

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**APPLICATION FOR ZONING EXCEPTION 2024-0022 (E-23-89)**

**FEBRUARY 21, 2024**

***Location:*** 14376 Beach Boulevard,  
Corner of Beach Boulevard and San Pablo Road South

***Real Estate Number:*** 177032-0000

***Zoning Exception Sought:*** An establishment or facility, which includes the retail sale of all alcoholic beverages, not in conjunction with a restaurant, including liquor, beer, or wine for on-premises consumption

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

***Current Land Use Category:*** Community General Commercial (CGC)

***Planning District:*** District 3 – Southeast

***Council District:*** District 13

***Applicant/Agent:*** Paul Harden, Esq.  
Law Office of Paul M. Harden  
1431 Riverplace Boulevard, Suite 901  
Jacksonville, FL 32207

***Owner:*** Reekee Patel  
Shores FWS 16, LLC  
2220 County Road 210 West, Suite 108 PMB 502  
Jacksonville, Florida 32259

***Staff Recommendation:*** **APPROVE W/ CONDITION**

**GENERAL INFORMATION**

Application for Exception **2024-0022 (E-23-89)** seeks to allow for the retail sale of all alcoholic beverages, not in conjunction with a restaurant, including liquor, beer and wine for on premises consumption. The proposed use is for a liquor store (Shores Fine Wine and Spirits). The site has a proposed structure of approximately 5,135± square feet and 16 parking spaces. The subject site is located at the corner of Beach Boulevard and San Pablo Road South.

The property was previously used as a gas station and convenience store but has not been in operation since 2020. The structure and fuel tanks on the property were demolished and removed.

There was a companion Waiver of Liquor Distance application (**WLD-23-27**) requesting to reduce the distance from 1500 feet to 1220 feet from a church to the subject property. The application was heard at Planning Commission on January 18<sup>th</sup>, where Planning Commission voted to approve the application with the condition that “granting of the Waiver of Liquor Distance is contingent upon the approval of the Companion Zoning Exception Application by the Land Use and Zoning Committee.”

### **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. The subject site is 0.69 acres and located at an address of 14376 Beach Blvd at the corner of Beach Blvd, a principal arterial roadway, and San Pablo Road South, a minor arterial roadway. The application site is also located within Planning District 3 (Southeast), Council District 13 and within the Urban Development Area.

CGC in the Urban Development Area is intended to provide development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Principal uses include commercial retail sales and service establishments including restaurants, hotels and motels, and commercial recreational and entertainment facilities.

The proposed exception for retail sales and service of alcoholic beverages for on-site and off-site consumption is allowed in the CGC land use category.

The proposed zoning application should be reviewed in relation to the following goals, objectives, polices or text of the 2045 Comprehensive Plan:

**Future Land Use Element**

**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.

*The approval of this exception would allow a new business to operate in a newly built commercial building, that previously operated as a commercial use, therefore would not contribute to urban sprawl, but would rather provide an additional commercial use in the area.*

**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.

*The subject site is surrounded by commercial uses but is not far from residential properties. The addition of this business to a commercial property will provide a well-balanced combination of commercial and residential properties.*

**Objective 3.2**

Promote and sustain the viability of existing and emerging commercial and industrial areas in order 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 use will help sustain the commercial nature of the Beach Boulevard corridor which serves the surrounding residential properties and neighborhoods.*

**Airport Environment Zone**

The site is located within the 500-foot Height and Hazard Zone for the Craig Municipal Airport. Zoning will limit development to a maximum height of 500’, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

**Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a

Professional Archaeological Reconnaissance Survey. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

**Adaption Action Area (AAA)**

The amendment site is 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.

- (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. Previously, this location was home to a Valero gas station and Kangaroo Express convenience store. The location did not previously have alcohol sales, but there are properties within the area that do allow for the sale of all alcoholic beverages. Adjacent land uses and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	CGC	CCG-1	Bank
South	CGC	PUD (1988-0442)	Restaurant
East	CGC	PUD (1988-0442)	Bank
West	CGC	CCG-1	Gas station/Convenience store

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

No. The proposed use will not have an environmental impact inconsistent with the health, safety and welfare of the community. The proposed use of all alcoholic beverages for on-premises consumption is similar to other uses in the area.

- (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 site plan shows efficient space for vehicular traffic to move on site. There is a drive-thru entrance shown on the southernmost portion of the site that wraps around to the eastern side of the structure. Additionally, the site plan shows a crosswalk that connects to the existing sidewalk along San Pablo Road South that wraps around to Beach Boulevard. Lastly, there is sufficient parking on site for the proposed use.

- (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 already developed with commercial uses along Beach Boulevard and San Pablo Road South.

- (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 exception will not create objectionable or excessive noise, lights, vibrations, fumes, odors, dust, or physical activities inconsistent with the existing surrounding development.

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

No. It is not anticipated that the proposed use will overburden existing public services or facilities. City water and sewer are provided to the site.

- (viii) *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 Beach Boulevard and San Pablo Road South. These entrances will permit access to the property for fire, police, rescue, and other services. There is one ingress and egress along Beach Boulevard and two ingress and egress points on San Pablo Road South.

- (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. The proposed use is consistent with the definition of a zoning exception and will meet the standards and criteria of the zoning classification if all applications, Exception and Waiver of minimum Liquor Distance, are approved.

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on January 10, 2024, by the Planning and Development Department, the Notice of Public Hearing sign was posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Zoning Exception 2023-0022 (E-23-89) be **APPROVED with the CONDITION:**

1. **Granting of the Zoning Exception is contingent upon the approval of the Companion Waiver of Liquor Distance (WLD-23-27) by the Planning Commission.**



Aerial view

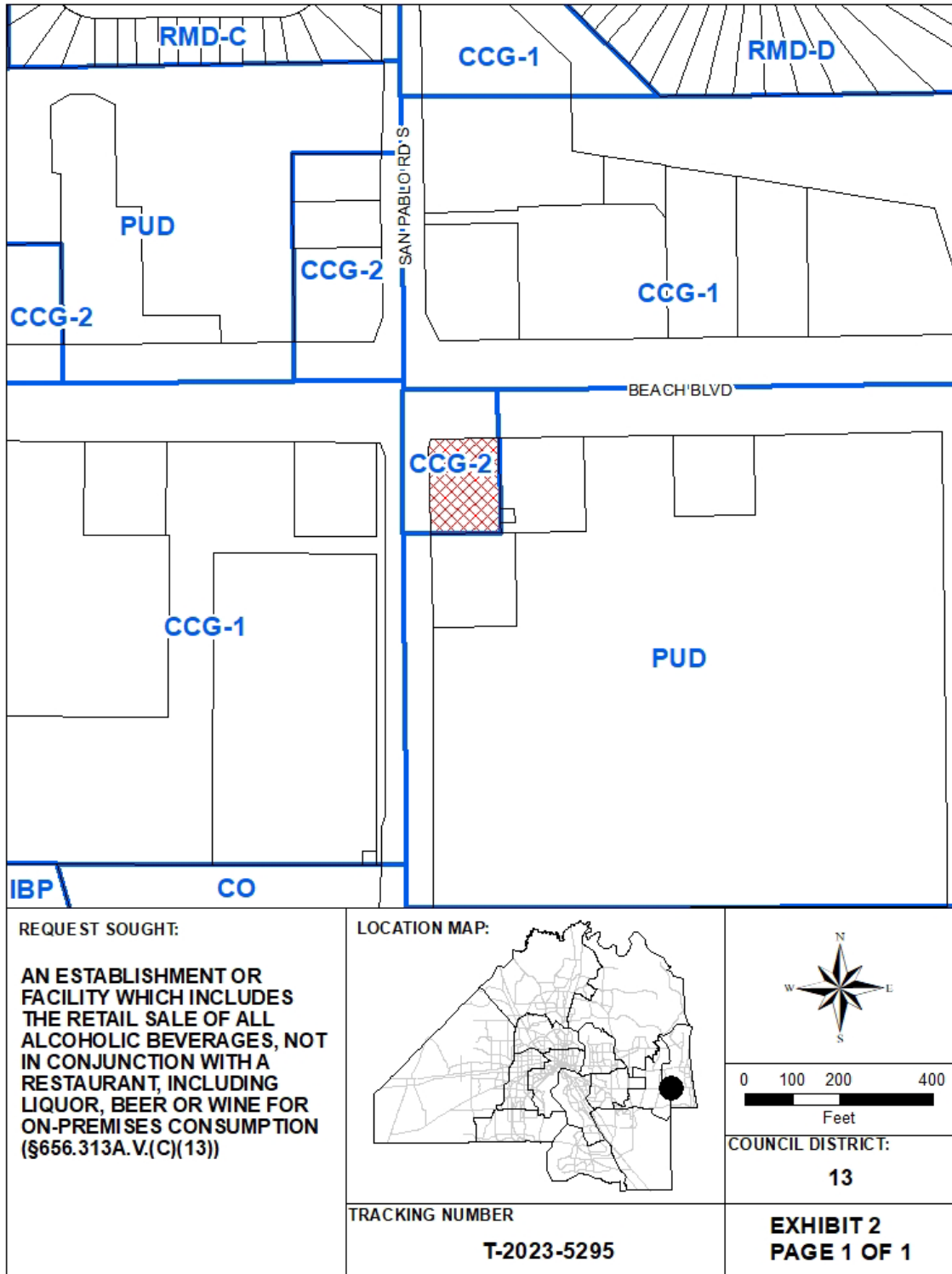


View of the Subject Site from Beach Boulevard

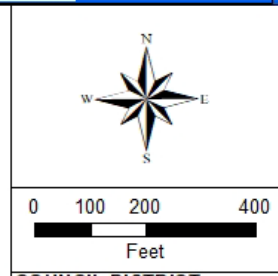
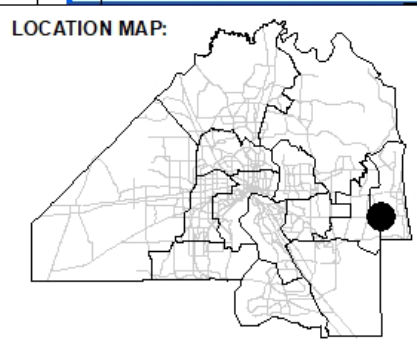


**View of the Subject Site from San Pablo Road South**





**REQUEST SOUGHT:**  
 AN ESTABLISHMENT OR FACILITY WHICH INCLUDES THE RETAIL SALE OF ALL ALCOHOLIC BEVERAGES, NOT IN CONJUNCTION WITH A RESTAURANT, INCLUDING LIQUOR, BEER OR WINE FOR ON-PREMISES CONSUMPTION (§656.313A.V.(C)(13))



**COUNCIL DISTRICT:**  
 13

**TRACKING NUMBER**  
 T-2023-5295

**EXHIBIT 2**  
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**Legal Map**