

**CITY OF PALATKA
PLANNING BOARD AGENDA
December 1, 2015**



Call to Order

1. Roll Call

2. Approval of November 2, 2015 meeting minutes.

3. Appeal procedures and ex-parte communication

4. OLD BUSINESS:

- (a) Evaluation and Appraisal Report (EAR), Comprehensive Plan (discussion item)

5. NEW BUSINESS:

- (a) Request to annex, amend Future Land Use map from County US (Urban Service) to RL (Residential Low-density), and rezone from County R-1HA (Residential Single-Family) to R-1AA (Single-Family Residential).

Location: 207 Skeet Club Rd.

Owner: Joseph & Angela Stillword

- (b) Request to amend Future Land Use Map from Putnam County IH (Heavy Industrial) to City IN (Industrial).

Location: 163 Comfort Rd.

Owner: Pumpcrete America, Inc.

- (c) Request to rezone 161 Comfort Rd. from R-1AA (Single-family Residential) to PID (Planned Industrial Development) and 163 Comfort Rd. from Putnam County IH (Industrial, Heavy) to PID (Planned Industrial Development).

Location: 161 & 163 Comfort Rd.

Owner: Pumpcrete America, Inc.

6. Other Business:

7. 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 (draft)
November 3, 2015



Call to Order: Members present: Chairman Daniel Sheffield, Vice-Chairman Joe Pickens, George DeLoach, Anthony Harwell, and Tammy Williams. Members absent: Joseph Petrucci, Earl Wallace and Charles Douglas Jr.

Motion made by Mr. DeLoach and seconded by Mr. Harwell to approve September 1, and October 6, 2015 meeting minutes. The motion carried unanimously.

Chairman Sheffield advised the Board members that Mr. Douglas has submitted his resignation effective immediately.

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

Chairman Sheffield brought new business item (b) forward at the request of the City Manager.

NEW BUSINESS:

- (b) Administrative request to amend Zoning Code Chapter 94, Article III, Division 3 (Supplementary District Regulations) to allow City Manager to consider appeals for waiver or modifications to exterior building standards on major city thoroughfares.

Owner: City of Palatka

Applicant: Terry Suggs, City Manager

Mr. Crowe explained that the request is to revise the appeals process for the architectural standards for the major commercial roadways within the City (adopted in February, 2014), which was intended to improve some of the blighted areas along those roadways when new constructions occurs. The current appeal process of staff interpretations of this ordinance goes directly to the Planning Board. The proposed change would allow for an appeal to the Planning Director, and an appeal of the Director's decision to the City Manager. This would move the process along quicker by not having to wait for the regular meeting date of the Planning Board. If the appeal is not resolved, it would then go to the Planning Board. The criteria to be considered is very simple; the need and justification for the change. He added that there are a number of Comprehensive Plan policies regarding property rights that essentially support this kind of amendment. Mr. Crowe stated that he was not making a recommendation as he did not think that was appropriate since the request was initiated by his supervisor.

Chairman Sheffield stated his confusion as to what the Board was to do at this time as it has already gone before the City Commission and approved for first reading and will be read again at the next Commission meeting. Mr. Crowe said according the its charter this Board must provide a recommendation on all zoning matters (Municipal Code Chapter 94) to the City Commission. Mr. Holmes added that before final approval the City Commission shall receive a recommendation by the Planning Board.

Mr. Pickens asked if the appeals process include the ability to wave requirements for standards. Mr. Crowe replied that the appeals process for the major thoroughfares currently essentially state that the Planning Board can waive some of the standards if the overall design meets the intent. The same authority would essentially be granted to staff.

Mr. Harwell asked for clarification, that if the applicant appealed staff's determination if would go to the City Manager for consideration, and if that appeal was not satisfied then it would come to the Planning Board for consideration. Mr. Crowe answered that this was correct. Mr. Holmes asked where the specific language was in the staff report for the proposed ordinance. Mr. Crowe advised that the staff report does not generally include the specific language of ordinances to the Planning Board, that the staff report shows the process being amended to insert the City manager into the appeals process. Mr. Holmes explained that the proposed amendment that would allow the Planning Director to make a waiver decision within three business days, and if the person applying is not satisfied, the applicant can then appeal to the City Manager for a waiver in partial or whole. If the applicant (or any person is aggrieved by the decision), they would then appeal to the Planning Board for review. This could expedite the appeals process for an applicant that is ready to go forward with a building permit but believes the exterior standards to be onerous.

Mr. Pickens asked why an applicant would appeal to the Planning Director, if the Planning Director is the one reviewing the application and applying the standards. Mr. Holmes stated that he drafted the ordinance and his thinking was that the Planning Director may not be the only staff person to advise of the standards, therefore the appeal would go to the Planning Director, and if the appellant wished appeal that decision to they could go to the City Manager for consideration, and then to the Planning Board if they still were not satisfied.

Terry Suggs, City Manager, said that this is an attempt to streamline the process and provide for an administrative process to appeal staff decision so that the applicant may not have to wait an additional 30 days or so.

Mr. Pickens asked if there was a formal process for this appeal of staff decision. Mr. Holmes replied that the appeal must be made in writing.

Mr. Sheffield asked if this amendment was being driven by any particular reason and asked if the current process not working. Mr. Suggs said that it is not a matter of being driven by a particular project, but he believes that what has happened is since there has been a change in leadership to the City of Palatka and with some of his background working in planning and zoning, he wants streamline certain areas to be more customer friendly and have the process move a little quicker. He gave an example that if there had not been a quorum today, an applicant could be put out another 30 days, as well as additional advertising cost to the City. Whether he as a City Manager does or does not grant a variance, there is still a mechanism in place to appeal back to the Planning Board. He added that this amendment is very much supported by the elected officials.

Mr. Pickens asked if there was anything driving a real need for the decision to be made this month, as opposed to tabling this request to get the exact language and to consider if there should be a finite period of time expressed for the City Manager's appeal authority. Mr. Holmes stated that there is currently an application in review with an issue regarding the plans that would make the project significantly more expensive if strict interpretation of the appearance standards were to be applied. Mr. Suggs said he comes before the Board with this request not due to a particular project but he believes that this amendment could assist projects in the future.

At the request of Mr. Holmes, the Chairman continued the item until later in the meeting when the ordinance could be presented to the Board.

Mr. Pickens recommended bringing any cases on the agenda forward that have public participation as a courtesy to those present.

New Business Item (a)

Request for conditional use permit to allow food pantry in a (pending) PBG-1 zoning district, located at **521 & 523 S. 13th St.**

Owner: City of Palatka

Applicant: Heart of Putnam Food Pantry, Jared Dollar

Mr. Crowe explained that this request is for a food pantry to be operated by the Heart of Putnam Food Pantry, formerly located at 820 Reid Street. This is a multi-unit location that is currently occupied by the American Red Cross, the Bridge Club, and the Chess Club. The building is owned by the City and leased to these non-profit uses. There is a related amendment to change the Future Land Use Map and zoning designation respectively from RL (Residential Low) and R-1A to PB and PBG-1 (Public Buildings and Grounds), which has been approved on first reading by the City Commission, and is scheduled for adoption at the Commission's November 12 meeting. The Pantry proposes to take over the lease from The American Red Cross. The Pantry proposes to operate three half days a week to distribute food to clients who visit the facility, most whom will drive there. This location is in a transitional zoning area with more intensive commercial to the north and residential to the west. Staff recommends that the applicant and the City work together to enlarge the small parking area. Access to the site by vehicles, bicycles, and pedestrians is generally good, and the area is served fairly well by sidewalks which are important because some clients will be on foot. He said that there were some concerns expressed at the last City Commission meeting regarding intersection safety. Staff did confirm with the Palatka Police Department that cars on this section of Crill Ave. generally drive slower due to various traffic calming elements such as the underpass, topography changes, and trees along the road. With regard to intersection visibility at 13th St. and Crill Ave., he believes it is generally good (he showed pictures of clear visibility from each intersection). He added that intersection accident reports for the last three years derived from FDOT and the Palatka Police Department showed crashes at this intersection to be low comparatively throughout out the area. He made recommendation for approval of this request with the following conditions:

1. Approval is valid only with the approval of the Zoning Code text change to allow food pantries by conditional use in PBG-1 zoning, and the rezoning of this property to PBG-1 zoning by the City Commission, scheduled for November 12.
2. Food pantry operation limited to three days during the week, between 9 AM to 2 PM. Days shall be Tuesday, Wednesday, and Friday, except that alternative days may be assigned when one of those days falls upon a federal holiday. Staff may approve change of days of operation upon written request when such change does not result in conflicts with other uses of property (Bridge Club, Chess Club). Staff may also approve change of hours of operation, not to exceed the allowable 5 hours per day, upon written request except that such approval shall not include workday hours past 4 PM and before 9 AM.
3. Applicant and City shall reconfigure and expand existing paved parking lot to include seven spaces, one of those being a handicap space.
4. Applicant and City shall install shrubs between parking area and S. 13th St. to help to screen parking area.
5. City Staff to investigate removal of off-site sign (along north side of Crill Ave., east of S. 13th St.) and large tree in right-of-way (along north side of Crill Ave. west of S. 13th St.) to improve visibility.

Jared Dollar, 113 Vintage Lane, Board Chairman of the Pantry, said that they started in the First Presbyterian Church, outgrew that location, and moved in 2007 to the Reid Street location which they recently had to vacate. They are a 100% volunteer non-profit organization serving the greater Palatka area, and there is also a food pantry in the west part of Putnam and in Crescent City. He mentioned that they are only open a few hours, a few days per week and serve approximately 70 people served within the four hours they are open. Most clients come by car, some by foot. The clients get their groceries and they leave, much like a grocery store. The Pantry has a goal of being a good neighbor and has already made some clean-up efforts of the area and plan to do more. He added that they operate during non-peak traffic hours. Mr. Dollar asked the Board for 12 months to get with the city with regards to completing the parking lot requirements. He ended by saying that this building has always been used for quasi-public uses and they have signatures of support from several of the surrounding property owners and requested that the Board consider this a good use.

Mr. Pickens stated that his role is not to try to decide if food pantries are good but whether this location is good. He thanked Mr. Dollar for his detailed explanation.

Mr. Sam Willis, 1309 Crill Ave., spoke on behalf of himself and some of his neighbors in the Crill Ave. and 13th St. area in opposition for the location of the food pantry. He said that he and his family believe in and support the Pantry, but stated concerns for this location, sitting traffic safety and said that he believes the 13th St. and Crill Ave. intersection is dangerous. He said he opposes anything that would disturb the tranquility of the neighborhood more than what they already have to deal with.

Suzanne Pickens, 1706 Carr St., spoke in favor of the request and stated that she also lives in this neighbor and cannot see where the problem would come in as the people that come to receive this help do not loiter around and is not aware of any police issues relating to their previous location. She stated that she is hopeful that the Pantry may have a location before the holidays.

Sylvia Davis, 702 N. 13th St., a volunteer at the pantry, stated that she believes that there is a great need for this service and believes this would be a good central location for the people of this area.

Nancy Norman, 121 Smith Trail, stated that the hours of operation for this place do not include the morning or evening rush hour and the traffic is moderate. She that Putnam County Health Department used to provide this similar type service and there was never any noise, disrespect, or trouble. People are so grateful to receive this help, but they come to get there food and they leave.

Bud Surrat, 121 Lake Shore Dr. Interlachen, spoke in support of the request. He stated that he heard a lot of good about many different organizations helping each other throughout the County to provide food and shelter and they work well because of all of the volunteers. He believes that the Pantry would maintain the property to City standards.

Blythe Bird, 2535 Lane Ave. Orange Park, addressed Mr. Willis's concerns regarding traffic, she wanted to reiterate the requested use is much like a grocery store, in which you would not see people peeling out of the parking lot or loiter, it is the same idea. It is just a place where people get food to take home to their families.

Mr. Pickens asked if there had been any discussion regarding a traffic pattern or was it just not seen as feasible with the brick streets where Crill Ave. is designed to better handle traffic. Mr. Crowe advised that was not

discussed, but a provision could be added to make the driveway right-out only, which would discourage traffic from going to Crill Ave. Mr. Pickens stated that Crill Ave. may be designed to better handle the traffic.

Mr. Pickens disclosed the fact that he has been friends with and had Mr. Willis as a client for a long time and that Mr. Willis could have had ex-parte communications with Mr. Pickens but choose not to, which Mr. Pickens thanked him for, and said likewise his sister did not either. He said he did not hear the biggest concern that the use would interfere with the quiet enjoyment of a neighborhood as a noxious activity. He referenced a previous request for a soup kitchen in a residential neighborhood with extensive testimony that this activity would be disruptive to the quiet enjoyment of the neighborhood due to high foot traffic and clients trespassing, loitering, and littering.

Motion made by Vice-Chairman Pickens and seconded by Mr. DeLoach to approve the request for conditional use permit to allow a food pantry located at 521 & 523 S. 13th St. with all of the conditions as recommended by Staff to include the specified hours and days per week as corrected. All present voted with 4 yeas and 1 nay (Mr. Harwell) - the motion carried.

New Business item (b) continued:

Administrative request to amend Zoning Code Chapter 94, Article III, Division 3 (Supplementary District Regulations) to allow City Manager to consider appeals for waiver or modifications to exterior building standards on major city thoroughfares.

Mr. Suggs thanked the audience for their patience and suggested that the language in the proposed ordinance may answer any questions the Board might have. Mr. Holmes read the specific proposed language for the code amendment that had been presented to the City Commission, with the additional language to the amendment to allow for “any” aggrieved person with interest, not just the applicant. He explained case law regarding aggrieved persons is with standing, an interest that is different in maturing and kind from the general public. He said that in the proposed ordinance amendment, he used the same standards for granting a waiver or modification that was there before that, the appeal would require a significant hardship and requiring a finding.

Mr. Suggs reiterated that he would use the same considerations that the Planning Board used and this request was intended to speed up the process. Discussion continued regarding public notification; Chairman Sheffield stated that when an applicant comes before the Planning Board the public knows what is happening and asked if the request goes to the City Manager, how does the public know what is happening. Mr. Holmes replied that currently if an appeal goes to the Planning Director the public does not know what is going on, or if a building permit is submitted, the public also does not know. Mr. Harwell said only during the appeal or waiver request of the code does it become a public item. Mr. Sheffield agreed that it becomes an item of public notification when there is a change to the codes or regulations. He said that currently if someone wants to vary from the code, they come to a noticed public hearing, and asked where the language for public notice was in the proposed ordinance. Mr. Holmes replied that there is not such language, and added that it is a tradeoff; the City can either keep the building permit process four months in length and have people walk away from development in Palatka, or do something to help speed up the process. Mr. Holmes asked how long project review took. Mr. Crowe answered that plan review comments are generally forwarded within 30 days barring unforeseen circumstances. Mr. Harwell reiterated that during these types of situations, the applications can piggyback off of one another, so one process can go on while another can be happening in the background and did not see how it could be so

detrimental to new development if it takes a few months in the planning and review stage to go through the Planning Board process if there is a request for a variance, because in the background all these other things are happening. He stated his concern of bypassing the diversity that the Board provides along with a possible solution to a problem and allowing it to be handled by individuals versus a diverse Board. Mr. Holmes disagreed and stated that he believes that the very same decision process happens every day, when building plans are reviewed and decisions are made that bypass this Board and anybody of citizens. Mr. Harwell expressed that he believed it to be appropriate for these types of request to come back before the Board for consideration as the Board approved the standards that were that were developed by Staff.

Marc Spalding, 3400 Crill Ave., spoke in favor of the amendment and stated the he believed this would streamline the process and said that as a realtor he can attest to businesses being lost due to time constraints.

Motion made by Mr. Harwell to recommend denial of the request. Chairman Sheffield asked if staff was looking for the Board to make a recommendation. Mr. Crowe replied in the affirmative. Motion failed for lack of a second.

Motion made to by Mr. DeLoach and seconded by Ms. Williams to recommend approval of the amendment. Mr. Sheffield stated that he has great concerns regarding public notice and believes that the Board provides the public an opportunity to weigh in if an applicant wants to change the ordinance or deviate from it. Mr. Harwell and Mr. Pickens agreed. Mr. Pickens added that just because there is concern, and acknowledged that the concerns expressed are valid. He said for himself and for this very limited scope, he is willing to take that leap of faith that the City Manager and the Planning Director are going to exercise this authority judiciously and appropriately. Mr. Holmes suggested that if it would relieve the Board's fears there could a notification process (by mail) to the surrounding property owners within so many feet that a standard modification had been granted, and advise them of their right to appeal to the Planning Board. Mr. Crowe added that a similar delegation of review was made by the Board in the past, regarding temporary outdoor activities. The Chairman called for a roll call vote, and the motion passed with three yeas and two nays (Chairman Sheffield and Mr. Harwell). Chairman Sheffield asked Mr. Suggs to forwarded Mr. Holmes suggestion for public notice to the City Commission for consideration. Mr. Suggs agreed and thanked the Board for their faith in Staff and in making this difficult decision. Mr. Holmes said that he would bring up the notification consideration up to the City Commission, but could not promise what their response would be.

OLD BUSINESS:

- (a) Request for a conditional use to locate an alcohol serving establishment within 300 feet of another alcohol serving establishment, located at **3810 Crill Ave.** (tabled from October 6, 2015 meeting)

Owner: EPF Investments, LLC

Applicant: George H. Ashby, Jr.

Mr. Crowe explained that this request was tabled from the last meeting and gave an overview of the request. He explained that this location was previously a full service gas station with convenience store sales, but has been vacant for some time. He said there is a need for some beautification along Crill Ave., but in an interest to promote business, tried to keep the requirements to a minimum. He reviewed the following conditions and recommended approval subject to those conditions:

1. Removal of pavement in an area west and north of the existing sign driveway (currently approximately 55 feet in width) down to a 40-foot driveway width adjacent to the right of way to allow for an expanded southeast landscape island.
2. Optional - within southeast landscape island, relocate sign to within five feet of right-of-way line (inner sidewalk edge).
3. The City shall provide two shade trees and install one 10 feet to rear of sign, and the other in the southwest landscape area, close to the sidewalk.
4. Install and maintain landscape area around base of sign with concentrated shrubs or flowering plants that exceeds the square footage of the sign (Sign Code Section 62-14).
5. Repair pavement shall be repaired to result in a generally smooth surface.
6. Landscape improvements to be made within six months of approval, with signed agreement by both parties. Tree type to be determined by mutual consent, with shade trees planted 10 feet away from power lines, and understory trees under or near power lines which the City would assist with.
7. Dumpsters or solid waste containers shall be located in the rear of the property and shall be properly screened on three sides with a six to eight foot high stockade fence, masonry wall, or hedge. Gate shall not face Crill Ave.
8. Limit new signage to wall signs, window signage not to exceed 25% of windows, and not more than two banners on the property.
9. Any new exterior lighting shall be hooded and downcast to reduce glare, and if practicable the under-canopy lighting shall be recessed or otherwise hooded to reduce glare.
10. Any other applicable standards of the Municipal Code shall be met.

Ed Headstrom, Attorney, spoke on behalf of the applicant stating that this was developed in 1990. He said that the applicant is good with all of the conditions recommended by Staff with the exception of reducing the paved area and to reduce the driveway to 40 feet. With regards to relocating the sign, that would be a huge expense. He said that this business is heavily trafficked and with tankers coming in and out to unload fuel believes the sign is not in the way and is in good condition, so to relocate the sign would not be feasible. Mr. Crowe stated the code has a standard 24' driveway width and that reasoning for removing approximately 15 ft. is to allow for an expanded landscape island and the installation of a shade tree. Discussion ensued regarding alternatives for mitigation. Mr. Crowe explained that the tree requirement along the right-of-way is intended as a public benefit to green up the City's corridors.

Mr. DeLoach stated that as someone who pulls a livestock trailer, it would not be possible to turn in there for service if the changes were to be made.

Motion made by Mr. Harwell and seconded by Vice-Chairman Pickens to approve the request with staff recommendations excluding the requirement for removal of pavement west and north of the sign or to require placement of a shade tree.

Chairman Sheffield reiterated to the Board members that it is important to reply to Staff regarding meeting availability.

(b) Evaluation and Appraisal Report (EAR), Comprehensive Plan (discussion item)

No action taken.

Meeting adjourned at 5:51 pm.

Request to Amend Comprehensive Plan

Evaluation and Appraisal Report
Applicant: Building & Zoning Dept.

STAFF MEMO

DATE: November 25, 2015

TO: Chairman and Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

Staff requests that this item be tabled to the January meeting, based on the lack of progress made on this effort due to limited resources and the high volume of work.

APPLICATION BACKGROUND

The property under consideration currently has a County mixed-use Future Land Use Map (FLUM) designation and single-family residential zoning. The property is an existing single-family home. The property and its current and proposed FLUM and zoning classifications are shown below.

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

Future Land Use Map Category		Zoning	
Current Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
US (Urban Services)	RL (Residential, Low)	R-1HA (Residential Single-Family)	R-1AA (Single-Family Residential)

The owner is voluntarily annexing into the City for the purpose of hooking up to City utilities.

Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Revenue Recovery. The taxes collected from this property will defray the administrative expense of the annexation fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually eliminate enclaves. Staff believes this directive is sufficient to submit these actions as administrative applications.
3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

Florida Statute 171.044 references voluntary annexation requirements and requires that property proposed for annexation must meet two tests. First, properties must be contiguous to the annexing municipality and second, properties must also be “reasonably compact.”

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality’s boundary. As indicated in Figure 1, the property is contiguous to the City limits, which are to the east.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the property meets the standard of compactness as it does not create an enclave, pocket, or finger area, as evidenced by the map to the right, but in fact reduces the larger enclave shown in Figure 1.

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 is in keeping with the following objective and policies of the Comprehensive Plan, and does not conflict with other plan elements.

Policy A.1.9.3

A. Land Use Districts

1. Residential

Residential land use is intended to be used primarily for housing and shall be protected from intrusion by land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types.

Low Density (1730 acres) - provides for a range of densities up to 5 units per acre.

Staff Comment: the property is now in the County’s Urban Services FLUM category, which allows a range of residential and nonresidential uses. The proposed City FLUM category is Residential Low (RL) – intended for single-family neighborhoods. Municipal Code Section 94-111(b) allows the R-1A zoning category within the RL land use category, which provides Comprehensive Plan category conformance. It should be noted that the City Residential Medium (RM) FLUM to the north recognizes existing duplexes, while this property and other properties to the south are single-family homes, and should be assigned the RL FLUM accordingly.



Figure 3: Vicinity Future Land Use Map (FLUM) Designations

Provide analysis of the availability of facilities and services.

Staff Comment: the property is in close proximity to urban services and infrastructure.

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: Staff is not aware of any soil or topography conditions that would present problems for development, or of any natural or historic resources on these developed sites.

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 action 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.

Staff Comment: the existing single-family residential use and proposed zoning conform to the existing land use pattern.

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

Staff Comment: No isolated zoning district would be created. City staff has selected the most appropriate zoning district that fits the neighborhood, based on lot size and predominant single-family use.

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

Staff Comment: a single-family home would have minimal impacts on public facilities.

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

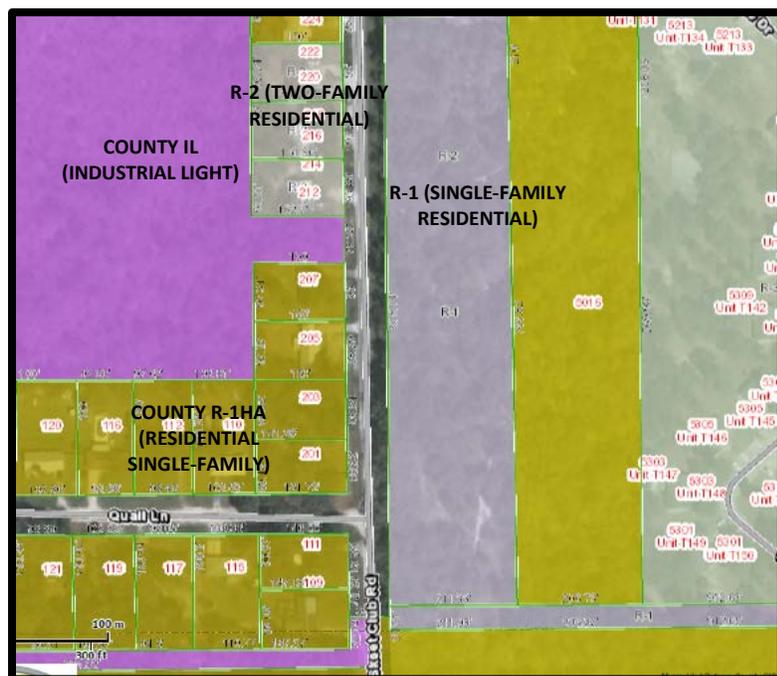


Figure 3: Vicinity Zoning

Staff Comment: see response to c. above.

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

Staff Comment: not applicable.

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

Staff Comment: rezoning the property to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

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

Staff Comment: no traffic impacts will be created by this existing use.

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

Staff Comment: not applicable.

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

Staff Comment: existing single-family development, by its nature and due to the lot coverage control, will not reduce light and air to adjacent areas.

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

Staff Comment: this action will not affect property values.

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 changes 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 property 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: the City residential land use and zoning are in keeping with the existing use.

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

Staff Comment: the property and its use will not be 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 annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to RL (Residential, Low), and rezoning to R-1AA (Single-Family Residential) for 207 Skeet Club Rd.

161 & 163 Comfort Rd.
Request to Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: November 24, 2015
TO: Planning Board members
FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To amend Future Land Use Map (FLUM) designation and rezone the property below from single-family zoning (front parcel/161) and County heavy industrial zoning (rear parcel/163) to Planned Industrial Development (PID). Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). City departments had no objections to the proposed actions.



Figure 1: Site and Vicinity Map (properties outlined in red, properties within City shown with purple overlay)



Figure 2: photo from Comfort Rd: from right to left: Crystal Cove subdivision (wooded area), 161 Comfort Rd (Pumpcrete Inc.), 163 Comfort Rd (wooded/vacant lot behind 161), and 171 Comfort Rd. (Keuka Energy)

APPLICATION BACKGROUND

The occupant of the front parcel (161), Pumpcrete, Inc. provides for concrete pouring services and specializes in floors, footings, foundations, retaining walls, and driveways associated with new construction. The company keeps a fleet of concrete trucks that are equipped with pipes and hoses that allow for customized concrete pouring, like upper floor and other areas that are hard to access from a standard concrete truck. 161 Comfort Rd. is utilized as the home base for the vehicles and the employees, with the only other activity occurring on site being the washing of trucks and parts, which does not involve any hazardous or polluting materials. Around 90% of the water utilized in the concrete operations is obtained off-site on the job site, and the remaining 10% occurs at the facility when water is not available at the job site. Any future expansion into 163 (rear lot) would only involve more areas for truck storage and additional warehouse space.

The rear parcel (163) currently has a County mixed-use FLUM designation and heavy industrial zoning, and is a wooded and undeveloped lot. The front parcel (161) is in the City, and has Industrial FLUM but single-family zoning, which is an error dating back to the City’s early zoning days. Putting the two parcels into City Industrial FLUM and a PID zoning will correct the error and unify the FLUM and zoning on both parcels. The PID will provide some additional buffering and protection to the single-family homes that are to the south. The Planning Board considered at their September 1, 2015 meeting a rezoning to industrial for the front and a rezoning to residential for the rear (for a future possible residence), but a representative of the company present at the City Commission public hearing stated that the representative who filed for the amendments was not authorized to represent the company. The application was then withdrawn. Property and vicinity properties FLUM and zoning classifications are shown below.

Table 1: Future Land Use Map and Zoning designations

Future Land Use Map Category		Zoning	
Current Putnam Co.	Proposed City	Current Putnam Co.	Proposed City
IN (Industrial)	RL (Residential, Low)	IH (Industrial, Heavy)	R-1A (Single-Family Residential)
Property to the...	FLUM	Zoning	Actual Use
South	RL (Residential Low)	R-1A (Single-Family Residential)	Single-family homes
North	IN (Industrial)	M-1 (Light Industrial)	Wind energy systems manufacturer
East	IN (County Industrial)	IH (County Heavy Industrial)	Undeveloped land
West (across Comfort Rd.)	IN (County Industrial)	IH (County Heavy Industrial)	Vacant industrial complex

Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Revenue Recovery. The taxes collected from the annexation of this property (previously recommended approval by the Board and awaiting Commission consideration) will defray the administrative expense of applications fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. City staff believes this directive is sufficient to submit these actions as administrative applications that accompany the annexation of the rear parcel.
3. Economic Development. This applications will assist the City to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

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 is in keeping with the following objective and policies of the Comprehensive Plan, and does not conflict with other plan elements.

Policy A.1.9.3

A. Land Use Districts

B. Industrial (258 acres)

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

Staff Comment: this FLUM amendment will place both properties within the Industrial land use category, which is the best match for the existing and vicinity uses. The accompanying PID zoning will mitigate any potential conflicts between this more intense FLUM and the adjacent residential FLUM to the south.

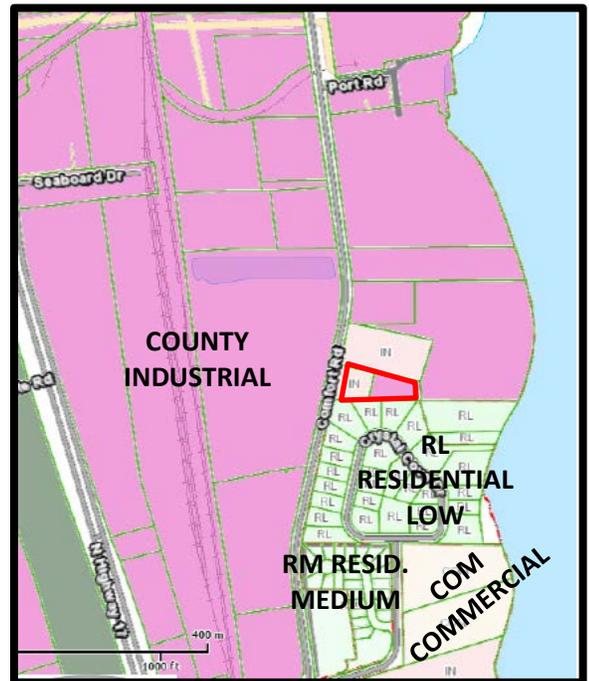


Figure 3: Vicinity (purple-shaded properties are in City)

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 (within Comfort Rd. right-of-way). The north end of sewer service is the Crystal Cove subdivision, so this property cannot receive sewer service without an extension up Comfort Rd. The property has City

water service – the water line continues around 650 feet north of this property and ends at a master meter that serves a County water system for multiple property owners in the Bargeport area.

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: Staff is not aware of any soil or topography conditions that would present problems for development, or of any natural or historic resources on these developed sites.

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 action 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.

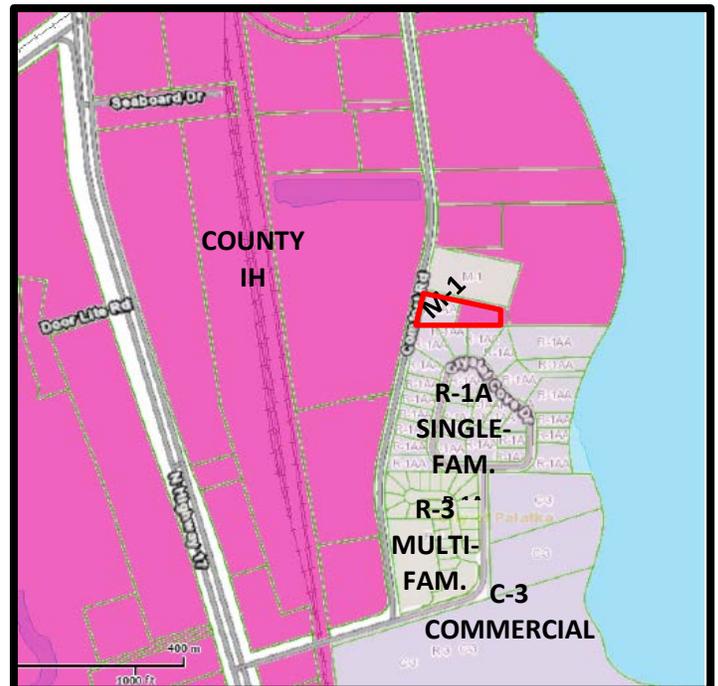


Figure 4: Vicinity Zoning

b. The existing land use pattern.

Staff Comment: in zoning terms the properties are located in a transitional area between the more intensive industrial uses and low intensive residential uses. One of the problems with the historical lack of coordination between City and County is the clash of land uses like this without an element of transitional (less intense) zoning and even open space and buffers serving to reduce noise, traffic, dust, and odor impacts. The buffering and setback requirements of the PID will greatly help to buffer the three adjacent residential uses from industrial use impacts.

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

Staff Comment: while properties to the north, east, and west have industrial zoning, properties to the south have single-family residential zoning. Therefore no isolated zoning district would be created.

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

Staff Comment: an expansion of the existing industry would have minimal impacts on public facilities.

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: not applicable.

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

Staff Comment: rezoning the property to an industrial designation that is improved upon the current City and County industrial zoning will not adversely affect neighborhood living conditions.

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

Staff Comment: Comfort Rd. is a 1.3 mile loop off US 17, in the far north of the City. This road is not on the County's list of arterial and collector roadways subject to annual traffic counts. Staff would characterize Comfort Rd. as a local road or at most a minor collector, carrying traffic from US 17 to the Crystal Cove resort, Crystal Cove Subdivision, 1st Coast Technical College and multiple industrial uses in the Bargeport area. Traffic is generally light. Expansion of the existing industrial use would not markedly increase trips.

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

Staff Comment: any expansion allowed by these amendments would still be subject to St. Johns River Water Management District and City drainage requirements that require the containment of most stormwater on site.

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

Staff Comment: the 50-foot building setback created by the PID natural buffer along the south property line will prevent such light and air reduction.

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

Staff Comment: The PID with its large natural buffer not negatively affect the values of the adjacent residential and other lots.

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 changes 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 property 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: the City industrial land use and zoning are in keeping with the existing use.

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

Staff Comment: the property and its use will not be 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.

PID Intent and Purpose. The application meets PID intent as shown in highlighted text below.

It is the purpose of this article to permit PID's which are intended to encourage the development of land as planned developments, encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas; accomplish a more desirable environment that would not be possible through the strict application of the minimum requirements of these regulations; provide for an efficient use of land resulting in smaller networks of streets and utilities where access to regional systems is impractical and thereby lowering development costs; and provide a stable environmental character compatible with surrounding areas. This district is designed to accommodate a wide range of industrial uses while providing certainty to the public regarding permitted uses and site design.

The following PID standards are required, per Zoning Code Sec. 94-163.

- Maximum lot coverage by principle and accessory structures of 70%.
- Paved access to any rear expansion areas.
- 45-foot maximum building height.
- Any outside activities (including truck washing) for the rear lot expansion area shall only occur more than 200 feet from the south (residential) property line (limited to the northwest corner of the rear lot).

In addition, PUD Standards of Zoning Code Article IV require the following:

- Unity of title for both lots and combination of two lots into one.
- Any future expansion of utilities must be undergrounded.

Finally, the property meets the PID minimum lot size of two acres (Property Appraiser records indicate both properties total 2.12 acres).

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation and amendment of Future Land Use Map category to ~~RL (Residential, Low)~~ IN (Industrial) for 163 Comfort Rd., and rezoning to ~~R-1A (Single Family Residential)~~ PID (Planned Industrial Development) for 161 and 163 Comfort Rd.

- Development shall be in conformance with the site plan.
- Unity of title for both lots and required combination of two lots into one.
- Development on front parcel to remain as is (parking & building), with any property improvements allowed in conformance with applicable zoning requirements.
- The rear expansion parcel shall have a 50-foot wide undisturbed natural vegetative buffer on the south, a five-foot wide north building/parking setback, and a rear 25-foot setback from the wetland jurisdictional line
- The masonry wall along the south property line will remain and be maintained as is.
- At the time of future expansion, street frontage landscape buffer for the existing use/front parcel to be installed (requiring several shade trees and a low hedge to screen parking).
- Any future expansion of utilities must be undergrounded.
- Maximum lot coverage by principle and accessory structures of 70%.
- Paved access to any rear expansion areas.
- 45-foot maximum building height.
- The only outside activities allowed shall be truck washing, which shall occur more than 200 feet from the south (residential) property line, therefore limited to the northwest corner of the rear lot.