

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-19-E**

5 AN ORDINANCE DENYING REZONING APPROXIMATELY
6 0.21± ACRES LOCATED IN COUNCIL DISTRICT 5 AT 3694
7 GRANDY AVENUE, BETWEEN EMERSON STREET AND
8 LAKEWOOD ROAD (R.E. NO. 070258-0000), AS
9 DESCRIBED HEREIN, OWNED BY EMERSON OFFICE COMPLEX
10 II, LLC, FROM COMMERCIAL OFFICE (CO) DISTRICT TO
11 COMMERCIAL, RESIDENTIAL AND OFFICE (CRO)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE; PROVIDING FOR NOTICE; PROVIDING AN
14 EFFECTIVE DATE.
15

16 **WHEREAS**, Emerson Office Complex II, LLC, the owner of
17 approximately 0.21± acres located in Council District 5 at 3694 Grandy
18 Avenue, between Emerson Street and Lakewood Road (R.E. No. 070258-
19 0000), as more particularly described in **Exhibit 1**, dated October 11,
20 2023, and graphically depicted in **Exhibit 2**, both of which are
21 attached hereto (the "Subject Property"), has applied for a rezoning
22 and reclassification of the Subject Property from Commercial Office
23 (CO) District to Commercial, Residential and Office (CRO) District;
24 and

25 **WHEREAS**, the Planning and Development Department has
26 considered the application and has rendered an advisory
27 recommendation; and

28 **WHEREAS**, the Planning Commission, acting as the local planning
29 agency, has reviewed the application and made an advisory
30 recommendation to the Council; and

31 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due

1 notice, held a public hearing and made its recommendation to the
2 Council; and

3 **WHEREAS**, taking into consideration the above recommendations
4 and all other evidence entered into the record and testimony taken
5 at the public hearings, the Council finds that such rezoning: (1) is
6 not consistent with the *2045 Comprehensive Plan*; (2) does not further
7 the goals, objectives and policies of the *2045 Comprehensive Plan*;
8 and (3) is in conflict with any portion of the City's land use
9 regulations; now therefore

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

11 **Section 1. Rezoning Denied.** Based on the competent
12 substantial evidence in the record, including the Staff Report of the
13 Planning and Development Department and the findings of the Land Use
14 and Zoning Committee, the Council hereby finds:

15 (1) This Ordinance shall serve as written notice to the
16 property owner, Emerson Office Complex II, LLC.

17 (2) The Council adopts the findings and conclusions in the
18 Staff Report of the Planning and Development Department dated February
19 8, 2024, and located in the file in the City Council Legislative
20 Services Division and the Planning and Development Department.

21 (3) The application for rezoning and reclassification of the
22 Subject Property from Commercial Office (CO) District to Commercial,
23 Residential and Office (CRO) District does not meet the criteria for
24 rezoning in Section 656.125, *Ordinance Code*, and maintaining the
25 current zoning district accomplishes a legitimate public purpose, as
26 defined in Section 656.125, *Ordinance Code*.

27 Therefore, the application to rezone and reclassify the Subject
28 Property from Commercial Office (CO) District to Commercial,
29 Residential and Office (CRO) District is hereby denied.

30 **Section 2. Owner and Description.** The Subject Property is
31 owned by Emerson Office Complex II, LLC, and is legally described in

1 **Exhibit 1**, attached hereto. The applicant is Stephen Smith, Esq., 501
2 West Bay Street, Suite 100, Jacksonville, Florida 32202; (800)
3 990-8400.

4 **Section 3. Notice.** Legislative Services is hereby directed
5 to mail a certified copy of this Ordinance, as enacted, to the owner
6 of the Subject Property, the applicant, and any other person who
7 testified before the City Council and/or the Land Use and Zoning
8 Committee relative to this matter.

9 **Section 4. 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 Council Secretary.

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14 Form Approved:

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16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Jacquelyn Williams

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