

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-43**

5 AN ORDINANCE REZONING APPROXIMATELY 5.6± ACRES,
6 LOCATED IN COUNCIL DISTRICT 11 AT 9802
7 BAYMEADOWS ROAD, BETWEEN SOUTHSIDE BOULEVARD AND
8 OLD BAYMEADOWS ROAD (R.E. NO. 148633-5400), AS
9 DESCRIBED HEREIN, OWNED BY PROPERTY MANAGEMENT
10 SUPPORT, INC., AS TRUSTEE OF THE BAYMEADOWS
11 VILLAGE LAND TRUST U/T/A DATED JULY 21, 1997,
12 FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT
13 (1990-662-374-E) TO PLANNED UNIT DEVELOPMENT
14 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
15 THE ZONING CODE, TO PERMIT COMMERCIAL USES, AS
16 DESCRIBED IN THE BAYMEADOWS VILLAGE PUD;
17 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
18 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
19 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
20 EFFECTIVE DATE.
21

22 **WHEREAS**, Property Management Support, Inc., as Trustee of the
23 Baymeadows Village Land Trust u/t/a dated July 21, 1997, the owner
24 of approximately 5.6± acres located in Council District 11 at 9802
25 Baymeadows Road, between Southside Boulevard and Old Baymeadows Road
26 (R.E. No. 148633-5400), as more particularly described in **Exhibit 1**,
27 dated September 22, 2022, and graphically depicted in **Exhibit 2**, both
28 of which are attached hereto (the "Subject Property"), has applied
29 for a rezoning and reclassification of that property from Planned
30 Unit Development (PUD) District (1990-662-374-E) to Planned Unit
31 Development (PUD) District, as described in Section 1 below; and

1 **WHEREAS**, the Planning Commission has considered the application
2 and has rendered an advisory opinion; and

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

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

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

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Planned Unit Development (PUD)
20 District (1990-662-374-E) to Planned Unit Development (PUD) District.
21 This new PUD district shall generally permit commercial uses, and is
22 described, shown and subject to the following documents, attached
23 hereto:

24 **Exhibit 1** - Legal Description dated September 22, 2022.

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

26 **Exhibit 3** - Written Description dated October 20, 2022.

27 **Exhibit 4** - Site Plan dated October 20, 2022.

28 **Section 2. Owner and Description.** The Subject Property
29 is owned by Property Management Support, Inc., as Trustee of the
30 Baymeadows Village Land Trust u/t/a dated July 21, 1997, and is
31 legally described in **Exhibit 1**, attached hereto. The applicant is

1 Michael Herzberg, 12483 Aladdin Road, Jacksonville, Florida 32223;
2 (904) 731-8806.

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

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

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20 Form Approved:

21
22 /s/ Mary E. Staffopoulos

23 Office of General Counsel

24 Legislation Prepared By: Brittany Figueroa

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