

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-12-E**

5 AN ORDINANCE REZONING APPROXIMATELY 10.30± ACRES
6 LOCATED IN COUNCIL DISTRICT 4 AT 0 SLEIMAN
7 PARKWAY, 0 SALISBURY ROAD, 4130 SALISBURY ROAD
8 AND 4138 SALISBURY ROAD, BETWEEN CORPORATE CENTER
9 PARKWAY AND J. TURNER BUTLER BOULEVARD (R.E. NOS.
10 152794-0000, 152795-0000, 152803-0000, 152804-
11 0010 AND 152804-0020), OWNED BY PROPERTY
12 MANAGEMENT SUPPORT, INC., AS TRUSTEE OF SALISBURY
13 LAND TRUST U/T/A DATED JANUARY 13, 2005, AND
14 PROPERTY MANAGEMENT SUPPORT, INC., AS TRUSTEE OF
15 THE SP LAND TRUST UNDER AGREEMENT DATED SEPTEMBER
16 27, 2000, AS DESCRIBED HEREIN, FROM INDUSTRIAL
17 BUSINESS PARK (IBP) DISTRICT TO RESIDENTIAL HIGH
18 DENSITY-B (RHD-B) DISTRICT, AS DEFINED AND
19 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
20 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
21 AMENDMENT APPLICATION NUMBER L-5631-21C;
22 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
23 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
24 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
25 EFFECTIVE DATE.
26

27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
28 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
29 portions of the Future Land Use Map series (FLUMs) in order to ensure
30 the accuracy and internal consistency of the plan, pursuant to
31 companion application L-5631-21C; and

1 **WHEREAS**, in order to ensure consistency of zoning district with
2 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
3 Amendment L-5631-21C, an application to rezone and reclassify from
4 Industrial Business Park (IBP) District to Residential High Density-
5 B (RHD-B) District was filed by Evin Herzberg, on behalf of the owners
6 of approximately 10.30± acres of certain real property in Council
7 District 4, as more particularly described in Section 1; and

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

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

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

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

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

25 **Section 1. Subject Property Location and Description.** The
26 approximately 10.30± acres are located in Council District 4 at 0
27 Sleiman Parkway, 0 Salisbury Road, 4130 Salisbury Road and 4138
28 Salisbury Road, between Corporate Center Parkway and J. Turner Butler
29 Boulevard (R.E. Nos. 152794-0000, 152795-0000, 152803-0000, 152804-
30 0010 and 152804-0020), as more particularly described in **Exhibit 1**,
31 dated November 17, 2021, and graphically depicted in **Exhibit 2**, both

1 of which are **attached hereto** and incorporated herein by this reference
2 (the "Subject Property").

3 **Section 2. Owner and Applicant Description.** The Subject
4 Property is owned by Property Management Support, Inc., as Trustee
5 of Salisbury Land Trust u/t/a dated January 13, 2005, and Property
6 Management Support, Inc., as Trustee of the SP Land Trust under
7 agreement dated September 27, 2000. The applicant is Evin Herzberg,
8 12483 Aladdin Road, Jacksonville, Florida 32223; (904) 625-7431.

9 **Section 3. Property Rezoned.** The Subject Property,
10 pursuant to adopted companion Small-Scale Amendment Application L-
11 5631-21C, is hereby rezoned and reclassified from Industrial Business
12 Park (IBP) District to Residential High Density-B (RHD-B) District.

13 **Section 4. Contingency.** This rezoning shall not become
14 effective until thirty-one (31) days after adoption of the companion
15 Small-Scale Amendment; and further provided that if the companion
16 Small-Scale Amendment is challenged by the state land planning agency,
17 this rezoning shall not become effective until the state land planning
18 agency or the Administration Commission issues a final order
19 determining the companion Small-Scale Amendment is in compliance with
20 Chapter 163, *Florida Statutes*.

21 **Section 5. Disclaimer.** The rezoning granted herein
22 shall **not** be construed as an exemption from any other applicable
23 local, state, or federal laws, regulations, requirements, permits or
24 approvals. All other applicable local, state or federal permits or
25 approvals shall be obtained before commencement of the development
26 or use and issuance of this rezoning is based upon acknowledgement,
27 representation and confirmation made by the applicant(s), owner(s),
28 developer(s) and/or any authorized agent(s) or designee(s) that the
29 subject business, development and/or use will be operated in strict
30 compliance with all laws. Issuance of this rezoning does **not** approve,
31 promote or condone any practice or act that is prohibited or

1 restricted by any federal, state or local laws.

2 **Section 6. Effective Date.** The enactment of this Ordinance
3 shall be deemed to constitute a quasi-judicial action of the City
4 Council and shall become effective upon signature by the Council
5 President and the Council Secretary.

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7 Form Approved:

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9 /s/ Mary E. Staffopoulos

10 Office of General Counsel

11 Legislation Prepared By: Connor Corrigan

12 GC-#1473018-v1-2022-12_(z-3899)