

1 Introduced and substituted by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-735-E**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2030
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM LOW DENSITY RESIDENTIAL
9 (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND
10 COMMUNITY/GENERAL COMMERCIAL (CGC) WITH FUTURE
11 LAND USE ELEMENT (FLUE) SITE SPECIFIC POLICY
12 4.4.25 ON APPROXIMATELY 27.82± ACRES LOCATED IN
13 COUNCIL DISTRICT 10 AT 0 RAMPART ROAD, 7729
14 RAMPART ROAD, 7733 RAMPART ROAD, 7745 RAMPART
15 ROAD, 7773 RAMPART ROAD, 7761 RAMPART ROAD, 7143
16 COLLINS ROAD, 7155 COLLINS ROAD, 7167 COLLINS
17 ROAD, 7169 COLLINS ROAD, 7171 COLLINS ROAD AND
18 7187 COLLINS ROAD, BETWEEN RAMPART ROAD AND
19 COLLINS ROAD, OWNED BY THE GENEVA MAE ADAIR
20 REVOCABLE TRUST (GENEVA MAE ADAIR, GLORIA MAE
21 PEACOCK, PAMA L. CUMMINGS AND PATRICIA L. KEENE,
22 AS TRUSTEES), WILLIAM TYRONE TERRELL, LESLIE W.
23 TERRELL, FAYE TERRELL, FREDERICK G. BUERMAN, JR.,
24 TRUSTEE UNDER THE FREDERICK G. BUERMAN, JR.
25 LIVING TRUST DATED AUGUST 11, 2020, KENNETH DAVID
26 WILLIAMSON, KELLY ANN CACERES AND THE RAY
27 VOELKEL, JR. LIFE ESTATE, AS MORE PARTICULARLY
28 DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER
29 L-5606-21C; PROVIDING A DISCLAIMER THAT THE
30 AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED
31 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;

1 PROVIDING AN EFFECTIVE DATE.

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3 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
4 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
5 application for a proposed Small-Scale Amendment to the Future Land
6 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
7 Future Land Use designation from Low Density Residential (LDR) to
8 Medium Density Residential (MDR) and Community/General Commercial
9 (CGC) with FLUE Site Specific Policy 4.4.25 on 27.82± acres of certain
10 real property in Council District 10, was filed by T.R. Hainline,
11 Esq., on behalf of the owners, the Geneva Mae Adair Revocable Trust
12 (Geneva Mae Adair, Gloria Mae Peacock, Pama L. Cummings and Patricia
13 L. Keene, as Trustees), William Tyrone Terrell, Leslie W. Terrell,
14 Faye Terrell, Frederick G. Buerman, Jr., Trustee under the Frederick
15 G. Buerman, Jr. Living Trust dated August 11, 2020, Kenneth David
16 Williamson, Kelly Ann Caceres and the Ray Voelkel, Jr. Life Estate;
17 and

18 **WHEREAS**, the Planning and Development Department reviewed the
19 proposed revision and application and has prepared a written report
20 and rendered an advisory recommendation to the City Council with
21 respect to the proposed amendment; and

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

27 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
28 Council held a public hearing on this proposed amendment to the *2030*
29 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
30 considered all written and oral comments received during the public
31 hearing, and has made its recommendation to the City Council; and

1 **WHEREAS**, the City Council held a public hearing on this proposed
2 amendment, with public notice having been provided, pursuant to
3 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
4 *Code*, and considered all oral and written comments received during
5 public hearings, including the data and analysis portions of this
6 proposed amendment to the *2030 Comprehensive Plan* and the
7 recommendations of the Planning and Development Department, the
8 Planning Commission and the LUZ Committee; and

9 **WHEREAS**, in the exercise of its authority, the City Council has
10 determined it necessary and desirable to adopt this proposed amendment
11 to the *2030 Comprehensive Plan* to preserve and enhance present
12 advantages, encourage the most appropriate use of land, water, and
13 resources consistent with the public interest, overcome present
14 deficiencies, and deal effectively with future problems which may
15 result from the use and development of land within the City of
16 Jacksonville; now, therefore

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

18 **Section 1. Purpose and Intent.** This Ordinance is adopted
19 to carry out the purpose and intent of, and exercise the authority
20 set out in, the Community Planning Act, Sections 163.3161 through
21 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
22 amended.

23 **Section 2. Subject Property Location and Description.** The
24 approximately 27.82± acres are located in Council District 10 at 0
25 Rampart Road, 7729 Rampart Road, 7733 Rampart Road, 7745 Rampart
26 Road, 7773 Rampart Road, 7761 Rampart Road, 7143 Collins Road, 7155
27 Collins Road, 7167 Collins Road, 7169 Collins Road, 7171 Collins Road
28 and 7187 Collins Road, between Rampart Road and Collins Road (R.E.
29 Nos. 015960-0200, 015961-0000, 015961-0300, 015961-0400, 015962-0000,
30 015962-0010, 015963-0000, 015965-0000, 015965-0010, 015965-0020,
31 015965-0030, 015965-0040 and 015965-0050), as more particularly

1 described in **Exhibit 1**, dated January 19, 2022, and graphically
2 depicted in **Exhibit 2**, both **attached hereto** and incorporated herein
3 by this reference (the "Subject Property").

4 **Section 3. Owner and Applicant Description.** The Subject
5 Property is owned by the Geneva Mae Adair Revocable Trust (Geneva Mae
6 Adair, Gloria Mae Peacock, Pama L. Cummings and Patricia L. Keene,
7 as Trustees), William Tyrone Terrell, Leslie W. Terrell, Faye Terrell,
8 Frederick G. Buerman, Jr., Trustee under the Frederick G. Buerman,
9 Jr. Living Trust dated August 11, 2020, Kenneth David Williamson,
10 Kelly Ann Caceres and the Ray Voelkel, Jr. Life Estate. The applicant
11 is T.R. Hainline, Esq., 1301 Riverplace Boulevard, Suite 1500,
12 Jacksonville, Florida 32207; (904) 346-5531.

13 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
14 City Council hereby adopts a proposed Small-Scale revision to the
15 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
16 the Future Land Use Map designation from Low Density Residential
17 (LDR) to Medium Density Residential (MDR) and Community/General
18 Commercial (CGC) with FLUE Site Specific Policy 4.4.25, pursuant to
19 Application Number L-5606-21C.

20 **Section 5. Applicability, Effect and Legal Status.** The
21 applicability and effect of the *2030 Comprehensive Plan*, as herein
22 amended, shall be as provided in the Community Planning Act, Sections
23 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
24 development undertaken by, and all actions taken in regard to
25 development orders by governmental agencies in regard to land which
26 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
27 be consistent therewith as of the effective date of this amendment
28 to the plan.

29 **Section 6. Site Specific Policy.** The City Council hereby
30 adopts FLUE Site Specific Policy 4.4.25, dated January 14, 2022, and
31 **attached hereto** as **Exhibit 3**.

1 **Section 7. Effective date of this Plan Amendment.**

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

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

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

23 **Section 9. Effective Date.** This Ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Kristen Reed

6 GC-#1480368-v1-2021-735_LUZ_Substitute_Enrollment_(2-8-22)