

**Minutes of Planning Commission Meeting
Held Monday, August 24, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order by Vice Chairman Julio Williams.

Roll Call

Terry DeLoach (Chairperson) *Absent*
Lee Dorson
Julio Williams (Vice Chairperson)
Greg Sutton *Absent*
Fred Jones
Bill Callan
David Dahl *Absent*

Also present were Bill Mann, Senior Planner, and Recording Secretary, Amber Lehman.

Approval of Minutes

Mr. Dorson made a motion to approve the August 10, 2009 meeting minutes as presented, seconded by Mr. Jones.

Vote – Motion unanimously approved.

Correspondence

Mr. Mann stated that there was no correspondence.

Old Business

There was no old business.

New Business

(A) PC #18-09 – Conditional Use Approval

Request for outdoor seating in a Commercial Limited: C-1 zoning district, pursuant to Section 34-342 (d) (12) of the Jacksonville Beach Land Development Code. The property is located at 1020 South 3rd Street, more specifically described as Lots 1 and 2, Blk 104, Pablo Beach South. (Cuppy's Coffee)

Staff Report:

Mr. Mann read the following into staff report into the record:

The applicant runs the *Cuppy's Coffee* drive-in on the southwest corner of 3rd St. S. and 10th Ave. S. The business currently is served solely by two drive-up lanes with window service, one on either side of the small building. The applicant would like to make her business more attractive to pedestrians and bicycles by closing the east side drive-up lane, and providing walk-up service out of the east side service window. She would also like to put several tables and benches and some container landscaping in front of the east side of the building for the walk-up and bike-up customers. Staff informed her that her proposed modifications to the business would require outdoor restaurant seating conditional use approval.

Staff has reviewed this request against our LDC Sec 34-407 outdoor bar and restaurant seating standards, and has provided a copy of them to the applicant. There are no residential uses within 150 feet of the location proposed for the outdoor restaurant seating. The applicant has been informed that no music or other amplified sounds or noise would be permitted within the approved outdoor seating area. The restaurant is approximately 360 s.f. in area, so the maximum outdoor seating area that could be approved would be 72 s.f., roughly an area big enough for several four-top tables. The applicant is aware of this size limitation, even though the submitted site plan shows an area much larger than 72 s.f. as being blocked off from vehicular traffic. The primary reason for this is that bollards will be installed to re-direct former vehicular traffic from the east side of the building all together, and they need to be placed at appropriate locations for that purpose, as opposed to just cordoning off a 72 s.f. area in front of the easterly window.

Staff informed the applicant that she would not be prohibited from placing landscaping and several benches without tables in the balance of the larger "patio" area created within the bollards. Further, since there is no alcoholic beverage service, the actual approved seating area would not need to be fenced off.

Approval of this request would actually help promote pedestrian and bicycle patronage of an existing business. Otherwise, the character of the surrounding commercial neighborhood would not be affected. Adjacent property values should not be impacted.

Recommendation: Approval

Applicant:

The applicant, Cynthia Baker, stated that she concurred with the staff report.

Public Hearing:

Mr. Dorson opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Seeing no one who wished to address the board, Mr. Dorson closed the public hearing.

Motion: It was moved by Mr. Dorson, seconded by Mr. Jones, to recommend approval.

Roll call vote: Ayes –Jones, Dorson, Callan, and Williams; motion carried unanimously.

Planning & Development

Director's Report

Mr. Mann stated that there will not be a meeting on September 14, 2009 due to lack of agenda items.

Adjournment

There being no further business coming before the Board, Mr. Williams adjourned the meeting at 7:10 P.M.

Submitted by: Amber Maria Lehman
Recording Secretary

Approval:

/s/Julio Williams
Chairperson

Date: November 3, 2009