

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

January 20, 2022

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2021-868**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

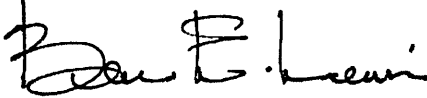
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	5-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Absent
Joshua Garrison	Aye
Dawn Motes	Absent
Jason Porter	Absent

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2021-0868

JANUARY 20, 2022

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2021-0868**.

Location: 0 Chaffee Road; between 103rd Street and Samaritan Way

Real Estate Number: 012900 0410; 012912 0010; 012899 0010; 012900 0600; 012906 0060; 012906 0050

Current Zoning District: Commercial Community/General-1 (CCG-1)

Proposed Zoning District: Commercial, Residential and Office (CRO)

Current Land Use Category: Community/General Commercial (CGC)

Proposed Land Use Category: Residential-Professional-Institutional (RPI)

Planning District: District 4 —Southwest

Applicant/Agent: Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC
One Independent Drive, Suite 1200
Jacksonville, FL 32202

Owner: Millennial Christian Schools, Inc.
5975 Park Street
Jacksonville, FL 32202

CTB3, LLC
2100 Ocean Drive South #1D
Jacksonville, FL 32250

Sahasra Investments LLC
319 Saint Johns Forest Boulevard
Saint Johns, FL 32259

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2021-0868** seeks to rezone 22.83± acres of a subject property from Commercial Community/General-1 (CCG-1) to Commercial, Residential and Office (CRO). The request is being sought to develop approximately 360 multi-family dwelling units. The property is currently vacant.

There is a companion Small Scale Land Use Amendment L-5633-21C (**Ordinance 2021-0867**) that seeks to amend the land use on the property from Community/General Commercial (CGC) to Residential-Professional-Institutional (RPI), along with a companion Administrative Deviation (**Ordinance 2021-0869**) to reduce the minimum number of parking spaces required from 679 to 642.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. *Is the proposed rezoning consistent with the 2030 Comprehensive Plan?*

Yes. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds that with the approval of companion Small Scale Land Use Amendment L-5633-21C (**Ordinance 2021-0867**), the subject property will be located in the Residential-Professional-Institutional (RPI) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan..

2. *Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?*

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. According to the Future Land Use Element (FLUE), RPI located in the Suburban Development Area is intended to provide for multi-family dwellings as a principal use.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element:

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

The proposed rezoning at the subject site would promote the balance of residential uses within the immediate area given the subject property's primary access to Samaritan Way, create the opportunity for a greater variety of housing options for local citizens, and increase land availability for public uses.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The proposed rezoning to CRO would allow for residential infill on a traditionally underutilized commercial parcel along Chaffee Road South.

Recreation and Open Space Element (ROSE):

Policy 2.2.5

All multiple-family developments of 100 units or more shall provide 150 square feet of active recreation area per dwelling unit. There may be one area for each 100 units, or the areas may be combined, subject to approval by the Planning and Development.

The proposed rezoning shall adhere to the policy mentioned above once development of the site commences.

3. ***Does the proposed rezoning conflict with any portion of the City's land use regulations?***

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. If approved as recommended by the Staff of the Planning and Development

Department, the subject property will be rezoned from CCG-1 to CRO in order to permit for the development of multi-family dwellings—all while adhering to local, state, and federal regulations mentioned below:

SURROUNDING LAND USE AND ZONING

The subject property is located east of Cecil Commerce Center Parkway, between Samaritan Way and 103rd Street. Located north of the subject property is single family dwellings and a private school. Properties to the east and south are currently undeveloped, however, multi-family was recently approved for the property to the east. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR/CGC	PUD 2002-0933	Single-Family Dwellings
East	CGC	CCG-1	Vacant
South	CGC	CCG-1	Vacant
West	CGC	CCG-1	Vacant

It is the opinion of the Planning and Development Department that the requested rezoning to CRO will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **January 12, 2022** by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted. However, the applicant followed up with an affidavit and photos showing the placement of the signs.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2021-0868** be **APPROVED**.

Figure A:



Source: Planning & Development Department, 1/13/2022

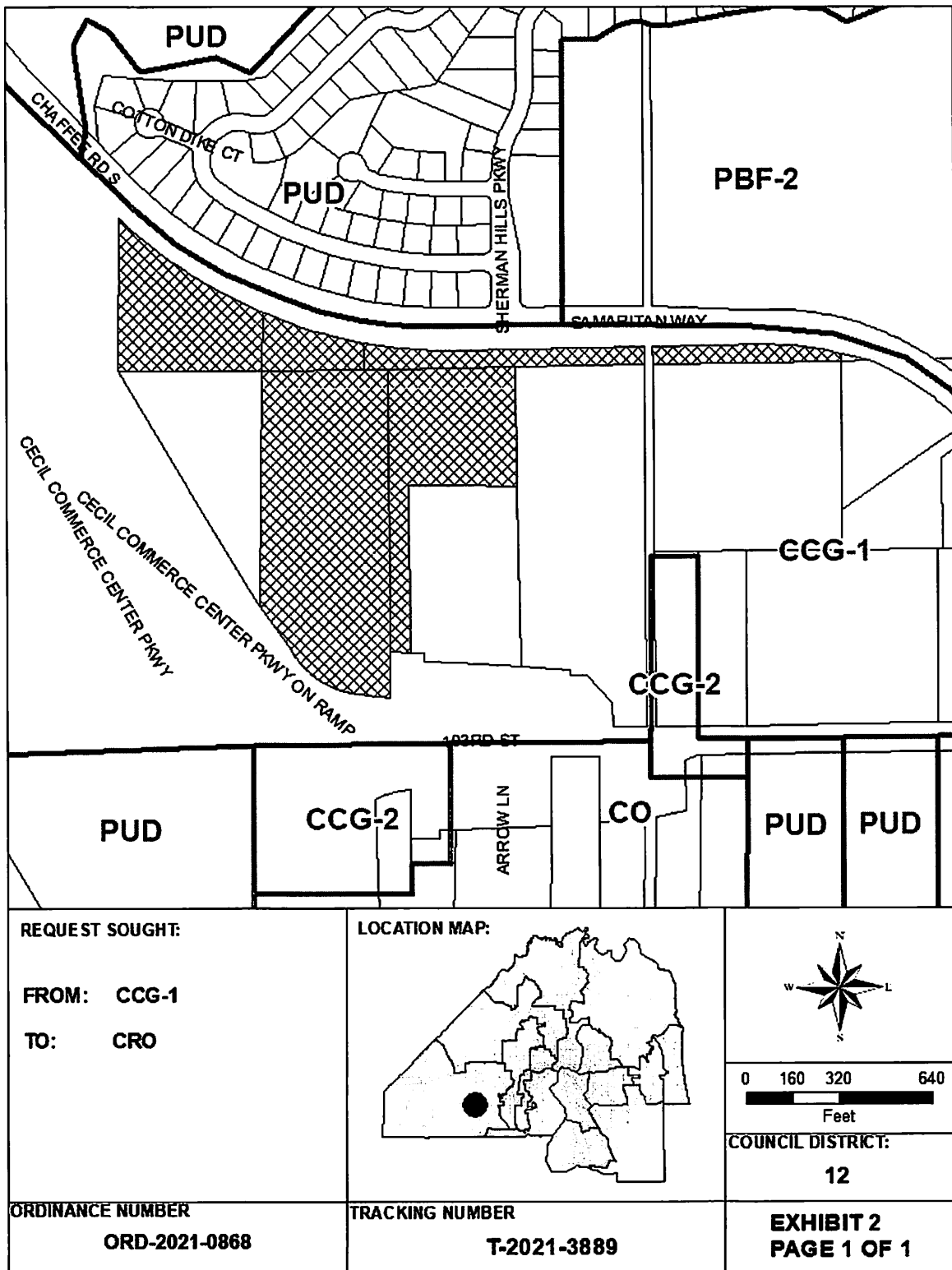
Aerial view of the subject site and parcel, facing north.

Figure B:



Source: Planning & Development Department, 1/12/2022

View of the subject property from Samaritan Way.



Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0868 **Staff Sign-Off/Date** KPC / 11/15/2021
Filing Date 11/29/2021 **Number of Signs to Post** 13
Hearing Dates:
1st City Council 01/25/2022 **Planning Commission** 01/20/2022
Land Use & Zoning 02/01/2022 **2nd City Council** 02/08/2022
Neighborhood Association WEST JAX CIVIC ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3889 **Application Status** PENDING
Date Started 11/09/2021 **Date Submitted** 11/09/2021

General Information On Applicant

Last Name	First Name	Middle Name
TRIMMER	CYNDY	
Company Name		
DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC		
Mailing Address		
1 INDEPENDENT DRIVE, SUITE 1200		
City	State	Zip Code
JACKSONVILLE	FL	32202
Phone	Fax	Email
9048070185	904	CKT@DRIVERMCAFEE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
N/A	N/A	
Company/Trust Name		
MILLENNIAL CHRISTIAN SCHOOLS, INC.		
Mailing Address		
5975 PARK STREET		
City	State	Zip Code
JACKSONVILLE	FL	32202
Phone	Fax	Email

Last Name	First Name	Middle Name
N/A	N/A	
Company/Trust Name		
CTB3, LLC		
Mailing Address		
2100 OCEAN DRIVE SOUTH #1D		
City	State	Zip Code
JACKSONVILLE	FL	32250
Phone	Fax	Email

.....

Last Name N/A **First Name** N/A **Middle Name**

Company/Trust Name
SAHASRA INVESTMENTS LLC

Mailing Address
319 SAINT JOHNS FOREST BLVD.

City SAINT JOHNS **State** FL **Zip Code** 32259

Phone **Fax** **Email**

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	012900 0410	12	4	CCG-1	CRO
Map	012912 0010	12	4	CCG-1	CRO
Map	012899 0010	12	4	CCG-1	CRO
Map	012900 0600	12	4	CCG-1	CRO
Map	012906 0060	12	4	CCG-1	CRO
Map	012906 0050	12	4	CCG-1	CRO

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category
CGC

Land Use Category Proposed?

If Yes, State Land Use Application #
5633

Total Land Area (Nearest 1/100th of an Acre) 22.83

Justification For Rezoning Application

APPLICANT SEEKS THIS REZONING TO PERMIT DEVELOPMENT OF A MULTI-FAMILY RESIDENTIAL COMPLEX.

Location Of Property

General Location
NORTH OF 103RD STREET AND SOUTH OF SAMARITAN WAY/CHAFFEE ROAD SOUTH

House # 0 **Street Name, Type and Direction** SAMARITAN WAY **Zip Code** 32210

Between Streets
103RD STREET and SAMARITAN WAY

Required Attachments For Formal, Complete application

The following items must be attached to each application in the order prescribed below. All

pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

- One copy of the Deeds to indicate proof of property ownership.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required **SIGN(S)** must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING**. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

- Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof
22.83 Acres @ \$10.00 /acre: \$230.00
- 3) Plus Notification Costs Per Addressee
38 Notifications @ \$7.00 /each: \$266.00
- 4) Total Rezoning Application Cost: \$2,496.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

Exhibit 1

LEGAL DESCRIPTION

November 9, 2021

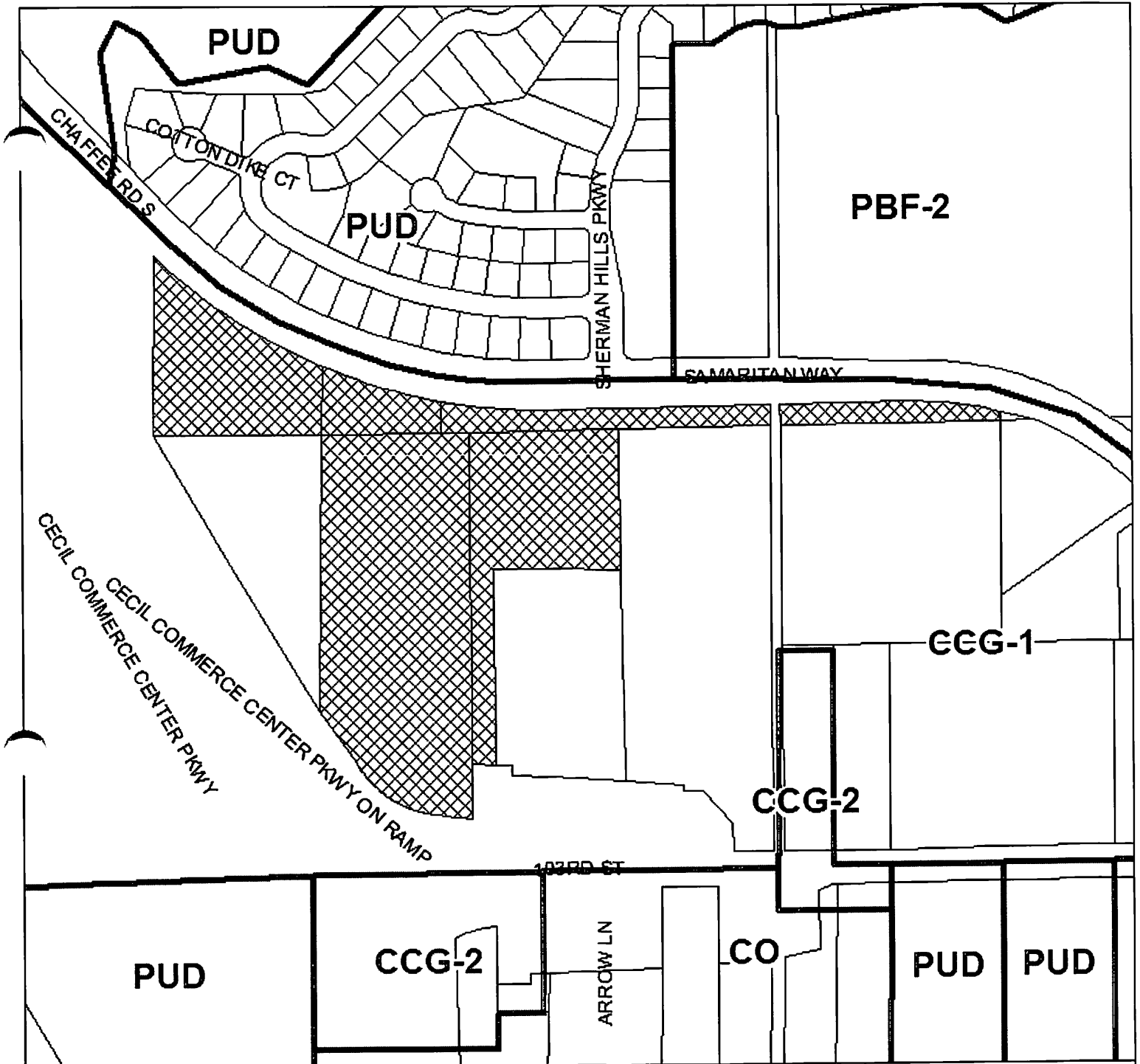
PARCEL WEST

A PORTION TRACTS 2, 3, 4, 5, 6, 13, 14 AND 15, BLOCK 3, SECTION 7, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT RECORDS OF DUVAL COUNTY, FLORIDA, LESS AND EXCEPT ANY PORTIONS THEREOF LYING WITHIN ANY ROAD RIGHTS-OF-WAY.

TOGETHER WITH

PARCEL EAST

A PORTION OF TRACT 8, BLOCK 4, SECTION 7, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT RECORDS OF DUVAL COUNTY, FLORIDA, LESS AND EXCEPT ANY PORTIONS THEREOF LYING WITHIN ANY ROAD RIGHTS-OF-WAY.

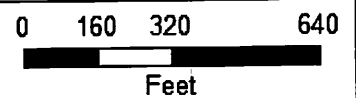
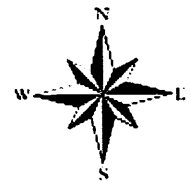
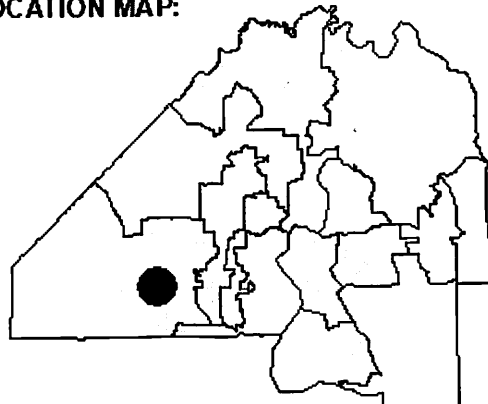


REQUEST SOUGHT:

FROM: CCG-1

TO: CRO

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2021-3889

**EXHIBIT 2
PAGE 1 OF 1**