

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-721**

5 AN ORDINANCE REZONING APPROXIMATELY 10.10±  
6 ACRES LOCATED IN COUNCIL DISTRICT 2 AT 0  
7 MERRILL ROAD, BETWEEN WOMPI DRIVE AND FT.  
8 CAROLINE ROAD (PORTION OF R.E. NO. 112982-  
9 0025), AS DESCRIBED HEREIN, OWNED BY BUCK  
10 BUSINESS PARK, LLC, FROM COMMERCIAL  
11 COMMUNITY/GENERAL-1 (CCG-1) AND RESIDENTIAL  
12 MEDIUM DENSITY-D (RMD-D) DISTRICTS TO PLANNED  
13 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED  
14 AND CLASSIFIED UNDER THE ZONING CODE, TO  
15 PERMIT MULTI-FAMILY RESIDENTIAL USES, AS  
16 DESCRIBED IN THE MERRILL ROAD PUD, PURSUANT TO  
17 FUTURE LAND USE MAP SERIES (FLUMS) LARGE-SCALE  
18 AMENDMENT APPLICATION L-5357-19A; PROVIDING A  
19 DISCLAIMER THAT THE REZONING GRANTED HEREIN  
20 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM  
21 ANY OTHER APPLICABLE LAWS; PROVIDING AN  
22 EFFECTIVE DATE.  
23

24 **WHEREAS**, the City of Jacksonville adopted a Large-Scale  
25 Amendment to the *2030 Comprehensive Plan* for the purpose of  
26 revising portions of the Future Land Use Map series (FLUMs) in  
27 order to ensure the accuracy and internal consistency of the plan,  
28 pursuant to application L-5357-19A and companion land use Ordinance  
29 2019-720; and

30 **WHEREAS**, in order to ensure consistency of zoning district  
31 with the *2030 Comprehensive Plan* and the adopted companion Large-

1 Scale Amendment L-5357-19A, an application to rezone and reclassify  
2 from Commercial Community/General-1 (CCG-1) and Residential Medium  
3 Density-D (RMD-D) Districts to Planned Unit Development (PUD)  
4 District was filed by Curtis Hart, on behalf of Buck Business Park,  
5 LLC, the owner of approximately 10.10± acres of certain real  
6 property in Council District 2, as more particularly described in  
7 Section 1; and

8 **WHEREAS**, the Planning and Development Department, in order to  
9 ensure consistency of this zoning district with the 2030  
10 *Comprehensive Plan*, has considered the rezoning and has rendered an  
11 advisory opinion; and

12 **WHEREAS**, the Planning Commission has considered the  
13 application and has rendered an advisory opinion; and

14 **WHEREAS**, the Land Use and Zoning (LUZ) Committee after due  
15 notice held a public hearing and made its recommendation to the  
16 Council; and

17 **WHEREAS**, the City Council after due notice held a public  
18 hearing, taking into consideration the above recommendations as  
19 well as all oral and written comments received during the public  
20 hearings, the Council finds that such rezoning is consistent with  
21 the 2030 *Comprehensive Plan* adopted under the comprehensive  
22 planning ordinance for future development of the City of  
23 Jacksonville; and

24 **WHEREAS**, the Council finds that the proposed PUD does not  
25 affect adversely the orderly development of the City as embodied in  
26 the *Zoning Code*; will not affect adversely the health and safety of  
27 residents in the area; will not be detrimental to the natural  
28 environment or to the use or development of the adjacent properties  
29 in the general neighborhood; and the proposed PUD will accomplish  
30 the objectives and meet the standards of Section 656.340 (Planned  
31 Unit Development) of the *Zoning Code* of the City of Jacksonville;

1 now, therefore

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

3 **Section 1. Subject Property Location and Description.** The  
4 approximately 10.10± acres (portion of R.E. No. 112982-0025) are  
5 located in Council District 2 at 0 Merrill Road, between Wompi  
6 Drive and Ft. Caroline Road, as more particularly described in  
7 **Exhibit 1**, dated August 13, 2019, **attached hereto** and incorporated  
8 herein by this reference (Subject Property).

9 **Section 2. Owner and Applicant Description.** The subject  
10 property is owned by Buck Business Park, LLC. The applicant is  
11 Curtis L. Hart, 8051 Tara Lane, Jacksonville, Florida 32216; (904)  
12 993-5008.

13 **Section 3. Property Rezoned.** The Subject Property,  
14 pursuant to adopted companion Large-Scale Amendment L-5357-19A, is  
15 hereby rezoned and reclassified from Commercial Community/General-1  
16 (CCG-1) and Residential Medium Density-D (RMD-D) Districts to  
17 Planned Unit Development (PUD) District. This new PUD district  
18 shall generally permit multi-family residential uses, and is  
19 described, shown and subject to the following documents, **attached**  
20 **hereto:**

21 **Exhibit 1** - Legal Description dated August 13, 2019.

22 **Exhibit 2** - Subject Property per P&DD.

23 **Exhibit 3** - Written Description dated August 27, 2019.

24 **Exhibit 4** - Site Plan dated August 27, 2019.

25 **Section 4. Contingency.** This rezoning shall not become  
26 effective until 31 days after adoption of the companion Large-Scale  
27 Amendment unless challenged by the state land planning agency; and  
28 further provided that if the companion Large-Scale Amendment is  
29 challenged by the state land planning agency, this rezoning shall  
30 not become effective until the state land planning agency or the  
31 Administration Commission issues a final order determining the

1 companion Large-Scale Amendment is in compliance with Chapter 163,  
2 *Florida Statutes*.

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

16       **Section 6. Effective Date.** The enactment of this  
17 Ordinance shall be deemed to constitute a quasi-judicial action of  
18 the City Council and shall become effective upon signature by the  
19 Council President and the Council Secretary.

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21 Form Approved:

22  
23 /s/ Shannon K. Eller

24 Office of General Counsel

25 Legislation Prepared By: Erin Abney

26 GC-#1307102-v2-z-2292\_LS\_COMP\_PUD\_ADP