

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-342-E**

5 AN ORDINANCE REZONING APPROXIMATELY 7.80± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 STARRATT ROAD,
7 BETWEEN AIRPORT CENTER DRIVE EAST AND NEW BERLIN
8 ROAD (R.E. NO. 106936-7000), OWNED BY STARRATT
9 CROSSING, LLC, AS DESCRIBED HEREIN, FROM
10 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT AND
11 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) DISTRICT
12 TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
14 PERMIT MULTI-FAMILY RESIDENTIAL USES, AS
15 DESCRIBED IN THE AIRPORT CENTER APARTMENTS PUD,
16 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
17 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5492-
18 20C; PUD SUBJECT TO CONDITIONS; PROVIDING A
19 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
20 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; 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-5492-20C; 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-5492-20C, an application to rezone and reclassify from
31 Residential Rural-Acre (RR-ACRE) District and Commercial

1 Community/General-1 (CCG-1) District to Planned Unit Development
2 (PUD) District was filed by Paul M. Harden, Esq., on behalf of the
3 owner of approximately 7.80± acres of certain real property in Council
4 District 7, as more particularly described in Section 1; and

5 **WHEREAS**, the Planning and Development Department, in order to
6 ensure consistency of this zoning district with the *2030 Comprehensive*
7 *Plan*, has considered the rezoning and has rendered an advisory
8 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, held a public hearing and 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 the
18 *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 the
26 objectives and meet the standards of Section 656.340 (Planned Unit
27 Development) of the *Zoning Code* of the City of Jacksonville; now,
28 therefore

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

30 **Section 1. Subject Property Location and Description.** The
31 approximately 7.80± acres (R.E. No. 106936-7000) are located in

1 Council District 7, at 0 Starratt Road, between Airport Center Drive
2 East and New Berlin Road, as more particularly described in **Exhibit**
3 **1**, dated October 23, 2020, and graphically depicted in **Exhibit 2**,
4 both of which are **attached hereto** and incorporated herein by this
5 reference (Subject Property).

6 **Section 2. Owner and Applicant Description.** The Subject
7 Property is owned by Starratt Crossing, LLC. The applicant is Paul
8 M. Harden, Esq., 501 Riverside Avenue, Suite 901, Jacksonville,
9 Florida 32202; (904) 396-5731.

10 **Section 3. Property Rezoned.** The Subject Property,
11 pursuant to adopted companion Small-Scale Amendment L-5492-20C, is
12 hereby rezoned and reclassified from Residential Rural-Acre (RR-ACRE)
13 District and Commercial Community/General-1 (CCG-1) District to
14 Planned Unit Development (PUD) District. This new PUD district shall
15 generally permit multi-family residential uses, and is described,
16 shown and subject to the following documents, **attached hereto**:

17 **Exhibit 1** - Legal Description dated October 23, 2020.

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

19 **Exhibit 3** - Written Description dated April 29, 2021.

20 **Exhibit 4** - Site Plan dated March 23, 2021.

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

25 (1) Provide a right turn lane into the site. The right turn lane
26 shall be built to Florida Department of Transportation (FDOT)
27 Standards with the deceleration length based on the posted speed
28 limit. No queue length is required for the right turn lane.

29 (2) Existing bike lanes shall be modified at the driveway
30 entrance and the right turn lane to meet the current Manual on Uniform
31 Traffic Control Devices (MUTCD) and FDOT Standards.

1 (3) Sidewalks adjacent to parking shall be a minimum of six (6)
2 feet in width.

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

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

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

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