

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-636**

5 AN ORDINANCE REZONING APPROXIMATELY 4.28±
6 ACRES, LOCATED IN COUNCIL DISTRICT 10 AT 4040
7 RICKER ROAD, BETWEEN GREGORY DRIVE AND OLD
8 MIDDLEBURG ROAD (R.E. NO. 012437-0010), AS
9 DESCRIBED HEREIN, OWNED BY RICKER AFC, LLC,
10 FROM RESIDENTIAL MEDIUM DENSITY-D (RMD-D)
11 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT MULTI-FAMILY
14 RESIDENTIAL USES, AS DESCRIBED IN THE 4040
15 RICKER ROAD PUD; PROVIDING A DISCLAIMER THAT
16 THE REZONING GRANTED HEREIN SHALL NOT BE
17 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

19
20 **WHEREAS**, Ricker AFC, LLC, the owner of approximately 4.28±
21 acres, located in Council District 10 at 4040 Ricker Road, between
22 Gregory Drive and Old Middleburg Road (R.E. No. 012437-0010), as
23 more particularly described in the **Legal Description**, dated June
24 22, 2019, and graphically depicted in the **Subject Property Map**,
25 both of which are **On File** with Legislative Services (Subject
26 Property), has applied for a rezoning and reclassification of that
27 property from Residential Medium Density-D (RMD-D) District to
28 Planned Unit Development (PUD) District, as described in Section 1
29 below; and

30 **WHEREAS**, the Planning Commission has considered the
31 application and has rendered an advisory opinion; and

1 **WHEREAS**, the Land Use and Zoning Committee, after due notice
2 and public hearing, has made its recommendation to the Council; and

3 **WHEREAS**, the Council finds that such rezoning is: (1)
4 consistent with the *2030 Comprehensive Plan*; (2) furthers the
5 goals, objectives and policies of the *2030 Comprehensive Plan*; and
6 (3) is not in conflict with any portion of the City's land use
7 regulations; and

8 **WHEREAS**, the Council finds the proposed rezoning does not
9 adversely affect the orderly development of the City as embodied in
10 the Zoning Code; will not adversely affect the health and safety of
11 residents in the area; will not be detrimental to the natural
12 environment or to the use or development of the adjacent properties
13 in the general neighborhood; and will accomplish the objectives and
14 meet the standards of Section 656.340 (Planned Unit Development) of
15 the Zoning Code; now, therefore

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

17 **Section 1. Property Rezoned.** The Subject Property is
18 hereby rezoned and reclassified from Residential Medium Density-D
19 (RMD-D) District to Planned Unit Development (PUD) District. This
20 new PUD district shall generally permit multi-family residential
21 uses, and is described, shown and subject to the following
22 documents:

23 **On File** - Legal Description dated June 22, 2019.

24 **On File** - Subject Property per P&DD.

25 **On File** - Written Description dated June 21, 2019.

26 **On File** - Site Plan dated May 14, 2019.

27 **Section 2. Owner and Description.** The Subject Property
28 is owned by Ricker AFC, LLC, and is legally described in the **Legal**
29 **Description, On File.** The agent is Wyman Duggan, Esq., 1301
30 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
31 (904) 398-3911.

1 **Section 3. Disclaimer.** The rezoning granted herein
2 shall not be construed as an exemption from any other applicable
3 local, state, or federal laws, regulations, requirements, permits
4 or approvals. All other applicable local, state or federal permits
5 or approvals shall be obtained before commencement of the
6 development or use and issuance of this rezoning is based upon
7 acknowledgement, representation and confirmation made by the
8 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
9 or designee(s) that the subject business, development and/or use
10 will be operated in strict compliance with all laws. Issuance of
11 this rezoning does not approve, promote or condone any practice or
12 act that is prohibited or restricted by any federal, state or local
13 laws.

14 **Section 4. Effective Date.** The enactment of this
15 Ordinance shall be deemed to constitute a quasi-judicial action of
16 the City Council and shall become effective upon signature by the
17 Council President and the Council Secretary.

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19 Form Approved:

20
21 /s/ Shannon K. Eller

22 Office of General Counsel

23 Legislation Prepared By: Connie Patterson

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