

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**APPLICATION FOR ZONING EXCEPTION 2024-0614 (E-24-40)**

**SEPTEMBER 17, 2024**

***Location:*** 10663 Monaco Drive  
Between Bayberry Road and Baymeadows Way

***Real Estate Number:*** 044148 0055

***Zoning Exception Sought:*** 4COP/SFS: Retail Sales and Service of All Alcoholic  
Beverages for On-Premises Consumption in  
Conjunction with a Restaurant

***Current Zoning District:*** Commercial/Community General- 1 (CCG-1)

***Current Land Use Category:*** Community General Commercial

***Planning District:*** North, District 6

***Council District*** District 8

***Applicant/Agent:*** Lawrence Yancy  
Lawrence Yancy Business Services  
10959 Oak Ridge Drive North  
Jacksonville, FL 32225

***Owner:*** Alexander Waksman  
10663 Monaco Dr, LLC  
578 Washington Blvd, Unit 841  
Marina Del Rey, CA, 90292

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

**GENERAL INFORMATION**

Application for Exception **2024-0614 (E-24-40)** requests the sales and service of all alcoholic beverages (4COP/SFS) for on-premises consumption in conjunction with a restaurant where it is a permissible use by exception in its zoning district CCG-1. The subject restaurant sits on a 4.09-acre parcel located on Monaco Drive, southwest of the intersection of Dunn Avenue and I-95.

A liquor distance survey submitted with the application does not indicate the presence of any schools or churches within a 500-foot radius of the proposed liquor license establishment which does qualify as a bona fide restaurant.

## **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?***

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 consumption is allowed in the CGC land use category.

### **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 CGC land use category identified in the 2045 Comprehensive Plan. The site is located within a shopping center 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.

**Wetlands**

Review of City data and the site plan from the St. Johns River Water Management District web site indicates the potential existence of wetlands on the subject site and as such, a wetlands survey has been provided by the web site and the City's GIS analysis that indicates the location, size, quality, and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed exception is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

*(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 the retail sale and service of on-premises consumption all alcoholic beverages by exception would also contribute to the wide range of uses outlined in the CGC Category that the CCG-1 Zone allows for.

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>
North	CGC	PBF-1	Vacant Governmental
West	CGC	CCG-1	Shopping Center, Convenience Store
South	MDR	RMD-D	Apartments/ Multifamily Dwelling
Southeast	PBF	PBF-1	JEA Facility

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

No, it is the opinion of the Planning and Development Department that the proposed use will have a minimal environmental impact, if any, on the surrounding area as there are other restaurants operating under similar exceptions in 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 use 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 use 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 entrances on Monaco Drive.

- (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 and meets the standards and criteria of the CCG-1 Zoning District.

### **SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **August 21, 2024** by the Planning and Development Department, the 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 **E-24-40** be **APPROVED**.





**View of subject property\***



**View of subject property\***

**\*Upon visual inspection by the City Planner, Staff found outside seating. The applicant advised they were not seeking to include outside sales and service in their exception application and that the tables and chairs would be removed.**





**View of subject property**



**View of adjacent businesses**



**View of adjacent businesses**



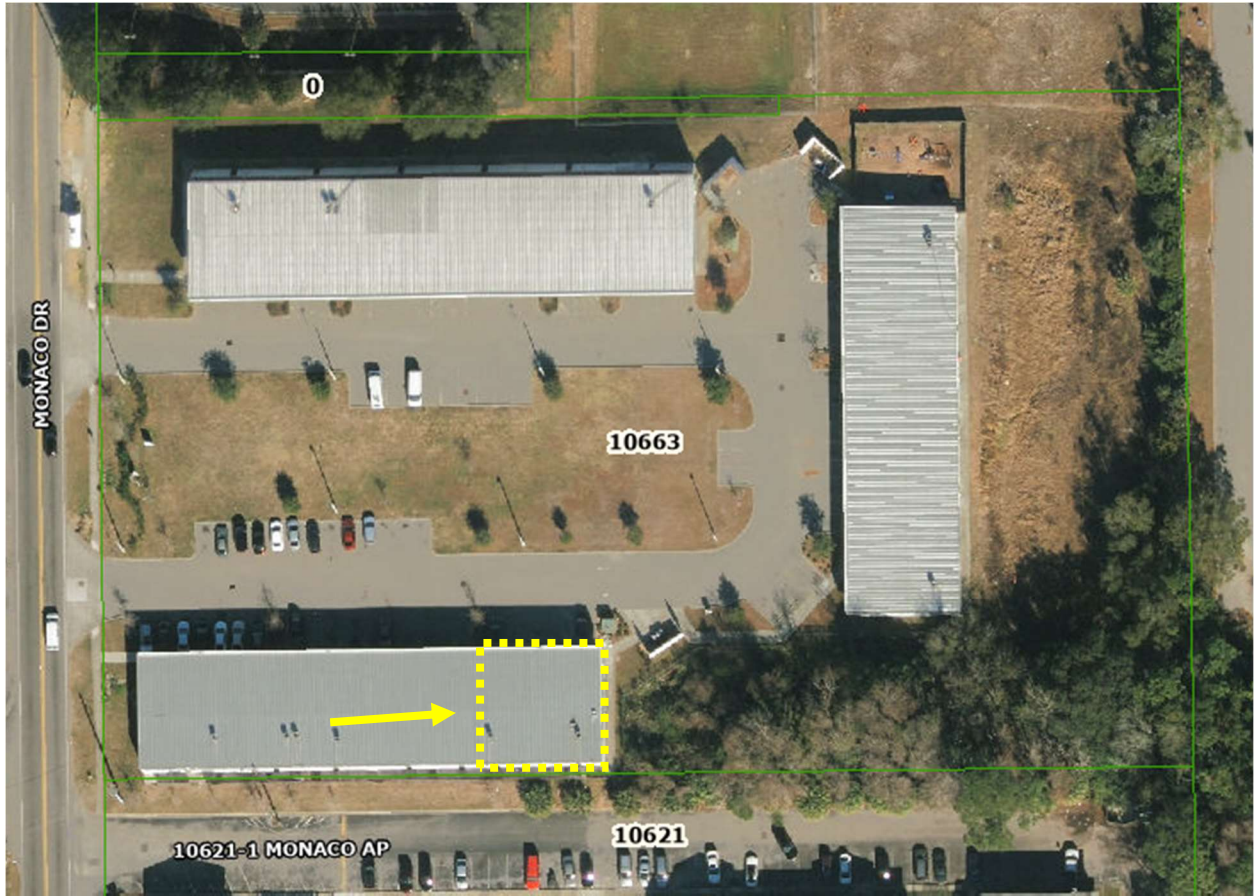


**View of adjacent businesses**

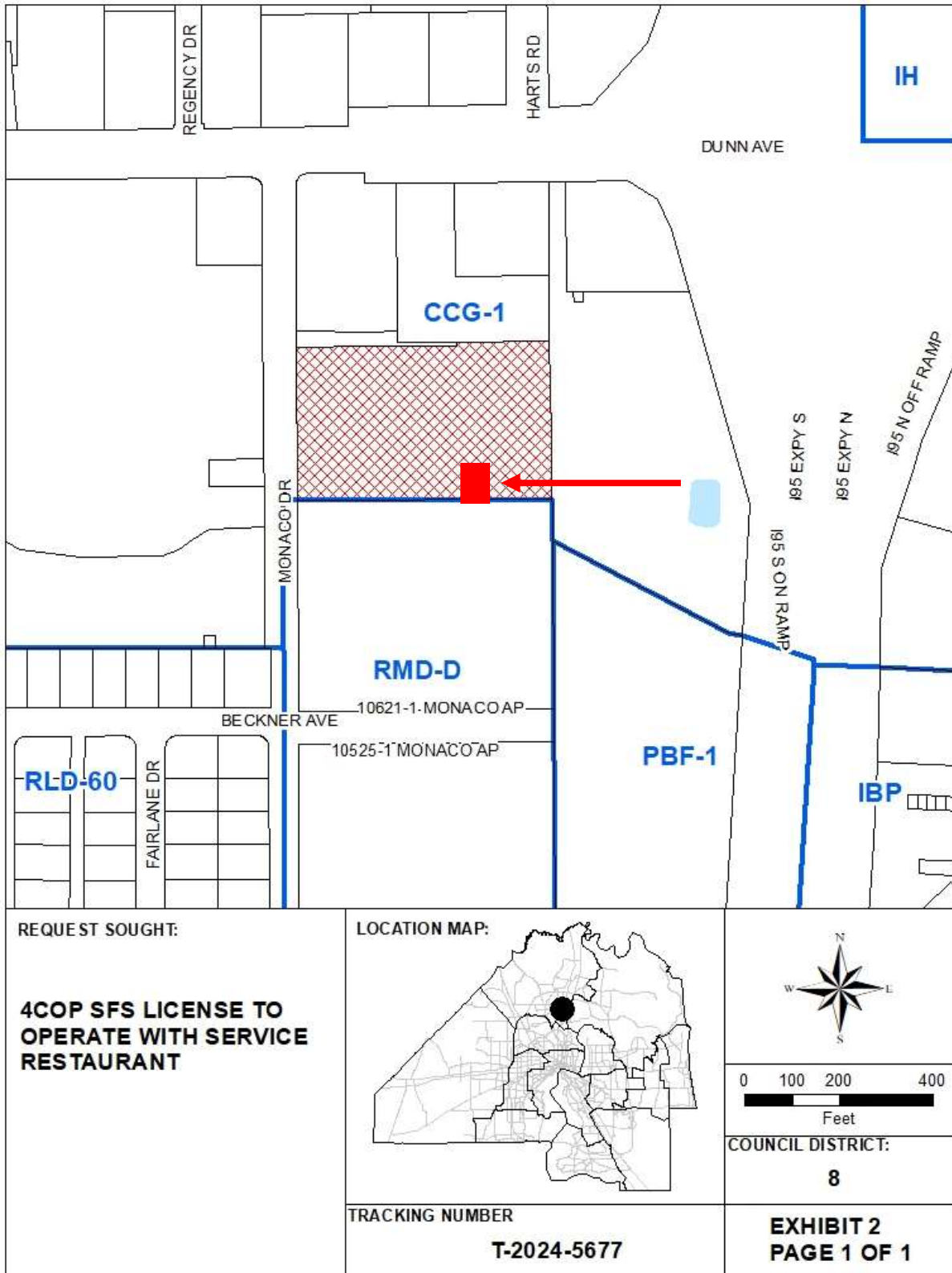


**View of properties across the street**





**Aerial View of Subject Property**



**Legal Map**