

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-871-E**

5 AN ORDINANCE TRANSMITTING A PROPOSED LARGE
6 SCALE REVISION TO THE FUTURE LAND USE MAP
7 SERIES OF THE 2030 COMPREHENSIVE PLAN TO
8 CHANGE THE FUTURE LAND USE DESIGNATION FROM
9 LOW DENSITY RESIDENTIAL (LDR) TO BUSINESS PARK
10 (BP) ON APPROXIMATELY 23.01± ACRES LOCATED IN
11 COUNCIL DISTRICT 14 ON THE WEST SIDE OF
12 ROOSEVELT BOULEVARD AND OFF OF CUMMINGS LANE,
13 BETWEEN YORKTOWN AVENUE AND ORTEGA HILLS
14 DRIVE, OWNED BY SOUTHBELT PARK, LTD., AS MORE
15 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
16 APPLICATION NUMBER L-5404-19A, FOR TRANSMITTAL
17 TO THE STATE OF FLORIDA'S VARIOUS AGENCIES FOR
18 REVIEW; PROVIDING A DISCLAIMER THAT THE
19 TRANSMITTAL GRANTED HEREIN SHALL NOT BE
20 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
24 *Ordinance Code*, Application Number L-5404-19A requesting a revision
25 to the Future Land Use Map series of the *2030 Comprehensive Plan* to
26 change the future land use designation from Low Density Residential
27 (LDR) to Business Park (BP) has been filed by Steve Diebenow, Esq.,
28 on behalf of Southbelt Park, Ltd., the owners of certain real
29 property located in Council District 14, as more particularly
30 described in Section 2; and

31 **WHEREAS**, the Planning and Development Department reviewed the

1 proposed revision and application, held a public information
2 workshop on this proposed amendment to the *2030 Comprehensive Plan*,
3 with due public notice having been provided, and having reviewed
4 and considered all comments received during the public workshop,
5 has prepared a written report and rendered an advisory
6 recommendation to the Council with respect to this proposed
7 amendment; and

8 **WHEREAS**, the Planning Commission, acting as the Local Planning
9 Agency (LPA), held a public hearing on this proposed amendment,
10 with due public notice having been provided, reviewed and
11 considered all comments received during the public hearing and made
12 its recommendation to the City Council; and

13 **WHEREAS**, the Land Use and Zoning (LUZ) Committee held a public
14 hearing on this proposed amendment pursuant to Chapter 650, Part 4,
15 *Ordinance Code*, and having considered all written and oral comments
16 received during the public hearing, has made its recommendation to
17 the Council; and

18 **WHEREAS**, the City Council held a public hearing on this
19 proposed amendment with public notice having been provided,
20 pursuant to Section 163.3184(3), *Florida Statutes*, and Chapter 650,
21 Part 4, *Ordinance Code*, and having considered all written and oral
22 comments received during the public hearing, the recommendations of
23 the Planning and Development Department, the LPA, and the LUZ
24 Committee, desires to transmit this proposed amendment through the
25 State's Expedited State Review Process for amendment review to the
26 Florida Department of Economic Opportunity, as the State Land
27 Planning Agency, the Northeast Florida Regional Council, the
28 Florida Department of Transportation, the St. Johns River Water
29 Management District, the Florida Department of Environmental
30 Protection, the Florida Fish and Wildlife Conservation Commission,
31 the Department of State's Bureau of Historic Preservation, the

1 Florida Department of Education, and the Department of Agriculture
2 and Consumer Services; now, therefore

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

4 **Section 1. Purpose and Intent.** The Council hereby
5 approves for transmittal to the various State agencies for review a
6 proposed large scale revision to the Future Land Use Map series of
7 the *2030 Comprehensive Plan* by changing the future land use
8 designation from Low Density Residential (LDR) to Business Park
9 (BP), pursuant to Application Number L-5404-19A.

10 **Section 2. Subject Property Location and Description.**
11 The approximately 23.01± acres are located in Council District 14,
12 on the west side of Roosevelt Boulevard and off of Cummings Lane,
13 between Yorktown Avenue and Ortega Hills Drive, as more
14 particularly described in **Exhibit 1**, dated October 1, 2019, and
15 graphically depicted in **Exhibit 2**, both of which are **attached**
16 **hereto** and incorporated herein by this reference (Subject
17 Property).

18 **Section 3. Owner and Applicant Description.** The Subject
19 Property is owned by Southbelt Park, Ltd. The applicant is Steve
20 Diebenow, Esq., One Independent Drive, Suite 1200, Jacksonville,
21 Florida 32202; (904) 301-1269.

22 **Section 4. Disclaimer.** The transmittal granted herein
23 shall **not** be construed as an exemption from any other applicable
24 local, state, or federal laws, regulations, requirements, permits
25 or approvals. All other applicable local, state or federal permits
26 or approvals shall be obtained before commencement of the
27 development or use and issuance of this transmittal is based upon
28 acknowledgement, representation and confirmation made by the
29 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
30 or designee(s) that the subject business, development and/or use
31 will be operated in strict compliance with all laws. Issuance of

1 this transmittal does not approve, promote or condone any practice
2 or act that is prohibited or restricted by any federal, state or
3 local laws.

4 **Section 5. Effective Date.** This Ordinance shall become
5 effective upon signature by the Mayor or upon becoming effective
6 without the Mayor's signature.

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8 Form Approved:

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10 /s/ Shannon K. Eller

11 Office of General Counsel

12 Legislation Prepared by: Susan Kelly

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