

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-310-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.29± OF  
6 AN ACRE LOCATED IN COUNCIL DISTRICT 10 AT 5402  
7 MONCRIEF ROAD WEST, BETWEEN SOUTEL DRIVE AND  
8 HULL STREET (R.E. NO. 041718-0000 (PORTION)),  
9 AS DESCRIBED HEREIN, OWNED BY PLAZA STREET  
10 FUND 176, LLC, FROM COMMERCIAL NEIGHBORHOOD  
11 (CN) DISTRICT AND COMMERCIAL OFFICE (CO)  
12 DISTRICT TO COMMERCIAL COMMUNITY/GENERAL-1  
13 (CCG-1) DISTRICT, AS DEFINED AND CLASSIFIED  
14 UNDER THE ZONING CODE; PROVIDING A DISCLAIMER  
15 THAT THE REZONING GRANTED HEREIN SHALL NOT BE  
16 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
18

19 **WHEREAS,** Plaza Street Fund 176, LLC, the owner of  
20 approximately 0.29± of an acre located in Council District 10 at  
21 5402 Moncrief Road West, between Soutel Drive and Hull Street (R.E.  
22 No. 041718-0000 (portion)), as more particularly described in  
23 **Exhibit 1**, dated April 6, 2021, and graphically depicted in **Exhibit**  
24 **2**, both of which are **attached hereto** (Subject Property), has  
25 applied for a rezoning and reclassification of the Subject Property  
26 from Commercial Neighborhood (CN) District and Commercial Office  
27 (CO) District to Commercial Community/General-1 (CCG-1) District;  
28 and

29 **WHEREAS,** the Planning and Development Department has  
30 considered the application and has rendered an advisory  
31 recommendation; and

1           **WHEREAS**, the Planning Commission, acting as the local planning  
2 agency, has reviewed the application and made an advisory  
3 recommendation to the Council; and

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

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

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

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

19           **Section 2.           Owner and Description.**   The Subject Property  
20 is owned by Plaza Street Fund 176, LLC, and is described in **Exhibit**  
21 **1, attached hereto.**   The applicant is Paul Harden, Esq., 1401  
22 Riverplace Boulevard, Suite 901, Jacksonville, Florida 32207; (904)  
23 396-5731.

24           **Section 3.           Disclaimer.**   The rezoning granted herein shall  
25 **not** be construed as an exemption from any other applicable local,  
26 state, or federal laws, regulations, requirements, permits or  
27 approvals.   All other applicable local, state or federal permits or  
28 approvals shall be obtained before commencement of the development  
29 or use and issuance of this rezoning is based upon acknowledgement,  
30 representation and confirmation made by the applicant(s),  
31 owners(s), developer(s) and/or any authorized agent(s) or

1 designee(s) that the subject business, development and/or use will  
2 be operated in strict compliance with all laws. Issuance of this  
3 rezoning does **not** approve, promote or condone any practice or act  
4 that is prohibited or restricted by any federal, state or local  
5 laws.

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

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11 Form Approved:

12  
13  /s/ Shannon K. Eller

14 Office of General Counsel

15 Legislation Prepared By: Bruce Lewis

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