

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-195-E**

5 AN ORDINANCE REZONING APPROXIMATELY 74.48±
6 ACRES, LOCATED IN COUNCIL DISTRICT 7, ON THE
7 NORTH SIDE OF MAX LEGGETT PARKWAY, THE EAST SIDE
8 OF INTEGRA DRIVE, AND THE WEST SIDE OF HYATT
9 ROAD, AS DESCRIBED HEREIN, OWNED BY DUVAL/OWENS
10 PHASE II PROPERTY OWNERS ASSOCIATION, INC.,
11 DUVAL/OWENS SIGNATURE, LLP, JACKSONVILLE VA OPC,
12 LLC, AND SECOND TIME SIGNATURE, LLP, FROM
13 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2019-
14 372-E) TO PLANNED UNIT DEVELOPMENT (PUD)
15 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
16 ZONING CODE, TO PERMIT MIXED USED DEVELOPMENT,
17 AS DESCRIBED IN THE REVISED MAX LEGGETT PARKWAY
18 PHASE II PUD; PUD SUBJECT TO CONDITIONS;
19 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
20 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
21 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
22 EFFECTIVE DATE.

23
24 **WHEREAS**, Duval/Owens Phase II Property Owners Association, Inc.,
25 Duval/Owens Signature, LLP, Jacksonville VA OPC, LLC, and Second Time
26 Signature, LLP, the owners of approximately 74.48± acres, located in
27 Council District 7, on the north side of Max Leggett Parkway, the
28 east side of Integra Drive, and the west side of Hyatt Road, as more
29 particularly described in **Exhibit 1**, dated February 5, 2021, and
30 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
31 (Subject Property), have applied for a rezoning and reclassification

1 of that property from Planned Unit Development (PUD) District (2019-
2 372-E) to Planned Unit Development (PUD) District, as described in
3 Section 1 below; and

4 **WHEREAS**, the Planning Commission has considered the application
5 and has rendered an advisory opinion; and

6 **WHEREAS**, the Land Use and Zoning Committee, after due notice and
7 public hearing, has made its recommendation to the Council; and

8 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
9 with the *2030 Comprehensive Plan*; (2) furthers the goals, objectives
10 and policies of the *2030 Comprehensive Plan*; and (3) is not in
11 conflict with any portion of the City's land use regulations; and

12 **WHEREAS**, the Council finds the proposed rezoning does not
13 adversely affect the orderly development of the City as embodied in
14 the Zoning Code; will not adversely affect the health and safety of
15 residents in the area; will not be detrimental to the natural
16 environment or to the use or development of the adjacent properties
17 in the general neighborhood; and will accomplish the objectives and
18 meet the standards of Section 656.340 (Planned Unit Development) of
19 the Zoning Code; now, therefore

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

21 **Section 1. Property Rezoned.** The Subject Property is
22 hereby rezoned and reclassified from Planned Unit Development (PUD)
23 District (2019-372-E) to Planned Unit Development (PUD) District.
24 This new PUD district shall generally permit mixed use development,
25 and is described, shown and subject to the following documents,
26 **attached hereto:**

27 **Exhibit 1** - Legal Description dated February 5, 2021.

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

29 **Revised Exhibit 3** - Revised Written Description dated May 11, 2021.

30 **Revised Exhibit 4** - Revised Site Plan dated April 20, 2021.

31 **Section 2. Rezoning Approved Subject to Conditions.** This

1 rezoning is approved subject to the following conditions. Such
2 conditions control over the Written Description and the Site Plan and
3 may only be amended through a rezoning.

4 (1) Warehousing, light manufacturing and fabricating uses are
5 only permitted as accessory uses within the CGC land use category.
6 Such uses may be permitted provided that they are part of a commercial
7 retail sales or service establishment and the accessory use shall be
8 located on a road classified as collector or higher on the Functional
9 Highway Classification Map.

10 (2) A traffic study shall be provided to the Planning and
11 Development Department prior to the final Civil Plan Review. The
12 traffic study shall be conducted by a professional traffic engineer,
13 and a methodology meeting shall be held with the Transportation
14 Planning Division and the City's Traffic Engineer prior to the
15 commencement of the study.

16 **Section 3. Owner and Description.** The Subject Property
17 is owned by Duval/Owens Phase II Property Owners Association, Inc.,
18 Duval/Owens Signature, LLP, Jacksonville VA OPC, LLC, and Second Time
19 Signature, LLP, and is legally described in **Exhibit 1, attached**
20 **hereto.** The applicant is Emily Pierce, Esq., 1301 Riverplace
21 Boulevard, Suite 1500, Jacksonville, Florida 32207; (904) 398-3911.

22 **Section 4. Disclaimer.** The rezoning granted herein
23 shall **not** be construed as an exemption from any other applicable
24 local, state, or federal laws, regulations, requirements, permits or
25 approvals. All other applicable local, state or federal permits or
26 approvals shall be obtained before commencement of the development
27 or use and issuance of this rezoning is based upon acknowledgement,
28 representation and confirmation made by the applicant(s), owner(s),
29 developer(s) and/or any authorized agent(s) or designee(s) that the
30 subject business, development and/or use will be operated in strict
31 compliance with all laws. Issuance of this rezoning does **not** approve,

1 promote or condone any practice or act that is prohibited or
2 restricted by any federal, state or local laws.

3 **Section 5. Effective Date.** The enactment of this Ordinance
4 shall be deemed to constitute a quasi-judicial action of the City
5 Council and shall become effective upon signature by the Council
6 President and the Council Secretary.

7
8 Form Approved:

9
10 /s/ Shannon K. Eller

11 Office of General Counsel

12 Legislation Prepared By: Bruce Lewis

13 GC-#1434582-v1-2021-195-E