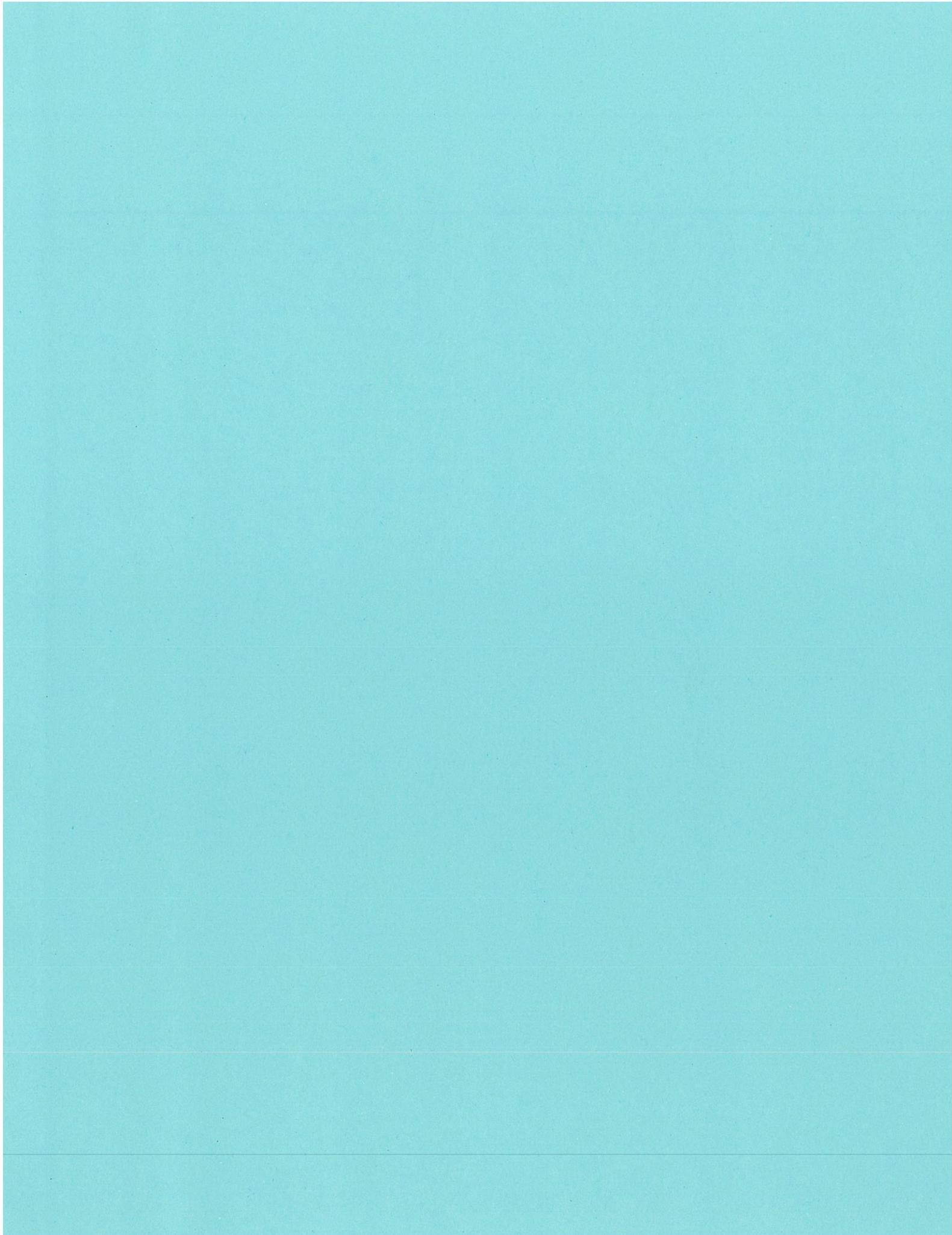


7. Adjournment – Next meeting will be April 7, 2009

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, AT THE EXPENSE OF THE APPELLANT. F.S. 286.0105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY BUILDING DEPARTMENT AT 329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.



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February 3, 2009
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Meeting called to order by Chairman Carl Stewart at 4:00PM. **Members present:** Ezekiel Johnson, Earl Wallace, Sue Roskosh, Clem Saccareccia, Randy Braddy, and Anthony Harwell.

Members absent: Zachary Landis, Phil Leary and School Board Representative. Also present: City Attorney, Donald Holmes; Planning Director, Jim Lee; Assistant Planning Director, Debbie Banks and Recording Secretary, Pam Sprouse.

Motion made by Clem Saccareccia to approve the minutes of the January 6, 2009 meeting. Seconded by Randy Braddy. All present voted affirmative, motion carried.

Jim Lee read, "To Appeal any Decision."

Mr. Stewart requested that any Ex Parte Communication be disclosed prior to each case.

OLD BUSINESS

Case 08-41 Address: Lundy Road (Oaks Landing)
 Parcel: 18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000
 Owner: Michael J. Held
 Agent: Lara Diettrich – Kimley-Horn and Associates

Request: To rezone to R-3 Multi-family residential with a Planned Unit Development Overlay.
(Continued from Jan. 6, 2009)

(Public Hearing)

Lara Diettrich, 8657 Bay Pine Rd. #300 Jacksonville, FL 32256, shared a slide presentation depicting the 5 items as requested from the Board members at the last meeting. The presentation showed r-o-w maps based on a roadway survey, emergency vehicle access and maneuverability that were based upon discussions with the Fire Marshal, Mark Lynady. Also shown, were locations for refuse areas that will be within buildings, elevations of the buildings, a conceptual architectural rendering of the buildings and golf cart path connectivity location to the golf course. She advised that based on the survey, the roadway does provide for a r-o-w of 60 feet, and that the road is substandard and does not meet the 24 feet minimum, and that is why they are proposing to make the improvements to bring that roadway area up to standard.

Mr. Braddy asked if the turn around points indicated on the diagram for emergency vehicles were reviewed with the contemplation of parked vehicles in the designated parking area.

Nathan Tidd, representative for Kimley-Horne, advised that the turn points are not encroaching in any parking areas.

James Pierce, of Pensacola FL, spoke on his mother's behalf (she lives at the sharp curve area). He stated concerns with the access point and the curve area, and wanted to know if some kinds of precautions could be put in place to stop speeders as there have been several people that could not maneuver that curve, and either ended up dead or in Ms. Howell's front yard. He ended by requesting that the people that live on Edgemore Dr. be given an alternate kind of egress, in and out of that area, other than Lundy Rd.

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Case 08-41 Lundy Road (Oaks Landing) – continued

Elworth Kerny, 2403 Lundy Rd., wanted to know how many cars the turning lane at the curve would hold. She also stated that she had issues with safety, with the amount of additional people that will be living there because not all will be upstanding citizens, and the fact that she may lose her property to a sidewalk.

Henry Sanders, 2509 Lundy Rd., wanted to know if something happens to the 1st building how would the other residents get out, as this project is being proposed as a dead end road. He commented on the future trails regarding easement (such as the one he has across the back of his property) and wanted to go on record to say that he wouldn't want "others" to make the decision as to what to do with those easements. He requested a 6' privacy fence or some type of buffer at the entrance of this development, as it faces his property, and he believes oncoming traffic from this development will infringe on his privacy. He wanted to know what the life span of these dwellings would be, with the constant vibration of the train traffic. He stated that he was concerned about the additional traffic, with more than 50% traffic increase, as it is a hazardous curve and that he currently has problems getting in and out of his own driveway, and believes it will get much worse. He was concerned about accumulative water in the area, as the property slopes there and wanted to know if the County is in agreement. He ended by saying he hoped this development would be developed at the low end of the allowed density.

Spanky Aaron, Golf Professional for the city, stated that he believed the additional revenue could be an added bonus to the golf course, that keeping the golf course in the city's hands is important. He stated that he is not concerned about the number of cart paths and the access points, as they would work with the developer as to the best route to take.

Phyllis Lott, 1601 Edgemore St., asked if a market feasibility report had been done, and asked that in light of the current and future economic situation, as well as possible future litigation from the citizens concerning safety issues, what was the City Attorney's opinion regarding having the City do this type of study.

Mr. Holmes advised that in the past, he has not been in favor of government deciding if a project was economically feasible versus whether it was an appropriate land use.

Mr. Lee agreed with the City Attorney, stating that in his opinion the zoning considerations should be based on the land use perspectives, compatibility issues, density issues, traffic and those kinds of things, that markets fluctuate, land use generally does not without public hearings. He ended by saying that staff's recommendation is to approve the request, based on review of the ordinance.

Discussion continued as to what staff and the Board takes into consideration for a zoning determination.

Mr. Holmes asked the developer if he would have any objection to a condition that the site be developed as individually owned condominium units. He said this request has been reviewed as a condominium project not an apartment complex and he believes that there are substantive differences between the two types of reviews.

Michael Held, 805 Brandy Wine Court, St. Augustine, advised that his plans always have been and still are to build a condominium development, however, he would like the flexibility if the market should change.

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Case 08-41 Lundy Road (Oaks Landing) – continued

Mr. Braddy asked the developer if he planned on retaining an equity interest in a number of units of this project,

Mr. Held replied that they plan to develop and sell out all the units, and that he did not have any intentions of developing rental units.

Henry Sanders, asked why the Developer's Agreement with the city, has a 5 year time frame and the PUD agreement is a 2-year agreement, with the possibility of a 1 time 1-year extension.

Jim Lee advised that the Developer's Agreement is still a draft document and will need to be finalized and approved along with the PUD.

Ms. Diettrich commented on some of the previous questions, stating that the trails and the easements on area resident's property is a private matter between the property owners and the trails folks. She stated approximately 3,000 sq. ft. of Mr. Sanders' property encroaches onto Mr. Held's property, and will be given to Mr. Sanders by Mr. Held, as a gift. Regarding the buffer concerns mentioned by Mr. Sanders, she stated that there will be a 25 foot buffer with a tree canopy of 60 to 80 feet tall and that there will be 40 feet between the two points of ingress/egress. She advised that they have worked for the past two years with city and county staff regarding needed improvements to the road.

Bill Schilling of Kimley-Horne advised that they intend to bring the roadway up to standards and that the intended turn lane would hold 4 cars. He advised that the sidewalk would fit entirely in the r-o-w, however should site conditions render the sidewalks not buildable a financial commitment will be made to the city for an equivalent length of sidewalks that can be built in another area where they can be more useful.

Mr. Lee asked Mr. Schilling if there was a difference in the number of trips rated for a condominium complex versus an apartment complex.

Mr. Schilling advised that yes, there is, but that it wasn't very high, approximately 4-5 peak hour trips for 120 apartment units versus a condominium unit.

Ms. Kerny, 2403 Lundy Rd., asked if there was any protection from developing low-income apartments in that spot.

Mr. Lee advised no.

Earl Wallace, Board member and a state registered surveyor, commented that the r-o-w is different than the one shown on the map submitted, some of the property deeds show overlapping lot lines. He stated he has concerns with the improvements of the curve area, and if they would have room to put them in.

Mr. Schilling advised that the information was obtained from a Florida state licensed surveyor.

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Case 08-41 Lundy Road (Oaks Landing) – continued

Mr. Braddy commented that it is a very difficult decision making process, when you have the interest of a community to consider in terms of financial impact of a project like this, with the additional tax base, the obvious improvements that would be made for the benefit of citizens to some degree. He asked if they had considered the effect of the tonnage on that tract with regards to the construction itself. He stated that he also had concerns of the shift of gears from developing condominiums to apartments, and if there is an open door, as to some other type of development then it gives a lot of latitude to something quite different than what has been considered, and can seriously effect those that live in the area. He ended by saying that he would not be able to support the change in zoning and the Land Use Map without an agreement that the property would be developed according to the original concept of individually owned condominium units.

Mr. Held agreed that as a stipulation of the PUD, the development would be condominium units only.

Mr. Lee added that all the prior reviews, including traffic and school board issues, were conducted under the understanding that this was a condominium project.

Mr. Harwell commented that he thought this is the time to make any specifications to the aesthetics.

Mr. Lee advised that this is a PUD, and this is the only time that those types of stipulations to the project can be made.

Discussion continued regarding the ability of the Board to specify to the Developer, what architectural style is acceptable, by way of the conditional use consideration of compatibility with surrounding area, and how to measure aesthetic compatibility with without established guidelines and area standards.

(Regular Meeting)

Motion was made by Randy Braddy to recommend approval of the request to rezone to R-3 Multi-family residential with a Planned Unit Development Overlay, with the stipulation that it be approved as a condominium complex, single-phase development and forward to the City Commission for consideration. Sue Roskosh seconded the motion. All present voted, with a show of hands resulting in 5 yeas and 1 nay, motion carried.

Case 08-29 Address: N 16th from Reid St. to St. Johns Ave.
Applicant: St. Johns Automotive Real Estate LLC
Agent: Juli Holmes

Request: To close that portion of N 16th St from Reid St. to St. Johns Ave.

(Public Hearing)

Ms. Banks advised that the applicant has requested tabling this request until the March 3, 2009 meeting.

Motion made by Sue Roskosh and seconded by Randy Braddy to table this request until the March 3, 2009 meeting at 4:00pm. All voting members voted affirmative, motion carried.

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NEW BUSINESS

Case PB 07-18 **Address:** 105 Williams Street (01-10-26-5200-0200-0110)
Applicant: Robert and Janet Walker

Request: To annex into the City of Palatka, amend the Future Land Use Map from County Urban Service to City Low Density Residential and rezone from County R 1-A (single family residential) to City R 1-A (single family residential)

(Public Hearing)

Ms. Lennard, a neighbor of the applicants, asked why she received a letter and asked if this request would affect her in any way.

Ms. Banks advised that notification to surrounding property owners is a requirement of this type of request, and advised that this request would not affect her property.

(Regular Meeting)

Motion made by Randy Braddy and seconded by Clem Saccareccia to approve the request to annex into the City of Palatka, amend the Future Land Use Map from County Urban Service to City Low Density Residential and rezone from County R 1-A (single family residential) to City R 1-A (single family residential). All present voted affirmative, motion carried.

Case PB 07-17 **Address:** 2104 Husson Avenue (13-10-26-6790-0000-0130)
Applicant: Yvonne Van Der Lee

Request: To annex into the City of Palatka city limits, amend the Future Land Use Map from County Urban Service to City Low Density Residential and rezone from County R 1-A (single family residential district) to City R 1-A (single family residential district)

(Public Hearing)

(Regular Meeting)

Motion made by Randy Braddy and seconded by Clem Saccareccia to approve the request to annex into the City of Palatka city limits, amend the Future Land Use Map from County Urban Service to City Low Density Residential and rezone from County R 1-A (single family residential district) to City R 1-A (single family residential district) All present voted affirmative, motion carried.

Case 09-01 **Downtown Riverfront and Downtown Business District**

Request: To amend the Downtown Riverfront and Downtown Business Zoning Districts to exclude those parcels abutting St. Johns Avenue from the Conditional Use allowance for single-family dwellings.

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Case 09-01 Downtown Riverfront and Downtown Business District – continued

(Public Hearing)

Ms. Banks explained that the City Commission approved this request as it was tied to another C-2 zoning request, allowing hotels and motels as a permitted use, however due to some concerns of residential uses abutting St. Johns Ave., they requested that staff and the Planning Board revisit the changes.

(Regular Meeting)

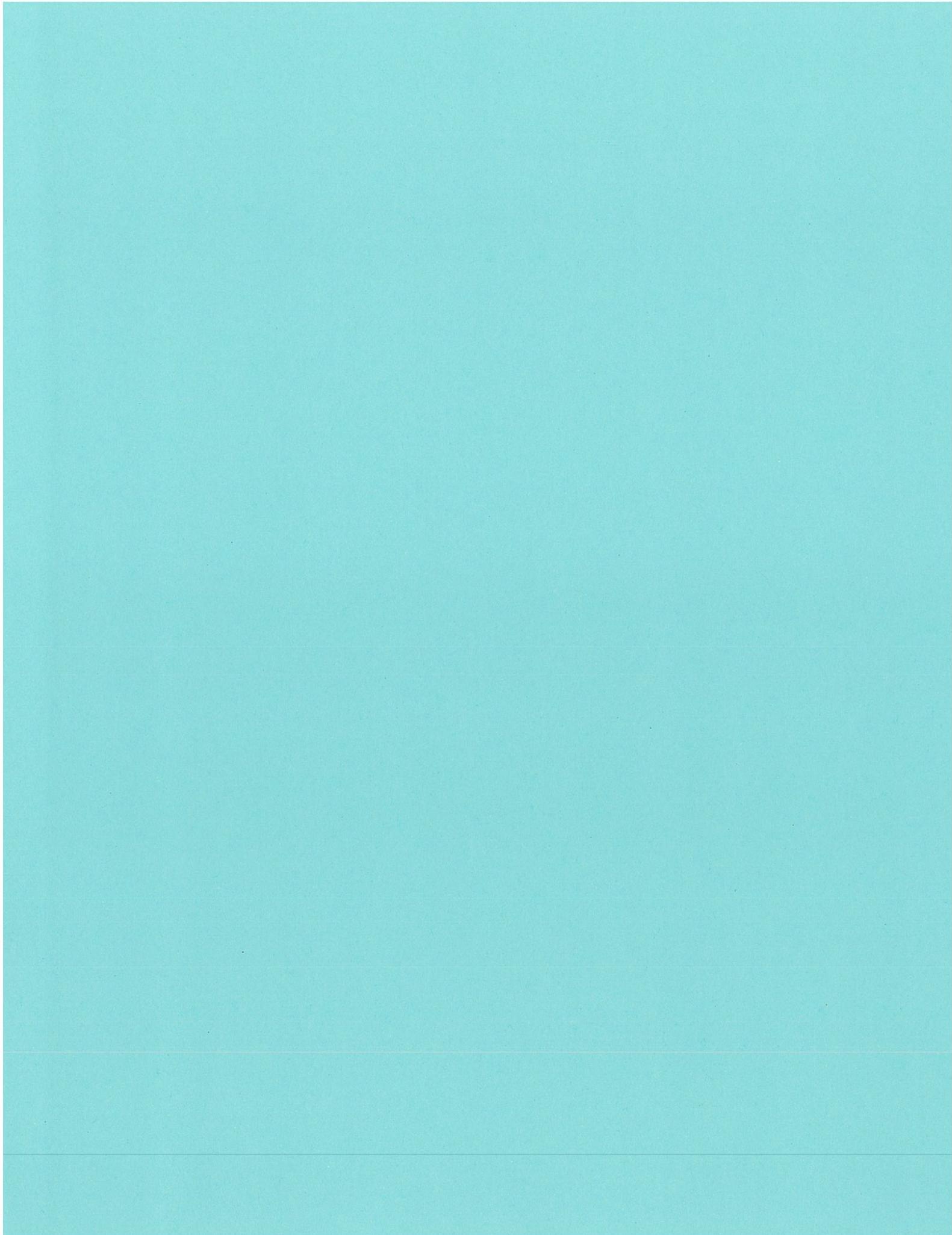
Motion made by Randy Braddy and seconded by Clem Saccareccia to approve the request to amend the Downtown Riverfront and Downtown Business Zoning Districts to exclude those parcels abutting St. Johns Avenue from the Conditional Use allowance for single-family dwellings. All voting members voted affirmative, motion carried.

Election of Chairman

Motion made by Randy Braddy and seconded by Clem Saccareccia to re-elect Carl Stewart as Chairman and Sue Roskosh as continued Vice-Chairman. All voting members voted affirmative, motion carried.

Mr. Lee advised that they would begin drafting a PUD that makes sense and provide for additional Planning Board review process.

Adjournment – 6:00 PM



St. Johns Automotive Real Estate LLC
1601 Reid Street
Palatka, FL 32177

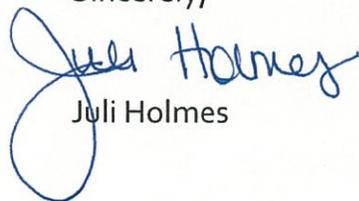
February 25, 2009

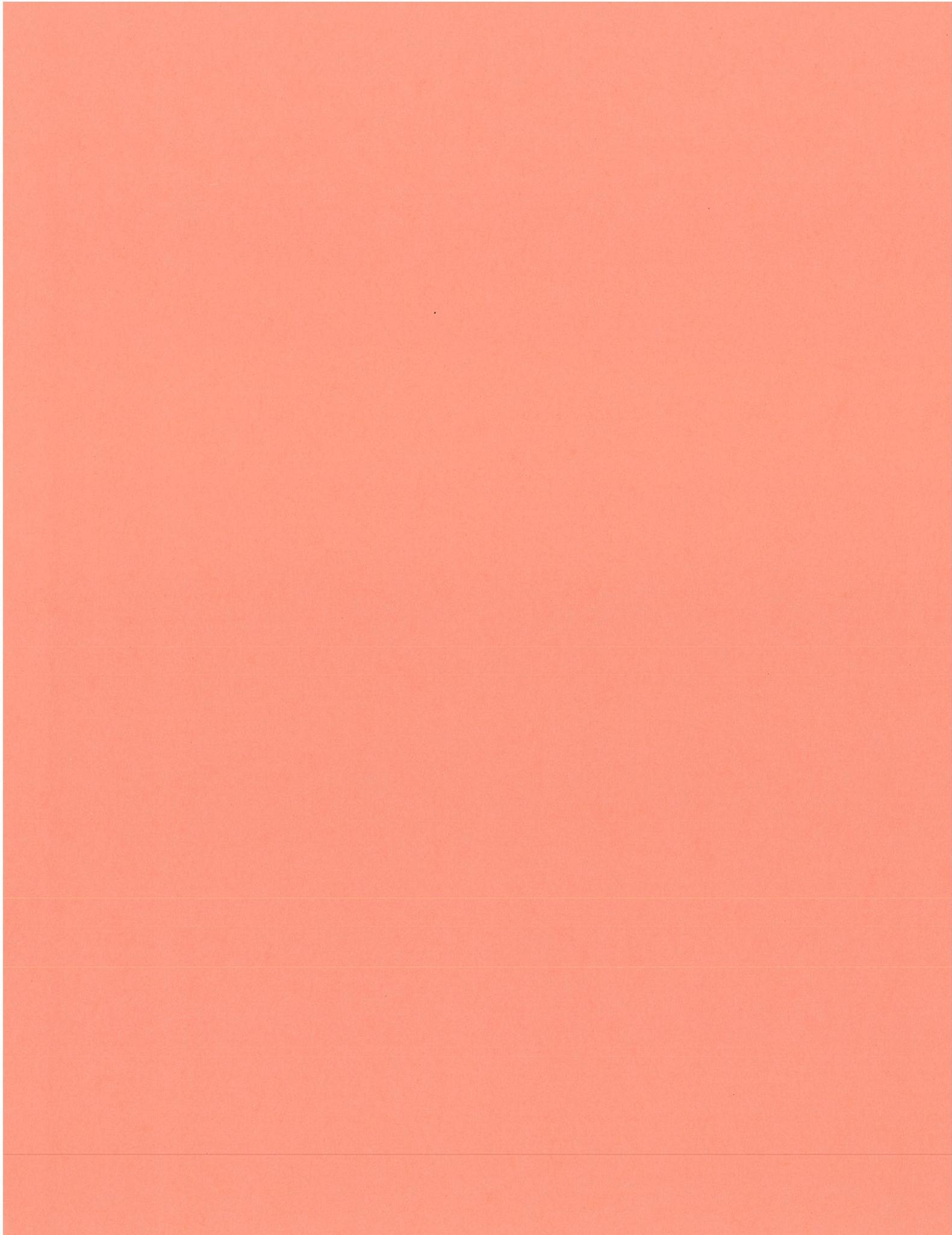
City of Palatka
Building & Zoning
c/o Debbie Banks
201 N 2nd Street
Palatka, FL 32177

Please accept this as our request to continue our application to close Sixteenth Street. The planning commission was initially scheduled to hear the request at the meeting on March 3, 2009; however, following our meeting this morning with Debbie Banks and Jim Lee we believe it would be better for all involved to delay this application in an effort to obtain additional information regarding utilities and easements.

We are requesting the application be put on the agenda for the board meeting scheduled on April 7, 2009. If you have any questions or concerns please contact me at (386) 328 – 8863 Ext. 172 or via email juliholmes@checkbeck.com

Sincerely,


Juli Holmes





BUILDING AND ZONING STAFF REPORT
March 3, 2009
Public Hearing

APPLICATION: PB 07-36 - Small-Scale Future Land Use Map Amendment from Industrial to Medium Density Residential

**APPLICANT/
 OWNER:** Cypress Mills, L.L.C.

AGENT: None

LOCATION: 722 River Street; Parcel Number: 42-10-27-6850-0500-0022

REQUEST: The applicant is requesting to amend the City's Future Land Use Map for 1.65 +/- acres of property from Industrial to Medium Density Residential.

BACKGROUND & ANALYSIS: A public hearing was held by the Planning Board for this site on March 14, 2006 to amend the Future Land Use Map from Industrial to Commercial. A review of the minutes indicates the Planning Board denied the request. The City Commission held a public hearing on April 13, 2006 and voted to uphold the Planning Board's recommendation to deny the requested land use amendment on the basis of incompatible use with adjoining property and increased traffic.

The site is vacant but contains the partially demolished Florida Furniture structure. It is not currently a part of either of the two existing Planned Unit Developments (R-3/PUD) that were approved by the City Commission in 2005 and 2006 respectively. Each of those parcels was submitted to the Department of Community Affairs as small-scale future land use amendments in 2008. The applicant is not requesting to rezone at this time as he intends to submit modifications to the existing adjacent R-3/PUD which will incorporate this parcel.

Surrounding properties have several future land use designations. Residential Medium Density to the north, south and west and Residential Low Density to the west. The zoning pattern of the surrounding area is R1AA (single-family residence) to east and R-3 with a PUD overlay to the north, south and west of the site. The existing land use pattern in the area is a vacant industrial site with single-family residential to the west.

SURROUNDING ZONING AND LAND USE:

	Future Land Use Designation	Zoning	Current Land Uses
North	Medium Density Residential	R-3/PUD (Planned Unit Development)	Vacant industrial site
South	Medium Density Residential	R-3/PUD (Planned Unit Development)	Vacant and Single family homes
East	City Residential Low Density	R1AA, Single Family Residential	Vacant (Historic site of Wilson Cypress)
West	Medium Density Residential	R-3/PUD (Planned Unit Development)	Vacant

COMPREHENSIVE PLAN:

The Existing Land Use Designation:

Policy A.1.9.3.A.3 (9J-5.006(3)(c)7)

The existing Future Land Use is Industrial. Land designated for industrial use is intended for activities that are predominantly associated with the manufacturing, assembly, processing, or storage of products. Industrial land use provides for a variety of intensities of use including heavy industry, light industry, and industrial park operations. Land Development Regulations shall provide requirements for buffering industrial land uses (i.e., sight, access noise) from adjacent land uses of lesser density or intensity of use. The intensity of industrial land use, as measured by impervious surface shall not exceed 90 percent of the parcel. The maximum height of development shall not exceed 45 feet.

The Proposed Medium Density Residential Land Use Designation:

Policy A.1.9.3.A.1 (9J-5.006(3)(c)7)

Residential land use is intended to be used primarily for housing and shall be protected from intrusion by land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types. Medium Density (231 acres) - provides for a range of densities up to 10 units per acre.

Future Land Use Element

Objective A.1.1 (9J-5.006(3)(b)1; F.S. 187-201 (161)(1)(5)

Upon Plan adoption, the City shall coordinate future land uses with the appropriate topography, adjacent land uses, soil conditions, and the availability of facilities and services.

Policy A.1.1.3 (9J-5.006(3) (c) 3)

The City shall as a condition of issuing a building permit or other development order, require proposed developments to hook up to the City central sewer systems in accordance with the revised City zoning code and subdivision regulations based upon Chapter 381, F.S. and Division 64E, FAC.

Policy A.1.1.7 (9J-5.006(3)(c)2)

The City Building Official shall not issue a building permit or other final development order, or issue final plat approval, until it has been certified that infrastructure facilities and services exist or shall be available pursuant to an executed development agreement to satisfy demands generated by the development in accordance with the adopted City levels of service standards. By June 1, 2008, the City shall incorporate into the land development regulations a method for establishing transportation proportionate fair share. Availability of infrastructure will be certified through the Building Official issuing a "Certificate of Concurrency."

Staff Analysis: The site slopes downward to the southeast. Adjacent land uses include the vacant Florida Furniture site immediately adjacent to this site and the wooded area across River Street that was part of the historic Wilson Cypress Mill. The soil type located on the site is Terra Ceia which consists of soils that are nearly level, very poorly drained, and rapidly permeable.

The allowed density under Medium Density is 5 to 10 units per acre.

City water and sewer services are located adjacent to the site, however concurrency will be measured at the time of building permit application. In the Traffic Circulation Element, Public Facilities Element, Recreation and Open Space Element and Public Schools Facilities Element sections of this staff report we will evaluate each adopted level of service standard for this site related to a maximum density of 10 dwelling units per acre.

Objective A.1.6 (9J-5.006(3)(b)7)

Upon Plan adoption, the City shall discourage urban sprawl. Land Development Regulations shall be adopted that implement the following policies:

Staff Analysis: This site fronts on River Street, has all the City services (including sewer, water, fire hydrants and garbage collection), is in close proximity to residential uses north and south of the site and is within walking distance of downtown. All of these features discourage urban sprawl.

Housing Element

Objective C.1.1 (9J-5.010(3)(a))

Upon Plan adoption, the City shall promote the provision of adequate and affordable housing in the City.

Staff Analysis: Under Rule 9J-5.005 (6), Florida Administrative Code, a need has to be demonstrated for the proposed Future Land Use Amendment. Data and analysis has to be provided that demonstrates that the proposed increase in residential density is necessary. This need will be demonstrated using data from the Housing Element.

Based on the 2000 Census, data in the Housing Element indicates that there were 1,928 owner occupied units and 1,815 rental units in the City. Rental units represented a total of 48% of the total housing stock. If the 1.65 acre site were built out utilizing the maximum allowed density of 10 dwelling units per acre, a total of 16 dwelling units could be constructed. With the aging housing stock in the City, there is a demonstrated need for new dwelling units whether these units are rentals or owner occupied.

Traffic Circulation Element

Objective B.1.1 (9J-5.007(3)(b)1)

Upon plan adoption, the City shall provide for a safe, convenient and efficient motorized and non-motorized transportation system by correcting, to the maximum extent feasible, all existing roadway deficiencies identified in this plan and maintain acceptable operating conditions in the future on a priority basis.

Policy B.1.1.1 (9J-5.007(3)(01))

The State-wide minimum acceptable operating Level of Service (LOS) standards for the State Highway System and City Street System shall be the base LOS standards listed herein, except for those conditions provided in Policies 1.1.1.A. and 1.1.1.B.

The City hereby adopts the following LOS standards for each listed facility type:

- principal arterials - LOS C
- collectors and minor arterials - LOS D

Staff Analysis: In 2006, Kimley-Horn and Associates, Inc. analyzed existing conditions on River Street and SR 20 for the applicant. Utilizing traffic counts conducted by Putnam County in 1999 and 2004, indicated that both River Street and SR 20 operate at an

existing level of service (LOS) C.

Public Facilities Element

Objective D.1.1 (9J-5.011(2)(b)2)

Upon Plan adoption, the City of Palatka shall enforce adopted Concurrency Management System procedures to ensure that at the time a building permit or other development order is issued, infrastructure facility capacity is available to meet the demand of development without lowering adopted Levels of Service Standards (LOSS).

Policy D.1.1.1 (9J-5.011(2) (c)2)

The following level of service standards shall be the basis for determining the availability of facility capacity against the demand generated by development.

A1. Potable Water, Residential: 130 gallons per capita per day

B1. Central Sanitary Sewer System, Residential: 125 gallons per capita per day

C. Solid Waste: 6.4 lbs/person/day

D. Drainage Facilities: City of Palatka and Ravine State Gardens Stormwater Quality Master Plan and minimum requirements of the St. Johns River Water Management District.

Policy D.1.1.2 (9J-5.011 (2)(c)2)

All improvements for replacement, expansion, or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facilities and that distribution of these facilities/services is consistent with the Future Land Use Map.

Staff Analysis: Throughout the development review process all adopted levels of service standards will be maintained.

- Potable Water: 325 gallons per day (2.5 persons per unit) multiplied by 16 units is 13,000 gallons per day at build-out. A new water plant will be going on line in Spring 2009 with a capacity of 6 million gallons per day. Current peak usage is approximately 3,200,000 gallons per day. Capacity exists for build-out of the project.

- Central Sanitary Sewer System: 312.5 gallons per day (2.5 persons per unit) multiplied by 16 units is 5,000 gallons per day at build-out. The sewer plant has a capacity of 2.42 million gallons per day with an additional capacity of 600,000 gallons per day. Capacity exists for build-out of the project.

- Solid Waste: 6.4 lbs per person per day multiplied by 40 persons (2.5 persons per unit multiplied by 16 units) is 256 lbs. per day. The City has a contract with Putnam County to use the Central Landfill. The Central Landfill has 40 permitted acres with an additional 140 acres of raw land. Current capacity is for 8.23 years with existing cells. Capacity exists for build-out of the project.

- Drainage: Consistency with the City of Palatka and Ravine State Gardens Stormwater Quality Master Plan and minimum requirements of the St. Johns River Water Management District.

Recreation And Open Space Element

Objective F.1.1 (9J-5.0143(3)(b)1)

Upon plan adoption, the City shall implement the following policies to ensure public access to all identified recreational facilities.

Policy F.1.1.2 (9J-5.014(3)(c)3)

The City shall adopt the following Level of Service Standards: Regional Park/ 1 acre per 50, Community Park/ 1 acre per 500, Neighborhood Park/ 1 acre per 500, Equipped Play

and Tot Lot/ 1 Per 2,000, Baseball/Softball Fields/ 1 per 5,000, Football/Soccer Fields/ 1 per 6,000, Equipped Play area/ 1 play area per 10,000, Basketball Courts/ 1 per 5,000, Boat Ramp (Lanes)/ 1 lane per 5,000, Tennis Court/ 1 court per 2,000, Swimming Pools/1 pool per 25,000, Hiking (miles)/ 1 Mile per 6,750, and Picnic Areas (Tables) 1 Table per 6,000.

Staff Analysis: At build-out the project will generate an additional 40 people (2.5 persons per unit multiplied by 16 units). Capacity exists for all recreational Level of Service Standards for this additional population.

Public Schools Facilities Element

Objective 1.1.1 (9J-5.025(3)(b)1

The City of Palatka shall ensure the correction of existing school facility deficiencies to provide adequate student capacity, which shall not exceed the adopted level of service standards within the Putnam County School District and which will meet future capacity needs.

Policy 1.1.1.1 (9J-5.025(3)(c)7

The City of Palatka hereby adopts LOSS for Schools of 100% based on permanent FISH capacity for all school types (Elementary, Middle and High)

Staff Analysis: Phil Leary, the consultant for the Putnam County School District provided a letter dated February 24, 2009, to Debbie Banks, Assistant Planning Director, indicating, "Student station impacts based on residential units are within available existing capacity for all three school levels based on FISH capacity/current enrollment, and consistent with adopted concurrency guidelines.

STAFF RECOMMENDATION: Staff recommends approval of this request to amend the future land use map from Industrial to Medium Density Residential.

Photographs



Front elevation

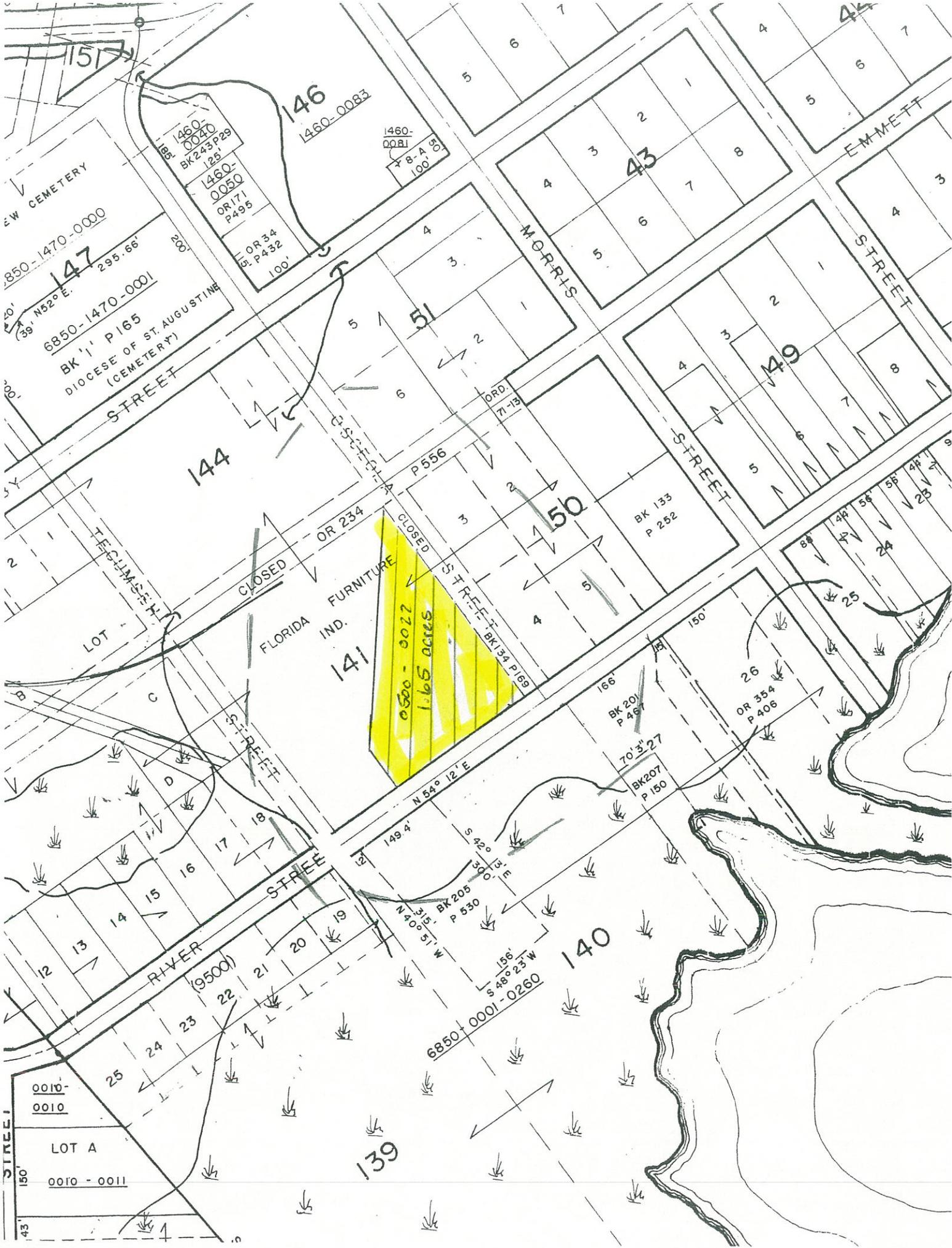
Front elevation looking north



View to the east



View to the south



151
147
850-1470-0000
39' N52°E 295.66'
6850-1470-0001
BK 11 P 165
DIOCESE OF ST. AUGUSTINE
(CEMETERY)

146
1460-0083
1460-0040
BK 243 P 29
125'
1460-0050
OR 171 P 495
OR 34 P 432
100'

1460-0081
78-A 50'
100'

144
TEGEMANEN STREET

CLOSURE
CLOSURE

FLORIDA IND. FURNITURE

141
0500-0022
1.65 acres
CLOSURE
STREET
BK 134 P 169

150
BK 133 P 252

149
STREET

140
RIVER
STREET
149.4'
N 54° 12' E
156'
S 46° 23' W
6850-0001-0260
BK 205 P 530
BK 207 P 150
70' 3" 27'

0010-0010
LOT A
0010-0011

139

26
OR 354 P 406

EMMETT STREET

MORRIS STREET



City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



As an owner of adjacent property, you are hereby notified of a pending action before the Planning Board which may be of concern to you:

PUBLIC NOTICE

Notice is hereby given that the **CITY OF PALATKA PLANNING BOARD** will hold a public hearing on March 3, 2009 at 4:00 P.M. at City Hall, 201 N 2nd St. for the purpose of hearing the following matter:

Request to amend the Future Land Use Map from Industrial to Medium Density Residential

Location: 722 River Street (42-10-27-6850-0500-0022)

Owner: Cypress Mills, L.L.C.

Case: PB 07-36

All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, AT THE EXPENSE OF THE APPELLANT. F.S. 286.0105

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2009 Interim Property Information for Parcel: 42-10-27-6850-0500-0022

2008 Certified Tax Collector Information

Cypress Mills Llc

PO Box 1508

Seabrook Nh 03874-1508 (**Putnam County GIS Interactive Mapping**)

Detail Information for Parcel: 42-10-27-6850-0500-0022

Property Use:	Mixed Use - Store And Office Or Store And Residential Combination	Structures:	1
Mobile Homes:	<input type="checkbox"/> 0	MH Unextended:	0
Census Tract:	950800	Census Block:	5041
Total Acreage:	1.65	Location:	City of Palatka

Property Legal Description

DICKS MAP OF PALATKA MB2 P46 PT OF BLK 141 OR1149 P468 (CLUB/BOILER ROOM)

Parcel Sales Data

Book	Page	Instrument	Month	Year	QSCD	Price
1149	0468	Quit Claim Deed	May	2007	01 I	\$100

Land Data

Units	Descriptions
1.65	Non Spec Acres

Structure Data

Type	Year	Area	Square Feet
General Office	1900	BASE	2410
		UTN	2981
		CPN	1550

Notice:

NOTICE - This is an interim Putnam County file. Property assessment information will not be displayed until it is certified in October.

Click **here** to do another search or use your browser's back button to return to previous search results.

Philip L. Leary, AICP
Governmental Affairs



520 River Street ♦ Palatka, FL 32177
386-937-7829

February 24, 2009

Debbie Banks
Assistant Planning Director
City of Palatka
201 N. 2nd Street
Palatka, FL 32177

RE: School Capacity Analysis
PB 07-36 722 Cypress Mills LLC

Dear Debbie:

On behalf of my client, the Putnam County School District (PCSD) the school capacity/concurrency analysis for above referenced Small Scale Future Land Use Amendment application follows; Student station (SS) impacts based on allowed residential density are within available existing capacity for all three school levels based on FISH capacity/current enrollment, and consistent with adopted concurrency guidelines. Attached are the agency review excel spread sheets for each of the applications.

After review of the information above should you have any questions or need additional data, please do not hesitate to contact me.

Sincerely,

PHIL

Philip L. Leary, AICP
PCSD Planning Consultant

C: John Raymond Theobald

Table 1.0: CAPACITY OF EXISTING AND PROPOSED FACILITIES

GRADE	EXISTING SCHOOL (PROPOSED SCHOOL)(Building Year)	FISH CAPACITY	CURRENT ENROLLMENT	AVAILABLE CAPACITY	ADEQUATE or INADEQUATE
K-5	River Breeze Elementary	752	381	371	Adequate
Grades 6-8	Beasley Middle	819	497	322	Adequate
Grades 9- 12	Palatka High School	2100	1471	629	Adequate

Exhibit A
(Application Submittals)

Case Number: 07-360
Date Filed: 10/14/07

**CITY OF PALATKA
APPLICATION FOR REZONING AND/OR
AMENDING THE FUTURE LAND USE MAP (Small Scale)**

Please provide all of the following information and return to: City of Palatka Building Dept.
205 N. 2nd Street
Palatka, FL 32177

1. Official 911 address or legal description: See attached legal description
911 address: 722 River Street, Palatka, FL
2. Property Appraiser parcel #: ~~A portion of~~ parcel # 42-10-27-6850-0500-0020
3. Total acres to be considered as part of this request: 1.65 acres
4. The names and addresses of all owners as shown in Putnam County public records:
Cypress Mills, LLC, P.O. Box 1508, Seabrook, NH 03874-1508
5. Current zoning designation: M-1 Requested zoning designation: R3
6. Current land use designation: Industrial Requested land use designation: Commercial
7. Reason for rezoning/land use amendment request: To put a sports club on the property
8. Number and type of structures on the property: A portion of the existing Florida Furniture building will be preserved as part of the new facility.
9. Copy of recorded deed (attach to application).
A copy of the Cypress Mills Deed is attached. This is for the whole 5.98 acres. This application is for a portion of that property.
10. Boundary survey or location map (attach to application).
A location map is attached.

FAX, 603 474 3081

11. Name, telephone number, and mailing address of agent authorized to represent owner (if applicable):

LAN Associates, Inc., 66 Cuna Street, St. Augustine, FL 32084, Tel: 904-824-6999

12. Select and attach appropriate application fee (checks payable to City of Palatka):

~~— \$130.00 (rezoning only)~~ \$ 450.00
~~— \$240.00 (rezoning with small scale land use amendment)~~

13. This application submitted by:

Signature of owner(s):

J. Norman Jutras MER CYPRESS MILLS LLC

Print owner(s) name(s):

J. NORMAN JUTRAS

Address of owner(s):

P.O BOX 1508
SEABROOK NH 03874

Telephone:

978-376-1730

STATE OF FLORIDA

County of Putnam

Before me this day personally appeared J. NORMAN JUTRAS who executed the foregoing application and acknowledged to and before me that HE executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 3RD day of FEBRUARY A.D. 2007.

My commission expires:



Judy A. Welker

Notary Public

State of Florida at Large

EXHIBIT "A"

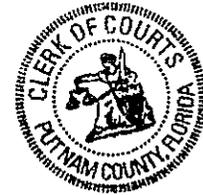
Description: Out Parcel – Club/Boiler Room

A tract of land situated in Block 141 of the City of Palatka being more particularly described as follows:

COMMENCING at a concrete monument at the most Easterly corner of Block 50 of the City of Palatka and run thence Southwesterly, along the Northwesterly right-of-way of River Street of said City, a distance of 450.00 feet to the most Easterly corner of Block 141 and the point of beginning of this description. From point of beginning (1) continue Southwesterly, along said Northwesterly right-of-way, a distance of 300.0 feet. (2) Thence Northwesterly, parallel with the Northeasterly line of Block 141, a distance of 90.0 feet. Return to the point of beginning and (3) run thence Northwesterly, along the Northeasterly line of Block 141, a distance of 390.0 feet. (4) Thence Southerly, a distance of 424.0 feet, more or less, to the Northwesterly end of call (2) and to close.

Containing 1.65 acres, more or less.

TIM SMITH, PUTNAM CO. CLERK OF COURT
RCD: 05/11/2007 @ 10:28



PLANNING BOARD Regular Meeting

Minutes – March 14, 2006

Location: City Hall

(Regular Meeting)

Motion made by Jill Jester to approve this request for conditional use, subject to the conditions as listed within the staff report. Sue Roskosh made the second. All present voted affirmative. Motion Carried.

Case 06-008 **Request to annex, amend the Future Land Use Map and Future Land Use Element (small scale) from County Commercial to City commercial and rezone from County C-2 to City C-2 – 3740 Reid Street.**

Owner: Richard Adams
Agent: Doctor Rooter Supply and Service, Inc.

(Public Hearing)

Mr. Mengel advised that the existing business has been working with the County Health Department and is in need of connection to City Services.

Kevin Waldo, 6002 East 1st Manor – was present and commented they do not have any other alternative but to connect into City Services.

Leonard Freeman spoke in support this request to bring pieces of enclaves into the City limits.

Motion made by Jill Jester to approve this request as submitted. Clem Saccareccia made the second. All present voted affirmative. Motion Carried.

Case 06-009 **Request to annex, amend the Future Land Use Map and Future Land Use Element (small scale) from Industrial to Commercial and rezone from M-1 to C-1 – a part of 722 River Street.**

Owner: Cypress Mills, LLC
Agent: LAN Associates, Inc.

(Public Hearing)

Staff commented that this was part of the original intent to have this be a separate phase as an amenity for the proposed community but is proposed to also be available to the general public. He further commented that as he is in support of the down-zoning of M-1 (industrial), he has some concerns for this C-1 on River Street and strong concerns of traffic on River Street and that he supports any idea to pull traffic off of River Street and onto more suitable streets. He reiterated his opinion that River Street (a two lane - undivided road), should not be considered an urban collector.

**Planning Board Regular Meeting
Minutes – March 14, 2006
Location: City Hall**

Guy Vandoren, LAN Associates, Inc. – advised that the reason for the separation of this request is that the amenities are usually needed early on in the development.

Randy Braddy initiated discussion regarding specific assurances that were given in the presentations to the Planning Board and the City Commission as to Phase I and how it would intergrade in going forward into subsequent phase development, including the flow of traffic on River Street and the moving construction flow of Phase I as well as previous discussions about a commercial venture for the general public and how it was recommended by the Planning Board not to allow any commercial development for this project outside of the PUD.

Richard Perallon, 105 Morris Street – expressed his opposition to the proposed zoning change and reminded the Board of previous discussions, agreements and compromises reached regarding this PUD project to limit noise, activity and overall impact to an already established neighborhood. He further stated that the new proposal for Phase II allows traffic flow, from Phase I, into Phase II, and this proposed commercial development, out onto River Street. He added that the requested zoning change (to allow commercial development outside of the PUD), raises suspicions and concern. He asked that the Board deny this request and enforce the limitations, restrictions and protections that were put in place back when Phase I was being considered.

Sandy Durham, 510 River Street – agreed with Mr. Perallon's comments.

Discussion continued regarding the types of allowed uses within the requested zoning.

Ron Brown, Esq., 93 Orange Street., St. Augustine – advised that there are 17 criteria within the zoning code that have been satisfactorily answered that this will not have an adverse impact and does meet the requirements of the code for a rezoning under these circumstances. He added that as far as uncontrolled development, some of the comments made today - make a point, there are several types of reviews that take place to control development, and will also take the consistency factor into account. He ended by saying that the Health Club amenity has always been in the picture and will remain in the overall project however to open it up to the public (by way of membership) a zoning change is necessary.

Mr. Norm Jutras, 412 Mulholland Park - stated for the record, that they have not changed their original intentions to add this amenity to their project, and gave an update of the project status for Phase I.

Mr. Perallon reiterated that he agrees that the amenities are important but stresses that they should be considered within the PUD and not a rezoning.

Pauline Leary, 520 River Street – stated she was very concerned about this request, and is not in favor of the rezoning. Further commenting that she thought the idea for adding the condo's was to bring in people to support the businesses downtown, not to bring in more businesses to River Street.

PLANNING BOARD Regular Meeting

Minutes – March 14, 2006

Location: City Hall

(Regular Meeting)

Motion made by Jill Jester to deny this request based on items 7 & 8 rezoning requirements and public comment. Seconded by Randy Braddy. Discussion. All present voted, resulting in (4) yeas and (3) neys. Motion carried.

Case 06-010 **Request to annex, amend the Future Land Use Map and Future Land Use Element (small scale) from County Urban Service to City Commercial and rezone from County R-1A to City C-2. – 3406 and 3408 St. Johns Avenue.**

Owner: Kenneth M. and Susan M. Downs

(Public Hearing)

Mr. Downs was present and advised that they have an interested party that wants to put in a plant nursery and currently have City utilities set-up for that property.

Cynthia Adams, 5262 Silver Lake Dr – commented that she owns a rental property at 120 Green Dr., and stated that she was there on behalf of several of the retired neighbors in the audience and herself with concerns as to what would be going in there and what kind of traffic impact there will be. He further stated that if for some reason the Nursery did not go through, they would consider some sort of Dr.'s office of something to that effect, as it would have to be something compatible with his daughter's Day School next door.

Discussion continued regarding the current surrounding zoning.

(Regular Meeting)

Motion made by Jill Jester to approve the request as submitted. Seconded by Sue Roskosh. All present voted. Motion Carried.

With no further business, meeting adjourned.

Case 06-004 **Northwest side of River Street, southerly of 722 River Street, together with 900 River Street** - Request to amend the Future Land Use Map and Future Land Use Element (small scale, from City Industrial and City Commercial to City Medium-density Residential) and rezone from City M-1 (Light Industrial) and City C-1 (General Commercial) to City R-3-PUD (Multiple-family Residential Planned Unit Development – Cypress Mills Phase II).

Owner: Cypress Mills LLC and Georgia Hall Terwilligar and R. Tumlin
Agent: LAN Associates, Inc.

(Public Hearing)

Mr. Mengel gave a brief overview of the previous meeting and the spirit of the Board, Public Works Director and the City Attorney as he understood it. He advised that a letter was still needed from D.O.T., regarding impacts to Crill Ave. - that no additional improvements are necessary to Crill Ave to handle the additional traffic impacts. He asked for any ex-parte disclosures from the Board Members.

Ms. Michelle Jeansonne recused herself. Mr. Braddy disclosed that he had conversations with Mr. Norm Jutras regarding the prior pre-application conference and some of the directives that come out of that conference. He advised that he did not disclose his vote regarding this request.

Attorney Ron Brown, 66 Cuna Street, St. Augustine - advised that the Demolition for Phase I has begun, adding that about 7 structures have been removed. That a contractor has been secured and work started on a model home on 4th Street as a test model. He introduced the Phase II project, pointing out changes that have been made since the first introduction, taking into consideration of comments received and explained how it would interact with Phase I. He stated that there are no jurisdictional wetlands existing on the property and that apparently there was a permissive allowance of the previous owners to allow city to drain some water through the Florida Furniture property over the years this has continued, adding that, the Developer - Mr. Jutras and his company are more than willing to allow this to continue. They are currently working together with Mr. Boynton, City Utilities Director, on some matters, with regards to flow and cycling as there is quite a bit of effluent matter and solid matter that flows through there and they will continue to work with the city and the engineers on those matters, which will help them with finalize the plans. The Presentation of Phase II showed that the project will have 96 condominium units within 28 buildings, 204 parking spaces, with some additional parking areas.

Jill Jester requested clarification of C1A zoning and the overlay interaction.

Don Holmes explained that there are three separate issues, the Comp. Plan change and the underlying zoning, and the PUD overlay.

Bill Schilling, Jr. PE of Kimley-Horn and Associates, Inc. explained how the traffic trips are calculated and how roadway types are determined at the local level. He stated that DOT will not require and additional driveways permit for the Osceola/Kirby Streets drive. Also, that 100% of Phase II traffic will connect with the Northern section of Phase I at that same intersection, assuring that some reasonable traffic-calming measures will be implemented.

Mr. Holmes asked for explanation of the difference in level of service between C type and D type.

Mr. Schilling explained that the calculation is based totally on the number of trips, an approximate range for level of service "C" = approximately 8,200 - 9,000 trips and "D" = 9,001 – 13,499, adding that the City's Comp Plan accepts a level of service D for River Street.

Discussion continued regarding traffic counts, as well as, possible alternate routes for this development.

Mr. Mengel advised of the level of service element of the City Comp. Plan, stating that in the past, we have probably seen a level of service "A" on most roads and the more we grow, the more we will see these levels change.

Mr. Braddy commented that the City Staff has gone on record several times stating that River Street should no be considered an urban collector.

Mr. Holmes explained the Board's considerations regarding traffic impacts and the impacts on the quality of life.

Ms. Jester questioned if the River Street ingress/egress access was required from a traffic aspect.

Mr. Schilling advised no.

Mr. Braddy brought attention to an item in the Staff packet.

Discussion took place regarding the statistics used to determine the levels of service and the thresholds used to determine the impacts to service and the many factors necessary to consider how these changes come into play with the policies and other elements of the Comp. Plan needing to be considered.

Mr. Brown advised that his client would be happy with R-2 and C-1A zoning.

Mr. Holmes advised of nonconforming use standards.

Ms. Debra Massey spoke of other future proposed project currently being considered by the City including two at Lundy Road, the new Hotel the Riverfront Development and others to come – she urged the Board to look at the big picture and how they would impact these roads.

Bill Turner, 2605 Fairway Drive – commented that when the speed limit signs of 25 mph were put up, the amount of traffic slowed down.

Tim Parker commented that an alternate access was a necessity.

Richard Perallon, 105 Morris Street suggested that the Board postpone the approval of phase II, until a significant amount of building construction is underway. He stated concerns of the

ingress/egress shown on River Street, that the community at large made it clear, as far back as March of 2005, that they were strongly against River Street access for this project and believe it will negatively affect property values. Further commenting that "a compliment to the existing neighborhood" (as the developer stated), would be to eliminate the access on River Street. He ended by stating that he and many of the surrounding property owners are not against growth, and are comfortable with this type of project, they just want to preserve their quality of life. He asked what the height of the buildings on Phase II would be.

Mr. Jutras stated that the building heights will not exceed 49 feet.

Mr. Ron Brown stated that work is being done, and that of course they want to move this project forward as expedient as possible, to realize their profit - as that comes in the end with projects like this.

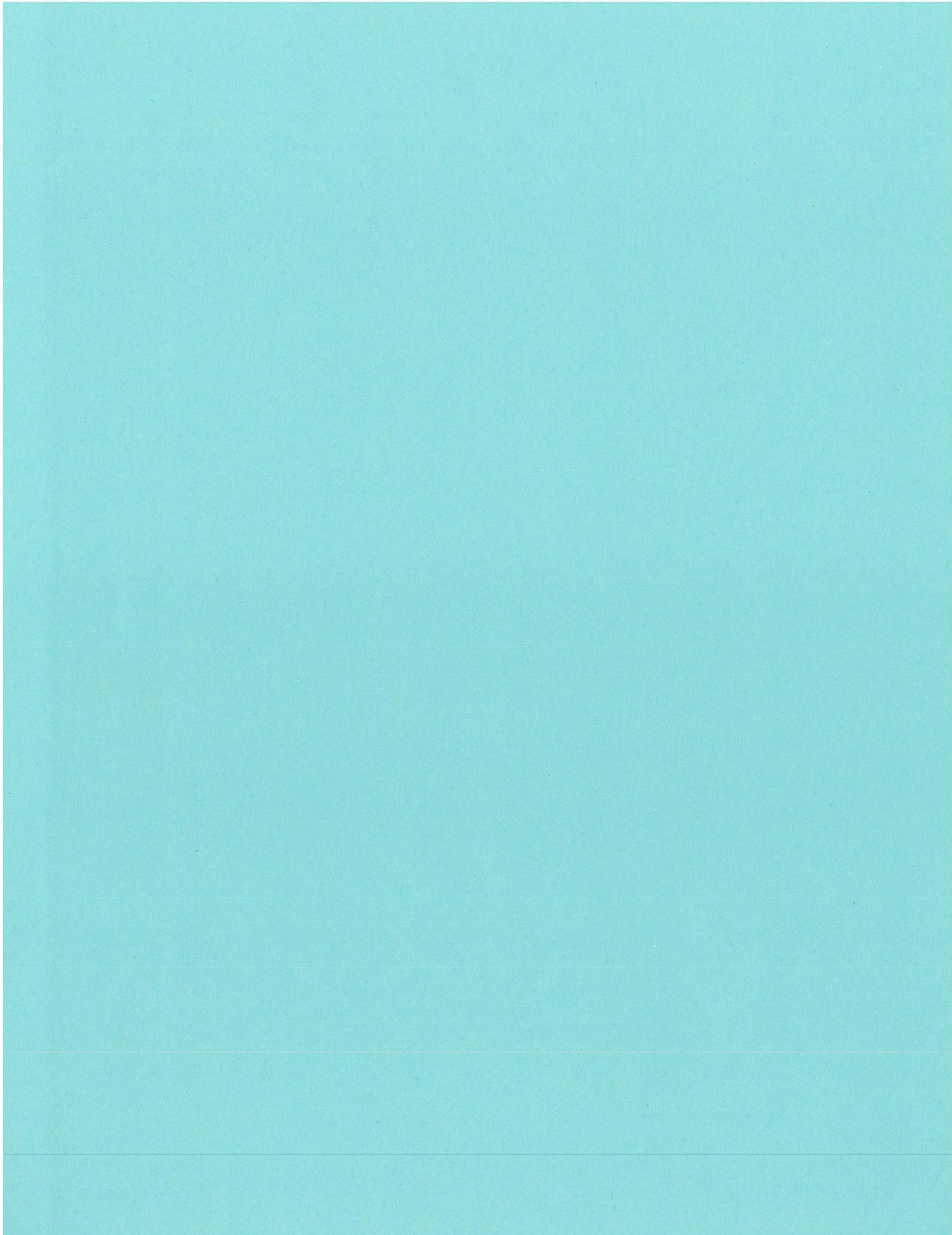
(Regular Meeting)

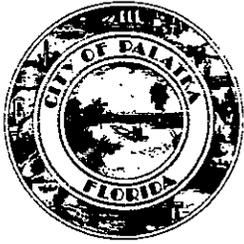
Motion made by **Jill Jester** to approve the request for rezoning from City C1 to City R-3 PUD. Seconded by Sue Roskosh. **Discussion:** Mr. Mengel advised, referring to section 3.2 of the proposed PUD Development agreement, that an amendment must occur to the PUD agreement, striking the language and references of the C-1 commercial type uses and the underlying C-1 zoning to meet the motion on the table. Mr. Holmes asked if the rezoning was the only part of her motion, adding that Staff may want to make a different recommendation if the zoning is going to be changed without a PUD agreement overlay, and reminded the Board that if rezoning of the property is not going to include the PUD overlay, the rezoning will be put in place with no agreements or protections as to how the property is developed except the general R-3 controls with a medium density land use (10 units per acre).

Motion was withdrawn.

Mr. Browning stated that his client would agree to amend the PUD agreement striking the language as stated by staff and to rezone the C1 and M1 to an R-3 PUD overlay and that the existing uses will continue to exist in as nonconforming use in accordance with the city standards.

Motion made by Jill Jester to approve Request to amend the Future Land Use Map and Future Land Use Element (small scale, from City Industrial and City Commercial to City Medium-density Residential) and rezone from City M-1 and City C-1 to City R-3-PUD, and the PUD agreement **to include the following amendments** submitted from LAN and Assoc., dated 4/26/06 **except;** striking Sec. 3.1(2); and limit the access of the PUD development to those streets other than River Street - citing City of Palatka Zoning code 94-38 (f) (1) and (g) and (h). Also striking Sec. 3.2 as it seems to be irrelevant site plan as submitted. Seconded by Randy Braddy. Discussion continued. All present voted, resulting in 3 yeah/2 nay. Motion carried.





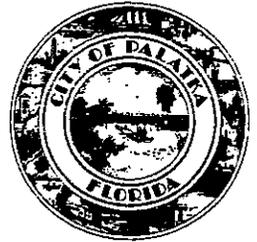
City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



MEMO

TO: Planning Board

FROM: Debbie Banks, Assistant Planning Director *DB*

DATE: February 26, 2009

SUBJECT: Downtown Riverfront and Downtown Business Zoning Districts; Parking

In October of 2008, a group of property and business owners approached City Manager Woody Boynton about what the City could do to help make downtown more "business friendly." I was asked to attend that meeting and consequently directed to work with the group to review zoning and parking concerns.

The group looked at the downtown zoning of several cities either similar in size to Palatka or successful in occupancy, etc. and consulted with both Jim Lee, Planning Director and me to review types of uses they would like to see in our downtown. The majority of the new uses are from the successful model in Deland. Julie Sorenson volunteered to provide a final document for presentation to the Planning Board and has spent many hours working with us and the group. Angela Murtagh will be presenting this information to the Planning Board with support from other downtown business owners.

The document before you includes additional permitted and conditional uses to the Downtown Business (DB) and Downtown Riverfront (DR) zoning districts. This item is scheduled for a public hearing before the Planning Board on March 3, 2008, followed by two public hearings before the City Commission.

If I can provide any additional information, please let me know.

Sec. 94-161. DR downtown riverfront district.

(a) *Intent and purpose.* The Downtown Riverfront (DR) District is established for the purpose of providing a pedestrian oriented, retail/entertainment area that has historically been downtown and its waterfront area. The boundaries of this district extend from the St. Johns River west along Reid Street, St. Johns Avenue and Laurel Street to South 4th Street including portions of its intersecting streets and along the riverfront from Madison Street southward to the end of the city park (see attached map). It is further intended that this district would become an area of unique character with balanced commercial, residential, and public and other places in which people feel safe and comfortable. It is also intended that this district discourage uses that are likely to create friction with pedestrian movement and the primary activities for which the district is intended.

(b) *Permitted principal uses, activities, and structures.* Unless otherwise expressed herein, uses not specifically listed as permitted shall be prohibited. Sale, display preparation, and repair incidental to sales and storage shall be conducted on private property only. Permitted principal uses, activities, and structures in the Downtown Riverfront District are as follows:

(1) General retail establishments which include the sale of:

- a. Antiques and collectibles
- b. Appliances
- c. Arcades
- d. Art.
- e. Arts and crafts
- f. Auction houses
- g. Bakery(retail)
- h. Bait and tackle shops
- i. Bicycle shop
- j. Billiard parlors and indoor recreation and amusement facilities.
- k. Books and periodicals.
- l. Cameras (including incidental repair) and photographic supplies.
- m. Candy and confectionary shop
- n. Convenience stores without gas pumps
- o. Delicatessen.
- p. Department and discount stores..
- q. Electronics and appliances(including incidental repairs)
- r. ~~Florists~~ Flowers and gifts
- s. Fish and seafood shops (retail)
- t. Furniture stores
- u. Gifts.
- v. Gourmet shops
- w. Grocery store
- x. Hardware store
- y. Health food shop
- z. Hobby ~~items~~.shop
- aa. ~~Jewelry~~ Jewelers (including incidental repair).
- bb. Leather goods and luggage.

- cc. Marine hardware and supplies shops
- dd. Mobile food vendors and push carts
- ee. Musical instruments and supplies
- ff. Office equipment and furniture and supplies.
- gg. Pet stores
- hh. Pharmaceuticals.
- ii. Plant shop
- jj. Specialty and gourmet foods.
- kk. Sporting goods.
- ll. Sundries and notions.
- mm. Wearing apparel.
- nn. Any retail establishment which incorporates any of the above.

(2) General service establishments shall include:

- a. Aquariums
- b. Barbershops and beauty shops.
- c. Bars, nightclubs, or taverns* for on-premise consumption of alcoholic beverages. (See Chapter 10)
- d. Coffee shops.
- e. Copy, mailbox, or shipping shops
- f. Dance studios
- g. Fitness center
- h. Fraternal organizations.
- i. Health spa
- j. Interior decorators.—Designer studios
- k. Job printing.
- l. Martial arts or comparable physical activities studios.
- m. Museums and galleries
- n. Package liquor stores without drive-through facilities.
- o. Photographic studios.
- p. Restaurants with or without drive-in facilities, but without drive-through facilities.
- q. Shoe Repair shops
- r. Tailor shops
- s. Travel agencies.
- t. Trophy and awards sales and assembly.
- u. Upholstery and reupholstery shops

(3) Professional establishments shall include:

- a. Architectural and related services
- b. Attorney offices
- c. Business offices.
- d. Dental offices
- e. Financial offices without drive-through facilities.
- f. General professional services
- g. Investment offices
- h. Medical offices.

- i. **Real estate offices and related services**
- j. **Surveyors offices**
- (4) **Houses of worship and accessory facilities.**
- (5) **Residential uses shall be as follows:**
 - a. Residential dwellings existing prior to May 1, 2003.
 - b. New (after May 1, 2003) residential dwelling units consisting of two or less units located above the first floor of a commercial use.
 - c. New (after May 1, 2003) residential dwelling units consisting of three or more units located above the first floor of a commercial use allowed as a conditional use only. (See also subsection (e) of this section.)
- (6) **Government uses, activities, and structures** ~~existing prior to May 1, 2003.~~
- (c) **Permitted accessory uses, activities, and structures.** Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:
 - (1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.
 - (2) ~~Bait and tackle shops, marine hardware and supplies,~~ **(moved to permitted uses)**
 - (2) Boat repair **and sales** as an integral part of a marina
 - (3) ~~Billiard tables and coin operated games.~~ **(moved to permitted uses)**
 - (3) Laundry facilities as an integral part of a hotel or marina.
 - (4) Outside sale and display of goods at city approved functions and events.
 - (5) Warehousing and/or storage completely enclosed within the principal building.
- (d) **Prohibited uses, activities, and structures.** In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:
 - (1) Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).
 - (2) Communication towers.
 - (3) Drive-through facilities.
 - (4) Manufacturing, fabrication, and assembly activities, except as a conditional accessory use.
 - (5) Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.
 - (6) Residential dwellings on the first floor constructed or converted after May 1, 2003.
 - (7) Roadside vending.
 - (8) Rooming and boarding houses.
 - (9) Warehousing and/or storage, except as an accessory use.
- (e) **Conditional uses, activities, or structures.** Unless otherwise expressed herein, uses not specifically listed as conditional shall be prohibited conditional uses, activities, or structures are as follows:

- ~~(1) Action galleries~~ **moved to permitted**
 - ~~(2) Billiard parlors, game rooms and arcades.~~ **Moved to permitted**
 - (1) Buildings and structures over 60 feet in height.
 - (2) **Carwash facilities**
 - (2) **Colleges, vocational schools and preschools.**
 - (3) Community production or movie theaters.
 - (4) Convention facilities.
 - (5) **Dry cleaning and laundry retail service and self service establishments.**
 - (6) **Farmers Market**
 - (7) Hotels and motels.
 - (8) Marinas, with or without fuel dispensing facilities.
 - (9) Multi-level parking facilities and commercial parking lots.
 - (10) Outdoor recreational activities (i.e.: watercraft rentals; rental of bicycles; rental of mopeds or scooters with a motor rated not in excess of two brake horsepower and displacement not to exceed 50 cubic centimeters; trolleys or carriages for hire).
 - (11) Outdoor amphitheatres and parks.
 - (12) Residential dwellings consisting of three or more units located above the first floor of a commercial use.
 - (13) The expansion or reconstruction of any use which existed within the district on the effective date of the establishment of the district which is not otherwise permitted or permissible.
- (f) Conditional accessory uses, activities, or structures.** Permitted conditional accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted conditional accessory uses, activities, and structures are as follows:
- (1) Child care facilities.
 - ~~(2) Fitness centers, health spas, multi-purpose recreational facilities, and swimming pools.~~ **Moved to permitted uses.**
 - (2) Making of goods for sale at retail on the premises.
 - (3) Manufacturing, fabrication, and assembly activities.
 - (4) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.
 - ~~(6) Schools and pre-schools.~~ **Moved to conditional uses.**
 - (5) Wall graphics.
- (g) Development standards.** Architectural and aesthetic appearance shall be maintained and compatible with the unique historic character downtown.
- (1) For commercial uses:
 - a. Maximum density: Not applicable.
 - b. Minimum lot area: Unrestricted.
 - c. Minimum lot width: 25 feet.
 - d. Minimum lot coverage: Not applicable.

e. Maximum building or structure height: ~~85 feet~~ **60 feet** (~~conditional use approval required for buildings and structures over 60 feet in height~~).

f. Minimum yards.

1. Front: 0 feet.

2. Side: 0 feet.

3. Rear: 0 feet.

(2) For residential uses: All new (after May 1, 2003) residential uses shall be above the first floor as secondary to a permitted use and shall be complete residential dwelling units as defined by the Florida Building Code and shall be regulated as to size by the following:

a. Efficiency/one bedroom: 500 total square feet.

b. Two bedroom: 650 total square feet.

c. Three bedroom: 800 total square feet.

d. Each additional bedroom: add 150 total square feet.

e. Maximum building or structure height: ~~85 feet~~ **60 feet** (~~conditional use approval required for buildings and structures over 85 feet in height~~).

f. Maximum Density: Unrestricted.

(h) Marquees, banners, flags, canopies, and fixed awnings. All marquees, banners, flags, canopies, and fixed awnings shall have at least eight feet of vertical clearance, between the lowest point or projection and a sidewalk immediately below.

(i) Off-street parking and loading. (See also section 94-262 of article V.) Parking requirements are as follows:

(1) Residential: One space per dwelling unit.

~~(2) All other uses: One space for each 1,000 square feet of gross floor area.~~

(j) Permitted signs. In addition to the requirements of chapter 62 -- signs, this district also allows one A-frame, sandwich sign, or menu board per building front placed on a public sidewalk provided that such sign shall be a uniform size of two feet in width and three feet in height, as measured by any single face, and that such signs are placed on the sidewalk in such a manner so as to maintain a minimum of 48 inches of clear area on the adjacent sidewalk. These signs are to be of rigid, weather resistant material such as wood, metal, or plastic.

(Ord. No. 03-11, § 1, 4-24-2003)

Sec. 94-162. DB downtown business district.

(a) Intent and purpose. The Downtown Business (DB) District is established for the purpose of providing a transitional buffer between the Downtown Riverfront (DR) District and the more intensive uses which would be inconsistent with the intent of the Downtown Riverfront (DR) District. This district would provide a broader range of activities and uses that would support development within the Downtown Riverfront (DR) District. The boundaries of this district extend along St. Johns Avenue and Reid Street from 4th Street to the railroad tracks and Oak Street and Laurel Street from 4th Street to the railroad tracks (see attached map).

(b) Permitted principal uses, activities, and structures. Unless otherwise expressed herein, uses not specifically listed as permitted shall be prohibited. Sale, display preparation, and repair incidental to sales and storage shall be conducted on private property only. Permitted principal uses and structures in the Downtown Business (DB) District are as follows:

(1) General retail establishments which include the sale of:

- a. Antiques and collectibles.
- b. Appliances and electronics
- c. Arcades
- d. Art
- e. Arts and crafts
- f. Auction houses
- g. Automotive parts (excluding repair and/or installation)
- h. Bakery(retail)
- i. Bait and tackle shops
- j. Bicycle shop.
- k. Billiards parlor And indoor recreation and amusement facilities
- l. Books and periodicals.
- m. Cameras (including incidental repairs) and photographic supplies.
- n. Candy and confectionary shops
- o. Convenience stores without gas pumps
- p. Delicatessens
- q. Department and discount stores
- r. Electronics and appliances(including incidental repairs)
- s. Fish and seafood markets(retail)
- t. ~~Florists.~~ Flowers and gifts
- u. Furniture and home furnishings(new and used)
- v. Gifts.
- w. Gourmet Shops
- x. Grocery stores
- y. Hardware.
- z. Health food shops
- aa. Hobby shops
- l. ~~Home furnishings.~~(Covered under Furniture)
- bb. Jewelry (including incidental repair).
- cc. Leather goods and luggage.
- dd. Marine hardware and supplies
- ee. Mobile food vendors and pushcarts * see definitions
- ff. Musical instruments including instruction.
- gg. Office equipment, furniture, and supplies.
- hh. Pet stores
- ii. Plant shops
- jj. Pharmaceuticals.
- kk. Specialty and gourmet foods.
- ll. Sporting goods.
- mm. Sundries and notions.
- nn. ~~Televisions and appliances (including incidental repair).~~included under Electronics
- oo. Toys.
- pp. Wearing apparel.
- qq. Any retail establishment which incorporates any of the above.

(2) General service establishments shall include:

- a. **Aquariums**
- b. Barbershops and beauty shops.
- c. Bars, nightclubs, or taverns ~~for on-premise consumption of alcoholic beverages.~~ *See Chapter 10.
- d. Coffee shops.
- e. **Copy shops, mailbox and shipping stores.**
- f. Dance and music studios.
- g. **Fitness centers**
- h. Funeral homes.
- i. **Health spas**
- j. Interior ~~decorators.~~ **designers and decorators**
- k. Job printing.
- l. **Martial arts or comparable physical activities.**
- m. Museums **and galleries**
- n. Package liquor stores without drive-through facilities.
- o. Pet grooming without overnight boarding.
- p. Photographic studios.
~~Postal and shipping facilities.~~ **Covered under Copy shops.**
- q. Restaurants with or without drive-in facilities, but without drive-through facilities.
- r. Shoe repair shops.
- s. **Tailor shops**
- t. Travel agencies.

(3) Professional establishments shall include:

- a. **Architects and related services**
- b. **Attorneys offices**
- c. Business offices.
- d. **Dental offices**
- e. Financial offices without drive-through facilities.
- f. **General professional services**
- g. **Investment Offices**
- h. Medical offices.
- i. **Real estate offices and related services**
- j. **Surveyors offices.**

(4) Houses of worship and accessory facilities.

(5) Residential uses shall be as follows:

- a. Residential dwellings existing prior to May 1, 2003.
- b. New (after May 1, 2003) residential dwelling units consisting of two or less units located above the first floor of a commercial use.
- c. New (after May 1, 2003) residential dwelling units consisting of three or more units located above the first floor of a commercial use allowed as a conditional use only. (See also subsection (e) of this section.)
- d. Owner or employee occupied residence located on the first floor and accessible through a rear entrance or through the main entrance of the permitted principal use as a conditional accessory use only.

(6) Government uses, activities, and structures.

(c) *Permitted accessory uses, activities, and structures.* Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:

(1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.

~~(2) Billiard tables and coin-operated games.~~ **Moved to permitted uses**

(2) Laundry **and dry cleaning facilities**

(3) Making of goods as a course of instruction.

(4) Outside sale and display of goods at city approved functions and events.

(5) Warehousing and/or storage completely enclosed within the principal building.

(d) *Prohibited uses, activities, and structures.* In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not listed are not permitted. Prohibited uses, activities, and structures are as follows:

(1) Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).

(2) Communication towers.

(3) Manufacturing, fabrication, and assembly activities, except as a conditional accessory use.

(4) Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.

(5) Residential dwellings on the first floor constructed or converted after May 1, 2003.

(6) Roadside vending.

(7) Rooming and boarding houses.

(8) Warehousing and/or storage, except as an accessory use.

(e) *Conditional uses, activities, or structures.* Unless otherwise expressed herein, uses not specifically listed as conditional shall be prohibited. Conditional uses, activities, or structures are as follows:

(1) ~~Auction galleries.~~ **Moved to permitted uses**

~~(2) Billiard parlors, game rooms, arcades, and other indoor recreational activities.~~

(1) Buildings and structures over 85 feet in height.

(2) Community production or movie theaters.

(3) Convention facilities.

~~(6) Fitness centers, health spas, multi-purpose recreational facilities, and swimming pools.~~ **Moved to permitted uses**

(4) **Farmers Markets**

(5) Fraternal organizations.

(6) Hotels and motels.

(7) Multi-level parking facilities and commercial parking lots.

(8) Pawn shops.

(9) Residential dwellings consisting of three or more units located above the first floor of a commercial use.

(10) The expansion or reconstruction of any use which existed within the district on the effective date of the establishment of the district which is not otherwise permitted or permissible.

(f) Conditional accessory uses, activities, or structures. Permitted conditional accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted conditional accessory uses, activities, and structures are as follows:

(1) Child care facilities.

(2) Colleges, vocational schools and preschools

(3) Drive-through facilities.

(4) Making of goods for sale at retail on the premises.

(5) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.

(6) Owner or employee occupied residence located on the first floor and accessible through a rear entrance or through the main entrance of the permitted principal use as a conditional accessory use only.

~~(6) Schools and pre-schools.~~ Covered under item 2

(7) Wall graphics.

(g) Development standards. Architectural and aesthetic appearance shall be maintained and compatible with the historic character downtown.

(1) For commercial uses:

a. Maximum density: Not applicable.

b. Minimum lot area: Unrestricted.

c. Minimum lot width: 25 feet.

d. Minimum lot coverage: Not applicable.

e. Maximum building or structure height: ~~85 feet~~ 60 feet ~~(conditional use approval required for height of 61 feet and above).~~

f. Minimum yards.

1. Front: 0 feet.

2. Side: 0 feet.

3. Rear: 0 feet.

(2) For residential uses: All new (after May 1, 2003) residential uses shall be above the first floor as secondary to a permitted use and shall be complete residential dwelling units as defined by the Florida Building Code and shall be regulated as to size by the following:

a. Efficiency/one bedroom: 500 total square feet.

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d. Each additional bedroom: add 150 total square feet.

e. Maximum building or structure height: ~~85 feet~~ 60 feet ~~(Conditional use approval required for height of 61 feet and above).~~

f. Maximum Density: Unrestricted.

(h) *Marquees, banners, flags, canopies, and fixed awnings.* All marquees, banners, flags, canopies, and fixed awnings shall have at least eight feet of vertical clearance, between the lowest point or projection and a sidewalk immediately below.

(i) *Off-street parking and loading.* (See also section 94-262 of article V.) Parking requirements are as follows:

(1) Residential: One space per dwelling unit. .

~~(2) All other uses: One space for each 1,000 square feet of gross floor area.~~

(j) *Permitted signs.* In addition to the requirements of chapter 62 -- signs, this district also allows one A-frame, sandwich sign, or menu board per building front placed on a public sidewalk provided that such sign shall be a uniform size of two feet in width and three feet in height, as measured by any single face, and that such signs are placed on the sidewalk in such a manner so as to maintain a minimum of 48 inches of clear area on the adjacent sidewalk. These signs are to be of rigid, weather resistant material such as wood, metal, or plastic.

(Ord. No. 03-11, § 2, 4-24-2003)

Editor's note: Map is not set out herein but is on file and available for inspection in the office of the city clerk.

Secs. 94-163--94-181. Reserved.

ARTICLE V. OFF-STREET PARKING AND LOADING*

Sec. 94-262. Required number of parking spaces.

(a) For all districts except ~~C-3~~ **DB and DR**, off-street parking requirements are as follows:

(b) For uses in the ~~C-3~~ **DB and DR** districts, off-street parking requirements are as follows:

(1) Residential dwellings: One space per dwelling unit.

~~(2) All other uses: One space for each 1,000 square feet of gross floor area.~~



City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



January 26, 2009

Sam Deputy, President
Downtown Palatka, Inc.
623 St. Johns Avenue
Palatka, FL 32177

Dear Mr. Deputy,

As a means to fast track an economic stimulus for downtown, a group of downtown property and business owners has been looking at expanding the uses allowed in the two downtown zoning districts. The City has provided limited technical support with the vast majority of the work being done by Julie Sorenson who volunteered to assist the business owners in the research and development of the attached document. They looked at new permitted uses and conditional uses (which require a public hearing before the Planning Board) that would be appropriate in the downtown. The attached draft of the two zoning districts indicates the red type as additions, the black type as existing, and language that is being deleted shown with a strike-through. This proposal is from the property and business owners and does not necessarily represent City staff's opinion, however, staff agrees with the majority of changes being requested.

Please review the attached and we would appreciate comments to be sent to the Building and Zoning Department at 201 N 2nd St. Palatka, FL 32177 or emailed by February 18 so that they can be included in the material discussed in an advertised public hearing before the Planning Board on March 3, 2009. Following a recommendation by the Planning Board the City Commission will conduct two public hearing on these items.

If I can provide any additional information, please let me know.


Jim Lee
Planning Director

Cc: John Browning, Vice Chair Palatka Main Street
Mayor Karl Flagg
Vice Mayor Mary Lawson Brown
Commissioner Allegra Kitchens
Commissioner Vernon Myers

Commissioner James Norwood
Woody Boynton, City Manager
Angela Murtoch, Angela's
Alex Sharp, Pizza Boyz
Wes Larsen, President Putnam County Chamber of Commerce
Harry Eaken, Vice President Main Street
Debbie Banks, Assistant Planning Director

STATE OF FLORIDA

County of Putnam

The undersigned personally appeared before me, a Notary Public for the State of Florida, and deposes that the Palatka Daily News is a daily newspaper of general circulation, printed in the English language and published in the City of Palatka in said County and State; and that the attached order, notice, publication and/or advertisement:

Notice is hereby given that t

Was published in said newspaper 1 time(s) with said being made on the following dates:

02/17/2009

The Palatka Daily News has been continuously published as a daily newspaper, and has been entered as second class matter at the post office at the City of Palatka, Putnam County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice and/or advertisement.

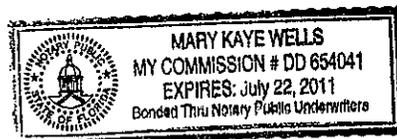
Jeannette Eveland

Sworn to and subscribed to before me this 17th day of February, 2009 by Jeannette Eveland, Administrative Assistant, of the Palatka Daily News, a Florida corporation, on behalf of the corporation.

Mary Kaye Wells

Mary Kaye Wells, Notary Public
My commission expires July 22, 2011

Notary Seal
Seal of Office:



- Personally known to me, or
- Produced identification:
- Did take an oath

PUBLIC NOTICE

Notice is hereby given that the City of Palatka Planning Board will hold a public hearing at their regular meeting on Tuesday, March 3, 2009 at 4:00 PM at City Hall, 201 North 2nd Street, Palatka, FL for the purpose of hearing a request to:

Amend the permitted, permitted accessory, prohibited, and conditional uses activities and/or structures; to amend the development standard for maximum building height; and to amend the off-street parking and loading requirements for all other uses in Section 94-161 Downtown Riverfront District and Section 94-162 Downtown Business District to amend references to C-3 and to amend the off-street parking requirement for all other uses in Section 94-262(b)(2) Required number of parking spaces.

Applicant: Downtown property and Business owners

Case: PB 09-01

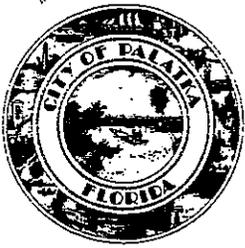
All interested parties are invited to attend this public hearing.

Debbie Banks
Assistant Planning Director

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED AT THE EXPENSE OF THE APPELLANT. F.S. 286.0105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE BUILDING DEPT. AT (386) 329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS

Legal No. 02535826
02/17/2009



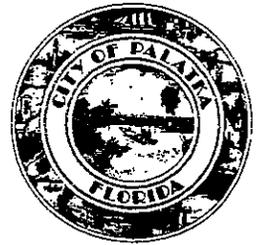
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Building & Zoning

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Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



January 26, 2009

John P. Browning, Jr.
Vice Chair Palatka Main Street
480 Hwy. 17 South
San Mateo, FL 32187

Dear Mr. Browning,

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