

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following first amendment to File No. 2020-709:

- (1) On **page 1, line 5**, strike "CONCERNING" and insert "GRANTING"; and
- (2) On **page 1, line 17**, after "COMMITTEE;" insert "PROVIDING FOR NOTICE;"; and
- (3) On **page 2, line 10**, after "adopted" strike "and shall become effective immediately"; and
- (4) On **page 2, line 11**, after "Council." insert "Based on the competent substantial evidence in the record of proceedings, the Appeal is granted, the Planning Commission Final Order denying Application WLD-20-23 is overturned, and Application WLD-20-23 is approved, subject to the conditions herein. Pursuant to Section 166.033(2), *Florida Statutes*, the Council hereby finds:

(1) This Resolution shall serve as written notice to the appellant, Jack Gjergji d/b/a One Bar & Lounge, Inc.

(2) Based on the competent substantial evidence in the record of proceedings, Application WLD-20-23 meets the criteria that one or more circumstances exist which negate the necessity for compliance with the distance requirements pursuant to Section 656.133(a), *Ordinance Code*.

(3) Application WLD-20-23 is approved, subject to the following conditions:

(a) The name of the business shall be changed to "One Tapas".

(b) Outdoor signage may advertise a restaurant use, but without the language "club, lounge or bar".

(c) The facility shall not operate for business between 7:00 a.m. and noon on Sunday, and after midnight Monday through Thursday, or after 2:00 a.m. on Friday and Saturday openings.

(d) The business shall operate with an SRX license only and comply with SRX license rules. Additionally, the restaurant shall operate as a bona fide restaurant as defined in the City of Jacksonville Ordinance Code. Specifically, the limitation of 49% of revenue from liquor sales shall be applicable.

(e) No signage advertising alcohol shall be placed on the Park Street fasciae of the facility.

(f) The applicant shall provide to a representative of Riverside Baptist Church the initial food sales audit made by the State, as well as the two-year audit to be performed by the State. The applicant shall provide an informal audit to the representative of the Church one time between the audits noted in the previous sentence."; and

(5) On **page 2, line 11½, insert** a new Section 2 to read as follows:

"Section 2. Notice. Legislative Services is hereby directed to mail a copy of this Resolution, as adopted, to

the appellant/applicant, and any other parties to this matter who testified before the Land Use and Zoning Committee, or otherwise filed a qualifying written statement as defined in Section 656.140(c), *Ordinance Code.*"; and

- (6) Renumber the remaining Section.
- (7) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

/s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Shannon K. Eller

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