

Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2025-246-E

AN ORDINANCE REZONING APPROXIMATELY 0.12± OF AN ACRE LOCATED IN COUNCIL DISTRICT 5 AT 2107 HENDRICKS AVENUE, BETWEEN ALFORD PLACE AND MITCHELL AVENUE (R.E. NO(S). 081710-0000), AS DESCRIBED HEREIN, OWNED BY D&M ASSOCIATES, LLC, FROM COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO PERMIT RESTAURANTS AND COMMERCIAL AND OFFICE USES, INCLUDING THE SALE AND SERVICE OF ALL ALCOHOLIC BEVERAGES, INCLUDING LIQUOR, BEER AND WINE, FOR ON-PREMISES CONSUMPTION AND OFF-PREMISES CONSUMPTION ON PROPERTY LOCATED LESS THAN 1,500 FEET FROM A CHURCH WITHOUT THE REQUIREMENT TO OBTAIN A WAIVER OF MINIMUM DISTANCE FOR A LIQUOR LICENSE LOCATION PURSUANT TO SECTION 656.805, *ORDINANCE CODE*, AS DESCRIBED IN THE 2107 HENDRICKS PUD; PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, D&M Associates, LLC, the owner of approximately 0.12± of an acre located in Council District 5 at 2107 Hendricks Avenue, between Alford Place and Mitchell Avenue (R.E. No(s). 081710-0000), as more particularly described in **Exhibit 1**, dated February 24, 2025, and graphically depicted in **Exhibit 2**, both of which are attached

hereto (the "Subject Property"), has applied for a rezoning and reclassification of the Subject Property from Commercial Community/General-1 (CCG-1) District to Planned Unit Development (PUD) District, as described in Section 1 below; and

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

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

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

WHEREAS, the Council finds the proposed rezoning does not adversely affect the orderly development of the City as embodied in the Zoning Code; will not adversely affect the health and safety of residents in the area; will not be detrimental to the natural environment or to the use or development of the adjacent properties in the general neighborhood; and will accomplish the objectives and meet the standards of Section 656.340 (Planned Unit Development) of the Zoning Code; now therefore

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

Section 1. Property Rezoned. The Subject Property is hereby rezoned and reclassified from Commercial Community/General-1 (CCG-1) District to Planned Unit Development (PUD) District. This new PUD district shall generally permit restaurants and commercial and office uses, and is described, shown and subject to the following documents, attached hereto:

Exhibit 1 - Legal Description dated February 24, 2025.

Exhibit 2 - Subject Property per P&DD.

1 **Exhibit 3** - Written Description dated December 3, 2024.

2 **Exhibit 4** - Site Plan dated March 11, 2025.

3 **Section 2. Owner and Description.** The Subject Property is
4 owned by D&M Associates, LLC, and is legally described in **Exhibit 1**,
5 attached hereto. The applicant is Chris Hagan, 208 N. Laura Street,
6 Suite 710, Jacksonville, Florida 32202; (904) 425-8765.

7 **Section 3. Findings Regarding Deviation from Waiver of Minimum**
8 **31 Distance for Liquor License Location.** Pursuant to Section
9 656.341(c)(2)(ii)(B), *Ordinance Code*, when a PUD Written Description
10 includes a request for a deviation or waiver from various Zoning Code
11 requirements, including waivers of liquor distances from churches and
12 schools, the Council is required to determine that the requested
13 deviation or waiver is necessary. The Council hereby finds that there
14 is competent and substantial evidence in the record to support the
15 need for relief from the requirement for a waiver of minimum distance
16 for liquor license location as requested in **Exhibit 3** for the reasons
17 articulated by the Land Use and Zoning Committee.

18 **Section 4. Disclaimer.** The rezoning granted herein shall
19 not be construed as an exemption from any other applicable local,
20 state, or federal laws, regulations, requirements, permits or
21 approvals. All other applicable local, state or federal permits or
22 approvals shall be obtained before commencement of the development
23 or use and issuance of this rezoning is based upon acknowledgement,
24 representation and confirmation made by the applicant(s), owners(s),
25 developer(s) and/or any authorized agent(s) or designee(s) that the
26 subject business, development and/or use will be operated in strict
27 compliance with all laws. Issuance of this rezoning does not approve,
28 promote or condone any practice or act that is prohibited or
29 restricted by any federal, state or local laws.

30 **Section 5. Effective Date.** The enactment of this Ordinance
31 shall be deemed to constitute a quasi-judicial action of the City

Council and shall become effective upon signature by the Council
President and Council Secretary.

Form Approved:

/s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Erin Abney

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