

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-523**

5 AN ORDINANCE REZONING APPROXIMATELY 4.19± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 WINGATE ROAD
7 N. AT THE NORTHEAST CORNER OF DUNN AVENUE AND
8 WINGATE ROAD N. (A PORTION OF R.E. NO(S). 019983-
9 0000), AS DESCRIBED HEREIN, OWNED BY MATTHEW
10 MILLER, INDIVIDUALLY AND AS INDEPENDENT
11 ADMINISTRATOR OF THE ESTATE OF MELISSA MILLER,
12 LOREE MILLER AND BETTY JEAN JOHANN-MILLER, FROM
13 RESIDENTIAL MEDIUM DENSITY-A (RMD-A) DISTRICT TO
14 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
15 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
16 PERMIT COMMERCIAL USES, AS DESCRIBED IN THE
17 WINDGATE SELF-STORAGE PUD, PURSUANT TO FUTURE
18 LAND USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
19 APPLICATION NUMBER L-5939-24C; PROVIDING A
20 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
21 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
22 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

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24 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
25 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
26 portions of the Future Land Use Map series (FLUMs) in order to ensure
27 the accuracy and internal consistency of the plan, pursuant to the
28 companion land use application L-5939-24C; and

29 **WHEREAS**, in order to ensure consistency of zoning district
30 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
31 Amendment L-5939-24C, an application to rezone and reclassify from

1 Residential Medium Density-A (RMD-A) to Planned Unit Development
2 (PUD) District was filed by Blair Knighting, on behalf of Matthew
3 Miller, individually and as Independent Administrator of the Estate
4 of Melissa Miller, Loree Miller and Betty Jean Johann-Miller, owners
5 of approximately 4.19± acres of certain real property in Council
6 District 8, as more particularly described in Section 1 below; and

7 **WHEREAS,** the Planning and Development Department, in order to
8 ensure consistency of this zoning district with the *2045 Comprehensive*
9 *Plan*, has considered the rezoning and has rendered an advisory
10 opinion; and

11 **WHEREAS,** the Planning Commission has considered the
12 application and has rendered an advisory opinion; and

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

16 **WHEREAS,** the City Council, after due notice, held a public
17 hearing, and taking into consideration the above recommendations as
18 well as all oral and written comments received during the public
19 hearings, the Council finds that such rezoning is consistent with the
20 *2045 Comprehensive Plan* adopted under the comprehensive planning
21 ordinance for future development of the City of Jacksonville; and

22 **WHEREAS,** based on the staff report of the Planning and
23 Development Department and other competent and substantial evidence
24 received at the public hearings, the Council finds that the proposed
25 PUD does not affect adversely the orderly development of the City as
26 embodied in the *Zoning Code*; will not affect adversely the health and
27 safety of residents in the area; will not be detrimental to the
28 natural environment or to the use or development of the adjacent
29 properties in the general neighborhood; and the proposed PUD will
30 accomplish the objectives and meet the standards of Section 656.340
31 (Planned Unit Development) of the *Zoning Code* of the City of

1 Jacksonville; now therefore

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

3 **Section 1. Subject Property Location and Description.** The
4 approximately 4.19± acres are located in Council District 8 at 0
5 Wingate Road N. at the northeast corner of Dunn Avenue and Wingate
6 Road N. (a portion of R.E. No(s). 019983-0000), as more particularly
7 described in **Exhibit 1**, dated April 16, 2024, and graphically depicted
8 in **Exhibit 2**, both of which are **attached hereto** and incorporated
9 herein by this reference (the "Subject Property").

10 **Section 2. Owner and Applicant Description.** The Subject
11 Property is owned by Matthew Miller, individually and as Independent
12 Administrator of the Estate of Melissa Miller, Loree Miller and Betty
13 Jean Johann-Miller. The applicant is Blair Knighting, 12740 Gran Bay
14 Parkway West, Suite 2350, Jacksonville, Florida, 32258; (904) 828-
15 3917.

16 **Section 3. Property Rezoned.** The Subject Property,
17 pursuant to adopted companion Small-Scale Amendment L-5939-24C, is
18 hereby rezoned and reclassified from Residential Medium Density-
19 A (RMD-A) District to Planned Unit Development (PUD) District. This
20 new PUD district shall generally permit commercial uses, and is
21 described, shown and subject to the following documents, **attached**
22 **hereto:**

23 **Exhibit 1** - Legal Description dated April 16, 2024.

24 **Exhibit 2** - Subject Property Map (prepared by P&DD).

25 **Exhibit 3** - Written Description dated May 21, 2024.

26 **Exhibit 4** - Site Plan dated April, 2024.

27 **Section 7. Contingency.** This rezoning shall not become
28 effective until thirty-one (31) days after adoption of the companion
29 Small-Scale Amendment; and further provided that if the companion
30 Small-Scale Amendment is challenged by the state land planning agency,
31 this rezoning shall not become effective until the state land planning

1 agency or the Administration Commission issues a final order
2 determining the companion Small-Scale Amendment is in compliance with
3 Chapter 163, *Florida Statutes*.

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

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

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21 Form Approved:

22
23 /s/ Dylan Reingold

24 Office of General Counsel

25 Legislation Prepared By: Connor Corrigan

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