

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-433**

5 AN ORDINANCE REZONING APPROXIMATELY 9.00± ACRES,
6 LOCATED IN COUNCIL DISTRICT 11 AT 7981
7 BAYMEADOWS CIR WEST, BETWEEN BAYMEADOWS CIRCLE
8 WEST AND I-95, AS DESCRIBED HEREIN, OWNED BY
9 D.R. HORTON, INC. - JACKSONVILLE, FROM PLANNED
10 UNIT DEVELOPMENT (PUD) DISTRICT (2014-0062E) TO
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
13 PERMIT SINGLE FAMILY RESIDENTIAL USES,
14 COMMERCIAL/OFFICE USES AND A CELL TOWER, AS
15 DESCRIBED IN THE ALDEN LANDING PUD; PROVIDING A
16 DISCLAIMER THAT THE REZONING GRANTED HEREIN
17 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
18 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
19 DATE.
20

21 **WHEREAS**, D.R. Horton, Inc. - Jacksonville, the owner of
22 approximately 9.00± acres, located in Council District 11 at 7981
23 Baymeadows Cir West, as more particularly described in **Exhibit 1**,
24 dated June 14, 2021, and graphically depicted in **Exhibit 2**, both of
25 which are **attached hereto** (Subject Property), have applied for a
26 rezoning and reclassification of that property from Planned Unit
27 Development (PUD) District (2014-0062E) to Planned Unit Development
28 (PUD) District, as described in Section 1 below; and

29 **WHEREAS**, the Planning Commission has considered the application
30 and has rendered an advisory opinion; and

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice and

1 public hearing, has made its recommendation to the Council; and

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

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

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

15 **Section 1. Property Rezoned.** The Subject Property is
16 hereby rezoned and reclassified from Planned Unit Development (PUD)
17 District (2014-0062E) to Planned Unit Development (PUD) District.
18 This new PUD district shall generally permit Single Family Residential
19 Uses, Commercial/Office uses and a cell tower, and is described,
20 shown and subject to the following documents, **attached hereto**:

21 **Exhibit 1** - Legal Description dated June 14, 2021.

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

23 **Exhibit 3** - Written Description dated July 1, 2021.

24 **Exhibit 4** - Site Plan dated April 8, 2021.

25 **Section 2. Owner and Description.** The Subject Property
26 is owned by D.R. Horton, Inc. - Jacksonville, and is legally described
27 in **Exhibit 1, attached hereto**. The applicant is T.R. Hainline, Esq.,
28 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
29 (904) 346-5531.

30 **Section 3. Disclaimer.** The rezoning granted herein
31 shall **not** be construed as an exemption from any other applicable

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

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

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16 Form Approved:

17
18 /s/ Jason Teal

19 Office of General Counsel

20 Legislation Prepared By: Erin Abney

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