

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-679-E**

5 AN ORDINANCE REZONING APPROXIMATELY 71.70± ACRES
6 LOCATED IN COUNCIL DISTRICT 11 AT 0 AND 7407 AND
7 7447 SALISBURY ROAD, BETWEEN BELFORT ROAD AND
8 BAYMEADOWS WAY (R.E. NO(S). 152577-0010, 152577-
9 0020, 152577-0050 AND A PORTION OF R.E. NO.
10 152578-0010), AS DESCRIBED HEREIN, OWNED BY
11 BUTLER CREEK OWNER, LLC AND ORION INVESTMENTS
12 ENTERPRISE, LLC, FROM PLANNED UNIT DEVELOPMENT
13 (PUD) DISTRICT (2007-512-E, 2020-605-E AND 2023-
14 594-E) TO PLANNED UNIT DEVELOPMENT (PUD)
15 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
16 ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL
17 DWELLING UNITS, AS DESCRIBED IN THE BUTLER CREEK
18 PUD; PUD SUBJECT TO CONDITIONS; PROVIDING A
19 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
20 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS**, Butler Creek Owner, LLC and Orion Investments
24 Enterprise, LLC, the owners of approximately 71.70± acres located in
25 Council District 11 at 0 and 7407 and 7447 Salisbury Road, between
26 Belfort Road and Baymeadows Way (R.E. No(s). 152577-0010, 152577-
27 0020, 152577-0050 and a portion of R.E. No. 152578-0010), as more
28 particularly described in **Exhibit 1**, dated July 16, 2024, and
29 graphically depicted in **Exhibit 2**, both of which are attached hereto
30 (the "Subject Property"), has applied for a rezoning and
31 reclassification of the Subject Property from Planned Unit

1 Development (PUD) District (2007-512-E, 2020-605-E and 2023-594-E)
2 to Planned Unit Development (PUD) District, as described in Section
3 1 below; and

4 **WHEREAS**, the Planning Commission, acting as the local planning
5 agency, has reviewed the application and made an advisory
6 recommendation to the Council; and

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

9 **WHEREAS**, the Council finds that such rezoning is: (1)
10 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
11 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
12 not in conflict with any portion of the City's land use regulations;
13 and

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

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

23 **Section 1. Property Rezoned.** The Subject Property is
24 hereby rezoned and reclassified from Planned Unit Development (PUD)
25 District (2007-512-E, 2020-605-E and 2023-594-E) to Planned Unit
26 Development (PUD) District. This new PUD district shall generally
27 permit multi-family residential dwelling units, and is described,
28 shown and subject to the following documents, attached hereto:

29 **Exhibit 1** - Legal Description dated July 16, 2024.

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

31 **Revised Exhibit 3** - Written Description dated October 14, 2024.

1 **Revised Exhibit 4** - Site Plan dated October 25, 2024.

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

6 (1) A traffic study shall be provided at Civil Site Plan
7 Review. The traffic study shall meet the requirements of the Land
8 Development Procedures Manual Section 1.1.11 (January 2024).

9 (2) If the roads are gated, the gates shall be located in such
10 a manner so as to not block Salisbury Rd. and a turnaround shall be
11 provided prior to the gate.

12 (3) An ADA compliant sidewalk shall be provided along the
13 entire frontage of Salisbury Rd.

14 **Section 3. Owner and Description.** The Subject Property is
15 owned by Butler Creek Owner, LLC and Orion Investments Enterprise,
16 LLC, and is legally described in **Exhibit 1**, attached hereto. The
17 applicant is Wyman Duggan, Esq., 1301 Riverplace Boulevard, Suite
18 1500, Jacksonville, Florida, 32207; (904) 398-3911.

19 **Section 4. Disclaimer.** The rezoning granted herein shall
20 **not** be construed as an exemption from any other applicable local,
21 state, or federal laws, regulations, requirements, permits or
22 approvals. All other applicable local, state or federal permits or
23 approvals shall be obtained before commencement of the development
24 or use and issuance of this rezoning is based upon acknowledgement,
25 representation and confirmation made by the applicant(s), owners(s),
26 developer(s) and/or any authorized agent(s) or designee(s) that the
27 subject business, development and/or use will be operated in strict
28 compliance with all laws. Issuance of this rezoning does **not** approve,
29 promote or condone any practice or act that is prohibited or
30 restricted by any federal, state or local laws.

31 **Section 5. Effective Date.** The enactment of this Ordinance

1 shall be deemed to constitute a quasi-judicial action of the City
2 Council and shall become effective upon signature by the Council
3 President and Council Secretary.

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5 Form Approved:

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7 /s/ Dylan Reingold

8 Office of General Counsel

9 Legislation Prepared By: Bruce Lewis

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