

REPORT OF THE PLANNING DEPARTMENT**APPLICATION FOR ZONING EXCEPTION 2025-0888 (E-25-58)****JANUARY 21, 2026**

Location: 2198 Mayport Road, between Mayport Road and Fairway Villas Drive

Real Estate Number: 169406-0000

Zoning Exception Sought: Establishment or Facility Which Includes the Retail Sale & Service of All Alcoholic Beverages Including Liquor, Beer or Wine for On-Premises Consumption

Current Zoning District: Commercial Community/General - 2 (CCG-2)

Current Land Use Category: Commercial General Community (CGC)

Planning District: 2-Arlington/Beaches

Council District: District-13

Applicant/Agent: Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC
1 Independent Drive, Suite 1200
Jacksonville FL 32202

Owner: Jax Holdings LLC
1931 Fair Street
Jacksonville, FL 32210

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Zoning Exception **2025-0888 (E-25-58)** seeks an exception to allow for establishment or facility which includes the retail sale & service of all alcoholic beverages including liquor, beer or wine for on-premises consumption granted to *The Creative Cook Mayport LLC*. The proposed use involves a grocery store, butcher shop, and chef's table concept, known as *The Creative Cook*, that will serve all alcoholic beverages for on-premises consumption.

The 0.46±-acre subject site involves a vacant property located along the corner between Fairway Villas Drive, a local roadway and Mayport Road, a minor arterial roadway. The application site is

located within Planning District 2 (Arlington/beaches), Council District 13, and the Commercial General Community (CGC) land use category within the Suburban Development Area. Furthermore, the property is zoned Commercial Community/General - 2 (CCG-2) which permits establishments or facilities which include the retail sale of all alcoholic beverages for on-premises consumption by exception. Per the submitted liquor distance survey, there are no schools or churches within 1,500 feet of the property. Therefore, the proposed exception for retail sales and service of all alcoholic beverages for on-premises consumption is consistent with the CGC land use category.

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?

Yes. According to the Future Land Use Element (FLUE), Community / General Commercial (CGC) is a category 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. CGC in the Suburban Area is intended to provide development in a nodal development pattern. 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. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods.

The proposed exception for retail sales and service of all alcoholic beverages for on-premises consumption is consistent with the CGC land use described in the 2045 Comprehensive Plan.

Future Land Use Element (FLUE):**Objective 1.1**

Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

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 Descriptions of the Operative Provisions.

Goal 3:

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas

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.

- (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 is compatible with adjacent commercial uses and consistent 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. Approval of the proposed use will support the development of walkable communities by providing appropriate dining, retail, and other amenities for the surrounding neighborhood.

Moreover, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	CCG-2	Night Club/Bar
South	CGC	CCG-2	Shopping Ctr/Nbhd
East	n/a	n/a	Single Family
West	MDR	PUD	Single Family

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

No. Staff find that the proposed use will not have a negative environmental impact on the surrounding area, nor will it be inconsistent with the health, safety, and welfare of the community. The area has already developed with a mix of uses, and the site was previously used as a retail storefront Terry's Country Store. The grocery offering will continue the service to the community that Terrys Country Store was previously providing for the last 50 years it was in operation.

Adaptation Action Area (AAA)

The subject site is located within the AAA. The AAA boundary is a designation in the City's 2045 Comprehensive Plan which identifies areas that experience coastal flooding due to extreme high tides and storm surge, and that is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. The AAA is defined as those areas within the projected limit of the Category 3 storm surge zone, those connected areas of the 100-year and 500-year Flood Zone, and additional areas determined through detailed flood analysis.

The applicant is encouraged to consider site design measures, such as clustering development away from the AAA, to protect development from the impacts of flooding.

- (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?***

The proposed use is not expected to have a detrimental effect on vehicular traffic or parking conditions and will not result in the generation or creation of traffic inconsistent with the health, safety, and welfare of the community. The site is near established residential neighborhoods and other commercial developments, which are within walking distance and provide opportunities for patrons to access the grocery store without the use of a vehicle. This walkability helps reduce overall demand for on-site parking and minimizes local traffic impacts.

- (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 the surrounding commercial area which is almost fully built out. The property is in the Mayport community which is built out and is adjacent to another bar (Cap'n Odies), liquor store (Wild Whiskey), and other commercial areas.

- (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 site will not create objectionable or excessive noise, vibrations, fumes, odors, dust, or physical activities inconsistent with the existing surrounding developments. There are no requests for outside sales or service of alcoholic beverages.

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

No. The proposed exception will not require additional services nor adversely affect those public services and facilities that are currently available to the subject property.

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

Yes. The site plan depicts direct access from both Mayport Road and Fairway Villas Drive that will permit entry onto the property for fire, police, rescue, 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. As more fully set forth in the foregoing findings and conclusions, the proposed exception of retail sales and service of all alcoholic beverages for on premise consumption in conjunction with an entertainment facility will meet the definition of Zoning Exception. On site full alcohol consumption service is an allowable use in the CCG-2 zoning district by exception. The grant of this exception is consistent with the 2045 Comprehensive Plan, and the proposed use in an existing commercial area is in keeping with the character of the surrounding neighborhood.

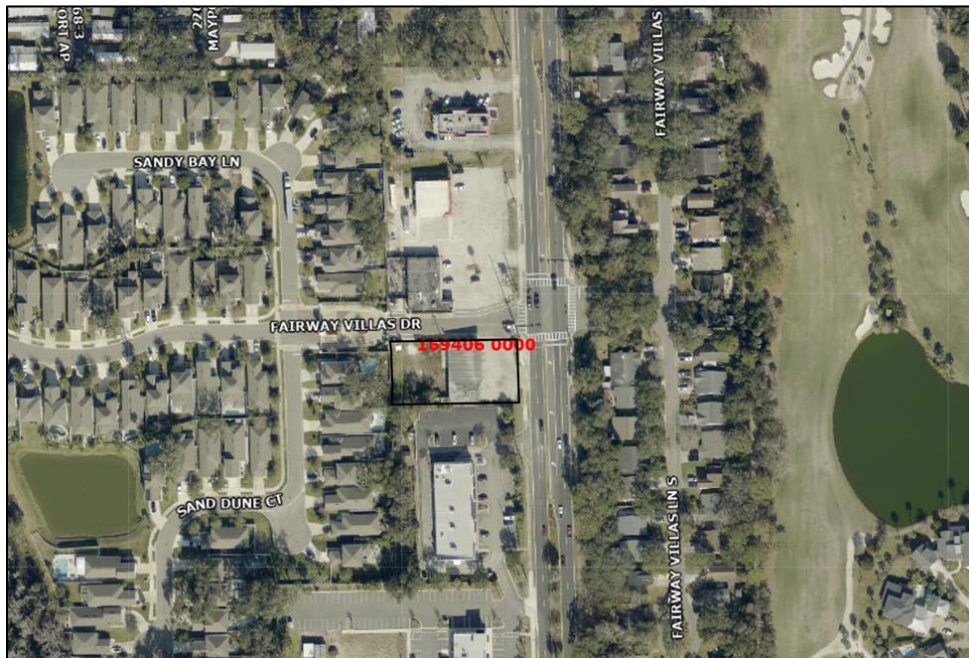
SUPPLEMENTARY INFORMATION

Based upon the signed Notice of Public Hearing Sign Posting Affidavit provided by the applicant, the required notice of public hearing signs were posted on **November 24, 2025**.

Figure A:

**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning Department that Application for **Zoning Exception 2025-0888 (E-25-58)** be **APPROVED**.



Source: JAXGIS

Aerial View of Subject Property, Facing North

Figure C:



Source: Provided by Applicant, 11/24/25
View of Subject Property from Fairway Villas Drive, Facing South

Figure D:



Source: Provided by Applicant, 11/24/25
**View of Neighboring Bar (Cap'n Odies) East of Subject Property from Mayport Road,
Facing West**

Figure E: Legal Description

