

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-636-E**

5 AN ORDINANCE REZONING APPROXIMATELY 4.28±
6 ACRES, LOCATED IN COUNCIL DISTRICT 10 AT 4040
7 RICKER ROAD, BETWEEN GREGORY DRIVE AND OLD
8 MIDDLEBURG ROAD (R.E. NO. 012437-0010), AS
9 DESCRIBED HEREIN, OWNED BY RICKER AFC, LLC,
10 FROM RESIDENTIAL MEDIUM DENSITY-D (RMD-D)
11 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT MULTI-FAMILY
14 RESIDENTIAL USES, AS DESCRIBED IN THE 4040
15 RICKER ROAD PUD; PUD SUBJECT TO CONDITION;
16 PROVIDING A DISCLAIMER THAT THE REZONING
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, Ricker AFC, LLC, the owner of approximately 4.28±
22 acres, located in Council District 10 at 4040 Ricker Road, between
23 Gregory Drive and Old Middleburg Road (R.E. No. 012437-0010), as
24 more particularly described in the **Legal Description**, dated June
25 22, 2019, and graphically depicted in the **Subject Property Map**,
26 both of which are **On File** with Legislative Services (Subject
27 Property), has applied for a rezoning and reclassification of that
28 property from Residential Medium Density-D (RMD-D) District to
29 Planned Unit Development (PUD) District, as described in Section 1
30 below; and

1 **WHEREAS,** the Planning Commission has considered the
2 application and has rendered an advisory opinion; and

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

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

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

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

19 **Section 1. Property Rezoned.** The Subject Property is
20 hereby rezoned and reclassified from Residential Medium Density-D
21 (RMD-D) District to Planned Unit Development (PUD) District. This
22 new PUD district shall generally permit multi-family residential
23 uses, and is described, shown and subject to the following
24 documents:

25 **On File** - Legal Description dated June 22, 2019.

26 **On File** - Subject Property per P&DD.

27 **On File** - Written Description dated June 21, 2019.

28 **On File** - Site Plan dated May 14, 2019.

29 **Section 2. Rezoning Approved Subject to Condition.** This
30 rezoning is approved subject to the following condition. Such
31 condition controls over the Written Description and the Site Plan

1 and may only be amended through a rezoning.

2 (1) All roads shall be private roads and maintained by the
3 established Homeowners' Association.

4 **Section 3. Owner and Description.** The Subject Property
5 is owned by Ricker AFC, LLC, and is legally described in the **Legal**
6 **Description, On File.** The agent is Wyman Duggan, Esq., 1301
7 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
8 (904) 398-3911.

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

22 **Section 5. Effective Date.** The enactment of this
23 Ordinance shall be deemed to constitute a quasi-judicial action of
24 the City Council and shall become effective upon signature by the
25 Council President and the Council Secretary.

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27 Form Approved:

28
29 /s/ Shannon K. Eller

30 Office of General Counsel

31 Legislation Prepared By: Connie Patterson

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