

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

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
12 AND CLASSIFIED UNDER THE ZONING CODE, PURSUANT
13 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-
14 SCALE AMENDMENT APPLICATION NUMBER L-5537-21C;
15 PROVIDING A DISCLAIMER THAT THE REZONING
16 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
17 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
18 PROVIDING AN EFFECTIVE DATE.
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20 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
21 Amendment to the *2030 Comprehensive Plan* for the purpose of
22 revising portions of the Future Land Use Map series (FLUMs) in
23 order to ensure the accuracy and internal consistency of the plan,
24 pursuant to application L-5537-21C and companion land use Ordinance
25 2021-269; and

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

1 property in Council District 1, as more particularly described in
2 Section 1; and

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

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

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

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

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

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

27 **Section 2. Owner and Applicant Description.** The Subject
28 Property is owned by BCEL 5B, LLC. The applicant is Curtis Hart,
29 8051 Tara Lane, Jacksonville, Florida 32216; (904) 993-5008.

30 **Section 3. Property Rezoned.** The Subject Property,
31 pursuant to adopted companion Small-Scale Amendment Application L-

1 5537-21C, is hereby rezoned and reclassified from Residential Low
2 Density-60 (RLD-60) District to Commercial Residential Office (CRO)
3 District.

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

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

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

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Form Approved:

 /s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Connie Quinto

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