

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING EXCEPTION 2023-0548 (E-23-51)

NOVEMBER 11, 2023

Location: 2695 Post Street (SR 228),
between King Street and Acosta Street

Real Estate Number: 064199-0010

Zoning Exception Sought: An establishment or facility, which includes the retail sale and service of beer or wine for on premise consumption

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

Current Land Use Category: Community General Commercial (CGC)

Planning District: Northwest, District 5

Applicant/Agent: Colab Café, LLC
2695 Post St.
Jacksonville, FL 32204

Owner: Brewstead LLC
465 W 71st St
Jacksonville, Florida 32208

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Exception **2023-0548 (E-23-51)** seeks to allow for the retail sale and service of beer and wine for on premises consumption. The proposed use is for a bar (CoLab Café) with beer and wine sales. The existing building is approximately 2,040± square feet. The subject site is located near the corner of Post Street (SR 228) and in the Riverside neighborhood and was previously the site of Dahlia’s Pour House, and Brewz. Dahlia’s Pour House was approved by Planning Commission with **E-12-18** and **WLD-12-08**, and Brewz Craft beer was approve with **E-19-34** and **WLD-19-14**.

The structure is a contributing commercial structure in the Historic Residential Character Area, abutting to a Commercial Character Area as designated by the Riverside Avondale Zoning Overlay. This Overlay aims to maintain the commercial and residential areas as they historically

existed and to aid in commercial development issues including, but not limited to, parking. It is also located in the Park and King Town Center Initiative area. The town center project was completed in 2008. The town center project provided finished on-street parking as well as streetscaping and sidewalks.

This structure was originally built as a grocery store in 1927, but more recently has been used as a computer repair shop and bar previously. As part of a historic neighborhood town center, various neighborhood-oriented goods and services are provided within the town center structures. This structure neighbors residential uses to the southeast and east and commercial uses to the north southwest, and west. The town center contains a mixture of tenants including professional offices, retail shops, and several restaurants, which service the immediate and surrounding neighborhood.

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?*

The site is located in the Community/ General Commercial (CGC) land use category of the Urban Development Area. The subject site is located within Council District 7 and Planning District 5. It is located on the north side of Post Street, a minor arterial road east of the corner of Post Street and King Street, a collector roadway.

Principal uses within the CGC land use category include but are not limited to commercial retail sales and service establishments, including auto sales, funeral homes, and broadcasting offices and studios, restaurants, hotel, motel, offices, microbreweries, financial institutions and multi-family dwellings. CGC in the Urban Area is intended to provide compact development in corridor and nodal development patterns.

The proposed exception is consistent with 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 commercial building, as it has always operated as in a Historic structure.

Policy 1.2.8

Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

The subject site is served by both centralized services. It is not anticipated that the proposed use will overburden these facilities as the use is similar in nature to the two most previous uses.

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 historic commercial nature of the King Street Corridor which serve the surrounding historic residential neighborhood of Riverside Avondale.

- (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 Brews Craft beer a bar serving beer and wine with on and off premise sales and service without a restaurant. The structure is a contributing commercial structure in the Historic Residential Character Area, abutting to a Commercial Character Area as designated by the Riverside Avondale Zoning Overlay. This Overlay aims to maintain the commercial and residential areas as they historically existed and to aid in commercial development issues including, but not limited to, parking. It is also located in the Park and King Town Center Initiative area. As part of a historic

neighborhood town center, various neighborhood-oriented goods and services are provided within the town center structures. Adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North/West	CGC	CCG-1	Bar
East	MDR	RMD-B	Single Family Dwelling
South	CGC	CCG-1	Bar

(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 is similar to the previous use.

(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. This is a continuation of use at the same location therefore parking requirements were addressed when the use was changed in 2012 and 2019. The structure is a contributing commercial structure in the Historic Residential Character Area, abutting to a Commercial Character Area as designated by the Riverside Avondale Zoning Overlay. This Overlay aims to maintain the commercial and residential areas as they historically existed and to aid in commercial development issues including, but not limited to, parking. It is also located in the Park and King Town Center Initiative area. The town center project was completed in 2008. The town center project provided finished on-street parking as well as streetscaping and sidewalks to promote walkability and additional parking.

(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 King Street and residential development along Post Street.

(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 Post Street and to the rear via an alleyway. These entrances permit entry to the property for fire, police, rescue and other services.

(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.

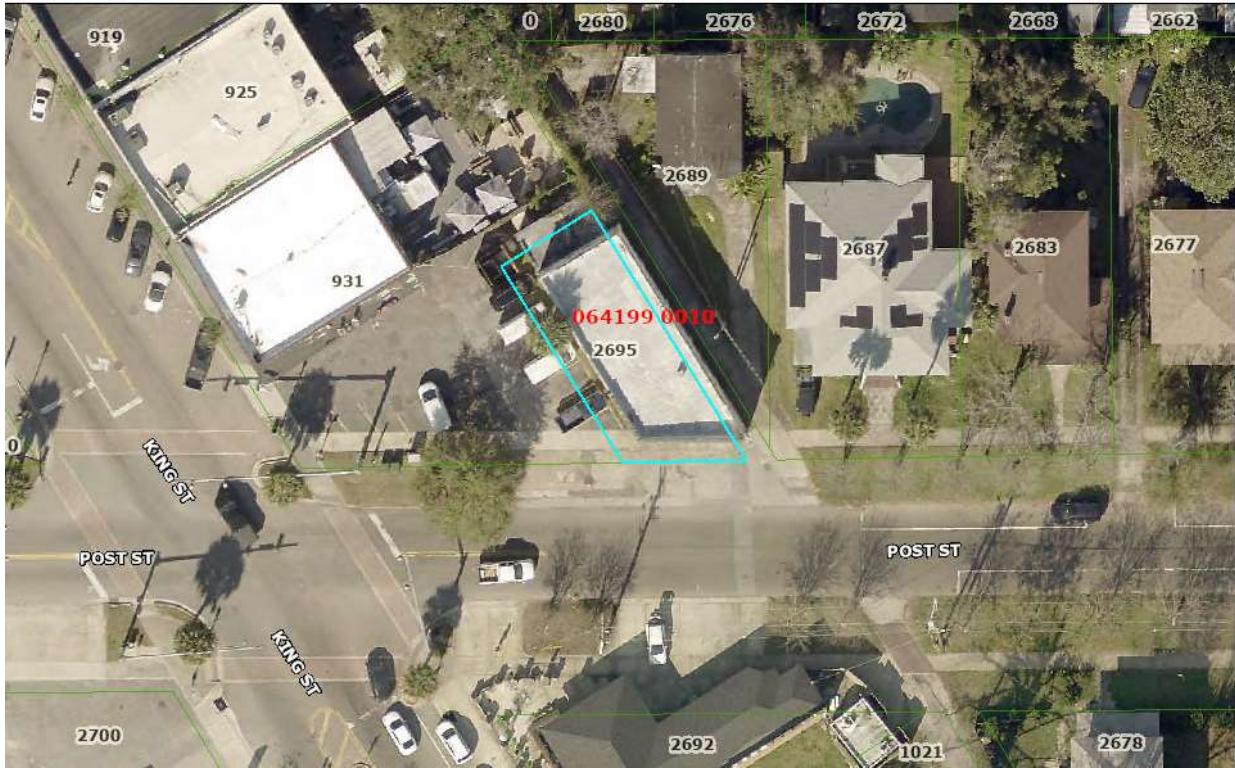
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on September 25, 2023 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 **2023-0548 (E-23-51)** be **APPROVED**.


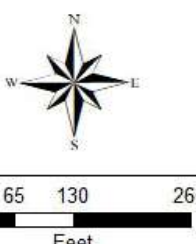


Aerial



View of the Subject Site



<p>REQUEST SOUGHT:</p> <p>RETAIL SALE AND SERVICE OF ALL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION ONLY</p>	<p>LOCATION MAP:</p> 	
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0548</p>	<p>TRACKING NUMBER</p> <p>E-23-51</p>	<p>COUNCIL DISTRICT:</p> <p>7</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map