

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2024-683-E**

5 AN ORDINANCE APPROVING APPLICATION FOR ZONING  
6 EXCEPTION E-24-43 FOR PROPERTY LOCATED IN  
7 COUNCIL DISTRICT 5 AT 1500 UNIVERSITY BOULEVARD  
8 WEST, BETWEEN SAN JOSE BOULEVARD AND DUKE ROAD  
9 (R.E. NO(S). 147032-0000), AS DESCRIBED HEREIN,  
10 OWNED BY GENERAL PROPERTY SUPPORT, INC. AS  
11 TRUSTEE OF LAKEWOOD SOUTH LAND TRUST, REQUESTING  
12 1) AN ESTABLISHMENT OR FACILITY WHICH INCLUDES  
13 THE RETAIL SALE AND SERVICE OF ALL ALCOHOLIC  
14 BEVERAGES INCLUDING LIQUOR, BEER OR WINE FOR ON-  
15 PREMISES CONSUMPTION AND 2) PERMANENT OUTSIDE  
16 SALE AND SERVICE, MEETING THE PERFORMANCE  
17 STANDARDS AND DEVELOPMENT CRITERIA SET FORTH IN  
18 PART 4 OF CHAPTER 656, ORDINANCE CODE, FOR  
19 OHJAX5, LLC (DBA) SCRAMBLERS, IN THE COMMERCIAL  
20 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT, AS  
21 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;  
22 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF  
23 THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR  
24 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.  
25

26 **WHEREAS,** an application for a zoning exception, **On File** with  
27 the City Council Legislative Services Division, was filed by Lawrence  
28 Yancy, on behalf of the owner of property located in Council District  
29 5 at 1500 University Boulevard West, between San Jose Boulevard and  
30 Duke Road (R.E. No(s). 147032-0000) (the "Subject Property"),  
31 requesting 1) an establishment or facility which includes the retail

1 sale and service of all alcoholic beverages including liquor, beer  
2 or wine for on-premises consumption, and 2) permanent outside sale  
3 and service, meeting the performance standards and development  
4 criteria set forth in Part 4 of Chapter 656, Ordinance Code, for  
5 OHJAX5, LLC (DBA) Scramblers, in the Commercial Community/General-  
6 1 (CCG-1) District; and

7 **WHEREAS**, the Planning and Development Department has  
8 considered the application and all attachments thereto and has  
9 rendered an advisory recommendation; and

10 **WHEREAS**, the Land Use and Zoning Committee, after due notice,  
11 held a public hearing and having duly considered both the testimonial  
12 and documentary evidence presented at the public hearing, has made  
13 its recommendation to the Council; now therefore

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

15 **Section 1. Adoption of Findings and Conclusions.** The  
16 Council has considered the recommendation of the Land Use and Zoning  
17 Committee and reviewed the Staff Report of the Planning and  
18 Development Department concerning application for zoning exception  
19 E-24-43. Based upon the competent, substantial evidence contained in  
20 the record, the Council hereby determines that the requested zoning  
21 exception meets each of the following criteria required to grant the  
22 request pursuant to Section 656.131(c), *Ordinance Code*, as  
23 specifically identified in the Staff Report of the Planning and  
24 Development Department:

25 (1) Will be consistent with the Comprehensive Plan, including  
26 any subsequent plan adopted by the Council pursuant thereto;

27 (2) Will be compatible with the existing contiguous uses or  
28 zoning and compatible with the general character of the area,  
29 considering population density, design, scale and orientation of  
30 structures to the area, property values, and existing similar uses  
31 or zoning;

1 (3) Will not have an environmental impact inconsistent with the  
2 health, safety and welfare of the community;

3 (4) Will not have a detrimental effect on vehicular or pedestrian  
4 traffic, or parking conditions, and will not result in the generation  
5 or creation of traffic inconsistent with the health, safety and  
6 welfare of the community;

7 (5) Will not have a detrimental effect on the future development  
8 of contiguous properties or the general area, according to the  
9 Comprehensive Plan, including any subsequent amendment to the plan  
10 adopted by the Council;

11 (6) Will not result in the creation of objectionable or  
12 excessive noise, lights, vibrations, fumes, odors, dust or physical  
13 activities, taking into account existing uses or zoning in the  
14 vicinity;

15 (7) Will not overburden existing public services and facilities;

16 (8) Will be sufficiently accessible to permit entry onto the  
17 property by fire, police, rescue and other services; and

18 (9) Will be consistent with the definition of a zoning  
19 exception, and will meet the standards and criteria of the zoning  
20 classification in which such use is proposed to be located, and all  
21 other requirements for such particular use set forth elsewhere in the  
22 Zoning Code, or otherwise adopted by the Planning Commission or  
23 Council.

24 Therefore, zoning exception application E-24-43 is hereby  
25 approved.

26 **Section 2. Owner and Description.** The Subject Property is  
27 owned by General Property Support, Inc. as Trustee of Lakewood South  
28 Land Trust, and is described in **Exhibit 1**, dated March 19, 2024, and  
29 graphically depicted in **Exhibit 2**, both attached hereto. The applicant  
30 is Lawrence Yancy, 1309 St. Johns Bluff Road North, Building A, Suite  
31 2, Jacksonville, Florida, 32225; (904) 568-4317.

1           **Section 3.           Distribution           by           Legislative           Services.**

2 Legislative Services is hereby directed to mail a copy of this  
3 legislation, as enacted, to the applicant and any other parties to  
4 this matter who testified before the Land Use and Zoning Committee  
5 or otherwise filed a qualifying written statement as defined in  
6 Section 656.140(c), *Ordinance Code*.

7           **Section 4.           Effective Date.** The enactment of this Ordinance

8 shall be deemed to constitute a quasi-judicial action of the City  
9 Council and shall become effective upon signature by the Council  
10 President and Council Secretary. Failure to exercise the zoning  
11 exception, if herein granted, by the commencement of the use or action  
12 herein approved within one (1) year of the effective date of this  
13 legislation shall render this zoning exception invalid and all rights  
14 arising therefrom shall terminate.

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16 Form Approved:

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18           /s/ Dylan Reingold          

19 Office of General Counsel

20 Legislation Prepared By: Jackie Williams

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