

1 Introduced, substituted, and amended by the Land Use and Zoning
2 Committee:

3
4
5 **ORDINANCE 2019-687-E**

6 AN ORDINANCE REZONING APPROXIMATELY 4.97± ACRES
7 LOCATED IN COUNCIL DISTRICT 10 AT 0 NEW KINGS
8 ROAD AND 0 GILCHRIST ROAD, BETWEEN NEW KINGS
9 ROAD AND THOMAS DUKES COURT (R.E. NOS. 039938-
10 0000 AND 039982-0000), OWNED BY BLUE RIBBON
11 REALTY, LLC, AS DESCRIBED HEREIN, FROM
12 COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2),
13 COMMERCIAL OFFICE (CO) AND RESIDENTIAL RURAL-
14 ACRE (RR-ACRE) DISTRICTS TO PLANNED UNIT
15 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
17 COMMERCIAL USES, AS DESCRIBED IN THE NEW KINGS
18 AND GILCHRIST ROADS COMMERCIAL & STORAGE PUD;
19 PUD SUBJECT TO CONDITIONS; PROVIDING A
20 DISCLAIMER THAT THE REZONING GRANTED HEREIN
21 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
22 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
23 DATE.

24
25 **WHEREAS**, Blue Ribbon Realty, LLC, the owner of approximately
26 4.97± acres, located in Council District 10 at 0 New Kings Road and
27 0 Gilchrist Road, between New Kings Road and Thomas Dukes Court
28 (R.E. Nos. 039938-0000 and 039982-0000), as more particularly
29 described in **Exhibit 1**, dated October 23, 2019, and graphically
30 depicted in the **Exhibit 2**, both of which are **attached hereto**
31 (Subject Property), has applied for a rezoning and reclassification

1 of that property from Commercial Community/General-2 (CCG-2),
2 Commercial Office (CO) and Residential Rural-Acre (RR-ACRE)
3 Districts to Planned Unit Development (PUD) District, as described
4 in Section 1 below; and

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

9 **WHEREAS**, the Planning Commission has considered the
10 application and has rendered an advisory opinion; and

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

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

21 **WHEREAS**, the Council finds that the proposed PUD does not
22 affect adversely the orderly development of the City as embodied in
23 the *Zoning Code*; will not affect adversely the health and safety of
24 residents in the area; will not be detrimental to the natural
25 environment or to the use or development of the adjacent properties
26 in the general neighborhood; and the proposed PUD will accomplish
27 the objectives and meet the standards of Section 656.340 (Planned
28 Unit Development) of the *Zoning Code* of the City of Jacksonville;
29 now, therefore

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

31 **Section 1. Subject Property Location and Description.** The

1 approximately 4.97± acres (R.E. Nos. 039938-0000 and 039982-0000)
2 are located in Council District 10, at 0 New Kings Road and 0
3 Gilchrist Road, between New Kings Road and Thomas Dukes Court, as
4 more particularly described in **Exhibit 1**, dated October 23, 2019,
5 and graphically depicted in **Exhibit 2**, both of which are **attached**
6 **hereto** and incorporated herein by this reference (Subject
7 Property).

8 **Section 2. Owner and Applicant Description.** The Subject
9 Property is owned by Blue Ribbon Realty, LLC. The applicant is
10 Chris Hagan, 800 West Monroe Street, Jacksonville, Florida 32202;
11 (904) 219-9842.

12 **Section 3. Property Rezoned.** The Subject Property is
13 hereby rezoned and reclassified from Commercial Community/General-2
14 (CCG-2), Commercial Office (CO) and Residential Rural-Acre (RR-
15 Acre) Districts to Planned Unit Development (PUD) District. This
16 new PUD district shall generally permit commercial uses, and is
17 described, shown and subject to the following documents, **attached**
18 **hereto:**

19 **Exhibit 1** - Legal Description dated October 23, 2019.

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

21 **Revised Exhibit 3** - Revised Written Description dated February 19,
22 2020.

23 **Revised Exhibit 4** - Revised Site Plan dated February 19, 2020.

24 **Section 4. Rezoning Approved Subject to Conditions.** This
25 rezoning is approved subject to the following conditions. Such
26 conditions control over the Written Description and the Site Plan
27 and may only be amended through a rezoning.

28 (1) The truck storage area shall be enclosed by an eight (8)
29 foot high, 85% opaque fence.

30 (2) The width of the buffer between uncomplementary uses
31 along the northeast property line shall be 10 feet where adjacent

1 to a residential zoning district.

2 (3) Perimeter landscape trees shall be planted at least one
3 tree every 30 feet along New Kings Road (US 23) and Gilchrist Road.

4 (4) Sag lenses, drop lenses and convex lenses shall be
5 prohibited. Illumination levels at all property lines shall not
6 exceed one-half (.5) foot candles ("f.c.") when the parking area is
7 located adjacent to residential areas and shall not exceed one
8 (1.0) f.c. when abutting other non-residential properties. All
9 lighting lamp sources within parking areas shall be metal halide,
10 compact fluorescent or LED. The maximum light pole height in all
11 parking areas shall not exceed thirty feet (30'- 0"). An exterior
12 lighting design plan, including a photometrics plan, and pole and
13 fixtures schedules, shall be submitted at the time of Verification
14 of Substantial Compliance of the PUD, for review and approval by
15 the Planning and Development Department.

16 (5) The Subject Property owner shall create an access point
17 along New Kings Road, as depicted on the Revised Site Plan dated
18 February 19, 2020, **attached hereto** as **Revised Exhibit 4**.

19 (6) The Subject Property owner shall comply with any
20 requirements in a traffic and access study, completed within six
21 months of the effective date of this Ordinance.

22 (7) Prior to the first final inspection within any phase of
23 development, the owner or their agent shall submit to the Planning
24 and Development Department for its review and approval either: (a)
25 an affidavit documenting that all conditions to the development
26 order have been satisfied, or (b) a detailed agreement for the
27 completion of all conditions to the development order.

28 **Section 5. Disclaimer.** The rezoning granted herein
29 shall not be construed as an exemption from any other applicable
30 local, state, or federal laws, regulations, requirements, permits
31 or approvals. All other applicable local, state or federal permits

1 or approvals shall be obtained before commencement of the
2 development or use and issuance of this rezoning is based upon
3 acknowledgement, representation and confirmation made by the
4 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
5 or designee(s) that the subject business, development and/or use
6 will be operated in strict compliance with all laws. Issuance of
7 this rezoning does not approve, promote or condone any practice or
8 act that is prohibited or restricted by any federal, state or local
9 laws.

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

14
15 Form Approved:

16
17 /s/ Shannon K. Eller

18 Office of General Counsel

19 Legislation Prepared By: Bruce Lewis

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