

1 Introduced and amended by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2022-308-E**

5 AN ORDINANCE REZONING APPROXIMATELY 6.52±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 12 AT 0 103RD  
7 STREET, BETWEEN SAMARITAN WAY AND MAGNOLIA  
8 VALLEY DRIVE (R.E. NO. 012920-0000), OWNED BY  
9 RICHARD C. GEORGE AND BEN D. GEORGE, AS  
10 DESCRIBED HEREIN, FROM COMMERCIAL  
11 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT TO PLANNED  
12 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
14 MULTI-FAMILY RESIDENTIAL USES, AS DESCRIBED IN  
15 THE MAGNOLIA VILLAS PUD, PURSUANT TO FUTURE LAND  
16 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT  
17 APPLICATION NUMBER L-5664-22C; PUD SUBJECT TO  
18 CONDITION; PROVIDING A DISCLAIMER THAT THE  
19 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
20 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
21 PROVIDING AN EFFECTIVE DATE.  
22

23 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
24 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
25 portions of the Future Land Use Map series (FLUMs) in order to ensure  
26 the accuracy and internal consistency of the plan, pursuant to the  
27 companion land use ordinance for application L-5664-22C; and

28 **WHEREAS**, in order to ensure consistency of zoning district with  
29 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
30 Amendment L-5664-22C, an application to rezone and reclassify from  
31 Commercial Community/General-1 (CCG-1) District to Planned Unit

1 Development (PUD) District was filed by Wyman Duggan, Esq., on behalf  
2 of the owners of approximately 6.52± acres of certain real property  
3 in Council District 12, as more particularly described in Section 1;  
4 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 application  
10 and has rendered an advisory opinion; and

11 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
12 notice and public hearing, has 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 planning  
19 ordinance for future development of the City of Jacksonville; and

20 **WHEREAS**, the Council finds that the proposed PUD does not affect  
21 adversely the orderly development of the City as embodied in the  
22 *Zoning Code*; will not affect adversely the health and safety of  
23 residents in the area; will not be detrimental to the natural  
24 environment or to the use or development of the adjacent properties  
25 in the general neighborhood; and the proposed PUD will accomplish  
26 the objectives and meet the standards of Section 656.340 (Planned  
27 Unit Development) of the *Zoning Code* of the City of Jacksonville;  
28 now, therefore

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

30 **Section 1. Subject Property Location and Description.** The  
31 approximately 6.52± acres are located in Council District 12 at 0

1 103<sup>rd</sup> Street, between Samaritan Way and Magnolia Valley Drive (R.E.  
2 No. 012920-0000), as more particularly described in **Exhibit 1**, dated  
3 February 18, 2022, and graphically depicted in **Exhibit 2**, both of  
4 which are **attached hereto** and incorporated herein by this reference  
5 (the "Subject Property")

6 **Section 2. Owner and Applicant Description.** The Subject  
7 Property is owned by Richard C. George and Ben D. George. The  
8 applicant is Wyman Duggan, Esq., 1301 Riverplace Boulevard, Suite  
9 1500, Jacksonville, Florida 32207; (904) 398-3911.

10 **Section 3. Property Rezoned.** The Subject Property,  
11 pursuant to adopted companion Small-Scale Amendment L-5664-22C, is  
12 hereby rezoned and reclassified from Commercial Community/General-1  
13 (CCG-1) District to Planned Unit Development (PUD) District. This  
14 new PUD district shall generally permit multi-family residential  
15 uses, and is described, shown and subject to the following documents,  
16 **attached hereto:**

17 **Exhibit 1** - Legal Description dated February 18, 2022.

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

19 **Revised Exhibit 3** - Revised Written Description dated May 13, 2022.

20 **Revised Exhibit 4** - Revised Site Plan dated May 13, 2022.

21 **Section 4. Rezoning Approved Subject to Condition.** This  
22 rezoning is approved subject to the following condition. Such  
23 condition controls over the Written Description and the Site Plan  
24 and may only be amended through a rezoning:

25 (1) Deviation from the Code regarding sidewalk width is  
26 denied. Developer shall provide sidewalks meeting the requirements  
27 of Section 654.133 of the Code of Subdivision Regulations.

28 **Section 5. Contingency.** This rezoning shall not become  
29 effective until thirty-one (31) days after adoption of the companion  
30 Small-Scale Amendment unless challenged by the state land planning  
31 agency; and further provided that if the companion Small-Scale

