

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-41-E**

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

21  
22 **WHEREAS**, the Jacksonville Transportation Authority, the owner of  
23 approximately 10.84± acres, located in Council District 5 at 1201  
24 Kings Avenue, between Interstate 95 and Kings Avenue (R.E. Nos.  
25 080660-1500, 080660-1510 and 080660-1520), as more particularly  
26 described in **Exhibit 1**, dated December 25, 2020, and graphically  
27 depicted in **Exhibit 2**, both of which are **attached hereto** (Subject  
28 Property), has applied for a rezoning and reclassification of that  
29 property from Commercial Community/General-1 (CCG-1) District and  
30 Planned Unit Development (PUD) District (2006-627-E) to Planned Unit  
31 Development (PUD) District, as described in Section 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 Commercial Community/General-1  
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  
23 described, shown and subject to the following documents, **attached**  
24 **hereto:**

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

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

27           **Revised Exhibit 3** - Revised Written Description dated February 12,  
28 2021.

29           **Exhibit 4** - Site Plan dated March 14, 2017.

30           **Section 2.           Rezoning Approved Subject to Conditions.** This  
31 rezoning is approved subject to the following conditions. Such

1 conditions control over the Written Description and the Site Plan and  
2 may only be amended through a rezoning.

3 (1) The Subject Property shall be developed in accordance with  
4 the Southbank Riverwalk/San Marco Multi-Use Trail map dated February  
5 5, 2021, and on file in the Planning and Development Department.

6 (2) The landscape and architectural elements shall be developed  
7 in accordance with the North San Marco Neighborhood Action Plan, and  
8 are subject to the review and approval by the Planning and Development  
9 Department, including streetscape improvements, terracing and scaling  
10 of buildings, and the public rights-of-way and plazas.

11 **Section 3. Owner and Description.** The Subject Property  
12 is owned by the Jacksonville Transportation Authority, and is legally  
13 described in **Exhibit 1, attached hereto.** The applicant is Michael  
14 Herzberg, 12483 Aladdin Road, Jacksonville, Florida 32223; (904) 731-  
15 8806.

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

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

