

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-371-E**

5 AN ORDINANCE REZONING APPROXIMATELY 21.10±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 12 AT 0  
7 NORMANDY BOULEVARD, 11054 NORMANDY BOULEVARD,  
8 11112 NORMANDY BOULEVARD, 11140 NORMANDY  
9 BOULEVARD, 11150 NORMANDY BOULEVARD, 11192  
10 NORMANDY BOULEVARD AND 3641 CHAFFEE ROAD  
11 SOUTH, BETWEEN CHAFFEE ROAD SOUTH AND NORMANDY  
12 BOULEVARD (R.E. NOS. 012843-0000, 012843-0010,  
13 012848-0000, 012848-0010, 012848-0020, 012852-  
14 0000 AND 012853-0010), AS DESCRIBED HEREIN,  
15 OWNED BY JACKSONVILLE HEIGHTS LAND TRUST,  
16 PROPERTY MANAGEMENT SUPPORT, INC., ET AL., AND  
17 CHAFFEE SQUARE LAND TRUST, FROM COMMERCIAL  
18 OFFICE (CO), COMMERCIAL COMMUNITY/GENERAL-2  
19 (CCG-2) AND PLANNED UNIT DEVELOPMENT (PUD)  
20 (ORDINANCE 2005-694-E) DISTRICTS TO PLANNED  
21 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED  
22 AND CLASSIFIED UNDER THE ZONING CODE, TO  
23 PERMIT MIXED USE DEVELOPMENT, AS DESCRIBED IN  
24 THE CHAFFEE SQUARE RESIDENTIAL PUD; PUD  
25 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER  
26 THAT THE REZONING GRANTED HEREIN SHALL NOT BE  
27 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
28 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

29  
30 **WHEREAS**, Jacksonville Heights Land Trust, Property Management  
31 Support, Inc., et al., and Chaffee Square Land Trust, the owners of

1 approximately 21.10± acres, located in Council District 12 at 0  
2 Normandy Boulevard, 11054 Normandy Boulevard, 11112 Normandy  
3 Boulevard, 11140 Normandy Boulevard, 11150 Normandy Boulevard,  
4 11192 Normandy Boulevard and 3641 Chaffee Road South, between  
5 Chaffee Road South and Normandy Boulevard (R.E. Nos. 012843-0000,  
6 012843-0010, 012848-0000, 012848-0010, 012848-0020, 012852-0000 and  
7 012853-0010), as more particularly described in **Exhibit 1**, dated  
8 February 12, 2019, and graphically depicted in **Exhibit 2**, both of  
9 which are **attached hereto** and incorporated herein by this reference  
10 (Subject Property), have applied for a rezoning and  
11 reclassification of that property from Commercial Office (CO),  
12 Commercial Community/General-2 (CCG-2) and Planned Unit Development  
13 (PUD) (Ordinance 2005-694-E) Districts to Planned Unit Development  
14 (PUD) District, as described in Section 1 below; and

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

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

19 **WHEREAS**, the Council finds that such rezoning is: (1)  
20 consistent with the *2030 Comprehensive Plan*; (2) furthers the  
21 goals, objectives and policies of the *2030 Comprehensive Plan*; and  
22 (3) is not in conflict with any portion of the City's land use  
23 regulations; and

24 **WHEREAS**, the Council finds the proposed rezoning does not  
25 adversely affect the orderly development of the City as embodied in  
26 the Zoning Code; will not adversely affect the health and safety of  
27 residents in the area; will not be detrimental to the natural  
28 environment or to the use or development of the adjacent properties  
29 in the general neighborhood; and will accomplish the objectives and  
30 meet the standards of Section 656.340 (Planned Unit Development) of  
31 the Zoning Code; now, therefore

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

2           **Section 1.           Property Rezoned.**       The Subject Property is  
3 hereby rezoned and reclassified from Commercial Office (CO),  
4 Commercial Community/General-2 (CCG-2) and Planned Unit Development  
5 (PUD) (Ordinance 2005-694-E) Districts to Planned Unit Development  
6 (PUD) District. This new PUD district shall generally permit mixed  
7 use development, and is described, shown and subject to the  
8 following attached documents:

9           **Exhibit 1** - Legal Description dated February 12, 2019.

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

11          **Exhibit 3** - Written Description dated March 3, 2019.

12          **Exhibit 4** - Site Plan dated March 3, 2019.

13           **Section 2.           Rezoning Approved Subject to Conditions.** This  
14 rezoning is approved subject to the following conditions. Such  
15 conditions shall control over the Written Description and Site Plan  
16 and may only be amended through a rezoning.

17           (1) There shall be only one full access to Chaffee Road at  
18 the residential area and one right in/right out access in the  
19 commercial area.   **Exhibit 4** shows left turn lanes into nonexistent  
20 accesses. There shall be a left turn lane at the access into the  
21 residential area.

22           (2) A traffic study shall be provided to determine the  
23 deceleration length and queue length on Chaffee Road for both the  
24 signal and left turn lane into the residential area. The traffic  
25 study will also determine any changes needed to the existing  
26 signal. The traffic study shall be submitted at the time of  
27 verification of substantial compliance.

28           (3) A concrete traffic separator on Chaffee Road is required  
29 to prevent left in and left out vehicles at the commercial access.  
30 The "Pork Chop" islands are ineffective at preventing these left  
31 turn movements and are prohibited.

1 (4) A six (6) foot high, 85% opaque vinyl fence, or wall of  
2 stucco, masonry or similar material, shall be installed and  
3 maintained along the southern property line of the commercial area.

4 (5) A ten (10) foot wide landscape buffer shall be installed  
5 and maintained on three sides of the existing cell tower. The  
6 landscape buffer shall contain a row of evergreen shade trees a  
7 minimum of 15 feet tall (at the time of planting) with a four-inch  
8 caliper, spaced a maximum of 15 feet apart; and a row of evergreen  
9 shrubs such as viburnum, ligustrum, holly or juniper, a minimum of  
10 four (4) feet tall (at the time of planting) and potted in seven-  
11 gallon containers, planted four (4) feet on center, in order to  
12 maintain 80% opacity within one year of planting.

13 (6) The landscaping buffer shall be properly maintained  
14 through an irrigation system.

15 (7) Prior to the first final inspection within any phase of  
16 development, the owner or their agent shall submit to the Planning  
17 and Development Department for its review and approval either: (a)  
18 an affidavit documenting that all conditions to the development  
19 order have been satisfied, or (b) a detailed agreement for the  
20 completion of all conditions to the development order.

21 **Section 3. Owner and Description.** The Subject Property  
22 is owned by Jacksonville Heights Land Trust, Property Management  
23 Support, Inc., et al., and Chaffee Square Land Trust, and is  
24 legally described in **Exhibit 1, attached hereto.** The agent is  
25 Michael Herzberg, 12483 Aladdin Road, Jacksonville, Florida 32223;  
26 (904) 731-8806.

27 **Section 4. Disclaimer.** The rezoning granted herein  
28 shall **not** be construed as an exemption from any other applicable  
29 local, state, or federal laws, regulations, requirements, permits  
30 or approvals. All other applicable local, state or federal permits  
31 or approvals shall be obtained before commencement of the

1 development or use and issuance of this rezoning is based upon  
2 acknowledgement, representation and confirmation made by the  
3 applicant(s), owner(s), developer(s) and/or any authorized agent(s)  
4 or designee(s) that the subject business, development and/or use  
5 will be operated in strict compliance with all laws. Issuance of  
6 this rezoning does **not** approve, promote or condone any practice or  
7 act that is prohibited or restricted by any federal, state or local  
8 laws.

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

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14 Form Approved:

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16           /S/ Shannon K. Eller          

17 Office of General Counsel

18 Legislation Prepared By: Bruce Lewis

19 GC-#1295832-v1-2019-371-E