

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-397**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2045
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM RESIDENTIAL-PROFESSIONAL-
9 INSTITUTIONAL (RPI) TO BUSINESS PARK (BP) ON
10 APPROXIMATELY 6.14± ACRES LOCATED IN COUNCIL
11 DISTRICT 4 AT 2168 ST. JOHNS BLUFF ROAD SOUTH,
12 0 AND 10468 BRADLEY ROAD, SOUTH OF BRADLEY ROAD
13 AND WEST OF ST. JOHNS BLUFF AND EAST OF CROMWELL
14 ROAD (R.E. NOS. 163806-0000, 163807-0400,
15 163810-0020, 163811-0000, 163812-0000, 163813-
16 0050, 163814-0010, 163815-0000 AND 163816-
17 0000), OWNED BY 2168 ST JOHNS BLUFF, LLC AND
18 HUNG VAN NGUYEN AND CHRISTINE BUNAG, AS MORE
19 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
20 APPLICATION NUMBER L-5929-24C; PROVIDING A
21 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
22 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
23 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
24 DATE.
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26 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
27 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
28 application for a proposed Small-Scale Amendment to the Future Land
29 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the
30 future land use designation from Residential-Professional-
31 Institutional (RPI) to Business Park (BP) on 6.14± acres of certain

1 real property in Council District 4 was filed by M. Hayden Phillips,
2 Esq., on behalf of the owners, St Johns Bluff, LLC, Hung Van Nguyen
3 and Christine Bunag; and

4 **WHEREAS,** the Planning and Development Department reviewed the
5 proposed revision and application and has prepared a written report
6 and rendered an advisory recommendation to the City Council with
7 respect to the proposed amendment; and

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

13 **WHEREAS,** the Land Use and Zoning (LUZ) Committee of the City
14 Council held a public hearing on this proposed amendment to the *2045*
15 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
16 considered all written and oral comments received during the public
17 hearing, and has made its recommendation to the City Council; and

18 **WHEREAS,** the City Council held a public hearing on this
19 proposed amendment, with public notice having been provided, pursuant
20 to Section 163.3187, *Florida Statutes*, and Chapter 650, Part 4,
21 *Ordinance Code*, and considered all oral and written comments received
22 during public hearings, including the data and analysis portions of
23 this proposed amendment to the *2045 Comprehensive Plan* and the
24 recommendations of the Planning and Development Department, the
25 Planning Commission and the LUZ Committee; and

26 **WHEREAS,** in the exercise of its authority, the City Council
27 has determined it necessary and desirable to adopt this proposed
28 amendment to the *2045 Comprehensive Plan* to preserve and enhance
29 present advantages, encourage the most appropriate use of land, water,
30 and resources consistent with the public interest, overcome present
31 deficiencies, and deal effectively with future problems which may

1 result from the use and development of land within the City of
2 Jacksonville; now therefore

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

4 **Section 1. Purpose and Intent.** This Ordinance is adopted
5 to carry out the purpose and intent of, and exercise the authority
6 set out in, the Community Planning Act, Sections 163.3161 through
7 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
8 amended.

9 **Section 2. Subject Property Location and Description.** The
10 approximately 6.14± acres are located in Council District 4 at 2168
11 St. Johns Bluff Road South, 0 and 10468 Bradley Road, south of Bradley
12 Road and west of St. Johns Bluff and east of Cromwell Road (R.E.
13 No(s). 163806-0000, 163807-0400, 163810-0020, 163811-0000, 163812-
14 0000, 163813-0050, 163814-0010, 163815-0000 and 163816-0000), as more
15 particularly described in **Exhibit 1**, dated March 25, 2024, and
16 graphically depicted in **Exhibit 2**, both attached hereto and
17 incorporated herein by this reference (the "Subject Property").

18 **Section 3. Owner and Applicant Description.** The Subject
19 Property is owned by 2168 St Johns Bluff, LLC, Hung Van Nguyen and
20 Christine Bunag. The applicant is M. Hayden Phillips, Esq, 1301
21 Riverplace Blvd., Suite 1500, Jacksonville, Florida, 32207; (904)
22 346-5535.

23 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
24 City Council hereby adopts a proposed Small-Scale revision to the
25 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
26 the Future Land Use Map designation of the Subject Property from
27 Residential-Professional-Institutional (RPI) to Business Park (BP),
28 pursuant to Small-Scale Application Number L-5929-24C.

29 **Section 5. Applicability, Effect and Legal Status.** The
30 applicability and effect of the *2045 Comprehensive Plan*, as herein
31 amended, shall be as provided in the Community Planning Act, Sections

1 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
2 development undertaken by, and all actions taken in regard to
3 development orders by governmental agencies in regard to land which
4 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
5 be consistent therewith as of the effective date of this amendment
6 to the plan.

7 **Section 6. Effective Date of this Plan Amendment.**

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

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

17 **Section 7. Disclaimer.** The amendment granted herein shall
18 **not** be construed as an exemption from any other applicable local,
19 state, or federal laws, regulations, requirements, permits or
20 approvals. All other applicable local, state or federal permits or
21 approvals shall be obtained before commencement of the development
22 or use, and issuance of this amendment is based upon acknowledgement,
23 representation and confirmation made by the applicant(s), owner(s),
24 developer(s) and/or any authorized agent(s) or designee(s) that the
25 subject business, development and/or use will be operated in strict
26 compliance with all laws. Issuance of this amendment does **not** approve,
27 promote or condone any practice or act that is prohibited or
28 restricted by any federal, state or local laws.

29 **Section 8. Effective Date.** This Ordinance shall become
30 effective upon signature by the Mayor or upon becoming effective
31 without the Mayor's signature.

1 Form Approved:

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3 /s/ Dylan Reingold

4 Office of General Counsel

5 Legislation Prepared By: Marcus Salley

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