



CITY OF PALATKA PLANNING BOARD

Meeting Minutes August 23, 2011

Meeting called to order by Chairman Carl Stewart at 4:00 pm.

Other members present: Sue Roskosh, Earl Wallace, Anthony Harwell, Joseph Petrucci and Joe Pickens.

Members absent: Kenneth Venables.

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

Motion made by Joe Pickens and seconded by Sue Roskosh to approve the minutes of the July 5, 2011 meeting. All present voted affirmative, motion carried.

Chairman Stewart read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

NEW BUSINESS

Case 11-30 **Address:** 2908 Kennedy St.
 Parcel #: (12-10-26-9050-0070-0110)
 Applicant/Owner: Dene and Deborah Berry

Request to annex, amend the Future Land Use Map from County US (Urban Service) to RL (Residential, Low Density) and rezone from County R-1A (Residential 1, Single-Family) to R-1A (Single-Family Residential)

Mr. Crowe advised that this case and the next case are both essentially the same type of request, made due to the need for city services. He added that these properties are adjacent to each other and are contiguous to the city. He showed a map of the area and pointed out where a section of unincorporated County is surrounded by the City. He stated that annexing these properties provides contiguity and reduces the existing enclave. He ended by saying that both requests meet the criteria for annexing, amending the Future Land Use Map and rezoning.

Motion made by Mr. Pickens to recommend approval of the request to the City Commission. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

Case 11-34 **Address:** 2920 Kennedy St.
 Parcel #: 12-10-26-9050-0070-0090
 Applicant/Owner: Terry N. Turk

Request to annex, amend the Future Land Use Map from County US (Urban Service) to RL (Residential Low Density) and rezone from County R-1A (Residential 1, Single-Family) to R-1A (Single-Family Residential)

Motion made by Mr. Pickens to recommend approval of the request to the City Commission. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

PLANNING BOARD

Meeting Minutes

August 23, 2011

DRAFT COPY

Case 11-38 **Address:** 207 S. Moody Rd.
 Parcel #: (11-10-26-0000-0501-0000)
 Applicant(s): John Duss & Marc Spalding
 Owner(s): Farah & Farah Pa & Margaret Thoden

Request to rezone from C-2 (Intensive Commercial) to C-1 (General Commercial).

Mr. Pickens expressed that he had ex-parte communications with the City Manager, Woody Boynton regarding case 11-34 and case 11-38. He recused himself from both cases due to the College's interest in the neighboring property, as he is the president of the College.

Mr. Crowe stated that the requested zoning is in keeping with the existing land use pattern and zoning. This request is a rezoning from commercial to commercial and is actually a "down-zoning," with the proposed zoning being less intense than what the property is currently zoned. He added that the down zoning potentially decreases impact to the public facilities, at least in this case the impact to schools with the proposed senior housing project.

Marc Spalding 3400 Crill Ave. was present and introduced himself as the listing agent for this property and introduced John Saxton.

John Saxton, 470 Bahama Dr. Indialantic, Florida stated that he represents the developer who wants to develop this site with senior housing.

Mr. Stewart asked Mr. Saxton if the request for Conditional Use were not granted, would they still want to rezone this property.

Mr. Saxton replied no, that the sole objective is to develop this site with senior housing. He said that they have no intention or desire to develop this property commercially, or for any other use. They are only going through this process as required by the City in order to get the permit to do what they are proposing to do.

Mr. Holmes asked if Mr. Saxton's client owned the property.

Mr. Saxton replied that they have contract interest, subject to being able to do what it is that they want to do, which requires the rezoning and Conditional Use. He reiterated that their interest is the single purpose of building senior housing.

Motion made by Mr. Petrucci to approve the request to rezone from C-2 to C-1. The motion was seconded by Ms. Roskosh. With 1 recusal, motion carried with 5 yeas and 1 abstention.

Case 11-33 **Address:** 207 S Moody Rd.
 Parcel #: (11-10-26-0000-0501-0000)
 Applicant(s): John Duss & Marc Spalding
 Owner(s): Farah & Farah PA & Margaret Thoden

Request for a Conditional Use to locate a Housing for the Aged (senior housing) development in a C-1 zoning district.

Thad Crowe explained that the site is in keeping with the Comprehensive Plan. He noted that there is acceptable ingress and egress from Moody Rd. He believed the site plan submitted was "over-parked," and that the excess

PLANNING BOARD

Meeting Minutes

August 23, 2011

DRAFT COPY

parking would not be need for senior living, that it takes away open space and he recommended that the number of parking spaces be reduced. He added that this would also reduce the potential to convert this use into a more intensive multi-family use. He added that screened dumpsters will be required and that open spaces should be defined, that there should be courtyards for gathering areas for the residents, covered sidewalks connecting buildings, being cognizant of the use as this is more than what your typical apartment type living situation may require. He also recommended that the site should have a nature trail in the natural area. He suggested that the building elevations facing S. Moody Rd. should include architectural elements that interrupt facades and provide improved aesthetic appearance and create an attractive complex that won't look like barracks and be something that will enhance the area. In keeping with the conditions for approval, the Board has a lot of discretion to put additional conditions on the use to make sure it is appropriate in the Board's eyes, that will make this a nicely functioning place and something that will enhance the area.

Mr. Pickens suggested that it may be appropriate to add a two-story maximum as the College includes a two-story building and it would be in keeping with the surrounding area.

Mr. Petrucci asked Mr. Saxton if he was okay with the conditions.

Mr. Pickens stated that as an adjourning land owner, the inclusion of these conditions is what helped ease their concerns, as to the aesthetics of what is going to go across the street from the College.

Mr. Saxton stated that he did not have too much heartburn with the conditions listed, and understands the intent for an appealing development but mostly would like to see a compromise on the reduced parking condition that would allow for more parking.

Mr. Holmes asked Mr. Saxton, as an affordable housing project, could he explain the criteria people must meet to live there and how were the rents determined.

Mr. Saxton clarified that this project is not HUD Housing, Section 8, it is not subsidized and that it is not government housing. He added that the restriction other than age is an income restriction - meaning that the people that live there cannot earn more than 60% of the area median income, which is adjusted by family size. Most seniors do not have much of an income. The rent is determined based on the area median income for Putnam County and the rent will be 30% of that, and from that a utility allowance will be deducted. If the market is such that the rates for apartments in this area are less than that figure, the rent will be lower. This project is privately funded and the program they are applying for with the state of Florida is a low income housing tax credit program. He added that every state gets tax credits for this type of age restricted program funding, based on population. The property will be deed restricted to persons above age 62 for as long as the property is part of the program, and the minimum period of the program is fifteen years.

Discussion continued regarding tenant criteria, the possibility for potential future changes in use, possible impacts to city services, compatibility with adjacent properties, with a concern that senior housing would be located directly across from an open campus college (with plans to expand) that has a large population of minor and young adult students who could disturb the residents.

Mr. Saxton spoke of the benefits of integrating seniors and college life, as many seniors continue their education and can also provide tutoring volunteering and sharing life experiences. He stated that there are probably more than 65 persons in Palatka and Putnam County that are age 62 and over that are living in substandard housing now. What they are proposing to do is build a brand new, high quality, very clean, well

PLANNING BOARD

Meeting Minutes

August 23, 2011

DRAFT COPY

managed and maintained property to put these folks in. If someone is living in a house right now and is 65 and older, they are going to have the same requirement for ambulance other services where they live now as will if you put them into this new place, so he didn't believe there would be any great additional impact to emergency/medical service.

Mr. Crowe explained that the Planning Board has very specific criteria they must stay tethered to in considering the Conditional Use, however, he agreed with Mr. Holmes's comment during the continued discussion, in that compatibility with adjacent properties and in the public interest seem to be the two areas of concern for the Board, and that the impacts on public interest can sometimes be the most difficult to put into words.

Motion by Mr. Harwell to deny case 11-33, citing criteria items I and L, with large concerns for compatibility not only with the architecture but also the surrounding uses; the existing College, potential dorms and the potential reopening of the existing group home structure to the north. Motion was seconded by Mr. Petrucci. All present voted. Motion carried with 5 yeas and 1 abstention.

Case 11-36

Request for the following administrative text amendments to the City of Palatka Municipal Code and to provide recommendations to the City Commission:

1. Amend Chapter 94 (Zoning) Sections 94-141, 94-142, 94-143, 94-144, 94-145, and 94-146 to allow ground signs for churches and child care facilities in residential zoning districts, limited to six feet in height and thirty square feet in size; and to allow wall signs for such uses limited to thirty square feet in size.

Mr. Crowe explained that this is more housekeeping and explained that many times a child care facility and churches go through a conditional use process and then find that they cannot put up a sign. Through area research, staff has found that typical sign standards for churches and daycares in residential areas allow for limited ground and wall signs, and do not affect the character of the neighborhood.

Motion made by Mr. Pickens and seconded by Mr. Harwell to approve item #1. All present voted affirmative, motion carried.

2. Amend Chapter 94 Sections 94-161 and 94-162 (Downtown zoning districts) to limit allowable ground signs to six feet in height and thirty square feet in size.

Mr. Crowe explained that this code amendment will allow for awning signs, ground signs, projecting sign and wall signs in the downtown districts. Most ground signs would be excluded from downtown properties due to the proposed 5' sign setback, however it would be appropriate for historic homes (converted to businesses) and buildings set back from the right-of-way to have such limited ground signs without taking away from the architecture and allowing people to find the place of business.

Motion made by Mr. Pickens and seconded by Mr. Harwell to accept item # 2 as presented with an additional parameter added that there be an 8' width maximum. All present voted affirmative, motion carried.

3. Amend Chapter 94 Sections 94-200 to revise the definition of Farmer's Markets, and to amend Section 94-201 to provide for conditions for such uses.

PLANNING BOARD

Meeting Minutes

August 23, 2011

DRAFT COPY

Mr. Crowe explained that the current code allows for a farmer's market with a strict definition, only allowing fruits and vegetables and no standards were provided. This proposed amendment would help loosen that up allowing for the sale of arts and crafts, eggs, plants, nuts and cottage foods and also allowing limited entertainment (non-amplified).

Motion made by Mr. Petrucci to approve item #3 to include the comment that the primary purpose of the Farmer's Market shall be to sell produce. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

4. Amend Chapter 94 Section 94-3 to change newspaper and mail notice period for Conditional Uses from 30 days to 15 days, and to change required type of mail service from certified to regular.

Mr. Crowe explained that there are no state requirements for certified mail notices for zoning approvals. He added that the real problem is with the 30 day notice requirement that puts a burden on the applicant.

Motion made by Mr. Petrucci to approve item #4 as recommended. The motion was seconded by Ms. Roskosh. All present voted affirmative, motion carried.

5. Amend Chapter 94 Section 94-71 to provide variance criteria.

Mr. Crowe explained this amendment is intended to offer better guidance to better consider the multiple types of requests that come before the Zoning Board of Appeals and to use specific criteria in such deliberations.

Motion made by Mr. Petrucci to approve item #5 as presented. The motion seconded by Mr. Pickens. All present voted affirmative, motion carried.

Meeting adjourned 6:00 pm.