

1 The Land Use and Zoning Committee offers the following substitute to
2 File No. 2019-38:

3
4 Introduced by the Land Use and Zoning Committee:

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6
7 **ORDINANCE 2019-38**

8 AN ORDINANCE REZONING APPROXIMATELY 7.06±
9 ACRES, LOCATED IN COUNCIL DISTRICT 12 AT 1209
10 HAMMOND BOULEVARD AND 1291 HAMMOND BOULEVARD,
11 BETWEEN LENOX AVENUE AND HAMMOND FOREST DRIVE
12 (R.E. NOS. 008754-0000 AND 008757-0000), AS
13 DESCRIBED HEREIN, OWNED BY WILLO B. GAY AND
14 CHARLES C. GAY, JR., FROM RESIDENTIAL RURAL-
15 ACRE (RR-ACRE) DISTRICT TO PLANNED UNIT
16 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
17 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
18 OFFICE AND RESIDENTIAL USES, AS DESCRIBED IN
19 THE HAMMOND BLVD. PUD; PROVIDING A DISCLAIMER
20 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
21 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
22 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

23
24 **WHEREAS**, Willo B. Gay and Charles C. Gay, Jr., the owners of
25 approximately 7.06± acres, located in Council District 12 at 1209
26 Hammond Boulevard and 1291 Hammond Boulevard, between Lenox Avenue
27 and Hammond Forest Drive (R.E. Nos. 008754-0000 and 008757-0000),
28 as more particularly described in **Exhibit 1**, dated August 5, 2019,
29 and graphically depicted in **Exhibit 2**, both of which are **attached**
30 **hereto** and incorporated herein by this reference (Subject
31 Property), has applied for a rezoning and reclassification of that

1 property from Residential Rural-Acre (RR-Acre) District to Planned
2 Unit Development (PUD) District, as described in Section 1 below;
3 and

4 **WHEREAS,** the Planning Commission has considered the
5 application and has rendered an advisory opinion; and

6 **WHEREAS,** the Land Use and Zoning Committee, after due notice
7 and public hearing, has made its recommendation to the Council; and

8 **WHEREAS,** the Council finds that such rezoning is: (1)
9 consistent with the *2030 Comprehensive Plan*; (2) furthers the
10 goals, objectives and policies of the *2030 Comprehensive Plan*; and
11 (3) is not in conflict with any portion of the City's land use
12 regulations; and

13 **WHEREAS,** the Council finds the proposed rezoning does not
14 adversely affect the orderly development of the City as embodied in
15 the Zoning Code; will not adversely affect the health and safety of
16 residents in the area; will not be detrimental to the natural
17 environment or to the use or development of the adjacent properties
18 in the general neighborhood; and will accomplish the objectives and
19 meet the standards of Section 656.340 (Planned Unit Development) of
20 the Zoning Code; now, therefore

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

22 **Section 1. Property Rezoned.** The Subject Property is
23 hereby rezoned and reclassified from Residential Rural-Acre (RR-
24 Acre) District to Planned Unit Development (PUD) District. This new
25 PUD district shall generally permit office and residential uses,
26 and is described, shown and subject to the following attached
27 documents:

28 **Exhibit 1** - Legal Description dated August 5, 2019.

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

30 **Exhibit 3** - Written Description dated September 9, 2019.

31 **Exhibit 4** - Site Plan dated September 16, 2019.

1 **Section 2. Owner and Description.** The Subject Property
2 is owned by Willo B. Gay and Charles C. Gay, Jr., and is legally
3 described in **Exhibit 1, attached hereto.** The agent is Lara Hipps,
4 1650 Margaret Street, #323, Jacksonville, Florida 32204; (904) 781-
5 2654.

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

19 **Section 4. Effective Date.** The enactment of this
20 Ordinance shall be deemed to constitute a quasi-judicial action of
21 the City Council and shall become effective upon signature by the
22 Council President and the Council Secretary.

23
24 Form Approved:

25
26 /s/ Shannon K. Eller

27 Office of General Counsel

28 Legislation Prepared By: Arimus Wells

29 GC-#1308639-v2-2019-38_LUZ_Sub