

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-136**

5 AN ORDINANCE REZONING APPROXIMATELY 10.30± ACRES
6 IN COUNCIL DISTRICT 8 AT 0 TROUT RIVER BOULEVARD
7 AND 10042 NEW KINGS ROAD, BETWEEN TROUT RIVER
8 BOULEVARD AND BARTH ROAD, OWNED BY LARRY'S 1ST
9 STOP AUTO PARTS, INC., AS DESCRIBED HEREIN, FROM
10 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT AND
11 COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2) DISTRICT
12 TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
14 PERMIT INDUSTRIAL USES, AS DESCRIBED IN THE
15 LARRY'S 1ST STOP PUD, PURSUANT TO FUTURE LAND USE
16 MAP SERIES (FLUMS) LARGE-SCALE AMENDMENT
17 APPLICATION L-5427-19A; PROVIDING A DISCLAIMER
18 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
19 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS,** the City of Jacksonville adopted a Large-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to
26 application L-5427-19A and companion land use Ordinance 2021-135; and

27 **WHEREAS,** in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
29 Amendment L-5427-19A, an application to rezone and reclassify from
30 Residential Rural-Acre (RR-Acre) District and Commercial
31 Community/General-2 (CCG-2) District to Planned Unit Development

1 (PUD) District was filed by D. Chris Hagan, on behalf of Larry's 1st
2 Stop Auto Parts, Inc., the owner of approximately 10.30± acres of
3 certain real property in Council District 8, as more particularly
4 described in Section 1; and

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

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

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

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

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

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

29 **Section 1. Subject Property Location and Description.** The
30 approximately 10.30± acres are in Council District 8 at 0 Trout River
31 Boulevard and 10042 New Kings Road, between Trout River Boulevard and

1 Barth Road, as more particularly described in **Exhibit 1**, dated
2 November 20, 2019, **attached hereto** and incorporated herein by this
3 reference (Subject Property).

4 **Section 2. Owner and Applicant Description.** The Subject
5 Property is owned by Larry's 1st Stop Auto Parts, Inc. The applicant
6 is D. Chris Hagan, 800 West Monroe Street, Jacksonville, Florida
7 32202; (904) 219-9842.

8 **Section 3. Property Rezoned.** The Subject Property,
9 pursuant to adopted companion Large-Scale Amendment L-5427-19A, is
10 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
11 District and Commercial Community/General-2 (CCG-2) District to
12 Planned Unit Development (PUD) District. This new PUD district shall
13 generally permit industrial uses, and is described, shown and subject
14 to the following documents, **attached hereto**:

15 **Exhibit 1** - Legal Description dated November 20, 2019.

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

17 **Exhibit 3** - Written Description dated November 3, 2020.

18 **Exhibit 4** - Site Plan dated January 13, 2021.

19 **Section 4. Contingency.** This rezoning shall not become
20 effective until 31 days after adoption of the companion Large-Scale
21 Amendment unless challenged by the state land planning agency; and
22 further provided that if the companion Large-Scale Amendment is
23 challenged by the state land planning agency, this rezoning shall not
24 become effective until the state land planning agency or the
25 Administration Commission issues a final order determining the
26 companion Large-Scale Amendment is in compliance with Chapter 163,
27 *Florida Statutes*.

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 or
31 approvals. All other applicable local, state or federal permits or

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

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

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14 Form Approved:

15
16 /s/ Shannon K. Eller

17 Office of General Counsel

18 Legislation Prepared By: Connie Quinto

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