

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2020-0133

MARCH 19, 2020

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 **2020-0133**.

Location: 1320 Chaffee Road South
Between Interstate 10 and Panther Creek Parkway

Real Estate Number: 001870-0020

Current Zoning District: Residential Rural- Acre (RR-Acre)

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

Current Land Use Category: Low Density Residential (LDR)

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

Applicant/Agent: Paul M. Harden, Esq.
Law Office of Paul M. Harden
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owners: Vincent Todd Ferreira
Final Waters, LLC
702 Chipshot Drive
Macclenny, Florida 32063

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0133** seeks to rezone 6.50+/- acres of property from Residential Rural- Acre (RR-Acre) to Commercial/Community General-1 (CCG-1). The property is located in the Low Density Residential (LDR) Land Use Category within the Suburban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. A companion Small Scale Land Use Amendment (2019-0132) is seeking to change the property's Land Use Category to Community/General Commercial (CGC). The request is being sought in order to allow for the property to be converted from a Church into a funeral home without a crematorium. If the property owner decides to add a crematorium in the future a zoning exception will be required in the proposed CCG-1 Zoning District.

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. The 6.5 acre subject site is located on the west side of Chaffee Road South, a minor arterial road that connects Normandy Boulevard (SR-228) to I-10. The property is located in Planning District 4, Council District 12 and within the Suburban Development Area. As a companion to the rezoning, the applicant is proposing a land use change for the subject site from LDR to Community/General Commercial (CGC) with Ordinance 2020-132.

Future land use amendment requests for new Community/ General Commercial (CGC) designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which are located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses. Commercial retail sales and service, filling stations, and business and professional offices are primary uses within CGC. If the proposed land use amendment from LDR to CGC is approved, the rezoning amendment to the CCG-1 district will be consistent with the land use category.

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

Yes. The proposed rezoning furthers the following goals, objectives, and policies of the 2030 Comprehensive Plan:

Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Per the attached JEA letter, and updated memorandum dated January 29, 2020, the site has access to both centralized water and gravity sewer under the Chaffee Road right-of-way. Any development will be required to conform to the comprehensive plan.

Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

The proposed rezoning will allow for the conversion of a residential property into a funeral home. The proposed zoning district does allow for a large number of commercial uses that are currently allowed in other places along Chaffee Road. Chaffee Road is classified as a Minor Arterial Road Way with a mix of Commercial and Residential Uses. The conversion of a residential property that is located .60 miles from Interstate 10 does adhere to Policy 3.2.1 of the Comprehensive Plan.

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

No. The proposed rezoning will not be in conflict with any portion of the City's land use regulations.

SURROUNDING LAND USE AND ZONING

The subject property is located along Chaffee Road, a minor arterial roadway which is comprised of a mix of commercial and residential uses. The Surrounding Land Use and Zoning Categories are as followed:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RR-Acre	Vacant
East	LDR	RR-Acre	Single Family Residences
South	LDR	RR-Acre	Single Family Residence
West	LDR	PUD	Single Family Residences

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on March 6, 2020 by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted.



Source: Planning and Development Department

Date: March 6, 2020

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2020-0133** be **APPROVED**.



Aerial

Source: JaxGIS
Date: March 5, 2020



View of the Subject Property

Source: Google Street View
Date: March 6, 2020



View of the neighboring property across Chaffee Road.

Source: Planning and Development Department
Date: March 6, 2020



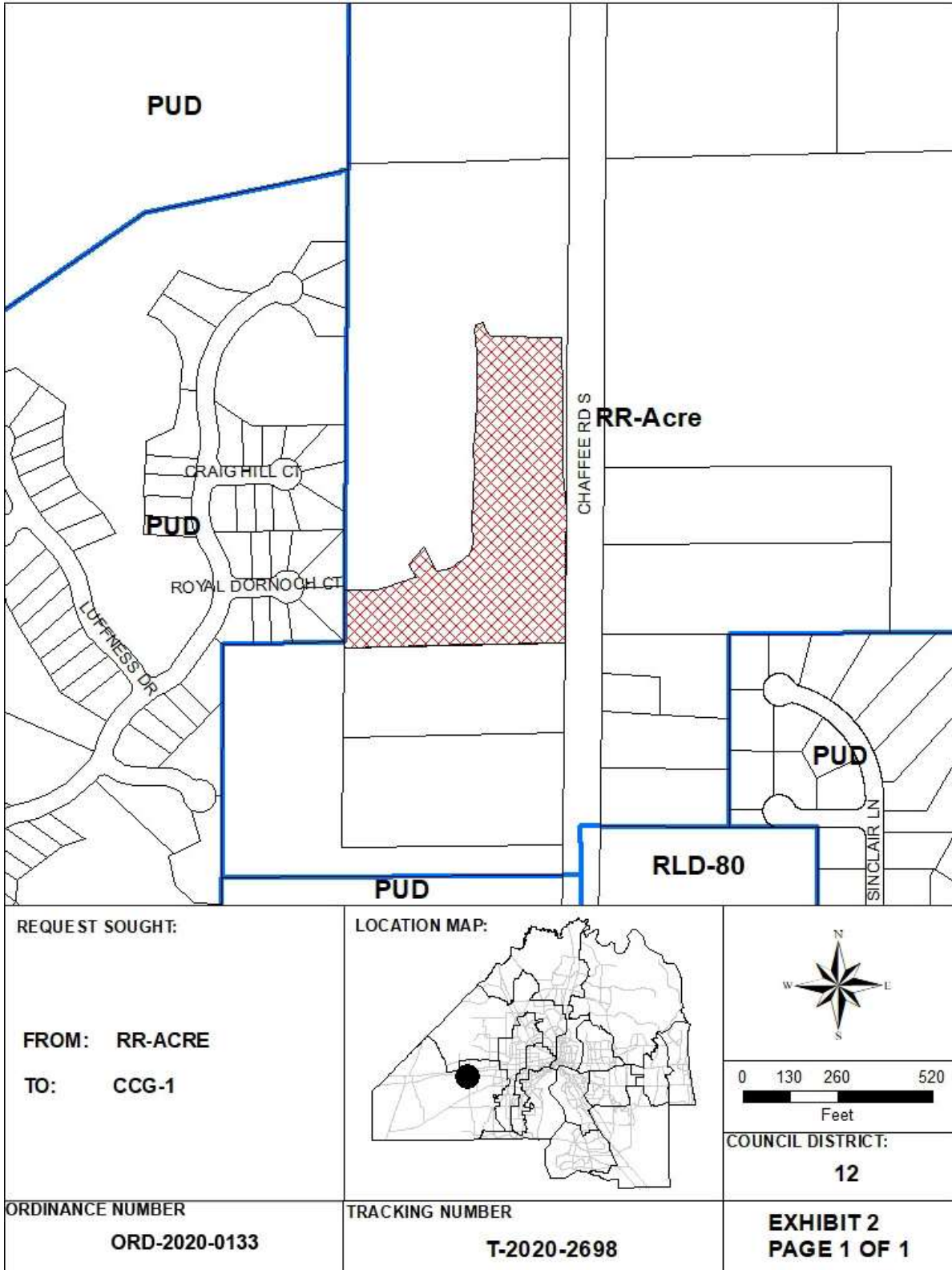
View of the neighboring property.

Source: Planning and Development Department
Date: March 6, 2020



View looking down Chaffee towards Interstate 10.

*Source: Planning and Development Department
Date: February 25, 2020*



Legal Map

Source: JaxGIS
Date: March 5, 2020