

**Minutes of Planning Commission Meeting
held Tuesday, June 10, 2014, 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 Terry DeLoach.

Roll Call

Greg Sutton, Chairperson *Absent*
Terry DeLoach, Vice Chairperson
Bill Callan *Absent*
David Dahl
Georgette Dumont

Alternates
Rick Knight
Lee Dorson *Absent*

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

Approval of Minutes

There were no minutes to be approved.

Correspondence

There was no correspondence.

New Business

- (A) **PC #14--14 (14-100085)– 401 1st Street North** (*The Tavern on 1st Street*)
Conditional Use Application for an outdoor bar at an existing drinking establishment located in the Central Business District: CBD zoning district, pursuant to Section 34-345(d)(7) of the Jacksonville Beach Land Development Code.

Staff Report:

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

The applicant operates the *Tavern on 1st Street* drinking establishment on the northeast corner of 1st Street and 3rd Avenue North in our Central Business District. That business has been open since the spring of last year and currently occupies roughly the west half of the existing building on-site. The easterly half of the building had been leased to a

separate business, but that business never came to fruition, making the east half of the building and its associated outdoor bar area available. The applicant has now leased the vacant portion of the building and would also like to use the outdoor bar area associated with it, on the boardwalk. The building is approximately 10,900 s.f. in area, and the outdoor bar area totals 1,650 s.f. The applicant initially plans to actively use the east half of the building for peak business times, but it would be open to his customers at all times for access to the additional restrooms and to the outdoor bar area.

Staff has reviewed the applicant's request against LDC Section 34-407 standards. The existing 1,650 s.f. outdoor bar area is larger than the allowable s.f. of outdoor bar area allowed for a 10,900 s.f. indoor bar (1,390 s.f. maximum). The area for the outdoor bar will be verified in conjunction with the applicant's amended alcoholic beverage license, should the application be approved.

The use of the subject property for a bar and outdoor bar area pre-dates the City's regulation of outdoor restaurant and bar areas. Since both the indoor and outdoor bar areas already exist, and the applicant is merely seeking to expand his lease space within the existing building, there would be no additional parking requirement. The applicant has been provided with a copy of the LDC Section 34-407 Outdoor restaurant and bar standards, which would be applicable to the outdoor bar should this application be approved. The outdoor bar is already fenced in, consistent with Section 34-407 requirements, and the applicant is aware that, if approved, he would need to follow-up by amending his current alcoholic beverage license to reflect the expanded premises.

Adjacent uses include a restaurant and bar to the immediate north, a mixed use office/bar/retail/restaurant complex across 3rd Avenue to the south, and a City-owned public parking lot across 1st Street to the west. Approval of this application allowing the current tenant of the subject property to use the existing outdoor bar area on the boardwalk is consistent with the historical use of the property and also with the general character of the surrounding neighborhood. Adjacent property values should not be affected.

Recommendation: Approval.

Applicant:

The applicant, Terry Harper, stated that he concurred with the staff report presented by Mr. Mann.

Mr. DeLoach asked if there would be an expansion or change in the atmosphere. Mr. Harper replied that he would only be expanding.

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 members, Mr. DeLoach closed the public hearing.

Discussion:

Ms. Dumont asked if the applicant was notified about outdoor amplified music. Mr. Mann responded that he was not notified verbally, but did receive the Section 34-407 standards and will also be included in the letter of approval, if granted.

Ms. Dumont asked if the motion could include the verbiage “no amplified outdoor music”. Mr. Mann stated no, that it would be redundant to the Section 34-407 regulation applicable to approved outdoor restaurants and bars, but it is the Commission’s discretion if they want to add that verbiage.

Motion: It was moved by Ms. Dumont, seconded by Mr. Knight, to approve the conditional use as presented, subject to Section 34-407 standards.

Roll call vote: Ayes – Dahl, DeLoach, Dumont, Knight
Motion carried unanimously.

Planning & Development Director’s Report

Mr. Mann provided two research studies; one by Federal DOT and the other by Virginia Tech as additional information regarding PC #11-14.

Mr. Mann advised the members that the next meeting is scheduled for Monday, June 23, 2014 with two cases, one conditional use application and one RD Rezoning Application.

Adjournment

There being no further business coming before the Commission, Mr. DeLoach adjourned the meeting at 7:20 P.M.

Submitted by: Amber Maria Lehman

Approval:

/s/Greg Sutton

Chairman

Date: July 14, 2014