

1 Introduced by the Land Use and Zoning Committee:
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4 **RESOLUTION 2019-461**
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6 A RESOLUTION CONCERNING THE APPEAL FILED BY
7 MALIH PROPERTIES, LLC (BANNER LIQUOR, INC.),
8 OF A FINAL ORDER ISSUED BY THE PLANNING
9 COMMISSION DENYING APPLICATION FOR ZONING
10 WAIVER OF MINIMUM DISTANCE REQUIREMENTS FOR
11 LIQUOR LICENSE LOCATION WLD-19-13 REQUESTING
12 TO REDUCE THE REQUIRED MINIMUM DISTANCE
13 BETWEEN A LIQUOR LICENSE LOCATION AND A CHURCH
14 OR SCHOOL FROM 500 FEET TO 400 FEET ON
15 PROPERTY LOCATED AT 4250 MONCRIEF ROAD,
16 PURSUANT TO SECTION 656.141, *ORDINANCE CODE*;
17 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS
18 OF THE LAND USE AND ZONING COMMITTEE;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, Malih Properties, LLC (Banner Liquor, Inc.), applied
22 to the Planning Commission for a Zoning Waiver of Minimum Distance
23 Requirements for Liquor License Location (Application WLD-19-13) to
24 reduce the required minimum distance between a liquor license
25 location and a church or school from 500 feet to 400 feet on
26 property located at 4250 Moncrief Road, in the CCG-2 (Commercial
27 Community/General-2) Zoning District; and

28 **WHEREAS**, the Planning Commission denied Application WLD-19-13
29 by Final Order dated May 23, 2019; and

30 **WHEREAS**, pursuant to Section 656.141, *Ordinance Code*, Malih
31 Properties, LLC (Banner Liquor, Inc.), filed a notice of appeal;

1 and

2 **WHEREAS**, such appeal was timely filed and the appellant has
3 standing to appeal; now, therefore

4 **BE IT RESOLVED** by the Council of the City of Jacksonville:

5 **Section 1. Adoption of recommended findings and**
6 **conclusions.** The Council has reviewed the record of proceedings
7 regarding Zoning Waiver of Minimum Distance Requirements for Liquor
8 License Location Application WLD-19-13, which is **On File** in the
9 City Council Legislative Services Division and the Planning and
10 Development Department, and has considered the recommended findings
11 and conclusions of the Land Use and Zoning Committee. The
12 recommended findings and conclusions of the Land Use and Zoning
13 Committee are hereby adopted and shall become effective
14 immediately. This Resolution is the final action of the Council.

15 **Section 2. Effective Date.** The adoption of this
16 Resolution shall be deemed to constitute a quasi-judicial action of
17 the City Council and shall become effective upon signature by the
18 Council President and Council Secretary.

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20 Form Approved:

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22 /s/ Shannon K. Eller

23 Office of General Counsel

24 Legislation Prepared by: Shannon K. Eller

25 GC-#1288167-v1-Application_WLD-19-13_Appeal
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