

CITY OF PALATKA PLANNING BOARD AGENDA

August 2, 2016



Call to Order

1. Roll Call
2. Appeal procedures and ex-parte communication
3. Approval of July 5, 2016 meeting minutes.

OLD BUSINESS:--

Case 16-25 Request to rezone and remove a portion of property (southwest corner of River and Morris Streets) from local Historic District Designation (South Historic District). Recommended approval by the Historic Preservation Board.

Parcel: 42-10-27-6850-0001-0260

Applicant: Building & Zoning Dept.

Case 16-33 Request for a conditional use for non-temporary outdoor storage (sheds) in the C-2 (Intensive Commercial) zoning district

Location: 920 S. Moody Rd.

Applicant: Miguel Dejuk

4. NEW BUSINESS:

Case 16-38 Request for a conditional use permit for an indoor recreation use (internet café) in a C-2 zoning district.

Location: 2000 Reid St.

Owner: John Rochester

Applicant: Michael Byars/Kim Burnett

Case 16-40 Request for final plat for subdivision

Location: Parcels #04-10-26-0000-0010-0000; 04-10-26-0000-0021-0000; 04-10-26-0000-0021-0030; 04-10-26-0000-0010-0030; 09-10-26-0000-0030-0000; and 09-10-26-0000-0010-0021 (a.k.a. a portion of Putnam Co. Business Park).

Applicant: Putnam County Port Authority/Brian Hammons, Putnam Co. Planning Director

OTHER BUSINESS:

Case 16-42 Consideration of alternative minimum parking standard for gymnastic, dance, and martial arts studios.

5. ADJOURNMENT

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

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 WHEN REQUESTING DISABILITY ACCOMMODATIONS.

CITY OF PALATKA
PLANNING BOARD MINUTES
July 5, 2016



Members present: Chairman Daniel Sheffield, Earl Wallace, George DeLoach, Edie Wilson, Tammy Williams, and Ed Killebrew.

Members absent: Joseph Petrucci, Anthony Harwell and Vice-Chairman Joe Pickens.

Staff present: Planning Director Thad Crowe, Recording Secretary Pam Sprouse, and City Attorney Donald Holmes.

Motion made by Mr. DeLoach, and seconded by Mr. Killebrew to approve the May 3rd and June 7th, 2016 meeting minutes. All present voted, motion carried unopposed.

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

OLD BUSINESS: None

NEW BUSINESS:

Case 16-32 Request for a conditional use for on premises alcohol sales and service in conjunction with an existing motel in the DR (Downtown Riverfront) zoning district.

Location: 100 Memorial Parkway

Applicant: Sanjay Patel

Mr. Crowe explained that this request is within the 300 feet of the First Presbyterian Church and also the newly approved craft beer and wine sales at Lady Bugs. The request is for hotel guests, a practice which is becoming more common among hotels to sell or serve alcohol to their guests. He noted that the hotel is in the downtown zoning district, which is a parking exempt area, but has still provided 70 parking spaces. He went over each of the conditional use criteria and concluded that these criteria were met. He recommended approval of the request with the following conditions:

- Wine or beer shall be served only to hotel guests in lounge, lobby, or similar indoor common areas within the hotel building between the hours of 5 PM and 8 PM.
- Alcohol signs in the window are not permitted, as this would give the appearance of the hotel housing a bar or nightclub.

Mr. Sheffield asked for clarification that the use would be restricted to the footprint of the building itself. Mr. Crowe replied that was correct. He said that there were two phases of development planned for this property. The first phase is for the hotel, and the second phase is a separate parcel fronting along St. Johns Ave. Mr. Wallace asked if guest meant someone staying in the hotel. Mr. Crowe responded in the affirmative.

Motion made by Mr. DeLoach and seconded by Ms. Williams to approve the request as recommended by Staff, specifically limiting the use area to the areas described that are within the footprint of the building. Motion carried unanimously.

Case 16-33 Request for a conditional use for non-temporary outdoor storage (sheds) in the C-2 (Intensive Commercial) zoning district

Location: 920 S. Moody Rd.

Applicant: Miguel Dejuk

Mr. Crowe stated that the applicant has requested that this request be tabled so that they can improve upon the proposed site plan. **Motion** made by Ms. Williams and seconded by Mr. Kellebrew to table this request until next meeting. Motion carried unanimously.

Case 16-34 Request conditional use for on premises alcohol sales and service in conjunction with a restaurant within the DB (Downtown Business) zoning district.

Location: 700 St. Johns Ave.
Owner: Michelle Jeansonne
Applicant: Lou Singleton

Mr. Crowe identified the location as the northwest corner of 7th Street and St. Johns Ave. known in past days as the bus depot and in recent years a coffee shop, which closed down more than six years ago. He reviewed the site plan, including an outdoor seating area in front that now has planters with trees in it, a proposed outbuilding in the rear for storage, and future parking in the rear of the lot. He went over each of the conditional use criteria, and said that with Staff conditions the application met those criteria. He said that the existing pole sign could not be utilized, since the downtown sign standards have been revised to prohibit pole signs, and this sign has been partially dismantled and is not eligible for reconstruction. He recommended removal of the sign.. He concluded with the following recommended conditions of approval:

1. On-premises consumption of alcohol (beer and wine) associated with a restaurant is allowed.
2. Future development shall conform to the site plan, with the requirement that Municipal Code standards regarding parking and driveway dimensions and other relevant standards will apply.
3. Alcohol service shall not occur past 10 PM.
4. Any future signage is subject to the Sign and Zoning Codes, including Downtown Overlay Zoning standards.
5. The existing pole sign remnant shall be removed.
6. A screened waste area shall be provided in the rear of the building, and the site plan shall be revised to show its location.

Mr. Wallace stated that he would like to see two trees replace the planters (somewhere on the property) if the owner should choose to remove them. Mr. Crowe agreed and added that the City has a tree fund that can be utilized as a partnership effort.

Charlie Douglas, 601 St. Johns Ave., said that he represented the applicant, Ms. Singleton being the owner of the proposed "This and That Café." He said that she is new to the area and is investing a substantial sum to have a presence downtown, to have a café which will be a great addition to the St. Johns and 7th Street corner. Ms. Singleton's intention is to spruce the place up, prune the Magnolia trees, repaint the railing of the outside front dining court and sand and paint the sign pole, as she would like to add a quaint little sign to what Mr. Douglas referred to as a sign having historical significance. He said that Ms. Singleton does not intend to improve the parking area shown on the site plan at this time, that it is a future possible expansion that would conform to the code requirements. He added that the proposed rear storage building would have a exterior finish on it to conform to the downtown architectural standards.

Lucy Singleton, East Palatka, stated that she was planning to add some kind of tree for shade, possibly a palm. She is a plant person, and there will be plants in pots all over the place.

Allegra Kitchens, 1027 S. 12th St., stated that she was neither for nor against the request. She commented that there is a requirement for screening any outside drinking areas from the general public so that people cannot be seen drinking outside as has been required of other similar requests for outdoor drinking. She commented that the hours referenced in the application listed serving hours as 6:30 am to 9:00 pm, wanted to point out for the applicant's benefit, the City of Palatka alcohol ordinance restricts the sale of alcohol before 7:30 am weekdays

and Saturday, and on not until 1:00 pm on Sunday. Upon request from clarification from the Chairman, Mr. Crowe stated that a conditional use could not exempt the applicant from the alcohol ordinance and that its requirements for hours of operation would prevail. He advised that with outdoor alcohol consumption, there is a state requirement for an identifiable barrier, not necessarily a totally hidden screening, but a clear delineation between the service area and the general public. Mr. Killebrew asked if the existing iron type fencing would be enough of a barrier. Mr. Crowe answered that it creates such a recognizable barrier. Signs could be added that say no alcohol beyond this point.

Chairman Sheffield asked Mr. Douglas if his client was aware of the barrier requirements and the alcohol hours. Mr. Douglas said that his client plans to use the existing fencing that is there which is sufficient to meet barrier requirements and would conform to the requirements of the alcohol ordinance. His applicant intends to paint the building and the railings, adding accent features, plants and really make the place attractive, something the whole downtown will be proud of. Mr. DeLoach mentioned that he observed as a frequent visitor of the University of Florida during football season to eating and drinking establishments in that town that they have similar barriers to what is existing on this property now.

Ms. Wilson commented that she was in favor keeping the existing pole sign, liven it up a bit, and to use it as a sign – it has been there all of her life. Mr. Crowe stated that he recognizes the value of historic signs however this sign is not designated historical, and all that is left of the pole - the sign code requires that once a non-conforming sign becomes functionally obsolete, that it must be removed and cannot be replaced upon or brought back. He said that allowing the sign would require a code change, and added that during the development of the Downtown Overlay Zoning it was determined that pole signs were not appropriate for the St. Johns Avenue area, as they are more conducive to automobile oriented, suburban type development and not the historical, pedestrian-oriented downtown. The St. Johns Avenue area is limited to wall and ground signs. One of his concerns would be that changing the code to allow it here would mean allowing elsewhere and that could undermine the efforts to make downtown a pedestrian friendly, walkable downtown. Mr. Kellebrew asked if they could leave the pole. Mr. Crowe said that as it is currently unsightly, but he would not be opposed if it were to be improved upon it could be used as a plant stand or possibly some other use.

Motion made by Mr. DeLoach and seconded by Mr. Killebrew to approve this request conditioned upon meeting all applicable State and local codes and per staff recommendations. All present voted, motion carried unanimously.

Case 16-36 Request for major modification to approved conditional use for more than two residential units within a single building in the DR (Downtown Riverfront) zoning district, reducing residential units and increasing commercial space.

Location: Parcel #42-10-27-6850-0020-0010 (a.k.a. “Century Block” or 100 Block of N. 2nd St.).

Applicant: Riverside Development Group LLC.

Mr. Crowe explained that this request was for modification to the floor plan of the recently City Commission-approved conditional use for up to 16 residential units with commercial on the first floor. He said that the applicant would like to modify the site plan to allow for a little more flexibility in the Moragne building, to allow for the option of commercial office space on the 2nd and third floors, while retaining at least one residential unit in that building. The other conditions of approval would remain the same. Staff recommended approval providing that if the number of residential units in the Moragne building were to be reduced to no less than one, that number cannot be transferred to the other buildings. The following conditions apply:

1. No more than 16 upper-floor residential uses shall be allowed.
2. Up to five out of the six approved residential units in the Moragne Building (105 N. 2nd St.) may be replaced with professional or medical office space. Any residential units removed from this building

shall not be transferred to other buildings in the project, but shall be eliminated from the development plan.

3. Use is approved subject to and generally conforming to the site plan, floor plan, and elevations. Minor changes may be approved by Staff, with major changes requiring Board approval through the Conditional Use permit process. Major changes include decreases in unit square footage; removal of kitchens, bathrooms, and other rooms; changes in the appearance of windows, doors, and exterior materials.
4. First-floor residential uses are prohibited.
5. Future conversion to owner-occupied condominium units is allowed as a minor change.
6. Balconies must be kept free of visual clutter including towels, grills, and other items, with the exception of patio furniture.
7. Upper-floor windows must have unified/similar window coverings (blinds or curtains only), unified to each building or to all buildings.
8. Building grounds must be kept neat and orderly, with any items stored outside being secured within areas that are screened from public view.
9. All other applicable standards of the Municipal Code must be met, including any Building or Fire Code life and safety requirements.

Kevin Sharbaugh, representing the applicant, stated that previously when this project was before the Board, the applicant was bound by a contractual restriction by the City, which has since been amended to allow what is allowed by right in the code, that is commercial and office space on the 2nd and third floors. He said that there is a potential buyer for the Moragne building who is interested in using the building for other than residential purposes.

Motion made by Mr. DeLoach and seconded by Ms. Williams to approve the request with staff recommendations. All present voted, motion carried unanimously.

Mr. Douglas said that he hopeful with their plans and believes in the revitalization of downtown core.

Upon request from the Chairman, Mr. Crowe informed the Board that no new variances from the design standards for main thoroughfares have been received at the staff level in the past few months. Mr. Sheffield asked if the new bread store that was recently approved conditional use was issued a certificate of occupancy, as he was not sure it was developed according to the Board's approval conditions. Mr. Crowe said that the applicant had spoken at the meeting that there would be "some" split faced block, which has been done, but not to the entirety of the building. He also updated the Board that the building associated with the recently approved conditional use permit (for indoor recreation/Internet café) at 2801 Reid St may be encroaching on some of the church property next door, which would be a civil matter.

The meeting was adjourned at 4:58.

South Historic District Adjustment (Removal)

Case # 16-25

Property Located at southwest corner of River and Morris Streets

STAFF REPORT

DATE: July 27, 2016

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

SUBJECT: South Historic District Boundary Adjustment

APPLICATION REQUEST

The Applicant and owner of these properties, Mr. Normand Jutras, has requested the removal of this property from the South Historic District based on the claim that the property shown below was incorrectly included in

the historic district. This error pertained to the actual intent of the legal description to continue along the Morris Street right-of-way, not to continue the line straight down the rear lots of the properties fronting on the west side of Morris Street. This error was confirmed by surveyor Earl Wallace.



Figure 1: Property Location



Figure 2: Property from River St., looking west. Property is on left hand side of road – note drop-off into forested wetland area.

Sec. 54-77 of the Municipal Code (Planning) addresses the creation of historic districts. There are no provisions in this or other sections of the Historic Preservation Ordinance that address the removal of properties from historic districts. However Sec. 94-156 of the Municipal Code (Zoning) defines the HD (Historic District) zoning as an overlay district on the underlying conventional zoning. Rezoning is the purview of the Planning Board, but one of the rezoning criteria requires a recommendation from the Historic Preservation Board. This Board recommended approval of this application at their July meeting. Both Boards' recommendations will be forwarded to the City Commission which will take final action on this application.



Figure 3: South Historic District Boundary Survey Graphic – red line represents intended boundary, black line represents incorrect boundary.

APPLICATION ANALYSIS

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. While these criteria are the responsibility of the Historic Preservation Board, which determined that the application was not in conflict with them, they are included for informational purposes. The converse of this, which in this case is disassociating property from the District with good reason, is that the property does not meet any criteria noted below.

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;

Staff Response: the property is part of the old Wilson

Cypress Mill but does not include any remnant historic structures. This property drops off quickly into wetlands and was not likely to have been utilized in historic periods due to frequent flooding probability.

b. Is associated with the lives of persons significant in our past;

Staff Response: this specific property is not associated with the lives of significant persons.

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

Staff Response: not applicable.

d. Have yielded, or may be likely to yield, information important in prehistory or history.

Staff Response: Staff is not aware of any information associated with this property that is important in prehistory or history.

The following rezoning criteria must also be considered, in this case by the Planning Board.

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

Staff Response: Staff has not found any goals, objectives, and policies (GOPs) that conflict with this action. The Plan's historic preservation-related GOPs pertain to the identification and protection of clearly identified historic resources.

b. The existing land use pattern.

Staff Response: this property is not associated with the South Historic District as it historically was undevelopable and forested wetlands.

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

Staff Response: since this smaller piece of property is part of a larger tract of land, joining it with its parent tract of land that is not in the historic district will not be creating an isolated district.

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

Staff Response: not applicable.

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

Staff Response: the existing district boundaries are not logically drawn since they split an undeveloped property without a compelling justification for such a split.

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

Staff Response: conditions have not changed that make this amendment necessary (or unnecessary).

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

Staff Response: removing this property from the historic district will not adversely influence living conditions in the neighborhood. This change will not affect the underlying zoning (low density single-family) and the Future Land Use Map designation of Residential Medium. Any future development must meet all applicable standards, including strict development standards of the Flood Code, since it is a wetland area.

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

Staff Response: not applicable.

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

Staff Response: not applicable.

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

Staff Response: not applicable.

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

Staff Response: not applicable.

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

Staff Response: not applicable.

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

Staff Response: not applicable.

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

Staff Response: not applicable.

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

Staff Response: not applicable.

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

Staff Response: 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 Response: as stated, the Historic Preservation Board has recommended approval of the removal of this property from the South Historic District.

STAFF RECOMMENDATION

Upon finding that this application meets the rezoning criteria and represents a correction to reflect the intended boundaries, Staff recommends approval of the removal of HD overlay zoning from this property, thereby removing it from the South Historic District.

ATTACHMENTS: CURRENT AND PROPOSED LEGAL DESCRIPTIONS OF SOUTH HISTORIC DISTRICT

CURRENT LEGAL DESCRIPTION

Palatka South Historic District

A tract of land lying in the city more particularly described as follows: Beginning at the intersection of the westerly shore of the St. Johns River and the easterly projection of the southerly right-of-way (R.O.W.) of St. Johns Avenue; thence westerly along said projection to intersection with the westerly R.O.W. of Memorial Parkway (formerly known as South First Street); thence southerly and southwesterly along said R.O.W. to intersect with the northeast corner of BK 159 P 271; thence northwesterly along the northerly line of said BK 159 P 271 to intersect with the easterly R.O.W. of South Second Street; thence northerly along said R.O.W. to intersect with the easterly projection of the northerly line of Lot 8 Block 12 as platted in Dick's Map of Palatka in MB 2 P 46; thence westerly along said projection to the southeast corner of Lot 4 Block 12; thence northerly along the easterly line of said Lot 4 and Lot 3 to the northeast corner of Lot 3; thence westerly along the northerly line of said Lot 3 to the easterly R.O.W. of South Third Street; thence southwesterly to intersect the westerly R.O.W. of South Third Street and the northeast corner of BK 137 P 358; thence westerly along the northerly line of said BK 137 P 358 and extended to intersect the easterly line of Lot 4 Block 14; thence southerly to the southeast corner of said Lot 4; thence westerly along the northerly lines of Lots 2 and 3 of Block 14 and extended westerly along the northerly lines of Lots 2, 3, 4, Block 25, Lots 2, 3, 6 Block 28, Lots 1, 4, 5, 8, 9, 12 Block 38, Lots 2, 3, 6 Block 54, Lots 2, 3, 6 Block 63 to intersect with the westerly R.O.W. of South Ninth Street; thence southerly along said R.O.W. to intersect the northerly R.O.W. of Laurel Street; thence westerly along said R.O.W. to intersect the westerly R.O.W. of South Tenth Street; thence southerly along said R.O.W. to intersect the southerly R.O.W. of Carr Street; thence easterly along said R.O.W. to intersect the westerly R.O.W. of South Ninth Street; thence southerly along said R.O.W. to intersect with the northwesterly R.O.W. of Crill Avenue; thence across Crill Avenue to intersect the northerly corner of Block 146, also being the southwesterly R.O.W. of Morris Street; thence southeasterly along said R.O.W. to intersect the northerly R.O.W. of Emmett Street; thence southwesterly along said R.O.W. to intersect with a northwesterly projection of the southwesterly line of BK 78 P 562; thence southeasterly along said projection and the southwesterly line of BK 78 P 562 and extended to the southerly corner of BK 133 P 252 and continue on same projection to intersect the westerly shore of St. Johns River; thence northeasterly along said river to the point of beginning, and to close.

PROPOSED LEGAL DESCRIPTION

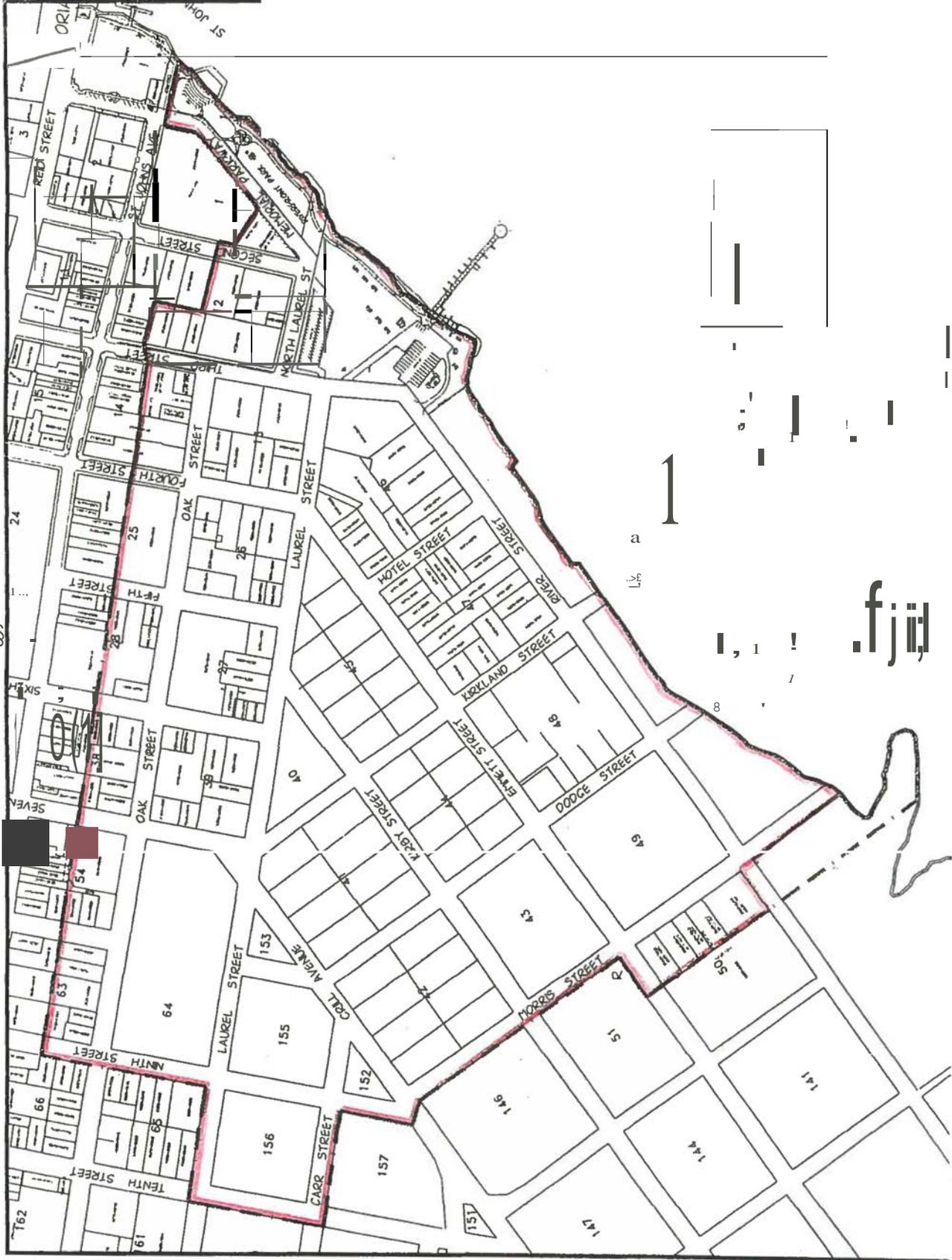
A part of Dick's Map of Palatka as recorded in Map Book 2, page 46 of the Public Records of Putnam County, Florida being more particularly described as follows:

For a Point of Beginning commence at a point on the southerly right of way line of St. Johns Avenue, where said southerly right of way line of St. Johns Avenue intersects the waters of the St. Johns River; thence westerly along said southerly right of way line of St. Johns Avenue to the westerly right of way line of Memorial Drive; thence southerly along said westerly right of way line of Memorial Drive to the most easterly corner of the lands described in Deed Book 159, page 271 of said Public Records; thence westerly along the northerly line of said lands described in Deed Book 159, page 271 to the easterly right of way line of South 2nd Street; thence northerly along said easterly right of way line of South 2nd Street to the easterly projection of the northerly line of Lot 8, Block 12, said Dick's Map of Palatka; thence westerly along said easterly projection of the northerly line of Lot 8, Block 12 to the northeasterly corner of said Lot 8, Block 12 said point being on the westerly right of way line of said South 2nd Street; thence westerly along said northerly line of Lot 8, Block 12 and the northerly line of Lot 5, said Block 12 to the southeasterly corner of Lot 4, said Block 12; thence northerly along the easterly line of said Lot 4, Block 12 and along the easterly line of Lot 3, said Block 12, to the northeasterly corner of said Lot 3, Block 12; thence westerly along the northerly line of said Lot 3, Block 12 to the easterly right of way line of South 3rd Street; thence westerly to the northeasterly corner of the lands described in Deed Book 137, page 358 of said Public Records, said point being on the westerly right of way line of said South 3rd Street; thence westerly along the northerly line of said lands described in Deed Book 137, page 358 and its westerly projection to the easterly line of Lot 4, Block 14, said Dick's Map of Palatka; thence southerly along said easterly line of Lot 4, Block 14 to the southeasterly corner of said Lot 4, Block 14, also being the northeasterly corner of Lot 3, said Block 14; thence westerly along the northerly line of said Lot 3, Block 14 and the northerly line of Lot 2, said Block 14 to the northwesterly corner of said Lot 2, Block 14, said point being on the easterly right of way line of South 4th Street; thence westerly to the northeasterly corner of Lot 4, Block 25, said Dick's Map of Palatka, said point being on the westerly right of way line of said South 4th Street; thence westerly along the northerly line of said Lot 4, Block 25 and the northerly lines of Lots 3 and 2, said Block 25 to the northwesterly corner of said Lot 2, Block 25, said point being on the easterly right of way line of South 5th Street; thence westerly to the northwesterly corner of Lot 6, Block 28, said Dick's Map of Palatka; thence westerly along the northerly line of said Lot 6, Block 28 and the northerly lines of Lots 3 and 2, said Block 28 to the northwesterly corner of said Lot 2, Block 28, said point being on the easterly right of way line of South 6th Street; thence westerly to the northeasterly corner of Lot 12, Block 38, said Dick's Map of Palatka, said point being on the westerly right of way line of said South 6th Street; thence westerly along the northerly line of said

*Case # 16-25 - South Historic District Adjustment (Removal)
Property Located at Southwest Corner of River and Morris Streets*

Lot 12, Block 38 and along the northerly lines of Lots 9, 8, 5, 4 and 1, said Block 38 to the northwesterly corner of said Lot 1, said point being on the easterly right of way line of South 7th Street; thence westerly to the northeasterly corner of Lot 6, Block 54, said Dick's Map of Palatka, said point being on the westerly right of way line of said South 7th Street; thence westerly along the northerly line of said Lot 6, Block 54, and the northerly lines of Lots 3 and 2, said Block 54 to the northwesterly corner of said Lot 2, Block 54, said point being on the easterly right of way line of South 8th Street; thence westerly to the northeasterly corner of Lot 6, Block 63, said Dick's Map of Palatka, said point being on the westerly right of way line of said South 8th Street; thence westerly along the northerly line of said Lot 6, Block 63 and along the northerly lines of Lots 3 and 2, said Block 63 to the northwesterly corner of said Lot 2, Block 63, said point being on the easterly right of way line of South 9th Street; thence westerly to the northeasterly corner of Lot 6, Block 66, said Dick's Map of Palatka, said point being on the westerly right of way line of said South 9th Street; thence southerly along said westerly right of way line of South 9th Street to the northerly right of way line of Laurel Street; thence westerly along said northerly right of way line of Laurel Street to the westerly right of way line of South 10th Street; thence southerly along said westerly right of way line of South 10th Street to the southerly right of way line of Carr Street; thence easterly along said southerly right of way line of Carr Street to the westerly right of way line of South 9th Street; thence southerly along said westerly right of way line of South 9th Street to the northwesterly right of way line of Crill Avenue; thence easterly to the most northerly corner of Block 146, said Dick's Map of Palatka, said point being on the southwesterly right of way line of Morris Street; thence southeasterly along said southwesterly right of way line of Morris Street to the northwesterly right of way line of Emmett Street; thence southwesterly along said northwesterly right of way line of Emmett Street to the northwesterly projection of the southwesterly line of the lands described in Deed Book 78, page 562 of said Public Records; thence southeasterly along said northwesterly projection of the southwesterly line of the lands described in Deed Book 78, page 562 to the most westerly corner of said lands described in Deed Book 78, page 562, said point being on the southeasterly right of way line of Emmett Street; thence southeasterly along said southwesterly line of the lands described in Deed Book 78, page 562 and the southwesterly lines of the lands described in Deed Book 75, page 573, Deed Book 78, page 204, Deed Book 137, page 71, Deed Book 133, page 67 and Deed Book 133, page 252 of said Public Records to the northwesterly right of way line of River Street; thence northeasterly along said northwesterly right of way line of River Street to the southwesterly right of way line of Morris Street thence southeasterly along said southwesterly right of way line of Morris Street to the southeasterly right of way line of River Street; thence continue southeasterly along said southwesterly right of way line of Morris Street to said waters of the St. Johns River; thence northeasterly along said waters of the St. Johns River to the Point of Beginning.

Case # 16-25 - South Historic District Adjustment (Removal)
Property Located at Southwest Corner of River and Morris Streets



Case 16-33

Request for Conditional Use for Outdoor Sales (Sheds)
920 S. Moody Rd.

STAFF REPORT

DATE: July 27, 2016

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

This request is for a conditional use permit allowing non-temporary outdoor sales of sheds, tabled from the Board's July 5, 2016 meeting. Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

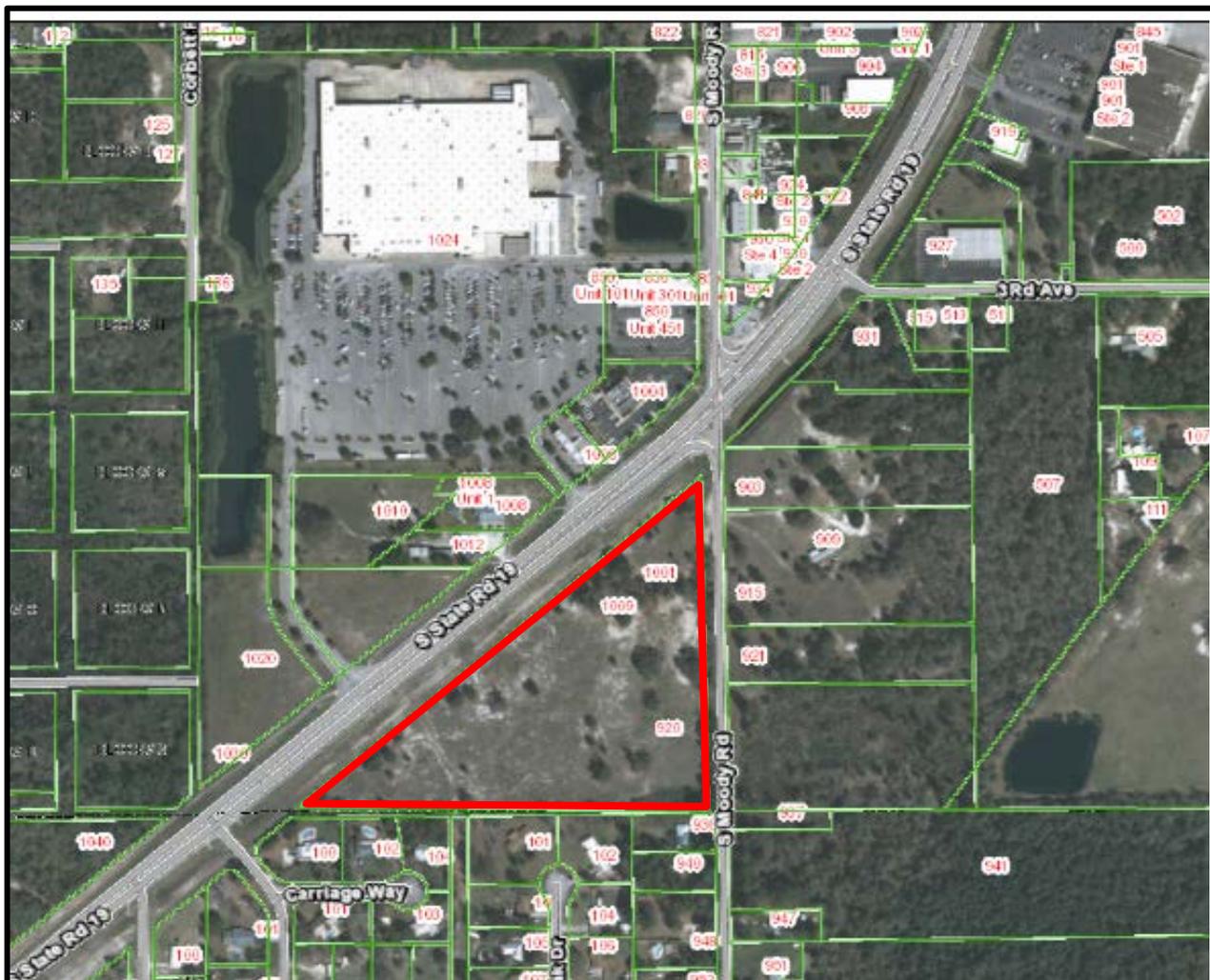


Figure 2: Property Location

APPLICATION BACKGROUND

With the exception of non-temporary outdoor sales, the Zoning Code limits outdoor sales to specific periods of time or as a produce market. There are six types of allowable outdoor sales:

- outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale);
- seasonal goods sale (limited to 30 days, Christmas trees or 4th of July fireworks);
- special event sale (associated with special event like Blue Crab Festival);
- temporary goods sale (other outdoor sales, not to exceed 30 days in duration);
- farmers' market (intended for food and produce goods); and
- **non-temporary outdoor sales.**

Non-temporary outdoor sales has only been approved for one property since the enabling ordinance was adopted in 2013. This property is 3523 Reid St., approved for the Palatka Flea Market, which operated for a short time before closing.

PROJECT ANALYSIS

Per Section 94-200(c)(3) the Planning Board shall review such an application to ensure protection of the public health, safety, and general welfare. In addition to normal concerns of the planning board in considering conditional use requests, particular attention shall be given to traffic flow and control, auto and pedestrian safety, and the effect which such use and activity will have on surrounding uses, particularly where the adjoining use is residential. Conditional use and additional specific criteria must be met, in this case specific criteria pertaining to non-temporary outdoor sales, as outlined in Zoning Code Section 94-200(e).

The Applicant has submitted a site plan for the proposed shed sales use, attached at the end of this staff report, which shows a 532 square foot sales office accessed by a stabilized subgrade driveway with three paved (concrete) parking spaces, a 25-foot wide building setback line along Moody Rd. and Crill Ave., and a 15-foot wide building setback line along the south property line adjacent to residential uses to the south. Sheds appear to be arranged along Moody Rd., Crill Ave., the south setback line, and an interior location, on unpaved areas.

Per Zoning Code Section 94-3 the Planning Board shall review conditional use applications using the following criteria.

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

Staff comment: while no specific comprehensive plan goals, objectives, and policies are applicable to this application, the application does not conflict with the same.

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.

Staff comment: the driveway is located approximately 150 feet south of the intersection of Moody and Crill, which is far enough away from the intersection to minimize traffic conflicts. Notes on the plan say that “number and size of sheds varies” for the shed display areas. This makes it impossible to calculate required parking. However the required parking is one space for each vendor and an additional space for every 300 square feet of outdoor sales area. Assuming one vendor, the three spaces would only allow for two or three sheds to be kept on site, depending on their size. The site plan should be revised to show specific sales areas and the parking needed to accommodate these sales areas.

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

Staff comment: no refuse areas are shown on the site plan. It is anticipated that solid waste will be accommodated by a roll-out cart, which must still be screened as required by Code.

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

Staff comment: the site is fully served by utilities.

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

h. Required yards and other open space.

Staff comment: as new development this property is required to meet the Landscaping and Tree Protection requirements (Zoning Code Article VI) and Buffering and Screening requirements (Zoning Code Article VII), as shown below. The Planning Board can provide relief for existing development, but not for new development. It should be noted that these buffers may already be partially or mostly met due to the presence of tree cover along the roadways and south property line.

Table 1: Roadway Buffer Planting Standards

| 1,332' roadway frontage footage | Option 1 | Required | Option 2 | Required |
|--|-----------------|-----------------|-----------------|-----------------|
| Buffer width | 8 feet | | 5 feet | |
| Canopy trees per 100 linear feet | 1 | 14 | 14 | 3 |
| Shrubs per 100 linear feet | 20 | 267 | 15 | 200 |

Table 2: Buffer “A” Standards for South Buffer (adjacent to residential)

| | Option 1-base | Option 1 - required | Option 2-base | Option 2-required | Option 3 |
|--------------------------------------|---------------|---------------------|---|-------------------|--------------------------------|
| Buffer width | 40 feet | | 30 feet | | 75 feet |
| Canopy trees per 100 linear feet | 6 | 39 | 4 | 26 | Undisturbed Natural Vegetation |
| Understory trees per 100 linear feet | 6 | 39 | 5 | 33 | Undisturbed Natural Vegetation |
| Shrubs per 100 linear feet | 33 | 214 | 25 | 162 | Undisturbed Natural Vegetation |
| Fence or wall | None required | | 6-8 foot stockade fence or masonry wall | | None required |

The property is a large parcel, with many protected trees along the south property line, along Moody Rd., and scattered throughout the site. However Staff estimates that wooded areas comprise around 10-15% of the site, so there is ample cleared space for the shed sales activities to occur. Staff recommends limiting tree removal only to allow for driveway access to interior parts of the site, and that the revised site plan should identify protected trees, protected trees planned for removal, and trees planted to mitigate for removed protected trees.

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: new signage and lighting must be in keeping with Zoning Code requirements. No signage has been requested.

Staff comment:

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

Staff comment: the property fronts on a busy four-lane arterial road, with predominantly commercial uses, including the large Wal-Mart across SR 19. While one could make the argument that since there are so few large commercially-zoned properties, it is not appropriate to tie this parcel up with a transitory use like shed sales. However it is likely that if a major commercial user comes along the property would easily transition to a traditional commercial use. In any case, the retail commercial activity is compatible with other uses in the SR 19 corridor except for the aspect of outdoor display. Outdoor display is only allowed in conjunction with the principal use occurring within a building, and allowed on an ongoing basis on the area immediately in front of a store, or as temporary events occurring in parking lots. Staff believes that if the outdoor sales standards are met, which emphasize screening and organized storage, then the element of incompatibility caused by the outdoor display is minimized and mitigated.

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

Staff comment: there are specific standards set forth for non-temporary outdoor sales, outlined in the next part of this report.

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

Staff comment: not applicable.

Granting the conditional use will not adversely impact the public interest.

Staff comment: unless the Board makes a finding that a relatively rare large commercial parcel like this should be reserved for more permanent commercial uses that serve wider retail needs of the community, there is not an adverse public impact.

Specific Criteria

The following underlined criteria apply specifically to non-temporary outdoor sales, with staff comments immediately following each criterion. The applicant has provided a sketch plan to show the general layout of parking and vendor spaces, attached with this report.

- Non-temporary outdoor sales require a permanent enclosed structure that is minimum 1,200 square feet in size. The site plan shows a 532 square foot building and does not meet the minimum building size requirement.
- Minimum lot size of 1.0 acres, with a minimum frontage of 200 feet and a minimum lot depth of 300 feet. *Staff comment:* the property meets this standard, with a lot size of 3.78 acres, a roadway frontage of 1,332', and an average lot depth well in excess of 300 feet.
- A 30-foot setback is required from any right-of-way for outdoor display areas and parking areas, and shall include a landscaped area with a three to four-foot high visual screen consisting of a hedge, masonry wall, or wood or aluminum fencing, maintained in a neat appearance. One shade tree every fifty feet is required to further screen activities (when powerlines or other obstructions are present, understory trees may be utilized, or trees may be planted in the right-of-way with the approval of the controlling jurisdiction). *Staff comment:* the 25 and 15-foot setbacks shown on the site plan do not meet this standard. The site plan does not show any screening and should be revised to detail such screening. It is likely that the screening can be achieved by maximizing the use of existing vegetation, as there is good tree cover along Moody Rd. and sections of SR 19.
- When adjacent to residential uses or zoning, six-foot high masonry wall, privacy fence, or hedge contained within thirty foot landscape buffer, and 100-foot setback from residential property lines. *Staff comment:* the site plan should be reflected to show this 100-foot setback from the south property line, which is achievable on this large site, and to detail the wall, fence, or hedge to be utilized along the property line.
- Adequate refuse containers must be provided and must be screened with a six-foot tall privacy fence with a swinging gate. *Staff comment:* as noted in the response to the conditional use criteria, no refuse area is shown.
- All outdoor areas shall be cleaned of litter and refuse after each day of operation. *Staff comment:* this is an operational standard that should be included as a condition of approval in the approval letter.
- Adequate restroom facilities must be provided. *Staff comment:* restroom facilities are not shown on the site plan but are required – this should be referenced in the approval letter and the site plan should be revised to verify that the sales building includes a restroom(s).
- Sales may be operated by an individual vendor or by multiple vendors under the control of a central sales manager. *Staff comment:* this is an operational provision to be repeated in the approval letter.
- One parking space for each vendor must be provided, with an additional space for every 300 square feet of outdoor and indoor sales area. *Staff comment:* as stated in the response to the conditional use parking criterion, parking is not sufficient for the display of more than a few sheds. In addition, all parking spaces and driveways must be paved.
- Uses are subject to Sign Code. Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size. The following signs are prohibited: "human" signs, inflatable figures or objects, pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code. *Staff comment:* These conditions should be included in the approval letter.
- Display items are to be arranged in an organized and neat manner, on tables or racks, and may not

be sold from vehicles. *Staff comment:* the site plan indicates that the size and number of sheds will vary, and while the arrangement of sheds shown is acceptable in its orderly and organized manner, it is not clear that the layout will follow this based on this disclaimer. The site plan should be revised to show a specific arrangement for the sheds.

- No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; or personal services shall be offered for sale. *Staff comment:* this condition should be included in the approval letter.
- All merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance. *Staff comment:* sheds are too large to be moved in this manner, so the site plan should be revised to show how sheds will be screened.
- The conditional use site plan shall require at a minimum the following elements: access roads, entrances and exits, parking, traffic lanes, fire lanes, refuse containers, fences, buildings, restroom facilities, lighting, landscaping and other improvements as required. *Staff comment:* the site plan should be revised to show fire lanes, restrooms, exterior lighting, and additional required landscaping.
- The conditional use site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which merchandise is to be displayed; and the specific types of goods requested for sale. *Staff comment:* hours and days of operation are included on the site plan (Monday-Friday 7 AM to 6 PM and Saturday & Sunday 9 AM to 4 PM). Staff has no objections to these operation hours/days.
- The Planning Board may assign additional restrictions and standards to the use to ensure that the conditional use criteria will be satisfied. *Staff comment:* as determined by the Board.

STAFF RECOMMENDATION

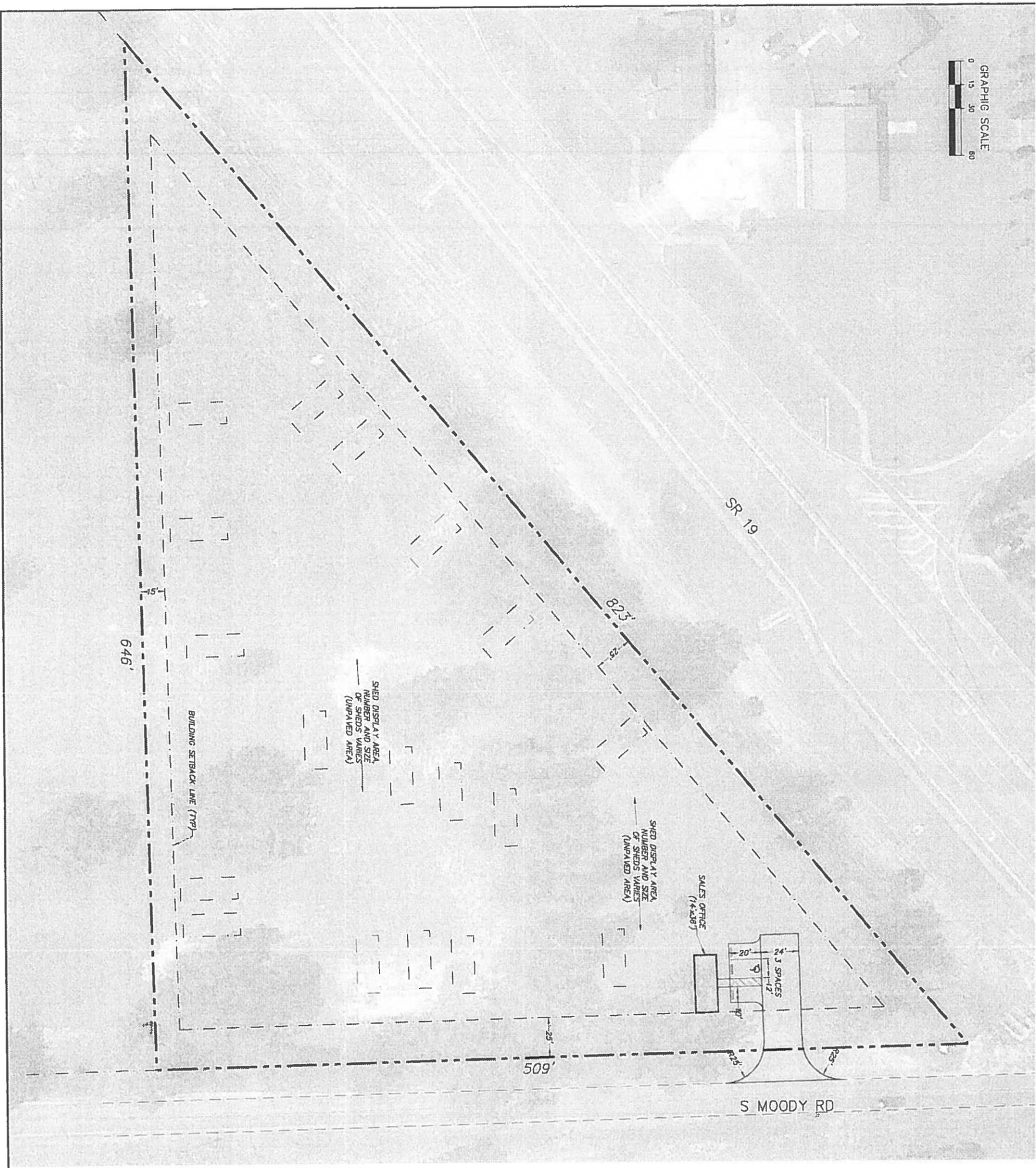
Staff believes that this application meets applicable non-temporary outdoor sales criteria, if the recommendations below are included as conditions of approval (revised language is shown as underlined text). Staff recommends approval of Case 16-33, non-temporary outdoor sales at 920 S. Moody Rd. in accordance with a revised site plan that meets the following conditions:

1. The sales building must be at least 1,200 square feet in size;
2. the site plan shall be revised to show specific sales areas and the parking needed to accommodate these sales areas;
3. parking areas and driveways must be paved;
4. screened refuse area shall be shown on the site plan;
5. as new development this property shall meet the Landscaping and Tree Protection requirements (Zoning Code Article VI) and Buffering and Screening requirements (Zoning Code Article VII), as shown in Tables 1 and 2 of this staff report;
6. removal of protected trees shall only be allowed for driveway access to interior parts of the site, and the revised site plan identify protected trees, protected trees planned for removal, and trees planted to mitigate for removed protected trees;
7. new signage and lighting must be in keeping with Zoning Code requirements;

8. the site plan shall be revised to show the required 30-foot setback from property lines (100 feet from the south residential property line);
9. the site plan shall be revised to show how the required vegetative, fence, and/or wall screening along the property line buffers and shed display areas will be achieved;
10. the site plan shall be revised to show fire lanes, restrooms, exterior lighting, and additional required landscaping; and
11. activities must comply with operational requirements outlined above [as stated in Zoning Code Sec. 94-200(e)].

ATTACHMENTS: APPLICANT'S SITE PLAN

GRAPHIC SCALE
0 15 30 60



CONCEPTUAL SITE PLAN

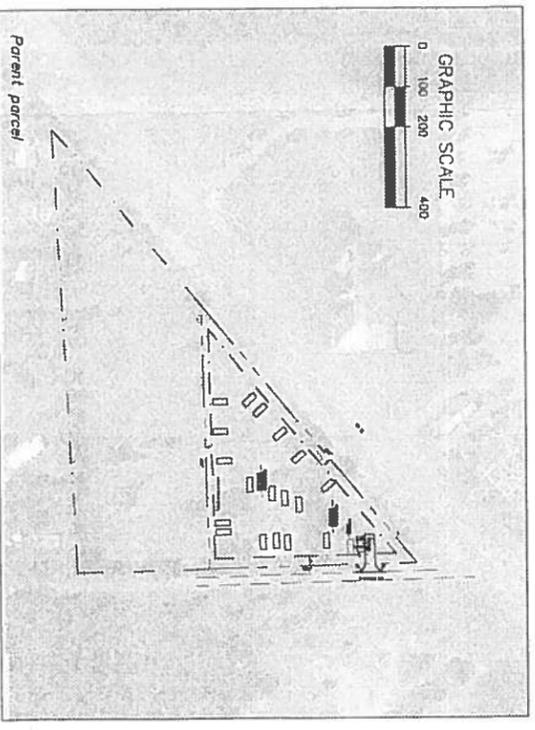
SW quadrant SR 19 at S Moody Rd
Putnam County Tax ID 10-10-26-0000-0220-0000
Palatka, FL

for: **Champion Buildings**



- ± 3.78 Acres
- 3 Parking spaces
- C-2 Zoning
- Part of Tax Parcel Number 10-10-26-0000-0220-0000
- Sheds will be delivered by truck
- HOURS OF OPERATION**
7am-6pm Mon-Fri
9am-4pm Sat-Sun

- Stabilized subgrade
- Concrete



GRAPHIC SCALE
0 100 200 400

Case 16-38

Request for a Conditional Use for Indoor Recreation Use
2000 Reid St.

STAFF REPORT

DATE: July 27, 2016

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

This request is for a conditional use permit to allow an indoor recreation (Internet café) use. Public notice included newspaper advertisement, property posting, and letters to nearby property owners (within 150 feet). As noted in the attached Applicant narrative, the proposed use occupies three storefront units in the Rochester Imports Building, a large and underutilized building on Reid St. west of downtown.



Figure 1: Property Location

APPLICATION BACKGROUND

As the photo below indicates, this multi-unit commercial building includes a discount store on the north end, a church on the south end, and three suites in the middle of the building occupied by this Internet café, which opened without City approval. City Code Enforcement contacted the business owner, who made this after-the-fact application.



Figure 2: Rochester Imports Building

PROJECT ANALYSIS

Per Section 94-200(c)(3) the Planning Board shall also review conditional use applications using the following criteria.

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

Staff comment: while no specific comprehensive plan goals, objectives, and policies are applicable to this application, the application does not conflict with the same.

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.

Staff comment: driveways and parking lot are adequate in terms of condition and layout, although restriping is needed. There is adequate parking for the proposed use, which would occupy three of the four storefront units of the building. The parking lot in front of the building has approximately 70 parking spaces, and Staff has not observed the lot being close to full capacity. The Applicant indicated that there was 2,000 square feet of non-storage floor area, which requires 10 parking spaces.

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

Staff comment: An unscreened dumpster was observed behind the store, northeast of the building. Screening of any dumpsters or garbage cans is required by a six-to-eight foot tall privacy or stockade fence, masonry wall, or hedge, with a gate on the front to allow access.

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

Staff comment: the site is fully served by utilities.

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

Staff comment: the property does not comply with landscape code and presents a barren appearance to Reid St., a main thoroughfare of the City. No buffers and parking lot landscaping are present – the tables below show what would be required if this was a new development.

Table 1: Roadway Buffer Planting Standards

| | Option 1 | Required @ 350' | Option 2 | Required @ 350' |
|----------------------------------|-----------------|------------------------|-----------------|------------------------|
| Buffer width | 8 feet | | 5 feet | |
| Canopy trees per 100 linear feet | 1 | 3 | 1 | 3 |
| Shrubs per 100 linear feet | 20 | 70 | 15 | 52 |

Table 2: Buffer “A” Standards for Sides and Rear

| | Option 1 | Option 2 | Option 3 |
|---|---|-----------------|--------------------------------|
| Buffer Width | 5 feet | 10 feet | 20 feet |
| Number of Canopy Trees per 100 linear feet | 0 | 0 | Undisturbed Natural Vegetation |
| Number of Understory Trees per 100 linear feet | 0 | 2 | Undisturbed Natural Vegetation |
| Number of Shrubs/Ornamental Grasses per 100 linear feet | 20 | 15 | Undisturbed Natural Vegetation |
| Fence, Wall or Earth Berm | 6 to 8 foot wood stockade fence or masonry wall | None Required | None Required |

While the sides and rear of the property require buffers, that part of the property is mostly hidden from view and not visible to the public or to any residential properties. Staff believes that it would be unnecessary to plant this area, particularly since there are existing vegetated areas to the rear. Staff believes the most strategic and initial opportunity to green up the property are along the Reid St. right-of-way, as was a condition of conditional use permit approval at the Board’s January, 2016 meeting for the church on this property. This condition required that two shade trees be planted in the front portion of the parking lot. The tables below show what would be required to conform to the City’s buffer standards. The Board has in the past taken the position of seeking incremental levels of compliance to the buffer standards in past cases. It should be noted that the Church has not yet implemented the parking lot landscaping that was a condition of approval, with the deadline to install the landscaping expiring earlier this month.

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: new signage and lighting must be in keeping with Zoning Code requirements. No signage has been requested. The property has wall signage area facing west and the opportunity to add wall signs on the wall facing Reid St./south). A nonconforming changeable use sign along Reid St is the only freestanding sign on the property.

h. Required yards and other open space.

Staff comment: no new construction is proposed, therefore improvements on the property are in compliance with the required setbacks and open space standards. Provision of the roadway and other buffers will ensure code compliance. Again Staff has recommended to the Board that they work on a case-by-case basis to guide property owners to upgrade their landscaping, in strategic ways that will help to beautify the City's commercial corridors. The Board has approved some upgrades, and allowed code deviation in other cases. Economic considerations seem to affect the Board's decision.

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

Staff comment: the property is on a busy four-lane arterial road, with predominantly commercial uses and some industrial uses. The existing use is complimentary with surrounding uses in terms of retail and service trade emphasis.

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

Staff comment: There are no conditional use special requirements for indoor recreation uses.

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

Staff comment: Not applicable.

Granting the conditional use will not adversely impact the public interest.

Staff comment: Staff has made the case that the public interest would benefit from the incremental improvement of Landscape Code compliance. However Staff is cognizant of the Board's concern about the increasing concentration of such uses in the City. While the Police Department has not singled out this use as being a problem in terms of being associated with higher crime incidence, Internet cafes continue to be a problem in other jurisdictions with documented incidents of organized crime and fraud, and on the state level this use has been skirting illegality with gambling laws. In recent years the former Lieutenant Governor resigned and 60 people associated with the Internet café industry were arrested on charges of illegal gambling, racketeering, and money laundering. Staff has identified the following Internet Cafes in the City, two of which opened without approvals or business licenses:

- 104 N. 19th St. (Winners)
- 2000 Reid St. (Hot Times) *
- 2423 Reid St. *
- 2501 Reid St. (Lucky Pearl)
- 2801 Reid St.

- 815 S. State Road 19
- * *no business license or zoning approval*

A conditional uses is defined as “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.” The Zoning Code identifies this use as one that should not be allowed to locate just anywhere. The Board has expressed concern about the number and location of these uses, believing them to be increasingly concentrated around the Reid St. corridor. Previous research on Internet cafes has indicated that while local data has not indicated that these uses contribute to higher crime, the perception of gambling and the potential for organized crime along with the blighting influence of these marginal uses could provide some justification for limiting their number and frequency. This use in particular is an intensive one due to its being open 24 hours a day. 24-hour operations like this provide targets for robberies. Should the Board decide to deny this application, the basis for such a denial could be that this type of use is becoming overly concentrated in the vicinity and more such uses do not promote the public safety, morals, order, appearance, prosperity or general welfare of the community.

Should the Board decide to approve this application, the findings could be that with the modest landscape improvement, there would not be a pronounced negative impact of the proposed use on the public interest.

STAFF RECOMMENDATION

Staff recommends denial of the application for an indoor recreation use/Internet Café at 2000 Reid St., with the finding that there is an undue concentration of such uses in the area, and that this use would not promote the public safety, morals, order, appearance, prosperity or general welfare of the City.

OR

Staff recommends approval of the application to allow for an indoor recreation use/Internet Café at 2000 Reid St., with attendance capped by the Fire Marshall’s occupancy limit, and with the following conditions.

1. Use is approved subject to and conforming with the site plan.
2. Within two months of approval, Applicant and City shall coordinate with the removal of pavement (by the Owner or Applicant) for two landscape islands as shown conceptually in Figure 4 of the staff report, and the City shall then install shade trees in each island. The trees shall then be maintained by the Applicant and/or property owner.
3. Screening of the existing dumpster is required.
4. Hours of operation limited to 7 AM to midnight.
5. All other applicable standards of the Municipal Code must be met.

ATTACHMENTS: APPLICANT JUSTIFICATION

Case 16-40

Application for Final Plat for Subdivision (Putnam County Business Park)

STAFF MEMO

DATE: July 27, 2016

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

This is a request for a subdivision final plat for the Putnam County Business Park. The Applicant (Putnam County) has requested that this item be tabled to the Planning Board's September meeting. The reason for this tabling is to pair this application up with an rezoning modification to the Planned Industrial Development (PID) for the Business Park. This modification would provide a schedule of plat-required improvements for the Business Park.

**Consideration Of Alternative Minimum Parking Standard for
Gymnastic, Dance, and Martial Arts Studios**

STAFF REPORT

DATE: July 27, 2016
TO: Planning Board members
FROM: Thad Crowe, AICP
Planning Director

Staff has received a request from a local business owner to consider an alternative parking standard for this use. This business is considering expanding and the high parking requirement is presenting a disincentive for such expansion.

Sec. 94-262 is the Zoning Code section that lists required minimum parking for various uses, found within the Off Street Parking and Loading section of the Code. This section does not reference this type of use, and the closest use category referenced is “general business, commercial, or personal service establishments.” The parking ratio for this use is set at one space for each 200 square feet of non-storage floor area.

Sec. 94-262(23) notes that “parking requirements for uses not listed in this section shall be determined by the planning board.” While this use is found under the broader heading of personal service establishments, Staff believes it is a specialized use that does not generate the higher parking generation of a service establishment like a beauty or nails salon. Gymnastics and martial arts studios often cater to school age children, who are dropped off by parents, thereby reducing the parking demand. Staff reviewed other zoning codes in other jurisdictions and found less strict minimum parking requirements (see below).

| Jurisdiction | Standard |
|---------------------|-----------------|
| Green Cove Springs | 1 per 200 SF |
| Clay County | 1 per 300 SF |
| St. Augustine | 1 per 200 SF |
| Ocala | 1 per 300 SF |
| Daytona Beach | 1 per 285 SF |
| St. Johns County | 1 per 300 SF |
| Putnam County | 1 per 300 SF |

Staff recommends that the Planning Board confirm Staff’s interpretation that gymnastics, dance, and martial arts studios are not referenced specifically in the City’s minimum parking requirements, and that a minimum parking ratio of one space per 300 square feet is acceptable for this use.