned and reclassified from Commercial Neighborhood (CN)  
13 District to Commercial Community/General-1 (CCG-1) District, as  
14 defined and classified under the Zoning Code, City of Jacksonville,  
15 Florida.

16           **Section 2.           Owner and Description.**   The Subject Property is  
17 owned by Emilio Montilla Investments, Inc., and is described in  
18 **Exhibit 1, attached hereto.**   The applicant is Roy L. Mosley, 111 East  
19 16<sup>th</sup> Street, Jacksonville, Florida 32206; (786) 663-6595.

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

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

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6 Form Approved:

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8             /s/ Shannon K. Eller      

9 Office of General Counsel

10 Legislation Prepared By: Kaysie Cox

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