

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-6-E**

5 AN ORDINANCE REZONING APPROXIMATELY 8.04± ACRES,
6 LOCATED IN COUNCIL DISTRICT 10 AT 6561 FIRESTONE
7 ROAD, BETWEEN 118TH STREET AND MORSE AVENUE
8 (R.E. NO. 015832-0000 (PORTION)), OWNED BY FAITH
9 TEMPLE ASSEMBLY OF GOD OF JACKSONVILLE, INC.,
10 NOW KNOWN AS RIVER CITY COMMUNITY CHURCH, INC.,
11 AS DESCRIBED HEREIN, FROM COMMERCIAL OFFICE (CO)
12 DISTRICT AND RESIDENTIAL MEDIUM DENSITY-A (RMD-
13 A) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
16 DESCRIBED IN THE FIRESTONE ROAD PUD; PROVIDING
17 A DISCLAIMER THAT THE REZONING GRANTED HEREIN
18 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
19 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
20 DATE.
21

22 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to the
26 companion land use ordinance for application L-5618-21C; and

27 **WHEREAS**, in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5618-21C, an application to rezone and reclassify from
30 Commercial Office (CO) District and Residential Medium Density-A
31 (RMD-A) District to Planned Unit Development (PUD) District was filed

1 by Paul Harden, Esq., on behalf of the owner of approximately 8.04±
2 acres of certain real property in Council District 10, as more
3 particularly described in Section 1; and

4 **WHEREAS**, the Planning and Development Department, in order to
5 ensure consistency of this zoning district with the *2030 Comprehensive*
6 *Plan*, has considered the rezoning and has rendered an advisory
7 opinion; and

8 **WHEREAS**, the Planning Commission has considered the application
9 and has rendered an advisory opinion; and

10 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
11 notice and public hearing, has made its recommendation to the Council;
12 and

13 **WHEREAS**, the City Council, after due notice, held a public
14 hearing, and taking into consideration the above recommendations as
15 well as all oral and written comments received during the public
16 hearings, the Council finds that such rezoning is consistent with the
17 *2030 Comprehensive Plan* adopted under the comprehensive planning
18 ordinance for future development of the City of Jacksonville; and

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

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

29 **Section 1. Subject Property Location and Description.** The
30 approximately 8.04± acres are located in Council District 10 at 6561
31 Firestone Road, between 118th Street and Morse Avenue (R.E. No. 015832-

1 0000), as more particularly described in **Exhibit 1**, dated September
2 8, 2021, and graphically depicted in **Exhibit 2**, both of which are
3 **attached hereto** and incorporated herein by this reference (the
4 "Subject Property")

5 **Section 2. Owner and Applicant Description.** The Subject
6 Property is owned by Faith Temple Assembly of God of Jacksonville,
7 Inc., now known as River City Community Church, Inc. The applicant
8 is Paul Harden, Esq., 1431 Riverplace Boulevard, Suite 901,
9 Jacksonville, Florida 32207; (904)396-5731.

10 **Section 3. Property Rezoned.** The Subject Property,
11 pursuant to adopted companion Small-Scale Amendment L-5618-21C, is
12 hereby rezoned and reclassified from Commercial Office (CO) District
13 and Residential Medium Density-A (RMD-A) District to Planned Unit
14 Development (PUD) District. This new PUD district shall generally
15 permit commercial uses, and is described, shown and subject to the
16 following documents, **attached hereto**:

17 **Exhibit 1** - Legal Description dated September 8, 2021.

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

19 **Exhibit 3** - Written Description dated November 23, 2021.

20 **Exhibit 4** - Site Plan dated March 24, 2021.

21 **Section 4. Contingency.** This rezoning shall not become
22 effective until thirty-one (31) days after adoption of the companion
23 Small-Scale Amendment unless challenged by the state land planning
24 agency; and further provided that if the companion Small-Scale
25 Amendment is challenged by the state land planning agency, this
26 rezoning shall not become effective until the state land planning
27 agency or the Administration Commission issues a final order
28 determining the companion Small-Scale Amendment is in compliance with
29 Chapter 163, *Florida Statutes*

30 **Section 5. Disclaimer.** The rezoning granted herein
31 shall **not** be construed as an exemption from any other applicable

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

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

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16 Form Approved:

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18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Bruce Lewis

21 GC-#1472182-v2-2022-6_(Z-3809-PUD)