

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-534-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.03± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 ON NORMANDY
7 BOULEVARD, BETWEEN CARTER LANDING BOULEVARD AND
8 GUARDIAN DRIVE (R.E. NO. 009067-0015), AS
9 DESCRIBED HEREIN, OWNED BY SAI OF JACKSONVILLE
10 PROPERTIES, LLC, FROM PLANNED UNIT DEVELOPMENT
11 (PUD) DISTRICT (2019-0007-E) TO PLANNED UNIT
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
14 RETAIL COMMERCIAL AND RECREATIONAL VEHICLE AND
15 BOAT STORAGE, INCLUDING THE SALE AND SERVICE OF
16 ALL ALCOHOLIC BEVERAGES, INCLUDING LIQUOR, BEER
17 AND WINE, FOR ON-PREMISES CONSUMPTION AND OFF-
18 PREMISES CONSUMPTION ON PROPERTY LOCATED LESS
19 THAN 1,500 FEET FROM A CHURCH WITHOUT THE
20 REQUIREMENT TO OBTAIN A WAIVER OF MINIMUM
21 DISTANCE FOR A LIQUOR LICENSE LOCATION PURSUANT
22 TO SECTION 656.805, *ORDINANCE CODE*; AS DESCRIBED
23 IN THE SAI OF JACKSONVILLE PUD; PUD SUBJECT TO
24 CONDITIONS; FINDING THAT THERE IS COMPETENT,
25 SUBSTANTIAL EVIDENCE IN THE RECORD TO SUPPORT THE
26 NEED FOR RELIEF FROM THE REQUIREMENT FOR A WAIVER
27 OF MINIMUM DISTANCE FOR LIQUOR LICENSE LOCATION;
28 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
29 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
30 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
31 EFFECTIVE DATE.

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2 **WHEREAS**, SAI of Jacksonville Properties, LLC, the owner of
3 approximately 3.03± acres located in Council District 12 on Normandy
4 Boulevard, between Carter Landing Boulevard and Guardian Drive (R.E.
5 No. 009067-0015), as more particularly described in **Exhibit 1**, dated
6 January 17, 2024, and graphically depicted in **Exhibit 2**, both of
7 which are attached hereto (the "Subject Property"), has applied for
8 a rezoning and reclassification of the Subject Property from Planned
9 Unit Development (PUD) District (2019-0007-E) to Planned Unit
10 Development (PUD) District, as described in Section 1 below; and

11 **WHEREAS**, the Planning Commission, acting as the local planning
12 agency, has reviewed the application and made an advisory
13 recommendation to the Council; and

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

16 **WHEREAS**, the Council finds that such rezoning is: (1)
17 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
18 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
19 not in conflict with any portion of the City's land use regulations;
20 and

21 **WHEREAS**, the Council finds the proposed rezoning does not
22 adversely affect the orderly development of the City as embodied in
23 the Zoning Code; will not adversely affect 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 will accomplish the objectives and
27 meet the standards of Section 656.340 (Planned Unit Development) of
28 the Zoning Code; now therefore

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

30 **Section 1. Property Rezoned.** The Subject Property is
31 hereby rezoned and reclassified from Planned Unit Development (PUD)

1 District (2019-0007-E) to Planned Unit Development (PUD) District.
2 This new PUD district shall generally permit retail commercial and
3 recreational vehicle and boat storage, including the sale and service
4 of all alcoholic beverages, including liquor, beer and wine, for on-
5 premises consumption and off-premises consumption on property located
6 less than 1,500 feet from a church without the requirement to obtain
7 a waiver of minimum distance for a liquor license location pursuant
8 to Section 656.805, *Ordinance Code*, and is described, shown and
9 subject to the following documents, attached hereto:

10 **Exhibit 1** - Legal Description dated January 17, 2024.

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

12 **Exhibit 3** - Written Description dated June 1, 2024.

13 **Exhibit 4** - Site Plan dated August 26, 2022.

14 **Section 2. Rezoning Approved Subject to Conditions.** This
15 rezoning is approved subject to the following conditions. Such
16 conditions control over the Written Description and the Site Plan and
17 may only be amended through a rezoning:

18 (1) The maximum building height shall not exceed 50 feet for
19 commercial uses.

20 (2) All sag lenses, drop lenses and convex lenses shall be
21 prohibited. Illumination levels at all property lines shall not exceed
22 one-half (0.5) foot candles ("f.c.") when the building or parking
23 areas are located adjacent to residential areas. All lighting lamp
24 sources within parking and pedestrian areas shall be metal halide,
25 compact fluorescent or LED. The maximum light pole height in all
26 parking areas should not exceed fifteen (15) feet. An exterior
27 lighting design plan, including a photometrics plan, pole and fixtures
28 schedules shall be submitted at the time of Verification of
29 Substantial Compliance for review and approval by the Planning and
30 Development Department.

31 **Section 3. Owner and Description.** The Subject Property is

1 owned by SAI of Jacksonville Properties, LLC, and is legally described
2 in **Exhibit 1**, attached hereto. The applicant is Alex G. Moldovan,
3 75661 Blackbird Drive, Yulee, Florida 32097; (904) 532-2392.

4 **Section 4. Findings Regarding Deviation from Waiver of Minimum**
5 **Distance for Liquor License Location.** Pursuant to Section
6 656.341(c)(2)(ii)(B), *Ordinance Code*, when a PUD Written Description
7 includes a request for a deviation or waiver from various Zoning Code
8 requirements, including waivers of liquor distances from churches and
9 schools, the Council is required to determine that the requested
10 deviation or waiver is necessary. The Council hereby finds that there
11 is competent and substantial evidence in the record to support the
12 need for relief from the requirement for a waiver of minimum distance
13 for liquor license location as requested in **Exhibit 3** for the reasons
14 articulated by the Land Use and Zoning Committee.

15 **Section 5. Disclaimer.** The rezoning granted herein shall
16 **not** be construed as an exemption from any other applicable local,
17 state, or federal laws, regulations, requirements, permits or
18 approvals. All other applicable local, state or federal permits or
19 approvals shall be obtained before commencement of the development
20 or use and issuance of this rezoning is based upon acknowledgement,
21 representation and confirmation made by the applicant(s), owners(s),
22 developer(s) and/or any authorized agent(s) or designee(s) that the
23 subject business, development and/or use will be operated in strict
24 compliance with all laws. Issuance of this rezoning does **not** approve,
25 promote or condone any practice or act that is prohibited or
26 restricted by any federal, state or local laws.

27 **Section 6. Effective Date.** The enactment of this Ordinance
28 shall be deemed to constitute a quasi-judicial action of the City
29 Council and shall become effective upon signature by the Council
30 President and Council Secretary.

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Form Approved:

 /s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Bruce Lewis

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