

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-534**

5 AN ORDINANCE REZONING APPROXIMATELY 3.03± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 ON NORMANDY
7 BOULEVARD, BETWEEN CARTER LANDING BOULEVARD AND
8 GUARDIAN DRIVE (R.E. NO. 009067-0015), AS
9 DESCRIBED HEREIN, OWNED BY SAI OF JACKSONVILLE
10 PROPERTIES, LLC, FROM PLANNED UNIT DEVELOPMENT
11 (PUD) DISTRICT (2019-0007-E) TO PLANNED UNIT
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
14 RETAIL COMMERCIAL AND RECREATIONAL VEHICLE AND
15 BOAT STORAGE, INCLUDING THE SALE AND SERVICE OF
16 ALL ALCOHOLIC BEVERAGES, INCLUDING LIQUOR, BEER
17 AND WINE, FOR ON-PREMISES CONSUMPTION AND OFF-
18 PREMISES CONSUMPTION ON PROPERTY LOCATED LESS
19 THAN 1,500 FEET FROM A CHURCH WITHOUT THE
20 REQUIREMENT TO OBTAIN A WAIVER OF MINIMUM
21 DISTANCE FOR A LIQUOR LICENSE LOCATION PURSUANT
22 TO SECTION 656.805, *ORDINANCE CODE*, AS DESCRIBED
23 IN THE SAI OF JACKSONVILLE PUD; FINDING THAT
24 THERE IS COMPETENT, SUBSTANTIAL EVIDENCE IN THE
25 RECORD TO SUPPORT THE NEED FOR RELIEF FROM THE
26 REQUIREMENT FOR A WAIVER OF MINIMUM DISTANCE FOR
27 LIQUOR LICENSE LOCATION; PROVIDING A DISCLAIMER
28 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
29 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
30 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
31

1 **WHEREAS**, SAI of Jacksonville Properties, LLC, the owner of
2 approximately 3.03± acres located in Council District 12 on Normandy
3 Boulevard, between Carter Landing Boulevard and Guardian Drive (R.E.
4 No. 009067-0015), as more particularly described in **Exhibit 1**, dated
5 January 17, 2024, and graphically depicted in **Exhibit 2**, both of
6 which are attached hereto (the "Subject Property"), has applied for
7 a rezoning and reclassification of the Subject Property from Planned
8 Unit Development (PUD) District (2019-0007-E) to Planned Unit
9 Development (PUD) District, as described in Section 1 below; and

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

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

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

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

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

29 **Section 1. Property Rezoned.** The Subject Property is
30 hereby rezoned and reclassified from Planned Unit Development (PUD)
31 District (2019-0007-E) to Planned Unit Development (PUD) District.

1 This new PUD district shall generally permit retail commercial and
2 recreational vehicle and boat storage, including the sale and service
3 of all alcoholic beverages, including liquor, beer and wine, for on-
4 premises consumption and off-premises consumption on property located
5 less than 1,500 feet from a church without the requirement to obtain
6 a waiver of minimum distance for a liquor license location pursuant
7 to Section 656.805, *Ordinance Code*, and is described, shown and
8 subject to the following documents, attached hereto:

9 **Exhibit 1** - Legal Description dated January 17, 2024.

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

11 **Exhibit 3** - Written Description dated June 1, 2024.

12 **Exhibit 4** - Site Plan dated August 26, 2022.

13 **Section 2. Owner and Description.** The Subject Property is
14 owned by SAI of Jacksonville Properties, LLC, and is legally described
15 in **Exhibit 1**, attached hereto. The applicant is Alex G. Moldovan,
16 75661 Blackbird Drive, Yulee, Florida 32097; (904) 532-2392.

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

28 **Section 4. Disclaimer.** The rezoning granted herein shall
29 **not** be construed as an exemption from any other applicable local,
30 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), owners(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 5. 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 Council Secretary.

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15 Form Approved:

16
17 /s/ Dylan Reingold

18 Office of General Counsel

19 Legislation Prepared By: Bruce Lewis

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