

REPORT OF THE PLANNING DEPARTMENT

APPLICATION FOR ZONING EXCEPTION E-25-04

APRIL 1, 2025

Location: 8206 Philips Highway, Units 32-34
At the southwest corner of Philips Highway and Baymeadows Road

Real Estate Number: 152664 0000

Zoning Exception Sought: Retail sales and service of all alcoholic beverages for on-premises consumption in conjunction with a restaurant and billiard hall

Current Zoning District: Industrial Light (IL)

Current Land Use Category: Light Industrial (LI)

Planning District: Southeast – District 3

Council District: District 11

Owner: Beemer Associates XXIII LLC
7880 Gate Parkway, Suite 200
Jacksonville, Florida 32256

Agent: Lawrence Yancy
1309 Saint Johns Bluff Road N, Bldg A Suite 2
Jacksonville, Florida 32225

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Exception E-22-45 seeks to permit the on-premises consumption of all alcoholic beverages in conjunction with a restaurant and a billiard hall in the Industrial Light (IL) Zoning District. The subject property contains a 168,000 single story multi-unit shopping center constructed in 1958. The proposed business, Legends Billiards, will operate in Units 32-34. There are restaurants, fitness center, medical offices, home furnishings and other businesses within the 168,000 square foot shopping center.

The Planning Commission has approved several previous exceptions for this property. Applications E-05-26, E-05-91, E-06-55, E-06-61, E-06-74, E-14-14, E-15-18, E-18-26, E-20-

74, E-22-23, E-22-45 allowed for sale and service of alcoholic beverages in conjunction with a restaurant.

DEFINITION OF ZONING EXCEPTION

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 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 property is located in the LI functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2045 Comprehensive Plan.

Light Industrial (LI) is a category which provides for the location of industrial uses that are able to be performed in such a manner as to control the external effects of the process, such as smoke, noise, soot, dirt, vibration, odor, etc. Uses within this category, other than outside storage, shall be conducted within an enclosed building. Generally, light industrial uses involve materials that have previously been prepared, or raw materials that do not need refining. These uses do not create a noticeable amount of noise, dust, odor, smoke, glare or vibration outside of the building or on the site in which the activity takes place.

All public facilities and non-residential uses permitted in residential and commercial land use categories may also be permitted as secondary uses in LI. Therefore, the proposed exception is consistent with the 2045 Comprehensive Plan.

Future Land Use Element (FLUE):

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 property is located in the center of an area designated for commercial uses and is surrounded by complementary zoning districts. The approval of this exception will not create a use out of character for the area and will not hinder the character of the City's neighborhoods or residential areas.

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Airport Environment Zone

The site is located within the 300 foot and 500 foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 300 feet or 500 feet, 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).

Industrial Zones

The subject property is located within the "Industrial Situational Compatibility" Zone. "Industrial Sanctuary" and "Industrial Situational Compatibility" Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2045 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

Neighborhood Action Plan

The subject site is also located along the U.S. 1 Corridor Study area (Ordinance 2001-757-E). According to the study the subject property at the southwest corner of Baymeadows Road and Philips Highway is located in the "Central South Segment" of the corridor study area which is dominated by large office complexes and commercial centers. The plan supports redevelopment of new businesses along the corridor. The proposed exception would expand the businesses in this area and existing neighborhood shopping site and support the plan.

Objective 2.2

Through the use of neighborhood plans and studies, the City shall continue to maintain and implement an urban revitalization strategy for the City's blighted areas, and those areas threatened by blight, which will address maintenance, improvement or replacement of existing structures, permit the transition of run-down or grossly under-utilized commercial properties to alternate uses, and support the re-emergence of diverse urban neighborhoods.

(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 subject property contains 12.84± acres and is located within an existing commercial center. The proposed use will be compatible with the existing contiguous uses considering the sale and service of alcohol has previously been approved on the premises. The proposed use for the sale and service of alcohol with a restaurant is compatible and consistent with the existing surrounding intensity of development and zoning districts. Adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LI	IL	Retail Commercial Stores
South	LI	IL	Office/ Warehousing
East	CGC	CCG-2	Office Space
West	MDR, RPI, CGC	RMD-D, RMD-C, CCG-1	Multi-Family Dwellings

(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 will not create an environmental impact above and beyond the existing uses within the shopping plaza.

(iv) Will the proposed use have a detrimental effect on vehicular or pedestrian traffic, or parking condition? Will the proposed use result in the creation or generation of traffic inconsistent with the health, safety and welfare of the community?

No. The traffic circulation pattern of the site allows for the safe movement of traffic to this commercial use on the property. The site is accessible to vehicle and pedestrian traffic from Philips Highway.

(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 alcohol sales will have any negative impact on the surrounding property, as there are other restaurants serving full alcohol currently on site.

- (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, the sale of alcohol in conjunction with a restaurant, will add no negative effects above the existing uses allowed in the zoning district.

- (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 an existing commercial center and there is no increase in enclosed space. Therefore, there will not be an increased demand for public services.

- (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 Philips Highway to permit adequate access for fire, police, rescue, and other service vehicles.

- (ix) ***Will the proposed use be consistent with the definition of a zoning exception and meet the standards and criteria of the zoning classification in which such use is proposed to be located?***

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 or 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 March 24, 2025, the Planning and Development Department staff observed that the required Notice of Public Hearing signs **were** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Zoning Exception **2025-0180 / E-25-04** be **APPROVED**.



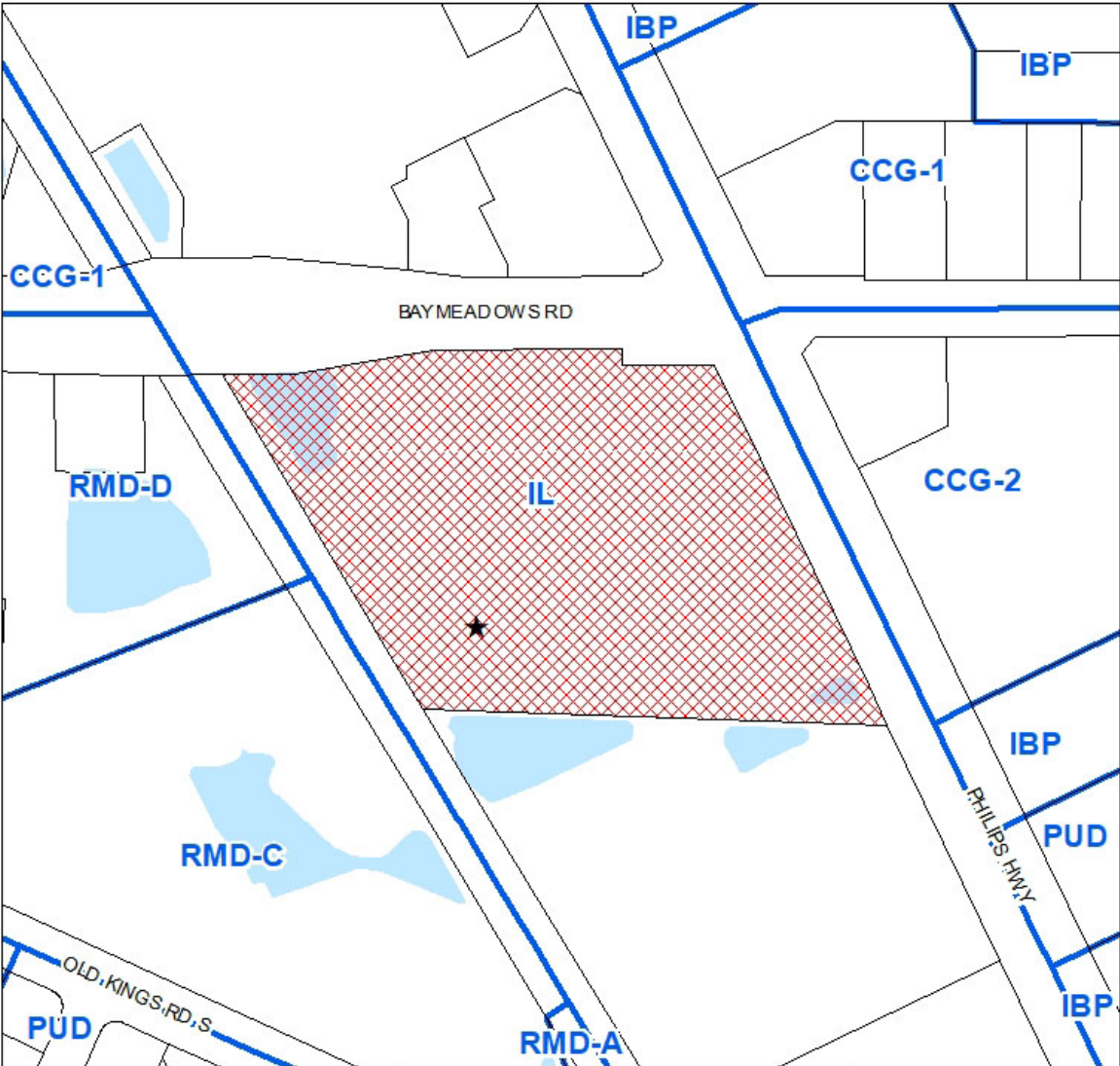
Source: Planning & Development Department, 3/24/25

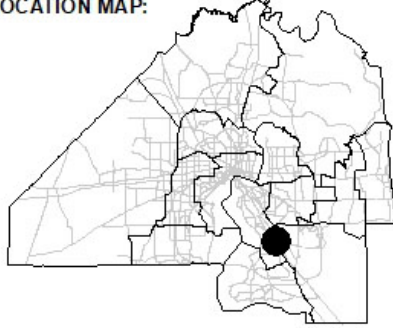

Aerial view of the subject property, facing north.



Source: Planning & Development Department, 3/24/25

View of subject property, units 32-34.



<p>REQUEST SOUGHT:</p> <p>RETAIL SALES AND SERVICE OF ALL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN CONJUNCTION WITH A RESTAURANT AND BILLIARD HALL</p>	<p>LOCATION MAP:</p> 	 <p>0 100 200 400 Feet</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2025-0180</p>	<p>TRACKING NUMBER</p> <p>E-25-04</p>	<p>COUNCIL DISTRICT:</p> <p>11</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>