

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-116-E**

5 AN ORDINANCE TRANSMITTING TO THE STATE OF
6 FLORIDA'S VARIOUS AGENCIES FOR REVIEW, A
7 PROPOSED LARGE SCALE REVISION TO THE FUTURE LAND
8 USE MAP SERIES OF THE 2030 COMPREHENSIVE PLAN TO
9 CHANGE THE FUTURE LAND USE DESIGNATION FROM
10 LIGHT INDUSTRIAL (LI), MEDIUM DENSITY
11 RESIDENTIAL (MDR) AND RESIDENTIAL-PROFESSIONAL-
12 INSTITUTIONAL (RPI) TO MEDIUM DENSITY
13 RESIDENTIAL (MDR) AND RESIDENTIAL-PROFESSIONAL-
14 INSTITUTIONAL (RPI) ON APPROXIMATELY 127.95±
15 ACRES LOCATED IN COUNCIL DISTRICT 14 AT 0
16 ROOSEVELT BOULEVARD, 4811 COLLINS ROAD AND 4837
17 COLLINS ROAD, BETWEEN ROOSEVELT BOULEVARD AND
18 ORTEGA BLUFF PARKWAY (R.E. NOS. 098422-0000,
19 099140-0000, 099140-0020, 099151-0000 (PORTION)
20 AND 105562-0010), OWNED BY EDWARD L. TONEY AND
21 JOAN M. TONEY, AS CO-TRUSTEES OF THE JOAN M.
22 TONEY REVOCABLE TRUST DATED JULY 28, 2017, AND
23 JEMSET LLC, AS MORE PARTICULARLY DESCRIBED
24 HEREIN, PURSUANT TO APPLICATION NUMBER L-5778-
25 22A; PROVIDING A DISCLAIMER THAT THE TRANSMITTAL
26 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
27 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
28 PROVIDING AN EFFECTIVE DATE.

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30 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
31 *Ordinance Code*, Application Number L-5778-22A requesting a revision

1 to the Future Land Use Map series of the *2030 Comprehensive Plan* to
2 change the future land use designation from Light Industrial (LI),
3 Medium Density Residential (MDR) and Residential-Professional-
4 Institutional (RPI) to Medium Density Residential (MDR) and
5 Residential-Professional-Institutional (RPI) has been filed by
6 Marshall Phillips, Esq., on behalf of the owners of certain real
7 property located in Council District 14, as more particularly
8 described in Section 2; and

9 **WHEREAS**, the Planning and Development Department reviewed the
10 proposed revision and application, held a public information workshop
11 on this proposed amendment to the *2030 Comprehensive Plan*, with due
12 public notice having been provided, and having reviewed and considered
13 all comments received during the public workshop, has prepared a
14 written report and rendered an advisory recommendation to the Council
15 with respect to this proposed amendment; and

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

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

26 **WHEREAS**, the City Council held a public hearing on this proposed
27 amendment with public notice having been provided, pursuant to Section
28 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance*
29 *Code*, and having considered all written and oral comments received
30 during the public hearing, the recommendations of the Planning and
31 Development Department, the LPA, and the LUZ Committee, desires to

1 transmit this proposed amendment through the State's Expedited State
2 Review Process for amendment review to the Florida Department of
3 Economic Opportunity, as the State Land Planning Agency, the Northeast
4 Florida Regional Council, the Florida Department of Transportation,
5 the St. Johns River Water Management District, the Florida Department
6 of Environmental Protection, the Florida Fish and Wildlife
7 Conservation Commission, the Department of State's Bureau of Historic
8 Preservation, the Florida Department of Education, and the Department
9 of Agriculture and Consumer Services; now, therefore

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

11 **Section 1. Purpose and Intent.** The Council hereby approves
12 for transmittal to the various State agencies for review a proposed
13 large-scale revision to the Future Land Use Map series of the *2030*
14 *Comprehensive Plan* by changing the future land use designation from
15 Light Industrial (LI), Medium Density Residential (MDR) and
16 Residential-Professional-Institutional (RPI) to Medium Density
17 Residential (MDR) and Residential-Professional-Institutional (RPI),
18 pursuant to Application Number L-5778-22A.

19 **Section 2. Subject Property Location and Description.** The
20 approximately 127.95± acres are located in Council District 14 at 0
21 Roosevelt Boulevard, 4811 Collins Road and 4837 Collins Road, between
22 Roosevelt Boulevard and Ortega Bluff Parkway (R.E. Nos. 098422-0000,
23 099140-0000, 099140-0020, 099151-0000 (portion) and 105562-0010), as
24 more particularly described in **Exhibit 1**, dated January 30, 2023, and
25 graphically depicted in **Exhibit 2**, both of which are attached hereto
26 and incorporated herein by this reference (the "Subject Property").

27 **Section 3. Owner and Applicant Description.** The Subject
28 Property is owned by Edward L. Toney and Joan M. Toney, as Co-Trustees
29 of the Joan M. Toney Revocable Trust dated July 28, 2017, and JEMSET
30 LLC. The applicant is Marshall Phillips, Esq., 1301 Riverplace
31 Boulevard, Suite 1500, Jacksonville, Florida 32207; (904) 346-5535.

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

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

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17 Form Approved:

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19 /s/ Mary E. Staffopoulos

20 Office of General Counsel

21 Legislation Prepared by: Krista Fogarty

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