

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-196-E**

5 AN ORDINANCE REZONING APPROXIMATELY 18.28±
6 ACRES, LOCATED IN COUNCIL DISTRICT 1 AT 903
7 UNIVERSITY BOULEVARD NORTH, BETWEEN HARRIS
8 AVENUE AND THE ARLINGTON EXPRESSWAY (R.E. NO.
9 129407-0010) AS DESCRIBED HEREIN, OWNED BY 903
10 UNIVERSITY BLVD, LLC, FROM COMMERCIAL
11 COMMUNITY/GENERAL-1 DISTRICT (CCG-1) AND
12 COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2) DISTRICT
13 TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
15 PERMIT MIXED USE DEVELOPMENT, AS DESCRIBED IN
16 THE COLLEGE PARK 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**, 903 University Blvd, LLC, the owner of approximately
23 18.28± acres, located in Council District 1 at 903 University
24 Boulevard North, between Harris Avenue and the Arlington Expressway
25 (R.E. No. 129407-0010), as more particularly described in **Exhibit 1**,
26 dated February 10, 2021, and graphically depicted in **Exhibit 2**, both
27 of which are **attached hereto** (Subject Property), has applied for a
28 rezoning and reclassification of that property from Commercial
29 Community/General-1 (CCG-1) District and Commercial
30 Community/General-2 (CCG-2) District to Planned Unit Development
31 (PUD) District, as described in Section 1 below; and

1 **WHEREAS**, the Planning Commission has considered the application
2 and has rendered an advisory opinion; 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 *2030 Comprehensive Plan*; (2) furthers the goals, objectives
7 and policies of the *2030 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 Commercial Community/General-1
20 (CCG-1) District and Commercial Community/General-2 (CCG-2) District
21 to Planned Unit Development (PUD) District. This new PUD district
22 shall generally permit mixed use development, and is described, shown
23 and subject to the following documents, **attached hereto**:

24 **Exhibit 1** - Legal Description dated February 10, 2021.

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

26 **Revised Exhibit 3** - Revised Written Description dated May 27, 2021.

27 **Exhibit 4** - Site Plan dated February 19, 2021.

28 **Exhibit 5** - Conceptual Architectural Renderings dated February 19,
29 2021.

30 **Section 2. Rezoning Approved Subject to Conditions.** This
31 rezoning is approved subject to the following conditions. Such

1 conditions control over the Written Description and the Site Plan and
2 may only be amended through a rezoning.

3 (1) The developer shall install a minimum six-foot high, 100
4 percent opaque visual screen (fence or wall), foundation landscaping
5 (unless a wall mural is proposed), as well as signage, that restricts
6 off-premises alcohol consumption between the outdoor food court area
7 and adjacent off-site outparcels (gas station and fast-food
8 restaurant).

9 (2) The College Park PUD shall be limited to a single (1)
10 liquor store within the PUD boundary, which must be developed in
11 conjunction with a grocery store occupying 20,000 square feet or more
12 of space.

13 **Section 3. Owner and Description.** The Subject Property
14 is owned by 903 University Blvd, LLC, and is legally described in
15 **Exhibit 1, attached hereto.** The applicant is Blair Knighting, 12740
16 Gran Bay Parkway West, Suite 2350, Jacksonville, Florida 32258; (904)
17 828-3917.

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/ Shannon K. Eller

7 Office of General Counsel

8 Legislation Prepared By: Bruce Lewis

9 GC-#1436926-v1-2021-196-E