

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-839**

5 AN ORDINANCE REZONING APPROXIMATELY 1.86± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 MILLER
7 CIRCLE NORTH, 1151 MILLER CIRCLE NORTH AND
8 11971 PULASKI ROAD, BETWEEN MILLER CIRCLE NORTH
9 AND REGIS ROAD (R.E. NOS. 109521-0000, 109523-
10 0000 AND 109524-0000), OWNED BY KST
11 INVESTMENTS, LLC, AS DESCRIBED HEREIN, FROM
12 RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT TO
13 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1)
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
16 SERIES (FLUMS) SMALL-SCALE AMENDMENT
17 APPLICATION NUMBER L-5410-19C; PROVIDING A
18 DISCLAIMER THAT THE REZONING GRANTED HEREIN
19 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
20 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
21 DATE.

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23 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2030 Comprehensive Plan* for the purpose of
25 revising portions of the Future Land Use Map series (FLUMs) in
26 order to ensure the accuracy and internal consistency of the plan,
27 pursuant to application L-5410-19C and companion land use Ordinance
28 2019-838; and

29 **WHEREAS**, in order to ensure consistency of zoning district
30 with the *2030 Comprehensive Plan* and the adopted companion Small-
31 Scale Amendment L-5410-19C, an application to rezone and reclassify

1 from Residential Low Density-60 (RLD-60) District to Commercial
2 Community/General-1 (CCG-1) District was filed by the owners of
3 approximately 1.86± acres of certain real property in Council
4 District 7, as more particularly described in Section 1; and

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

9 **WHEREAS**, the Planning Commission has considered the
10 application and has rendered an advisory opinion; and

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

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

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

22 **Section 1. Subject Property Location and Description.** The
23 approximately 1.86± acres (R.E. Nos. 109521-0000, 109523-0000 and
24 109524-0000) are located in Council District 7, at 0 Miller Circle
25 North, 1151 Miller Circle North and 11971 Pulaski Road, between
26 Miller Circle North and Regis Road, as more particularly described
27 in **Exhibit 1**, dated November 1, 2019, and graphically depicted in
28 **Exhibit 2**, both of which are **attached hereto** and incorporated
29 herein by this reference (Subject Property).

30 **Section 2. Owner and Applicant Description.** The Subject
31 Property is owned by KST Investments, LLC. The applicant is Lara

1 Hipps, 1650 Margaret Street, #323, Jacksonville, Florida 32204;
2 (904) 781-2654.

3 **Section 3. Property Rezoned.** The Subject Property,
4 pursuant to adopted companion Small-Scale Amendment Application L-
5 5410-19C, is hereby rezoned and reclassified from Residential Low
6 Density-60 (RLD-60) District to Commercial Community/General-1
7 (CCG-1) District.

8 **Section 4. Contingency.** This rezoning shall not become
9 effective until 31 days after adoption of the companion Small-Scale
10 Amendment; and further provided that if the companion Small-Scale
11 Amendment is challenged by the state land planning agency, this
12 rezoning shall not become effective until the state land planning
13 agency or the Administration Commission issues a final order
14 determining the companion Small-Scale Amendment is in compliance
15 with Chapter 163, *Florida Statutes*.

16 **Section 5. Disclaimer.** The rezoning granted herein
17 shall not be construed as an exemption from any other applicable
18 local, state, or federal laws, regulations, requirements, permits
19 or approvals. All other applicable local, state or federal permits
20 or approvals shall be obtained before commencement of the
21 development or use and issuance of this rezoning is based upon
22 acknowledgement, representation and confirmation made by the
23 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
24 or designee(s) that the subject business, development and/or use
25 will be operated in strict compliance with all laws. Issuance of
26 this rezoning does not approve, promote or condone any practice or
27 act that is prohibited or restricted by any federal, state or local
28 laws.

29 **Section 6. Effective Date.** The enactment of this
30 Ordinance shall be deemed to constitute a quasi-judicial action of
31 the City Council and shall become effective upon signature by the

1 Council President and the Council Secretary.

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3 Form Approved:

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5 /s/ Shannon K. Eller

6 Office of General Counsel

7 Legislation Prepared By: Erin Abney

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