Introduced by the Land Use and Zoning Committee:

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ORDINANCE 2021-41 4 5 ORDINANCE REZONING APPROXIMATELY 10.84± AN ACRES, LOCATED IN COUNCIL DISTRICT 5 AT 1201 6 7 KINGS AVENUE, BETWEEN INTERSTATE 95 AND KINGS 8 AVENUE (R.E. NOS. 080660-1500, 080660-1510 AND 080660-1520) AS DESCRIBED HEREIN, OWNED BY THE 9 JACKSONVILLE TRANSPORATION AUTHORITY, 10 FROM 11 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) DISTRICT 12 (2006-627-E) TO PLANNED UNIT DEVELOPMENT (PUD) 13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE 14 15 ZONING CODE, TO PERMIT MIXED USE DEVELOPMENT, AS DESCRIBED IN THE KINGS AVENUE STATION PUD; 16 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED 17 18 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION 19 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN 20 EFFECTIVE DATE.

WHEREAS, the Jacksonville Transporation Authority, the owner of 22 23 approximately 10.84± acres, located in Council District 5 at 1201 24 Kings Avenue, between Interstate 95 and Kings Avenue (R.E. Nos. 080660-1500, 080660-1510 and 080660-1520), as more particularly 25 26 described in **Exhibit 1**, dated December 25, 2020, and graphically 27 depicted in Exhibit 2, both of which are attached hereto (Subject Property), has applied for a rezoning and reclassification of that 28 29 property from Commerical Community/General-1 (CCG-1) District and Planned Unit Development (PUD) District (2006-627-E) to Planned Unit 30 Development (PUD) District, as described in Section 1 below; and 31

WHEREAS, the Planning Commission has considered the application 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 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:

Section 1. Property Rezoned. The Subject Property is 18 hereby rezoned and reclassified from Commercial Community/General-1 19 20 (CCG-1) District and Planned Unit Development (PUD) District (2006-21 627-E) to Planned Unit Development (PUD) District. This new PUD 22 district shall generally permit mixed use development, and is described, shown and subject to the following documents, attached 23 24 hereto:

25 **Exhibit 1** - Legal Description dated December 25, 2020.

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

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27 Exhibit 3 - Written Description dated December 25, 2020.

28 Exhibit 4 - Site Plan dated March 14, 2017.

Section 2. Owner and Description. The Subject Property
is owned by the Jacksonville Transporation Authority, and is legally
described in Exhibit 1, attached hereto. The applicant is Michael

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Herzberg, 12483 Aladdin Road, Jacksonville, Florida 32223; (904) 731 8806.

Section 3. 3 Disclaimer. The rezoning granted herein shall **not** be construed as an exemption from any other applicable 4 local, state, or federal laws, regulations, requirements, permits or 5 approvals. All other applicable local, state or federal permits or 6 7 approvals shall be obtained before commencement of the development or use and issuance of this rezoning is based upon acknowledgement, 8 9 representation and confirmation made by the applicant(s), owner(s), 10 developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict 11 compliance with all laws. Issuance of this rezoning does not approve, 12 promote or condone any practice or act that is prohibited or 13 restricted by any federal, state or local laws. 14

15 Section 4. Effective Date. The enactment of this Ordinance 16 shall be deemed to constitute a quasi-judicial action of the City 17 Council and shall become effective upon signature by the Council 18 President and the Council Secretary.

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20 Form Approved:

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22 /s/ Shannon K. Eller

23 Office of General Counsel

24 Legislation Prepared By: Arimus Wells

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