

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

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.

19  
20 Form Approved:

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22           /s/ Mary E. Staffopoulos          

23 Office of General Counsel

24 Legislation Prepared By: Brittany Figueroa

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