Planning Board meeting
Minutes and proceedings
July 6, 2010

Meeting called to order by Chairman Carl Stewart at 4:00 pm. **Members present:** Sue Roskosh, Phil Leary, Ken Venables, Anthony Harwell, Randy Braddy, and Earl Wallace. **Members absent:** Zachary Landis and Ezekiel Johnson. **Also present**: Building and Zoning Director, Debbie Banks; Recording Secretary, Pam Sprouse and City Attorney, Donald Holmes (arrived after action passed on the first case).

Motion made by Randy Braddy and seconded by Ken Venables to approve the minutes of the June 1, 2010 meeting. All present voted affirmative, motion carried.

Debbie Banks read "To Appeal Any Decision."

Carl Stewart requested that disclosure of any "Ex Parte Communication" be made prior to each case.

OLD BUSINESS:

Case 08-29/10-26	**Address:**	N. 16th Street between St. Johns Avenue and Reid Street
	Owner:	St. Johns Chevrolet-Buick-Pontiac-Oldsmobile-GMC LLC
	Agent:	Juli Young
	Request:	to close that portion of N. 16th St. from Reid St. to St. Johns Ave.

(Public Hearing)

Ms. Banks advised that no comments were received from the notices sent to surrounding property owners or from the advertisements.

Ellen Avery Smith, 7 Waldo Street, St. Augustine with the law firm of Rogers Towers was present representing the owner and stated that this request is allowed pursuant to the City Code Sec 54-44 as well as Sec. 336.10 and 336.12 Florida Statutes. She stated that the dealership needs 3.76 acres of continuous land in order to meet the GM requirements for its franchise and that this request was previously approved by the City Commission on 11/12/2009 by Ordinance. It required a restrictive covenant reverter which was signed but not recorded in due time. She added that there was also a law suit filed against the City of Palatka for some alleged procedural irregularities by an adjacent property owner and so, they are here to clear up some of these issues in a revised package. She pointed out precedence set by the closure of a portion of Madison St. and stated that there have been others that have been closed in the past. She advised that there are a couple of easements as noted in the staff report that would be granted to the City for drainage over the storm lines for maintenance and the owner will install proper signage directing traffic to other streets – so there should not be any problems with the City's utilities, drainage or traffic going through the property. She shared maps of the right-of-way being sought after and a site plan that showed the flow of traffic on the property. She pointed out that on the north side or Reid St. the section of N. 16th Street between US 17 and Madison Street this section has been vacated, so that it is no longer a through-way, and so precedence has been set for vacating this particular road and others within the City of Palatka for a benefit and wanted the Board to understand that this dealership wants to stay in downtown Palatka and needs to remain a viable entity and that it can only survive if it has the 3.7 continuous acres.

Case 08-29/10-26 - continued

Mr. Venables asked for the information requested in a memo dated 10/22/08 from the Public Works Director, requesting a traffic count and a site plan, specifically looking for signage, curbing and landscape plans regarding signage curbing and landscaping.

Ms. Avery Smith advised that there was a traffic study that was provided to the Commission that was done under the purview of the City Planning staff and actually went out with cameras and videotaped traffic going through.

Juli Young, 256 Highway 17 N., expressed further that they had made numerous attempts to do a traffic study but were unsuccessful due to their unique position with multiple accesses of ingress & egress into their lots, with that, the trips were being multiplied. They purchased cameras which also was a failed attempt, so the city planning staff tried to co-ordinate a rough traffic study, which was at the time, the best they could come up with.

Mr. Venables asked with reference to the site plan and agreements made in previous proceedings, if they were still going to grant a 60' easement to St. Johns Auto Body for access to their property and if so, would their truck be able to traverse this as shown on the site plan submitted.

Breck Sloan, 256 Highway 17 N., stated that a fifteen foot right-of-way is more than you have on the D.O.T. streets, it they can operate this vehicle on the streets of the city of Palatka, then they should be able to transition through there. He stated that the City Commission asked them to meet with the St. Johns Auto Body owners in an attempt to resolve issues collectively and that their efforts of mediation never concluded, as St. Johns Auto Body could not agree to certain stipulations but that it is still open and on the table.

Mr. Venables referred to previous references of a letter from Glenn K. Holliday, Area Sales Manager of G. M. dated 10/12/09 and said that he found it vague, non-supportive of the need to close the street and questioned why it was not forwarded to the Planning Board for consideration.

Mr. Sloan stated that at the time, they had received a new and temporary dealer agreement from G.M. based on G.M.'s filing of bankruptcy and the problem they had was with confidentiality, that they were not allowed to share that information with the public or media without the written approval from G.M. We did allow the Commission to view that letter and the standards that were required specifically and the language in our dealer agreement but not to be admitted into public record. He believes that the letter was forwarded to the Planning Department in error and that he understands that the Planning Board had only a piece of the puzzle, but the rest of it was forwarded to the Commission and they were allowed to read it in its entirety.

Mr. Venables asked if the reverter clause will also apply if the dealership is leased or given away or just if this dealership just closes its doors.

Ms. Avery Smith read the reverter clause as agreed upon and entered into with the City.

Mr. Venables stated that as no structures are to be placed upon the utility easement, he wanted to make clear that the landscaping would not be anything of a permanent nature.

Case 08-29/10-26 – continued.

Ms. Avery Smith advised that that was correct.

Mr. Venables referred to testimony given by Breck Sloan on 10/22/09 that this was a time sensitive issue, and wanted to know if they were past that time limitation.

Mr. Sloan advised that they are not unique in their franchise situation, apparently there are many across the country in similar situations, and believe they are slotted for the first quarter of 2011.

Ms. Roskosh questioned the reverter time frame.

Mr. Sloan advised it was 180 days.

Jeremiah Mulligan of Mulligan and Cottum, 200 Malibu St., St. Augustine, who was present representing St. Johns Autobody commented that this Board previously met on this issue and it was denied and then went on to the Commission where it was approved which led to some litigation. He spoke about the litigation stating that there are several points in question, including whether the approval was even legal being the sole benefit of a private party versus a public benefit, hardship and impact to his client's company, as well as the community, and incorrect information submitted by the applicant for consideration of this request. He made comments regarding the drainage and flooding in the area during heaving rains, saying that many people use this as an alternate route to come down N 16th Street from Crill Ave. He added that there has not been a significant impact/traffic study to see how this will impact the community. He mentioned that the majority of the response from the community, and the petitions that have been submitted is that they do not want to see this road closed. He ended by saying that there are other things that have not been thought out, such as with the reverter clause and who will put the road back in if this use should go away. There still has not been a sufficient traffic study or impact study to see what is going to happen if you close this portion, will you have water collecting there.

Mr. Leary asked if Mr. Mulligan has done any type of data and analysis to quantify the economic impact for his client.

Mr. Mulligan stated that he believes that the petitioner should provide that type of information. He reiterated that this Board had previously denied the request and most likely due to the bad precedence this will set, for a private benefit, what would stop the next business from requesting the same and point to this. There are a lot of things that haven't been thought out and on behalf of his client he requested that the Board deny this request.

Carl Stewart asked if there had been any attempts at an agreement with his client and Mr. Sloan.

Mr. Mulligan stated that there had been some negotiations but they actually lead away from the easement and more towards Breck Sloan and Johnson & Johnson Towing buying the large wrecker that tows the semis and that wasn't acceptable to his clients. When you look at the site plan proposed, you really can't come to an agreement with all the landscaping and parking area that is now N. 16th Street.

Discussion continued regarding who should submit data and analysis for traffic and economic impacts.

Case 08-29/10-26 – continued.

Ms. Avery Smith stated that a lot of right-of-way vacations are done in the public interest and economic development is certainly of public interest.

(Regular Meeting)

Phil Leary advised that he lives a few blocks away and has taken the opportunity to observe the traffic patterns, more for his own curiosity, and being a planner, doing a lot of analysis on transportation and traffic circulations, what this really boils down to is the inconvenience to maybe one business on St. Johns Avenue and a few residents versus the viability of maintaining a long standing business that provides a lot to the community, his position has not changed from the last time. With this not being a through road, and D.O.T. not having a problem with closing it, the benefits of the dealership and what it brings to the community, as the attorney said, there is a Florida Statute that would support the approval of the application.

Motion made by Ken Venables and seconded by Phil Leary to recommend approval for the request. With a show of hands of all present the vote resulted with two in favor and five opposed, motion failed.

Case 09-30

Address: Off Crystal Cove Drive and Comfort Road
Parcel: 37-09-26-0000-0060-0082
Owner: Thirty-Ninth Avenue Professional Center, Inc.
Agent: James Meehan

Request: for approval of final plat for a subdivision

(Public Hearing)

Ms. Banks advised that Mr. Meehan addressed all of the staff comments that were made at the preliminary level, there are a couple of items that will be dealt with at the Water Management level and that the applicant has submitted a revised plat. She advised that she received two comments regarding the subdivision and that Mr. Taylor is present with comments and one of the owners, Mr. Salifrio is also present.

Robert Taylor, 241 Crystal Cove Dr. stated that he believes a mistake was made with the annexation of this property as being less than 10 acres and believes the parcel is larger than that. He expressed concerns of traffic safety with regards to Crystal Cove Dr. He stated that there have been several meetings that the developers had asked them to come and discuss concerns and then each time the plans come back a little worse than they started. He conveyed his unhappiness and stated that the community residents were not given written notice for the rezoning from R-2 to R-3, as they were outside of the 150 ft. notice requirements and believes the City should extend the notice requirements, as their community is directly impacted financially and physically impacted by this development. He ended by saying that he is concerned with the Water Management issues with the retention on the S.E. section of that site and does not believe that this is a compatible development for Crystal Cove.

Discussion took place regarding the required verbiage on the plat and fencing.

Case 08-29/10-26 – continued.

Ms. Banks advised of notes on the site plan that was submitted and included in the Board packets, referencing the placement of a 6 ft. masonry wall along the rear of lots 7 through 12 and a 6'ft. wood privacy fence with reverse board and batten with landscaping bushes and trees along the rear of lots 1 through 6.

Mr. Holmes advised that if a project is part of a Planned Unit Development (PUD), you can place specific conditions and restrictions on the project that are agreed to and then become part of the approval otherwise the City can only rely upon the code as it relates to buffer requirements and development standards.

Carl Salifrio, 3603 N.W. 98th Street, Gainesville, an owner, advised that they agreed to put in the 6 ft. wall and will uphold their promise to the people.

John Williams, 5825 Glory Avenue, St. Augustine, said he spoke with Mr. Leary, (a resident) personally and he had agreed to build a fence to match the existing one on the other side and they will uphold that agreement. He added that they originally wanted to lower the density and do all single-family residential, but they met a lot of opposition, therefore they increased the density of the project to meet minimum requirements of the existing land use requirements in order to move forward.

Garry Wood, 207 Crystal Cove Dr., shared handouts with the Board, listing the changes and differences between the original proposal and now. He stated that being in the corporate limits of a town; one would expect to be protected by the codes of that town. That little did they know, once the zoning was changed to R-3 that they would have no say whatsoever, especially if the original presentation that was considered for that change begins to change. He believes that the codes should be changed to put these kinds of protections in place.

Chevy Davis, 226 Crystal Cove Dr. reiterated comments made by Mr. Wood and stated that they feel that they have had the wool pulled over their eyes. He is concerned about the impact to their economic value and the promises that have been made and not delivered.

Charles Meyers, 244 Crystal Cove Dr., concurred with the previous statements made and is concerned with compatibility and that there seems to be something wrong with the system.

Discussion continued regarding the annexation, densities with regards to Comprehensive Plan amendments and zoning.

Mr. Holmes reiterated that the comprehensive plan controls the density or the number of units, the zoning controls what uses are allowed on that density. When the property was annexed into the city, it came in as Land Use of High density residential (10 – 18 units per acre) at some point down the road, they did come back and asked to modify the density down by 14 units per acre to a maximum of 4 units per acre and they received a huge amount of opposition. The owners then decided to develop it according to the existing zoning and that compatibility is considered at the time of zoning, not at the subdivision level.

Case 08-29/10-26 – continued.

Mr. Salifrio advised that the strip on the north end of the property was cut out. He added that they intend to build these homes for workforce people such as firemen, policemen, teachers and such.

Ms. Banks pointed out that the surrounding uses of this property vary and include residential, commercial and industrial zoning as well.

Mr. Taylor stated that in 1995 the zoning was R-2, prior to the 2000 Comprehensive Plan update.

Mr. Williams, spoke again stating the property is for sale, and reiterated that they intend to build the development and have from day one. He added that he has been a part of this community for 6 generations and has never set out to do anything in this county that was not good for the whole of the community.

(Regular Meeting)

Randy Braddy commented that as a property owner and resident has experienced the dilemma such as the residents of Crystal Cove, where the so called cat got out of the bag, and unfortunately he has had to live with it as does everyone else, and it is a simple matter of existing zoning and the issues that have been presented should have been dealt with at that point and time.

Motion made by Randy Braddy and seconded by Sue Roskosh to approve the final plat for a subdivision, all present voted in favor, motion carried.

NEW BUSINESS

Case 10-18 **Address:** Unnamed streets lying in parcels: 01-10-26-0000-0320-0000; 01-10-26-3150-0010-0010; 01-10-26-0000-0410-0000; and 01-10-26-3150-0010-0040
Parcel:
Owner: Putnam County School District
Agent: James L. Padgett, Esquire

Request: to vacate those portions of streets and roads lying in the following parcels: 01-10-26-0000-0320-0000; 01-10-26-3150-0010-0010; 01-10-26-0000-0410-0000; and 01-10-26-3150-0010-0040. (North of Jenkins Middle School)

(**Public Hearing)**

Ms. Banks advised that these roads are actually within the confines of the School Board parcel and that they have never been named, opened or maintained. She added that she received a couple of calls regarding the notices and advertisements and explained what was happening and is not sure if anyone is here to speak regarding this request.

Sheila McCoy, 115 Pinion Lane, question how this request will affect her.

Case 10-18 – continued.

Ms. Banks advised that these vacations will not affect any ingress or egress, that these segments are completely contained within the School Board property and that since they were found on a plat that a surveyor found the School Board requested they be vacated legally.

Phil Leary stated that he believed the Dept. of Education and the Dept. of Community Affairs require that these schools sites are all under the school's ownership.

(Regular Meeting)

Motion made by Phil Leary and seconded by Randy Braddy to recommend to the City Commission the vacation of these streets. All present voted affirmative, motion carried.

Case 10-22 **Address:** 806 St. Johns Avenue
Parcel: 42-10-27-6850-0620-0061
Owner: Maria Corp. of Seminole
Applicant: John L. Sweet

Request: for a conditional use for a church to locate within 300' of a licensed establishment selling alcohol.

(Public Hearing)

Ms. Banks advised no response from the advertisement or the notices sent to surrounding property owners. She read a letter of support received from Hector R. Corzo, MD for this request.

Randy Braddy stated that as there is a distance restriction between alcohol serving establishments and religious institutions, it is allowed by conditional use so long as certain criteria are met and in order to facilitate the growth of our city, we try to take an open mind. He asked Mr. Sweet if he would have any objections if a similar action were to be requested going the other way.

John Sweet, 700 Forest Glenn Dr., replied that he would not.

Discussion took place regarding the conditions of a conditional use approval.

Ms. Banks read a portion of the alcohol ordinance of the Municipal code: Sec. 10-1. Scope and applicability:

> (b) For purposes of this chapter, section 10-3, location restrictions, shall not apply to established licensed premises, religious institutions, or schools, in existence as of the effective date of this chapter, which shall be considered grandfathered to the distance requirements contained herein and shall be allowed to continue, be expanded at that location, or replaced if destroyed or substantially damaged without regard to the location restrictions as contained in this chapter, but shall otherwise comply with this chapter as adopted by ordinance. An established licensed premises, religious institution, or school that does not meet the location restrictions as listed in this chapter shall be

Case 10-22 – continued.

grandfathered; however, should a grandfathered licensed premises, religious institution, or school cease operations for a period of one year or more, then the licensed premises, religious institution, or school shall not be recommenced except in conformance with the location restrictions included in this chapter. For purposes of this subsection, a change in ownership of an established licensed premise shall not invalidate the grandfathered status conferred by this subsection so long as operations do not cease for a period of one year or more.

Angela Murtagh, 726 St. Johns Ave., owner of Angela's and a neighbor to this location, welcomed Mr. Sweet to the neighborhood.

(Regular Meeting)

Motion made by Phil Leary and seconded by Randy Braddy to approve the request for a conditional use for a church to locate within 300' of a licensed establishment selling alcohol with the staff recommended items 1 – 4, adding an additional item #5; to include the language from the ordinance, excluding the word chapter. All present voted affirmative, motion carried.

Case 10-24 **Address:** 500 S Palm Avenue
Parcel: 11-10-26-0000-0230-0000
Owner: Harvest Temple Ministries
Agent: Robert Benjamin

Request: to Annex into the Palatka city limits, Amend the Future Land Use Map from County Urban Service to City Commercial and Rezone from County R-1A (Single-family Residential) and C-1 (Commercial) to City C-1 (General Commercial).

(Public Hearing)

Ms. Banks advised that she has not received any comments from the advertisement or the notices sent to surrounding property owners.

Robert Benjamin, P.O. Box 7174, Jacksonville, advised that he is the agent for the owner and potential contractor to renovate what was an office building and turn it into a church, with some cosmetic changes as well.

(Regular Meeting)

Motion made by Ken Venables and seconded by Randy Braddy to recommend approval of the request to annex into the Palatka city limits, amend the Future Land Use Map from County Urban Service to City Commercial and rezone from County R-1A (Single-family Residential) and C-1 (Commercial) to City C-1 (General Commercial). All present voted affirmative, motion carried.

Case 10-25 **Address:** 429 Kirby Street
Parcel: 42-10-27-6850-0450-0050
Owner: City of Palatka
Agent: Southside Historic Neighborhood Association

Request: for a conditional use for a wall mural to exceed 25% of the wall.

(Public Hearing)

Ms. Banks advised that the mural is already in place and that this case was properly noticed and advertised with no comments received.

(Regular Meeting)

Motion made by Randy Braddy seconded by Phil Leary to approve the request for a conditional use for a wall mural to exceed 25% of the wall. All present voted affirmative, motion carried.

Case 10-20 **Address:** 401 N 15th St., 607 N Palm Ave., 1725, 4801 and 5001 St. Johns Ave., 100, 333, 400, 414, 417, 425, and 440 SR 19 N, 900, 1500, 1701, 1824, 2001, 2021, 2420, 2502, 3724, and 3743 Reid St., 252 and 256 US 17 N, 103, 201, 710, 719, 800, 804, 805/807, 919, 1006 and 1024 SR 19 S, SE corner of Moody & SR 19 S, 718 S. Palm Ave., 2900 Crill Ave. (SE & SW corner), 3208, 3306, 3905 Crill Ave., 600 Zeagler Dr., Lemon Heights N 20th PL and 1500 Madison St.
Owner: State Dept. of Transportation (DOT) and City of Palatka
Agent: Patrick Mency of Martin Mency LLC

Request: Request for a conditional use to locate benches within the State, County and City right-of-way within the city limits of Palatka.

(Public Hearing)

Ms. Banks advised that this case was advertised and notices were sent out to surrounding property owners for each location and she had received several comments and letters against the request with two comments in favor of the request who stated that it provided an economical form of advertising. She advised that there were 49 locations requested; 3 of which were located in the county, leaving 46 locations for consideration by the Board. She stated that photos were included in the staff report to prove that they were all properly posted and provide a visual of the locations. She added that the review was done as bus stop benches and with that in mind, they should be located on a designated bus stop route. She explained that she included the map from Ride Solutions, because they are the only public transit authority in the City of Palatka, and using that logic, there are 26 bus stops within the City limits of Palatka. She further advised that Ride Solutions had come before the Board a couple of years ago to request conditional use approval to place bus stop shelters with benches (with no commercial advertising) at 9 of the 26 designated stops and were approved leaving 17 bus stops. Of the locations submitted, only one of those is at an actual bus stop.

Case 10-20 – continued.

Mr. Holmes pointed out that there has been talk and or print about the relationship between what the Board is to consider and the contract with the City, however the contract is not relevant to what the Board is to consider today, that their consideration is of a land use consideration. He advised that if the Board does not feel that a location is appropriate it is irrelevant to the contract. He stated that nothing he says is meant to be critical of anyone's opinion, that without a court ruling you can have differing opinions, it is the Board's job to decide the merits of the request based on their interpretation and the logic of the argument – a judge may disagree with everyone before it is over. He added that it is important to him that the Board not start the process with a goal in mind of either allowing or not allowing for the benches, and interpret the ordinances to accomplish whatever your goal is, that in his opinion would not be an appropriate method interpretation of an ordinance or law. He referred to the definitions of chapter 62-1; signs, for billboard and commercial advertising, bus stop benches.

Discussion continued regarding the different possible classifications.

Mr. Braddy stated that he believed we have had a conflict of code.

Mr. Holmes advised that he agreed there are sufficient vagrancies of the code so that he does not feel comfortable in saying that it has to be one type of sign versus another (i.e. billboard, commercial sign etc.)

Mr. Stewart asked Mr. Holmes if he would feel comfortable arguing a case that they are bus stop benches.

Mr. Holmes stated that he did not know, because it would have been very simple to put one sentence under that to make it clear, such as; bus stop benches shall be considered any bench located on a designated route for public transportation then he would know what a bus stop bench is.

Mr. Venables referred to Sec. 94-195 of the Municipal Code for school bus shelters and stated that he believes that the language there is very clear and speaks for itself, as the words bus stop bench are repeated four times in one paragraph and that the intent was for benches being placed where buses stop.

Phil Leary agreed that we need to update the code.

Angela Murtagh stated that she moved to Palatka about seven years ago from South Florida and away from the overcrowding, the clutter and filth and all the off-site signage. She stated that might be the only opportunity to stop this madness. She thinks this is the wrong direction for the City, and believes the image that we are trying a cleaner image and believes that is extremely important.

Sam Deputy agreed with Ms. Murtagh and stated that he has lived in big cities and knows these types of off-site signage attract litter.

Tom Pellican, 607 S. Moody Rd. 18E, formerly of Scenic America and currently representing Scenic Florida, spoke in opposition to this request stating that there is no doubt that these are "billboard type advertisements" by definition, they are off premises, outdoor advertising signs, and yes they might fit under the definition for commercial signage, but it is still a billboard regardless of size.

Case 10-20 – continued.

Boyd Thompson, 1220 Kirby St., representing Ride Solutions stated that several years ago, they received money from the State of Florida to put up bus stop benches throughout Putnam County with nine or ten in the City. He worked with several City staff and community citizens to develop an acceptable style of bus stop shelters and safe locations which was a lengthy process. He added that they had previously met with Mr. Mency to discuss putting shelters at some of their bus stops but they were not in agreement with the style because they were a commercial looking shelter. He stated that they were terribly disappointed and concerned about the placement of these benches in areas that are clearly not safe, and would request that these types of benches be placed at established bus stop locations.

Stephanie Motos, 3801 St. Johns Ave concurred with the previous statements made and added that South Florida is starting to do away with them, that Dade County just turned down a request, it is a turn backwards, and a lot of communities are starting to turn away from them. She is opposed to an advertising bench being placed in front of her business and her own sign that she is paying for.

Diane Woject, 156 Cinnamon Dr., Interlachen, questioned whether Martin Mency, LLC had City or County approval for the placement of the benches, if they had a City or County business license to collect revenue, if the benches are on City right-of-way and wanted to know how the City can justify placing these off site advertisements all over the City and yet remove local business owner's off site signs.

Mr. Stewart stated that he cannot justify that.

Mr. Leary stated that you cannot put signs in the State right-of-way without City or County approval.

Ms. Banks answered that this Board had not approved any locations. That they do not have a City business license and that the majority of the benches are located in the state right-of-way, but there are some that are located in City or County rights-of-way within the City limits.

Joe Aldridge spoke in opposition to the request and stated that these benches are just a medium for billboard (off site) advertising and he believes that they will be inviting trouble and trash to these locations.

Patrick Mency from Martin-Mency, LLC stated that they will maintain the area around the benches and that once a week someone will come and pick up trash and cut weeds. He stated that this type of advertising helps out local businesses. He has not lost any contracts because they do what they say they will do.

Angela Murtagh, business owner, said the citizens are the ones who make up the community and elect the Commission and she believes that the citizens should at least have had some notice of something so vital to the community.

Discussion continued regarding the contract language, locations descriptions.

Mr. Aldridge asked about right of way property and what safeguards do business owners have against competitors advertising out in front of their businesses.

Case 10-20 – continued.

Ms. Banks stated for the record she received 4 written letters against the request (Clint Snyder, Robert Webb, and an unnamed writer sent 2 letters).

(Regular Meeting)

Motion made by Randy Braddy and seconded by Ken Venables to consider 401 N. 15th St. to qualify for the conditional use. All members present voted with 1 in opposition, motion carried.

Motion made by Randy Braddy and seconded by Ken Venables to approve the 401 N. 15th St. location with conditions and safeguards as set forth in the staff comment of the staff report. All members present voted with 1 in opposition, motion carried.

With no further business, meeting adjourned at 7:45 pm.