

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-735**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2030
7 COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM LOW DENSITY RESIDENTIAL
9 (LDR) TO HIGH DENSITY RESIDENTIAL (HDR),
10 COMMUNITY/GENERAL COMMERCIAL (CGC) AND MEDIUM
11 DENSITY RESIDENTIAL (MDR) WITH FUTURE LAND USE
12 ELEMENT (FLUE) SITE SPECIFIC POLICY 4.4.25 ON
13 APPROXIMATELY 27.82± ACRES LOCATED IN COUNCIL
14 DISTRICT 10 AT 0 RAMPART ROAD, 7729 RAMPART ROAD,
15 7733 RAMPART ROAD, 7745 RAMPART ROAD, 7773
16 RAMPART ROAD, 7761 RAMPART ROAD, 7143 COLLINS
17 ROAD, 7155 COLLINS ROAD, 7167 COLLINS ROAD, 7169
18 COLLINS ROAD, 7171 COLLINS ROAD, AND 7187 COLLINS
19 ROAD, BETWEEN RAMPART ROAD AND COLLINS ROAD,
20 OWNED BY THE GENEVA MAE ADAIR REVOCABLE TRUST
21 (GENEVA MAE ADAIR, GLORIA MAE PEACOCK, PAMA L.
22 CUMMINGS, AND PATRICIA L. KEENE, AS TRUSTEES),
23 WILLIAM TYRONE TERRELL, LESLIE W. TERRELL, FAYE
24 TERRELL, FREDERICK G. BUERMAN, JR., TRUSTEE UNDER
25 THE FREDERICK G. BUERMAN, JR. LIVING TRUST DATED
26 AUGUST 11, 2020, KENNETH DAVID WILLIAMSON, KELLY
27 ANN CACERES AND THE RAY VOELKEL, JR. LIFE ESTATE,
28 AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT
29 TO APPLICATION NUMBER L-5606-21C; PROVIDING A
30 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
31 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY

1 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
2 DATE.
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4 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
5 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
6 application for a proposed Small-Scale Amendment to the Future Land
7 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
8 Future Land Use designation from Low Density Residential (LDR) to
9 High Density Residential (HDR), Community/General Commercial (CGC)
10 and Medium Density Residential (MDR) with FLUE Site Specific Policy
11 4.4.25 on 27.82± acres of certain real property in Council District
12 10, was filed by T.R. Hainline, Esq., on behalf of the owners, the
13 Geneva Mae Adair Revocable Trust (Geneva Mae Adair, Gloria Mae
14 Peacock, Pama L. Cummings, and Patricia L. Keene, as Trustees),
15 William Tyrone Terrell, Leslie W. Terrell, Faye Terrell, Frederick
16 G. Buerman, Jr., Trustee under the Frederick G. Buerman, Jr. Living
17 Trust dated August 11, 2020, Kenneth David Williamson, Kelly Ann
18 Caceres and the Ray Voelkel, Jr. Life Estate; and

19 **WHEREAS**, the Planning and Development Department reviewed the
20 proposed revision and application and has prepared a written report
21 and rendered an advisory recommendation to the City Council with
22 respect to the proposed amendment; and

23 **WHEREAS**, the Planning Commission, acting as the Local Planning
24 Agency (LPA), held a public hearing on this proposed amendment, with
25 due public notice having been provided, reviewed and considered
26 comments received during the public hearing and made its
27 recommendation to the City Council; and

28 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
29 Council held a public hearing on this proposed amendment to the *2030*
30 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
31 considered all written and oral comments received during the public

1 hearing, and has made its recommendation to the City Council; and

2 **WHEREAS**, the City Council held a public hearing on this proposed
3 amendment, with public notice having been provided, pursuant to
4 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
5 *Code*, and considered all oral and written comments received during
6 public hearings, including the data and analysis portions of this
7 proposed amendment to the *2030 Comprehensive Plan* and the
8 recommendations of the Planning and Development Department, the
9 Planning Commission and the LUZ Committee; and

10 **WHEREAS**, in the exercise of its authority, the City Council has
11 determined it necessary and desirable to adopt this proposed amendment
12 to the *2030 Comprehensive Plan* to preserve and enhance present
13 advantages, encourage the most appropriate use of land, water, and
14 resources consistent with the public interest, overcome present
15 deficiencies, and deal effectively with future problems which may
16 result from the use and development of land within the City of
17 Jacksonville; now, therefore

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

19 **Section 1. Purpose and Intent.** This Ordinance is adopted
20 to carry out the purpose and intent of, and exercise the authority
21 set out in, the Community Planning Act, Sections 163.3161 through
22 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
23 amended.

24 **Section 2. Subject Property Location and Description.** The
25 approximately 27.82± acres (R.E. Nos. 015960-0200, 015961-0000,
26 015961-0300, 015961-0400, 015962-000, 015962-0010, 015963-0000,
27 015965-0000, 015965-0010, 015965-0020, 015965-0030, 015965-0040 and
28 015965-0050) are located in Council District 10, at 0 Rampart Road,
29 7729 Rampart Road, 7733 Rampart Road, 7745 Rampart Road, 7773 Rampart
30 Road, 7761 Rampart Road, 7143 Collins Road, 7155 Collins Road, 7167
31 Collins Road, 7169 Collins Road, 7171 Collins Road, and 7187 Collins

1 Road, between Rampart Road and Collins Road, as more particularly
2 described in **Exhibit 1**, dated July 7, 2021, and graphically depicted
3 in **Exhibit 2**, both **attached hereto** and incorporated herein by this
4 reference (the "Subject Property").

5 **Section 3. Owner and Applicant Description.** The Subject
6 Property is owned by the Geneva Mae Adair Revocable Trust (Geneva Mae
7 Adair, Gloria Mae Peacock, Pama L. Cummings, and Patricia L. Keene,
8 as Trustees), William Tyrone Terrell, Leslie W. Terrell, Faye Terrell,
9 Frederick G. Buerman, Jr., Trustee under the Frederick G. Buerman,
10 Jr. Living Trust dated August 11, 2020, Kenneth David Williamson,
11 Kelly Ann Caceres and the Ray Voelkel, Jr. Life Estate. The applicant
12 is T.R. Hainline, Esq., 1301 Riverplace Boulevard, Suite 1500,
13 Jacksonville, Florida 32207; (904) 346-5531.

14 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
15 City Council hereby adopts a proposed Small-Scale revision to the
16 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
17 the Future Land Use Map designation from Low Density Residential
18 (LDR) to High Density Residential (HDR), Community/General Commercial
19 (CGC) and Medium Density Residential (MDR) with FLUE Site Specific
20 Policy 4.4.25, pursuant to Application Number L-5606-21C.

21 **Section 5. Applicability, Effect and Legal Status.** The
22 applicability and effect of the *2030 Comprehensive Plan*, as herein
23 amended, shall be as provided in the Community Planning Act, Sections
24 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
25 development undertaken by, and all actions taken in regard to
26 development orders by governmental agencies in regard to land which
27 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
28 be consistent therewith as of the effective date of this amendment
29 to the plan.

30 **Section 6. Site Specific Policy.** The City Council hereby
31 adopts FLUE Site Specific Policy 4.4.25, dated September 21, 2021,

1 and **attached hereto** as **Exhibit 3**.

2 **Section 7. Effective date of this Plan Amendment.**

3 (a) If the amendment meets the criteria of Section 163.3187,
4 *Florida Statutes*, as amended, and is not challenged, the effective
5 date of this plan amendment shall be thirty-one (31) days after
6 adoption.

7 (b) If challenged within thirty (30) days after adoption, the
8 plan amendment shall not become effective until the state land
9 planning agency or the Administration Commission, respectively,
10 issues a final order determining the adopted Small-Scale Amendment
11 to be in compliance.

12 **Section 8. Disclaimer.** The amendment granted herein shall
13 **not** be construed as an exemption from any other applicable local,
14 state, or federal laws, regulations, requirements, permits or
15 approvals. All other applicable local, state or federal permits or
16 approvals shall be obtained before commencement of the development
17 or use and issuance of this amendment is based upon acknowledgement,
18 representation and confirmation made by the applicant(s), owner(s),
19 developer(s) and/or any authorized agent(s) or designee(s) that the
20 subject business, development and/or use will be operated in strict
21 compliance with all laws. Issuance of this amendment does **not** approve,
22 promote or condone any practice or act that is prohibited or
23 restricted by any federal, state or local laws.

24 **Section 9. Effective Date.** This Ordinance shall become
25 effective upon signature by the Mayor or upon becoming effective
26 without the Mayor's signature.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Krista Fogarty

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