

**CITY OF PALATKA
PLANNING BOARD AGENDA
February 3, 2015**



1. Call to Order.
2. Roll Call.
3. Approval of Minutes of the December 2, 2014 meeting.
4. Appeal procedures and ex-parte communication.
5. **OLD BUSINESS:**

Case 12-44 Board review of specific design for a wall mural previously approved as to location and content.

Location: 520 St. Johns Ave
Applicant: Lee Conlee Mural Committee/John Alexander

6. **NEW BUSINESS:**

Case 15-01: Administrative request to designate HD (Historic District Overlay zoning) for east side of N. 2nd Street between Reid St. and St. Johns Ave. (Century Block).

Case 15-02: Administrative request to rezone properties located generally between Morris St. to the east, Kirby St. to the south, CSX railroad to the west, and Crill Ave. to the north from R-3 (Residential Multi-family) to PBG-1 (Public Buildings and Grounds) and amending the Comprehensive Plan Future Land Use Map from RH (Residential High-Density) to PB (Public Buildings).

Case 15-03: Administrative request to amend Zoning Code Sec. 94-149 (C-2, Intensive Commercial), Sec. 94-161 (DR, Downtown Riverfront district) and 94-162 (DB, Downtown Business district) revising downtown overlay design standards.

Case 15-04: Administrative request to amend Zoning Code Sec. 94-153 (PBG-1, Public Buildings and Grounds district) to allow clubs, lodges and fraternal organizations.

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, WHICH 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.

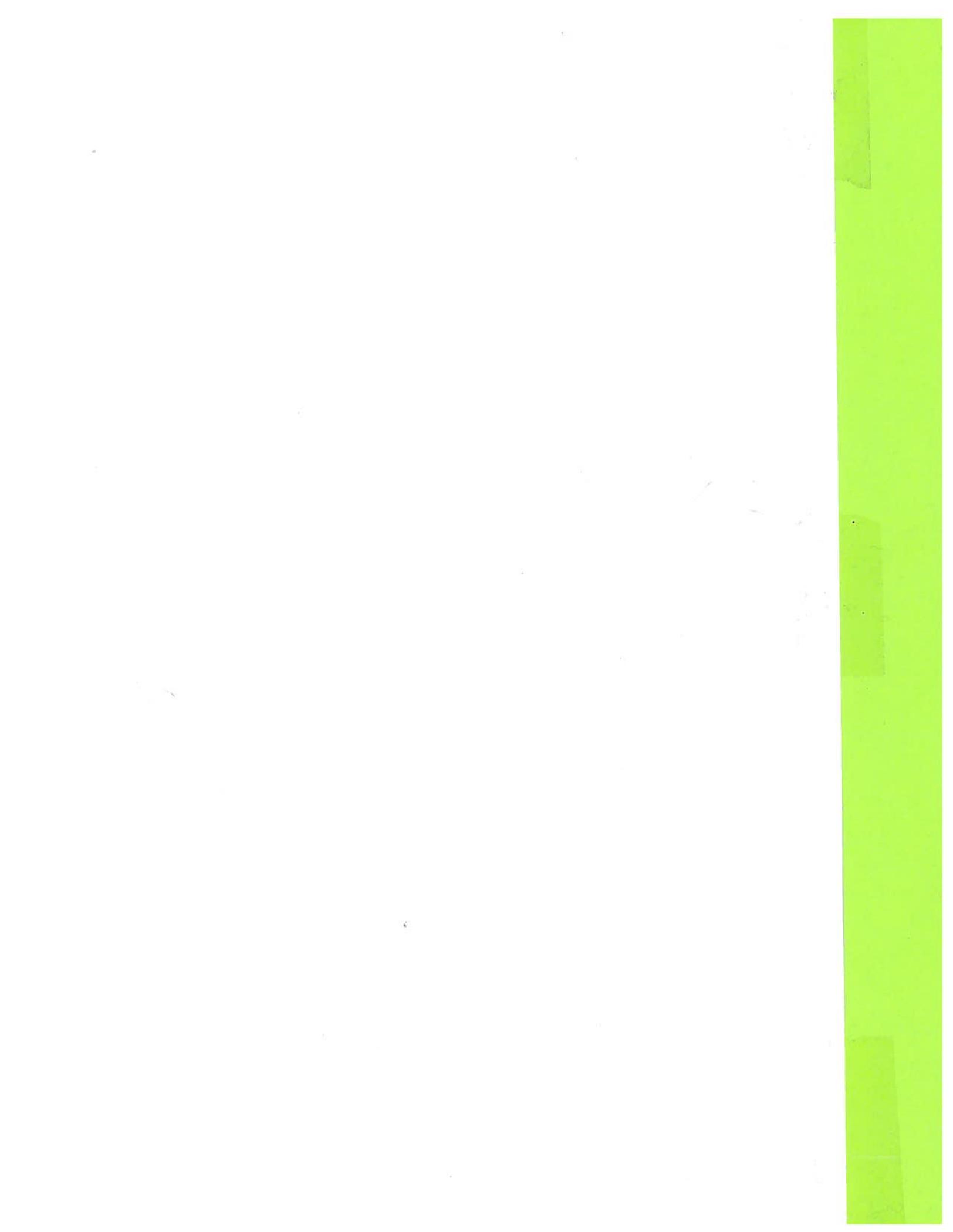
Case 15-05: Request for a conditional use to allow for an alcohol serving establishment within 300 feet of a church (in association with a restaurant and ship's store within the riverfront park).

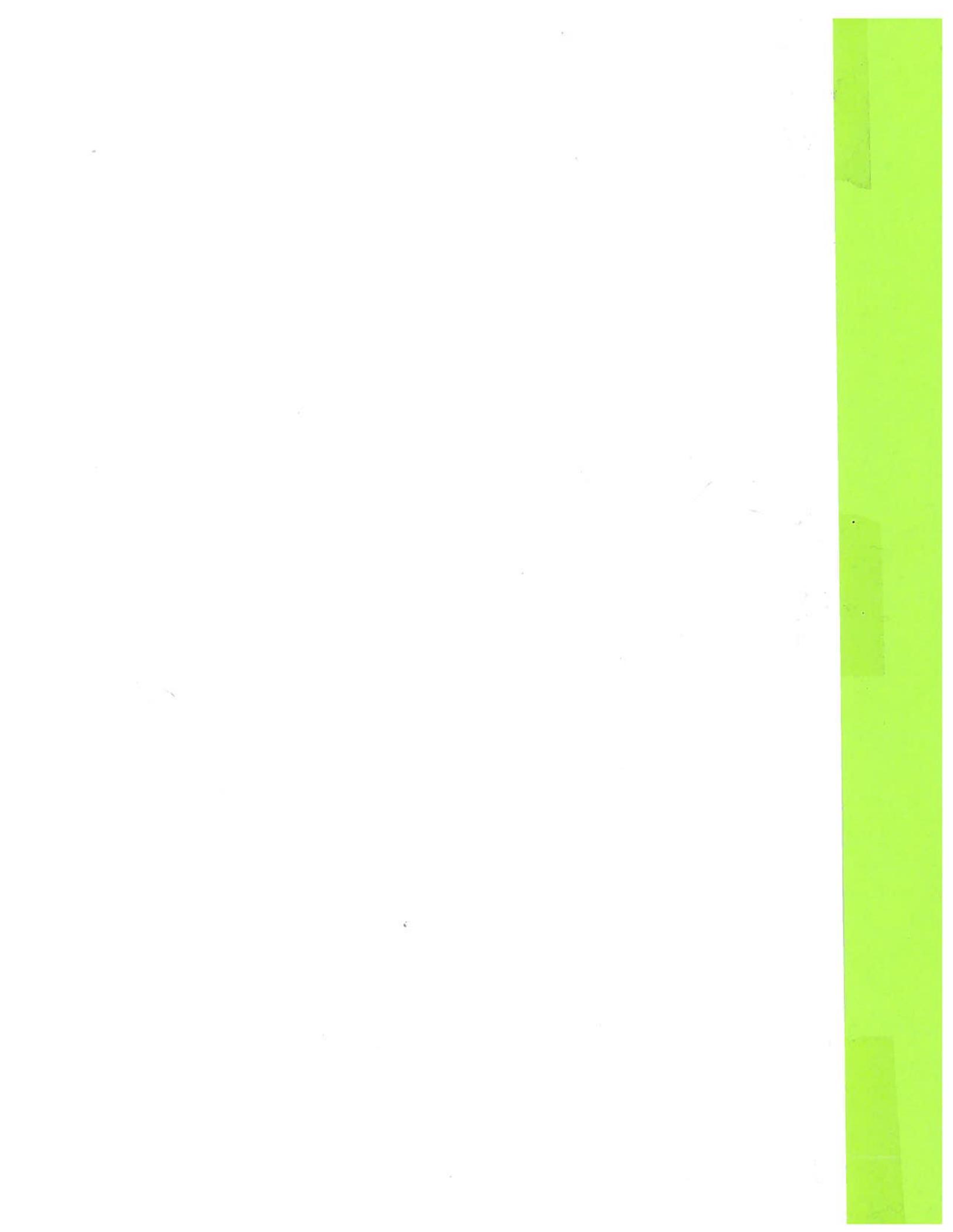
Location: 301 River St.

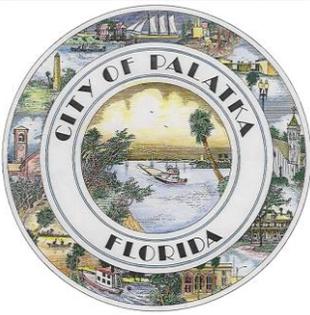
Applicant: City of Palatka/Jonathan Griffith Special Projects Manager

7. OTHER BUSINESS:

8. ADJOURNMENT







CITY OF PALATKA
PLANNING BOARD DRAFT MINUTES
December 2, 2014

The meeting was called to order by Chairman Daniel Sheffield at 4:00 pm. **Other members present:** Earl Wallace, George DeLoach, Charles Douglas, Jr., Anthony Harwell, Charles Douglas, Jr., Anthony Harwell and Joseph Petrucci (arrived during Case 14-30). **Members absent:** Joe Pickens. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Motion was made by Mr. DeLoach and seconded by Mr. Harwell to approve the minutes with minor correction (adding Mr. Pickens as present) for the November 4, 2014 meeting. All present voted affirmative, motion carried unanimously.

Chairman Sheffield read the appeal procedures and requested that members divulge any ex-parte communications before each case.

NEW BUSINESS:

Mr. Douglas and Mr. Harwell recused themselves from voting on case 14-31, however both remained present.

Case 14-31: Board confirmation of nonconforming characteristics of use for parking spaces.

Location: 111 S. State Rd. 19

Applicant: SR19 LLC, David and Jill Miles

Mr. Crowe explained that this request for confirmation of staff's interpretation of nonconforming characteristics of use for a parking lot is associated with the conditional use approval that was granted last month for a mobile medical unit. One of the requirements of the approval was that the parking spaces would be made to conform to the current code requirements. He said that most of the spaces are nine-by-eighteen feet with a few smaller compact size parking spaces along the front of the building facing State Rd. 19. Parking lots are considered to be a characteristic of use, therefore, Staff is making the determination that the parking lot spaces are a grandfathered characteristic of use, and that code compliance for the narrow area up front is not required. Mr. Crowe said that Staff does not have the ability to change a Board decision and is requesting that the Board reconsider and confirm Staff's interpretation that the nine-by-eighteen spaces would be considered a nonconforming characteristic of use, and therefore be allowed to remain. He added that this however would not apply to the existing seven-and-one-half foot by fifteen foot spaces on the site; those would be required to be re-stripped to at least match the existing spaces.

Motion made by Mr. DeLoach and seconded by Mr. Wallace to accept Staff's interpretation as presented. All present voted affirmative, motion carried unanimously.

14-35 Administrative request to allow electronic (changing) signs in C-2 (Intensive Commercial) zoning districts (Zoning Code Sec. 94-149).

Mr. Crowe explained that this is a housekeeping measure intended to accomplish two things: one; to define electronic changing signs and two; to allow those existing “grandfathered” signs that have been permitted in error in the past. The City Commission directed staff to proceed with amending the code to allow such signs in the C-2 and PBG-1 districts. Operational standards now in place will provide reasonable limitations on such signs to reduce driver distraction and aesthetic impacts. The standards proposed for changing signs provides a reasonable balance for this sign type – allowing it while somewhat restricting it. Staff believes this type of sign is most appropriate in the intensive commercial district and the public district, and recommends approval.

Mr. Wallace asked why these signs are even allowed, as he thought they were considered to be a traffic hazard. Mr. Crowe replied that although he did initially not support allowing them, the sign code was amended in 2012 to allow them. He said that the prevailing opinion of Planning Board and the City Commission was that changing signs were a technological advancement in the sign industry and that they should be allowed.

Mr. Harwell asked what the maximum size for these types, how the size is regulated and how is the brightness determined. Mr. Crowe stated that the brightness limit is an industry zoning standard, and the maximum size for this sign type is 36 square feet (a cumulative quantity), and signs are regulated by the Building and Zoning Dept. If it is determined that the signs are in violation of the operational standards, the owner will be advised to correct such violation.

Motion made by Mr. DeLoach and seconded by Mr. Douglas to approve the requested amendment as submitted. Mr. Harwell asked if this allowance included mobile electronic signs and would electronic signs be allowed as temporary signs. Mr. Crowe advised the mobile signs are not allowed which includes those on trailers and that the only temporary signs currently allowed are banners. The motion was approved by 5 yeas and opposed by Mr. Wallace, who stated that just because other jurisdictions allow such signs does not mean that Palatka has to allow them.

Case 14-36: Administrative request to clarify the Comprehensive Plan cap of 18 residential units per acre in the R-3 zoning district (Zoning Code Sec. 94-145).

Mr. Crowe explained that this request is to amend Zoning Code Sec. 94-145(f)(3) to enforce the current Comprehensive Plan density cap of 18 units per acre (UPA) within the Zoning Code, specifically in the R-3 (multiple-family residential) zoning district, striking the R-3 maximum density of 31 units per acre. The 31-UPA standard predates the adopted Comprehensive Plan 18-UPA. He added that the Comprehensive Plan “trumps” the Code and that this request is to help avoid misleading those who consult the Code but not the Plan, leading them to believe that the higher density is allowed. He recommended approval of this housekeeping measure to provide consistency with the Comprehensive Plan density cap and reduce potential confusion with the conflicting standards.

Board discussion centered on the Comprehensive Plan allowance for a localized, higher density for downtown zoning districts. This was achieved by a downtown-wide UPA (units per acre) calculation versus a per-parcel UPA calculation.

Motion made by Mr. Petrucci and seconded by Mr. DeLoach to approve the request as presented by Staff. All present voted affirmative, motion carried.

Case 14-37: Administrative request to amend Zoning Code Sec. 94-261(f) to reduce parking space width to nine-by-eighteen feet for non-public parking including display, fleet, and restricted parking areas.

Mr. Crowe advised that staff has previously submitted similar code revisions that the Board had not approved. However the City has historically allowed variances for smaller parking spaces. In one case the Family Dollar at Crill Ave. and Palm Ave. was allowed a variance for over 50% of required parking, and on the basis of an overturned appeal of the Zoning Board of Appeals decision at the City Commission level, the Hampton Inn was granted a variance of parking space size to the smaller spaces as well. He noted that vehicles are trending smaller and also that reduced parking space size allows for more green space and a project cost reduction. He added that there many smaller parking spaces out there already, either installed before or after the code requirement of 10-by-18 feet. He added that staff is responding to a legitimate development constraint and that the proposed amendment is only for gated, fleet and restricted parking lots. It would not apply to any required “public” parking. He introduced Mike Brown, a Senior Planner for Putnam County, present to give the County’s perspective on this concept.

Mike Brown, P.O. 1486 Palatka Fl, Planning Manager for Putnam County, said that the County has an interest in this request as they are expanding the jail site. He added that this would allow for some flexibility on the restricted parking and allows them to save on impervious surface and save trees as well, two important goals.

Mr. DeLoach commented that for non-public parking a nine-by-eighteen foot parking space should be sufficient.

Officer Rick Ryan of the Putnam County Sherriff’s Office commented that in regards to this particular parking lot, this will be employee parking. He added that as is stands currently, a lot of their staff must park in the public parking lot as they are limited on space. The additional parking lot will free up some parking for the general public parking.

Jonathan Griffith, Project Manager/Grants Administrator for the City of Palatka, stated that Putnam County zoning allows nine-by-eighteen foot spaces. He added that Staff has been before the Board a number of times trying to change the required sized of parking spaces to minimize the size of parking lots. He encouraged the Board to remove “non-public” parking from proposed amendment request.

Mr. Douglas agreed with Mr. Griffith and asked why the proposed amendment specifies non-public parking only. Mr. Crowe explained that since this request has been turned down by this Board multiple times in the past Staff’s approach was to find a middle ground approach. Mr. Douglas stated that this concept is currently working in the County now, and it is not only important for the Sherriff’s department, but for existing business in the City and potential future developments to be able to provide as many parking spaces as possible for their customers and clients. He commended City Staff for doing a great job trying to attract businesses and suggested that the Board pass the amendment but strike out all the exception language, allowing nine-by-eighteen feet spaces period. Mr. Holmes stated that would be a problem as that is not what was advertised.

Motion made by Mr. DeLoach and seconded by Mr. Petrucci to approve the amendment as recommended by Staff. All present voted affirmative, motion carried.

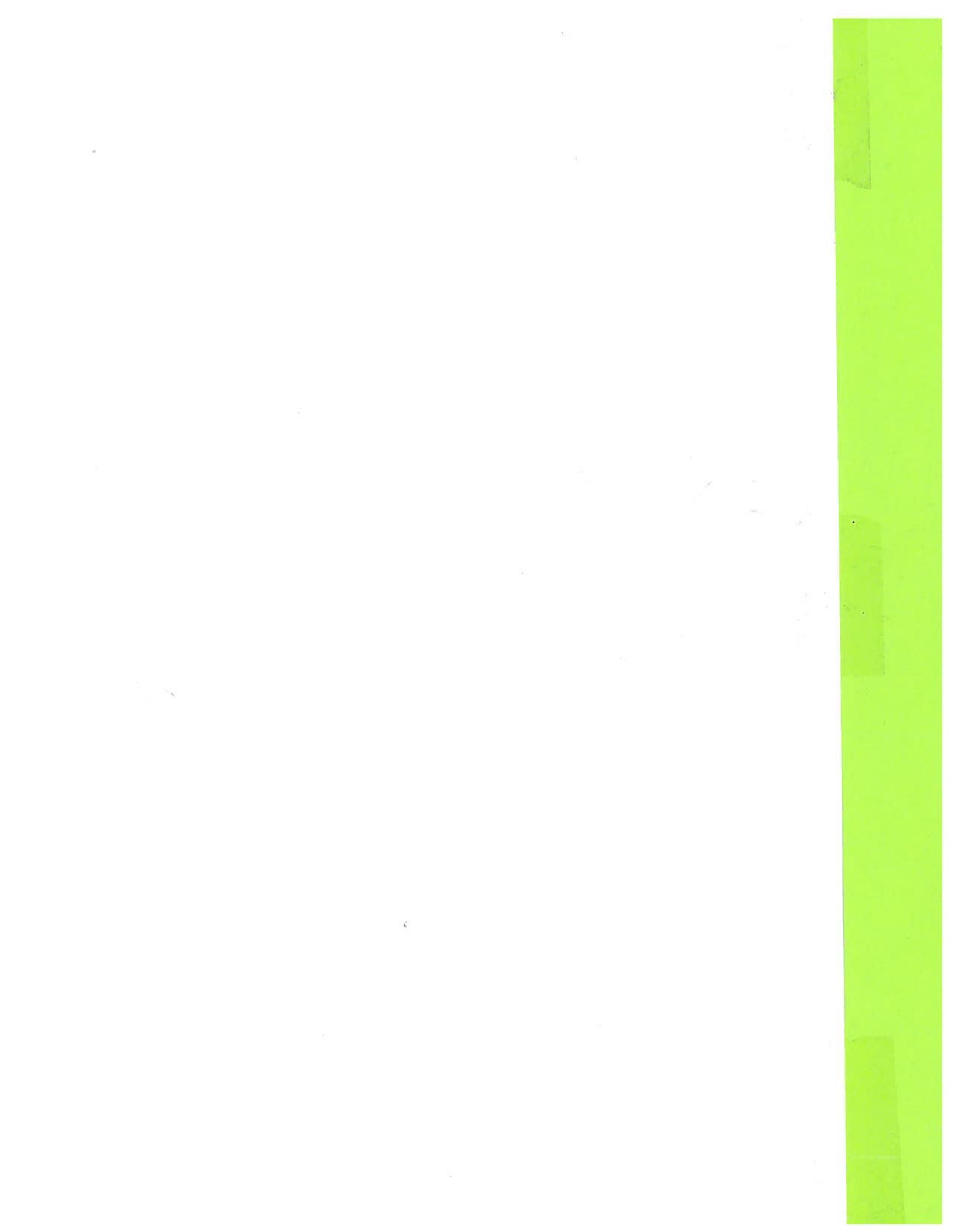
Mr. Douglas asked that staff bring this item back to the Board for consideration for the allowance of nine-by-eighteen foot space across the board.

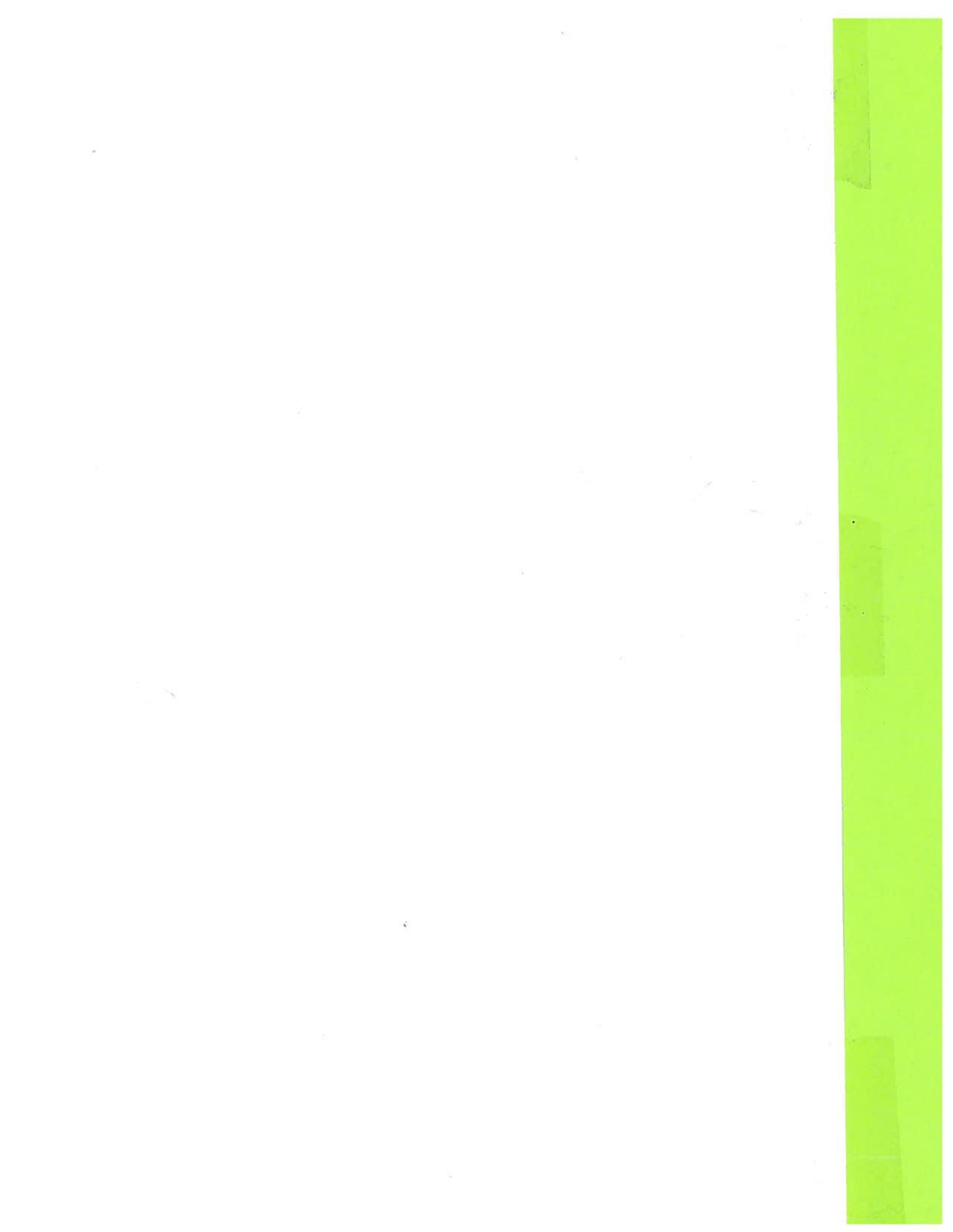
Other Business: Approval of the 2015 meeting date schedule.

January 6, 2015	July 7, 2015
February 3, 2015	August 4, 2015
March 3, 2015	September 1, 2015
April 7, 2015	October 6, 2015
May 5, 2015	November 3, 2015
June 2, 2015	December 1, 2015

Motion made by Mr. Petrucci and seconded by Mr. Harwell to approve the schedule as presented. All present voted affirmative, motion carried.

With no further business the meeting adjourned at 5:04 pm.





Case 12-44
Request for Conditional Use
Wall Graphics: 520 St. Johns Ave.

Applicant: John Alexander, on behalf of the Conlee-Snyder Mural Committee

STAFF REPORT

DATE: January 28, 2015

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To consider a request for a conditional use for wall graphics, in this case murals, on building wall at 520 St. Johns Ave. Public notice included newspaper advertisement and property posting.

APPLICATION BACKGROUND

This application is for a mural series on a single wall on this building. The theme of the mural (Veterans) was previously approved by the Board at their August, 2012 meeting with the requirement that the applicant provide the specifics as each mural was ready for design and installation.

The Sign Code allows for wall graphics through the conditional use process when mural space exceeds 25% of a building wall. A conditional use is a use that would not be appropriate generally or without restriction throughout a zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.



Figure 1: Proposed location – on west end of County building

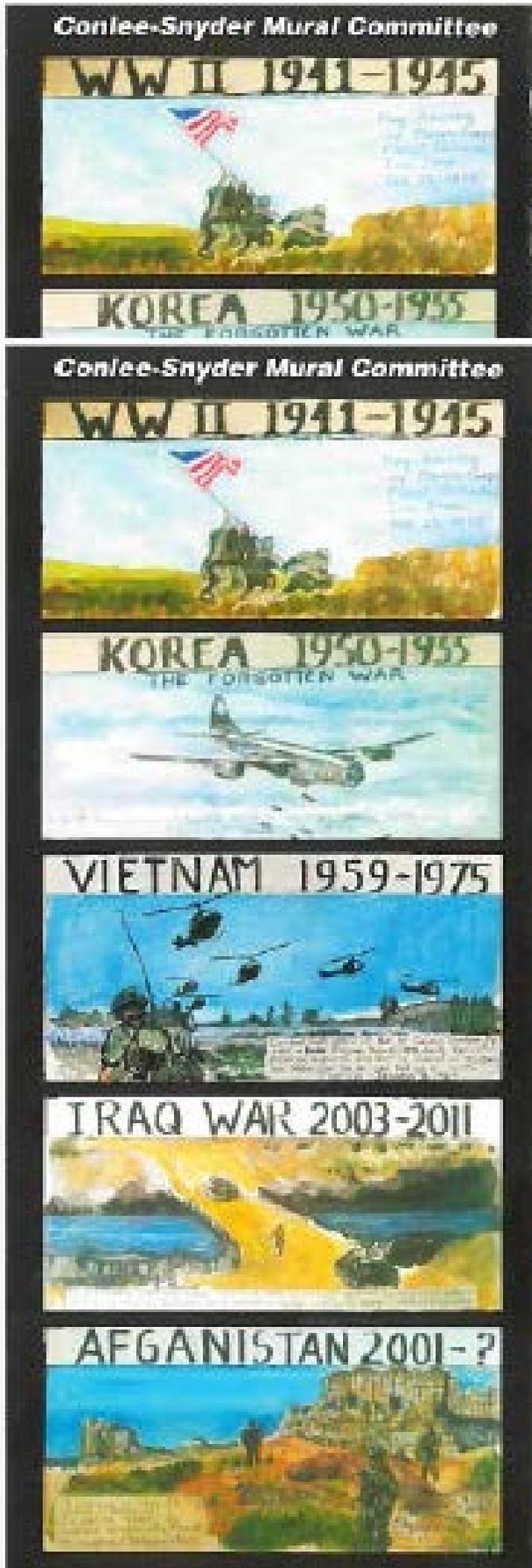
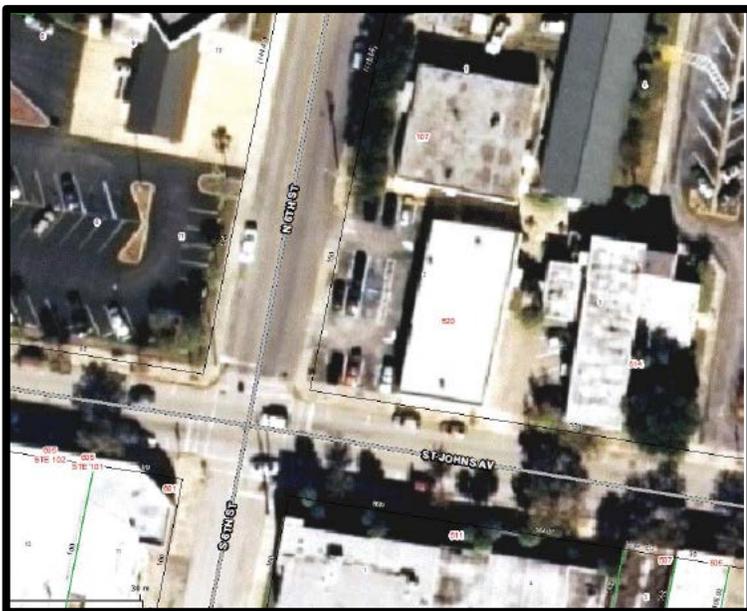


Figure 2: proposed murals



Figure 3: "mock-up" of proposed panels on building wall



PROJECT ANALYSIS

The following criteria are used for evaluation of conditional uses.

a. *Compliance with all applicable elements of the comprehensive plan.*

Staff Comment: the application is not in conflict with goals, objectives, and policies of the Comprehensive Plan.

b. *Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

c. *Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.*

d. *Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.*

e. *Utilities, with reference to location, availability and compatibility.*

f. *Screening and buffering, with reference to type, dimensions and character.*

Staff Comment: these criteria are not applicable

g. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.

Staff Comment: the Veterans' mural series are a departure from downtown murals, which depict events or people that are associated with the City's past and help to foster a sense of community pride and interest in local history. These murals have no local content. However they do represent a theme that is obviously important to the community and resonates to those citizens and their relatives and friends who have served. Staff supports the proposed murals with the exception of 1) the inclusion of text other than titles in the murals and 2) the three-panel approach of the Persian Gulf War mural; both further discussed below.

Regarding the first issue, the definition of mural (known as *wall graphic* in the Sign Code) means "*a large wall decoration that depicts a scene, picture, illustration or design with no written message, word, insignia or logo. The wall graphic is intended to enhance the aesthetic appearance of and attract attention to the premises.*" The Board has provided some leeway in the past to allow for mural titles and limited text. In this case, Staff has advised the Applicant that it will not recommend the inclusion of text other than titles or limited subtitles, as that takes away from the primarily graphic visuals of murals. Staff has advised the Applicant that it would be preferable to have any text in the form of an eye-level plaque along the building columns that is separate and distinct from the murals.

In regard to the second issue, Staff recommends that the Persian Gulf panel be similar to other panels in that it should have one primary graphic, as opposed to the three panels shown in the mock-up. The three-panel arrangement creates somewhat of a jarring contrast to the other one-panel murals, and the overall effect of the murals would "flow" better with the single-panel approach.

The only other issue was a minor one – Staff has asked the Applicant to explore the dates proposed for the Afghanistan war – it is not clear if this war is "officially" over or not at the present time.

In addition, the Applicant has indicated there would also be a World War I mural on the left and end building panel. At this time Staff has not received the mock-up and will defer any recommendation on this panel to the meeting, should the Applicant provide additional exhibits.

h. Required yards and other open space.

j. Any special requirements set out in the schedule of district regulations for the particular use involved.

k. The recommendation and any special requirements of the historic preservation board for uses within the HD zoning district.

j. Appropriate conditions and safeguards in conformity with the Zoning Code.

Staff Comment: not applicable.

i. General compatibility with adjacent properties and other property in the district.

Staff Comment: see g. above.

Staff Comment: no special requirements are set forth in the Zoning Code for wall graphics.

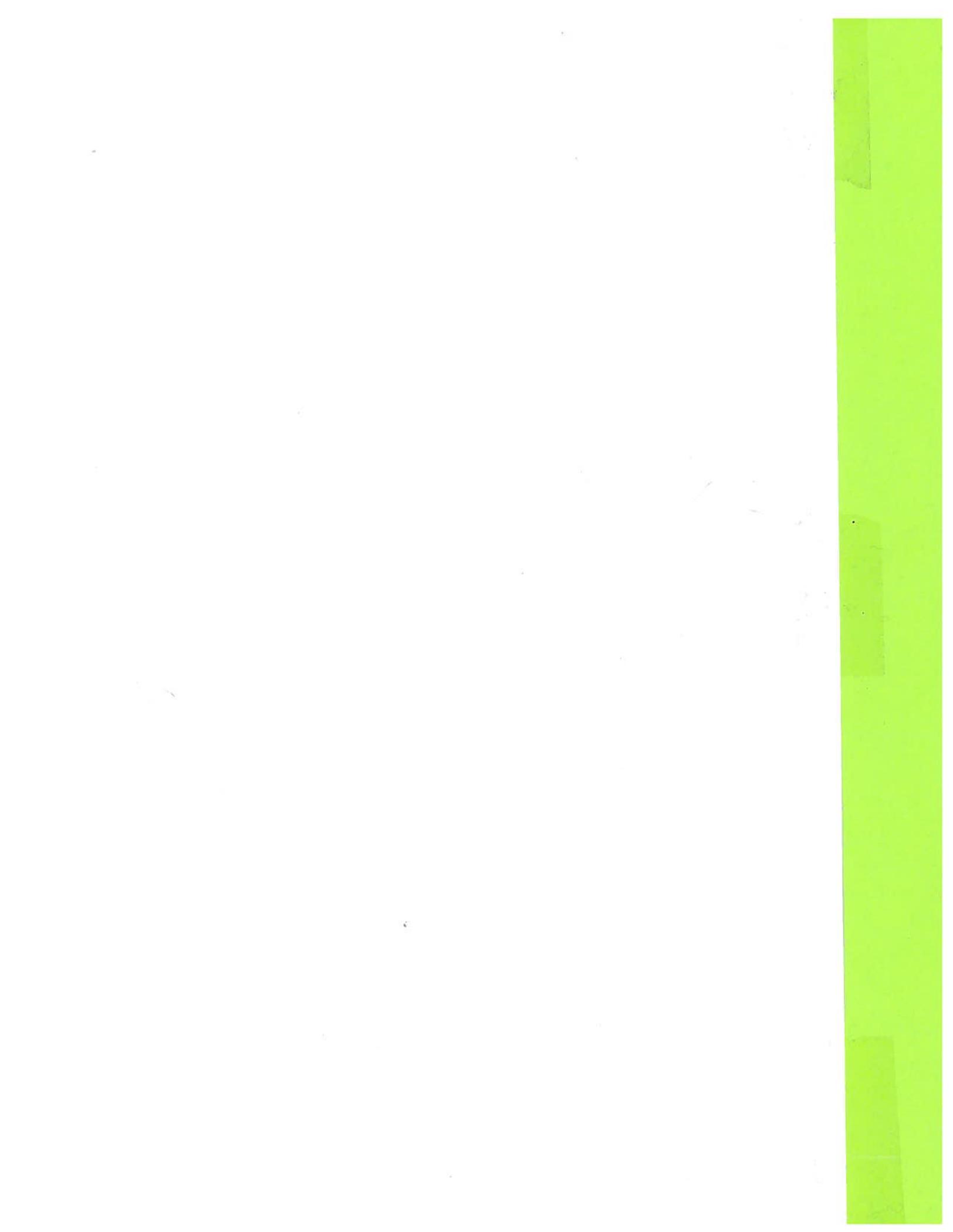
Relevance of application to number of similar uses in regard to the area, location or relation to the neighborhood, and how the use would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.

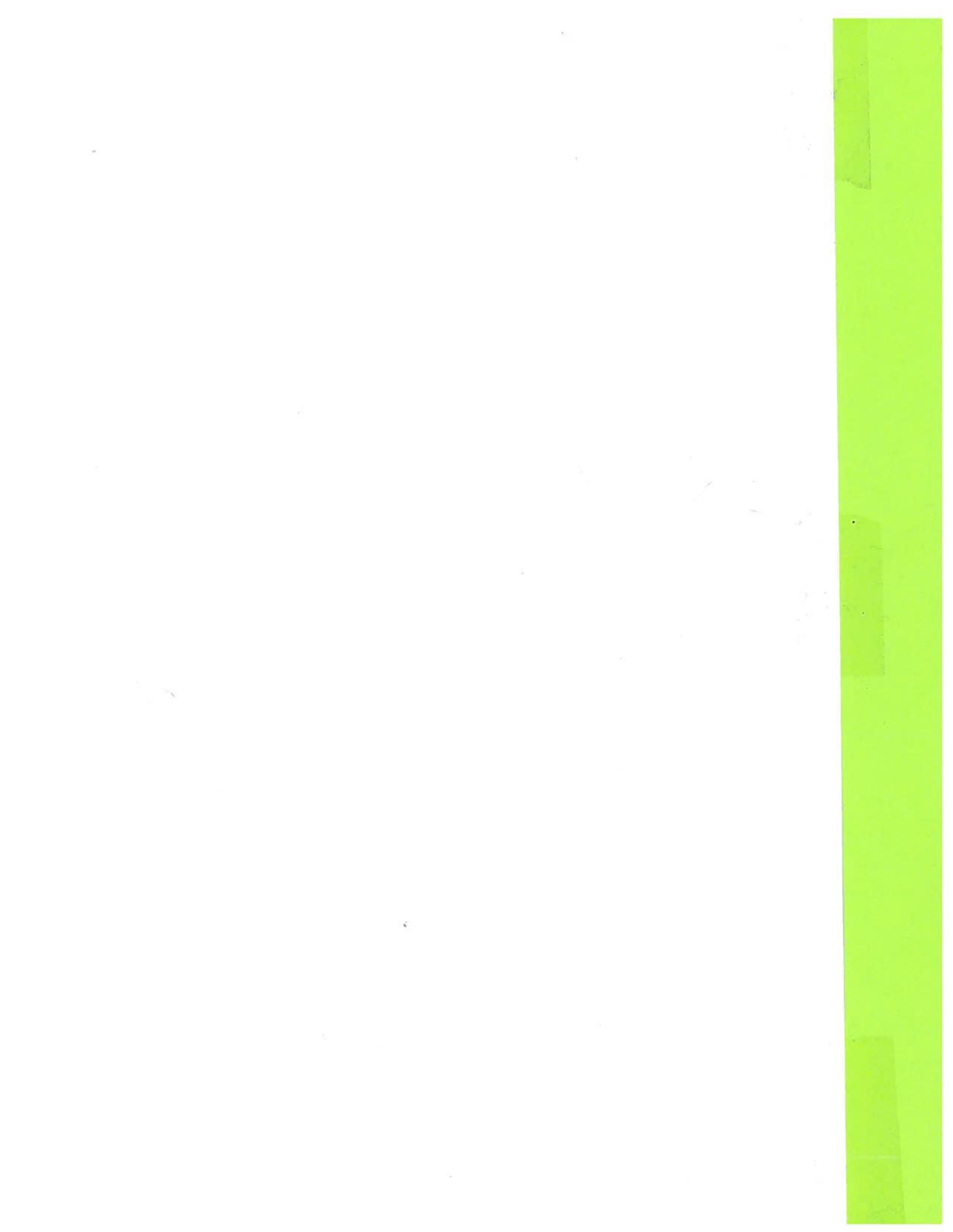
Staff Comment: Staff believes that these locations are relatively close to, can benefit from, and contribute to other downtown murals. The increasing collection of murals will help to tell the City's story and increase resident and visitor interest in history as well as the downtown.

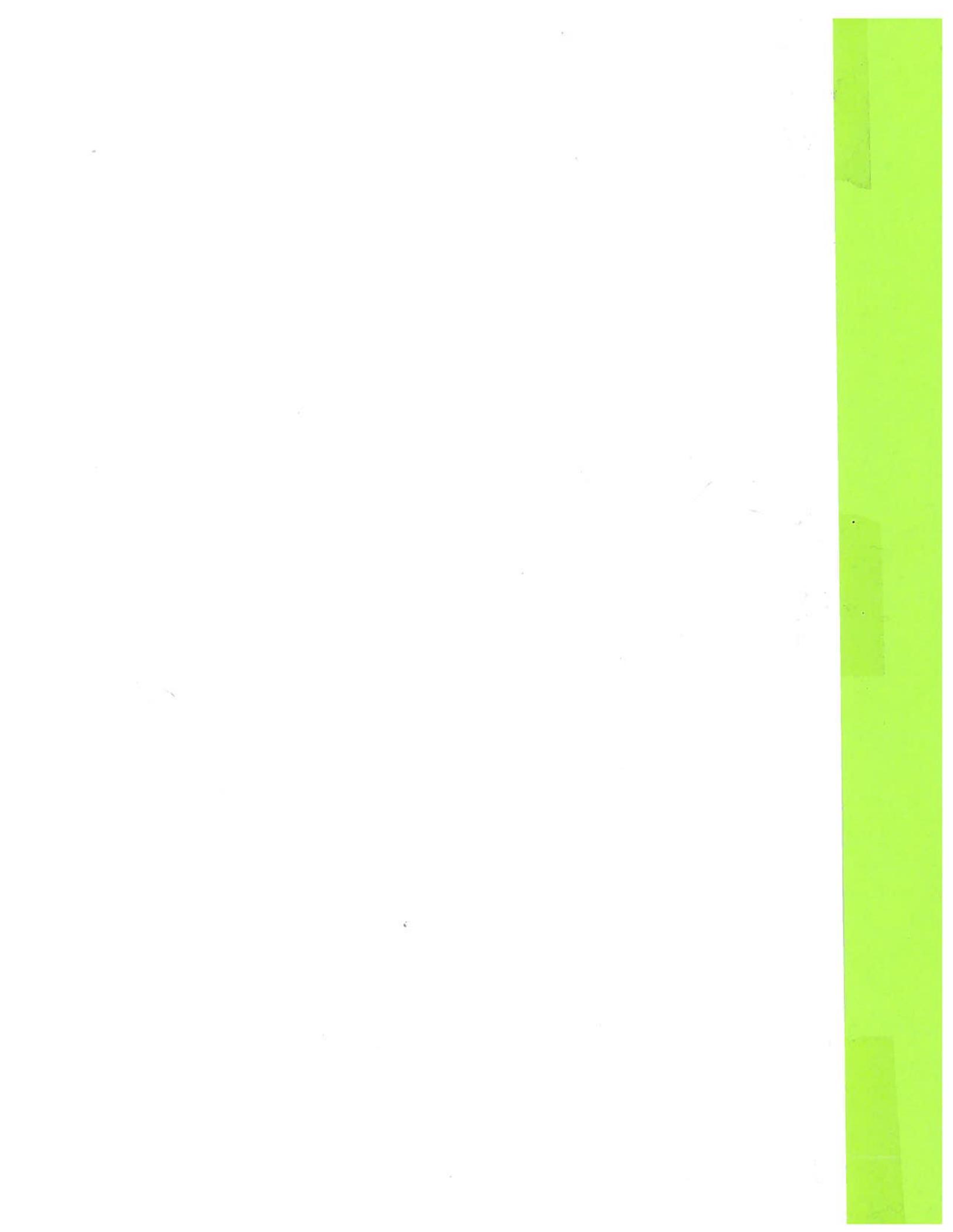
STAFF RECOMMENDATION

Staff recommends approval of the request for a Conditional Use for the Veterans' mural at 520 St. Johns Ave., to be located on the west wall of the building. The following conditions are recommended.

1. Approval of the building/property owner is required.
2. Murals to be in the arrangement as proposed by Applicant and shown in this report.
3. Other than titles and limited subtitles, any text shall be in the form of an eye-level plaque along the building columns that is separate and distinct from the murals.
4. The Persian Gulf panel shall have one panel image, similar to the other proposed panels.
5. The Applicant will clarify, and correct if necessary, the end date of the Afghanistan war.
6. The World War I panel must be approved by the Planning Board.







Local Historic Designation (HD Zoning Overlay)

PB 15-01

“100 Block” of N. 2nd St.

STAFF REPORT

T : January 28, 2015

T : Historic Preservation Board members

R M: Thad Crowe, AICP
Planning Director

SU J CT: 100 Block Local & National Historic District Registration

APPLICATION REQUEST

The Applicant and owner of these properties, Mr. Diamond, has requested the placement of the HD (Historic District) overlay zoning district on the properties. The Historic Preservation Board has recommended approval of this designation at their October, 2014 meeting. (An additional related request, which does not come before the Board, is a request for recommendation from the Historic Preservation Board and City Commission for inclusion in the National Register of Historic Places, both of which were granted).



Figure 1: Location map

APPLICATION ANALYSIS

The HD Overlay zoning does not change the existing DR (Downtown Riverfront Zoning). It does apply a layer of design controls and review by the Historic Preservation Board, which regulates exterior changes and demolition. This review is intended that renovation efforts utilize original elements and materials, or if that is

not possible utilize elements or materials of similar appearance. Demolition requires a finding of economic or practical hardship that would occur under the requirement that a building be restored instead. The criteria for National Register designation are repeated verbatim for local designation in Section 54-77(2) of the City's Municipal Code. Staff has interpreted that at least one of the following criteria must be met for both local and national historic designation.

The historic district or site recommended by the board shall be one possessing particular historic, architectural or cultural significance, which:

- a. Is associated with events that have made a significant contribution to the broad patterns of our history;*
- b. Is associated with the lives of persons significant in our past;*
- c. Embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
- d. Have yielded, or may be likely to yield, information important in prehistory or history.*

It is important to understand the last phrase in Criterion c above – a historic district may include several properties that are individually eligible for historic registration due to architecture, events, craftsmanship, notable people, etc., but the normal, everyday buildings are the backbone of a historic district. A historic district is the sum of its parts, even if those parts may not stand out in their own right. This distinction comes into play with the evaluation of the 100 block, as 122-126 St. Johns Avenue is individually eligible, and the other buildings are only eligible as part of a district.

The National Park Service defines a "district" as possessing a "significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development." The downtown area has a concentration of older buildings that are unified by physical development (grid block system, buildings fronting the sidewalk, brick exteriors) and a continuity of development that began in the 1880s and wound down in the 1940s. During this time period the downtown was the primary place for commerce, government, and most all nonresidential activities in the City, serving residential neighborhoods and outlying areas in the County.

Staff supports this nomination as an effort that is separate and distinct from a downtown historic district. These buildings stand on their own as a grouping of structures, in essence a "mini-district" due to their separation from vicinity historic buildings by a four-lane road and multiple vacant properties, as well as their mostly similar construction year (1885). This group of buildings is the last intact remnant grouping of the Victorian-era riverfront district – after the turn of the century commercial development shifted from a clustering oriented to the river to more of a linear pattern along St. Johns Ave. It should also be noted that the owner has made considerable progress in sensitive interior demolition and securing of the structures, except for the Snow Building (107-109 N. 2nd St) which only now has the front façade remaining due to structural failure.

The 100 block includes four buildings with the following addresses from south (St. Johns Ave.) to north (Reid St.): 122-126 St. Johns Ave. (Moragne Building), 107-109 N. 2nd St. (Snow Building), 111-115 N. 2nd St. (Bailey Building), and 117-119 N. 2nd St.

122-126 St. Johns Ave: The Florida Master Site File (from a 1980 survey by St. Augustine-based Historic Property Associates) notes this is a fine example of an Italianate style building, featuring arched window openings, distinctive quoins on the building corner facing the intersection, and unusual decorative brick corbelling beneath the cornice. Significant interior detailing includes pine floors, mouldings, glassed partition walls, transom lights above doors, and a full central atrium. The original red brick remains under a stucco covering. The structure is known as the



Moragne Building and is the oldest remaining commercial building in Palatka, built in 1885 shortly after the great downtown fire of 1884. It was built for a prominent physician, Nathaniel H. Moragne, who came to Palatka in 1852 and established the first drug store in the City. He was one of the organizers of St. Mark's Episcopal Church, married the daughter of former Governor William D. Moseley, and was twice elected to the legislature after the Civil War. The building was long used for medical purposes with doctor's offices located here through the 1920s, including J.C. Chandler (1912-1915) and D.Y. Rosborough and T.R. Beggs (1922-1925). In the 1930s the building hosted Eloise's and Lilly's beauty shops, in the mid-1950s the offices of the Palatka Construction Company, and in the early 1960's the law offices of Causey S. Green. A 1992 letter from Historic Property Associates, Inc. gave the opinion that the Moragne Building was eligible for individual listing on the National Register of Historic Places and this letter received a favorable response from the Florida Division of Historic Resources. Staff agrees with individual eligibility given the building's architectural significance and integrity, its distinction as the City's oldest surviving commercial building, and the association with Dr. Moragne who was a notable citizen on the local and state level. The building also is important as a symbol of the rebuilding of the City after the devastating fire of 1884. The property is eligible for local and national historic designation under Criterion b and c.

107-109 N. 2nd St.: As noted in the Florida Master Site File, this Masonry Vernacular (brick) style structure (Snow Building) was also built in 1885. (Due to structural failure and safety reasons the building was demolished in late 2014, but the front façade remains and the owner plans to restore this façade as an entry point to an open plaza and pedestrian-pass through.) Prior to its becoming vacant the building hosted a variety of business, including insurance, undertaking, and a



construction company. From the early years of the 20th century until mid-century, its most important occupant was Southern Bell Telephone and Telegraph Company. The remaining front façade has much of its original brick exterior preserved. Arched windows and a distinctive line of dentils under the cornice are hallmarks of the Italianate architectural style, popular in the late 1800s. The street façade, particularly the first floor, has undergone major alterations including bricking in a storefront window. It is Staff's opinion that the remaining facade is eligible for National and local historic registration as part of a downtown historic district, based on architectural style and integrity as well as its longstanding occupant. The property is eligible for local and national historic designation under Criterion c.

111-115 N. 2nd St.: The Florida Master Site File notes that this building dates to sometime between 1915 and 1924. It is a masonry (brick) structure with classical details such as ionic columns, arch recesses, and ornamental cornice with molding and dentils. Original elements of the façade such as the cornice, wide arches, and cream-colored brick have been preserved, while the brick areas and columns under the arches appear to be later and possible non-historic period alterations. In the past it was known as the Bailey Building and served as offices for numerous businesses over the years, including the Southern Insurance Company, the Atlantic and Gulf Insurance Company, and the Putnam Loan and Savings Company in the 1920s. It is Staff's opinion that this building is eligible for National and local historic registration as part of a downtown historic district, based on architectural style and integrity as well as occupancy by longstanding local businesses. The property is eligible for national and local historic designation under Criterion c.



117-119 N. 2nd St.: The Florida Master Site File indicates an approximate construction date for this building of 1885. This brick building represents the Italianate style, represented by the distinctive decorative cornice and the arched windows. The street façade was covered with brown stucco with metal grilles placed over the windows. As with other 100 block buildings, the upper floor is relatively unaltered while first floor alterations have obscured original elements, with the exception of one of the few original 19th century commercial entrances in the City.

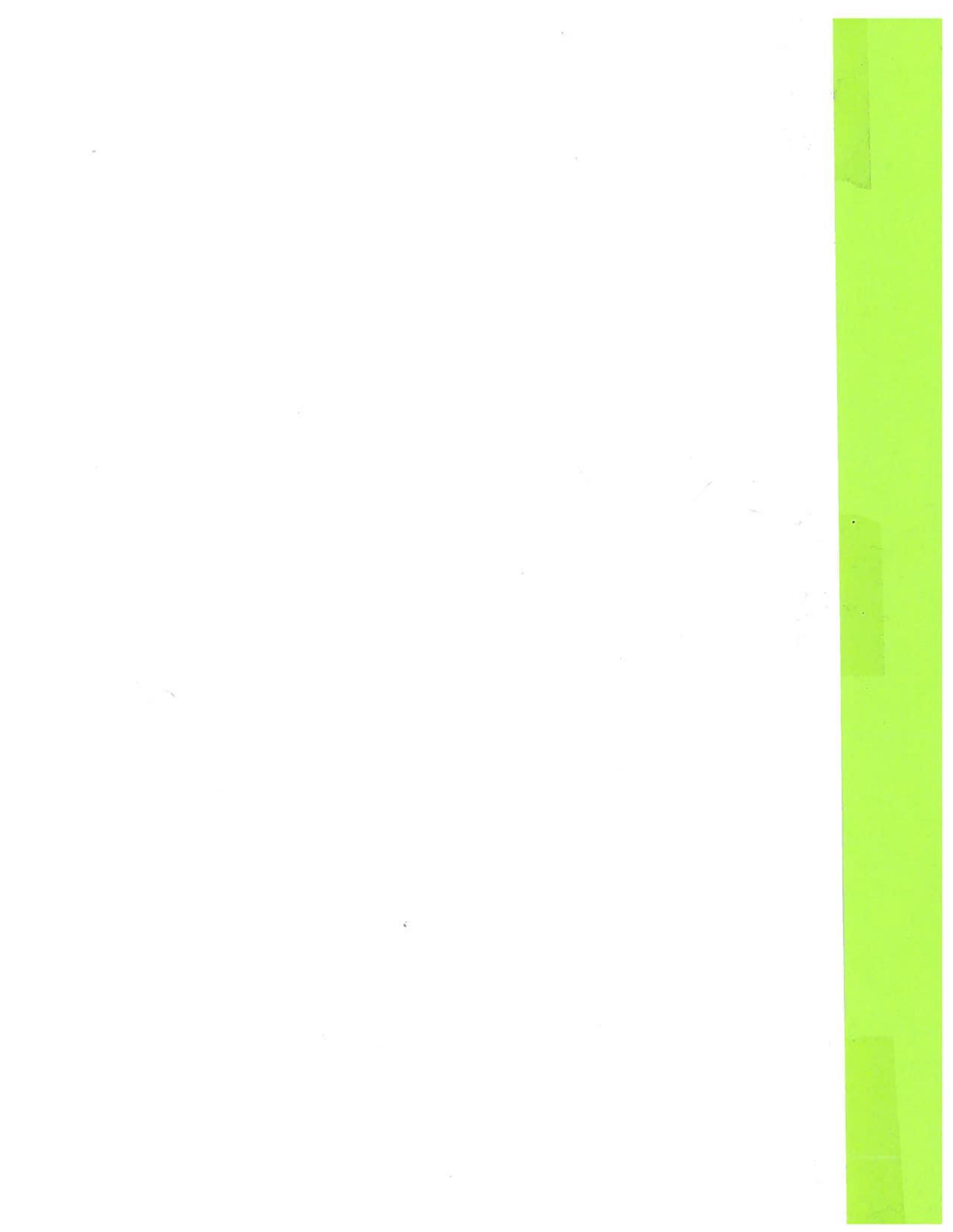


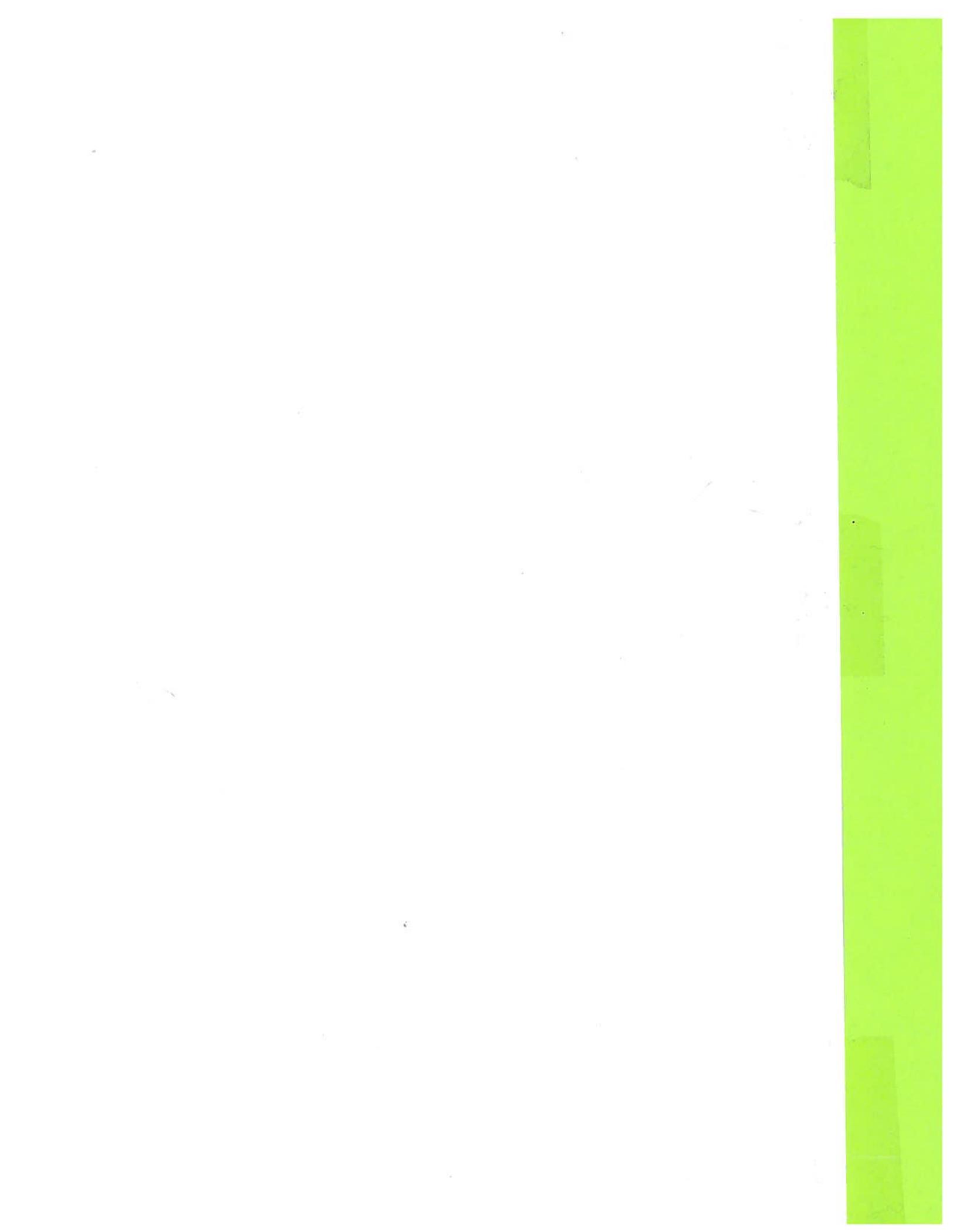
However these coverings can be removed to reveal original architectural elements. Late 19th century businesses within the building included a crockery shop, taxidermist, and a stationary store. In 1912 Budington Grocery was located in the building, and three years later a furniture store occupied the space. In the 1920s the building served as offices for North Florida Motors and by the mid-1930s the building hosted the Loveland and Tanner real estate offices, Palatka Federal Savings and Loan, and the United Fund, Inc. The second floor was traditionally used for apartments, known in the 1930s as the Coquina Apartments. It is Staff's opinion that

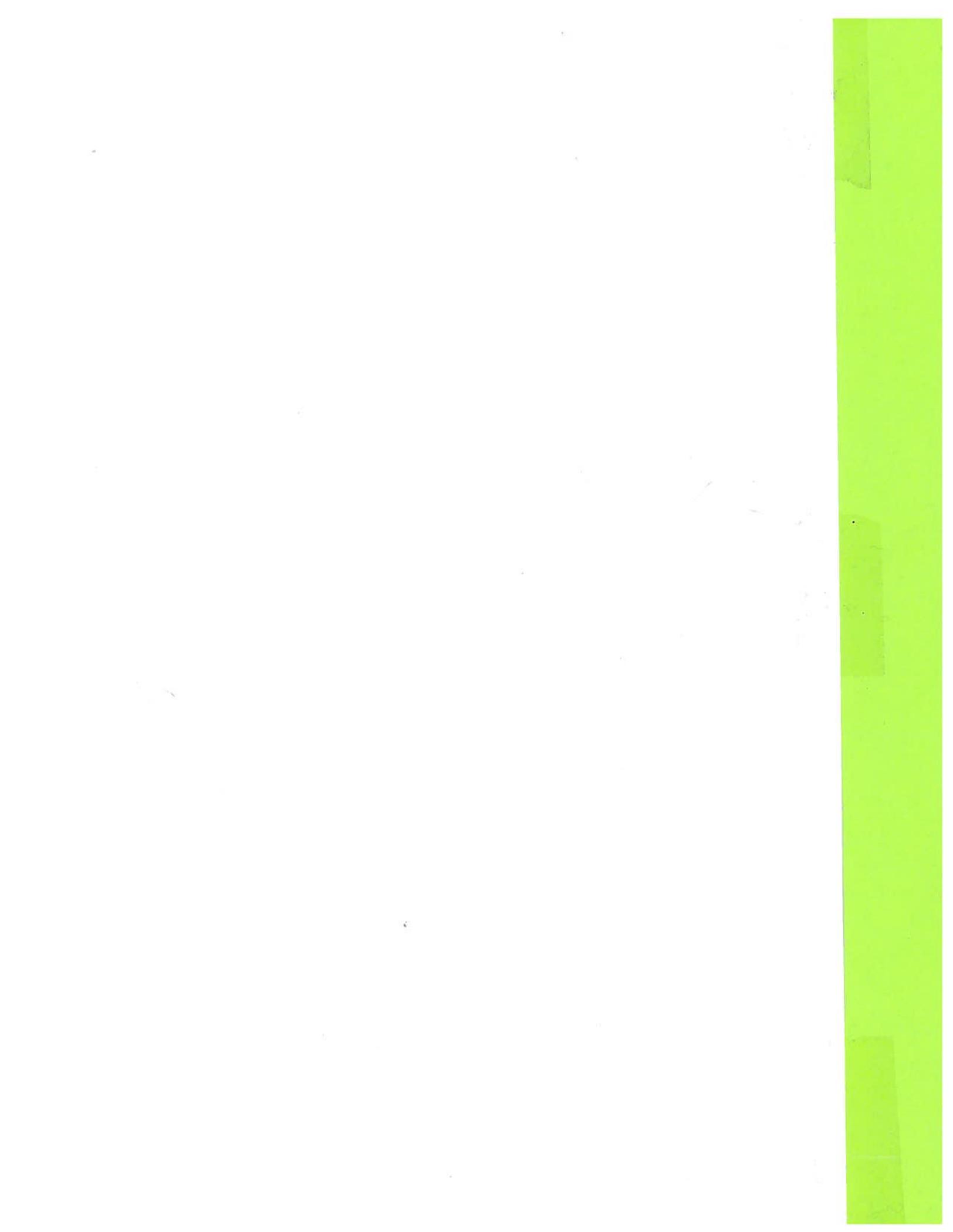
this building is eligible for National and local historic registration as part of a downtown historic district, based on architectural style and integrity. The property is eligible for local historic designation under Criterion c.

STAFF RECOMMENDATION

Staff recommends approval of PB 15-01 to 1) apply HD (Historic District) zoning to 122-126 St. Johns Ave. (Moragne Building), the remaining front façade of 107-109 N. 2nd St. (Snow Building), 111-115 N. 2nd St. (Bailey Building), and 117-119 N. 2nd St.







Case 15-02: Osceola & Kirby Streets

Request to Amend Future Land Use Map and Rezone

Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: January 26, 2015

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

This is an administrative request to amend the Comprehensive Plan's Future Land Use Map (FLUM) and rezone the following property as noted below. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). Staff wrote letters to all property owners informing them of the proposed action and received no objections, and City departments had no objections to the proposed actions.



Figure 1: Site and Vicinity Map

**Case 15-02: Osceola & Kirby Streets
Request to Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.**



Figure 2 (top): Catholic Cemetery

Figure 3 (middle): Lions Club, with American Legion in background left and ravine in background right

Figure 4 (bottom): American Legion, with Lions Club in background right and ravine in background left

APPLICATION BACKGROUND

The property under consideration currently has multi-family land use and zoning, as shown below.

Table 1: Current and Proposed Future Land Use Map and Zoning designations

Future Land Use Map Category		Zoning	
Current	Proposed	Current	Proposed
RH (Residential, High)	PB (Public Buildings)	R-3 (Residential, Multi-Family)	PBG-1 (Public Buildings & Grounds)

Table 2: Future Land Use Map and Zoning Designations for Adjacent Properties

	Future Land Use Map	Zoning
North of Site	PB (Public Buildings) RH (Residential, High)	PBG-1 (Public Buildings & Grounds), R-3 (Residential Multi-Family)
East of Site	RH (Residential, High)	R-1 (Single-family Residential)
West of Site	IN (Industrial)	M-1 (Light Industrial)
South of Site	RM (Residential, Medium)	PUD (Cypress Mills Planned Unit Development, M-1 (Light Industrial)

The lot at the northeast corner of Kirby & Osceola St (318 Osceola St.) is a city owned property with a long term lease for use by the Lions Club. North of that (316 Osceola St.) is another City-owned property used by the American Legion. The property to the west of these two properties is owned by the City and is undeveloped (and undevelopable due to the presence of a steep ravine that functions as a drainage feature). Across the street from the two clubs is a cemetery owned by the Catholic Diocese of St. Augustine.

Staff is presenting this application as an administrative action, as opposed to an action by the property owner, since most of the properties are owned by the City and the multi-family zoning inhibits the public/private usage of the properties.

The PB FLUM category is described in the Future Land Use Element as follows.

Lands designated in this category of use include a broad variety of public and quasi-public activities such as schools, churches, government buildings, hospitals, colleges and ancillary uses including student residences, administrative offices, and sports facilities, and similar uses. The intensity of development in this land use category, as measured by impervious surface, shall not exceed 65 percent. Floor area ratios shall not exceed 1.0, and intensity may be further limited by intensity standards of the Zoning Code.

The PBG-1 zoning district is described as follows.

The PBG-1 district includes public use and/or public service activities. Facilities within this district may be publicly or privately owned. The PBG-1 district should have easy access to a roadway classified as a collector or arterial facility.

Allowable uses under the zoning district include public buildings, churches, nursing homes, and college uses.

Staff believes that it is appropriate to consider clubs and lodges as quasi-public uses, as they are utilized for public assembly, and the halls are often rented out to the general public for events such as weddings,

meetings, dances, etc. The Lions Club also wishes to rent out its facility for a church. These uses do not fit so well in the current R-3 zoning, which logically requires conditional use approval due to the need to gauge impacts on nearby residences. The public FLUM and zoning are more appropriate for the (existing) club and (future) church uses, except that the former uses is not allowed and the latter use is. This is why the Lions Club is applying for a companion item, a Zoning Code text amendment that would allow clubs, lodges, and fraternal organizations by right in the PBG-1 zoning district, along with the currently-allowed churches.

PROJECT ANALYSIS

Future Land Use Map Amendment Analysis

Criteria for consideration of comprehensive plan amendments under F.S. 163-3187 are shown in italics below (staff Comment follows each criterion, and comprehensive plan extracts are underlined).

List Goals, Objectives, and Policies of the Comprehensive Plan that support the proposed amendment.

The proposed amendment does not conflict with goals, objectives, and policies of comprehensive plan elements. The amendment proposes a more appropriate FLUM category for the existing uses as noted in Future Land Use Element Policy A.1.9.3.5, which is PB (Public Buildings). As shown below, there is existing PB designations to the west of the property (West View Cemetery), and therefore this category would not be applied in isolation. Additionally the PB category provides a transitional and buffering FLUM between the residential FLUM to the east and the industrial FLUM to the west.

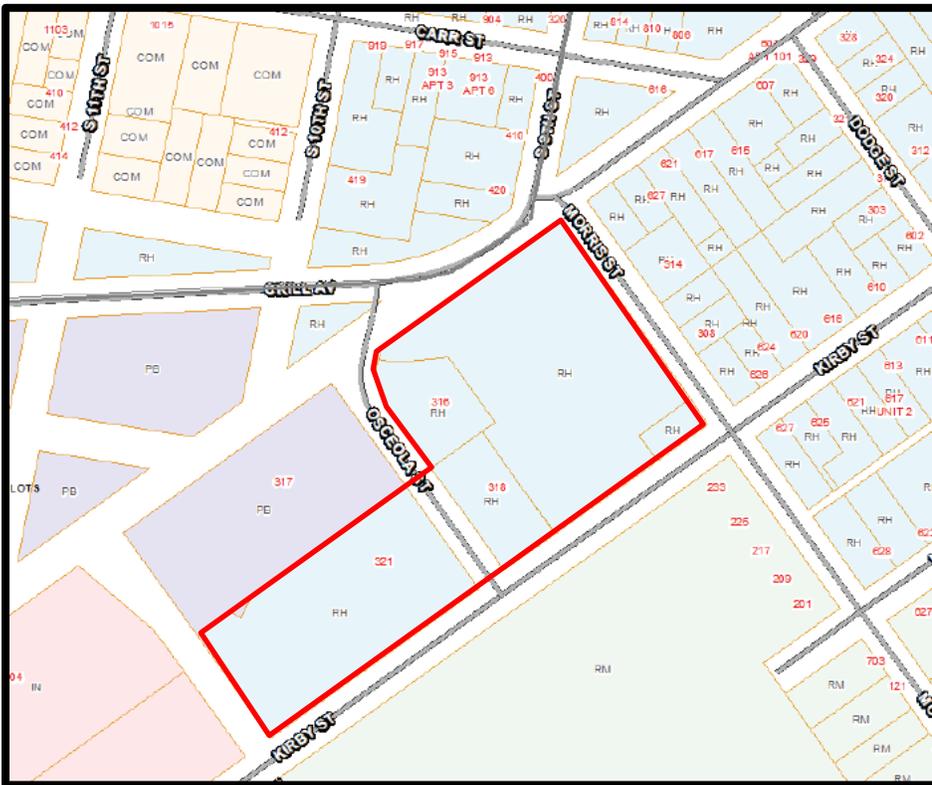


Figure 5: Future Land Use Map designations in vicinity

Provide analysis of the availability of facilities and services.

Staff Comment: the property is in close proximity to urban services and infrastructure including city water and sewer lines.

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

Staff Comment: The property is in a transitional area of public and semi-public uses that is between a residential and an industrial area. The ravine area presents topography conditions that would present problems for development, and is best preserved in public land use.

Provide analysis of the minimum amount of land needed as determined by the local government.

Staff Comment: not applicable, as this is to be determined at the next revision of the overall Comprehensive Plan.

Demonstrate that amendment does not further urban sprawl, as determined through the following tests.

- *Low-intensity, low-density, or single-use development or uses*
- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*
- *Radial, strip, isolated, or ribbon development patterns.*
- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*
- *Development that fails to maximize use of existing and future public facilities and services.*
- *Development patterns or timing that will require disproportional increases in cost of time, money and energy in providing facilities and services.*
- *Development that fails to provide a clear separation between rural and urban uses.*
- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

Staff Comment: the location of this property within the City's urbanized area ensures that urban services are available. This amendment does not represent urban sprawl.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board shall study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff comment follows each criterion).

1) When pertaining to the rezoning of land, the report and recommendations of the planning board to the city commission required by subsection (e) of this section shall show that the planning board has studied and considered the proposed change in relation to the following, where applicable:

a. Whether the proposed change is in conformity with the comprehensive plan.

Staff Comment: as previously noted, the application is supported by the Comprehensive Plan.

b. The existing land use pattern.

**Case 15-02: Osceola & Kirby Streets
Request to Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.**

Staff Comment: Figure 6 below shows that the proposed zoning does not create an isolated zoning district, but in fact adds to the existing PBG-1 zoning to the west.

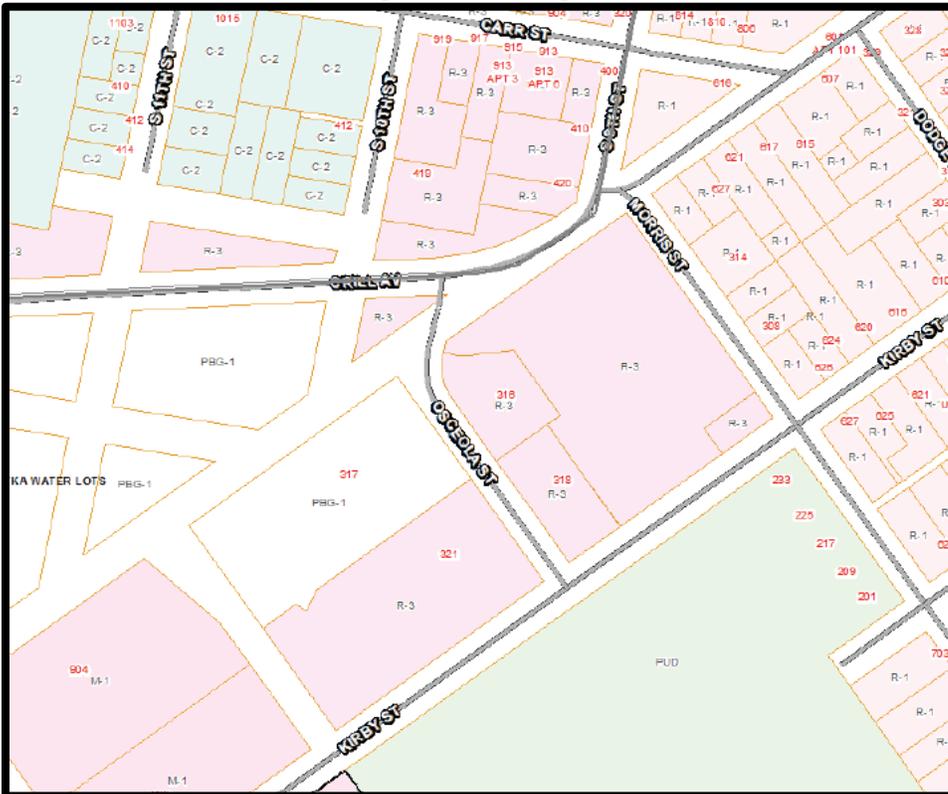


Figure 6: Zoning Map designations in vicinity

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

Staff Comment: As noted above, this action would not create an isolated zoning district.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Staff Comment: Roadway capacity is available on area roadways and the impacts of the use on road and utility capacity will be negligible, particularly since the uses are already present.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Staff Comment: See response to c. above.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Staff Comment: Staff is not aware of any changed conditions that make this amendment necessary.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

Staff Comment: Rezoning the properties to a designation similar to the adjacent zoning and better fitting the existing uses will not adversely affect neighborhood living conditions.

**Case 15-02: Osceola & Kirby Streets
Request to Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.**

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Staff Comment: The properties proposed for rezoning are already developed and thus traffic congestion or public safety will not be affected.

i. Whether the proposed change will create a drainage problem.

Staff Comment: All development and redevelopment must meet City and water management district stormwater retention requirements. No drainage problems are anticipated for the already-existing uses.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.

Staff Comment: The already-developed property does not have excessive height, density, or intensity to reduce light and air to existing adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent area.

Staff Comment: See response to g. above.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

Staff Comment: Based on the previous responses, the change will not negatively affect the development of adjacent properties.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Staff Comment: Providing a FLUM and zoning designations to properties that are similar to the designation of surrounding properties is not a grant of special privilege.

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

Staff Comment: As stated, the current residential FLUM and land use do not recognize the longstanding club/lodge and associated uses. These uses require conditional use approval, which is not logical in a public/quasi-public category, where they should be allowed by right.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Staff Comment: The property is not out of scale with the neighborhood and City.

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

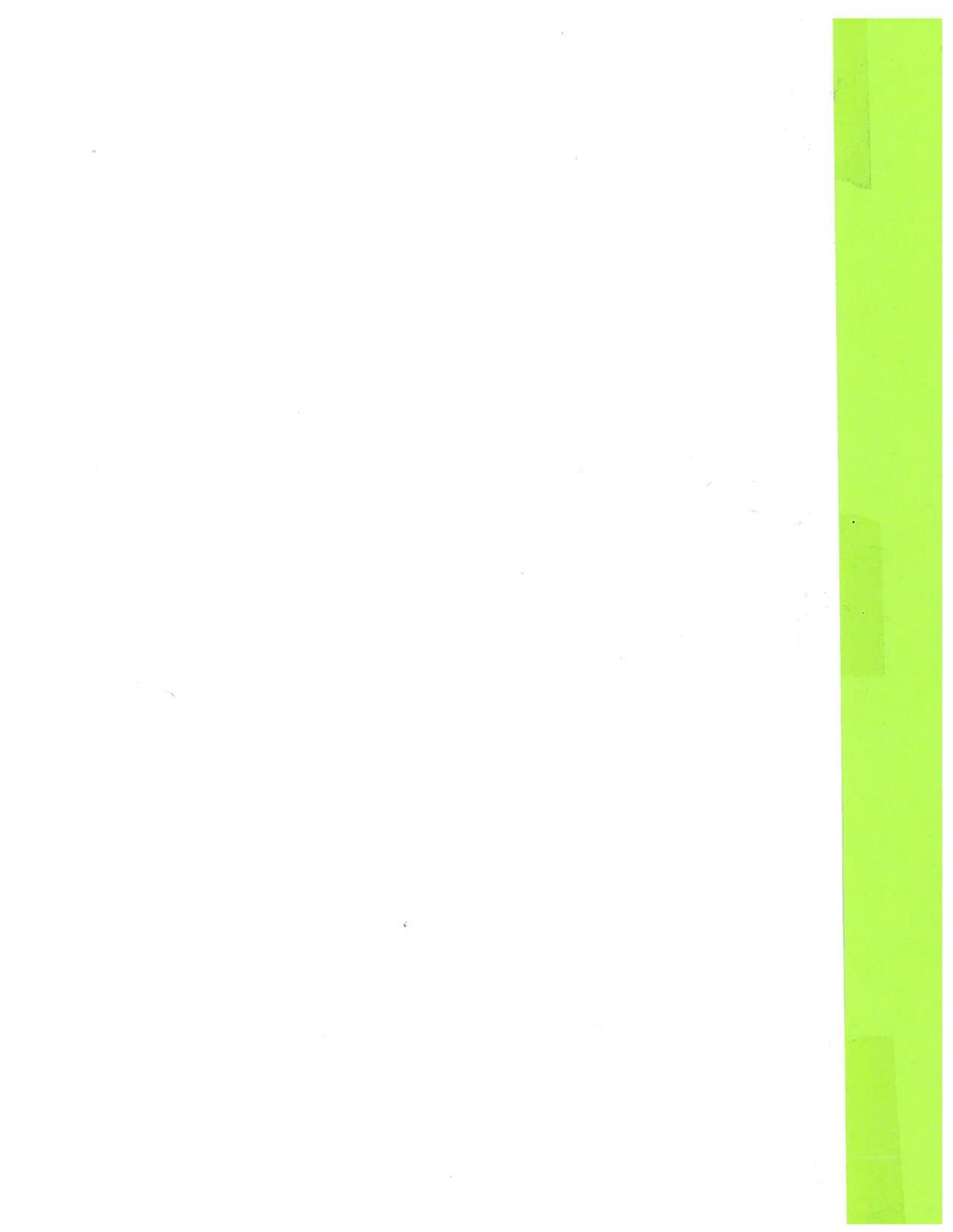
Staff Comment: Not applicable.

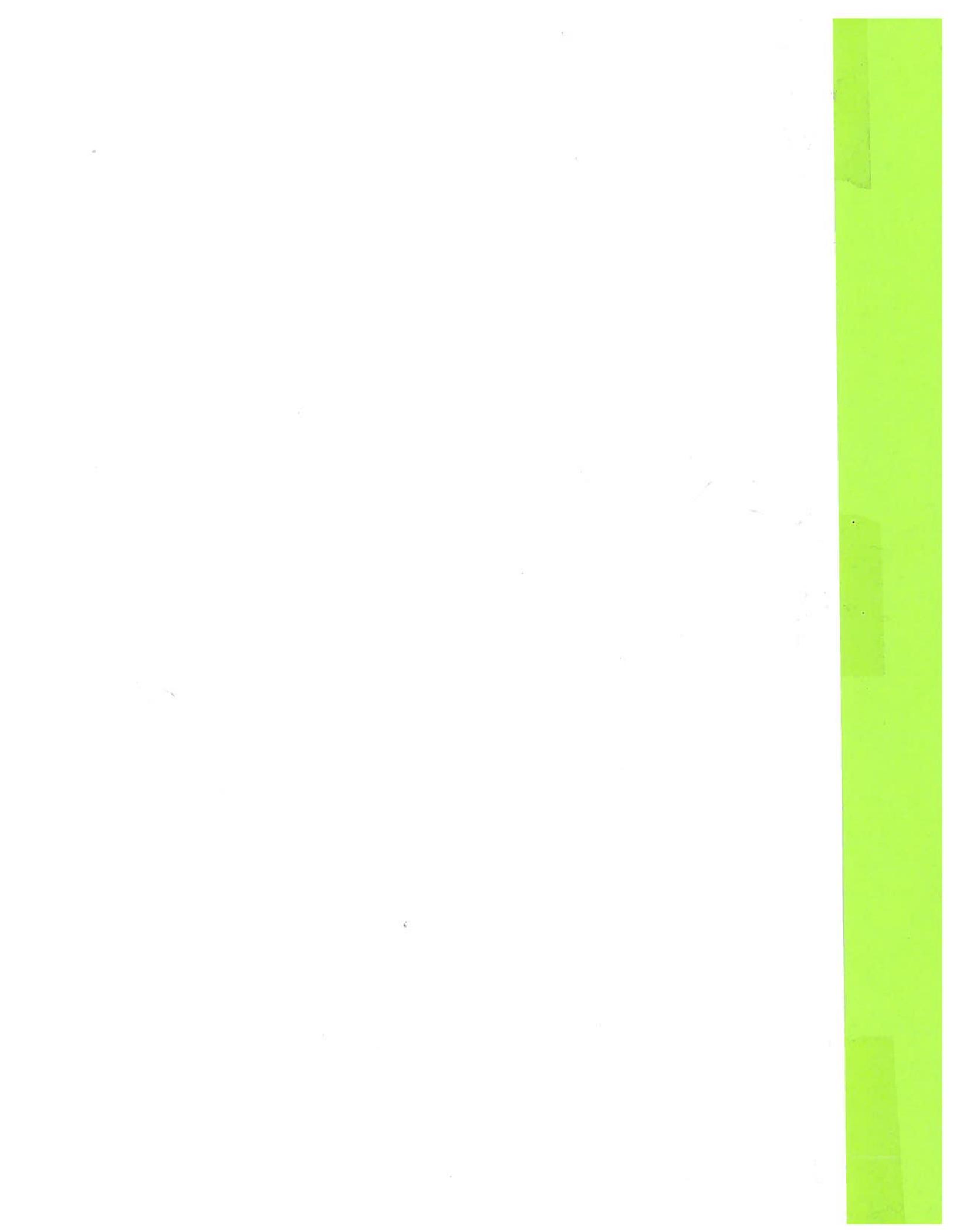
q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

Staff Comment: Not applicable.

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable future land use amendment and rezoning criteria. Staff recommends approval of the amendment of Future Land Use Map category from RH to PB, and rezoning from R-3 to PBG-1 for properties bounded by Osceola St. on the east, Kirby St. on the south, and West View Cemetery to the west and north.





Case 15-03
Zoning Code Text Amendment
Downtown Overlay Zoning Revisions
Applicant: Building & Zoning Dept.

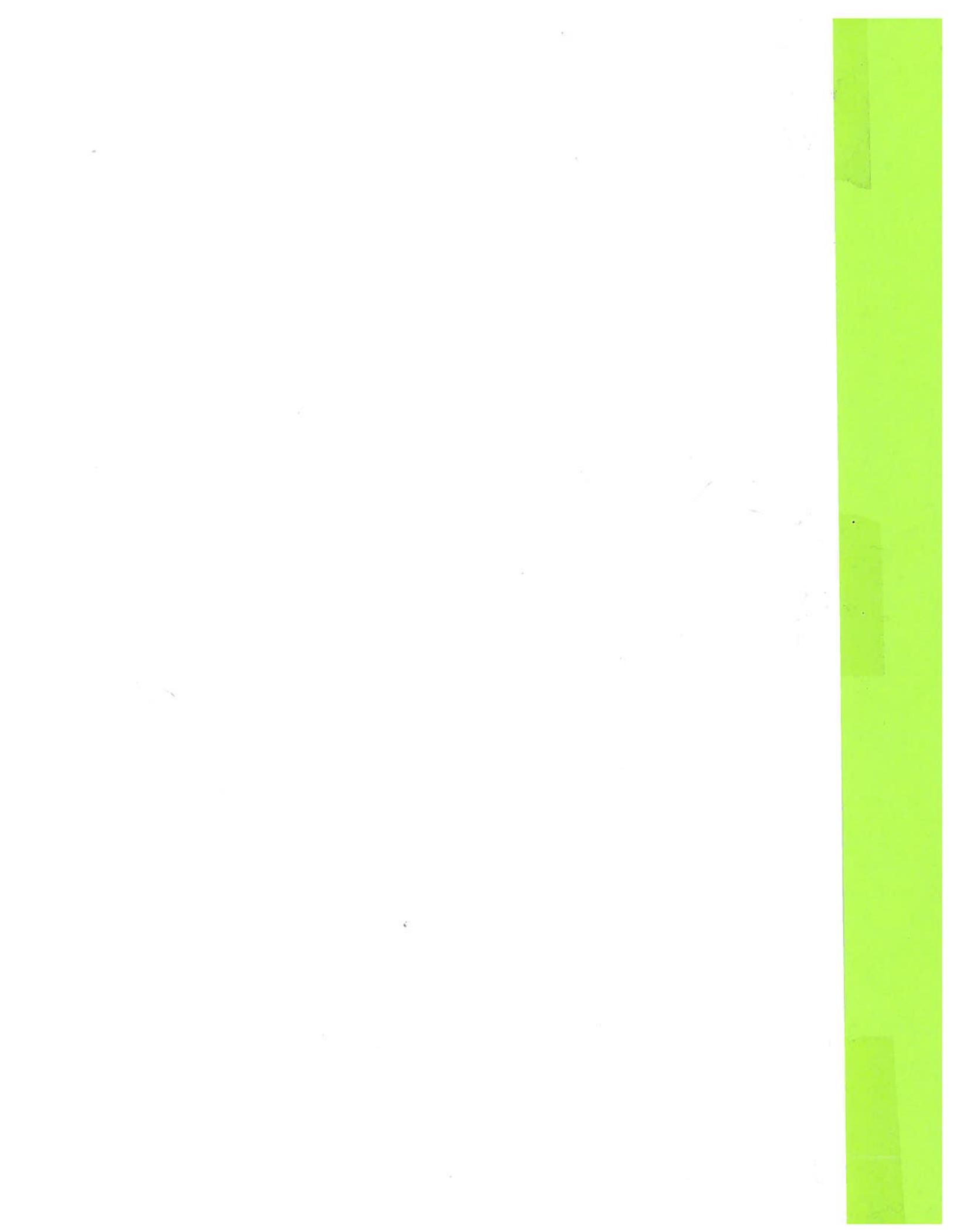
STAFF MEMO

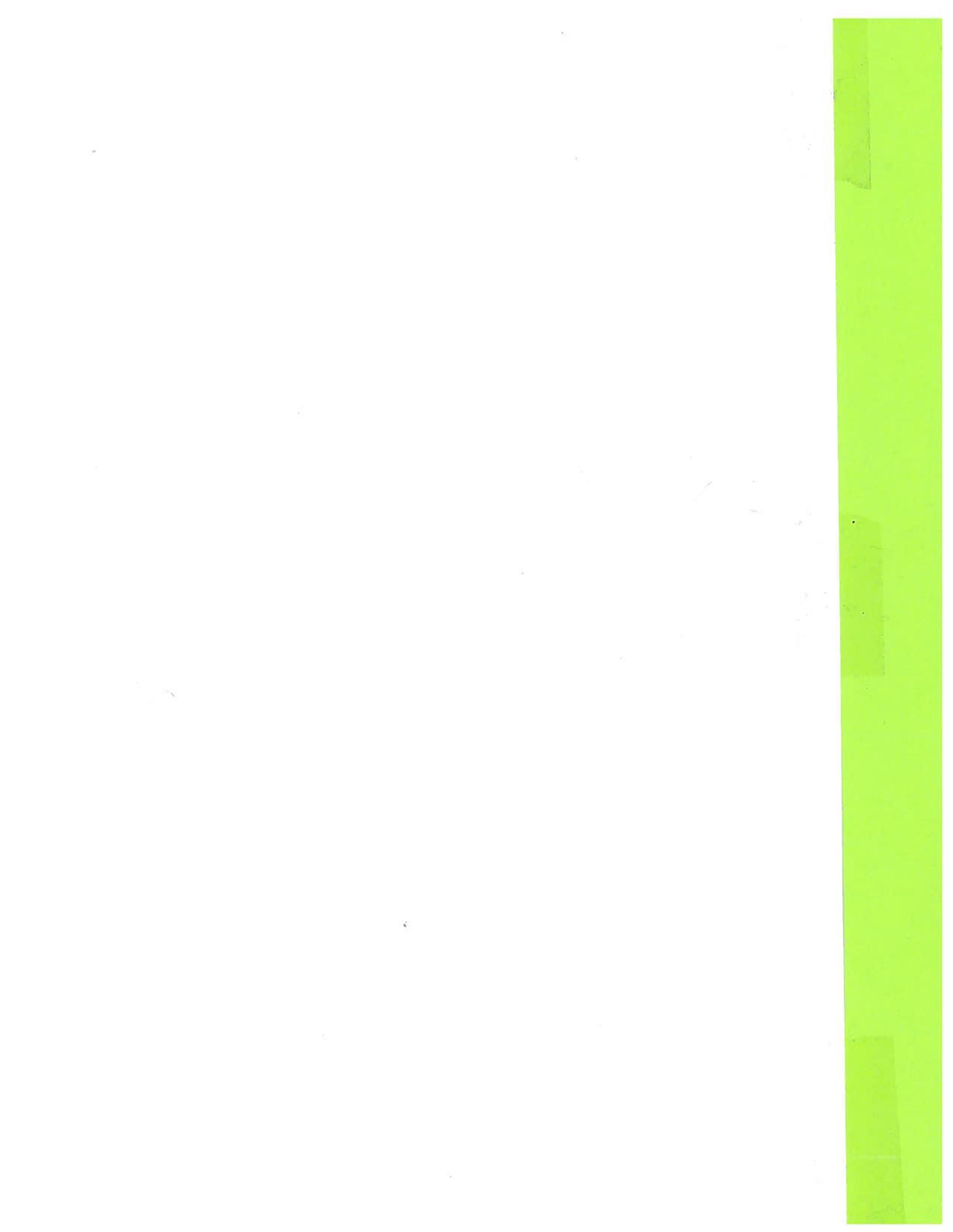
DATE: January 28, 2015

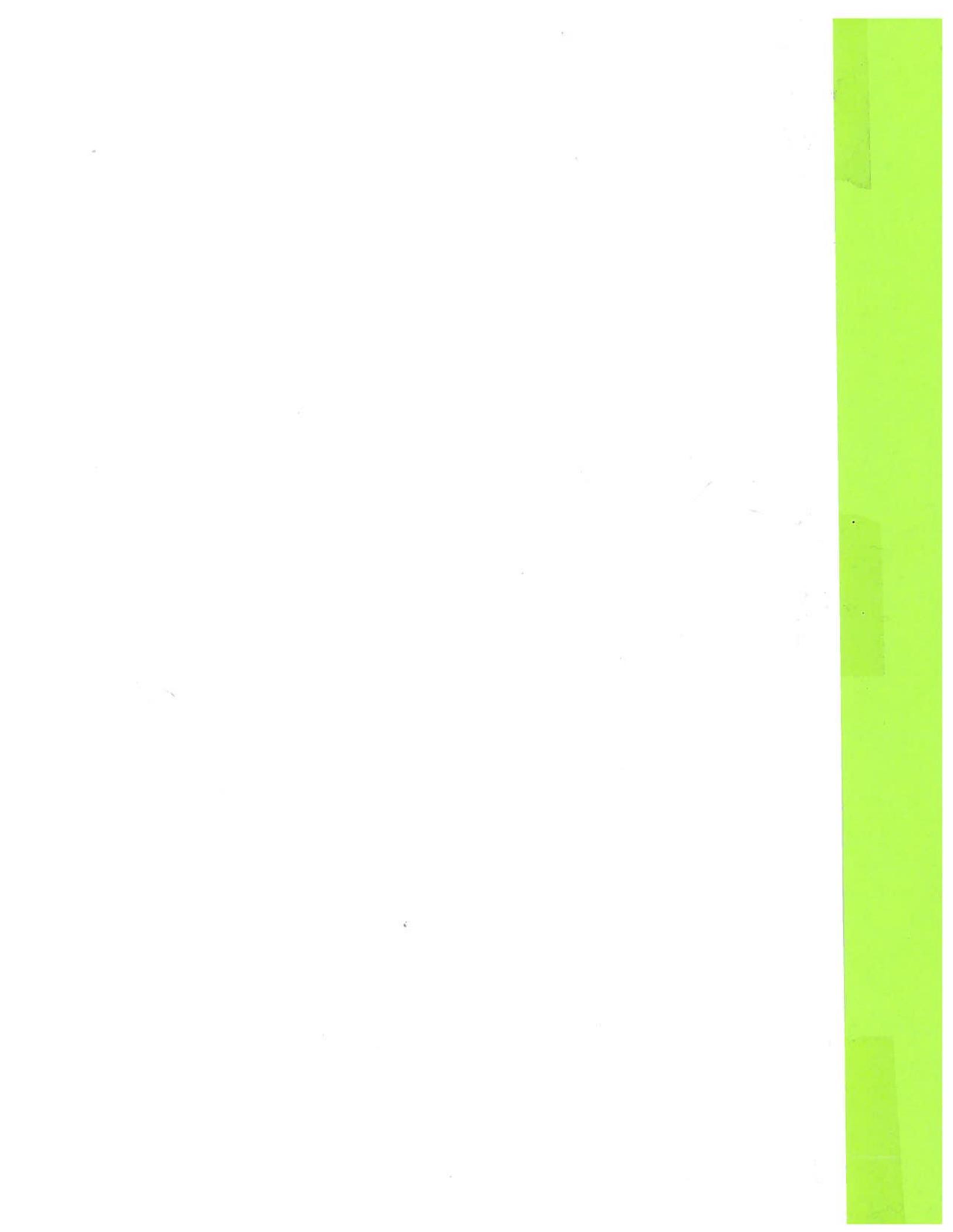
TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

Staff is requesting that the Board table this item to the March meeting to allow for further research.







Request to Amend Zoning Code

(Allow Clubs, Lodges, and Fraternal Organizations in PBG-1 Public Buildings & Grounds Zoning)

Applicant: American Legion

STAFF REPORT

DATE: January 27, 2015

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

A request to amend the Zoning Code to allow the above referenced uses in the PBG-1 zoning district. Public notice was provided through newspaper advertisement.

APPLICATION BACKGROUND

Staff considers the Lions Club and American Legion, included in this request, as quasi-public uses, as they are utilized for public assembly, and the halls are often rented out to the general public for events such as weddings, meetings, dances, etc. The Lions Club also wishes to rent out their hall to a local church. These uses do not fit so well in the current R-3 zoning, which logically requires conditional use approval due to the need to gauge impacts on nearby residences. The public FLUM and zoning are more appropriate for the (existing) club and (future) church uses, except that the former use is not allowed and the latter use is. This is why the Lions Club is applying for this Zoning Code text amendment to allow clubs, lodges, and fraternal organizations by right in the PBG-1 zoning district, along with the currently-allowed churches.

PROJECT ANALYSIS

Per Section 94-38(f)(2) of the Zoning Code, the Planning Board must study and consider proposed zoning text amendments in relation to the following criteria (if applicable), shown in underlined text (staff response follows each criterion).

The planning board shall consider and study:

a. The need and justification for the change.

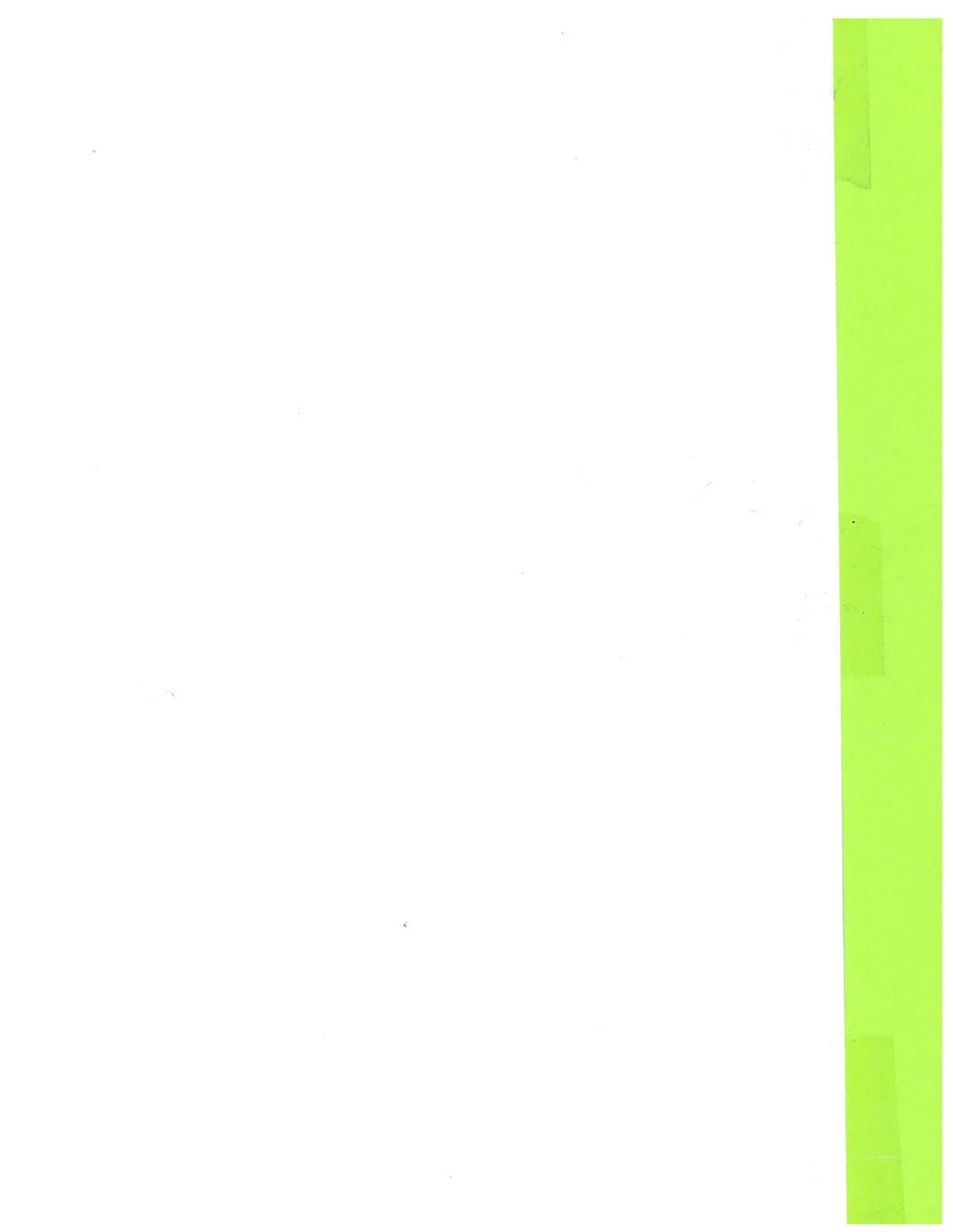
Staff comments: this change adds a logical allowable use to the PBG-1 zoning category. Clubs/lodges function as quasi-public uses and should be allowed by right in this public zoning category.

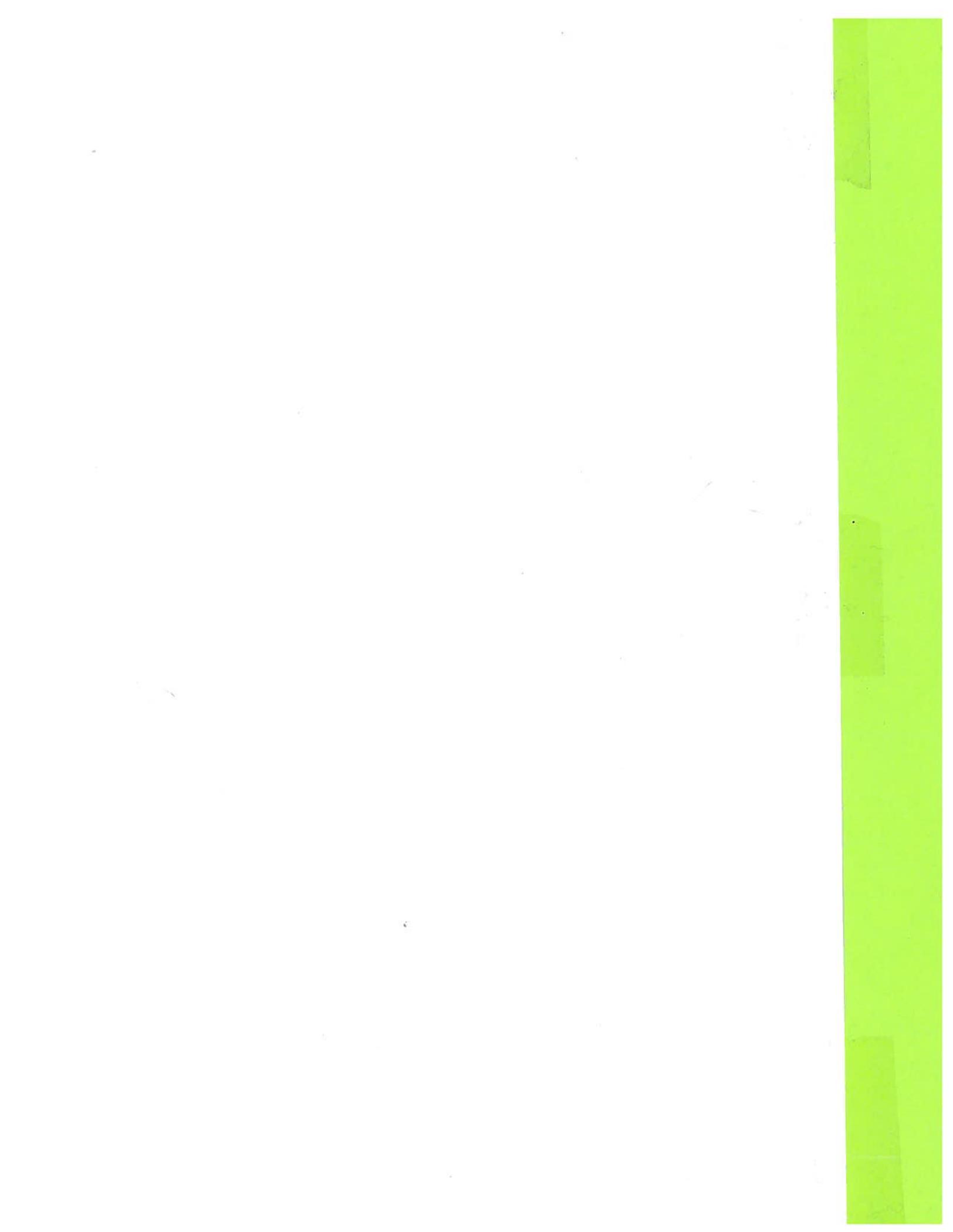
b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

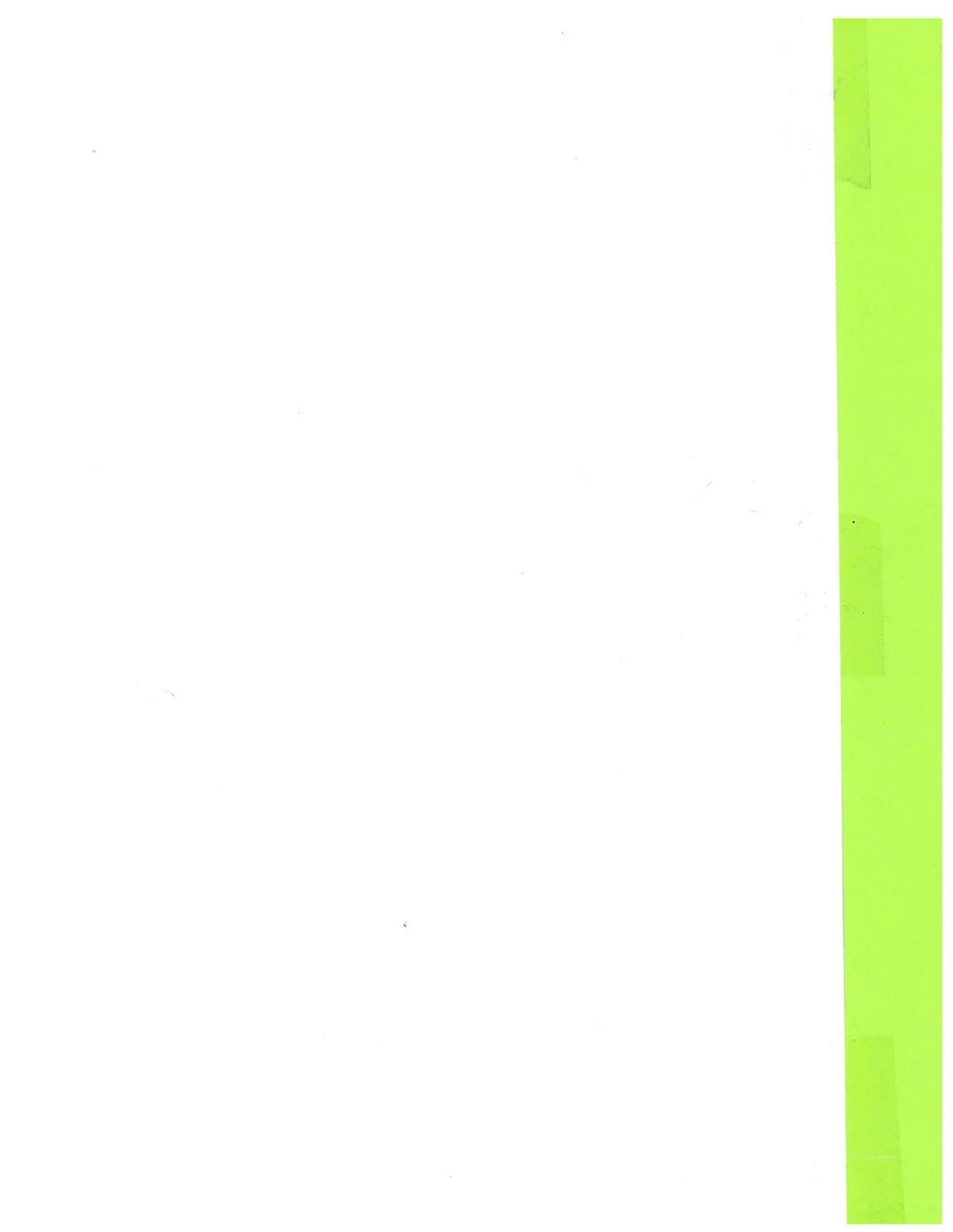
Staff comments: This action is not in conflict with the goals, objectives, and policies of the Comprehensive Plan or other city ordinances.

STAFF RECOMMENDATION

Staff recommends approval of Case 15-04 revising Zoning Code Section 94-153(b) to allow clubs, lodges, and fraternal organizations by right in the PBG-1 zoning district.







Case PB 15-05

Request for a conditional use permit for alcohol sales within 300 feet of a church

301 River St.

Applicant: City of Palatka

STAFF REPORT

DATE: January 28, 2015

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

Conditional Use allowing an establishment serving alcohol within 300 feet of a church. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

This request is for beer and wine sales at the future Riverfront Park ship's store, with package sales and on-premises sales within a 150-seat restaurant.

Chapter 10 of the Municipal Code regulates alcoholic beverages. Section 10-3 of this chapter provides specific distance/separation requirements, including a 300-foot separation between establishments licensed to sell alcohol and similar establishments. The required license in this case is from the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation.

Section 94-3 of the Zoning Code governs Conditional Uses, and provides the authority for granting such uses to the Planning Board, although the decision can be appealed to the City Commission by an "aggrieved" person.

The table below shows site and surrounding uses and land use/zoning designations. The building site is in the interior of Riverfront Park, a community park facility, and is more than 300 feet from the nearest residence to the south (on River St.) and around 400 feet from the church (to the north).

Table 1: Site and Surrounding Land Uses

	Actual Use	Future Land Use Map	Zoning
Site	Park & Boat Launch	REC (Recreation)	ROS (Recreation & Open Space)
North	Church, Dentist Office, Apartments	COM (Commercial)	DR (Downtown Riverfront)
East	Park	REC (Recreation)	ROS (Recreation & Open Space)
South	St. Johns River	N/A	N/A
West	Residence Vacant lot	RL (Residential Low) RH (Residential High)	DR (Downtown Riverfront)



Figure 1: Project Site – red rectangle (not to scale) represents approximate location of ship’s store. Presbyterian Church in upper right, Boathouse Marina in lower left, with residence adjacent to the southwest boundary of the park.

PROJECT ANALYSIS

Criteria for consideration include the following (*italicized*) as well as the general finding that the conditional use will not adversely affect the public interest.

a. Compliance with all applicable elements of the comprehensive plan.

The application is not in conflict with applicable elements of the Comprehensive Plan and its implementing elements including the Zoning Code. Future Land Use Element Policy A.1.9.3 describes the ROS Future Land Use Map (FLUM) category as follows:

Land designated for recreation is intended for a variety of leisure time activities. Included in this land use classification are both resource-based and activity-based sites and facilities. Resource-based sites and facilities are oriented toward natural resources; activity-based sites and facilities are those that require major development for the enjoyment of a particular activity. Activity-based sites and facilities include ball fields, golf courses, tennis courts, etc.; resource-based facilities include lakes, trails, picnic areas, etc.

New recreational facilities must be sited in locations which are compatible or can be made compatible with adjacent land uses.

Impervious surface land coverage of recreation land use shall not exceed 50 percent for active recreational development; 10 percent for passive recreational development. Floor area ratios shall not exceed 0.1, and intensity may be further limited by intensity standards of the Zoning Code).

The Riverfront Park is considered an activity-based park due to the boat launch activity. The ship's store is considered to be a marina-associated use, which is a permitted use under the ROS zoning category. Compatibility with the residential uses to the south and west has been enhanced by locating the store several hundred feet away from these uses. The current buffer between the boat launch area is now a grassy open area of around 20 feet in width. The improved buffer includes a dry stormwater retention pond, ornamental grass, and trees increased to a width of around 50 feet. Development standards set forth in the policy above are met. Finally the building has been set back 50 feet away from the river shoreline, as is required in FLUM Policy A.1.4.8.

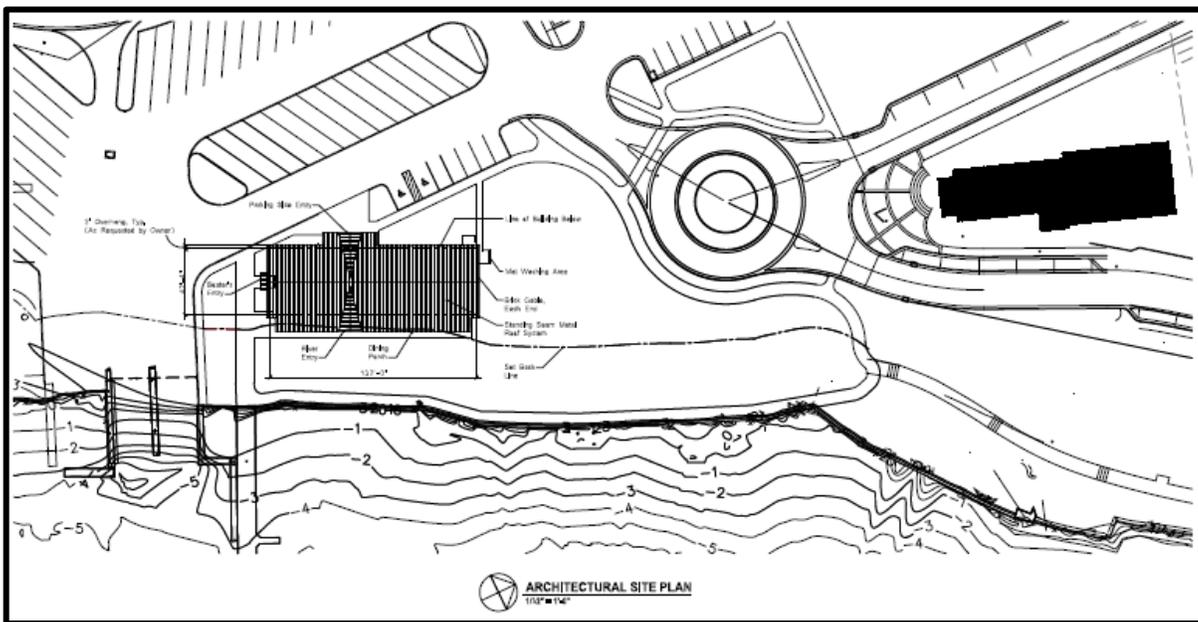


Figure 2: Site Plan. Ship's store shown in middle left, church shown to right.

- b. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*
- c. Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.*

This current reconstruction of the southern Riverfront Park which includes the store was designed to meet current traffic, parking, and other codes. There is excellent vehicle and pedestrian access to the use including the boat launch parking area, which will include a loop driveway and adjacent parking serving this use, and

nearby sidewalks along streets and the riverfront. The driveway connects to Laurel St. to the north and River St. to the west.

d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.

Screened refuse areas will be provided to the rear of the building.

e. Utilities, with reference to location, availability and compatibility.

The property is appropriately served by utilities.

f. Screening and buffering, with reference to type, dimensions and character.

See previous response to criterion a. above regarding the park's west buffer.

g. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.

Any signage shall meet the Sign Code, no specific signs are proposed in association with alcohol sales.

h. Required yards and other open space.

See f. above.

i. General compatibility with adjacent properties and other property in the district.

As discussed, the park improvements and this store have been designed to be compatible with surrounding uses through placement several hundred feet away from residences and the church, along with extensive plantings. As required by historic district regulations (the southern park is within the South Historic District) the building itself was reviewed and approved by the Historic Preservation Board in two separate public hearings, with extensive public input received and processed. Figures 3 and 4 show the approved design for the building, which is intended to improve compatibility through attractive and functional architecture.

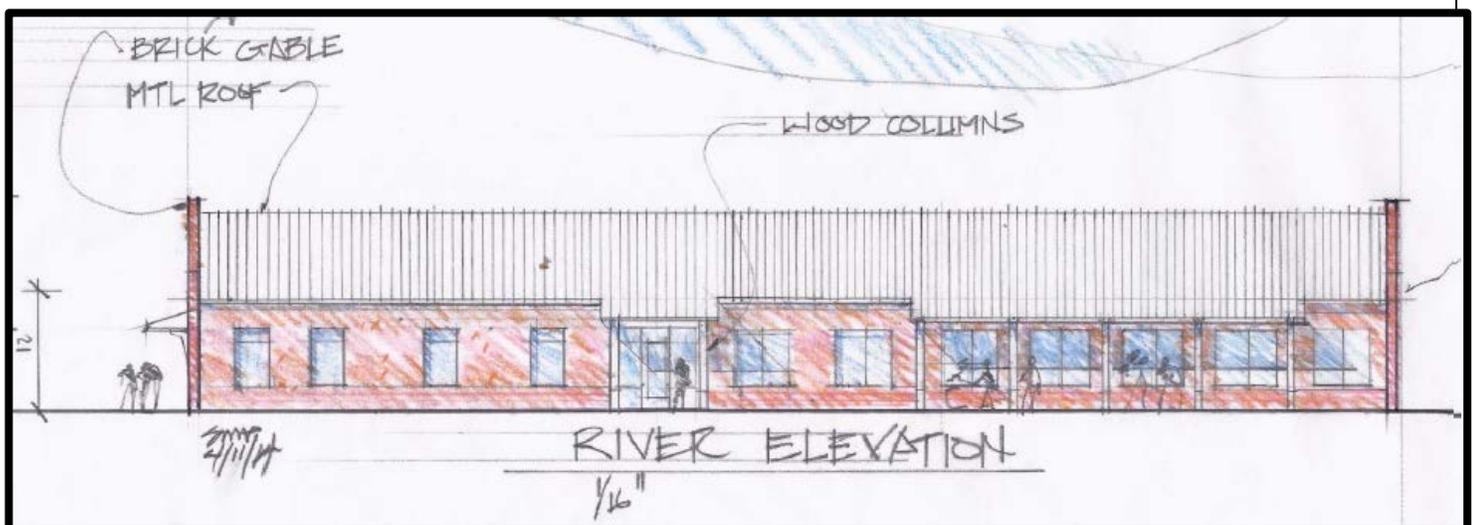


Figure 3: Ship's store riverfront elevation

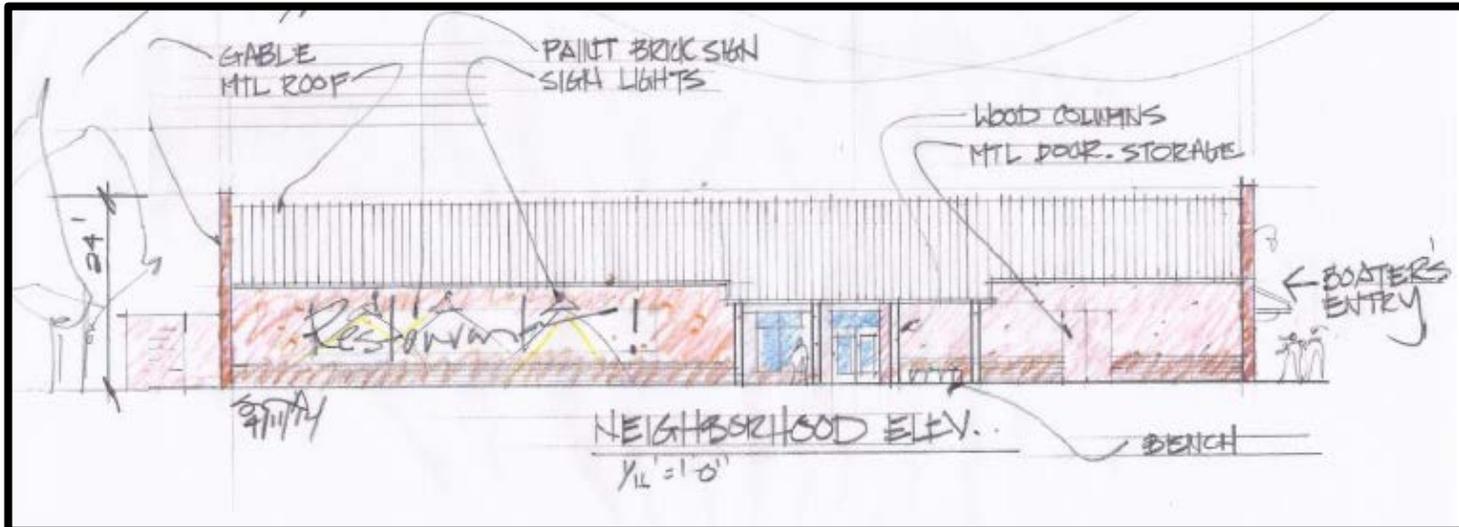


Figure 4: Ship's store west elevation

j. Any special requirements set out in the schedule of district regulations for the particular use involved. The use must meet all requirements of Municipal Code Chapter 10 pertaining to alcoholic beverage establishments, including hours of operation limitations.

k. The recommendation and any special requirements of the historic preservation board for uses within the HD zoning district.

See previous response to Criterion i regarding architectural design approved by Historic Preservation Board.

Impact on Public Interest

City Departments offered no objections or comments on the application.

A motion for approval should include any relevant conditions and the staff findings for approval. Per Section 94-3(6) should the Planning Board decide to deny the application, such a motion should include the reasons for doing so, including reasons pertaining to the criteria listed above.

STAFF RECOMMENDATION

As demonstrated in this report, Staff believes that this application meets applicable conditional use criteria if the following recommendations are met. Staff recommends approval of Case 15-05, conditional use for package sales of beer and wine associated with the ship's store and on-premises consumption of beer and wine associated with restaurant with seating not to exceed 150 seats, in keeping with the submitted site plan, and meeting all applicable standards of the Municipal Code, including the Alcoholic Beverage Code.

ATTACHMENTS: APPLICANT'S SITE PLAN AND JUSTIFICATION

Pam Sprouse

From: Jonathan Griffith
Sent: Tuesday, January 13, 2015 10:43 AM
To: Pam Sprouse
Cc: Thad Crowe
Subject: RE: Pending items for CU applications 100 Memorial Prkwy and 301 River St
Attachments: PALATKA_CONCESSIONS_A-1 Site Plan.pdf

Pam:

[See attached the site plan for 301 River St.](#)

The City of Palatka is entering into a lease agreement with PBM, LLC to manage and operate the marine taxi operations facility located in the City of Palatka's Riverfront Park. The City of Palatka anticipates executing the agreement with PBM, LLC in the next few months. The agreement provides for PBM, LLC to operate two water taxi, a fifty-five hundred (5,500) square foot water taxi terminal building which will have embedded in it a three thousand four hundred (3,400) square feet, one hundred fifty (150) seat restaurant, a ship's store and public restrooms. PBM, LLC is entering into an agreement with Nippers Palatka, LLC to sub-lease the restaurant area and for Nippers Palatka, LLC. to operate the space as a full service restaurant facility. The water taxi terminal/restaurant/ships store/restroom building will be located on the southern portion of the park between the City dock and South 3rd Street. Nippers Palatka, LLC. has agreed to take possession of the restaurant portion of the building, complete the interior and exterior construction of the building as it relates to the restaurant as well as purchase and install the equipment required to open and operate the restaurant facility. The City anticipates PBM, LLC being able to take possession of the building and Nippers Palatka, LLC. being able to complete the build out of the restaurant in the spring of 2016. Nippers Palatka, LLC. has entered into a sub-lease agreement with PBM LLC to own and operate the restaurant facility described herein. Both the City's lease with PBM, LLC and Nippers Palatka, LLC sub-lease with PBM, LLC are contingent upon the Department of Economic Opportunity (DEO) reserving funding for this project, completing the site visit that is required as part of the application process, ultimately fully executing a contract with the City of Palatka for the requested grant funding, and the City of Palatka constructing the building to the agreed upon point of completion.

The City in conjunction with PBM, LLC and Nippers Palatka, LLC anticipates having both the marina and restaurant facilities completed and operational by the spring of 2016. This application is to allow for the sale of alcohol at the restaurant and ship store. The agreement with PBM to operate the water taxis and all other riverfront elements is contingent on them securing the ability to sell alcoholic beverages which will allow them to secure a restaurateur of the caliber of Nippers. The complete operation will create thirty (30) jobs and create a family atmosphere. It also pairs multiple compatible commercial operations (i.e. water taxi, dock slips, canoe & kayak rentals and restaurant) to drive consumer traffic to the downtown riverfront area. The proposed operation compliments the proposed Hampton Inn, River Center and Riverfront Square Redevelopment.

[Jonathan C. Griffith](#)

From: Pam Sprouse
Sent: Monday, January 12, 2015 4:00 PM
To: Jonathan Griffith
Cc: Thad Crowe
Subject: Pending items for CU applications 100 Memorial Prkwy and 301 River St
Importance: High