

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

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.  
21

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  
31 Medium Density-A (RMD-A) District was filed by Taylor Mejia, on behalf

1 of the owners of approximately 0.36± of an acre of certain real  
2 property in Council District 1, as more particularly described in  
3 Section 1; and

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

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

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

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

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

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

29 **Section 2. Owner and Applicant Description.** The Subject  
30 Property is owned by BCEL 5, LLC and BCEL 8A, LLC. The applicant is  
31 Taylor Mejia, 208 N Laura Street, Suite 710, Jacksonville, Florida

1 32202; (904) 349-5954.

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

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

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

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

1 Form Approved:

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3           /s/ Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared By: Kaysie Cox

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