

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

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; PROVIDING A DISCLAIMER THAT THE REZONING
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
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21 **WHEREAS**, East Pointe Baptist Church, Inc., the owner of
22 approximately 22.62± acres located in Council District 2 at 270 Kernan
23 Boulevard North, between Kernan Boulevard North and Roserush Lane
24 (R.E. No. 162225-0500), as more particularly described in **Exhibit 1**,
25 dated December 1, 2022, and graphically depicted in **Exhibit 2**, both
26 of which are attached hereto (the "Subject Property"), has applied
27 for a rezoning and reclassification of the Subject Property from
28 Residential Rural-Acre (RR-Acre) District to Planned Unit Development
29 (PUD) District, as described in Section 1 below; and

30 **WHEREAS**, the Planning Commission has considered the application
31 and has rendered an advisory opinion; and

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

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

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

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

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

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

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

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

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

26 **Section 2. Owner and Description.** The Subject Property
27 is owned by East Pointe Baptist Church, Inc., and is legally described
28 in **Exhibit 1**, attached hereto. The applicant is T.R. Hainline, Esq.,
29 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
30 (904) 346-5531.

31 **Section 3. Disclaimer.** The rezoning granted herein

1 shall **not** be construed as an exemption from any other applicable
2 local, state, or federal laws, regulations, requirements, permits or
3 approvals. All other applicable local, state or federal permits or
4 approvals shall be obtained before commencement of the development
5 or use and issuance of this rezoning is based upon acknowledgement,
6 representation and confirmation made by the applicant(s), owner(s),
7 developer(s) and/or any authorized agent(s) or designee(s) that the
8 subject business, development and/or use will be operated in strict
9 compliance with all laws. Issuance of this rezoning does **not** approve,
10 promote or condone any practice or act that is prohibited or
11 restricted by any federal, state or local laws.

12 **Section 4. Effective Date.** The enactment of this Ordinance
13 shall be deemed to constitute a quasi-judicial action of the City
14 Council and shall become effective upon signature by the Council
15 President and the Council Secretary.

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17 Form Approved:

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19 /s/ Mary E. Staffopoulos

20 Office of General Counsel

21 Legislation Prepared By: Bruce Lewis

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