

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

4 **ORDINANCE 2021-370**

5 AN ORDINANCE REZONING APPROXIMATELY 12.07± ACRES  
6 LOCATED IN COUNCIL DISTRICT 5 AT 0 DUCK ISLAND  
7 ROAD, 0 FREEMAN ROAD, AND 2179 EMERSON STREET,  
8 BETWEEN ST. AUGUSTINE ROAD AND PHILIPS HIGHWAY,  
9 OWNED BY THE SOUTHSIDE CHURCH OF GOD IN CHRIST,  
10 INC., AS DESCRIBED HEREIN, FROM COMMERCIAL  
11 COMMUNITY/GENERAL-2 (CCG-2) DISTRICT,  
12 RESIDENTIAL MEDIUM DENSITY-A (RMD-A) DISTRICT,  
13 AND PLANNED UNIT DEVELOPMENT (PUD) DISTRICT  
14 (2009-753-E) TO PLANNED UNIT DEVELOPMENT (PUD)  
15 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
16 ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL  
17 AND CHURCH USES, AS DESCRIBED IN THE VILLAGE AT  
18 SOUTHSIDE PUD, PURSUANT TO FUTURE LAND USE MAP  
19 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION  
20 NUMBER L-5554-21C; PROVIDING A DISCLAIMER THAT  
21 THE REZONING GRANTED HEREIN SHALL NOT BE  
22 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
23 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

24  
25 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
26 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
27 portions of the Future Land Use Map series (FLUMs) in order to ensure  
28 the accuracy and internal consistency of the plan, pursuant to the  
29 companion land use application L-5554-21C; and

30 **WHEREAS**, in order to ensure consistency of zoning district with  
31 the *2030 Comprehensive Plan* and the adopted companion Small-Scale

1 Amendment L-5554-21C, an application to rezone and reclassify from  
2 Commercial Community/General-2 (CCG-2) District, Residential Medium  
3 Density-A (RMD-A) District and Planned Unit Development (PUD)  
4 District (2009-753-E) to Planned Unit Development (PUD) District was  
5 filed by Fret Atwill, on behalf of the owner of approximately 12.07±  
6 acres of certain real property in Council District 5, as more  
7 particularly described in Section 1; and

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

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

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

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

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

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

2           **Section 1.           Subject Property Location and Description.** The  
3 approximately 12.07± acres are located in Council District 5, at 0  
4 Duck Island Road, 0 Freeman Road, and 2179 Emerson Street, between  
5 St. Augustine Road and Philips Highway, as more particularly described  
6 in **Exhibit 1**, dated June 2, 2021, and graphically depicted in **Exhibit**  
7 **2**, both of which are **attached hereto** and incorporated herein by this  
8 reference (Subject Property).

9           **Section 2.           Owner and Applicant Description.** The Subject  
10 Property is owned by The Southside Church of God in Christ, Inc. The  
11 applicant is Fred Atwill, 9601 Forest Acres Lane, Jacksonville,  
12 Florida 32234; (904) 610-8975.

13           **Section 3.           Property Rezoned.** The Subject Property,  
14 pursuant to adopted companion Small-Scale Amendment L-5554-21C, is  
15 hereby rezoned and reclassified from Commercial Community/General-2  
16 (CCG-2) District, Residential Medium Density-A (RMD-A) District and  
17 Planned Unit Development (PUD) District (2009-753-E) to Planned Unit  
18 Development (PUD) District. This new PUD district shall generally  
19 permit multi-family residential and church uses, and is described,  
20 shown and subject to the following documents, **attached hereto**:

21 **Exhibit 1** - Legal Description dated June 2, 2021.

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

23 **Exhibit 3** - Written Description dated May 25, 2021.

24 **Exhibit 4** - Site Plan dated May 5, 2021.

25           **Section 4.           Contingency.** This rezoning shall not become  
26 effective until 31 days after adoption of the companion Small-Scale  
27 Amendment unless challenged by the state land planning agency; and  
28 further provided that if the companion Small-Scale Amendment is  
29 challenged by the state land planning agency, this rezoning shall not  
30 become effective until the state land planning agency or the  
31 Administration Commission issues a final order determining the

