

**CITY OF PALATKA**  
**PLANNING BOARD AGENDA**  
March 1, 2016



Call to Order: Members present: Chairman Daniel Sheffield, Tammy Williams, Anthony Harwell, Joseph Petrucci and Earl Wallace. Members absent: Vice-Chairman Joe Pickens, George DeLoach and Ed Killebrew. Staff present: Planning Director, Thad Crowe; Recording Secretary, Pam Sprouse and City Attorney, Donald Holmes.

**Motion** made by Ms. Williams and seconded by Mr. Petrucci to approve February 2, 2016 meeting minutes. All present voted, the motion carried unopposed.

The Chairman then explained appeal procedures and requested that Board members express any ex-parte communication prior to hearing the case.

**OLD BUSINESS:**

**Case 15-33** Evaluation and Appraisal Report (EAR), Comprehensive Plan

Mr. Crowe stated that staff would like to bring a final draft in April for the Board's consideration and that this item would be re-advertised.

No action taken.

**NEW BUSINESS:**

**Case 16-04** Administrative request to rezone two parcels (Putnam County Industrial Park) from County PUD (Planned Unit Development) to PID (Planned Industrial Development)

**Location (1):** 7220 PRC Way - Owner: Premier Palatka, LLC

**Location (2):** 7201 PRC Way - Owner: Sykes Realty Inc.

Mr. Crowe advised that one of the Property owners has requested that this item be tabled so they could look into the best option available to them. This request was being brought to the Board as an administrative corrective request, as these two properties are in the middle of the Putnam County Industrial Park but were not included in the City PID (Planned Unit Development) rezoning when the Park was rezoned from County to City. He added that if the property owner should choose to request a different zoning from what Staff is recommending then they will have to submit an application and it would be re-advertised.

**Motion** made by Mr. Harwell and seconded by Mr. Petrucci to table the request until the April 5, 2016 meeting date. All present voted affirmative, motion carried unopposed.

**Case 16-05** Request for conditional use for a church within 300 feet of an alcohol sales establishment located at 3523 Reid St.

Mr. Crowe gave an overview of the staff report stating that this location was previously the Palatka Farmer's Market. This is a mixed area, mostly commercial. The Farmer's market had obtained a conditional use approval for non-temporary outdoor sales in which one of the conditions was to install palm trees that are doing well. This request does conform to the Comprehensive plan other than a lack of complete conformance to the landscaping code. There are two unstripped and unstructured parking lots, which is a little problematic in terms of traffic maneuvering; staff

recommends the restriping of the parking area in the front of the building. The refuse area (garbage cans) is unscreened and visible from the roadway; staff recommends some screening be provided. With regards to buffering, with the idea of incrementally improving the property, to meet the landscape code over time, staff recommends the planting of 25 shrubs along the east parking lot along Reid St. over a 6 month period.

Mr. Holmes asked if there were a cessation of the use, what is the time frame before the conditional use goes away. Mr. Crowe replied that if the use is not continued within 1 year, without an extension requested to and granted by the Planning Board, the conditional use goes away. Mr. Holmes asked the applicant how long was the lease.

Carina Rodrigues, Owner of the Church advised that they have a two year renewable lease. She explained that she was not aware that she needed to register with the Church, but once she was made aware she made application right away.

Chairman Sheffield asked if she was aware of the recommendation for shrubbery. Ms. Rodrigues said that she was and that it was not a problem for them.

**Motion** made by Mr. Petrucci and seconded by Ms. Williams to approve the request as recommended by staff. All present voted affirmative, motion carried unopposed.

**Case 16-06** Administrative request for conditional use for a nursing home in C-1 zoning district located at 201 Zeagler Dr.

Mr. Crowe explained that this is considered an administrative corrective action. He said that some of the properties in area around the hospital were in multifamily zoning, which created some problems for some of the offices and the hospital itself. The City rezoned the Zeagler Dr. corridor to neighborhood commercial with a commercial land use designation. In doing that, it inadvertently put the assisted living facility into a situation of a non-conforming use, requiring a conditional use. As this existing facility is close to meeting landscape requirements and that staff is taking this on as an error correcting measure and that it is not applicant driven; staff is not recommending landscape improvements. He explained that any future expansion would require a conditional use approval that this is just to bring the use into conformity. Staff has recommended screening the parking areas to the owners, but not requiring it.

**Motion** made by Mr. Harwell and seconded by Mr. Petrucci to to approve the request as submitted by Staff, with the exception of not requiring the additional shrubbery. All present voted, motion carried unopposed.

**Case 16-07** Request for conditional use to serve alcohol in an existing restaurant within 300 feet of another licensed facility and a church located at 705 St. Johns Ave.

Mr. Crowe explained that this is an existing restaurant that has been established for more than three

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*FOR ADDITIONAL INFORMATION OR FOR PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING PLEASE CONTACT THE CITY BUILDING AND ZONING DEPARTMENT AT 329-0103, AT LEAST 24 HOURS IN ADVANCE TO REQUEST DISABILITY ACCOMMODATIONS.*

years at this location and the owners would like to expand their menu to allow for alcohol associated with food service. He advised that this location is within the downtown zoning exempt from the landscape ordinance and the parking requirements. Staff recommended approval of serving alcohol with food, stating that he had a conversation with the applicant about the extending the hours recommended by staff and he did not have a problem with that.

Discussion took place regarding the allow time for serving alcohol is currently governed by the alcohol ordinance.

Cheryl Barker, 102 Oakwood Point Palatka asked if this request was for beer & wine or liquor. Mr. Crowe explained that from a zoning standpoint, there is no restriction on the type of alcohol; however the Board can place those types of restrictions on the conditional use. Mr. Holmes stated from a legal standpoint, it would be necessary for the Board to articulate the restriction as to why they would be different from the use that is just down the block. Just the same with any other restriction such as hours of operation, there needs to be logic and a rational basis to it.

Lacy Motley, co-owner of the Magnolia Café' 705 St. Johns Ave., stated that they would like to start offering mimosas with brunch and craft bears with burgers or crab cake sandwiches. Also they plan to start offering art showings for local artist and would like to be able to serve wine and hors d'oeuvres.

**Motion** made by Mr. Petrucci and seconded by Mr. Harwell to approve the request as submitted by Staff, with the exception to remove the restriction of alcohol serving hours. All present voted, motion carried unopposed.

**Case 16-10** Request for exception to development within the Airport Educational Restriction Zone (Edge High School) located at 600 College Rd.

Mr. Crowe stated that the owner currently has a High School located on Husson Ave. and is desirous of relocating to 600 College Rd., hoping to start classes there this fall. He explained that Florida Statutes required Florida jurisdictions restrict uses within the runway paths going out five miles, which includes most of the City. The City, implemented this into law through the Comprehensive Plan in 2012 (FLU Policy A.1.1.6d). The statue also provides a basis for appeal to this policy through a request for exception to the political subdivision administering the zoning regulations. He added that he had received a communication from the Airport Director that stated that in his opinion, the risk is pretty meniscal, as that runway hardly used and with this location the better part of a mile away he believes that the benefits far outweigh the potential risk. Mr. Crowe said that if approved for the exception, they would still have to come back to the Planning Board for a conditional use approval and recommended approval.

Patricia Freeman, 168 Wilderness Trail, Crescent City, president of the Edge High School Board was present to speak on behalf of the request.

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Mr. Holmes shared comments with regards to a conversation he had with Mr. Headstream in which he expressed concern of the possibility the school may in some fashion interfere with any future expansion of the airport. In his opinion, if the school were to waive any right it had to object to any further expansion of the airport, a right by virtue of its standing, being located within this airport zone, as The City would be waiving any objection to locating in the zoning. He would then have no problem recommending the request. Chairman Sheffield asked that if the Board desired so, would he provide language to that affect. Mr. Holmes said that he would.

Mr. Harwell asked how many occupants would be in the building. Ms. Freeman stated that currently the school has 120 students enrolled and they are chartered to have up to 400 students. They purchased this 27,000 sq. ft. building in 2013 and at the time did not know about this restriction. Mr. Petrucci asked if the school has notified the parents that this location is in a glide path. Ms. Freeman replied yes, that all of the parents and teachers are aware of their application for acceptance, it has been listed on the school website and e-mails have been sent out. She said they could also put this information in the student handbook.

Mr. Crowe stated that he concurred with Mr. Don Holmes' proposal for a waiver and added that it has been an ongoing issue in the past, with developers, a couple of developers wanting to develop multifamily residential which is a separate prohibition.

Mr. Harwell asked Mr. Holmes who would be liable in the event there were an accident with the school from the north/south runway. Mr. Holmes assured that the north/south runway is open however, when landing an aircraft the prevailing winds are used which are the east west. In Palatka they are generally east/west therefore that is the most used runway. He is not sure how the City would be held responsible for that, as the path is there and if people choose to locate in that path that is their choice. His primary concern is the restrictions that airports increasingly face based upon the objections of people that move into the surrounding area with the full knowledge that there was an airport there.

**Motion** made Mr. Petrucci and seconded by Mr. Wallace to recommend approval the request for exception to development within the Airport Educational Restriction Zone (Edge High School) located at 600 College Rd. provided that the applicant waive the right to object to any airport operations or any expansion of same and provide a notice to the all students and parents, current and future that the school is located in a glide path. Motion carried 4 – 1 Ney by Ms. Williams. Motion carried.

Mr. Crowe updated the Board by stating that no new request for waiver from architectural standards for main thoroughfares were received last month and that two of the Board's recent recommendations for code amendments were denied by the City Commission:

- The elimination of the Zoning Board of Appeals, transferring those responsibilities to the Planning Board.
- And the second recommendation voted down by the City Commission was the housekeeping amendment for pushcarts.

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With no other business, meeting adjourned at 4:55 p.m.

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