

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-914**

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 COMMUNITY/GENERAL
9 COMMERCIAL (CGC), HIGH DENSITY RESIDENTIAL
10 (HDR), RECREATION AND OPEN SPACE (ROS), AND
11 PUBLIC BUILDINGS AND FACILITIES (PBF) TO
12 REGIONAL COMMERCIAL (RC) WITH FUTURE LAND USE
13 ELEMENT (FLUE) SITE SPECIFIC POLICY 4.4.45 ON
14 APPROXIMATELY 5.16± ACRES LOCATED IN COUNCIL
15 DISTRICT 7 AT 901, 937, AND 940 MAIN STREET N.,
16 BETWEEN STATE STREET EAST AND PHELPS STREET
17 (R.E. NOS. 074367-0000, 074378-0000, AND 074386-
18 0000), OWNED BY OCEAN HART, LLC, DOZIER PRESTIGE
19 WORLDWIDE, LLC AND OLLIVANDERS DOWNTOWN, LLC, AS
20 MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
21 APPLICATION NUMBER L-5945-24C; ADOPTING A NEW
22 SITE SPECIFIC POLICY 4.4.45 IN THE FUTURE LAND
23 USE ELEMENT; PROVIDING A DISCLAIMER THAT THE
24 AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED
25 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
26 PROVIDING AN EFFECTIVE DATE.

27
28 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
29 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
30 application for a proposed Small-Scale Amendment to the Future Land
31 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the

1 future land use designation from Community/General Commercial (CGC),
2 High Density Residential (HDR), Recreation and Open Space (ROS), and
3 Public Buildings and Facilities (PBF) to Regional Commercial (RC)
4 with Future Land Use Element (FLUE) Site Specific Policy 4.4.45 on
5 5.16± acres of certain real property in Council District 7 was filed
6 by Cyndy Trimmer, Esq. on behalf of the owners, Ocean Hart, LLC,
7 Dozier Prestige Worldwide, LLC and Ollivanders Downtown, LLC; and

8 **WHEREAS,** the Planning and Development Department reviewed the
9 proposed revision and application and has prepared a written report
10 and rendered an advisory recommendation to the City Council with
11 respect to the proposed amendment; and

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

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

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

30 **WHEREAS,** in the exercise of its authority, the City Council
31 has determined it necessary and desirable to adopt this proposed

1 amendment to the *2045 Comprehensive Plan* to preserve and enhance
2 present advantages, encourage the most appropriate use of land, water,
3 and resources consistent with the public interest, overcome present
4 deficiencies, and deal effectively with future problems which may
5 result from the use and development of land within the City of
6 Jacksonville; now therefore

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

8 **Section 1. Purpose and Intent.** This Ordinance is adopted
9 to carry out the purpose and intent of, and exercise the authority
10 set out in, the Community Planning Act, Sections 163.3161 through
11 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
12 amended.

13 **Section 2. Subject Property Location and Description.** The
14 approximately 5.16± acres are located in Council District 7 at 901,
15 937, and 940 Main Street N., between State Street East and Phelps
16 Street (R.E. No(s) 074367-0000, 074378-0000, and 074386-0000), as
17 more particularly described in **Exhibit 1**, dated November 29, 2023,
18 and graphically depicted in **Exhibit 2**, both attached hereto and
19 incorporated herein by this reference (the "Subject Property").

20 **Section 3. Owner and Applicant Description.** The Subject
21 Property is owned by Ocean Hart, LLC, Dozier Prestige Worldwide, LLC
22 and Ollivanders Downtown, LLC. The applicant is Cyndy Trimmer, Esq.,
23 1 Independent Drive, Suite 1200, Jacksonville, Florida, 32202; (904)
24 807-0185.

25 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
26 City Council hereby adopts a proposed Small-Scale revision to the
27 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
28 the Future Land Use Map designation of the Subject Property from
29 Community/General Commercial (CGC), High Density Residential (HDR),
30 Recreation and Open Space (ROS), and Public Buildings and Facilities
31 (PBF) to Regional Commercial (RC) with Future Land Use Element (FLUE)

1 Site Specific Policy 4.4.45, pursuant to Small-Scale Application
2 Number L-5945-24C.

3 **Section 5. Site Specific Policy.** Future Land Use Element
4 (FLUE) Site Specific Policy 4.4.45 dated August 26, 2024, attached
5 hereto as **Exhibit 3**, is hereby adopted.

6 **Section 6. Applicability, Effect and Legal Status.** The
7 applicability and effect of the *2045 Comprehensive Plan*, as herein
8 amended, shall be as provided in the Community Planning Act, Sections
9 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
10 development undertaken by, and all actions taken in regard to
11 development orders by governmental agencies in regard to land which
12 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
13 be consistent therewith as of the effective date of this amendment
14 to the plan.

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

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

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

25 **Section 8. Disclaimer.** The amendment granted herein shall
26 **not** be construed as an exemption from any other applicable local,
27 state, or federal laws, regulations, requirements, permits or
28 approvals. All other applicable local, state or federal permits or
29 approvals shall be obtained before commencement of the development
30 or use, and issuance of this amendment is based upon acknowledgement,
31 representation and confirmation made by the applicant(s), owner(s),

1 developer(s) and/or any authorized agent(s) or designee(s) that the
2 subject business, development and/or use will be operated in strict
3 compliance with all laws. Issuance of this amendment does **not** approve,
4 promote or condone any practice or act that is prohibited or
5 restricted by any federal, state or local laws.

6 **Section 9. Effective Date.** This Ordinance shall become
7 effective upon signature by the Mayor or upon becoming effective
8 without the Mayor's signature.

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10 Form Approved:

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12 /s/ Dylan Reingold

13 Office of General Counsel

14 Legislation Prepared By: Eric Hinton

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