

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-75-E**

5 AN ORDINANCE REZONING APPROXIMATELY 43.81±
6 ACRES, LOCATED IN COUNCIL DISTRICT 1 AT 4455
7 ATLANTIC BOULEVARD, 4521 ATLANTIC BOULEVARD, 0
8 ST ELMO DRIVE, 1315 ST ELMO DRIVE, 1362 ST ELMO
9 DRIVE, 1471 ST ELMO DRIVE AND 0 HART BRIDGE
10 EXPRESSWAY SOUTH, BETWEEN ATLANTIC BOULEVARD AND
11 HART BRIDGE EXPRESSWAY (R.E. NOS. 129467-0000,
12 129512-0010, 129524-0000, 129534-0000, 129629-
13 0000, 129688-0020 AND 129693-0000), AS DESCRIBED
14 HEREIN, OWNED BY EPISCOPAL SCHOOL OF
15 JACKSONVILLE, INC., FORMERLY KNOWN AS EPISCOPAL
16 HIGH SCHOOL OF JACKSONVILLE, FLORIDA, INC., ST.
17 JOHNS EPISCOPAL CHURCH, AND THE RECTOR, WARDENS
18 AND VESTRY OF ST. JOHNS PARISH, AT JACKSONVILLE,
19 FLORIDA, FROM PLANNED UNIT DEVELOPMENT (PUD)
20 DISTRICT (2018-759-E) AND RESIDENTIAL LOW
21 DENSITY-60 (RLD-60) DISTRICT TO PLANNED UNIT
22 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
23 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
24 EDUCATION INSTITUTION AND OFFICE USES, AS
25 DESCRIBED IN THE EPISCOPAL SCHOOL OF
26 JACKSONVILLE PUD; PUD SUBJECT TO CONDITIONS;
27 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
28 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
29 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
30 EFFECTIVE DATE.
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1 **WHEREAS**, Episcopal School of Jacksonville, Inc., formerly known
2 as Episcopal High School of Jacksonville, Florida, Inc., St. Johns
3 Episcopal Church, and The Rector, Wardens and Vestry of St. Johns
4 Parish, at Jacksonville, Florida the owners of approximately 43.81±
5 acres located in Council District 1 at 4455 Atlantic Boulevard, 4521
6 Atlantic Boulevard, 0 St Elmo Drive, 1315 St Elmo Drive, 1362 St Elmo
7 Drive, 1471 St Elmo Drive and 0 Hart Bridge Expressway South, between
8 Atlantic Boulevard and Hart Bridge Expressway (R.E. Nos. 129467-0000,
9 129512-0010, 129524-0000, 129534-0000, 129629-0000, 129688-0020 and
10 129693-0000), as more particularly described in **Exhibit 1**, dated
11 December 1, 2022, and graphically depicted in **Exhibit 2**, both of
12 which are attached hereto (the "Subject Property"), have applied for
13 a rezoning and reclassification of that property from Planned Unit
14 Development (PUD) District (2018-759-E) and Residential Low Density-
15 60 (RLD-60) District to Planned Unit Development (PUD) District, as
16 described in Section 1 below; and

17 **WHEREAS**, the Planning Commission has considered the application
18 and has rendered an advisory opinion; and

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

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

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

1 the Zoning Code; now, therefore

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

3 **Section 1. Property Rezoned.** The Subject Property is
4 hereby rezoned and reclassified from Planned Unit Development (PUD)
5 District (2018-759-E) and Residential Low Density-60 (RLD-60)
6 District to Planned Unit Development (PUD) District. This new PUD
7 district shall generally permit education institution and office
8 uses, and is described, shown and subject to the following documents,
9 attached hereto:

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

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

12 **Revised Exhibit 3** - Revised Written Description dated March 22, 2023.

13 **Revised Exhibit 4** - Revised Site Plan dated March 21, 2023.

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

18 (1) The development shall be subject to the Transportation
19 Planning Division memorandum dated November 30, 2018, or as otherwise
20 approved by the Planning and Development Department.

21 (2) The Episcopal School of Jacksonville ("ESJ") has agreed to
22 incorporate the following terms and conditions with all work to be
23 completed at the sole cost and expense of ESJ:

24 a) A public access sidewalk shall be installed and
25 maintained by ESJ on the west side of St. Elmo Drive,
26 running from Atlantic Boulevard the entire length of
27 St. Elmo Drive to the middle school drop-off/pickup
28 site, and it shall meet the City's sidewalk standards.

29 b) Back-out parking shall be permitted along the western
30 boundary of St. Elmo Drive as currently
31 constructed. To the extent required by Section

1 316.195(3), *Florida Statutes*, the City Council hereby
2 approves such back-out parking in the right-of-way,
3 subject to review and approval by the City's Traffic
4 Engineer.

5 c) Not more than two (2) monument signs along Atlantic
6 Boulevard and one (1) monument sign along Highland
7 Avenue at the entrance to the school shall be permitted
8 of up to a maximum of one hundred (100) square feet in
9 area, and six (6) feet in height, each.

10 d) Detailed instructions shall be routinely issued to any
11 private security guards employed by ESJ to clarify
12 their scope of duty. ESJ shall supply a copy of the
13 security guard instructions, and any subsequent
14 updates, via email to the secretary of the Live Oak
15 Manor Neighborhood Association.

16 e) ESJ shall routinely communicate with parents regarding
17 the approved traffic route for accessing the campus,
18 traffic safety, and consideration of the neighborhood.
19 Copies of all such communications shall be supplied
20 via email to the secretary of the Live Oak Manor
21 Neighborhood Association.

22 f) At least one meeting annually, prior to the beginning
23 of each school year, shall be hosted by ESJ with the
24 neighborhood residents to discuss any upcoming events,
25 new construction, or changes to the school operation
26 and to address any ongoing concerns. Additional
27 meetings, at the request of the Live Oak Manor
28 Neighborhood Association, or at the request of ESJ,
29 shall be scheduled as needed to address any concerns
30 by either party. These meetings are to be held at a
31 mutually agreeable time upon request by either party.

1 g) Any building to be constructed at the intersection of
2 Munnerlyn Drive and St. Elmo Drive shall be designed
3 so that the primary vehicle access shall be from
4 Munnerlyn Drive, and a right-only exit shall be
5 permitted onto St. Elmo Drive.

6 h) ESJ shall maintain, at its sole cost and expense, the
7 two (2) speed tables installed on St. Elmo Drive in
8 accordance with condition (3)1. outlined in Ordinance
9 2018-759-E.

10 **Section 3. Owner and Description.** The Subject Property
11 is owned by Episcopal School of Jacksonville, Inc., formerly known
12 as Episcopal High School of Jacksonville, Florida, Inc., St. Johns
13 Episcopal Church, and The Rector, Wardens and Vestry of St. Johns
14 Parish, at Jacksonville, Florida, and is legally described in **Exhibit**
15 **1**, attached hereto. The applicant is Steve Diebenow, Esq., One
16 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)
17 301-1269.

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

30 **Section 5. Effective Date.** The enactment of this Ordinance
31 shall be deemed to constitute a quasi-judicial action of the City

1 Council and shall become effective upon signature by the Council
2 President and the Council Secretary.

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4 Form Approved:

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6 /s/ Mary E. Staffopoulos

7 Office of General Counsel

8 Legislation Prepared By: Connor Corrigan

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