

1 Introduced by the Land Use and Zoning Committee:

4 **ORDINANCE 2022-312-E**

5 AN ORDINANCE REZONING APPROXIMATELY 2.41± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 9085
7 COMMONWEALTH AVENUE, BETWEEN JONES ROAD AND
8 MCCAUL ROAD (R.E. NO. 004766-0000 (PORTION)), AS
9 DESCRIBED HEREIN, OWNED BY MOSLEY PROPERTY
10 HOLDINGS LLC, FROM COMMERCIAL NEIGHBORHOOD (CN)
11 DISTRICT TO COMMERCIAL COMMUNITY/GENERAL-1 (CCG-
12 1) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE; PROVIDING A DISCLAIMER THAT THE
14 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
15 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
16 PROVIDING AN EFFECTIVE DATE.

17
18 **WHEREAS**, Mosley Property Holdings LLC, the owner of
19 approximately 2.41± acres located in Council District 8 at 9085
20 Commonwealth Road, between Jones Road and McCaul Road (R.E. No.
21 004766-0000 (Portion)), as more particularly described in **Exhibit 1**,
22 dated March 18, 2022, and graphically depicted in **Exhibit 2**, both of
23 which are **attached hereto** (the "Subject Property"), has applied for
24 a rezoning and reclassification of the Subject Property from
25 Commercial Neighborhood (CN) District to Commercial
26 Community/General-1 (CCG-1) District; and

27 **WHEREAS**, the Planning and Development Department has considered
28 the application and has rendered an advisory recommendation; and

29 **WHEREAS**, the Planning Commission, acting as the local planning
30 agency, has reviewed the application and made an advisory
31 recommendation to the Council; and

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

4 **WHEREAS**, taking into consideration the above recommendations and
5 all other evidence entered into the record and testimony taken at the
6 public hearings, the Council finds that such rezoning: (1) is
7 consistent with the *2030 Comprehensive Plan*; (2) furthers the goals,
8 objectives and policies of the *2030 Comprehensive Plan*; and (3) is
9 not in conflict with any portion of the City's land use regulations;
10 now, therefore

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

12 **Section 1. Property Rezoned.** The Subject Property is
13 hereby rezoned and reclassified from Commercial Neighborhood (CN)
14 District to Commercial Community/General-1 (CCG-1) District, as
15 defined and classified under the Zoning Code, City of Jacksonville,
16 Florida.

17 **Section 2. Owner and Description.** The Subject Property is
18 owned by Mosley Property Holdings LLC, and is described in **Exhibit**
19 **1, attached hereto.** The applicant is Rafael Morla, 1836 Melrose
20 Plantation Drive, Jacksonville, Florida 32223; (904) 248-1966.

21 **Section 3. Disclaimer.** The rezoning granted herein shall
22 **not** be construed as an exemption from any other applicable local,
23 state, or federal laws, regulations, requirements, permits or
24 approvals. All other applicable local, state or federal permits or
25 approvals shall be obtained before commencement of the development
26 or use and issuance of this rezoning is based upon acknowledgement,
27 representation and confirmation made by the applicant(s), owners(s),
28 developer(s) and/or any authorized agent(s) or designee(s) that the
29 subject business, development and/or use will be operated in strict
30 compliance with all laws. Issuance of this rezoning does **not** approve,
31 promote or condone any practice or act that is prohibited or

1 restricted by any federal, state or local laws.

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

6
7 Form Approved:

8
9 /s/ Mary E. Staffopoulos

10 Office of General Counsel

11 Legislation Prepared By: Erin Abney

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