

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-77-E**

5 AN ORDINANCE REZONING APPROXIMATELY 11.04±
6 ACRES, LOCATED IN COUNCIL DISTRICT 7 AT 0 HYATT
7 LANE, 0 MAX LEGGETT PARKWAY, 0 DUVAL ROAD, 14011
8 HYATT ROAD, 14019 HYATT ROAD, 14023 HYATT ROAD
9 AND 14044 NORTH MAIN STREET, BETWEEN MAX LEGGETT
10 PARKWAY AND HYATT LANE (R.E. NOS. 106264-0000,
11 106265-0010, 106265-0030, 106266-0000, 106269-
12 0010, 106270-0000 AND 106271-0000), AS DESCRIBED
13 HEREIN, FROM INDUSTRIAL LIGHT (IL) DISTRICT TO
14 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
15 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
16 PERMIT MULTI-FAMILY RESIDENTIAL AND COMMERCIAL
17 USES, AS DESCRIBED IN THE HYATT ROAD PUD; PUD
18 SUBJECT TO CONDITION; PROVIDING A DISCLAIMER
19 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
20 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-5627-21C; 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-5627-21C, an application to rezone and reclassify from
31 Industrial Light (IL) District to Planned Unit Development (PUD)

1 District was filed by Emily Pierce, Esq., on behalf of the owners of
2 approximately 11.04± acres of certain real property in Council
3 District 7, as more 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 11.04± acres are located in Council District 7 at 0
31 Hyatt Lane, 0 Max Leggett Parkway, 0 Duval Road, 14011 Hyatt Road,

1 14019 Hyatt Road, 14023 Hyatt Road and 14044 North Main Street,
2 between Max Leggett Parkway and Hyatt Lane (R.E. Nos. 106264-0000,
3 106265-0010, 106265-0030, 106266-0000, 106269-0010, 106270-0000 and
4 106271-0000), as more particularly described in **Exhibit 1**, dated
5 October 25, 2021, and graphically depicted in **Exhibit 2**, both of
6 which are **attached hereto** and incorporated herein by this reference
7 (the "Subject Property")

8 **Section 2. Owner and Applicant Description.** The Subject
9 Property is owned by Hyatt Signature, LLC, Hammond E. Powell and Jean
10 M. Powell, Stephen M. Leggett and Elizabeth M. Leggett as Co-Trustees
11 of The Max Harold Leggett Family Trust (created in the Last Will and
12 Testament of Max Harold Leggett, dated January 4, 2006), and Sherrie
13 J. Bartley, Brenda Jean Matthews and Patricia Ann Canady. The
14 applicant is Emily Pierce, Esq., 1301 Riverplace Boulevard, Suite
15 1500, Jacksonville, Florida 32207; (904)398-3911.

16 **Section 3. Property Rezoned.** The Subject Property,
17 pursuant to adopted companion Small-Scale Amendment L-5627-21C, is
18 hereby rezoned and reclassified from Industrial Light (IL) District
19 to Planned Unit Development (PUD) District. This new PUD district
20 shall generally permit multi-family residential and commercial uses,
21 and is described, shown and subject to the following documents,
22 **attached hereto:**

23 **Exhibit 1** - Legal Description dated October 25, 2021.

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

25 **Exhibit 3** - Written Description dated December 29, 2021.

26 **Exhibit 4** - Site Plan dated November 19, 2021.

27 **Section 4. Rezoning Approved Subject to Condition.** This
28 rezoning is approved subject to the following condition. Such
29 condition controls over the Written Description and the Site Plan and
30 may only be amended through a rezoning:

31 (1) A traffic study shall be provided at the Civil Site Plan

1 Review. Prior to commencement of the traffic study, the traffic
2 professional shall conduct a methodology meeting to determine the
3 limits of the study. The methodology meeting shall include the Chief
4 of the Traffic Engineering Division, the Chief of the Transportation
5 Division, and the traffic reviewer from Development Services.

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

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

27 **Section 7. Effective Date.** The enactment of this Ordinance
28 shall be deemed to constitute a quasi-judicial action of the City
29 Council and shall become effective upon signature by the Council
30 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

6 GC-#1489966-v1-2022-77-E