

1 The Land Use and Zoning Committee offers the following substitute to  
2 File No. 2021-740:

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4 Introduced by the Land Use and Zoning Committee:

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7 **ORDINANCE 2021-740**

8 AN ORDINANCE REZONING APPROXIMATELY 4.91± ACRES  
9 LOCATED IN COUNCIL DISTRICT 9 AT 5902 SEABOARD  
10 AVENUE, BETWEEN 110TH STREET AND TALTON LANE  
11 (R.E. NO. 103147-0000), OWNED BY EVANGELISTIC  
12 MISSIONARY MOVEMENT, INC. (NOW KNOWN AS  
13 MOVIMIENTO MISIONERO EVANGELISTICO LUZ A LAS  
14 NACIONES INC.), AS DESCRIBED HEREIN, FROM  
15 RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT TO  
16 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
17 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO  
18 PERMIT MULTI-FAMILY RESIDENTIAL USES, AS  
19 DESCRIBED IN THE SEABOARD VILLAS PUD, PURSUANT  
20 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE  
21 AMENDMENT APPLICATION NUMBER L-5608-21C;  
22 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
23 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
24 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
25 EFFECTIVE DATE.

26  
27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
28 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
29 portions of the Future Land Use Map series (FLUMs) in order to ensure  
30 the accuracy and internal consistency of the plan, pursuant to  
31 companion land use ordinance for application L-5608-21C; and

1           **WHEREAS**, in order to ensure consistency of zoning district with  
2 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
3 Amendment L-5608-21C, an application to rezone and reclassify from  
4 Residential Low Density-60 (RLD-60) District to Planned Unit  
5 Development (PUD) District was filed by Wyman Duggan, Esq., on behalf  
6 of the owner of approximately 4.91± acres of certain real property  
7 in Council District 9, as more particularly described in Section 1;  
8 and

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

13           **WHEREAS**, the Planning Commission has considered the application  
14 and has rendered an advisory opinion; and

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

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

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

1 therefore

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

3 **Section 1. Subject Property Location and Description.** The  
4 approximately 4.91± acres are located in Council District 9 at 5902  
5 Seaboard Avenue, between 110<sup>th</sup> Street and Talton Lane (R.E. No. 103147-  
6 0000), as more particularly described in **Exhibit 1**, dated August 26,  
7 2021, and graphically depicted in **Exhibit 2**, both of which are  
8 **attached hereto** and incorporated herein by this reference (the  
9 "Subject Property").

10 **Section 2. Owner and Applicant Description.** The Subject  
11 Property is owned by Evangelistic Missionary Movement, Inc. (now  
12 known as Movimiento Misionero Evangelistico Luz a las Naciones  
13 Inc.). The applicant is Wyman Duggan, Esq., 1301 Riverplace  
14 Boulevard, Suite 1500, Jacksonville, Florida 32207; (904) 398-3911.

15 **Section 3. Property Rezoned.** The Subject Property,  
16 pursuant to adopted companion Small-Scale Amendment Application L-  
17 5608-21C, is hereby rezoned and reclassified from Residential Low  
18 Density-60 (RLD-60) District to Planned Unit Development (PUD)  
19 District. This new PUD district shall generally permit multi-family  
20 residential uses, and is described, shown and subject to the following  
21 documents, **attached hereto**:

22 **Exhibit 1** - Legal Description dated August 26, 2021.

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

24 **Exhibit 3** - Written Description dated January 15, 2022.

25 **Exhibit 4** - Site Plan dated January 17, 2022.

26 **Section 4. Contingency.** This rezoning shall not become  
27 effective until thirty-one (31) days after adoption of the companion  
28 Small-Scale Amendment unless challenged by the state land planning  
29 agency;; and further provided that if the companion Small-Scale  
30 Amendment is challenged by the state land planning agency, this  
31 rezoning shall not become effective until the state land planning

1 agency or the Administration Commission issues a final order  
2 determining the companion Small-Scale Amendment is in compliance with  
3 Chapter 163, *Florida Statutes*.

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

16       **Section 6. Effective Date.** The enactment of this Ordinance  
17 shall be deemed to constitute a quasi-judicial action of the City  
18 Council and shall become effective upon signature by the Council  
19 President and the Council Secretary.

20  
21 Form Approved:

22  
23           /s/ Mary E. Staffopoulos          

24 Office of General Counsel

25 Legislation Prepared By: Arimus Wells

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