

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-742-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.36± OF AN
6 ACRE LOCATED IN COUNCIL DISTRICT 1 AT 8950 COCOA
7 AVENUE, 8938 COCOA AVENUE, 8944 COCOA AVENUE AND
8 0 COCOA AVENUE, BETWEEN LAMSON STREET AND MILL
9 CREEK ROAD (R.E. NOS. 144612-0000, 144627-0015,
10 144627-0020 AND 144627-0025), OWNED BY BCEL 5,
11 LLC AND BCEL 8A, LLC, AS DESCRIBED HEREIN, FROM
12 COMMERCIAL, RESIDENTIAL AND OFFICE (CRO)
13 DISTRICT TO RESIDENTIAL MEDIUM DENSITY-A (RMD-A)
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
16 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
17 NUMBER L-5607-21C; PROVIDING A DISCLAIMER THAT
18 THE REZONING GRANTED HEREIN SHALL NOT BE
19 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
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22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to
26 companion application L-5607-21C; and

27 **WHEREAS,** in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5607-21C, an application to rezone and reclassify from
30 Commercial, Residential and Office (CRO) District to Residential

1 Medium Density-A (RMD-A) District was filed by Taylor Mejia, on behalf
2 of the owners of approximately 0.36± of an acre of certain real
3 property in Council District 1, as more particularly described in
4 Section 1; and

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

9 **WHEREAS**, the Planning Commission has considered the application
10 and has rendered an advisory opinion; and

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

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

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

22 **Section 1. Subject Property Location and Description.** The
23 approximately 0.36± of an acre (R.E. Nos. 144612-0000, 144627-0015,
24 144627-0020 and 144627-0025) is located in Council District 1 at 8950
25 Cocoa Avenue, 8938 Cocoa Avenue, 8944 Cocoa Avenue and 0 Cocoa Avenue,
26 between Lamson Street and Mill Creek Road, as more particularly
27 described in **Exhibit 1**, dated August 24, 2021, and graphically
28 depicted in **Exhibit 2**, both of which are **attached hereto** and
29 incorporated herein by this reference (the "Subject Property").

30 **Section 2. Owner and Applicant Description.** The Subject
31 Property is owned by BCEL 5, LLC and BCEL 8A, LLC. The applicant is

1 Taylor Mejia, 208 N Laura Street, Suite 710, Jacksonville, Florida
2 32202; (904) 349-5954.

3 **Section 3. Property Rezoned.** The Subject Property,
4 pursuant to adopted companion Small-Scale Amendment Application L-
5 5607-21C, is hereby rezoned and reclassified from Commercial,
6 Residential and Office (CRO) District to Residential Medium Density-
7 A (RMD-A) District.

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

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

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

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Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Kaysie Cox

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