CITY OF PALATKA
PLANNING BOARD MINUTES (DRAFT)
May 6, 2014

The meeting was called to order by Vice-Chairman Daniel Sheffield at 4:00 pm. **Other members present:** Joe Pickens, Anthony Harwell, Joseph Petrucci, Justin Campbell, George DeLoach and Charles Douglas, Jr. **Members absent:** Lavinia Moody and Earl Wallace. **Also present**: Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Donald Holmes.

Motion was made by Mr. DeLoach and seconded by Mr. Campbell to approve the minutes for April 1, 2014 meeting. All present voted affirmative, motion carried.

Chairman Sheffield read the appeal procedures and called for any ex-parte communications regarding any case.

OLD BUSINESS:

Case 14-05: Administrative request to amend Municipal Code Chapter 94 (Zoning) Section 261 (f) to reduce the minimum size of parking spaces from 10 feet by 20 feet to 9 feet by 18 feet.

Mr. Crowe explained that this item was continued from the March, 2014 meeting. At the time of packet preparation Staff had not had an opportunity to complete the research for this item as requested by the Planning Board.

Motion made by Mr. Pickens and seconded by Mr. DeLoach to table this request until the next regularly scheduled meeting. All present voted affirmative. Motion carried.

NEW BUSINESS:

Case 14-09: Administrative request to annex, amend the Future Land Use map from County AG (Agriculture) to RL (Residential Low-Density) and rezone from County R-1A (Residential Single-Family) to R-1A (Single-family residential)
Location: 2525 Husson Ave.
Owner: Thomas W. & Teresa D. Cheyne

Mr. Crowe stated that this is a voluntary annexation. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). City departments had no objections to the proposed actions. This request meets the annexation and zoning criteria and is not in conflict with the Comprehensive Plan. Staff recommends approval.

Mr. Petrucci asked if the property owner's currently have city utilities. Mr. Cheyne answered that their septic tank had failed several times and the most recent time restoring the drain field was not successful. They have had sulfur problems with their water also and for these reasons decided to connect to city water and sewer.

Mr. Harwell asked if the Husson Avenue roadway itself was in the city limits. Mr. Crowe explained that in the past, the city made a practice of annexing streets to allow for future annexation of properties adjacent to such streets.

Discussion took place regarding contiguity criteria. Mr. Crowe explained that Florida Statutes defines "contiguous" to mean that a part of a boundary of the property sought to be annexed is coterminous or "touching" or with a part of the boundary of the municipality. Contiguity should not be achieved by annexing a roadway, although the City has done this in the past. Additionally, things like roadways, rivers, railroad tracks etc… shall not be a barrier either. He added that this is a voluntary annexation, contiguous on two sides plus the street. Involuntary annexation can only be done by a referendum or an inter-local agreement with the County.

Mr. Harwell asked why this application was being done administratively. Mr. Crowe explained that Staff is presenting this application as an administrative action based on the policy that was presented to the Planning Board and the City Commission using the following three criteria:

1. Hardship. Most property owners annexing into the City do so because they are compelled to due to the failure of septic tanks or wells and the Health Dept. requirement that they hook up to city utilities when such lines are within 250 feet of the property. The cost of hooking up to City utilities approaches up to $6,000 depending on whether both water and sewer are required. The additional fees for the annexation, map amendments for Future Land Use Map and rezoning designations are an additional burden. The taxes collected from such property will defray the administrative expense fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.
3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

Motion made by Mr. Pickens and seconded by Mr. Harwell to approve the request as recommended by Staff. All present voted affirmative, motion passed unanimously.

Case 14-10 Confirmation of Administrative Interpretation to allow a nursing home in a PID (Planned Industrial Development).

Location: Northeast corner St. Johns Ave. & Wes Larson Blvd - a portion of Parcel #09-10-26-0000-0030-0000 (Putnam County Business Park)
Owner: Putnam County Port Authority

Mr. Crowe explained that the request was originally filed as a conditional use for a nursing home, but is now being considered as a confirmation of a staff interpretation. Staff first reviewed the general PID

standards in the zoning code for that zoning district and secondly, the individual PID that was done for the Business Park. Nursing homes are not specifically allowed in these districts, but there is a "catch all" phrase that states that any other use allowed deemed appropriate by the Planning Director shall be allowed (with the implied logic that such a use would be similar to other allowable uses). The PID for the Business Park allows a wide range of uses including light manufacturing, wholesale, warehousing, distribution, outdoor storage yards, business and professional offices, medical offices, restaurants, vocational and trade schools, colleges. He stated that the Business Park-PID does not provide criteria for consideration of other uses as determined to be appropriate by the Planning Director. Nursing homes are defined as institutions, basically for people who need personal care for reasons of infirmity or old age. In his opinion, the proposed nursing home is comparable to the allowable medical and institutional type uses and in conformance with the Comprehensive Plan as well as the Zoning Code. He added that he also finds the use for this site to be of general compatibility with adjacent and vicinity properties, and presenting a positive impact on the community due to lower traffic impacts (nursing home residents have fewer cars). The proposed development is for 120 beds with 190 personnel, which is of considerable size. Some industrial zoning districts have a built in compatibility problem when allowing quasi-residential uses with industrial uses, but the PID and PCBP-PID have design standards that reduce visual and other impacts. These standards include screening of outdoor storage; larger setback for more intense uses; curtailment of noise, dust, and odor impacts; shielding of lighting; and major thoroughfare architectural standards.

Mr. Crowe clarified that this is an unusual application in the sense that there is not a formal site plan associated with it. It is the policy of the Department of Veteran's Affairs to not develop a site plan until the site is selected. For a general sense of the development pattern Staff is utilizing the design recently constructed for the St. Johns County veteran's nursing home. He concluded that he has made the administrative interpretation that this is an allowed use and that he is asking for the Board's affirmation of this decision. Because the use is not specifically mentioned in the PID language he considers this request for support of his opinion as similar to an appeal of a staff decision.

Mr. Harwell asked Mr. Crowe if the nursing home use not in the language or was it restricted. Mr. Crowe said that it is not specifically listed, and that he associates it with institutional use which is allowed. Mr. Holmes asked what other zoning districts allow for nursing homes. Mr. Crowe advised that nursing homes *are* allowed in multi-family residential and commercial and that senior living facilities are allowed in commercial but *not* multi-family zoning districts, and does not understand why that would be. He said that he stands by his opinion that this facility was more of an institutional use than a residential use, with short and long term care for both young and old veterans versus senior-only housing. He said that compatibility is enhanced with the PID standards.

Mr. Holmes clarified that the case Mr. Crowe is presenting is that the nursing home type use is more compatible with the PID uses than that of an apartment type district. Mr. Crowe agreed with that opinion. Mr. Douglas asked if there would be any conflict with the FAA or municipal codes regarding height restrictions for buildings near the airport. Mr. Crowe advised that he and Mr. Hammons have looked into that and there are height restrictions, and the only Comprehensive Plan restrictions pertain to increasing residential density.

Brian Hammons, County Planning Director, 2509 Crill Av. explained that the State Department of Veteran's Affairs is proposing to locate a seventh nursing facility in the state. Putnam County is one of five distinct areas in the state that was eligible, and was notified of the opportunity to present a proposal. He added that this is a speculative issue, not a given, but in order to submit a credible application the County had to provide them certain assurances/letters within the application package. As Mr. Crowe had explained,

there is no site plan that is why they are using the areal of locations who have made application. He explained that the proposed area of for this development would be 27 acres of the overall parcel, and that eventually the parcel would be split into three.

Mr. Sheffield asked what size the St. Augustine facility was. Mr. Hammons replied that he believes that site is approximately 17 acres. The State is requiring a 20 acre site plus storm water, parking and landscaping areas.

Mr. Pickens stated that he does not see this use as noxious to anything that is allowed in the PID. He asked if this facility goes in is it possible that there might be other uses allowed in the PID that this owner would consider noxious/incompatible to this use. Mr. Crowe said that with this being "light" industrial zoning (clean industry), there are a number of design controls and standards in place that would protect the proposed use, for example – any outdoor storage must be several hundred feet away from the property line and screened from a facility like this. There are controls in place restricting odor, noise and glare. There is a test that is performed when looking at potential industries to determine if the use is allowed, as well as the location and if there is a substantive impact. Mr. Crowe added that this parcel is somewhat isolated from the rest of the business park, with a stormwater pond between it and the remainder of the industrial park; and that the facility would front on St. Johns Ave., not the internal industrial park road (Wes Larson Blvd.).

Mr. Holmes explained that this request applied to both the use and its proposed location, and would not constitute approval of similar uses elsewhere in the PID. Mr. Crowe agreed that his request for board support applies only to this specific use and site. He confirmed that is how he made his decision and would consider any future similar request, looking at it in two parts: one, is it good for the district as a whole and two, is it good for the site.

Mr. Hammons replied that they do not anticipate any concerns with this particular site.

Mr. Pickens stated that he would be more likely to agree with staff's interpretation if it is to be site specific.

Motion made by Mr. Pickens and seconded by Mr. Campbell to support the Planning Director's approval of the use as presented to the Board for this site, with the condition that if this site is developed a site plan must come back to this Board for approval. All present voted affirmative, motion passed unanimously.

Mr. Crowe advised that Board information packets are being prepared and hopefully will be completed by next meeting.

Adjournment – There being no further business, the meeting was adjourned at 4:53 p.m. upon a motion by Mr. DeLoach, seconded by Mr. Petrucci. By Board consensus, motion carried.