

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-751-E**

5 AN ORDINANCE DENYING REZONING APPROXIMATELY
6 0.38± OF AN ACRE LOCATED IN COUNCIL DISTRICT 14
7 AT 4529 ROOSEVELT BOULEVARD, BETWEEN ROOSEVELT
8 BOULEVARD AND HERSCHEL STREET (R.E. NO. 093305-
9 0000 (PORTION)), OWNED BY ROOSEVELT SQUARE, LLLP,
10 AS DESCRIBED HEREIN, FROM COMMERCIAL RESIDENTIAL
11 OFFICE (CRO) DISTRICT TO COMMERCIAL
12 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT, AS DEFINED
13 AND CLASSIFIED UNDER THE ZONING CODE, PURSUANT
14 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
15 AMENDMENT APPLICATION NUMBER L-5469-20C;
16 PROVIDING AN EFFECTIVE DATE.
17

18 **WHEREAS**, in order to ensure consistency of zoning district with
19 the *2030 Comprehensive Plan* and the proposed companion Small-Scale
20 Amendment L-5469-20C, an application to rezone and reclassify from
21 Commercial Residential Office (CRO) District to Commercial
22 Community/General-1 (CCG-1) District was filed by Beth Whitney, on
23 behalf of the owner of approximately 0.38± of an acre of certain real
24 property in Council District 14, as more particularly described in
25 Section 1; and

26 **WHEREAS**, the Planning and Development Department, in order to
27 ensure consistency of this zoning district with the *2030 Comprehensive*
28 *Plan*, has considered the rezoning and has rendered an advisory
29 opinion; and

30 **WHEREAS**, the Planning Commission has considered the application
31 and has rendered an advisory opinion; 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**, the City Council, after due notice, held a public
5 hearing, and taking into consideration the above recommendations as
6 well as all oral and written comments received during the public
7 hearings, the Council finds that such rezoning is not consistent with
8 the *2030 Comprehensive Plan* adopted under the comprehensive planning
9 ordinance for future development of the City of Jacksonville; now,
10 therefore

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

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

19 **Section 2. Owner and Applicant Description.** The Subject
20 Property is owned by Roosevelt Square, LLLP. The applicant is Beth
21 Whitney, 536 North Halifax Avenue, Suite 100, Daytona Beach, Florida
22 32118; (386) 258-7999.

23 **Section 3. Rezoning Denied.** Based on the competent
24 substantial evidence in the record, including the findings and
25 conclusions of the Land Use and Zoning Committee, the Council hereby
26 finds:

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

29 (2) The Council adopts the findings and conclusions in the
30 record of the Land Use and Zoning Committee meeting held on February
31 17, 2021.

1 (3) The application for rezoning and reclassification of the
2 Subject Property from Commercial Residential Office (CRO) District
3 to Commercial Community/General-1 (CCG-1) District does not meet the
4 criteria for rezoning in Section 656.125, *Ordinance Code*, and
5 maintaining the current zoning district accomplishes a legitimate
6 public purpose, as defined in Section 656.125, *Ordinance Code*.

7 Therefore, the application to rezone and reclassify the Subject
8 Property from Commercial Residential Office (CRO) District to
9 Commercial Community/General-1 (CCG-1) District is hereby **denied**.

10 **Section 4. Notice.** Legislative Services is hereby directed
11 to mail a certified copy of this Ordinance, as enacted, to the
12 owner(s) listed in the rezoning application in the Legislative
13 Services file, and any other person who testified before the City
14 Council or the Land Use and Zoning Committee.

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

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20 Form Approved:

21
22 /s/ Shannon K. Eller

23 Office of General Counsel

24 Legislation Prepared By: Erin Abney

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