

Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2022-435-E

AN ORDINANCE REZONING APPROXIMATELY 17.11± ACRES, LOCATED IN COUNCIL DISTRICT 2 AT 0 NEW BERLIN ROAD AND 0 STARRATT ROAD, BETWEEN AIRPORT CENTER DRIVE EAST AND STARRATT ROAD (R.E. NOS. 106936-8550 AND 106936-8610), AS DESCRIBED HEREIN, OWNED BY STARRATT CROSSING, LLC, FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2000-1134-E) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL AND COMMERCIAL USES, AS DESCRIBED IN THE STARRATT CROSSING PUD; PUD SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Starratt Crossing, LLC, the owner of approximately 17.11± acres located in Council District 2 at 0 New Berlin Road and 0 Starratt Road, between Airport Center Drive East and Starratt Road (R.E. Nos. 106936-8550 and 106936-8610), as more particularly described in **Exhibit 1**, dated August 24, 2021, and graphically depicted in **Exhibit 2**, both of which are attached hereto (the "Subject Property"), has applied for a rezoning and reclassification of that property from Planned Unit Development (PUD) District (2000-1134-E) to Planned Unit Development (PUD) District, as described in Section 1 below; and

1 **WHEREAS**, the Planning Commission has considered the application
2 and has rendered an advisory opinion; and

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

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

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

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Planned Unit Development (PUD)
20 District (2000-1134-E) to Planned Unit Development (PUD) District.
21 This new PUD district shall generally permit multi-family residential
22 and commercial uses, and is described, shown and subject to the
23 following documents, attached hereto:

24 **Exhibit 1** - Legal Description dated August 24, 2021.

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

26 **Revised Exhibit 3** - Revised Written Description dated July 7, 2022.

27 **Exhibit 4** - Site Plan dated April 12, 2022.

28 **Section 2. Rezoning Approved Subject to Conditions.** This
29 rezoning is approved subject to the following conditions. Such
30 conditions control over the Written Description and the Site Plan and
31 may only be amended through a rezoning:

1 (1) A traffic study shall be provided at Civil Site Plan
2 Review. Prior to commencement of the traffic study, the traffic
3 professional shall conduct a methodology meeting to determine the
4 limits of the study. The methodology meeting shall include the Chief
5 of the Traffic Engineering Division, the Chief of the Transportation
6 Division and the traffic reviewer from Development Services.

7 (2) Parcel "A" as depicted on the Site Plan dated April 12,
8 2022, shall be developed in accordance with Chapter 656 (Zoning Code),
9 Part 12 (Landscape and Tree Protection Regulations), *Ordinance Code*.

10 **Section 3. Owner and Description.** The Subject Property
11 is owned by Starratt Crossing, LLC and is legally described in **Exhibit**
12 **1**, attached hereto. The applicant is Paul Harden, Esq., 1431
13 Riverplace Boulevard, Suite 901, Jacksonville, Florida 32207; (904)
14 396-5731.

15 **Section 4. 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 5. 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.

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Arimus Wells

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