

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2019-601-E**

5 AN ORDINANCE REZONING APPROXIMATELY 20.17± ACRES
6 LOCATED IN COUNCIL DISTRICT 4 AT 0 CORPORATE
7 SQUARE COURT, BETWEEN BEACH BOULEVARD AND
8 ATLANTIC BOULEVARD (R.E. NOS. 145178-0450 AND
9 145178-6000) OWNED BY M&K PROPERTIES OF
10 JACKSONVILLE, LLC, AS DESCRIBED HEREIN, FROM
11 INDUSTRIAL BUSINESS PARK (IBP) DISTRICT TO
12 RESIDENTIAL MEDIUM DENSITY-D (RMD-D) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
14 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
15 LARGE-SCALE AMENDMENT APPLICATION NUMBER L-5362-
16 19A; PROVIDING A DISCLAIMER THAT THE REZONING
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, the City of Jacksonville adopted a Large-Scale land use
22 amendment to the *2030 Comprehensive Plan* for the purpose of revising
23 portions of the Future Land Use Map series (FLUMs) in order to ensure
24 the accuracy and internal consistency of the plan, pursuant to
25 application L-5362-19A and companion land use Ordinance 2019-600; and

26 **WHEREAS**, in order to ensure consistency of zoning district with
27 the *2030 Comprehensive Plan* and the adopted companion Large-Scale land
28 use amendment L-5362-19A, an application to rezone and reclassify from
29 Industrial Business Park (IBP) District to Residential Medium Density-D
30 (RMD-D) District was filed by Zach Miller, Esq., on behalf of M&K
31 Properties of Jacksonville, LLC, the owner of approximately 20.17±

1 acres of certain real property in Council District 4, as more
2 particularly described in Section 1; and

3 **WHEREAS**, the Planning and Development Department, in order to
4 ensure consistency of this zoning district with the *2030 Comprehensive*
5 *Plan*, has considered the rezoning and has rendered an advisory opinion;
6 and

7 **WHEREAS**, the Planning Commission has considered the application
8 and has rendered an advisory opinion; and

9 **WHEREAS**, the Land Use and Zoning (LUZ) Committee after due notice
10 held a public hearing and made its recommendation to the Council; and

11 **WHEREAS**, the City Council after due notice held a public hearing,
12 taking into consideration the above recommendations as well as all oral
13 and written comments received during the public hearings, the Council
14 finds that such rezoning is consistent with the *2030 Comprehensive Plan*
15 adopted under the comprehensive planning ordinance for future
16 development of the City of Jacksonville; now, therefore

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

18 **Section 1. Subject Property Location and Description.** The
19 approximately 20.17± acres (R.E. Nos. 145178-0450 and 145178-6000) is
20 located in Council District 4 at 0 Corporate Square Court, between
21 Beach Boulevard and Atlantic Boulevard, as more particularly described
22 in **Exhibit 1**, dated January 24, 2019, and graphically depicted in
23 **Exhibit 2**, both of which are **attached hereto** and incorporated herein by
24 this reference (Subject Property).

25 **Section 2. Owner and Applicant Description.** The Subject
26 Property is owned by M&K Properties of Jacksonville, LLC. The
27 applicant is Zach Miller, Esq., 501 Riverside Avenue, Suite 901,
28 Jacksonville, Florida 32202; (904) 396-5731.

29 **Section 3. Property Rezoned.** The Subject Property, pursuant
30 to adopted companion Large-Scale land use amendment application L-5362-
31 19A, is hereby rezoned and reclassified from Industrial Business Park

1 (IBP) District to Residential Medium Density-D (RMD-D) District.

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

14 **Section 5. Contingency.** This rezoning shall not become
15 effective until 31 days after adoption of the companion Large-Scale
16 land use amendment unless challenged by the state land planning agency;
17 and further provided that if the companion Large-Scale land use
18 amendment is challenged by the state land planning agency, this
19 rezoning shall not become effective until the state land planning
20 agency or the Administration Commission issues a final order
21 determining the companion Large-Scale land use amendment is in
22 compliance with Chapter 163, *Florida Statutes*.

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

27
28
29
30
31

1 Form Approved:

2

3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connor Corrigan

6 GC-#1300526-v1-z-2457_LS_ADP_COMP_REZ