

1 Introduced and Substituted by the Land Use and Zoning Committee and
2 Amended on the Floor of Council:

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4
5 **ORDINANCE 2022-75-E**

6 AN ORDINANCE REZONING APPROXIMATELY 4.30± ACRES,
7 LOCATED IN COUNCIL DISTRICT 14 AT 2200 ROSSELLE
8 STREET, 2251 ROSSELLE STREET, 2310 ROSSELLE
9 STREET AND 2342 ROSSELLE STREET, BETWEEN
10 STOCKTON STREET AND COPELAND STREET (R.E. NOS.
11 091561-0010, 091605-0010, 091546-0010 AND
12 091543-0010), OWNED BY ROSSELLE PROPERTIES, LLC,
13 AS DESCRIBED HEREIN, FROM COMMERCIAL
14 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT AND
15 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2007-
16 859-E) TO PLANNED UNIT DEVELOPMENT (PUD)
17 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
18 ZONING CODE, TO PERMIT COMMERCIAL AND
19 RESIDENTIAL USES, AS DESCRIBED IN THE MECO PUD,
20 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
21 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-
22 5682-22C; PUD SUBJECT TO CONDITIONS; PROVIDING
23 A DISCLAIMER THAT THE REZONING GRANTED HEREIN
24 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
25 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
26 DATE.

27
28 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
29 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
30 portions of the Future Land Use Map series (FLUMS) in order to ensure

1 the accuracy and internal consistency of the plan, pursuant to the
2 companion land use ordinance for application L-5682-22C; and

3 **WHEREAS**, in order to ensure consistency of zoning district with
4 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
5 Amendment L-5682-22C, an application to rezone and reclassify from
6 Commercial Community/General-1 (CCG-1) District and Planned Unit
7 Development (PUD) District (2007-859-E) to Planned Unit Development
8 (PUD) District was filed by Taylor Mejia on behalf of the owner of
9 approximately 4.30± acres of certain real property in Council District
10 14, as more particularly described in Section 1; and

11 **WHEREAS**, the Planning and Development Department, in order to
12 ensure consistency of this zoning district with the *2030 Comprehensive*
13 *Plan*, has considered the rezoning and has rendered an advisory
14 opinion; and

15 **WHEREAS**, the Planning Commission has considered the application
16 and has rendered an advisory opinion; and

17 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
18 notice and public hearing, has made its recommendation to the Council;
19 and

20 **WHEREAS**, the City Council, after due notice, held a public
21 hearing, and taking into consideration the above recommendations as
22 well as all oral and written comments received during the public
23 hearings, the Council finds that such rezoning is consistent with the
24 *2030 Comprehensive Plan* adopted under the comprehensive planning
25 ordinance for future development of the City of Jacksonville; and

26 **WHEREAS**, the Council finds that the proposed PUD does not affect
27 adversely the orderly development of the City as embodied in the
28 *Zoning Code*; will not affect adversely the health and safety of
29 residents in the area; will not be detrimental to the natural
30 environment or to the use or development of the adjacent properties
31 in the general neighborhood; and the proposed PUD will accomplish the

1 objectives and meet the standards of Section 656.340 (Planned Unit
2 Development) of the *Zoning Code* of the City of Jacksonville; now,
3 therefore

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

5 **Section 1. Subject Property Location and Description.** The
6 approximately 4.30± acres are located in Council District 14 at 2200
7 Rosselle Street, 2251 Rosselle Street, 2310 Rosselle Street and 2342
8 Rosselle Street, between Stockton Street and Copeland Street (R.E.
9 Nos. 091561-0010, 091605-0010, 091546-0010 and 091543-0010), as more
10 particularly described in **Exhibit 1**, dated July 13, 2021, and
11 graphically depicted in **Exhibit 2**, both of which are attached hereto
12 and incorporated herein by this reference (the "Subject Property").

13 **Section 2. Owner and Applicant Description.** The Subject
14 Property is owned by Rosselle Properties, LLC. The applicant is
15 Taylor Mejia, 208 North Laura Street, Suite 710, Jacksonville, Florida
16 32202; (904) 349-5954.

17 **Section 3. Property Rezoned.** The Subject Property,
18 pursuant to adopted companion Small-Scale Amendment L-5682-22C, is
19 hereby rezoned and reclassified from Commercial Community/General-1
20 (CCG-1) District and Planned Unit Development (PUD) District (2007-
21 859-E) to Planned Unit Development (PUD) District. This new PUD
22 district shall generally permit commercial and residential uses, and
23 is described, shown and subject to the following documents, attached
24 hereto:

25 **Exhibit 1** - Legal Description dated July 13, 2021.

26 **Exhibit 2** - Subject Property per P&DD.

27 **Revised Exhibit 3** - Revised Written Description dated August 25,
28 2022.

29 **Revised Exhibit 4** - Revised Site Plan dated June 6, 2022.

30 **Section 4. Rezoning Approved Subject to Conditions.** This
31 rezoning is approved subject to the following conditions. Such

1 conditions control over the Written Description and the Site Plan and
2 may only be amended through a rezoning:

3 (1) The Subject Property shall be developed in accordance with
4 the Fencing Plan dated August 10, 2021, as applicable, or as otherwise
5 approved by the Planning and Development Department. This condition
6 shall not relieve the developer from the requirement to visually
7 screen outside storage facilities on the Subject Property with an 8-
8 foot fence or wall not less than 95% opaque as outlined in the revised
9 Written Description dated August 25, 2022.

10 (2) Multiple-family dwellings shall be permitted as part of a
11 mixed-use development on the Subject Property. Newly constructed
12 residential uses in the BP land use category shall be for "workforce
13 persons" as defined in the *2030 Comprehensive Plan*. Residential uses
14 shall not be the sole use developed on the Subject Property and shall
15 not exceed 80% of the development.

16 (3) In order to maintain consistency with the BP land use
17 category, single-family dwellings are prohibited in the development.

18 (4) Personal property storage establishments shall be a
19 permissible use by exception only.

20 (5) Signage on Parcel "A", as reflected on the revised Site
21 Plan dated June 6, 2022, may be developed in accordance with the
22 Commercial Community/General-1 (CCG-1) criteria for signage outlined
23 in Chapter 656, *Ordinance Code*. Signage on parcels "B", "C" and "D",
24 as reflected on the revised Site Plan dated June 6, 2022, shall comply
25 with Section 656.399.35, *Ordinance Code*.

26 **Section 5. Contingency.** This rezoning shall not become
27 effective until thirty-one (31) days after adoption of the companion
28 Small-Scale Amendment unless challenged by the state land planning
29 agency; and further provided that if the companion Small-Scale
30 Amendment is challenged by the state land planning agency, this
31 rezoning shall not become effective until the state land planning

1 agency or the Administration Commission issues a final order
2 determining the companion Small-Scale Amendment is in compliance with
3 Chapter 163, *Florida Statutes*.

4 **Section 6. Disclaimer.** The rezoning granted herein
5 shall not be construed as an exemption from any other applicable
6 local, state, or federal laws, regulations, requirements, permits or
7 approvals. All other applicable local, state or federal permits or
8 approvals shall be obtained before commencement of the development
9 or use and issuance of this rezoning is based upon acknowledgement,
10 representation and confirmation made by the applicant(s), owner(s),
11 developer(s) and/or any authorized agent(s) or designee(s) that the
12 subject business, development and/or use will be operated in strict
13 compliance with all laws. Issuance of this rezoning does not approve,
14 promote or condone any practice or act that is prohibited or
15 restricted by any federal, state or local laws.

16 **Section 7. Effective Date.** The enactment of this Ordinance
17 shall be deemed to constitute a quasi-judicial action of the City
18 Council and shall become effective upon signature by the Council
19 President and the Council Secretary.

20
21 Form Approved:

22
23 /s/ Mary E. Staffopoulos

24 Office of General Counsel

25 Legislation Prepared By: Arimus Wells

26 GC-#1525571-v1-2022-75-E