

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-750-E**

5 AN ORDINANCE DENYING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE *2030*
7 *COMPREHENSIVE PLAN* TO CHANGE THE FUTURE LAND USE
8 DESIGNATION FROM RESIDENTIAL-PROFESSIONAL-
9 INSTITUTIONAL (RPI) TO COMMUNITY/GENERAL
10 COMMERCIAL (CGC) ON APPROXIMATELY 0.38± OF AN
11 ACRE LOCATED IN COUNCIL DISTRICT 14 AT 4529
12 ROOSEVELT BOULEVARD, BETWEEN ROOSEVELT BOULEVARD
13 AND HERSCHEL STREET, OWNED BY ROOSEVELT SQUARE,
14 LLLP, AS MORE PARTICULARLY DESCRIBED HEREIN,
15 PURSUANT TO APPLICATION NUMBER L-5469-20C;
16 PROVIDING AN EFFECTIVE DATE.
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18 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
19 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
20 application for a proposed Small-Scale Amendment to the Future Land
21 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
22 Future Land Use designation from Residential-Professional-
23 Institutional (RPI) to Community/General Commercial (CGC) on 0.38±
24 of an acre of certain real property in Council District 14 was filed
25 by Beth Whitney, on behalf of the owner, Roosevelt Square, LLLP; and

26 **WHEREAS**, the Planning and Development Department reviewed the
27 proposed revision and application and has prepared a written report
28 and rendered an advisory recommendation to the City Council with
29 respect to the proposed amendment; and

30 **WHEREAS**, the Planning Commission, acting as the Local Planning
31 Agency (LPA), held a public hearing on this proposed amendment, with

1 due public notice having been provided, reviewed and considered
2 comments received during the public hearing and made its
3 recommendation to the City Council; and

4 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
5 Council held a public hearing on this proposed amendment to the *2030*
6 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
7 considered all written and oral comments received during the public
8 hearing, and has made its recommendation to the City Council; and

9 **WHEREAS**, the City Council held a public hearing on this proposed
10 amendment, with public notice having been provided, pursuant to
11 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
12 *Code*, and considered all oral and written comments received during
13 public hearings, including the data and analysis portions of this
14 proposed amendment to the *2030 Comprehensive Plan* and the
15 recommendations of the Planning and Development Department, the
16 Planning Commission and the LUZ Committee; now, therefore

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

18 **Section 1. Purpose and Intent.** This Ordinance is adopted
19 to carry out the purpose and intent of, and exercise the authority
20 set out in, the Community Planning Act, Sections 163.3161 through
21 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
22 amended.

23 **Section 2. Subject Property Location and Description.** The
24 approximately 0.38± of an acre (R.E. No. 093305-0000 (portion)) is
25 located in Council District 14 at 4529 Roosevelt Boulevard, between
26 Roosevelt Boulevard and Herschel Street, as more particularly
27 described in **Exhibit 1**, dated September 16, 2020, and graphically
28 depicted in **Exhibit 2**, both **attached hereto** and incorporated herein
29 by this reference (Subject Property).

30 **Section 3. Owner and Applicant Description.** The Subject
31 Property is owned by Roosevelt Square, LLLP. The applicant is Beth

1 Whitney, 536 North Halifax Avenue, Suite 100, Daytona Beach, Florida
2 32118; (386) 258-7999.

3 **Section 4. Small-Scale Land Use Amendment Denied.** Based on
4 the evidence in the record, including the findings and conclusions
5 of the Land Use and Zoning Committee, the Council hereby finds:

6 (1) This Ordinance shall serve as written notice to the
7 property owner, Roosevelt Square, LLLP.

8 (2) The Council adopts the findings and conclusions in the
9 record of the Land Use and Zoning Committee meeting held on February
10 17, 2021.

11 (3) The application to change the future land use designation
12 from Residential-Professional-Institutional (RPI) to
13 Community/General Commercial (CGC) is not consistent with the 2030
14 Comprehensive Plan, pursuant to the criteria in Section 650.404,
15 *Ordinance Code*, and Section 163.3184, *Florida Statutes*.

16 Therefore, the application to change the future land use
17 designation from Residential-Professional-Institutional (RPI) to
18 Community/General Commercial (CGC) is hereby **denied**.

19 **Section 5. Notice.** Legislative Services is hereby directed
20 to mail a certified copy of this Ordinance, as enacted, to the
21 owner(s) listed in the application in the Legislative Services file,
22 and any other person who testified before the City Council or the
23 Land Use and Zoning Committee.

24 **Section 6. Effective Date.** This Ordinance shall become
25 effective upon signature by the Mayor or upon becoming effective
26 without the Mayor's signature.

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Krista Fogarty

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