

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-426**

5 AN ORDINANCE REZONING APPROXIMATELY 4.60± ACRES
6 LOCATED IN COUNCIL DISTRICT 4 AT 730 MANDALAY
7 ROAD, BETWEEN ALTAMA ROAD AND TONGA DRIVE (R.E.
8 NO. 136625-0000), AS DESCRIBED HEREIN, OWNED BY
9 HOLIDAY HILL BAPTIST CHURCH, INC., FORMERLY KNOWN
10 AS TRUSTEE CORPORATION OF HOLIDAY HILL BAPTIST
11 CHURCH, INC., FROM RESIDENTIAL LOW DENSITY-90
12 (RLD-90) DISTRICT TO PLANNED UNIT DEVELOPMENT
13 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
14 THE ZONING CODE, TO PERMIT CHURCH AND ASSOCIATED
15 DAYCARE CENTER FACILITY USES, AS DESCRIBED IN THE
16 ELLA ROSE PUD; PROVIDING A DISCLAIMER THAT THE
17 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, Holiday Hill Baptist Church, Inc., f/k/a Trustee
22 Corporation of Holiday Hill Baptist Church, Inc., the owner of
23 approximately 4.60± acres located in Council District 4 at 730
24 Mandalay Road, between Altama Road and Tonga Drive (R.E. No. 136625-
25 0000), as more particularly described in **Exhibit 1**, dated May 10,
26 2023, 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 the Subject Property from Residential Low
29 Density-90 (RLD-90) District to Planned Unit Development (PUD)
30 District, as described in Section 1 below; and

31 **WHEREAS**, the Planning Commission, acting as the local planning

1 agency, has reviewed the application and made an advisory
2 recommendation to the Council; and

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

5 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
6 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives
7 and policies of the *2045 Comprehensive Plan*; and (3) is not in
8 conflict with any portion of the City's land use regulations; and

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

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Residential Low Density-90 (RLD-
20 90) District to Planned Unit Development (PUD) District. This new
21 PUD district shall generally permit church and associated daycare
22 center facility uses, and is described, shown and subject to the
23 following documents, attached hereto:

24 **Exhibit 1** - Legal Description dated May 10, 2023.

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

26 **Exhibit 3** - Written Description dated April 9, 2023.

27 **Exhibit 4** - Site Plan dated May 10, 2023.

28 **Section 2. Owner and Description.** The Subject Property is
29 owned by Holiday Hill Baptist Church, Inc., f/k/a Trustee Corporation
30 of Holiday Hill Baptist Church, Inc., and is legally described in
31 **Exhibit 1**, attached hereto. The applicant is Jason Gabriel, Esq.,

1 50 North Laura Street, Suite 3000, Jacksonville, Florida 32202; (904)
2 232-7211.

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

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

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20 Form Approved:

21
22 /s/ Shannon K. Eller

23 Office of General Counsel

24 Legislation Prepared By: Bruce Lewis

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