

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2021-869**

5 AN ORDINANCE APPROVING ADMINISTRATIVE DEVIATION
6 APPLICATION Z-3782, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 12 AT 0 SOUTH CHAFFEE ROAD, 0
8 BRANAN FIELD CHAFFEE ROAD AND 0 103RD STREET,
9 BETWEEN 103RD STREET AND SAMARITAN WAY (R.E.
10 NOS. 012899-0010, 012900-0410, 012900-0600,
11 012906-0050, 012906-0060 AND 012912-0010) AS
12 DESCRIBED HEREIN, OWNED BY CTB3, LLC, SAHASRA
13 INVESTMENTS LLC AND MILLENNIAL CHRISTIAN
14 SCHOOLS, INC., REQUESTING TO REDUCE THE MINIMUM
15 NUMBER OF OFF-STREET PARKING SPACES FROM 679 TO
16 642 AND TO DECREASE THE MINIMUM NUMBER OF
17 LOADING SPACES FROM 10 TO 0, IN CURRENT ZONING
18 DISTRICT COMMERCIAL COMMUNITY/GENERAL-1 (CCG-
19 1)/PROPOSED ZONING DISTRICT COMMERCIAL,
20 RESIDENTIAL AND OFFICE (CRO), AS DEFINED AND
21 CLASSIFIED UNDER THE ZONING CODE; ADOPTING
22 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND
23 USE AND ZONING COMMITTEE; PROVIDING FOR
24 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

25
26 **WHEREAS**, an application for an administrative deviation, **On File**
27 with the City Council Legislative Services Division, was filed by
28 Cyndy Trimmer, Esq., on behalf of CTB3, LLC, Sahasra Investments LLC
29 and Millennial Christian Schools, Inc., the owners of certain real
30 property located in Council District 12 at 0 South Chaffee Road, 0
31 Branran Field Chaffee Road and 0 103rd Street, between 103rd Street and

1 Samaritan Way (R.E. Nos. 012899-0010, 012900-0410, 012900-0600,
2 012906-0050, 012906-0060 and 012912-0010) (the "Subject Property"),
3 requesting to reduce the minimum number of off-street parking spaces
4 from 679 to 642 and to decrease the minimum number of loading spaces
5 from 10 to 0, in current Zoning District Commercial Community/General-
6 1 (CCG-1)/proposed Zoning District Commercial, Residential and Office
7 (CRO); and

8 **WHEREAS**, the Planning and Development Department has considered
9 the application and all attachments thereto and has rendered an
10 advisory recommendation; and

11 **WHEREAS**, the Land Use and Zoning Committee, after due notice
12 held a public hearing and having duly considered both the testimonial
13 and documentary evidence presented at the public hearing, has made
14 its recommendation to the Council; now, therefore

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

16 **Section 1. Adoption of Findings and Conclusions.** The
17 Council has considered the recommendation of the Land Use and Zoning
18 Committee and reviewed the Staff Report of the Planning and
19 Development Department concerning administrative deviation
20 Application Z-3782, which requests to reduce the minimum number of
21 off-street parking spaces from 679 to 642 and to decrease the minimum
22 number of loading spaces from 10 to 0. Based upon the competent,
23 substantial evidence contained in the record, the Council hereby
24 determines that the requested administrative deviation meets each of
25 the following criteria required to grant the request pursuant to
26 Section 656.109(h), *Ordinance Code*, as specifically identified in the
27 Staff Report of the Planning and Development Department:

28 (1) There are practical or economic difficulties in carrying out
29 the strict letter of the regulation;

30 (2) The request is not based exclusively upon a desire to reduce
31 the cost of developing the site, but would accomplish some result

1 that is in the public interest, such as, for example, furthering the
2 preservation of natural resources by saving a tree or trees;

3 (3) The proposed deviation will not substantially diminish
4 property values in, nor alter the essential character of, the area
5 surrounding the site and will not substantially interfere with or
6 injure the rights of others whose property would be affected by the
7 deviation;

8 (4) The proposed deviation will not be detrimental to the public
9 health, safety or welfare, result in additional public expense, the
10 creation of nuisances, or conflict with any other applicable law;

11 (5) The proposed deviation has been recommended by a City
12 landscape architect, if the deviation is to reduce required
13 landscaping; and

14 (6) The effect of the proposed deviation is in harmony with the
15 spirit and intent of the Zoning Code.

16 Therefore, administrative deviation Application Z-3782 is hereby
17 **approved.**

18 **Section 2. Owner and Description.** The Subject Property is
19 owned by CTB3, LLC, Sahasra Investments LLC and Millennial Christian
20 Schools, Inc., and is described in **Exhibit 1**, dated November 9, 2021,
21 and graphically depicted in **Exhibit 2**, both **attached hereto** and
22 incorporated herein by this reference. The agent is Cyndy Trimmer,
23 Esq., 1 Independent Drive, Suite 1200, Jacksonville, Florida 32202;
24 (904) 807-0185.

25 **Section 3. Distribution by Legislative Services.**
26 Legislative Services is hereby directed to mail a copy of this
27 legislation, as enacted, to the applicant and any other parties to
28 this matter who testified before the Land Use and Zoning Committee
29 or otherwise filed a qualifying written statement as defined in
30 Section 656.140(c), *Ordinance Code*.

31 **Section 4. Effective Date.** The enactment of this Ordinance

1 shall be deemed to constitute a quasi-judicial action of the City
2 Council and shall become effective upon signature by the Council
3 President and Council Secretary.

4

5 Form Approved:

6

7 /s/ Mary E. Staffopoulos

8 Office of General Counsel

9 Legislation Prepared By: Bruce Lewis

10 GC-#1468823-v2-2021-869_(AD-3782)(SS_Comp).docx