

Introduced and amended by the Land Use and Zoning Committee:

**ORDINANCE 2025-8-E**

AN ORDINANCE APPROVING APPLICATION FOR ZONING EXCEPTION E-24-59 FOR PROPERTY LOCATED IN COUNCIL DISTRICT 7 AT 1028 PARK STREET, BETWEEN MARGARET STREET AND POST STREET (R.E. NO(S). 090418-0000), AS DESCRIBED HEREIN, OWNED BY 1028 PARK, LLC, REQUESTING AN ESTABLISHMENT OR FACILITY WHICH INCLUDES THE RETAIL SALE AND SERVICE OF ALL ALCOHOLIC BEVERAGES INCLUDING LIQUOR, BEER OR WINE FOR ON-PREMISES CONSUMPTION, FOR JRFMJAXTOO, INC., D/B/A "FIVE", IN THE PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2005-927-E), AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE; ZONING EXCEPTION SUBJECT TO CONDITION; ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** an application for a zoning exception, **On File** with the City Council Legislative Services Division, was filed by Josh Billue, on behalf of the owner of property located in Council District 7 at 1028 Park Street, between Margaret Street and Post Street (R.E. No(s). 090418-0000) (the "Subject Property"), requesting an establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption, for JRFMJAXTOO, Inc. d/b/a "FIVE", in the Planned Unit Development (PUD) District (2005-927-E); and

1       **WHEREAS,** the Planning and Development Department has  
2 considered the application and all attachments thereto and has  
3 rendered an advisory recommendation; and

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

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

9       **Section 1. Adoption of Findings and Conclusions.** The  
10 Council has considered the recommendation of the Land Use and Zoning  
11 Committee and reviewed the Staff Report of the Planning and  
12 Development Department concerning application for zoning exception  
13 E-24-59. Based upon the competent, substantial evidence contained in  
14 the record, the Council hereby determines that the requested zoning  
15 exception meets each of the following criteria required to grant the  
16 request pursuant to Section 656.131(c), *Ordinance Code*, as  
17 specifically identified in the Staff Report of the Planning and  
18 Development Department:

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

21       (2) Will be compatible with the existing contiguous uses or  
22 zoning and compatible with the general character of the area,  
23 considering population density, design, scale and orientation of  
24 structures to the area, property values, and existing similar uses  
25 or zoning;

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

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

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

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

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

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

12 (9) Will be consistent with the definition of a zoning  
13 exception, and will meet the standards and criteria of the zoning  
14 classification in which such use is proposed to be located, and all  
15 other requirements for such particular use set forth elsewhere in the  
16 Zoning Code, or otherwise adopted by the Planning Commission or  
17 Council.

18 Therefore, zoning exception application E-24-59 is hereby  
19 approved.

20 **Section 2. Zoning Exception Approved Subject to Condition.**

21 This zoning exception is approved subject to the following condition:

22 (1) The zoning exception granted herein shall not be effective  
23 unless or until the required Waiver of Minimum Distance Requirements  
24 for Liquor License Location (WLD-24-19) pursuant to Section 656.133,  
25 Ordinance Code, is issued for the Subject Property.

26 **Section 3. Owner and Description.** The Subject Property is  
27 owned by 1028 Park, LLC, and is described in **Exhibit 1**, dated December  
28 13, 2024, and graphically depicted in **Exhibit 2**, both attached hereto.  
29 The applicant is Josh Billue, 1402 Clinton Street, Nashville, TN,  
30 37203; (615) 239-5584, Ext. 9808.

31 **Section 4. Distribution by Legislative Services.**

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

6       **Section 5.       Effective Date.** The enactment of this Ordinance  
7 shall be deemed to constitute a quasi-judicial action of the City  
8 Council and shall become effective upon signature by the Council  
9 President and Council Secretary. Failure to exercise the zoning  
10 exception, if herein granted, by the commencement of the use or action  
11 herein approved within one (1) year of the effective date of this  
12 legislation shall render this zoning exception invalid and all rights  
13 arising therefrom shall terminate.

14  
15 Form Approved:

16  
17           /s/ Dylan Reingold          

18 Office of General Counsel

19 Legislation Prepared By: Kaysie Cox

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