

**Minutes of Planning Commission Meeting
held Monday, June 28, 2010, 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 Chairman Terry DeLoach.

Roll Call

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

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

Approval of Minutes

There were no minutes to approve.

Correspondence

Mr. Mann stated that there was no correspondence.

Old Business

There was no old business

New Business

(A) PC #17-10 (10-100075) – Conditional Use Approval

Conditional use approval for outdoor restaurant seating for a restaurant located in a *Commercial General: C-2* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code.

Staff Report:

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

The applicant is in the process of opening the *Brasserie* restaurant in the tenant space formerly occupied by *Vito's* Italian restaurant, which closed in July 2009. The existing outdoor seating area associated with the tenant space was originally established before the City began regulating outdoor restaurant and bar areas. Since it has now been vacant

for more than six months though, the applicant must obtain conditional use approval to use the existing outdoor space with his new restaurant.

There are no residential uses within the minimum required 150' distance from the location of the existing seating area. The applicant is aware that music or other amplified sounds are not permitted within the outdoor seating area. The seating area contains an adequate perimeter barrier, in excess of the minimum required 42" wall or fence.

Adjacent uses include other center tenants to the east and west, commercial uses in the parking lot and across Beach Boulevard to the north, and an apartment complex behind the shopping center and across Shetter Avenue to the south. Staff is not aware of any incidents related to the outdoor seating area while it was associated with the former restaurant uses, and none are expected from the applicant's requested use of it. The character of the area in and around the shopping center should not be impacted by approval of this application, and a new restaurant tenant using an existing established outdoor seating area should have no negative impact on adjacent property values.

Recommendation: Approval.

Applicant:

The applicant, Ed Ashurian, Jacksonville Beach, stated that he concurred with Mr. Mann's staff report.

Public Hearing

Mr. DeLoach 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. DeLoach closed the public hearing.

Motion: It was moved by Mr. Sutton, seconded by Mr. Jones, to approve the request.

Roll call vote: Ayes –DeLoach, Sutton, Jones, Williams and Dahl. Motion carried unanimously.

Planning & Development Director's Report

Mr. Mann advised the board that the next meeting will be on July 26, 2010 and the revised sign ordinance will be heard at that meeting.

Mr. Mann also stated that the Commission will be a voting for a new Vice Chairperson at that meeting due to this being Julio Williams last meeting. He also informed the members that at the June 7 City Council meeting, Mr. Callan was appointed to replace Mr .Williams' now vacant seat; Mr. Dahl was appointed to replace Mr Callan as 1st Alternate; and Mr. Thomas Baker was appointed to be the new 2nd Alternate.

Mr. Sutton asked if staff could check and see when the current chair and vice chair terms were to expire. Mr. Mann indicated that he would check and report back.

Adjournment

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

Submitted by: Amber Maria Lehman

Approval:

/s/Julio Williams
Chairman

Date: July 26, 2010