

1 Introduced and amended by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2021-694-E**

5 AN ORDINANCE REZONING APPROXIMATELY 17.81±
6 ACRES, LOCATED IN COUNCIL DISTRICT 5 AT 2300
7 BARTRAM ROAD, BETWEEN THORDEN ROAD AND
8 UNIVERSITY BOULEVARD SOUTH (R.E. NO. 135067-
9 0000), AS DESCRIBED HEREIN, OWNED BY FBCH LAND
10 HOLDINGS, INC., FROM PUBLIC BUILDINGS AND
11 FACILITIES-2 (PBF-2) DISTRICT TO PLANNED UNIT
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
14 GROUP CARE HOMES AND EDUCATIONAL FACILITIES, AS
15 DESCRIBED IN THE FLORIDA BAPTIST CHILDREN'S HOME
16 + ONE MORE CHILD PUD; PUD SUBJECT TO CONDITIONS;
17 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
18 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
19 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
20 EFFECTIVE DATE.
21

22 **WHEREAS**, FBCH Land Holdings, Inc., the owner of approximately
23 17.81± acres, located in Council District 5 at 2300 Bartram Road,
24 between Thorden Road and University Boulevard South (R.E. No. 135067-
25 0000), as more particularly described in **Exhibit 1**, dated June 25,
26 2021, and graphically depicted in **Exhibit 2**, both of which are
27 **attached hereto** (the "Subject Property"), has applied for a rezoning
28 and reclassification of that property from Public Buildings and
29 Facilities-2 (PBF-2) District to Planned Unit Development (PUD)
30 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 Public Buildings and Facilities-
19 2 (PBF-2) District to Planned Unit Development (PUD) District. This
20 new PUD district shall generally permit group care homes and
21 educational facilities, and is described, shown and subject to the
22 following documents, **attached hereto**:

23 **Exhibit 1** - Legal Description dated June 25, 2021.

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

25 **Revised Exhibit 3** - Revised Written Description dated September 13,
26 2021.

27 **Exhibit 4** - Site Plan dated June 30, 2021.

28 **Section 2. Rezoning Approved Subject to Conditions.** This
29 rezoning is approved subject to the following conditions. Such
30 conditions control over the Revised Written Description and the Site
31 Plan and may only be amended through a rezoning.

1 (1) An ADA compliant sidewalk shall be required on the Subject
2 Property frontage along Bartram Road. This sidewalk shall be located
3 outside of the Bartram Road "clear zone" as that term is defined in
4 the FDOT Manual of Uniform Minimum Standards for Design, Construction
5 and Maintenance for Streets and Highways.

6 (2) A signalized crosswalk shall be installed at the northern
7 edge of the Subject Property to connect to the sidewalk opposite the
8 development. Crosswalk striping is existing in the location. Traffic
9 engineering shall approve the design. The signalized crosswalk shall
10 not be required if the sidewalk along Bartram Road extends to
11 University Boulevard.

12 (3) Bicycle parking shall be consistent with the requirements
13 in Chapter 656, Part 6, Subpart B, *Ordinance Code*.

14 (4) The maximum building height shall be unlimited where all
15 required yards are increased by one (1) foot for each three (3) feet
16 of building height or fraction thereof in excess of 35 feet.

17 **Section 3. Owner and Description.** The Subject Property
18 is owned by FBCH Land Holdings, Inc., and is legally described in
19 **Exhibit 1, attached hereto.** The applicant is Steve Diebenow, Esq.,
20 One Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)
21 301-1269.

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

1 promote or condone any practice or act that is prohibited or
2 restricted by any federal, state or local laws.

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

7
8 Form Approved:

9
10 /s/ Mary E. Staffopoulos

11 Office of General Counsel

12 Legislation Prepared By: Bruce Lewis

13 GC-#1465638-v1-2021-694-E.docx