

Planning Board meeting
Minutes and proceedings
February 1, 2011

Meeting called to order by Board member Sue Roskosh at 4:06 pm. **Other members present:** Earl Wallace, Anthony Harwell, Zachary Landis and Ken Venables. **Members absent:** Ezekiel Johnson, Joe Pickens and Joseph Petrucci. **Also present:** Building and Zoning Director, Debbie Banks, Recording Secretary, Pam Sprouse and City Attorney, Don Holmes.

Motion made by Earl Wallace and seconded by Anthony Harwell to approve the minutes of the December 7, 2010 meeting. All present voted affirmative, motion carried.

Debbie Banks read "To Appeal Any Decision." and requested that disclosure of any "Ex Parte Communication" be made prior to each case.

Discussion took place regarding the need to elect a Chairman and Vice-Chairman and it was agreed by all to make nominations at the next meeting when possibly more of the Board members can participate in the election consideration.

NEW BUSINESS

Case 10-39	Address:	820 Reid Street
	Parcel #:	(42-10-27-6850-0610-0010)
	Owner:	W.T. Huntley Land Trust
	Agent:	Sheila McCoy

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

(Public Hearing)

Sheila McCoy, 115 Pinyon Lane, advised that she is the Executive Director of the Palatka Christian Service Center and was also the Pastor of a local Church that had been meeting at the Ravines. However, the Ravines is a fairly remote location and she found that after being at the service center that it was a tremendous evangelistic field, and she believed that they could reach out that much more by also providing church services there. She ended by saying that this location is more centrally located and people could easily walk to the Church.

Mr. Holmes asked the applicant how many people were in her congregation and what did she anticipate her maximum being.

Ms. McCoy advised that currently there was approximately 15 in the congregation and hoped for 300, but they would have to move if that happened.

Ms. Banks advised as this is the old Winn Dixie building, that there are a lot of different meeting rooms with a good bit of room that they could grow into. She added that the Chief Building Official has met with Ms. McCoy out there and did not have any issues provided the Church register with the City, resulting in this process.

Rosie Harrell, a downtown business owner, stated that her establishment has been downtown for many years and has been affiliated with this neighborhood. She spoke on behalf of the Christian Service Center, stating that they have done a tremendous job meeting the many, many needs that our community has and really feels

Case 10-39 820 Reid Street – continued.

that this an opportunity not only for Ms. McCoy’s ministry to expand their services but also the Christian Service Center and the Heart of Putnam to expand theirs as well.

(Regular Meeting)

Mr. Venables commented that he recently went to a Main Street “101” seminar and stated that one of the things that came out during that education process was that churches and schools do not enhance a Main Street area as they provide voids on the sidewalk and do not generate foot traffic. The city of Palatka through their CRA has expended thousands and thousands of dollars in the Main Street programs. He stated that he is not comfortable approving this, though this is certainly a worthy request. He recognized that Ms. McCoy works extremely hard and her passion is probably limitless, but that he has a problem granting this request as it is in conflict with the Main Street program, and the city is working very, very hard to make it a productive part of our community and this area is in the Main Street area. He ended by saying that he doesn’t believe that segments of City Government should be in conflict with each other and believes that the Main Street area was selected with a lot of thought and due diligence, and the future vision of shops and restaurants.

Don Holmes stated that the Municipal code would take precedence.

Ms. Banks clarified that churches are a permitted use in the Downtown Business District which is the core of the Main Street District and that this location is one block over from that in a C-2 district. She further advised that this request is not regarding the use so much as it is to consider the distance restriction, and added that the City is looking toward a visioning process and hopefully that process will help resolve some of these conflicts.

Motion made by Ken Venables and seconded by Earl Wallace to approve the request. All present voted, resulting with 4 yeas and 1 nay. Motion carried.

Case 11-05 **Address:** 7309 Crill Avenue
 Parcel #: (09-10-26-0000-0340-0000)
 Owner: Daryll Futch
 Agent: April Annis

Request for a conditional use to operate a child care facility in a C-1A zoning district.

(Public Hearing)

April Annis, 512 North Tree Garden Dr., St. Augustine, advised that the center will service ages 6 weeks through 5 years old, as well as, after school care. They will be open from 6:45 a.m. to 6:00 p.m. and some Friday nights when they will provide a parents night out. She added that they are planning in the next year or two to be open on Saturdays for birthday parties.

Ms. Banks advised that this case was properly advertised and noticed to surrounding property owners with no comments received of those efforts. She advised that the departmental reviews are included in the staff report and the only two comments she received back were from the Fire Marshal and the Building Official and that when the plans are submitted for permit review, some of the concerns they have will be addressed at that time.

Case 11-05 **Address:** 7309 Crill Avenue

She recommended approval with the following conditions as listed in the staff report:

1. That a Business Tax Receipt be obtained from the City and the County and be maintained in an active status for the duration of the use;
2. That the grant of a Conditional Use for a child care facility shall substantially conform to the presentation made by the applicant in the application and public hearing for the Conditional Use;
3. That this grant of Conditional Use shall expire twelve (12) months following the discontinuance of the approved use for any reason and may not be recommenced once expired without another grant of Conditional Use;
4. That all conditions shall be met within six (6) months of approval of this Conditional Use;
5. That the applicant meets all State licensing requirements for a child care facility;
6. That a maximum of 94 children (per statement by applicant) will be allowed and operating hours will not exceed those indicated as Monday – Friday, 6:45AM – 6:00PM.;
7. Other activities proposed for Parent’s Night Out and birthday parties shall be approved, and;
8. That no occupancy is allowed prior to the issuance of a Certificate of Occupancy.

Discussion took place regarding the time of commencement as Ms. Annis was not sure that the facility would be open in 6 months, with the construction of a new building and required local and state reviews. Ms. Banks advised that when the permit is in place that would be considered commencement of use as the intent of the construction and building requirements will be based on this use category.

Tom Wicks, 105 Round Lake Rd., the adjacent property owner of a single family residence stated that he would like to preserve his relative quietness and privacy. He wondered if there were any city codes that would prevent this type of use with small children to locate so close to an alcohol serving establishment. He also questioned why it would be annexed and if this were the best type of land use for this location, stating concerns of the busy highway.

Ms. Annis replied that they wanted to come into the City for utilities. She said that the building would be set a good distance away from the highway and did not see that as a concern. That this location was much like several others located on busy roadways, like the one on St. Johns Ave. or even the one located at 5-points. She stated that they would put up a privacy fence along that portion of her property to protect Mr. Wicks home and that there would be other buffer requirements she would be meeting as well.

Discussion continued regarding the buffering requirements between different zoning districts,

Ms. Banks advised that the buffering requirements are specific in our development code and that Ms. Annis has to obtain approval of the use before she can get Water Management permits, without that of course there is no reason for her to go further with development.

(Regular Meeting)

Motion made by Ken Venables and seconded by Earl Wallace to approve the request for a conditional use for a childcare facility subject to conditions 1 through 9 as listed in the staff report. All present voted, resulting with 4 yeas and 1 nay. Motion carried.

With no further business, meeting adjourned at 5:35 p.m.