

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-649-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.39± OF AN  
6 ACRE, LOCATED IN COUNCIL DISTRICT 7 AT 1352 MAIN  
7 STREET NORTH, BETWEEN 3RD STREET WEST AND 4TH  
8 STREET WEST, AS DESCRIBED HEREIN, OWNED BY  
9 SHOPPES OF LAKESIDE, INC., FROM COMMERCIAL  
10 COMMUNITY/GENERAL-S (CCG-S) DISTRICT TO PLANNED  
11 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
12 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
13 COMMERCIAL USES, AS DESCRIBED IN THE MAIN STREET  
14 FOOD PARK PUD; PUD SUBJECT TO CONDITIONS;  
15 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
17 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
18 EFFECTIVE DATE.  
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20 **WHEREAS**, Shoppes of Lakeside, Inc., the owner of approximately  
21 0.39± of an acre, located in Council District 7 at 1352 Main Street  
22 North, as more particularly described in **Exhibit 1**, dated June 30,  
23 2021, and graphically depicted in **Exhibit 2**, both of which are  
24 **attached hereto** (the "Subject Property"), has applied for a rezoning  
25 and reclassification of that property from Commercial  
26 Community/General-S (CCG-S) District to Planned Unit Development  
27 (PUD) District, as described in Section 1 below; and

28 **WHEREAS**, the Planning Commission has considered the application  
29 and has rendered an advisory opinion; and

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

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

5           **WHEREAS**, the Council finds the proposed rezoning does not  
6 adversely affect the orderly development of the City as embodied in  
7 the Zoning Code; will not adversely affect the health and safety of  
8 residents in the area; will not be detrimental to the natural  
9 environment or to the use or development of the adjacent properties  
10 in the general neighborhood; and will accomplish the objectives and  
11 meet the standards of Section 656.340 (Planned Unit Development) of  
12 the Zoning Code; 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 Community/General-S  
16 (CCG-S) District to Planned Unit Development (PUD) District. This  
17 new PUD district shall generally permit commercial uses, and is  
18 described, shown and subject to the following documents, **attached**  
19 **hereto:**

20           **Exhibit 1** - Legal Description dated June 30, 2021.

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

22           **Revised Exhibit 3** - Revised Written Description dated September 30,  
23 2021.

24           **Exhibit 4** - Site Plan dated June 30, 2021.

25           **Section 2.           Rezoning Approved Subject to Conditions.** This  
26 rezoning is approved subject to the following conditions. Such  
27 conditions control over the Revised Written Description and the Site  
28 Plan and may only be amended through a rezoning.

29           (1) There shall be no amplified music after 10:00 p.m.

30           (2) All lighting shall be directed away from any residential  
31 dwellings. All sag lenses, drop lenses and convex lenses shall be

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

11 (3) All structures, signs and fencing shall require a  
12 Certificate of Appropriateness (COA) by the Community Planning  
13 Division, Historic Preservation Section, of the Planning and  
14 Development Department.

15 (4) Bicycle parking shall comply with Chapter 656, Part 6,  
16 Subpart B, *Ordinance Code*.

17 **Section 3. Owner and Description.** The Subject Property  
18 is owned by Shoppes of Lakeside, Inc., and is legally described in  
19 **Exhibit 1, attached hereto.** The applicant is Hector Zayas, 1224  
20 North Laura Street, Jacksonville, Florida 32206; (904) 563-0576.

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/ Mary E. Staffopoulos          

10 Office of General Counsel

11 Legislation Prepared By: Bruce Lewis

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