

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-611-E**

5 AN ORDINANCE REZONING APPROXIMATELY 4.71± ACRES,  
6 LOCATED IN COUNCIL DISTRICT 2 AT 1057 ST. JOHNS  
7 BLUFF ROAD NORTH, BETWEEN AKERS DRIVE SOUTH AND  
8 LONE STAR ROAD (R.E. NO. 161797-0100), AS  
9 DESCRIBED HEREIN, OWNED BY EARTH WORKS  
10 PROPERTIES, LLC, FROM INDUSTRIAL BUSINESS PARK  
11 (IBP) DISTRICT AND PLANNED UNIT DEVELOPMENT  
12 (PUD) DISTRICT (2012-287-E) TO PLANNED UNIT  
13 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
14 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
15 COMMERCIAL AND OFFICE USES, AS DESCRIBED IN THE  
16 EARTHWORKS PUD; PUD SUBJECT TO CONDITIONS;  
17 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
18 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
19 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
20 EFFECTIVE DATE.  
21

22 **WHEREAS**, Earth Works Properties, LLC, the owner of approximately  
23 4.71± acres, located in Council District 2 at 1057 St. Johns Bluff  
24 Road North, between Akers Drive South and Lone Star Road (R.E. No.  
25 161797-0100), as more particularly described in **Exhibit 1**, dated  
26 August 8, 2020, and graphically depicted in **Exhibit 2**, both of which  
27 are **attached hereto** (Subject Property), has applied for a rezoning  
28 and reclassification of that property from Industrial Business Park  
29 (IBP) District and Planned Unit Development (PUD) District (2012-287-  
30 E) to Planned Unit Development (PUD) District, as described in Section  
31 1 below; and

1           **WHEREAS**, the Planning Commission has considered the application  
2 and has rendered an advisory opinion; and

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

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

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

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

18           **Section 1.           Property Rezoned.**       The Subject Property is  
19 hereby rezoned and reclassified from Industrial Business Park (IBP)  
20 District and Planned Unit Development (PUD) District (2012-287-E) to  
21 Planned Unit Development (PUD) District. This new PUD district shall  
22 generally permit commercial and office uses, and is described, shown  
23 and subject to the following documents, **attached hereto**:

24           **Exhibit 1** - Legal Description dated August 8, 2020.

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

26           **Revised Exhibit 3** - Revised Written Description dated December 31,  
27 2020.

28           **Revised Exhibit 4** - Revised Site Plan dated November 4, 2020.

29           **Section 2.           Rezoning Approved Subject to Conditions.** This  
30 rezoning is approved subject to the following conditions. Such  
31 conditions control over the Written Description and the Site Plan and

1 may only be amended through a rezoning.

2 (1) Chain link fencing shall be prohibited along St. Johns  
3 Bluff Road.

4 (2) The outside storage area shall contain a 6-foot high, 85%  
5 opaque fence.

6 (3) Illumination levels at all property lines shall not exceed  
7 one-half (.5) foot candles ("f.c.") when the building or parking  
8 areas are located adjacent to residential areas, and shall not exceed  
9 one (1.0) f.c. when abutting other non-residential properties. An  
10 exterior lighting design plan, including a photometrics plan, and  
11 pole and fixtures schedules, shall be submitted at the time of  
12 Verification of Substantial Compliance of the PUD for review and  
13 approval by the Planning and Development Department.

14 (4) The owner shall submit a Form FAA 7460-1 - Notice of  
15 Proposed Construction or Alteration, through the FAA's website at  
16 <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

17 **Section 3. Owner and Description.** The Subject Property  
18 is owned by Earth Works Properties, LLC, and is legally described in  
19 **Exhibit 1, attached hereto.** The agent is L. Charles Mann, 165  
20 Arlington Road, Jacksonville, Florida 32211; (904) 721-1546.

21 **Section 4. Disclaimer.** The rezoning granted herein  
22 shall not be construed as an exemption from any other applicable  
23 local, state, or federal laws, regulations, requirements, permits or  
24 approvals. All other applicable local, state or federal permits or  
25 approvals shall be obtained before commencement of the development  
26 or use and issuance of this rezoning is based upon acknowledgement,  
27 representation and confirmation made by the applicant(s), owner(s),  
28 developer(s) and/or any authorized agent(s) or designee(s) that the  
29 subject business, development and/or use will be operated in strict  
30 compliance with all laws. Issuance of this rezoning does not approve,  
31 promote or condone any practice or act that is prohibited or

1 restricted by any federal, state or local laws.

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

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7 Form Approved:

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9                     /s/ Shannon K. Eller          

10 Office of General Counsel

11 Legislation Prepared By: Bruce Lewis

12 GC-#1410394-v1-2020-611-E