Introduced by the Land Use and Zoning Committee:

**RESOLUTION 2019-461**

A RESOLUTION CONCERNING THE APPEAL FILED BY MALIH PROPERTIES, LLC (BANNER LIQUOR, INC.), OF A FINAL ORDER ISSUED BY THE PLANNING COMMISSION DENYING APPLICATION FOR ZONING WAIVER OF MINIMUM DISTANCE REQUIREMENTS FOR LIQUOR LICENSE LOCATION WLD-19-13 REQUESTING TO REDUCE THE REQUIRED MINIMUM DISTANCE BETWEEN A LIQUOR LICENSE LOCATION AND A CHURCH OR SCHOOL FROM 500 FEET TO 400 FEET ON PROPERTY LOCATED AT 4250 MONCRIEF ROAD, PURSUANT TO SECTION 656.141, *ORDINANCE CODE*; ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND USE AND ZONING COMMITTEE; PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

 **Section 2. Effective Date.** The adoption of this Resolution 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/ Shannon K. Eller\_\_\_\_\_

Office of General Counsel

Legislation Prepared by: Shannon K. Eller

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