

**CITY OF JACKSONVILLE BEACH
FLORIDA**



TO: MEMBERS OF THE PLANNING COMMISSION

DATE: Tuesday, September 18, 2012

There will be a regular meeting of the Planning Commission at **7:00 p.m. on Monday, September 24, 2012,** in the Council Chambers located at 11 North 3rd Street, Jacksonville Beach, Florida.

AGENDA

1. Call to Order
2. Roll Call: Greg Sutton, Terry DeLoach, Lee Dorson, Fred Jones, Bill Callan
Alternate: David Dahl
3. Approval of Minutes: August 13, 2012 and August 27, 2012
4. Correspondence:
5. Old Business: None
6. New Business:

(A) PC#18-12 (12-100120)

Conditional Use application for outdoor restaurant seating in a *Commercial general: C-2* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code. The property is located at 1500 Beach Blvd, Unit 111, more specifically described as B de Castro y Ferrer Grant. (*Mojo Kitchen* restaurant)

7. Planning Department Report: The next meeting will be held on October 8, 2012. There are three cases.
8. Adjournment

NOTICE

If a person decides to appeal any decision by the Planning Commission with respect to any matter considered at any meeting, such person may need a record of the proceedings, and, for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the recording secretary prior to the beginning of the meeting.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Planning and Development Department no later than 5:00 p.m. on the day preceding the meeting.

MEMORANDUM



TO: Planning Commission Members
FROM: Bill Mann, Senior Planner
DATE: Tuesday, September 18, 2012
RE: Monday, September 24, 2012 Staff Recommendation

The following information is provided for your consideration regarding the single item for the upcoming Monday, September 24, 2012, Planning Commission hearing.

OLD BUSINESS: None.

NEW BUSINESS:

PC#18-12 **Conditional Use Application**

Owner: Robert E. Poland
24 Hopson Road
Jacksonville Beach, FL 32250

Applicant: Mojo's Kitchen
c/o Todd Lineberry
11086 Sentry Oak Court
Jacksonville Beach, FL 32250

Location: 1500 Beach Boulevard, Unit 111 (*Mojo Kitchen* Restaurant)

Request: **Conditional use** approval for an outdoor restaurant seating area located in a *Commercial, general: C-2* zoning district pursuant to LDC Section 34-343(d)(14).

Comments: The applicant operates the *Mojo Kitchen* restaurant in the *Boulevard* commercial center on the southwest corner of Beach Boulevard and 15th Street South, and he would like to establish an outdoor seating area in front of his restaurant. He was approved for outdoor seating in 2006 (PC#30-06), but that approval was for a smaller area (280 square feet) in a slightly different location. He has now re-applied to gain approval for the size and location shown in his application materials.

LDC Section 34-407 standards for outdoor seating areas were reviewed in the processing of this application. The proposed seating area is roughly 527 square feet, which is under the maximum outdoor seating area permissible for a 4,875 square feet restaurant. Staff has confirmed that parking for the entire center, including this proposed seating area, is adequate. The requested seating area is not being used to qualify as minimum seating for any liquor license. The applicant is aware that no music or other amplified sound or noise will be permitted within this seating area and that it must be contained by a minimum 42-inch high wall or fence.

Adjacent uses include the balance of the shopping center to the west, *Jardin De Mer* condominiums to the south, *Angie's* restaurant to the east across 15th Street, and the City cemetery across Beach Boulevard to the north. Another restaurant in the center, *Engine 15 Brewing Company*, has an approved outdoor seating area which has operated without problems since June 2010. The request for this outdoor seating should not impact the character of these surrounding uses, and adjacent property values should not be affected.

Recommendation: Approval.