

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-915**

5 AN ORDINANCE REZONING APPROXIMATELY 5.16± ACRES,
6 LOCATED IN COUNCIL DISTRICT 7 AT 901, 937, AND
7 940 MAIN STREET N., BETWEEN STATE STREET EAST
8 AND PHELPS STREET (R.E. NOS. 074367-0000,
9 074378-0000, AND 074386-0000), OWNED BY OCEAN
10 HART, LLC, DOZIER PRESTIGE WORLDWIDE, LLC AND
11 OLLIVANDERS DOWNTOWN, LLC, FROM PUBLIC BUILDING
12 AND FACILITIES-1 (PBF-1) DISTRICT AND PLANNED
13 UNIT DEVELOPMENT (PUD) DISTRICT (2005-1151-E AND
14 2017-484-E) TO PLANNED UNIT DEVELOPMENT (PUD)
15 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
16 ZONING CODE, TO PERMIT SCHOOLS, MULTIFAMILY
17 RESIDENTIAL DWELLINGS, AND VARIOUS COMMERCIAL
18 USES, INCLUDING THE SALE AND SERVICE OF ALL
19 ALCOHOLIC BEVERAGES, INCLUDING LIQUOR, BEER AND
20 WINE, FOR ON-PREMISES CONSUMPTION AND OFF-
21 PREMISES CONSUMPTION ON PROPERTY LOCATED LESS
22 THAN 1,500 FEET FROM A CHURCH WITHOUT THE
23 REQUIREMENT TO OBTAIN A WAIVER OF MINIMUM
24 DISTANCE FOR A LIQUOR LICENSE LOCATION PURSUANT
25 TO SECTION 656.805, *ORDINANCE CODE*, AS DESCRIBED
26 IN THE MAIN STREET MIXED-USE PUD, PURSUANT TO
27 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
28 AMENDMENT APPLICATION NUMBER L-5945-24C;
29 FINDING THAT THERE IS COMPETENT, SUBSTANTIAL
30 EVIDENCE IN THE RECORD TO SUPPORT THE NEED FOR
31 RELIEF FROM THE REQUIREMENT FOR A WAIVER OF

1 MINIMUM DISTANCE FOR LIQUOR LICENSE
2 LOCATION; PROVIDING A DISCLAIMER THAT THE
3 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
4 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
5 PROVIDING AN EFFECTIVE DATE.
6

7 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
8 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
9 portions of the Future Land Use Map series (FLUMs) in order to ensure
10 the accuracy and internal consistency of the plan, pursuant to
11 companion application L-5945-24C; and

12 **WHEREAS**, in order to ensure consistency of zoning district
13 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
14 Amendment L-5906-24C, an application to rezone and reclassify from
15 Public Building and Facilities-1 (PBF-1) District and Planned Unit
16 Development (PUD) District (2005-1151-E and 2017-484-E) to Planned
17 Unit Development (PUD) District was filed by Cyndy Trimmer, Esq., on
18 behalf of the owners of approximately 5.16± acres of certain real
19 property in Council District 7, as more particularly described in
20 Section 1; and

21 **WHEREAS**, the Planning and Development Department, in order to
22 ensure consistency of this zoning district with the *2045 Comprehensive*
23 *Plan*, has considered the rezoning and has rendered an advisory
24 opinion; and

25 **WHEREAS**, the Planning Commission has considered the
26 application and has rendered an advisory opinion; and

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

29 **WHEREAS**, the City Council, after due notice, held a public
30 hearing, and taking into consideration the above recommendations as
31 well as all oral and written comments received during the public

1 hearings, the Council finds that such rezoning is consistent with the
2 *2045 Comprehensive Plan* adopted under the comprehensive planning
3 ordinance for future development of the City of Jacksonville; and

4 **WHEREAS**, the Council finds that the proposed PUD does not
5 affect adversely the orderly development of the City as embodied in
6 the *Zoning Code*; will not affect adversely the health and safety of
7 residents in the area; will not be detrimental to the natural
8 environment or to the use or development of the adjacent properties
9 in the general neighborhood; and the proposed PUD will accomplish the
10 objectives and meet the standards of Section 656.340 (Planned Unit
11 Development) of the *Zoning Code* of the City of Jacksonville; now
12 therefore

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

14 **Section 1. Subject Property Location and Description.** The
15 approximately 5.16± acres are located in Council District 7 at 901,
16 937, and 940 Main Street N., between State Street East and Phelps
17 Street (R.E. No(s) 074367-0000, 074378-0000, and 074386-0000), as
18 more particularly described in **Exhibit 1**, dated November 29, 2023,
19 and graphically depicted in **Exhibit 2**, both of which are attached
20 hereto and incorporated herein by this reference (the "Subject
21 Property").

22 **Section 2. Owner and Applicant Description.** The Subject
23 Property is owned by Ocean Hart, LLC, Dozier Prestige Worldwide, LLC
24 and Ollivanders Downtown, LLC. The applicant is Cyndy Trimmer, Esq.,
25 1 Independent Drive, Suite 1200, Jacksonville, Florida, 32202; (904)
26 807-0185.

27 **Section 3. Property Rezoned.** The Subject Property,
28 pursuant to adopted companion Small-Scale Amendment Application
29 L-5945-24C, is hereby rezoned and reclassified from Public Building
30 and Facilities-1 (PBF-1) District and Planned Unit Development (PUD)
31 District (2005-1151-E and 2017-484-E) to Planned Unit Development

1 (PUD) District. This new PUD district shall generally permit schools,
2 multifamily residential dwellings, and various commercial uses, and
3 is described, shown and subject to the following documents, attached
4 hereto:

5 **Exhibit 1** - Legal Description dated November 29, 2023.

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

7 **Exhibit 3** - Written Description dated August 27, 2024.

8 **Exhibit 4** - Site Plan dated October 18, 2023.

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

20 **Section 5. Contingency.** This rezoning shall not become
21 effective until thirty-one (31) days after adoption of the companion
22 Small-Scale Amendment; and further provided that if the companion
23 Small-Scale Amendment is challenged by the state land planning agency,
24 this rezoning shall not become effective until the state land planning
25 agency or the Administration Commission issues a final order
26 determining the companion Small-Scale Amendment is in compliance with
27 Chapter 163, *Florida Statutes*.

28 **Section 6. Disclaimer.** The rezoning granted herein
29 shall not be construed as an exemption from any other applicable
30 local, state, or federal laws, regulations, requirements, permits or
31 approvals. All other applicable local, state or federal permits or

1 approvals shall be obtained before commencement of the development
2 or use and issuance of this rezoning is based upon acknowledgement,
3 representation and confirmation made by the applicant(s), owner(s),
4 developer(s) and/or any authorized agent(s) or designee(s) that the
5 subject business, development and/or use will be operated in strict
6 compliance with all laws. Issuance of this rezoning does **not** approve,
7 promote or condone any practice or act that is prohibited or
8 restricted by any federal, state or local laws.

9 **Section 7. Effective Date.** The enactment of this Ordinance
10 shall be deemed to constitute a quasi-judicial action of the City
11 Council and shall become effective upon signature by the Council
12 President and the Council Secretary.

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14 Form Approved:

15
16 /s/ Dylan Reingold

17 Office of General Counsel

18 Legislation Prepared By: Connor Corrigan

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