

Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2025-209-E

AN ORDINANCE REZONING APPROXIMATELY 16.13± ACRES
LOCATED IN COUNCIL DISTRICT 12 AT 9239; 9321 &
9325 GARDEN STREET, BETWEEN JONES ROAD AND GOLDEN
BAMBOO DRIVE (R.E. NO(S). 002870-0000 AND 002870-
0010 AND A PORTION OF R.E. NO. 002870-0020), AS
DESCRIBED HEREIN, OWNED BY WILLIAM CECIL GLOVER,
PEARL HELEN BOLES, JENNIE RUTH ATKINSON AND
MARILYN CAROL ATKINSON, FROM AGRICULTURE (AGR)
DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
ZONING CODE, TO PERMIT SINGLE-FAMILY DWELLINGS,
AS DESCRIBED IN THE GARDEN STREET PUD, PURSUANT
TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
AMENDMENT APPLICATION NUMBER L-6020-25C; PUD
SUBJECT TO CONDITION; PROVIDING A DISCLAIMER THAT
THE REZONING GRANTED HEREIN SHALL NOT BE
CONSTRUED AS AN EXEMPTION FROM ANY OTHER
APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville adopted a Small-Scale
Amendment to the *2045 Comprehensive Plan* for the purpose of revising
portions of the Future Land Use Map series (FLUMs) in order to ensure
the accuracy and internal consistency of the plan, pursuant to the
companion land use application L-6020-25C; and

WHEREAS, in order to ensure consistency of zoning district
with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
Amendment L-6020-25C, an application to rezone and reclassify from

1 Agriculture (AGR) to Planned Unit Development (PUD) District was
2 filed by Hayden Phillips, Esq., on behalf of, William Cecil Glover,
3 Pearl Helen Boles, Jennie Ruth Atkinson and Marilyn Carol Atkinson,
4 owners of approximately 16.13± acres of certain real property in
5 Council District 12, as more particularly described in Section 1
6 below; and

7 **WHEREAS,** the Planning and Development Department, in order to
8 ensure consistency of this zoning district with the *2045 Comprehensive*
9 *Plan*, has considered the rezoning and has rendered an advisory
10 opinion; and

11 **WHEREAS,** the Planning Commission has considered the
12 application and has rendered an advisory opinion; and

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

16 **WHEREAS,** the City Council, after due notice, held a public
17 hearing, and taking into consideration the above recommendations as
18 well as all oral and written comments received during the public
19 hearings, the Council finds that such rezoning is consistent with the
20 *2045 Comprehensive Plan* adopted under the comprehensive planning
21 ordinance for future development of the City of Jacksonville; and

22 **WHEREAS,** based on the staff report of the Planning and
23 Development Department and other competent and substantial evidence
24 received at the public hearings, the Council finds that the proposed
25 PUD does not affect adversely the orderly development of the City as
26 embodied in the *Zoning Code*; will not affect adversely the health and
27 safety of residents in the area; will not be detrimental to the
28 natural environment or to the use or development of the adjacent
29 properties in the general neighborhood; and the proposed PUD will
30 accomplish the objectives and meet the standards of Section 656.340
31 (Planned Unit Development) of the *Zoning Code* of the City of

Jacksonville; now therefore

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

Section 1. Subject Property Location and Description. The approximately 16.13± acres are located in Council District 12 at 9239; 9321 & 9325 Garden Street, between Jones Road and Golden Bamboo Drive (R.E. No(s). 002870-0000 and 002870-0010 and a portion of R.E. No. 002870-0020), as more particularly described in **Exhibit 1**, dated January 28, 2025, and graphically depicted in **Exhibit 2**, both of which are attached hereto and incorporated herein by this reference (the "Subject Property").

Section 2. Owner and Applicant Description. The Subject Property is owned by William Cecil Glover, Pearl Helen Boles, Jennie Ruth Atkinson and Marilyn Carol Atkinson. The applicant is Hayden Phillips, Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida, 32207; (904) 346-5535.

Section 3. Property Rezoned. The Subject Property, pursuant to adopted companion Small-Scale Amendment L-6020-25C, is hereby rezoned and reclassified from Agriculture (AGR) District to Planned Unit Development (PUD) District. This new PUD district shall generally permit single-family dwellings, and is described, shown and subject to the following documents, attached hereto:

Exhibit 1 - Legal Description dated January 28, 2025.

Exhibit 2 - Subject Property Map (prepared by P&DD).

Revised Exhibit 3 - Revised Written Description dated May 6, 2025.

Revised Exhibit 4 - Revised Site Plan dated April 22, 2025.

Section 4. Rezoning Approved Subject to Condition. This rezoning is approved subject to the following condition. Such condition shall control over the Written Description and the Site Plan and may only be amended through a rezoning:

(1) A traffic study shall be provided at Civil Site Plan Review.

1 The traffic study shall meet the requirements of the Land
2 Development Procedures Manual Section 1.1.11 (January 2024).

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

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

23 **Section 7. Effective Date.** The enactment of this Ordinance
24 shall be deemed to constitute a quasi-judicial action of the City
25 Council and shall become effective upon signature by the Council
26 President and the Council Secretary.

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Form Approved:

 /s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Kaysie Cox

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