

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

4 **ORDINANCE 2023-747-E**

5 AN ORDINANCE REZONING APPROXIMATELY 6.45±
6 ACRES, LOCATED IN COUNCIL DISTRICT 14 AT 7711
7 SOUTH OLD MIDDLEBURG ROAD AND 7715 SOUTH OLD
8 MIDDLEBURG ROAD, BETWEEN COLLINS ROAD AND OLD
9 MIDDLEBURG ROAD SOUTH (R.E. NOS. 016361-0058
10 AND 016361-0074), AS DESCRIBED HEREIN, OWNED
11 BY VRIHI DEVELOPMENT LLC, FROM
12 RESIDENTIAL-RURAL ACRE (RR-ACRE) DISTRICT AND
13 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT
14 (2021-168-E) TO PLANNED UNIT DEVELOPMENT (PUD)
15 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
16 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
17 DESCRIBED IN THE COLLINS PLAZA PUD, PURSUANT
18 TO FUTURE LAND USE MAP SERIES (FLUMS)
19 SMALL-SCALE AMENDMENT APPLICATION NUMBER
20 L-5853-23C; PUD SUBJECT TO CONDITION;
21 PROVIDING A DISCLAIMER THAT THE REZONING
22 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
23 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
24 PROVIDING AN EFFECTIVE DATE.
25

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

31 **WHEREAS**, in order to ensure consistency of zoning district

1 with the *2045 Comprehensive Plan* and the adopted companion
2 Small-Scale Amendment L-5853-23C, an application to rezone and
3 reclassify from Residential-Rural Acre (RR-Acre) District and
4 Planned Unit Development (PUD) District (2021-168-E) to Planned
5 Unit Development (PUD) District was filed by Chris Hagan on behalf
6 of the owner of approximately 6.45± acres of certain real property
7 in Council District 14, as more particularly described in Section
8 1; and

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

13 **WHEREAS**, the Planning Commission has considered the
14 application and has rendered an advisory opinion; and

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

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

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

1 now therefore

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

3 **Section 1. Subject Property Location and Description.**

4 The approximately 6.45± acres are located in Council District 14 at
5 7711 South Old Middleburg Road and 7715 South Old Middleburg Road,
6 between Collins Road and Old Middleburg Road South (R.E. Nos.
7 016361-0058 and 016361-0074), as more particularly described in
8 **Exhibit 1**, dated July 10, 2023, and graphically depicted in **Exhibit**
9 **2**, both of which are attached hereto and incorporated herein by
10 this reference (the "Subject Property").

11 **Section 2. Owner and Applicant Description.** The Subject

12 Property is owned by Vrihi Development LLC. The applicant is Chris
13 Hagan, 208 North Laura Street, Suite 710, Jacksonville, Florida
14 32202; (904) 425-8765.

15 **Section 3. Property Rezoned.** The Subject Property,

16 pursuant to adopted companion Small-Scale Amendment Application L-
17 5853-23C, is hereby rezoned and reclassified from Residential-Rural
18 Acre (RR-Acre) District and Planned Unit Development (PUD) District
19 (2021-168-E) to Planned Unit Development (PUD) District. This new
20 PUD district shall generally permit commercial uses and is
21 described, shown and subject to the following documents, attached
22 hereto:

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

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

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

26 **Revised Exhibit 4** - Revised Site Plan dated November 20, 2023.

27 **Section 4. Rezoning Approved Subject to Condition.** This

28 rezoning is approved subject to the following condition. Such
29 condition controls over the Written Description and the Site Plan
30 and may only be amended through a rezoning:

31 (1) Any development shall connect to JEA sewer facilities and

1 evidence of connection shall be provided with permitting.

2 **Section 5. Contingency.** This rezoning shall not become
3 effective until thirty-one (31) days after adoption of the
4 companion Small-Scale Amendment; and further provided that if the
5 companion Small-Scale Amendment is challenged by the state land
6 planning agency, this rezoning shall not become effective until the
7 state land planning agency or the Administration Commission issues
8 a final order determining the companion Small-Scale Amendment is in
9 compliance with Chapter 163, *Florida Statutes*.

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

23 **Section 7. Effective Date.** The enactment of this
24 Ordinance shall be deemed to constitute a quasi-judicial action of
25 the City Council and shall become effective upon signature by the
26 Council President and the Council Secretary.

1 Form Approved:

2

3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Kaysie Cox

6 GC-#1606137-v1-2023-747-E.docx