

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING EXCEPTION E-24-14

MAY 7, 2024

Location: 5393 Roosevelt Boulevard, #6 between Ortega
Boulevard and Yacht Club Road

Real Estate Number: 102725-0020

Zoning Exception Sought: An establishment or facility, which includes the retail
sale and service of all alcoholic beverages including
liquor, beer or wine for on-premises consumption.

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

Current Land Use Category: Community General Commercial (CGC)

Planning District Southwest, District 4

Council District: District 7

Applicant/Agent: Taylor Strasser
4751 Eton Lane
Jacksonville Florida 32210

Owner: Venetia Plaza, LLC
Graham J. Edward, Jr.
6196 Lake Gray Boulevard, Suite 103
Jacksonville Florida 32244

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Exception E-24-14 seeks approval for the retail sale and service of all alcoholic beverages including liquor, beer, or wine for on-premises consumption in conjunction with a restaurant. This is a name change of ownership for the 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 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 request is for a zoning exception to allow for the sale and service of all alcoholic beverages for on-premises consumption in conjunction with a restaurant in a Planned Unit Development. 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 in conjunction with a restaurant is allowed in the CGC land use category.

- (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 is located in a small commercial center on Roosevelt Blvd. The center contains cosmetology, massage therapist, and Goodwill donation center. The restaurant has been at this location for several years. The use will be compatible with the general character of the area.

The adjacent uses are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RLD-90	Wetlands, single family dwellings
East	LDR	RLD-60	Single family dwellings

	MDR	PUD (84-302)	Offices
South	CGC	CCG-1	Butcher shop
West	MDR	PUD (84-164)	Railroad, Single family dwellings

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

No. The use will not have a negative impact on the health, safety and welfare of the community.

- (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 proposed use is located in an existing building and will not alter the existing traffic patterns. The sale and service of all alcoholic beverages for on-premises consumption will not generate traffic inconsistent with the character of the surrounding area. It is not anticipated that the restaurant will create a parking nuisance.

- (v) *Will the proposed use have a detrimental effect on the future development of contiguous properties or the general area?*

No. The exception for the on-premises consumption of all alcoholic beverages will not have a detrimental effect on the future development of the surrounding area. The requested use will serve to occupy a space in an already existing commercial area that is fully developed.

- (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 for the sale and service of all alcoholic beverages for on-premises consumption 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. The site will be connected to city water and sewer service provided by JEA. It is not anticipated that the new use will have any negative impact on the existing facilities.

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

Yes. The site is sufficiently accessible from three driveways on Roosevelt Blvd and two driveways from Ortega Blvd. The already established vehicle use area is large enough for any fire, police, or rescue vehicles to access and park in the case of any possible emergency situations,

- (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 location is appropriate given the commercial character of the area, and the proposed exception is consistent with the definition of a zoning exception as set forth in the Zoning Code.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on April 2, 2024, by the Planning and Development Department, the Notice of Public Hearing signs **were** posted.



View of subject property

RECOMMENDATION

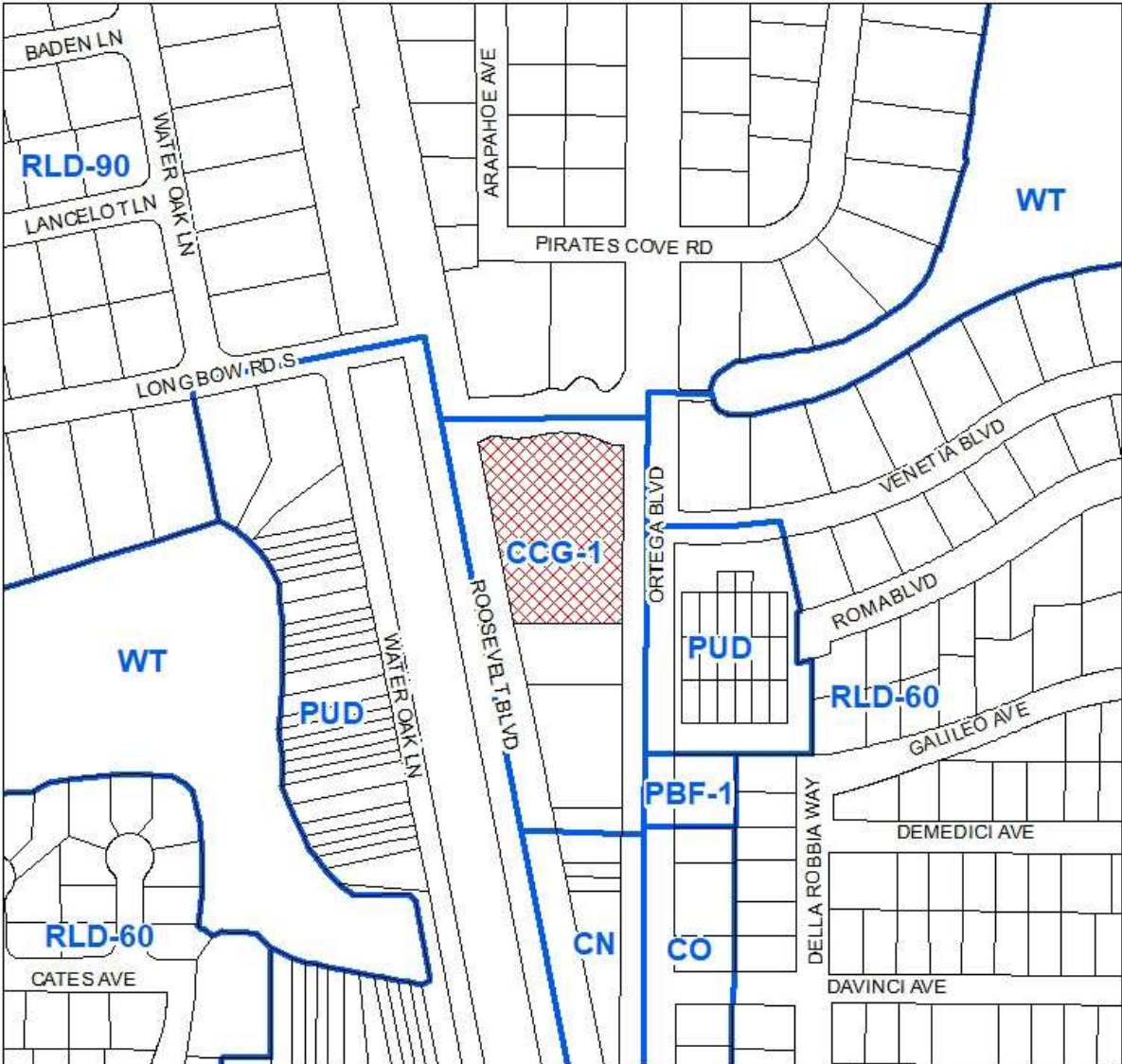
Based on the foregoing, it is the recommendation of the Planning and Development Department that Ordinance **2024-239 (E-24-14)** be **APPROVED**.

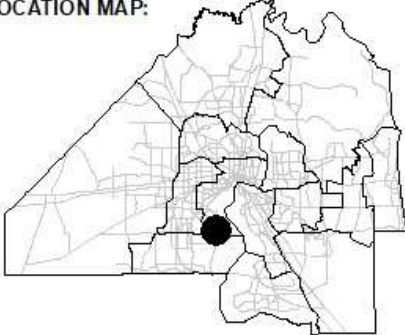
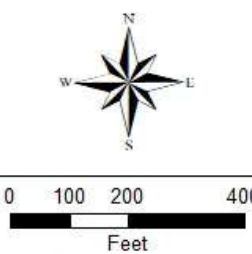


Aerial View of Subject Property.



View of subject property



<p>REQUEST SOUGHT:</p> <p>RETAIL SALE AND SERVICE OF ALL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>7</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2024-0239</p>	<p>TRACKING NUMBER</p> <p>E-24-14</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>