

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-747**

5 AN ORDINANCE REZONING APPROXIMATELY 6.45± ACRES,
6 LOCATED IN COUNCIL DISTRICT 14 AT 7711 SOUTH OLD
7 MIDDLEBURG ROAD AND 7715 SOUTH OLD MIDDLEBURG
8 ROAD, BETWEEN COLLINS ROAD AND OLD MIDDLEBURG
9 ROAD SOUTH (R.E. NOS. 016361-0058 AND 016361-
10 0074), AS DESCRIBED HEREIN, OWNED BY VRIHI
11 DEVELOPMENT LLC, FROM RESIDENTIAL-RURAL ACRE
12 (RR-ACRE) DISTRICT AND PLANNED UNIT DEVELOPMENT
13 (PUD) DISTRICT (2021-168-E) TO PLANNED UNIT
14 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
15 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
16 COMMERCIAL USES, AS DESCRIBED IN THE COLLINS
17 PLAZA PUD, PURSUANT TO FUTURE LAND USE MAP
18 SERIES (FLUMS) SMALL-SCALE AMENDMENT
19 APPLICATION NUMBER L-5853-23C; PROVIDING A
20 DISCLAIMER THAT THE REZONING GRANTED HEREIN
21 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
22 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
23 DATE.

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25 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
26 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
27 portions of the Future Land Use Map series (FLUMs) in order to ensure
28 the accuracy and internal consistency of the plan, pursuant to
29 companion application L-5853-23C; and

30 **WHEREAS,** in order to ensure consistency of zoning district with
31 the *2045 Comprehensive Plan* and the adopted companion Small-Scale

1 Amendment L-5853-23C, an application to rezone and reclassify from
2 Residential-Rural Acre (RR-Acre) District and Planned Unit
3 Development (PUD) District (2021-168-E) to Planned Unit Development
4 (PUD) District was filed by Chris Hagan on behalf of the owner of
5 approximately 6.45± acres of certain real property in Council District
6 14, as more particularly described in Section 1; and

7 **WHEREAS**, the Planning and Development Department, in order to
8 ensure consistency of this zoning district with the *2045 Comprehensive*
9 *Plan*, has considered the rezoning and has rendered an advisory
10 opinion; and

11 **WHEREAS**, the Planning Commission has considered the application
12 and has rendered an advisory opinion; and

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

15 **WHEREAS**, the City Council, after due notice, held a public
16 hearing, and taking into consideration the above recommendations as
17 well as all oral and written comments received during the public
18 hearings, the Council finds that such rezoning is consistent with the
19 *2045 Comprehensive Plan* adopted under the comprehensive planning
20 ordinance for future development of the City of Jacksonville; and

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

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

31 **Section 1. Subject Property Location and Description.** The

1 approximately 6.45± acres are located in Council District 14 at 7711
2 South Old Middleburg Road and 7715 South Old Middleburg Road, between
3 Collins Road and Old Middleburg Road South (R.E. Nos. 016361-0058 and
4 016361-0074), as more particularly described in **Exhibit 1**, dated July
5 10, 2023, and graphically depicted in **Exhibit 2**, both of which are
6 attached hereto and incorporated herein by this reference (the
7 "Subject Property").

8 **Section 2. Owner and Applicant Description.** The Subject
9 Property is owned by Vrihi Development LLC. The applicant is Chris
10 Hagan, 208 North Laura Street, Suite 710, Jacksonville, Florida 32202;
11 (904) 425-8765.

12 **Section 3. Property Rezoned.** The Subject Property,
13 pursuant to adopted companion Small-Scale Amendment Application L-
14 5853-23C, is hereby rezoned and reclassified from Residential-Rural
15 Acre (RR-Acre) District and Planned Unit Development (PUD) District
16 (2021-168-E) to Planned Unit Development (PUD) District. This new
17 PUD district shall generally permit commercial uses and is described,
18 shown and subject to the following documents, attached hereto:

19 **Exhibit 1** - Legal Description dated July 10, 2023.

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

21 **Exhibit 3** - Written Description dated October 9, 2023.

22 **Exhibit 4** - Site Plan dated April 1, 2023.

23 **Section 4. Contingency.** This rezoning shall not become
24 effective until thirty-one (31) days after adoption of the companion
25 Small-Scale Amendment; and further provided that if the companion
26 Small-Scale Amendment is challenged by the state land planning agency,
27 this rezoning shall not become effective until the state land planning
28 agency or the Administration Commission issues a final order
29 determining the companion Small-Scale Amendment is in compliance with
30 Chapter 163, *Florida Statutes*.

31 **Section 5. 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 6. 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: Kaysie Cox

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