

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING EXCEPTION 2025-0762 (E-25-44)

NOVEMBER 4, 2025

Location: 13170 Atlantic Boulevard, Suite 22
On the corner of Hodges and Atlantic Boulevard

Real Estate Number: 167130-0120 (Portion)

Zoning Exception Sought: An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer and wine for on-premises conjunction with a restaurant

Current Zoning District: Planned Unit Development (PUD) 1987-0456

Current Land Use Category: Community General Commercial (CGC)

Planning District: 2 – Greater Arlington/Beaches

Council District: 3 – District

Applicant/Agent: *Michael Herzberg*
12483 Aladdin Road
Jacksonville, FL 32223

Owner: PSM Harbour Place, LLC
P.O. Box 32018
Lakeland, FL 32802

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Exception **2025-0762 (E-25-44)** seeks to permit an establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer and wine for on-premises conjunction with a restaurant for a property zoned Planned Unit Development (PUD 1987-0456-0244). The subject is within a developed shopping corridor that is approximately 18 acres. Within the general area there are multiple establishments which provide the full sale of alcohol for on-premises consumption. Notable examples:

- Chipshot, an establishment that offers full liquor sales for on-premises consumption

located at 13164 Atlantic Blvd.

- Cinco de Mayo, an establishment that offers full liquor sales for on-premises consumption, is located at 13710 Atlantic Blvd.
- Your Place (YP's) Bar and Grill, that offers full liquor sales for on-premises consumption, is located at 13245 Atlantic Blvd, Unit 2.

If approved the exception will be granted in the name of Jerry's of Jax INC.

DEFINITION

According to Section 656.1601 of the Zoning Code, *exception* means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permissible in the zoning district as exceptions if specific provision for the exception is made in the Zoning Code and the uses are found by the Commission to be in conformity with the standards and criteria for granting the same contained in Section 656.131(c) thereof.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

(i) Will the proposed use be consistent with the Comprehensive Plan?

The subject site is 18 acres and is located between The Woods Drive and Hodges Boulevard at 13170 Atlantic Boulevard, at the southwest intersection Atlantic Boulevard a FDOT principal arterial roadway, and Hodges Boulevard, a minor arterial roadway. The application site is also located within Planning District 2 (Greater Arlington and Beaches), Council District 3, and within the Urban Development Area.

The site currently has a land use designation of Community General Commercial (CGC). CGC is a category primarily intended to provide for a wide variety of retail goods and services which serve large areas of the city and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of vehicle miles traveled.

Future Land Use Element (FLUE):

Policy 1.1.22

Future development orders, development permits, and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Description of the Operative Provisions.

The proposed request for the retail sale and service of all alcoholic beverages for on-premises consumption would not result in the intensification of a uses. Staff does not anticipate this intensification of uses to impact the land use.

Goal 3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The subject property is located in the center of an area designated for commercial uses and is surrounded by similar zoning district. The approval of this exception will not create a use out of character for the are and will not hinder the character of the City's neighborhoods or residential areas but would rather serve the surrounding residential neighborhoods with additional commercial uses.

Objective 3.2

Promote and sustain the viability of existing and emerging commercial and industrial areas to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

The proposed is consistent with the types of uses, intensities of uses and location of uses within the CGC land use category identified in the 2045 Comprehensive plan. Allowing the subject exception will have a positive impact on the commercial viability of the immediate area.

- (ii) ***Will the proposed use be compatible with the existing contiguous uses or zoning and compatible with the general character of the area, considering population density, design, scale, and orientation of structures to the area, property values, and existing similar uses or zoning?***

Yes. The proposed use will be compatible with the existing contiguous uses and zoning, in that it is surrounded by several commercial shopping areas and residential neighborhood areas.

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning Districts</u>	<u>Current Property Use</u>
North	RPI	PUD (1998-0005)	Shopping Center/Neighborhood
South	LDR	PUD (1987-0456-0244)	Single Family
East	CGC	PUD (2022-0109)	Shopping Center/Community
West	RPI	PUD (2010-0782)	Shopping Center/Community

(iii) *Will the proposed use have an environmental impact inconsistent with the health, safety, and welfare of the community?*

No. The request for alcohol sales and service will take place within a developed structure that was built in 1990 and is in the vicinity of other restaurants selling alcohol including liquor, beer and wine. These requests are common, and the applicant will be required to meet all applicable environmental regulations.

(iv) *Will the proposed use have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the creation or generation of traffic inconsistent with the health, safety, and welfare of the community?*

No. The shopping center was built in 1990 and has always allowed for safe movement of traffic for the proposed commercial uses on the property. The site is accessible to vehicle and pedestrian traffic from Atlantic and Hodges Boulevard. There is an ample off-street parking for the use already offered by the shopping center.

(v) *Will the proposed use have a detrimental effect on the future development of contiguous properties or the general area?*

No. The proposed exception will not have a detrimental effect on the future development of contiguous properties or the general area since the area is mostly developed with a mix of commercial uses. It is not expected that the retail sales and service of all alcoholic beverages for on-premises consumption will have a negative impact on the surrounding property as there are many other restaurants that have allowed alcoholic beverage sales for on-premises consumption within the shopping center and along Atlantic Boulevard.

(vi) *Will the proposed use result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses or zoning in the vicinity?*

No. The proposed use of retail sales and service of all alcoholic beverages for on-premises and off-premises consumption will not result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust, or physical activities out of character for the surrounding area as it will be within a commercial shopping center.

(vii) *Will the proposed use overburden existing public services and facilities?*

No. The proposed use will not overburden existing public services or facilities. This is in an existing commercial center. Therefore, there will not be an increased demand for public services.

(vii) *Will the site be sufficiently accessible to permit entry onto the property for fire, police, rescue and other services?*

Yes. The subject property is accessible from Atlantic and Hodges Boulevard to permit adequate access for fire, police, rescues, and other service vehicles.

(ix) *Will the proposed use be consistent with the definition of a zoning exception, and will meet the standards and criteria of the zoning classification in which such use is proposed to be located, and all other requirements for such use set forth elsewhere in the Zoning Code, or otherwise adopted by the Planning Commission?*

Yes. According to Section 656.1601 of the Zoning Code, *exception* means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. The proposed exception is appropriate in this location and consistent with the definition of a zoning exception. As more fully set forth in the foregoing findings and conclusions, the requested use at this location is consistent with the definition of a zoning exception.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **OCTOBER 7th, 2025**, by the Planning Department, the Notice of Public Hearing signs **were** posted.





RECOMMENDATION

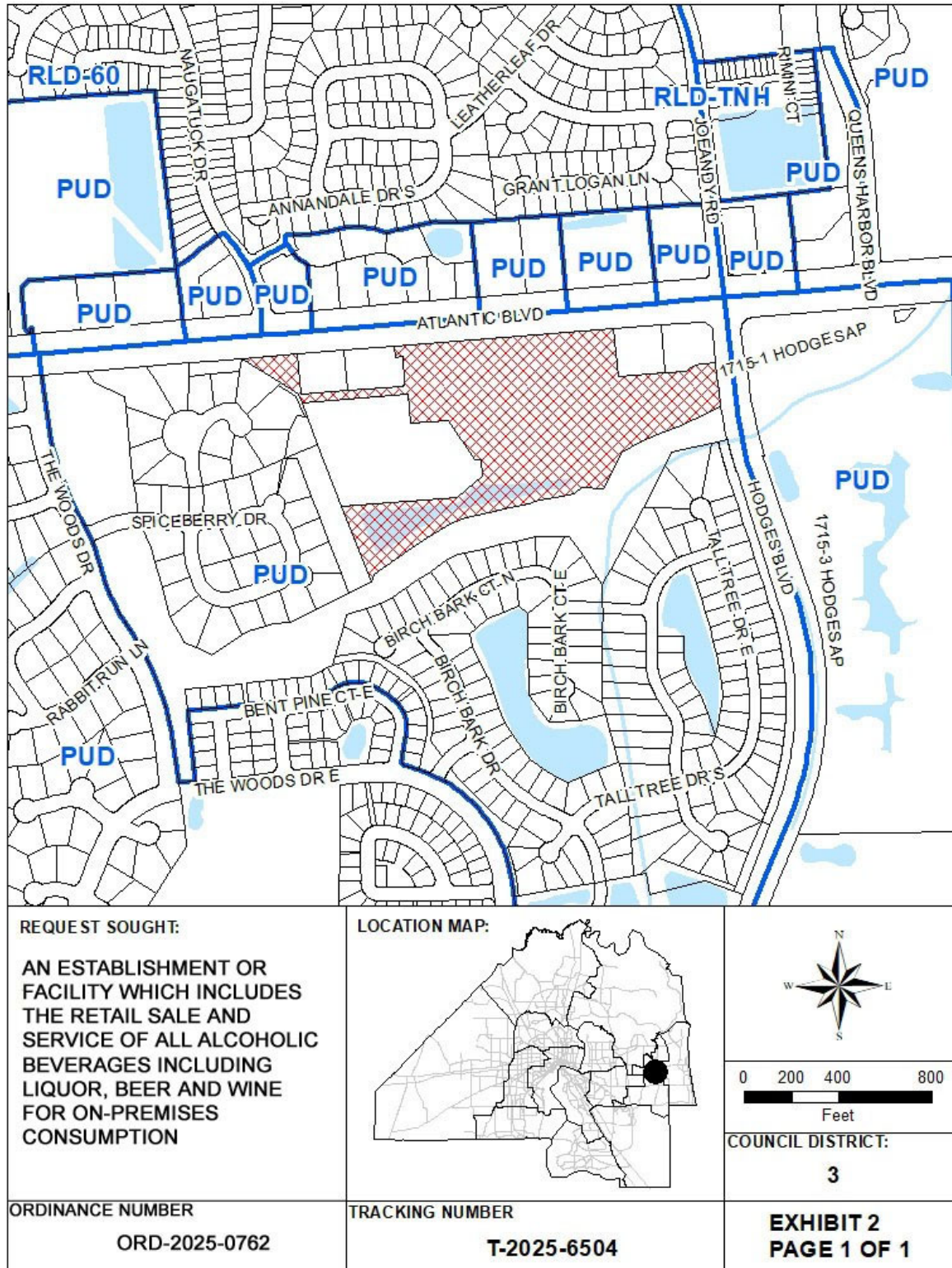
Based on the foregoing, it is the recommendation of the Planning Department that Application for Zoning Exception **2025-0762 (E-25-44)** be **APPROVED**.

Source: Google street view, April 2019

[illegible]

Source: Planning Department, 2025

Figure C:



Legal Map