

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-687**

5 AN ORDINANCE REZONING APPROXIMATELY 2.07±
6 ACRES, LOCATED IN COUNCIL DISTRICT 10 AT 0
7 GILCHRIST ROAD, BETWEEN NEW KINGS ROAD AND
8 THOMAS DUKES COURT (R.E. NO. 039982-0000), AS
9 DESCRIBED HEREIN, OWNED BY BLUE RIBBON REALTY,
10 LLC, FROM COMMERCIAL COMMUNITY/GENERAL-2 (CCG-
11 2) AND COMMERCIAL OFFICE (CO) DISTRICTS TO
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
14 TO PERMIT COMMERCIAL USES, AS DESCRIBED IN THE
15 NEW KINGS AND GILCHRIST ROADS COMMERCIAL &
16 STORAGE PUD; PROVIDING A DISCLAIMER THAT THE
17 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE
19 LAWS; PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, Blue Ribbon Realty, LLC, the owner of approximately
22 2.07± acres, located in Council District 10 at 0 Gilchrist Road,
23 between New Kings Road and Thomas Dukes Court (R.E. No. 039982-
24 0000), as more particularly described in the **Exhibit 1**, dated June
25 29, 2019, and graphically depicted in the **Exhibit 2**, both of which
26 are **attached hereto** (Subject Property), has applied for a rezoning
27 and reclassification of that property from Commercial
28 Community/General-2 (CCG-2) and Commercial Office (CO) Districts to
29 Planned Unit Development (PUD) District, as described in Section 1
30 below; and

31 **WHEREAS**, the Planning Commission has considered the

1 application and has rendered an advisory opinion; and

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

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

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

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Commercial Community/General-2
20 (CCG-2) and Commercial Office (CO) Districts to Planned Unit
21 Development (PUD) District. This new PUD district shall generally
22 permit commercial uses, and is described, shown and subject to the
23 following documents, **attached hereto**:

24 **Exhibit 1** - Legal Description dated June 29, 2019.

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

26 **Exhibit 3** - Written Description dated May 2, 2019.

27 **Exhibit 4** - Site Plan dated June 18, 2019.

28 **Section 2. Owner and Description.** The Subject Property
29 is owned by Blue Ribbon Realty, LLC, and is legally described in
30 the **Exhibit 1, attached hereto**. The agent is Chris Hagan, 800 West
31 Monroe Street, Jacksonville, Florida 32202; (904) 219-9842.

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

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

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19 Form Approved:

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21 /s/ Shannon K. Eller

22 Office of General Counsel

23 Legislation Prepared By: Bruce Lewis

24 GC-#1305241-v1-Gilchrist_PUD_2-2344

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-837**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT
6 TO THE FUTURE LAND USE MAP SERIES OF THE 2030
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM LOW DENSITY RESIDENTIAL
9 (LDR) TO COMMUNITY/GENERAL COMMERCIAL (CGC) ON
10 APPROXIMATELY 0.875± OF AN ACRE LOCATED IN
11 COUNCIL DISTRICT 10 AT 0 NEW KINGS ROAD,
12 BETWEEN NEW KINGS ROAD AND THOMAS DUKES COURT,
13 OWNED BY BLUE RIBBON REALTY, LLC, AS MORE
14 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
15 APPLICATION NUMBER L-5406-19C; PROVIDING A
16 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
17 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
18 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
19 DATE.
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21 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
22 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
23 application for a proposed Small-Scale Amendment to the Future Land
24 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
25 Future Land Use designation from Low Density Residential (LDR) to
26 Community/General Commercial (CGC) on 0.875± of an acre of certain
27 real property in Council District 10, was filed by Chris Hagan, on
28 behalf of the owner, Blue Ribbon Realty, LLC; and

29 **WHEREAS**, the Planning and Development Department reviewed the
30 proposed revision and application and has prepared a written report
31 and rendered an advisory recommendation to the City Council with

1 respect to the proposed amendment; and

2 **WHEREAS**, the Planning Commission, acting as the Local Planning
3 Agency (LPA), held a public hearing on this proposed amendment,
4 with due public notice having been provided, reviewed and
5 considered comments received during the public hearing and made its
6 recommendation to the City Council; and

7 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
8 Council held a public hearing on this proposed amendment to the
9 *2030 Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance*
10 *Code*, considered all written and oral comments received during the
11 public hearing, and has made its recommendation to the City
12 Council; and

13 **WHEREAS**, the City Council held a public hearing on this
14 proposed amendment, with public notice having been provided,
15 pursuant to Section 163.3187, *Florida Statutes* and Chapter 650,
16 Part 4, *Ordinance Code*, and considered all oral and written
17 comments received during public hearings, including the data and
18 analysis portions of this proposed amendment to the *2030*
19 *Comprehensive Plan* and the recommendations of the Planning and
20 Development Department, the Planning Commission and the LUZ
21 Committee; and

22 **WHEREAS**, in the exercise of its authority, the City Council
23 has determined it necessary and desirable to adopt this proposed
24 amendment to the *2030 Comprehensive Plan* to preserve and enhance
25 present advantages, encourage the most appropriate use of land,
26 water, and resources consistent with the public interest, overcome
27 present deficiencies, and deal effectively with future problems
28 which may result from the use and development of land within the
29 City of Jacksonville; now, therefore

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

31 **Section 1. Purpose and Intent.** This Ordinance is adopted

1 to carry out the purpose and intent of, and exercise the authority
2 set out in, the Community Planning Act, Sections 163.3161 through
3 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
4 amended.

5 **Section 2. Subject Property Location and Description.**

6 The approximately 0.875± of an acre (portion of R.E. No. 039938-
7 0000) is located in Council District 10 at 0 New Kings Road,
8 between New Kings Road and Thomas Dukes Court, as more particularly
9 described in **Exhibit 1**, dated October 23, 2019, and graphically
10 depicted in **Exhibit 2**, both **attached hereto** and incorporated herein
11 by this reference (Subject Property).

12 **Section 3. Owner and Applicant Description.** The subject

13 property is owned by Blue Ribbon Realty, LLC. The applicant is
14 Chris Hagan, 800 West Monroe Street, Jacksonville, Florida 32202;
15 (904) 219-9842.

16 **Section 4. Adoption of Small-Scale Land Use Amendment.**

17 The City Council hereby adopts a proposed Small-Scale revision to
18 the Future Land Use Map series of the *2030 Comprehensive Plan* by
19 changing the Future Land Use Map designation from Low Density
20 Residential (LDR) to Community/General Commercial (CGC), pursuant
21 to Application Number L-5406-19C.

22 **Section 5. Applicability, Effect and Legal Status.** The

23 applicability and effect of the *2030 Comprehensive Plan*, as herein
24 amended, shall be as provided in the Community Planning Act,
25 Sections 163.3161 through 163.3248, *Florida Statutes*, and this
26 Ordinance. All development undertaken by, and all actions taken in
27 regard to development orders by governmental agencies in regard to
28 land which is subject to the *2030 Comprehensive Plan*, as herein
29 amended, shall be consistent therewith as of the effective date of
30 this amendment to the plan.

31 **Section 6. Effective date of this Plan Amendment.**

1 (a) If the amendment meets the criteria of Section 163.3187,
2 *Florida Statutes*, as amended, and is not challenged, the effective
3 date of this plan amendment shall be thirty-one (31) days after
4 adoption.

5 (b) If challenged within thirty (30) days after adoption, the
6 plan amendment shall not become effective until the state land
7 planning agency or the Administration Commission, respectively,
8 issues a final order determining the adopted Small-Scale Amendment
9 to be in compliance.

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

23 **Section 8. Effective Date.** This Ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature.

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27 Form Approved:

28 /s/ Shannon K. Eller

29 Office of General Counsel

30 Legislation Prepared By: Edward Lukacovic

31 GC-#1321575-v1-L-5406_SS_LU