

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-143-E**

5 AN ORDINANCE REZONING APPROXIMATELY 12.95±
6 ACRES, LOCATED IN COUNCIL DISTRICT 11 AT 0 WEST
7 BAYMEADOWS WAY AND 7311 WEST BAYMEADOWS WAY,
8 BETWEEN BAYMEADOWS WAY AND INTERSTATE-95 (R.E.
9 NOS. 152578-2020 AND 152578-2040), OWNED BY
10 CYPRESS PLAZA PROPERTIES, INC. AND XL SOCCER
11 WORLD JAX LLC, AS DESCRIBED HEREIN, FROM PLANNED
12 UNIT DEVELOPMENT (PUD) DISTRICT (1974-577-360
13 AND 2017-180-E) TO PLANNED UNIT DEVELOPMENT
14 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
15 THE ZONING CODE, TO PERMIT MULTI-FAMILY
16 RESIDENTIAL AND OFFICE USES, AS DESCRIBED IN THE
17 CYPRESS PLAZA APARTMENTS PUD, PURSUANT TO FUTURE
18 LAND USE MAP SERIES (FLUMS) SMALL-SCALE
19 AMENDMENT APPLICATION NUMBER L-5655-22C; PUD
20 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER
21 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
22 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
23 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
24

25 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
26 Amendment to the *2030 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 the
29 companion land use ordinance for application L-5655-22C; and

30 **WHEREAS**, in order to ensure consistency of zoning district with
31 the *2030 Comprehensive Plan* and the adopted companion Small-Scale

1 Amendment L-5655-22C, an application to rezone and reclassify from
2 Planned Unit Development (PUD) District (1974-577-360 and 2017-180-
3 E) to Planned Unit Development (PUD) District was filed by Cyndy
4 Trimmer, Esq., on behalf of the owners of approximately 12.95± acres
5 of certain real property in Council District 11, as more particularly
6 described in Section 1; and

7 **WHEREAS**, the Planning and Development Department, in order to
8 ensure consistency of this zoning district with the *2030 Comprehensive*
9 *Plan*, has considered the rezoning and has rendered an advisory
10 opinion; and

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

13 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
14 notice and public hearing, has made its recommendation to the Council;
15 and

16 **WHEREAS**, the City Council, after due notice, held a public
17 hearing, and taking into consideration the above recommendations as
18 well as all oral and written comments received during the public
19 hearings, the Council finds that such rezoning is consistent with the
20 *2030 Comprehensive Plan* adopted under the comprehensive planning
21 ordinance for future development of the City of Jacksonville; and

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

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

1 **Section 1. Subject Property Location and Description.** The
2 approximately 12.95± acres are located in Council District 11 at 0
3 West Baymeadows Way and 7311 West Baymeadows Way, between Baymeadows
4 Way and Interstate-95 (R.E. Nos. 152578-2020 and 152578-2040), as
5 more particularly described in **Exhibit 1**, dated January 4, 2022, and
6 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
7 and incorporated herein by this reference (the "Subject Property")

8 **Section 2. Owner and Applicant Description.** The Subject
9 Property is owned by Cypress Plaza Properties, Inc. and XL Soccer
10 World Jax LLC. The applicant is Cyndy Trimmer, Esq., 1 Independent
11 Drive, Suite 1200, Jacksonville, Florida 32202; (904) 807-0185.

12 **Section 3. Property Rezoned.** The Subject Property,
13 pursuant to adopted companion Small-Scale Amendment L-5655-22C, is
14 hereby rezoned and reclassified from Planned Unit Development (PUD)
15 District (1974-577-360 and 2017-180-E) to Planned Unit Development
16 (PUD) District. This new PUD district shall generally permit multi-
17 family residential and office uses, and is described, shown and
18 subject to the following documents, **attached hereto:**

19 **Exhibit 1** - Legal Description dated January 4, 2022.

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

21 **Exhibit 3** - Written Description dated February 8, 2022.

22 **Exhibit 4** - Site Plan dated December 16, 2021.

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

27 (1) A southbound left turn lane shall be required at the median
28 opening on Baymeadows Way in accordance with Section 2.1.6 of the
29 City of Jacksonville Land Development Procedures Manual.

30 (2) A traffic study shall be provided at Civil Site Plan
31 Review. Prior to commencement of the traffic study, the traffic

1 professional shall conduct a methodology meeting to determine the
2 limits of the study. The methodology meeting shall include the Chief
3 of the Traffic Engineering Division, the Chief of the Transportation
4 Division, and the traffic reviewer from Development Services.

5 **Section 5. Contingency.** This rezoning shall not become
6 effective until thirty-one (31) days after adoption of the companion
7 Small-Scale Amendment unless challenged by the state land planning
8 agency; and further provided that if the companion Small-Scale
9 Amendment is challenged by the state land planning agency, this
10 rezoning shall not become effective until the state land planning
11 agency or the Administration Commission issues a final order
12 determining the companion Small-Scale Amendment is in compliance with
13 Chapter 163, *Florida Statutes*.

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

26 **Section 7. Effective Date.** The enactment of this Ordinance
27 shall be deemed to constitute a quasi-judicial action of the City
28 Council and shall become effective upon signature by the Council
29 President and the Council Secretary.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Kaysie Cox

6 GC-#1495876-v1-2022-143-E