

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-540-E**

5 AN ORDINANCE REZONING APPROXIMATELY 14.35±
6 ACRES, LOCATED IN COUNCIL DISTRICT 7 AT 0 HYATT
7 ROAD AND 0 WOODLAND DRIVE, BETWEEN MAX LEGGETT
8 PARKWAY AND PECAN PARK ROAD (R.E. NOS. 107853-
9 0000 AND 107856-0000, OWNED BY STARRATT
10 CROSSING, LLC, AS DESCRIBED HEREIN, FROM
11 INDUSTRIAL LIGHT (IL) DISTRICT AND RESIDENTIAL
12 LOW DENSITY-60 (RLD-60) DISTRICT TO PLANNED UNIT
13 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
14 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
15 MULTI-FAMILY RESIDENTIAL USES, AS DESCRIBED IN
16 THE HYATT ROAD PROPERTY PUD, PURSUANT TO FUTURE
17 LAND USE MAP SERIES (FLUMS) SMALL-SCALE
18 AMENDMENT APPLICATION NUMBER L-5734-22C; PUD
19 SUBJECT TO CONDITION; PROVIDING A DISCLAIMER
20 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
21 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
22 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
23

24 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
25 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
26 portions of the Future Land Use Map series (FLUMs) in order to ensure
27 the accuracy and internal consistency of the plan, pursuant to the
28 companion land use ordinance for application L-5734-22C; and

29 **WHEREAS,** in order to ensure consistency of zoning district with
30 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
31 Amendment L-5734-22C, an application to rezone and reclassify from

1 Industrial Light (IL) District and Residential Low Density-60 (RLD-
2 60) District to Planned Unit Development (PUD) District was filed by
3 Paul Harden, Esq., on behalf of the owner of approximately 14.35±
4 acres of certain real property in Council District 7, as more
5 particularly described in Section 1; and

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

10 **WHEREAS**, the Planning Commission has considered the application
11 and has rendered an advisory opinion; and

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

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

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

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

31 **Section 1. Subject Property Location and Description.** The

1 approximately 14.35± acres are located in Council District 7 at 0
2 Hyatt Road and 0 Woodland Drive, between Max Leggett Parkway and
3 Pecan Park Road (R.E. Nos. 107853-0000) and 107856-0000), as more
4 particularly described in **Exhibit 1**, dated May 31, 2022, and
5 graphically depicted in **Exhibit 2**, both of which are attached hereto
6 and incorporated herein by this reference (the "Subject Property").

7 **Section 2. Owner and Applicant Description.** The Subject
8 Property is owned by Starratt Crossing, LLC. The applicant is Paul
9 Harden, Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville,
10 Florida 32207; (904) 396-5731.

11 **Section 3. Property Rezoned.** The Subject Property,
12 pursuant to adopted companion Small-Scale Amendment L-5734-22C, is
13 hereby rezoned and reclassified from Industrial Light (IL) District
14 and Residential Low Density-60 (RLD-60) District to Planned Unit
15 Development (PUD). This new PUD district shall generally permit
16 multi-family residential uses, and is described, shown and subject
17 to the following documents, attached hereto:

18 **Exhibit 1** - Legal Description dated May 31, 2022.

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

20 **Exhibit 3** - Written Description dated June 30, 2022.

21 **Exhibit 4** - Site Plan dated June 8, 2022.

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

26 (1) The Subject Property shall be developed with no more than
27 287 dwelling units.

28 **Section 5. Contingency.** This rezoning shall not become
29 effective until thirty-one (31) days after adoption of the companion
30 Small-Scale Amendment unless challenged by the state land planning
31 agency; and further provided that if the companion Small-Scale

1 Amendment is challenged by the state land planning agency, this
2 rezoning shall not become effective until the state land planning
3 agency or the Administration Commission issues a final order
4 determining the companion Small-Scale Amendment is in compliance with
5 Chapter 163, *Florida Statutes*.

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

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

22
23 Form Approved:

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25 _____
 /s/ Mary E. Staffopoulos

26 Office of General Counsel

27 Legislation Prepared By: Erin Abney

28 GC-#1525624-v1-2022-540-E