

1 The Land Use and Zoning Committee offers the following substitute
2 to File No. 2019-687:

3
4 Introduced by the Land Use and Zoning Committee:

5
6
7 **ORDINANCE 2019-687**

8 AN ORDINANCE REZONING APPROXIMATELY 4.97± ACRES
9 LOCATED IN COUNCIL DISTRICT 10 AT 0 NEW KINGS
10 ROAD AND 0 GILCHRIST ROAD, BETWEEN NEW KINGS
11 ROAD AND THOMAS DUKES COURT (R.E. NOS. 039938-
12 0000 AND 039982-0000), OWNED BY BLUE RIBBON
13 REALTY, LLC, AS DESCRIBED HEREIN, FROM
14 COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2),
15 COMMERCIAL OFFICE (CO) AND RESIDENTIAL RURAL-
16 ACRE (RR-ACRE) DISTRICTS TO PLANNED UNIT
17 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
18 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
19 COMMERCIAL USES, AS DESCRIBED IN THE NEW KINGS
20 AND GILCHRIST ROADS COMMERCIAL & STORAGE PUD,
21 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
22 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-
23 5406-19C; PROVIDING A DISCLAIMER THAT THE
24 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
25 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
26 PROVIDING AN EFFECTIVE DATE.

27
28 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
29 Amendment to the *2030 Comprehensive Plan* for the purpose of
30 revising portions of the Future Land Use Map series (FLUMs) in
31 order to ensure the accuracy and internal consistency of the plan,

1 pursuant to application L-5406-19C and companion land use Ordinance
2 2019-837; and

3 **WHEREAS**, in order to ensure consistency of zoning district
4 with the *2030 Comprehensive Plan* and the adopted companion Small-
5 Scale Amendment L-5406-19C, an application to rezone and reclassify
6 from Commercial Community/General-2 (CCG-2), Commercial Office (CO)
7 and Residential Rural-Acre (RR-Acre) Districts to Planned Unit
8 Development (PUD) District was filed by Chris Hagan, on behalf of
9 the owners of approximately 4.97± acres of certain real property in
10 Council District 10, as more particularly described in Section 1;
11 and

12 **WHEREAS**, the Planning and Development Department, in order to
13 ensure consistency of this zoning district with the *2030*
14 *Comprehensive Plan*, has considered the rezoning and has rendered an
15 advisory opinion; and

16 **WHEREAS**, the Planning Commission has considered the
17 application and has rendered an advisory opinion; and

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

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

28 **WHEREAS**, the Council finds that the proposed PUD does not
29 affect adversely the orderly development of the City as embodied in
30 the *Zoning Code*; will not affect adversely the health and safety of
31 residents in the area; will not be detrimental to the natural

1 environment or to the use or development of the adjacent properties
2 in the general neighborhood; and the proposed PUD will accomplish
3 the objectives and meet the standards of Section 656.340 (Planned
4 Unit Development) of the *Zoning Code* of the City of Jacksonville;
5 now, therefore

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

7 **Section 1. Subject Property Location and Description.** The
8 approximately 4.97± acres (R.E. Nos. 039938-0000 and 039982-0000)
9 are located in Council District 10, at 0 New Kings Road and 0
10 Gilchrist Road, between New Kings Road and Thomas Dukes Court, as
11 more particularly described in **Exhibit 1**, dated October 23, 2019,
12 and graphically depicted in **Exhibit 2**, both of which are **attached**
13 **hereto** and incorporated herein by this reference (Subject
14 Property).

15 **Section 2. Owner and Applicant Description.** The Subject
16 Property is owned by Blue Ribbon Realty, LLC. The applicant is
17 Chris Hagan, 800 West Monroe Street, Jacksonville, Florida 32202;
18 (904) 219-9842.

19 **Section 3. Property Rezoned.** The Subject Property,
20 pursuant to adopted companion Small-Scale Amendment L-5406-19C, is
21 hereby rezoned and reclassified from Commercial Community/General-2
22 (CCG-2), Commercial Office (CO) and Residential Rural-Acre (RR-
23 Acre) Districts to Planned Unit Development (PUD) District. This
24 new PUD district shall generally permit commercial uses, and is
25 described, shown and subject to the following documents, **attached**
26 **hereto**:

27 **Exhibit 1** - Legal Description dated October 23, 2019.

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

29 **Exhibit 3** - Written Description dated November 1, 2019.

30 **Exhibit 4** - Site Plan dated November 1, 2019.

31 **Section 4. Contingency.** This rezoning shall not become

1 effective until 31 days after adoption of the companion Small-Scale
2 Amendment unless challenged by the state land planning agency; and
3 further provided that if the companion Small-Scale Amendment is
4 challenged by the state land planning agency, this rezoning shall
5 not become effective until the state land planning agency or the
6 Administration Commission issues a final order determining the
7 companion Small-Scale Amendment is in compliance with Chapter 163,
8 *Florida Statutes*.

9 **Section 5. 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 6. 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.

26
27 Form Approved:

28 /s/ Shannon K. Eller

29 Office of General Counsel

30 Legislation Prepared By: Bruce Lewis

31 GC-#1321578-v1-2019-687_Sub_SS_LU_COMP_REZ