

**REPORT OF THE PLANNING DEPARTMENT**

**APPLICATION FOR ZONING EXCEPTION 2026-0018 (E-25-61)**

**FEBRUARY 3, 2026**

***Location:*** 1435 Naldo Ave Unit 1  
Between Nira Street and Cedar Street

***Real Estate Number:*** 080676-0000

***Zoning Exception Sought:*** Restaurants, including the facilities for the sale and service of all alcohol for on-premises consumption only.

***Present Zoning:*** Commercial Residential Office (CRO)

***Current Land Use Category:*** Residential Professional Institutional (RPI)

***Planning District:*** Southeast, District 3

***Council District:*** District 5

***Applicant / Agent:*** Lawrence Yancy  
1309 St Johns Bluff Road North Bldg. A Suite 2  
Jacksonville, Florida 32225

***Owner:*** San Marco Union Hall LLC  
3982 Alhambra Dr W  
Jacksonville, Florida 32207

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Exception **2026-0018 (E-25-61)** seeks to allow the use of a restaurant, including facilities for the sale and service of all alcohol for on-premises consumption only, where such use is permitted by exception within the Commercial Residential Office zoning district. Section 656.311(III)(d)(15)(i) limits restaurant seating to a maximum capacity of 60 seats; however, seating may be unlimited when the total floor area of the restaurant does not exceed ten percent of the gross floor area of the building in which it is located.

The proposed restaurant, if approved, would operate under the name Tuna Restaurant, LLC, doing business as New Giner Bistro. The restaurant is proposed to operate out of Unit 1, which exceeds ten percent of the gross floor area of the building. Therefore, the applicant has submitted a companion Zoning Variance application (**2026-0019; V-25-32**) to increase the permitted seating

capacity from 60 seats to 96 seats.

Additionally, there is a companion Waiver of Minimum Distance Requirements for Liquor License Location **WLD-25-17** seeks to reduce the required minimum distance between the proposed liquor license location at 1435 Naldo Ave Unit 1 and Called Out Believers in Christ at 1345 Nira Street from 500 feet to 335 feet. This application was heard by the Planning Commission on January 8, 2026 and was voted unanimously for approval.

### **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 Committee 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 Land Use and Zoning Committee 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 0.43 of an acre and is located at 1435 Naldo Avenue, between Cedar Street and an FEC railway, less than 0.1 miles west of Hendricks Avenue. According to the City's Functional Highway Classification Map, Naldo Avenue is a local roadway, Cedar Street is local roadway, and Hendricks Avenue is a FDOT minor arterial roadway. The application site is also located within Planning District 3 (Southeast), Council District 5, and within the Urban Priority Area

According to the Future Land Use Element (FLUE), RPI is a category primarily intended to accommodate medium to high density residential, office, and institutional uses. RPI is generally intended to provide transitional uses between commercial, office and residential uses, although it may provide a transition between industrial and residential uses when industrial uses provide no health or safety risks to residents. RPI in the Urban Priority Area is intended to provide compact medium to high density residential development and office uses. Limited neighborhood commercial retail and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicles Miles Traveled.

The proposed exception for the retail sale and service of all alcohol for on-premise consumption in conjunction with a restaurant in the CRO zoning district is consistent with the RPI land use category of 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.

*The proposed use will be compatible with the surrounding uses already available in the neighboring properties and will not contribute to urban sprawl by allowing a use not compatible with the surrounding area, thus the proposed use will be in compliance with Objective 1.1.*

### **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 restaurant will continue to serve as a workplace and service to the residents in nearby neighborhoods. 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 of Jacksonville's neighborhoods or 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.

*The proposed use is consistent with the types of uses, intensities of uses and location of uses within the RPI land use category identified in the 2045 Comprehensive Plan. The site is located within the San Marco and is adjacent to a series of other commercial uses and residential neighborhoods. Allowing the subject restaurant to serve all alcoholic beverages inside via 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 by exception will be compatible with the existing contiguous uses considering the sale of alcohol is currently operating in the general area of the subject site. Permitting a restaurant which includes the sale and service of all alcohol for on-premises consumption by exception would also contribute to the wide range of uses outlined in the

CRO zoning district. There are several properties in the neighboring shopping centers that sell beer, wine, and liquor for off premises consumption, such as La Nopalera Mexican Restaurant at 1434 Hendricks Ave, Aardwolf Brewing Company at 1461 Hendricks Ave, or Hurricane Grill & Wings at 1615 Hendricks Ave.

Adjacent land uses and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Property Use</b>
South	RPI	CRO	Duplex
East	CGC	PUD(2012-0193)	Shopping Center
North	CGC	CCG-1	Vacant Commercial
West	RPI	CRO	Parking Lot

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

No. The Planning Department finds that the proposed exception will have a minimal environmental impact, if any, on the surrounding area as there are other restaurants operating under similar exceptions within a close vicinity.

**(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 increase in alcohol sale type will not have an increase in traffic or parking condition compared to the existing nature of the restaurant. In relation to surrounding properties, the proposed use is unlikely to generate additional traffic than what is currently in the area.

**(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 as majority of the surrounding properties have already been developed for general commercial use.

**(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. Given the surrounding commercial and residential uses, Staff finds the proposed exception of a restaurant with full alcohol sales is unlikely to cause objections for neighboring commercial and residential properties.

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

No. The proposed exception will not require additional services nor adversely affect existing public services and facilities. The necessary infrastructure and improvements are already in place to handle the impacts of the proposed exception.

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

Yes. The site will be sufficiently accessible for emergency services via Naldo Ave.

**(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 Land Use and Zoning Committee?**

Yes. *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 location is appropriate given the commercial character of the area, and the proposed use is consistent with the definition of a zoning exception.

### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **December 22nd, 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 **2026-0018** be **APPROVED**.



**Aerial View of Subject Property**

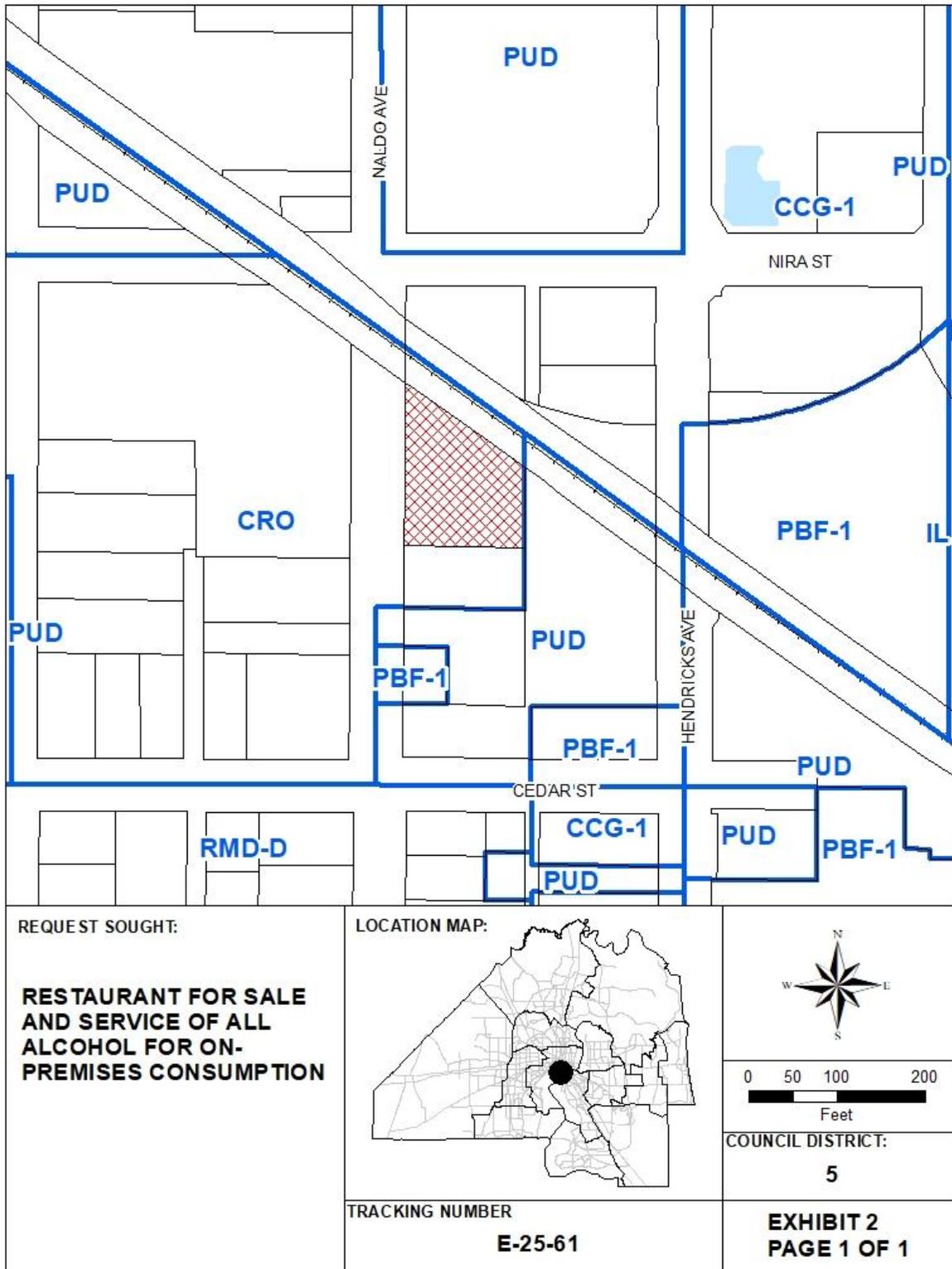


**View of the Subject Site**

*Source: Planning Department December 22, 2025*



**View of La Nopelara Mexican Restaurant at 1434 Hendricks Ave. 1435 Naldo Ave directly abuts this property.**



**Legal Map**