

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2024-315

AN ORDINANCE APPROVING APPLICATION FOR ZONING EXCEPTION E-24-25 FOR PROPERTY LOCATED IN COUNCIL DISTRICT 5 AT 1980 SAN MARCO BOULEVARD, BETWEEN NALDO AVENUE AND BALIS PLACE (R.E. NO. 081336-0000), AS DESCRIBED HEREIN, OWNED BY MARCO SQUARE LAND, LLC, REQUESTING (1) AN ESTABLISHMENT OR FACILITY WHICH INCLUDES THE RETAIL SALE AND SERVICE OF ALL ALCOHOLIC BEVERAGES INCLUDING LIQUOR, BEER OR WINE FOR ON-PREMISES AND OFF-PREMISES CONSUMPTION AND (2) PERMANENT OUTSIDE SALE AND SERVICE (OF FOOD AND BEVERAGE), MEETING THE PERFORMANCE STANDARDS AND DEVELOPMENT CRITERIA SET FORTH IN PART 4 OF THE ZONING CODE, FOR LOCKE RUDIN ENTERPRISES, LLC, D/B/A VODOO BREWING CO., IN ZONING DISTRICT COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1), AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE; 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 Cyndy Trimmer, Esq. on behalf of the owner of property located in Council District 5 at 1980 San Marco Boulevard, between Naldo Avenue and Balis Place (R.E. No. 081336-0000) (the "Subject Property"), requesting (1) an establishment or facility which includes the retail

1 sale and service of all alcoholic beverages including liquor, beer
2 or wine for on-premises and off-premises consumption and (2) permanent
3 outside sale and service (of food and beverage), meeting the
4 performance standards and development criteria set forth in Part 4
5 of the Zoning Code, for Locke Rudin Enterprises, LLC, d/b/a Voodoo
6 Brewing Co., in Zoning District Commercial Community/General-1
7 (CCG-1); and

8 **WHEREAS,** the Planning and Development Department has
9 considered the application and all attachments thereto and has
10 rendered an advisory recommendation; and

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

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

16 **Section 1. Adoption of Findings and Conclusions.** The
17 Council has considered the recommendation of the Land Use and Zoning
18 Committee and reviewed the Staff Report of the Planning and
19 Development Department concerning application for zoning exception
20 E-24-25. Based upon the competent, substantial evidence contained in
21 the record, the Council hereby determines that the requested zoning
22 exception meets each of the following criteria required to grant the
23 request pursuant to Section 656.131(c), *Ordinance Code*, as
24 specifically identified in the Staff Report of the Planning and
25 Development Department:

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

28 (2) Will be compatible with the existing contiguous uses or
29 zoning and compatible with the general character of the area,
30 considering population density, design, scale and orientation of
31 structures to the area, property values, and existing similar uses

1 or zoning;

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

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

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

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

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

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

19 (9) Will be consistent with the definition of a zoning
20 exception, and will meet the standards and criteria of the zoning
21 classification in which such use is proposed to be located, and all
22 other requirements for such particular use set forth elsewhere in the
23 Zoning Code, or otherwise adopted by the Planning Commission or
24 Council.

25 Therefore, zoning exception application E-24-25 is hereby
26 approved.

27 **Section 2. Owner and Description.** The Subject Property is
28 owned by Marco Square Land, LLC, and is described in **Exhibit 1**, dated
29 March 25, 2024, and graphically depicted in **Exhibit 2**, both attached
30 hereto. The applicant is Cyndy Trimmer, Esq., One Independent Drive,
31 Suite 1200, Jacksonville, Florida 32202; (904) 807-0185.

1 **Section 3. Distribution by Legislative Services.**

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

7 **Section 4. Effective Date.** The enactment of this Ordinance
8 shall be deemed to constitute a quasi-judicial action of the City
9 Council and shall become effective upon signature by the Council
10 President and Council Secretary. Failure to exercise the zoning
11 exception, if herein granted, by the commencement of the use or action
12 herein approved within one (1) year of the effective date of this
13 legislation shall render this zoning exception invalid and all rights
14 arising therefrom shall terminate.

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16 Form Approved:

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18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Jacquelyn Williams

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