

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-432**

5 AN ORDINANCE REZONING APPROXIMATELY 7.06±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 2 AT 0  
7 STARRATT ROAD AND 418 STARRATT ROAD, BETWEEN  
8 NEW BERLIN ROAD AND STARRATT ROAD (R.E. NOS.  
9 106635-0000 AND 106636-0010), AS DESCRIBED  
10 HEREIN, OWNED BY 389 ASSOCIATES GENERAL  
11 PARTNERSHIP, FROM PLANNED UNIT DEVELOPMENT  
12 (PUD) DISTRICT (ORDINANCE 1999-703-E) TO  
13 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,  
15 TO PERMIT COMMERCIAL USES, AS DESCRIBED IN THE  
16 PULASKI ROAD RETAIL COMMERCIAL PUD; PROVIDING  
17 A DISCLAIMER THAT THE REZONING GRANTED HEREIN  
18 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM  
19 ANY OTHER APPLICABLE LAWS; PROVIDING AN  
20 EFFECTIVE DATE.  
21

22 **WHEREAS**, 389 Associates General Partnership, the owner of  
23 approximately 7.06± acres, located in Council District 2 at 0  
24 Starratt Road and 418 Starratt Road, between New Berlin Road and  
25 Starratt Road (R.E. Nos. 106635-0000 and 106636-0010), as more  
26 particularly described in **Exhibit 1**, dated May 30, 2019, and  
27 graphically depicted in **Exhibit 2**, both of which are **attached**  
28 **hereto** and incorporated herein by this reference (Subject  
29 Property), has applied for a rezoning and reclassification of that  
30 property from Planned Unit Development (PUD) District (Ordinance  
31 1999-703-E) to Planned Unit Development (PUD) District, as

1 described in Section 1 below; and

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

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

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

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

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

20 **Section 1. Property Rezoned.** The Subject Property is  
21 hereby rezoned and reclassified from Planned Unit Development (PUD)  
22 District (Ordinance 1999-703-E) to Planned Unit Development (PUD)  
23 District. This new PUD district shall generally permit commercial  
24 uses, and is described, shown and subject to the following attached  
25 documents:

26 **Exhibit 1** - Legal Description dated May 30, 2019.

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

28 **Exhibit 3** - Written Description dated May 14, 2019.

29 **Exhibit 4** - Site Plan dated May 13, 1999.

30 **Section 2. Owner and Description.** The Subject Property  
31 is owned by 389 Associates General Partnership, and is legally

1 described in **Exhibit 1, attached hereto.** The agent is T.R.  
2 Hainline, Esq., 1301 Riverplace Boulevard, Suite 1500,  
3 Jacksonville, Florida 32207; (904) 346-5531.

4 **Section 3. Disclaimer.** The rezoning granted herein  
5 shall not be construed as an exemption from any other applicable  
6 local, state, or federal laws, regulations, requirements, permits  
7 or approvals. All other applicable local, state or federal permits  
8 or approvals shall be obtained before commencement of the  
9 development or use and issuance of this rezoning is based upon  
10 acknowledgement, representation and confirmation made by the  
11 applicant(s), owner(s), developer(s) and/or any authorized agent(s)  
12 or designee(s) that the subject business, development and/or use  
13 will be operated in strict compliance with all laws. Issuance of  
14 this rezoning does not approve, promote or condone any practice or  
15 act that is prohibited or restricted by any federal, state or local  
16 laws.

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

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22 Form Approved:

23  
24           /s/ Shannon K. Eller          

25 Office of General Counsel

26 Legislation Prepared By: Connie Patterson

27 GC-#1285592-v1-Pulaski\_Rd\_Retail\_PUD