

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-123-E**

5 AN ORDINANCE REZONING APPROXIMATELY 22.62±
6 ACRES, LOCATED IN COUNCIL DISTRICT 2 AT 270
7 NORTH KERNAN BOULEVARD, BETWEEN KERNAN BOULEVARD
8 NORTH AND ROSERUSH LANE (R.E. NO. 162225-0500),
9 AS DESCRIBED HEREIN, OWNED BY EAST POINTE
10 BAPTIST CHURCH, INC., FROM RESIDENTIAL RURAL-
11 ACRE (RR-ACRE) DISTRICT TO PLANNED UNIT
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
14 CHURCHES, SCHOOLS, AND RELATED RECREATIONAL
15 USES, AS DESCRIBED IN THE EAST POINTE CHURCH
16 PUD; PUD SUBJECT TO CONDITION; PROVIDING A
17 DISCLAIMER THAT THE REZONING GRANTED HEREIN
18 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
19 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
20 DATE.
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22 **WHEREAS**, East Pointe Baptist Church, Inc., the owner of
23 approximately 22.62± acres located in Council District 2 at 270 Kernan
24 Boulevard North, between Kernan Boulevard North and Roserush Lane
25 (R.E. No. 162225-0500), as more particularly described in **Exhibit 1**,
26 dated December 1, 2022, and graphically depicted in **Exhibit 2**, both
27 of which are attached hereto (the "Subject Property"), has applied
28 for a rezoning and reclassification of the Subject Property from
29 Residential Rural-Acre (RR-Acre) District to Planned Unit Development
30 (PUD) District, as described in Section 1 below; and

31 **WHEREAS**, the Planning Commission has considered the application

1 and has rendered an advisory opinion; and

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

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

8 **WHEREAS**, the Council finds the proposed rezoning does not
9 adversely affect the orderly development of the City as embodied in
10 the Zoning Code; will not adversely affect the health and safety of
11 residents in the area; will not be detrimental to the natural
12 environment or to the use or development of the adjacent properties
13 in the general neighborhood; and will accomplish the objectives and
14 meet the standards of Section 656.340 (Planned Unit Development) of
15 the Zoning Code; now, therefore

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

17 **Section 1. Property Rezoned.** The Subject Property is
18 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
19 District to Planned Unit Development (PUD) District. This new PUD
20 district shall generally permit churches, schools, and related
21 recreational uses, and is described, shown and subject to the
22 following documents, attached hereto:

23 **Exhibit 1** - Legal Description dated December 1, 2022.

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

25 **Exhibit 3** - Written Description dated December 1, 2022.

26 **Exhibit 4** - Site Plan dated December 1, 2022.

27 **Section 2. Rezoning Approved Subject to Condition.** This
28 rezoning is approved subject to the following condition. Such
29 condition controls over the Written Description and the Site Plan and
30 may only be amended through a rezoning:

31 (1) A traffic study shall be provided at Civil Site Plan Review

1 unless the Chief of the Traffic Engineering Division determines one
2 will not be required. Prior to commencement of the traffic study,
3 if required, the traffic professional shall conduct a methodology
4 meeting to determine the limits of the study. The methodology meeting
5 shall include the Chief of the Traffic Engineering Division, the
6 Chief of the Transportation Division, and the traffic reviewer from
7 Development Services. Topics for discussion at the methodology
8 meeting will include, but are not limited to, signal modification,
9 querying for drop off/pick up, and the need for reduced speed school
10 zones.

11 **Section 3. Owner and Description.** The Subject Property
12 is owned by East Pointe Baptist Church, Inc., and is legally described
13 in **Exhibit 1**, attached hereto. The applicant is T.R. Hainline, Esq.,
14 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
15 (904) 346-5531.

16 **Section 4. Disclaimer.** The rezoning granted herein
17 shall **not** be construed as an exemption from any other applicable
18 local, state, or federal laws, regulations, requirements, permits or
19 approvals. All other applicable local, state or federal permits or
20 approvals shall be obtained before commencement of the development
21 or use and issuance of this rezoning is based upon acknowledgement,
22 representation and confirmation made by the applicant(s), owner(s),
23 developer(s) and/or any authorized agent(s) or designee(s) that the
24 subject business, development and/or use will be operated in strict
25 compliance with all laws. Issuance of this rezoning does **not** approve,
26 promote or condone any practice or act that is prohibited or
27 restricted by any federal, state or local laws.

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

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