

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-270**

5 AN ORDINANCE REZONING APPROXIMATELY 1.16± ACRES
6 LOCATED IN COUNCIL DISTRICT 1 AT 0 TRACY ROAD,
7 BETWEEN LONE STAR ROAD AND ALDERMAN ROAD (R.E.
8 NO. 120861-0000 (PORTION)), OWNED BY BCEL 5B,
9 LLC, AS DESCRIBED HEREIN, FROM RESIDENTIAL LOW
10 DENSITY-60 (RLD-60) DISTRICT TO COMMERCIAL
11 RESIDENTIAL OFFICE (CRO) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
13 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
14 AMENDMENT APPLICATION NUMBER L-5537-21C;
15 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
17 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
18 EFFECTIVE DATE.
19

20 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
21 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
22 portions of the Future Land Use Map series (FLUMs) in order to ensure
23 the accuracy and internal consistency of the plan, pursuant to
24 application L-5537-21C and companion land use Ordinance 2021-269; and

25 **WHEREAS**, in order to ensure consistency of zoning district with
26 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
27 Amendment L-5537-21C, an application to rezone and reclassify from
28 Residential Low Density-60 (RLD-60) District to Commercial
29 Residential Office (CRO) District was filed by Curtis Hart, on behalf
30 of the owner of approximately 1.16± acres of certain real property
31 in Council District 1, as more particularly described in Section 1;

1 and

2 **WHEREAS**, the Planning and Development Department, in order to
3 ensure consistency of this zoning district with the *2030 Comprehensive*
4 *Plan*, has considered the rezoning and has rendered an advisory
5 opinion; and

6 **WHEREAS**, the Planning Commission has considered the application
7 and has rendered an advisory opinion; and

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

11 **WHEREAS**, the City Council, after due notice, held a public
12 hearing, and taking into consideration the above recommendations as
13 well as all oral and written comments received during the public
14 hearings, the Council finds that such rezoning is consistent with the
15 *2030 Comprehensive Plan* adopted under the comprehensive planning
16 ordinance for future development of the City of Jacksonville; now,
17 therefore

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

19 **Section 1. Subject Property Location and Description.** The
20 approximately 1.16± acres (R.E. No. 120861-0000 (portion)) are
21 located in Council District 1 at 0 Tracy Road, between Lone Star Road
22 and Alderman Road, as more particularly described in **Exhibit 1**, dated
23 March 31, 2021, and graphically depicted in **Exhibit 2**, both of which
24 are **attached hereto** and incorporated herein by this reference (Subject
25 Property).

26 **Section 2. Owner and Applicant Description.** The Subject
27 Property is owned by BCEL 5B, LLC. The applicant is Curtis Hart,
28 8051 Tara Lane, Jacksonville, Florida 32216; (904) 993-5008.

29 **Section 3. Property Rezoned.** The Subject Property,
30 pursuant to adopted companion Small-Scale Amendment Application L-
31 5537-21C, is hereby rezoned and reclassified from Residential Low

1 Density-60 (RLD-60) District to Commercial Residential Office (CRO)
2 District.

3 **Section 4. Contingency.** This rezoning shall not become
4 effective until 31 days after adoption of the companion Small-Scale
5 Amendment; and further provided that if the companion Small-Scale
6 Amendment is challenged by the state land planning agency, this
7 rezoning shall not become effective until the state land planning
8 agency or the Administration Commission issues a final order
9 determining the companion Small-Scale Amendment is in compliance with
10 Chapter 163, *Florida Statutes*.

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

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connie Quinto

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