

1 Introduced by the Land Use and Zoning Committee:
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3

4 **ORDINANCE 2023-259-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), AS DESCRIBED HEREIN,
10 OWNED BY ADVANTIS MCA HYATT, LLC, FROM PLANNED
11 UNIT DEVELOPMENT (PUD) DISTRICT (2022-540-E) TO
12 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 HYATT RD PROPERTY PUD, PURSUANT
16 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-
17 SCALE AMENDMENT APPLICATION NUMBER L-5806-23C;
18 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
19 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
20 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
21 EFFECTIVE DATE.
22

23 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2045 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
27 companion application L-5806-23C; and

28 **WHEREAS,** in order to ensure consistency of zoning district with
29 the *2045 Comprehensive Plan* and the adopted companion Small-Scale
30 Amendment L-5806-23C, an application to rezone and reclassify from
31 Planned Unit Development (PUD) District (2022-540-E) to Planned Unit

1 Development (PUD) District was filed by Paul Harden, Esq., on behalf
2 of the owner of approximately 14.35± acres of certain real property
3 in Council District 7, as more particularly described in Section 1;
4 and

5 **WHEREAS**, the Planning and Development Department, in order to
6 ensure consistency of this zoning district with the *2045 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 Committee, after due notice and
12 public hearing, has made its recommendation to the Council; 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 *2045 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 14.35± acres are located in Council District 7 at 0
31 Hyatt Road and 0 Woodland Drive, between Max Leggett Parkway and

1 Pecan Park Road (R.E. Nos. 107853-0000 and 107856-0000), as more
2 particularly described in **Exhibit 1**, dated February 15, 2023, and
3 graphically depicted in **Exhibit 2**, both of which are attached hereto
4 and incorporated herein by this reference (the "Subject Property").

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

9 **Section 3. Property Rezoned.** The Subject Property,
10 pursuant to adopted companion Small-Scale Amendment Application L-
11 5806-23C, is hereby rezoned and reclassified from Planned Unit
12 Development (PUD) District (2022-540-E) to Planned Unit Development
13 (PUD) District. This new PUD district shall generally permit multi-
14 family residential uses and is described, shown and subject to the
15 following documents, attached hereto:

16 **Exhibit 1** - Legal Description dated February 15, 2023.

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

18 **Exhibit 3** - Written Description dated February 15, 2023.

19 **Exhibit 4** - Site Plan dated January 17, 2023.

20 **Section 4. Contingency.** This rezoning shall not become
21 effective until thirty-one (31) days after adoption of the companion
22 Small-Scale Amendment; and further provided that if the companion
23 Small-Scale Amendment is challenged by the state land planning agency,
24 this rezoning shall not become effective until the state land planning
25 agency or the Administration Commission issues a final order
26 determining the companion Small-Scale Amendment is in compliance with
27 Chapter 163, *Florida Statutes*.

28 **Section 5. Disclaimer.** The rezoning granted herein
29 shall **not** be construed as an exemption from any other applicable
30 local, state, or federal laws, regulations, requirements, permits or
31 approvals. All other applicable local, state or federal permits or

