

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2023-594-E**

5 AN ORDINANCE REZONING APPROXIMATELY 39.21±
6 ACRES, LOCATED IN COUNCIL DISTRICT 11 AT 0
7 SALISBURY ROAD AND 7447 SALISBURY ROAD, BETWEEN
8 SALISBURY ROAD AND BAYMEADOWS CIRCLE WEST (R.E.
9 NOS. 152578-0000 AND 152578-0010), AS DESCRIBED
10 HEREIN, OWNED BY CYPRESS PLAZA PROPERTIES, INC.
11 AND ALLSTATE ELECTRICAL CONTRACTORS, INC., FROM
12 INDUSTRIAL LIGHT (IL) DISTRICT TO PLANNED UNIT
13 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
14 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
15 MULTI-FAMILY RESIDENTIAL WITH ASSOCIATED
16 RECREATIONAL USES, AS DESCRIBED IN THE BELFORT
17 CREEK PUD, PURSUANT TO FUTURE LAND USE MAP
18 SERIES (FLUMS) SMALL-SCALE AMENDMENT
19 APPLICATION NUMBER L-5844-23C; PROVIDING A
20 DISCLAIMER THAT THE REZONING GRANTED HEREIN
21 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
22 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
23 DATE.
24

25 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
26 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
27 portions of the Future Land Use Map series (FLUMs) in order to ensure
28 the accuracy and internal consistency of the plan, pursuant to
29 companion application L-5844-23C; and

30 **WHEREAS,** in order to ensure consistency of zoning district with
31 the *2045 Comprehensive Plan* and the adopted companion Small-Scale

1 Amendment L-5844-23C, an application to rezone and reclassify from
2 Industrial Light (IL) District to Planned Unit Development (PUD)
3 District was filed by Wyman Duggan, Esq. on behalf of the owners of
4 approximately 39.21± acres of certain real property in Council
5 District 11, as more particularly described in Section 1; and

6 **WHEREAS**, the Planning and Development Department, in order to
7 ensure consistency of this zoning district with the *2045 Comprehensive*
8 *Plan*, has considered the rezoning and has rendered an advisory
9 opinion; and

10 **WHEREAS**, the Planning Commission has considered the application
11 and has rendered an advisory opinion; and

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

14 **WHEREAS**, the City Council, after due notice, held a public
15 hearing, and taking into consideration the above recommendations as
16 well as all oral and written comments received during the public
17 hearings, the Council finds that such rezoning is consistent with the
18 *2045 Comprehensive Plan* adopted under the comprehensive planning
19 ordinance for future development of the City of Jacksonville; and

20 **WHEREAS**, the Council finds that the proposed PUD does not affect
21 adversely the orderly development of the City as embodied in the
22 *Zoning Code*; will not affect adversely the health and safety of
23 residents in the area; will not be detrimental to the natural
24 environment or to the use or development of the adjacent properties
25 in the general neighborhood; and the proposed PUD will accomplish the
26 objectives and meet the standards of Section 656.340 (Planned Unit
27 Development) of the *Zoning Code* of the City of Jacksonville; now,
28 therefore

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

30 **Section 1. Subject Property Location and Description.** The
31 approximately 39.21± acres are located in Council District 11 at 0

1 Salisbury Road and 7447 Salisbury Road, between Salisbury Road and
2 Baymeadows Circle West (R.E. Nos. 152578-0000 and 152578-0010), as
3 more particularly described in **Exhibit 1**, dated June 20, 2023, and
4 graphically depicted in **Exhibit 2**, both of which are attached hereto
5 and incorporated herein by this reference (the "Subject Property").

6 **Section 2. Owner and Applicant Description.** The Subject
7 Property is owned by Cypress Plaza Properties, Inc. and Allstate
8 Electrical Contractors, Inc. The applicant is Wyman Duggan, Esq.,
9 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
10 (904) 398-3911.

11 **Section 3. Property Rezoned.** The Subject Property,
12 pursuant to adopted companion Small-Scale Amendment Application L-
13 5844-23C, is hereby rezoned and reclassified from Industrial Light
14 (IL) District to Planned Unit Development (PUD) District. This new
15 PUD district shall generally permit multi-family residential with
16 associated recreational uses, and is described, shown and subject to
17 the following documents, attached hereto:

18 **Exhibit 1** - Legal Description dated June 20, 2023.

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

20 **Exhibit 3** - Written Description dated August 7, 2023.

21 **Exhibit 4** - Site Plan dated August 8, 2023.

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

30 **Section 5. 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 6. 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.

15
16 Form Approved:

17
18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Bruce Lewis

21 GC-#1585991-v2-2023-594_(Z-5032).docx