



# CITY OF PALATKA PLANNING BOARD AGENDA

June 7, 2011

1. Call to Order.
2. Roll Call.
3. Approval of Minutes of the February 1<sup>st</sup>, April 5<sup>th</sup> and April 11, 2011 meetings.
4. Appeal procedures and Ex Parte Communication
5. **OLD BUSINESS** – none.
6. **NEW BUSINESS**

**Case 11-09**      **Address:**      310 S. Palm Av.  
                         **Parcel #:**      (11-10-26-0000-1040-0000)  
                         **Owner:**        Nancy M. Raby Living Trust

Request to Rezone from R-1A (Residential Single-family) to C-1 (General Commercial)

**Case 11-11**      **Address:**      300 Stillwell Ave.  
                         **Parcel #:**      (02-10-26-7720-0280-0090)  
                         **Owner:**        Lucile Maxwell Et Al  
                         **Agent:**        Loretha W Johnson

Request to Annex, amend the Future Land Use Map from County RL (Residential Low-density) to RL (Low Density Residential) and Rezone from County R-1A (Residential Single-family) to R-1A (Residential Single-family)

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**Case 11-12**      **Address:**      1024 S Highway 19  
                         **Parcel #:**      (10-10-26-0000-0210-0000)  
                         **Owner:**        Walmart Stores Inc.  
                         **Agent:**        TNT Fireworks (Wesley Reid)

Request for a Conditional Use for a temporary sale of seasonal goods (fireworks) in a C-2 zoning district.

**Case 11-14**      **Address:**      118-1 N. 19<sup>th</sup> Street  
                         **Parcel #:**      (37-10-26-6850-3560-0000)  
                         **Owner:**        SISL Inc.  
                         **Agent:**        Craig Z Sherar

Request for a Conditional Use for an alcohol serving establishment within 300 ft. of a licensed establishment selling alcohol

**Case 11-15 Address:** Multiple locations within the City

Request to consider amendments to the Future Land Use Map and/or the Official Zoning Map, for certain properties throughout the City, as an administrative measure, and make recommendation to the City Commission to correct discrepancies as described below:

**Table 1: School District-related corrective Future Land Use amendments**

Site	Address	Allowable Uses	Existing Use	FLUM	Proposed FLUM
James A Long Elementary School	1400 Old Jacksonville Rd.	water plants, ponds, etc.	School	OPF	PBG
Jenkins Middle School	1100 N. 19 <sup>th</sup> St. (School)	water plants, ponds, etc.	School	OPF	PBG
Jenkins Middle School	1900 Napoleon St. (Gym)	Multi-family	School	RH	PBG
Beasley Middle School & Ballfield	1110 S. 18 <sup>th</sup> St. & NW Corner of Moseley Ave. & Kate St.	water plants, ponds, etc.	School	OPF	PBG
Kelley Smith Elementary School	141 Kelley Smith School Rd.	Single-family	School	RL	PBG
Mellon Elementary School	301 Mellon Rd.	water plants, ponds, etc.	School	OPF	PBG
Palatka High School	302 Mellon Rd.	water plants, ponds, etc.	School	OPF	PBG
Moseley Elementary School	1100 Husson Ave.	Multi-family	School	RH	PBG
School District Warehouse	1001 Husson Ave.	Single-family	School Warehouse	RL	PBG

**Table 2: Public Properties corrective Future Land Use amendments and/or rezoning:**

Site	Address	Allowable Uses	Existing Use	FLUM	Proposed FLUM	Zoning	Proposed Zoning
City Lift Station	1216 Cleveland Ave.	Single-family	City facility	RL	<del>PBG</del> <del>OPF</del>	No change	
Edgar Johnson Senior Center	1215 Westover Dr.	Multi-family	Community Center	RH	PBG	R-3	PBG-1
ARC of Putnam County	1215 Westover Dr.	Multi-family	Institutional	RH	PBG	C-1	PBG-1
Oak Hill West Cemetery	712 S. Palm Ave.	water plants, ponds, etc.	Cemetery	OPF	PBG	C-1	PBG-1
Westview Cemetery	317 Osceola St.	Multi-family	Cemetery	RH	PBG	R-3	PBG-1
Oak Hill Cemetery	2900 Crill Ave.	water plants, ponds, etc.	Cemetery	OPF	PBG	R-3	PBG-1
<del>Water Treatment Plant</del>	<del>320 Moody Rd.</del>	<del>water plants, ponds, etc.</del>	<del>Water plant</del>	<del>OPF</del>	<del>PBG</del>	<del>M-1</del>	<del>PBG-2</del>
Sheriff's Office & Jail	130 Orié Griffin Blvd.	water plants, ponds, etc.	Gov't office	OPF	PBG	C-2	PBG-2
St. Johns River State College	5001 St. Johns Ave.	water plants, ponds, etc.	College	OPF	PBG	R-3	PBG-1
School Dist. Bus Complex	1207 Washington St.	Multi-family	Bus Complex	RM	PBG	R-2	R-2
Airport	Reid St./Moody Rd.	water plants, ponds, etc.	Public Airport	OPF	PBG	M-1	AP-1/AP-2

**Table 3: Private Properties corrective Future Land Use amendments and/or rezoning:**

Site	Address	Allowable Uses	Existing Use	FLUM	Proposed FLUM	Zoning	Proposed Zoning
Airport area		water plants, ponds, etc.	Airport-related	OPF	IN	M-1	AP-2
Parcel SW of Jail	N side of HWY 19	water plants, ponds, etc.	Undeveloped	OPF	COM	No change	
310 S. Palm Ave.		water plants, ponds, etc.	Retail/office	OPF	COM	(By applicant)	
306 S. Palm Ave.		water plants, ponds, etc.	Service (credit union)	OPF	COM	No change	
Resid. Area around Beasley Middle School		Parks	Single-family	REC	RL	No change	
Portion of Rolling Hills Subdivision		Multi-family	Single-family	RM	RL	No change	
Resid. Area east of Ravines		water plants, ponds, etc.	Single-family	OPF	RL	No change	

**Case 11-18**      **Address:**      3829 Reid St.  
                          **Parcel #:**      02-10-26-0000-0390-0010  
                          **Owner:**        Terry L & Lisa M Geck

Request to Annex, amend the Future Land Use Map from County CR (Commercial) to COM (Commercial) and Rezone from County C-2 (General Commercial) to ~~M-1 (Industrial)~~ C-2 (Intensive Commercial)

**Case 11-19**      **Address:**      890 N. State Rd. 19  
                          **Parcel #:**      02-10-26-0000-0040-0000  
                          **Owner:**        Abundant Life Ministries of PC Inc.

Request to Annex, amend the Future Land Use Map from County PF (Public Buildings Grounds & Facilities) and County US (Urban Service) to PB (Public Buildings and Grounds) and Rezone from County C-2 (Commercial, General, Light) and County AG (Agriculture) to C-1 (General Commercial)

**Case 11-20**      **Address:**      East side of Moody Rd.  
                          **Parcel #:**      02-10-26-0000-0420-0010  
                          **Owner:**        City of Palatka

Request to Annex, amend the Future Land Use Map from County US (Urban Service) to IN (Industrial) and Rezone from County IL (Industrial) to M-1 (Industrial)

**Case 11-21**      **Address:**      701 N. Moody Rd.  
                          **Parcel #:**      Multiple  
                          **Owner:**        Palatka Land Development Co.

Request to Annex, amend the Future Land Use Map from County US (Urban Service) to IN (Industrial) and Rezone from County IL (Industrial) to M-1 (Industrial)

## Planning Board Agenda

June 7, 2011

Page 4 of 4

**Case 11-22**      **Address:**      Hudson Street properties (portion)  
**Parcel #:**      Multiple  
**Owner:**      S & S Properties of South Florida; The Manicore Industries Inc. and  
Manicore Industries Inc. Et Al

Request to Annex, amend the Future Land Use Map from County US (Urban Service) to RH (Residential High-density) and Rezone from County R-1A and R-3 (Single-family and Multi-family Residential) to R-3 (Multi-family Residential)

**Case 11-23**      **Address:**      908 N. State Rd. 19  
**Parcel #:**      02-10-26-0000-0190-0010  
**Owner:**      Palatka Baptist Temple Inc.

Request to Annex, amend the Future Land Use Map from County PF (Public Buildings Grounds & Facilities) and County US (Urban Service) to PB (Public Buildings and Grounds) and Rezone from County R-2 (Residential, Mixed) and County AG (Agriculture) to C-1 (General Commercial)

**Case 11-17**      **Address:**      102 Phillips Dairy Rd.  
**Parcel #:**      02-10-26-0000-0220-0000  
**Owner:**      Schwing Kenneth W & Diane M

Request to Annex, amend the Future Land Use Map from County CR (Commercial) to COM (Commercial) and Rezone from County C-2 (General Commercial) to C-1 (General Commercial)

**Case 11-24**      To consider the following administrative text amendments to the Future Land Use Element and the Public Facilities Element of the Comprehensive Plan and to provide recommendations to the City Commission for the following:

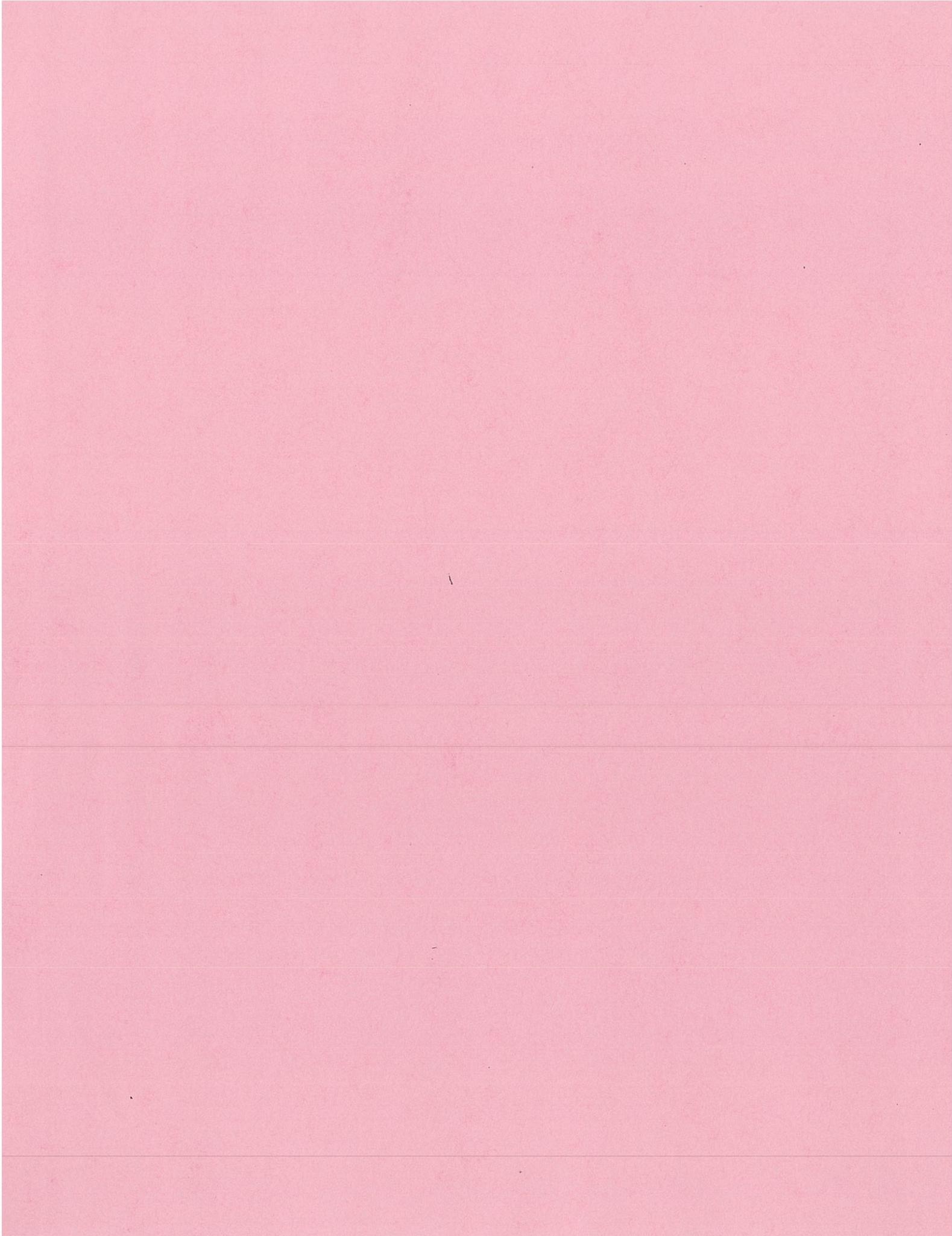
1. To revise Policy D.1.9.3 to allow for residential uses in the Commercial land use category, limited to Downtown zoning districts, subject to density, design and locational limitations.
2. To revise Policy D.1.4.3 to change the timeframe of required hookup to City water system for properties within 250 feet of City water a line from 90 days to one year.

**Case 11-25**      To consider the following administrative text amendments to the City of Palatka Municipal Code and to provide recommendations to the City Commission:

1. amend Section 94-114(d)(1) of the Palatka Municipal Code to allow for the limited encroachment of nonconforming structures into setbacks through the Conditional Use process, with specific approval criteria including consideration of adverse impacts to surrounding properties.
2. amend Section Sec. 94, Division 2, Schedule of Districts of the Palatka Municipal Code to allow for additional sign types in non-residential zoning districts.
3. amend Section 94-67 of the Palatka Municipal Code to clarify applicability of variances, and provide specific variance criteria.
4. amend Appendix A of the Palatka Municipal Code Fee Schedule pertaining to Sewer Impact Fees (Section 54-157).

## 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.



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**

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

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<b>Case 11-05</b>	<b>Address:</b>	7309 Crill Avenue
	<b>Parcel #:</b>	(09-10-26-0000-0340-0000)
	<b>Owner:</b>	Daryll Futch
	<b>Agent:</b>	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.

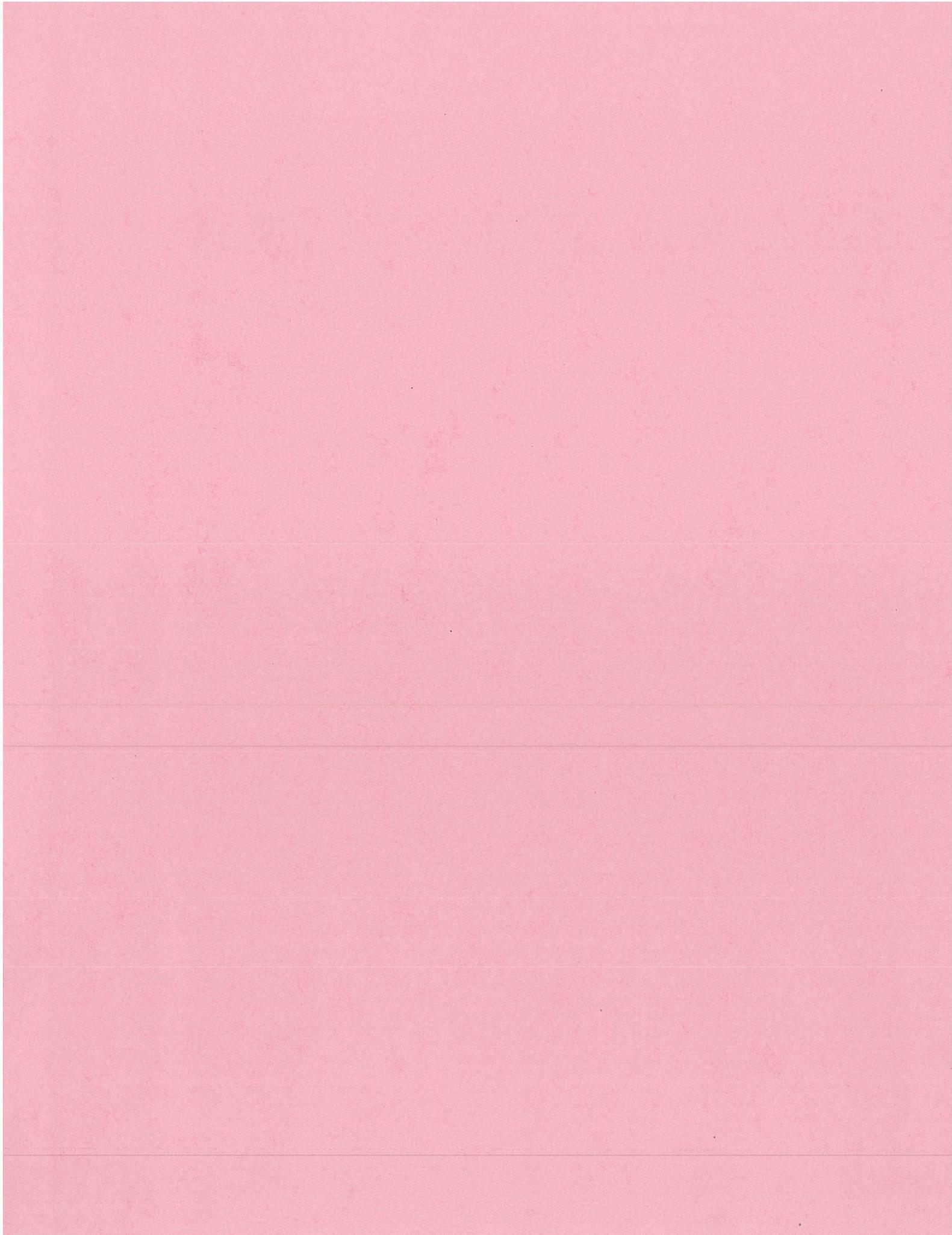
Discussion continued regarding the buffering requirements between different zoning districts,

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.



Planning Board meeting  
Minutes and proceedings  
April 5, 2011

Meeting called to order by Board member Kenneth Venables at 4:00 pm. **Other members present:** Sue Roskosh, Earl Wallace, Anthony Harwell, Zachary Landis and Ken Venables and Joseph Petrucci.

**Members absent:** Carl Stewart, Ezekiel Johnson and Joe Pickens. **Also present:** Vice-Mayor Mary Lawson Brown, Commissioners James Norwood and Allegra Kitchens, Planning Director Thad Crowe, Building and Zoning Director Debbie Banks, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Mr. Venables stated that this meeting will encompass a joint workshop session with the City Commission to review the Evaluation and Appraisal Report of the City's Comprehensive Plan which will include a presentation from the North East Florida Regional Council.

New Planning Director Thad Crowe was introduced by Debbie Banks.

## **NEW BUSINESS**

Evaluation and Appraisal Report (EAR) of the City of Palatka Comprehensive Plan for consideration of recommendation to the City Commission to transmit to the Department of Community Affairs (DCA)

### **(Public Hearing)**

Planning Director Crowe introduced consultants of the Northeast Florida Regional Council (NFRC), Eric Anderson and Ameera Sayeed. He said the Comprehensive Plan is a rolling document that has to be updated every 7 years. He stated that the presentation will show specific recommendations within the EAR for changes to the Comprehensive Plan and issues that have been raised. He stated that the EAR follows a specific format set by the Department of Community Affairs. He passed out copies of the slides to be presented in the power point presentation and ended by saying that the workshop is meant to be informal and that they will take questions and input from the public.

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Mr. Anderson reiterated that this EAR is essentially an audit of the Comprehensive Plan to determine if the community needs are being met and also how the City proceeds in the future with what the community wants. This report was developed through NFRC and the City Planning Staff. He reiterated that the recommendations that are in this report are not set in stone but are purely recommendations to be considered as the City updates its Comprehensive Plan over the next 18 months. He explained that the general format of the EAR was made up of the following sections:

- Section A: Introduction
- Section B: Community wide Assessment
- Section C: Evaluation of Local
- Section D: Special Topics
- Section E: Recommended Plan Amendments

Mr. Anderson explained that the assessment of the elements (in Section B) was broken into two components, one being an evaluation of the current Goal, Objective or Policy (GOP) as it is in the Comprehensive Plan and the second being a recommendation or anticipated revision of the GOPs. He said that they would focus on Section B (7), Assessment of the Comprehensive Plan Elements and Section C, Evaluation of Local Major Issues, adding that these sections provide the basis to update the Comprehensive Plan GOPs.

The following were specific recommendations to current GOPs.

**Policy B-18 -- B-19, Policy A.1.3.2,** replaces language describing specific LDR-level utters with more general language.

**Page B-21, Policy A-1.4.3,** adds “erection of silt fences” for erosion control measures. This adds an extra measure to erosion control.

**Page B-22, Policy A.1.4.9,** adds new policy requiring property owners to maintain required drainage facilities to approved standard of construction.

**Page B-23, Policy A.1.5.10,** adds a “Historic Preservation Element” to provide for the recognition and protection of historic resources through the Historic Preservation Element and implement standards of the Land Development Code.

**Page B-37, add a Policy A.9.9.3.B.2,** references the Planned Industrial Development (PID) zoning district: PID’s shall be applied in instances where the application of the proposed plan of development cannot be accommodated by the conventional standards of the land Development Regulations. PIDs shall encourage the efficient use of land, reduce impacts to environmentally sensitive lands, and provide for a unified plan of development. PIDs may be developed at an intensity of not more than sixty percent (60%) of the land area, and a maximum impervious surface area of eighty percent (80%). Setbacks, buffering and other performance/development maximum/minimum standards are identified within the Land Development regulations.

**Page B-43, Police B.1.1.1, B.1.1.1.(a),** and other policies make reference to the required mobility plan. **The first sentence under recommendations will be deleted** as the City is NOT required to adopt a Mobility Plan at this item. The city can choose between retaining Transportation Concurrency and adopting a Mobility Plan, and will make this decision prior to the addition of the EAR-based amendments. This occurs in various places in the Elements Assessment. Through discussion with DCA they’ve agreed to the City making a study to determine whether or not to incorporate one or the other of these.

**Page B-45, Policy B.1.1.5,** adds the Transportation System Management (TSM) option of vehicular and pedestrian bicycle connections between existing and proposed developments.

**Page B-78, Policy D.2.1.1,** restores language proposed for deletion that provides an exemption to required sewer hook-up for existing single-family homes when a lift station is required due to topography.

Mr. Crowe stated that the deleted language provides a hardship provision for when sewer service for a single family home is not achievable except with a lift station due to topography. Commissioners Kitchens and Brown noted customers can’t get sewer unless they are inside the city limits. Some people already have this, but they aren’t doing any more at this time. Ms. Banks said that there are some places within the City where a sewer line runs in front of a property, and currently this policy prescribes that the City can’t make you hook into it unless you can do so by a gravity line. The City can’t force you to

put in a lift station. Mr. Boynton said the City doesn't want septic systems throughout the City as they move forward, that would not be progressive. The City should do whatever they need to do to hook people up, even if they have to spread the cost out over a few years. Mr. Holmes said what they have makes reference to existing sewer lines, that there's no criteria that triggers this if a sewer line runs adjacent to a property. Mr. Boynton confirmed that they don't want septic tanks in the City. Per the question, Mr. Boynton said there are few places where septic tanks are grandfathered in, but they don't want to accept septic tanks coming into the City. Mr. Crowe said that revising this policy as originally proposed would mean that properties that are grandfathered in won't be forced, but anything newly coming in or built will need to hook into the sewer system. Mr. Holmes said building permits, which refer to future construction, contemplates the addition of septic tanks in the future, so they should put a period after "phased out of service" and delete the rest of the passage. Mr. Holmes said as to D.2.1.2, the City isn't contemplating installing any new septic tanks. Consensus was to **Revise D.2.1.1** to read "The City shall maintain Land Development Regulations which ensure that remaining septic tanks are phased out of service and that no new septic tanks shall be installed within the city limits" **and to delete Policy D.2.1.2.**

**Page B85 – B87, Policy E.1.2.8**, consolidates wetland/river/lake upland buffer policies from FLUE and conservation elements into one policy that also allows certain limited activities within the buffer.

**Page B-109, Policy G.1.6.5**, adds a new policy, as required by the water management district that commits the city to adopting a water supply plan "if required by the District."

Mr. Holmes asked if they (the District) have the power to mandate that. Mr. Crowe said if the City doesn't add it, the District will object. The City will have to put the policy in one way or the other. Allegra Kitchens said they need to change "will" to "may". Mr. Anderson said this language is recommended by the Water Management District. Mr. Holmes said the first half of the paragraph is required. The 2<sup>nd</sup> half says "if required." He added that "if required should" should be more specific.

Consultants to change to: "if required by statute" per consensus, as per Mr. Crowe's recommendation. It was noted that there is no funding for this.

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Mr. Crowe said one of the things Commissioner Leary wanted to pass along, as he could not be present, was to avoid unfunded mandates.

Commissioner Brown said they need to add requirements for buffers, that in the past, they've annexed people in who've promised buffers, but didn't do it after they came in. They need to require this. Mr. Crowe said if they came in under an enforceable development agreement, it can be enforced. Mr. Crowe said they have added something about retention ponds to require people to keep them up to the standard under which they were approved. They can look at adding something similar to this.

## **Section C – Local Major Issues**

### **Issue 1: Historic Preservation**

Mr. Anderson explained that the recommendation is to add a historic element, as this will provide a potential for grant funding and allows us to put policies for historic preservation into the comp plan and

to apply for a Certified Local Government (CLG) designation, which promotes historic preservation through the grass roots level. Commissioner Norwood said he understands the recommendations, but wants to be sure that whatever policy they put in place doesn't make it more intrusive. The following recommendations were suggested in this EAR draft:

- Adopt Historic Preservation Element
- Apply for Certified Local government (CLG) designation
- Add policy calling for a historic survey of older areas in the City, as it has been many years since a survey was done and other properties or areas may now qualify.
- Adopt policies to enable historic tax exemptions.
- Adjust current CRA boundaries to match historic district boundaries.
- Consider infrastructure improvements in historic districts.
- Consider programs that leverage private investment with City of Tax Increment Fund or other funds.
- Preserve, renovate and market the city's historic resources.
- Continue to seek public and private funding sources.
- Coordinate with Putnam County Historical Society, the Chamber of Commerce and others, to update historic documentation, including a walking tour.

Commissioner Brown said they need to do more than just walking tours. They need to do something to promote bringing people into the City to spend money. They need historical kiosks that tell people what stood in a certain area at one time.

- Consider historic designation and design standards for downtown. Examples are uses of canopies.

Mr. Holmes said that he wanted to be sure everyone is on board with the recommended policy changes and that when the City adopts specific policy additions or changes the City will have to live with them, and said that when it comes to conceptual things like suggestions and recommendations, they aren't so much that way. He referred to Page C.2 - Policy A.1.5.2., stating that there is a recommended change to an existing policy, that when there is a recommendation of an addition of a policy or a change to an existing policy that gets approved - there are concepts that would be binding on us. Mr. Crowe advised that the addition of the word "property" is being added because there may be some properties that have not been inventoried that include something other than a structures, such as a historic landscape or an archeological site. Mr. Boynton said if this gets approved, these policies get amended. Mr. Anderson said these are purely recommendations; when you want to consider these really, is when you do your EAR based amendments. Commissioner Brown said when they first laid out the historic districts there were some who wanted this, and others who fought this because they did not want this intrusion into their property rights. Everyone who has an old house didn't necessarily buy it to have a historic home, some inherited it. Commissioner Kitchens added that a perfect example (of an historic property) would be the Ravine State Gardens, as it is a landscaped garden on the National Register.

Discussion ensued regarding some sort of notice being put in the public record, so that if a person does a title search on a property in a historic district, they would have some form of notice to make people

aware that people are buying property in the historic district prior to closing on a property, such as having that information put in the legal description.

## Issue 2 – Economic Development

### Downtown Revitalization

To add elements specific to downtown revitalizations such as:

- Continue to institute downtown design improvements
- Continue façade and building improvement grant program

Mr. Petrucci referred to page C.9, where it talks about the buildings in downtown Palatka constructed prior to the current building code adoption and renovation may be cost prohibitive. He said that he is concerned about the talk about doing all these improvements to the streets and such, without doing renovations to buildings. He added that there are 34 storefronts between first and 9<sup>th</sup> street that are vacant. They need to fill those stores before they do street lighting, as he believes street lights are luxuries and that those spaces need to be filled. Mr. Anderson agreed, and stated that these items do go hand in hand with the renovation of properties. Commissioner Norwood stated that he wants to be sure they aren't compromising the safety of individuals based upon preserving these buildings. Mr. Crowe said the existing building code does allow flexibility in certain instances, but doesn't allow flexibility in terms of life and safety. Mr. Petrucci said it sounds as though we're not focusing on getting buildings occupied, that he sees no focus on bringing people already in the community back into downtown. Mr. Crowe said that is a good point and one of the things they are trying to do with the big picture on this is the idea that the more reason people have to come to downtown, the more people will come, and the better businesses will do; this is what will happen with bringing the Florida School of the Arts and the St. Johns Community College to the downtown. When you create a more hospitable, fun environment and atmosphere it will bring in businesses to support it. They can provide incentives with facade and BIG grants. This is a package deal and we have to use a number of strategies to be successful. Commissioner Kitchen said she had the same reaction, because it seemed to discourage people from preserving old buildings, but other sections do encourage this. Mr. Crowe said they don't mean this in a boiler plate negative kind of way, but to demonstrate the need to provide some incentives (for historic renovations). Commissioner Brown said they don't want to run people off from downtown; if she were told to put certain things in place that she couldn't afford to do, she would have to leave it and walk away. Mr. Petrucci said these improvements cost a lot of money. They need to make money available through grants, so people will want to put businesses in them. Once you fill storefronts, you have taxes coming in, and then you can take that money and do other things. Commissioner Brown and Commissioner Kitchens said they are doing that through BIG grants. Mr. Petrucci said they need to concentrate on filling buildings before they start putting in benches and landscaping. Mr. Crowe said if you want to put all your resources into private investment, and then follow up with public investment, that's something the City will have to decide. Mr. Venables commented the Historic Tax Abatements would soften the blow of refurbishing and retrofitting. Commissioner Kitchens said the City exists on ad valorem tax and that if they abate taxes, they can't pay for services. Mr. Crowe said some communities that have done this have put in a sunset provision of 5 to 10 years wherein no existing revenue is lost, and during this abated period - you limit the tax revenues realized from renovations, ie...if you put \$100,000 into restoring the building, you would not be taxed on that increased value, but will continue to be taxed on what was there before. Ms. Sayeed suggested that they **strike the third paragraph of**

**Page C-9 that begins with “many of the buildings.”** Consensus was to strike it. Commissioner Kitchens said the last paragraph contains an error; they revised the CRA plan in 2008, not created it. Mr. Anderson said he’ll correct that. **Page C-9 last paragraph will be revised from “created” to “revised” the CRA plan in 2008.**

### **Downtown Marketing**

- Partner with private entities to leverage public resources
- Encourage and consider providing incentives for establishment of live work artist district
- Continue using grant and other funding to transform the Price Martin Center into a mid-size performing Arts Center

### **Arts/Cultural Strategies – recommendations**

- Nurture cultural and arts programs
- Support mural program
- Support art events that attract visitors
- Inventory art facilities and programs

Commissioner Norwood asked when it talks about completing a cultural assessment, who will do that assessment, as he doesn’t want to get into unfunded mandates. Mr. Boynton said most of these recommendations will incur a cost. Commissioner Kitchens stated that in 1981 the University of Florida did an assessment of all of our historic buildings basically through their Architectural program, so conceivably maybe we could get some of the Arts department at the University of Florida to do a “cultural needs” assessment.

- Assess cultural needs of the community
- Continue allowing established 501(c)3 non-profit art organizations to lease unoccupied city buildings for a nominal fee
- Interface with State and Regional tourism agencies to develop a clearer identity for the City.

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### **Tree City Strategies**

Mr. Anderson stated that as Palatka has been a tree city for approximately 20 years and that this section capitalizes on the program that the City already has in place.

- Develop inventory of street trees
- Develop street tree planting program; for those trees that are dying or diseased or those new trees that you would like to see
- Identify additional funding for tree planting; this can be done through several Keep America Beautiful or several other organizations that currently contribute funds for this

### **Industrial Park**

- Work with the Economic Development Counsel and Chamber in marketing the industrial park

- Investigate availability of shovel ready sites

### **Airport**

- Continue to pursue State and Federal grants of airport improvements and new business attraction and retention
- Improve appearance of the airport through the use of strategic landscaping

### **Infrastructure improvements**

- Pursue reuse improvements

Mr. Anderson stated that the city already has a fairly robust reuse system, continue with what you are doing, especially this may apply if the City ever has to do a water supply plan, this will be a integral part of that, identify other sources of water and more efficient uses of water, this will be a big thing that would be implemented

### **Downtown SJRSC Prescience**

- Work with St. Johns River State College and the Florida School for the Arts to establish a downtown branch of continuing education facility
- Work with St. Johns River State College and appropriate agencies to establish a downtown business incubator

### **Public Private Partnerships**

- coordinate with public, quasi-public and non –profit groups on economic development issues
- Pursue state, federal and other grant and loan opportunities, possibly utilizing a city-funded grants staffer

Commissioner Brown suggested that they add foundations to the suggestions. Mr. Anderson said that he would **add foundations**.

- Create a committee of those who deliver cultural programs to greater Palatka

Mr. Petrucci asked what about people in the community that aren't into the arts. He doesn't see recommendations for anything that isn't arts-related. Mr. Anderson said this is just a very general, large, encompassing statement. Ms. Kitchens said Putnam County has a large amount of artists and talented people. Mr. Anderson said there is a large amount of data that shows the correlation with the arts and economic incentives, that arts education promotes economic development and that there is a substantial amount of revenue that can be derived from having arts in your community and its associated functions. Mr. Crowe said many places have been successful in revitalizing their downtown through having a niche type orientation like antique stores, art shops and galleries and as we seem to have a lot

of artists around here, it makes sense to capitalize on it. Commissioner Brown said dances are a form of art. When they start thinking about arts, they need to look at churches.

### **Rails and Water Transportation**

- Work with regional commuter rail systems to “sync” operations with Amtrak service
- Work with Amtrak in converting train station to “manned” status
- Support water taxis for eco-tourism and potential transit purposes

### **Eco-tourism**

- Support and promote fishing tournaments
- Plan for bicycle routes or trains to link terminus of Lake Butler-Palatka Rail Trail to downtown
- Support public and/or private water taxis that connect the riverfront park with Murphy Island for hikers and/or campers
- Recommend to Florida Division of Parks and Recreations prohibition of automobile travel in Ravine Gardens State Park during peak pedestrian/bicycle periods

Commissioner Brown said the fishing guide service is a viable business. Mr. Landis asked if the water taxi service is a given. Commissioner Brown said the grant money has been secured and they have one more contract in the pipeline.

### **Economic Development**

- Consider city economic development staff position
- Institute brown field or enterprise zone tax exemptions for property improvements

Mr. Venables said he was told by a woman who runs a bakery in Citra, who is from Salt Springs that she does all her shopping in Palatka as everything she needs is on Hwy 19. He said that we have an influence zone in a larger area than just Putnam County and he's not sure we are marketing out that far, and we should market from Salt Spring, Fort McCoy, Citra, Hawthorne, Keystone Heights, Green Cove Springs, Pierson and even across the river - that is our influence zone. Commissioner Kitchens said Downtown Palatka received marketing money sometime back to market those outside areas and put up billboards along I-95, do advertising on television, as well as, publications, and even promote a website; she was not sure where they are with that. Commissioner Brown said they need to do a more strenuous marketing strategy. They have many boating opportunities on the River now with the blue ways. They need to find a way to promote water sport opportunities. Mr. Anderson said they can prioritize those types of projects.

### **Issue 3: Transportation LOS.**

- Study/choose mobility plan or retaining transportation concurrency. Mr. Crowe said this is a more comprehensive way of looking at transportation. The legislature is looking at not mandating transportation concurrency, but it will have to be replaced with something. Ms.

Sayed said what everyone needs to keep in mind is even if the mobility plan requirements go away, the City will still need to look at transportation concurrency or a mobility plan or a hybrid of some type. It's not necessarily a negative or positive, but the City should consider a hybrid in order to ensure land use changes will be allowed.

- Encourage alternative modes of travel through multi modal corridors
- Propose multi-modal transportation strategies
- Establish "complete streets" to include bicycle and pedestrian paths.
- Encourage new bus stops and transit routes
- Coordinate with County in developing a list of priority projects for bus stops and transit routes
- Ensure that future financial commitments to transit will increase ridership levels and reduce traffic congestion

#### **Issue 4: Trails and Parks**

- Create a long range parks and trails plan, utilizing work of county Green Print trails master plan

Mr. Anderson stated that this can be a piggyback off Putnam County as they have already done a lot of this work, they have already done a blueprint, a trails master plan, a plan for blue ways and rails and trails. So what happens if you create this long rang plan, just by having it in your Comprehensive Plan will allow the City to go after additional funding sources and certain grant applications and give the City an immediate 20 points out of 100 points rating. Commission Norwood questioned who determines where the trails actually will go through the city of Palatka. Mr. Boynton said there have been workshops that were put together initially, other than the trail that FDOT is planning, we really haven't contemplated trails through the City, but it would be good to plan long term to look into a loop system going into the Ravines that will encompass the entire City and ties into the trail the FDOT is putting in. Commissioner Brown said that the City put a plan together at one time. Mr. Boynton said the City doesn't have a decent plan that is recent that shows what's going on and it hasn't been updated like the County has updated theirs.

- Plan for parks and trails in Coastal High Hazard Areas (CHHA)

Mr. Anderson said a new study came out in Dec. 2010 that defines the CHHA as an area with a potential to flood in a Category 1 storm. The State has said development can take place in the CHHA with mitigation, but there are no specific guidelines as to what mitigation is acceptable. He said the Plan is to seek to limit development in those areas. They can look at trails and parks in this area. Per discussion, the City doesn't own these areas.

- Identify and establish linkages to other regional trail systems and park facilities

Mr. Anderson said the Putnam County master trail plan does this and the City can piggyback off that.

- Evaluate opportunities for trail development through the National Rails-to-Trails Conservancy Program

## Issue 5: Annexation and Municipal Boundary

- Diminish and eventually eliminate enclaves

Commissioner Norwood said that they've been talking about enclaves for many years, but there is no plan. The City's tax base is shrinking. If they are going back to urban services boundaries, they have to provide incentives to annex if they want to grow. This will have to do with water and sewer. They can only grow west, north or south. They have to put measures in place for water & sewer incentive and may need to revisit polices, and how far they want to annex and what the city will look like 20 years from now. Mr. Crowe said they frame this within the next few slides. Commissioner Kitchens said they cannot annex in to the City unless it's adjacent and Palatka has grown by 736 acres in area, according to this map.

- Develop criteria for annexation requests addressing:
  - Impacts on tax revenue
  - Impacts on city services
  - Alleviation of negative environmental impacts
  - More efficient provisions of services
  - Elimination of enclaves
- Develop or promote annexation incentives such as:
  - Tax breaks
  - Traffic/road/sidewalk/parks improvements
  - Provisions or reimbursement of drainage improvements
  - Improved urban services and quality of life
  - City sewer
  - Professional fire/rescue and lower fire insurance rates

Mr. Crowe said that is just a start, if we get direction the next step will be for us to go out and see how other communities are enticing annexation. Commissioner Kitchens said that dedicated Fire protection and lower fire insurance is a big selling point for a lot of people, but people do not want to pay the city taxes. Mr. Holmes said water & sewer are going to be your biggest carrot, water is huge and with the costs of septic tanks and the regulations that are in place they will be huge deal too.

- Enforce voluntary annexation agreements once a property owner's land becomes contiguous to the City to include time limits to apply for annexation
- Work with County to define long-term geographical extent of city-provided urban services
- Assess funding sources for urban services
- Promote the use of a Joint Planning Area with Putnam County
- Three possible EAR approaches to annexation and provision of urban services
  1. Continue "piecemeal" voluntary annexation
  2. Work with County to develop urban service and planning district in unincorporated area under City's sphere of influence
  3. Pursue annexation referendum for "Greater Palatka"

Mr. Crowe said just for the sake of discussion, he wanted the group to think about if Palatka were to grow to "build-out" scenario. Ideally, maybe it would be through natural barriers with the river to the East, in the North, West and South there is a series of wetlands. He said that they've tried to piece together the natural boundaries of the City - in the long run this is a plus because it helps to determine a City's identity with clear boundaries, as opposed to an urban sprawl kind of situation. He said obviously this is very conceptual, and what would have to be studied is, how do you get to this, this is a long range vision, do want to approach this "piecemeal" voluntary annexation process, or work with the County to identify what land uses take place in this area, what agreements can we come up with, with the County to control development in this area and how water & sewer would be provided in this area in the long term. Or, do we just look at how they want to bring this property in and how to "sell" what the City has to offer, you may want to look at an overall referendum for annexation, or do none of the above. He ended by saying this is really a policy decision and the time is right to kind of think through it and come up with some ideas of what Palatka wants to do. Mr. Anderson said that this completes everything they had to say and what they are looking is the Planning Board to recommend transmittal of this EAR with the changes that have taken place in this workshop to the Commission. Mr. Crowe said, we should back up, we do need some direction in the EAR regarding annexation and growth policies.

Discussion ensued regarding the recommendations for issue #5 for annexation and municipal boundary.

Mr. Venables said annexation policies should be developed by the Commission, which is the policy making body. Discussion ensued. Mr. Crowe explained that they are not proposing the procedure for annexation be changed at this time, that this is a long-range vision. He asked if they want to keep on with voluntary annexation, hammer out a working arrangement with the County on municipal boundaries, or pursue an annexation referendum for "Greater Palatka." This is a way to frame long-term growth. The city has been on "auto pilot" for a long time. This is a way to make a decision to grow. Consensus was that if they try to force people to come into the City, they will encounter hard resistance. Mr. Crowe said all plans should be marketed to the public. Mr. Wallace suggested that they continue as they've been doing, that the infill will correct itself as the need for city utilities increases. Commissioner Kitchens said she didn't believe in forcing citizens to come in, people come in as they need water & sewer and they do it voluntarily. Commissioner Norwood said what they are currently doing is providing a service. The City can provide the same level of service to a broader sector of the Community. He likes option #2 - Work with the County to develop urban service and planning district in the unincorporated areas that are under City's sphere of influence. This will give the City opportunity to create revenue to run the City and keep employees. They need to look at alternative ways of generating revenue. They can't continue to piecemeal. Commissioner Kitchens said they can't garner as much in taxes with all the forced cuts coming from Tallahassee. These new individuals will want more services than the City can provide. Commission Brown said in some areas people on one side of the Street are getting city services, but people who may not be in the City on the other side of the Street are getting the same services. They need to tell people about the insurance breaks people will get by annexing into the City and before the Commission decides which way they want to go, they need to outline incentives. Mr. Holmes asked if they can give a tax break to people who annex for a period of time to get them to come into the City. Mr. Crowe said other cities do this; they write up development agreements with developers who are developing properties, there is nothing to prevent the City from doing this across the board. Mr. Wallace said they can try to sell people in the enclaves on the benefits of coming into the City but not a referendum. Commissioner Kitchens said that residential property doesn't pay for itself and if they can't tax them, there is no benefit to the City. Growth on its own is not

always good. They don't need more people, they need more money. More people does not always equate to more money. She doesn't want to force someone to annex against their will. Mr. Crowe said from a planning perspective they want efficient delivery of services. Mr. Boynton said they won't know what the recommendation is until they go through a series of workshops and disseminate the information. That's what the recommendation is today. No one here wants to commit to piecemeal, or referendum, or anything in between. They can start moving forward with workshops over the next year, once they adopt this EAR. Nothing's ever been put together on this. Much of this data is there and incentives are there, but to say what they are going to chose tonight is going too far. Mr. Crowe said that this is just a way of framing the information; are the strategies they can use.

Discussion followed concerning voting tonight to move this forward to the City Commission with changed adopted by consensus. Mr. Wallace said thy do not want to recommend forced annexation.

**(Regular Meeting)**

**Motion** was made by Earl Wallace to pass along the draft EAR to the Commission with changes and concerns as discussed and noted. Anthony Howell seconded the motion. **DISCUSSION:** Mr. Holmes said they need a motion to recommend the transmittal of the draft document to the Commission. Ms. Sayeed said the local Planning Agency transmittal is a statutory requirement and has to recommend to the City Commission to transmit this to DCA. Mr. Holmes said it will go to the City Commission regardless, and that they can recommend to transmit it as is, with changes, or not to transmit it. Mr. Wallace said they've been given a lot of information and that they need more time to make a recommendation to transmit what is being proposed. Commission Kitchens asked if they can ask for an extension past May 1. Ms. Sayeed said with the current legislative priorities, she can't make that recommendation. Discussion ensued regarding continuing the Planning Board meeting to Monday, April 11, 2011. After discussion, all prior motions were and seconds were withdrawn by their respective makers.

**Motion** made by Earl Wallace to continue the Planning Board meeting to Monday, April 11, 2011 at 4 pm. Zach Landis seconded the motion. All members present voted in favor, motion carried.

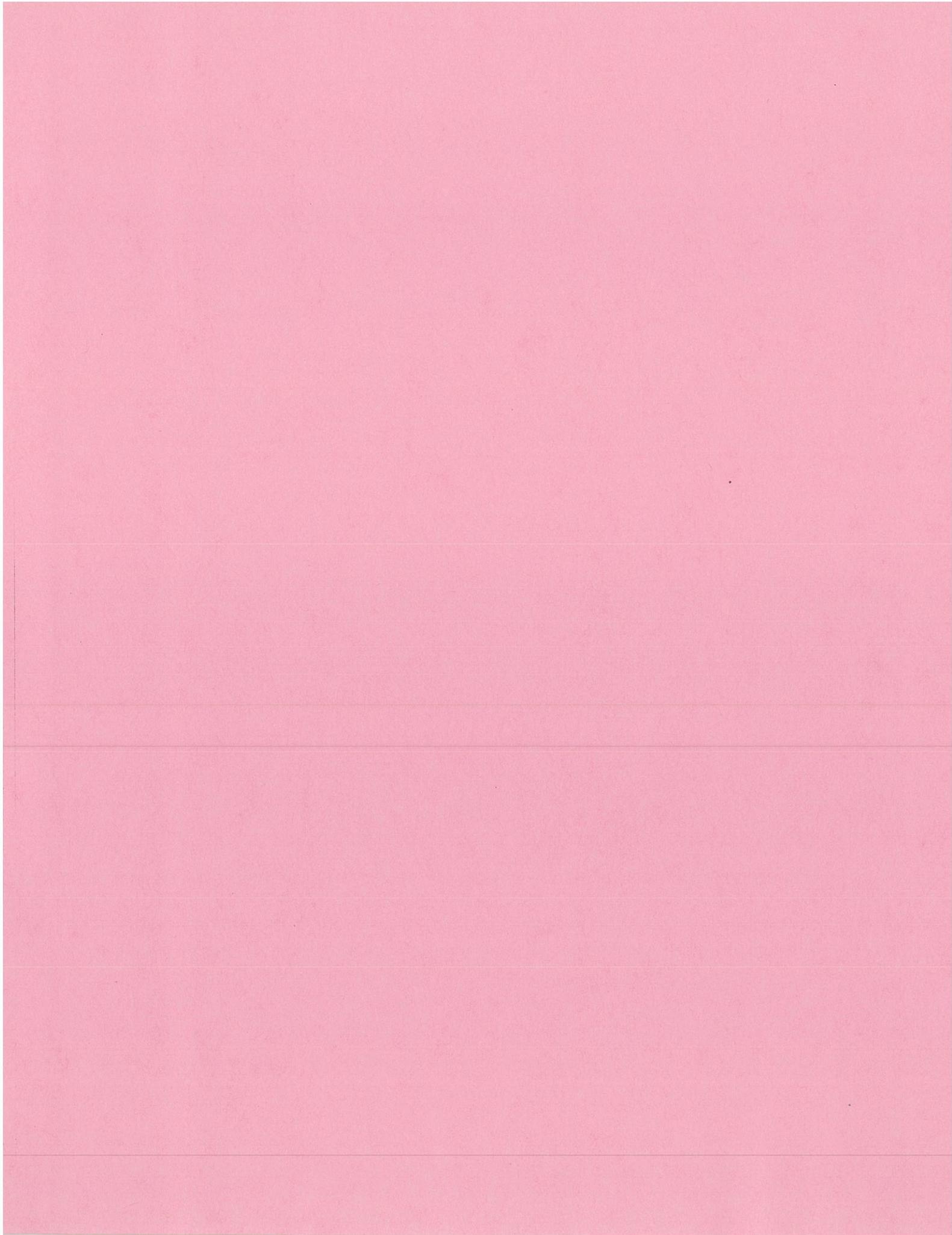
**Public Comment:**

Mr. Boynton reiterated to the group that there are three major sections, the first section, Community-wide assessments are the policies, the next sections are the recommendations to consider it in the future; they are not concrete, hard and fast issues - they can add or subtract from them. That's not a big deal. Part 1 is statutory changes and other inconsistencies. That needs to be done. The major issues sections are five areas of concern that were determine through past workshop and that's where they came up with issues. None of this is concrete; they are just proposing that we look at them in the future. These are just recommendations for consideration; it's a "kitchen sink" type recommendation. They don't want to miss the deadline at any cost. Next there could be a very important comp plan change that needs to be submitted ASAP. Right now, CDP can't do their project. They need to get this submitted by May 1. Then they need to get the comp plan changed. They don't want to further complicate the issue, but there are things out there that will be coming in May to the Planning Board. The CDP plan is not outside the zoning ordinance; the zoning changes made to the zoning ordinance weren't carried over to the Comp Plan.

Normand Jutras, 412 Mulholland Park, Palatka, said as to historic preservation, to adopt policies to enable historic tax exemptions, he believed it should also fall into economic development category for repairs and new improvements, especially infill lots, that already have infrastructure. Property owners should receive tax abatement for accelerated additions over a 10 year period on any improvements made. In 10 years you triple or quadruple taxes on a vacant lot. It shouldn't apply to just historic buildings. He also commented that the city should consider adjusting the CRA districts to match historic districts. He has a piece of property in the historic district that is not in the CRA district and he doesn't want it in the CRA district – he would like to see the Historic Districts adjusted to match the TIFF HIP district. The historic preservation state department says the local community can set boundaries and they can shrink boundaries they've already set.

No further discussion, motion passed unopposed.

With no further business, meeting adjourned at 6:20 pm.



Planning Board meeting  
Minutes and proceedings  
April 11, 2011 (continued from April 5, 2011)

Meeting called to order by Board member Kenneth Venables at 4:30 pm. **Other members present:** Sue Roskosh, Earl Wallace, Joseph Petrucci and Joe Pickens. **Members absent:** Anthony Harwell, Zachary Landis, Carl Stewart and Ezekiel Johnson. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney, Don Holmes.

Evaluation and Appraisal Report (EAR) of the City of Palatka Comprehensive Plan for consideration of recommendation to the City Commission to transmit to the Department of Community Affairs (DCA)

**(Public Hearing)**

Thad Crowe gave the Board members a handout (attached) and explained that when we talk about the implementation of the Comprehensive Plan, we're talking about whether we've done all the things that were set in the Goals, Objectives, and Policies (GOP's). Based on the evaluation of the GOPs the EAR will then tell us what we need to change to better address the needs of our community objectives, and what we need to do to address the changing positions and trends. A great example is that the economy has changed in the last several years – the Comprehensive Plan was done seven years ago when everything was booming. With the EAR we got input from other agencies, like the DCA, Regional Planning Council and the St. Johns River Water Management District as well as the public at various meetings and workshops. He felt that it was important to stress when we get into the EAR Major Issues, like the historic districts, economic development etc... these are only recommendations, if we were to approve them now, 18 months later when we revise the Comprehensive Plan, such changes are not mandatory. We do not have to make a decision on them until we revise the Comprehensive Plan. We are not locked into them. He explained that the two sections of focus today are really the essence of the EAR:

Section B (7) – The Assessment of the Elements (an analysis of each Goal Objective and Element of the Comp Plan) and;

Section C – Evaluation of Local Major Issues. These are two sections provide us a basis to update the Comprehensive Plan GOP's and the other sections just mirror what we are, who we are and what we're doing.

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Mr. Crowe reviewed the Assessment of the Elements and the changes by consensus from the April 5, 2011 meeting.

Page B-109, Policy G.1.6.5: new policy as required by water management district that commits the City to adopting a water supply plan if required by Statute.

Mr. Pickens asked if there was any requirement that the plan be approved, blessed or agreed to by the District, or does the City just have to adopt a plan? Mr. Crowe advised that we just need to adopt a plan if and only "if" it is required by Statute.

**Issue 1: Historic Preservation**

Mr. Crowe explained that this is an optional element and is not required. The purpose of adopting indicates that the City thinks it is important to place emphasis on Historic Preservation. He explained

that it is meant to be broad in general, basically overriding goals to protect historic resources, implemented through the land development code.

Mr. Venables asked about classifications for historic buildings in the districts. Mr. Crowe advised that typically there were just two classifications, contributing and noncontributing properties. Contributing properties contributed to a historic district's architecture and/or history. Mr. Holmes asked how historic surveys were done. Mr. Crowe advised that a historic survey is an architectural survey of existing structures, and how those structures fit into a period of significance for a potential historic district, determining a beginning point and an ending point for the historic period. You would set parameters such as the date of construction, materials used to construct the house, architectural character or historical significance, such as a famous person or event that is associated with the site. Sometimes there is state funding for such surveys. The City now has programs in place for historic homeowners to assist them in painting and maintaining structures and if the City decides that historic resources are important to these areas, than they can basically provide support and incentives for people to maintain historic structures, that is a policy decision down the road that the City has to make. Mr. Wallace asked who initiates a survey. Mr. Crowe advised that the first step is to assess the potential inventory area, and then to gauge the interest of the property owners in performing a survey. A lot of this work can be done by volunteers. Mr. Venables spoke in regards to last week's workshop discussion regarding historic tax exemptions, and Downtown not being in the Historic district. He referred to Florida Statutes Chapter 193.503(3), and said it looked like this section specified that a Historic Tax Abatement tax exemption does not require a historic district to be present, but only requires an area that is in support or contributes to the historic district, which he believed Downtown would qualify as supporting the North and South historic districts. Robbie Correa commented that the Downtown area could be recognized by the City as a local Historic district and provide an ordinance that says that, and that would qualify without having to go through the National Register process. The CLG would help provide the resources & funding to do the inventory of Historic buildings throughout the City. Mr. Crowe looked at the statute in question and said he believed that the tax exemptions required either individual or district local or National historic designation.

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Discussion continued regarding using more flexible language making the recommendations more an optional or encouraging type strategy. The following changes were recommended with the consensus of the Board:

- "Adopt" policies to enable historic tax exemptions - **change "Adopt" to "consider"**
- Add policy "calling for" historic survey of older areas of the City – **change "calling for" to "allowing for"**
- Adjust current CRA boundaries "to match" historic district boundaries – **change "to match" to "to include"**

## **Issue 2: Economic Development**

### **Downtown marketing**

- Encourage and consider providing incentives for establishment of live-work artist district – **add: "and ancillary uses."**

**Tree City Strategies**

- Identify additional funding sources for tree planting – **add: “and maintenance.”**

**Rail and Water Transportation**

- Add new recommendation to market and promote rail daytrips to City from regional origins such as Jacksonville, Orlando, South Georgia, etc; with hiking, water taxi, and downtown shopping/eating as a draw.

**Eco-Tourism**

- Plan for bicycle routes or trails to link terminus of Lake Butler-Palatka rail trail to downtown - **add: “and/or equestrian trails.”**

**Issue 3: Transportation LOS**

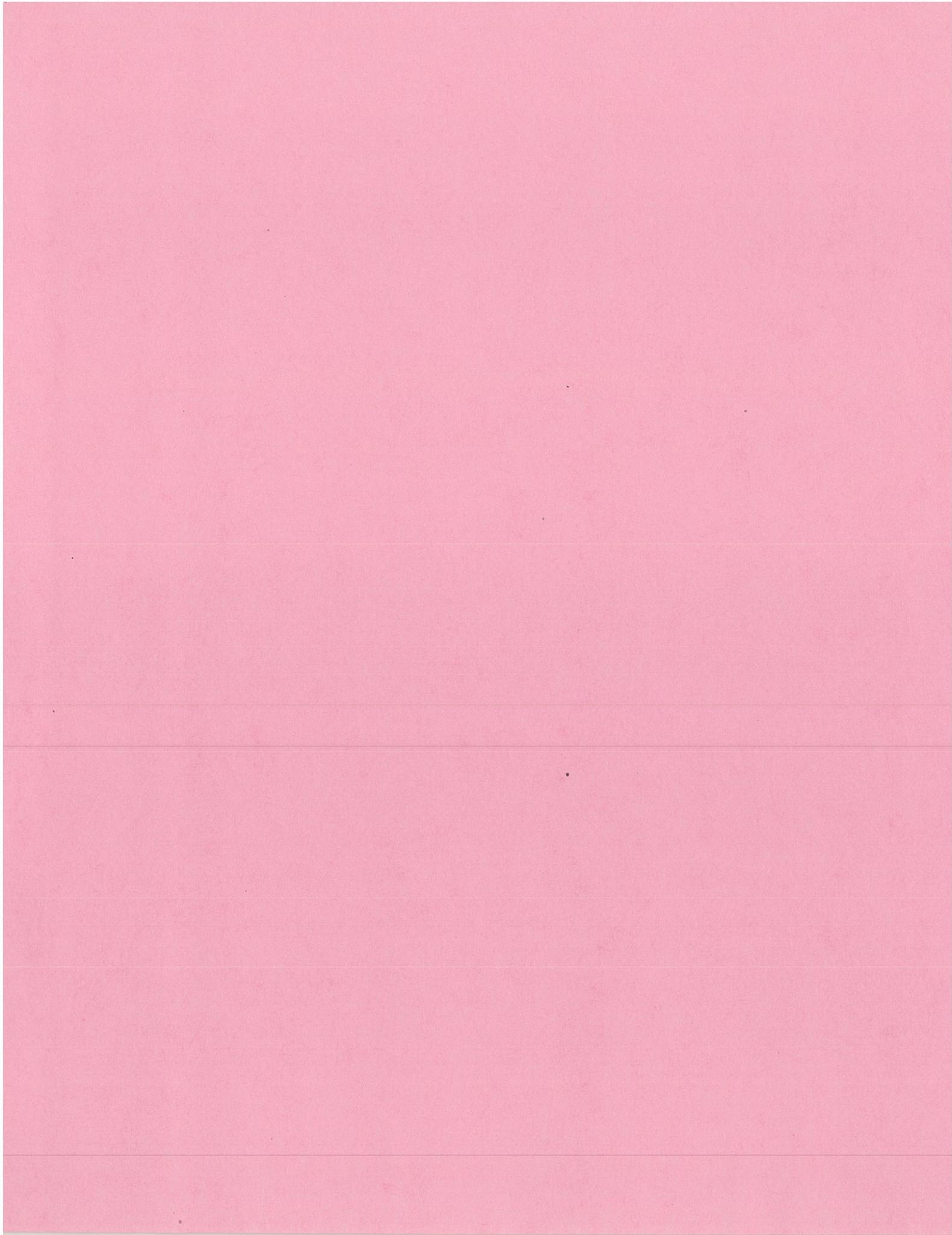
- Encourage new bus stops and transit routes – **add: “and encourage extended service hours.”**

Mr. Pretucci’s questioned the use of the word “appropriate” in **Objective C.1.4 on Page B59** of the EAR: “The City’s Zoning Code shall continue to provide for the appropriate siting of housing for low and moderate income families, mobile homes and group home facilities.” Mr. Crowe advised that the way this policy reads now without the word “appropriate,” it allows for mobile homes and group homes to go pretty much anywhere, and we would like to say where they are appropriate, for instance, there is a distance restriction of 1,000 ft for group homes as regulated by the State, and that mobile homes can only go in the R4 zoning district. Consensus was to change: **“appropriate” to “compatible.”**

**Motion** made by Joe Pickens to recommend approval of EAR as submitted with the Planning Board’s recommended revisions. Motion seconded by Earl Wallace. All present voted affirmative, motion carried.

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With no further business, meeting adjourned at 6:04 pm.



**CITY OF PALATKA FLUM AND ZONING CATEGORIES**

FLUM Designation	Zoning District	Zoning Acronym	County Land Use
Low-density residential (0 to 5 units per acre)	Single-family residential (up to 3 UPA)	R-1AA	CR (Commercial)
	Single-family residential (up to 4 UPA)	R-1A	
	Single-family residential (up to 5 UPA)	R-1	US (Urban Services) Agriculture Commercial Industrial Residential (up to 9 UPA)
	Two-family residential (up to 8 UPA)	R-2	
	Multiple-family residential (up to 18 UPA)	R-3	
	Mobile home residential	R-4	
	Historic district	HD	
	Planned unit development	PUD	
Medium-density residential (5 to 10 units per acre)	Single-family residential (up to 3 UPA)	R-1AA	
	Single-family residential (up to 4 UPA)	R-1A	
	Single-family residential (up to 5 UPA)	R-1	
	Two-family residential (up to 8 UPA)	R-2	
	Multiple-family residential (up to 18 UPA)	R-3	
	Mobile home residential	R-4	
	Historic district	HD	
	Planned unit development	PUD	
High-density residential (10 to 18 units per acre)	Single-family residential (up to 3 UPA)	R-1AA	
	Single-family residential (up to 4 UPA)	R-1A	
	Single-family residential (up to 5 UPA)	R-1	
	Two-family residential (up to 8 UPA)	R-2	
	Multiple-family residential (up to 18 UPA)	R-3	
	Mobile home residential	R-4	
	Historic district	HD	
	Planned unit development	PUD	
Commercial	Neighborhood commercial	C-1A	
	General commercial	C-1	
	Intensive commercial	C-2	
	Downtown riverfront	DR	
	Downtown business	DB	
	Historic district	HD	
	Planned unit development	PUD	
Industrial	Light industrial	M-1	
	Historic district	HD	
	Planned unit development	PUD	
Recreational	Recreation/open space	ROS	
Public buildings and grounds	Public buildings and grounds	PBG-1	
Other public facilities	Other public facilities	PBG-2	
	Airport zoning	AP-1	
	Airport-related zoning	AP-2	
Conservation	Conservation	CON	
Agriculture	Open rural	OR	
	Planned unit development	PUD	

# Comprehensive Plan Map Amendments (Proposed) May, 2011

Site(s)	Address	Parcel Number	Acreage	Current FLU	Proposed FLU	Zoning	Proposed Zoning
<b>School District-Related Amendments</b>							
James A. Long Elem. School	1400 Old Jacksonville Rd	01-10-26-2320-0010-0000	7.6	OPF	PBG	R-3	R-3
James A. Long Elem. School	1400 Old Jacksonville Rd	01-10-26-3050-0030-0010	0.5	OPF	PBG	R-3	R-3
James A. Long Elem. School	1400 Old Jacksonville Rd	01-10-26-9250-0000-0010	1.9	OPF	PBG	R-3	R-3
Jenkins Middle School	1100 N 19th St. (school)	01-10-26-0000-0430-0000	37.1	OPF	PBG	R-3	R-3
Jenkins Middle School	1900 Napoleon St. (gym)	37-10-26-6850-3450-0000	1.3	HDR	PBG	R-3	R-3
Beasley Middle School	1110 S. 18th St.	12-10-26-1070-0040-0000	18.3	OPF	PBG	R-1A	R-1A
Beasley Middle School Ballfield	NW Corner Moseley & Kate	12-10-26-1120-0000-0010	2	OPF	PBG	R-1A	R-1A
Kelley Smith Elem. School	141 Kelley Smith School Rd	16-10-26-0000-0040-0000	13.1	LDR	PBG	R-2	R-2
Mellon Elem. School	301 Mellon Rd	11-10-26-0000-0090-0000	14.6	OPF	PBG	R-3	R-3
Moseley Elem. School	1100 Husson Ave	12-10-26-4030-0030-0010	17.5	HDR	PBG	R-3	R-3
Palatka High School	302 Mellon Rd	11-10-26-0000-0142-0000	41.5	OPF	PBG	R-3	R-3
School District Warehouse	1001 Husson Ave	12-10-26-1370-0010-0010	12.4	LDR	PBG	R-3	R-3
<b>Public Properties Corrective Amendments</b>							
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Edgar Johnson Senior Center	1215 Westover Dr.	12-10-26-4030-0030-0011	3.4	HDR	PBG	R-3	PBG-1
ARC of Putnam County	1215 Westover Dr.	12-10-26-4030-0030-0020	4.5	HDR	PBG	C-1	PBG-1
Oak Hill West Cemetery	712 S. Palm Ave.	11-10-26-0000-0160-0000	7.6	OPF	PB	C-1	PBG-1
Westview Cemetery	317 Osceola St.	Multiple	11.7	RH	PBG	R-3	PBG-1
Oak Hill Cemetery	2900 Crill Ave.	12-10-26-0000-0410-0000	21.1	OPF	PBG	R-3	PBG-1
Water Plant	320 Moody Rd.	03-10-26-7720-0190-0010	24.2	OPF	PBG	M-1	PBG-2
Sheriff's Office & Jail	130 Oriie Griffen Blvd.	37-09-26-0000-0070-0000	38.8	OPF	PBG	C-2	PBG-2
St. Johns River Comm. Coll.	5001 St. Johns Ave.	10-10-26-0000-0010-0000	87.5	OPF	PBG	R-3	PBG-1
Airport	SR 100/Moody Rd.	Multiple	734.9	OPF	PBG	M-1	AP-1, AP-2
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N side of SR 19, SW of Jail	SR 19	37-09-26-0000-0070-0020	1.3	OPF	COM	C-2	C-2
Airport Area	310 S. Palm Ave.	11-10-26-0000-1040-0000	3.9	OPF	COM	C-1, C1-A, R-3	C-1, C1-A, R-3
Airport Area	Kay Larkin Cir.	03-10-26-0000-0010-0060	5.7	OPF	IN	M-1	AP-2
Airport Area	306 S. Palm Ave.	11-10-26-0000-1030-0000	6.3	OPF	COM	C-2	C-2
Airport Area	Kay Larkin Cir.	03-10-26-0000-0010-0070	6.7	OPF	IN	M-1	AP-2
Airport Area	2 Kay Larkin Cir.	03-10-26-0000-0010-0030	7.5	OPF	IN	M-1	AP-2
Airport Area	Kay Larkin Cir.	03-10-26-0000-0010-0071	7.5	OPF	IN	M-1	AP-2
Single-Family Resid. Around Beasley Middle	See Map	Multiple	15.7	REC	LDR	R-1A	R-1A
Rolling Hills Subdivision (portion)	See Map	Multiple	18.2	RMD	RLD	R1-A, R-2	R1-A
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Abundant Life Ministries Church	102 Phillips Dairy Rd.	02-10-26-0000-0220-0000	0.3	(County) CR	COM	(County) C-2	C-1
Palatka Baptist Temple	3829 Reid St.	02-10-26-0000-0390-0010	0.5	(County) CR	COM	(County) C-2	M-1
East side Moody Rd.	890 N. SR 19	02-10-26-0000-0040-0000	10.2	(County) US	PBG	(County) C-2	C-1
Airport Industrial Park	908 N. SR 19	02-10-26-0000-0190-0010	20.1	(County) US	PBG	(County) C-2	C-1
Hudson St. Properties	N. Moody Rd.	02-10-26-0000-0420-0010	14.1	(County) US	IN	(County) IL	M-1
	701 N. Moody Rd.	Multiple	44.4	(County) US	IN	(County) IL	M-1
	Hudson St. Properties	Multiple	6.2	(County) US	RH	County R-3	R-3



310 S. Palm Ave.



300 Stillwell Ave.



Airport, from N. Moody Rd.



890 N. Hwy. 19 – Abundant Life Church



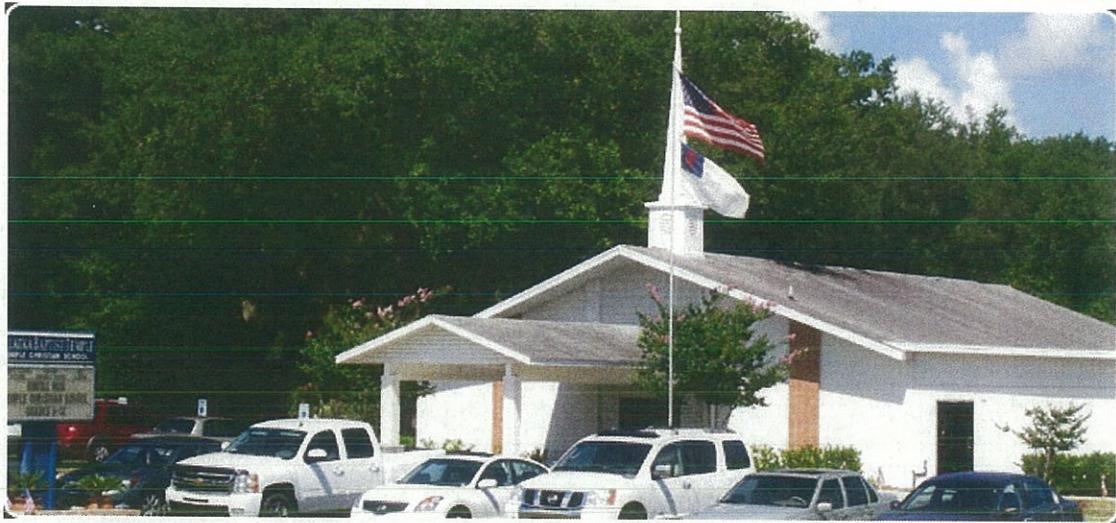
701 N. Moody Rd. – Airport Industrial Park



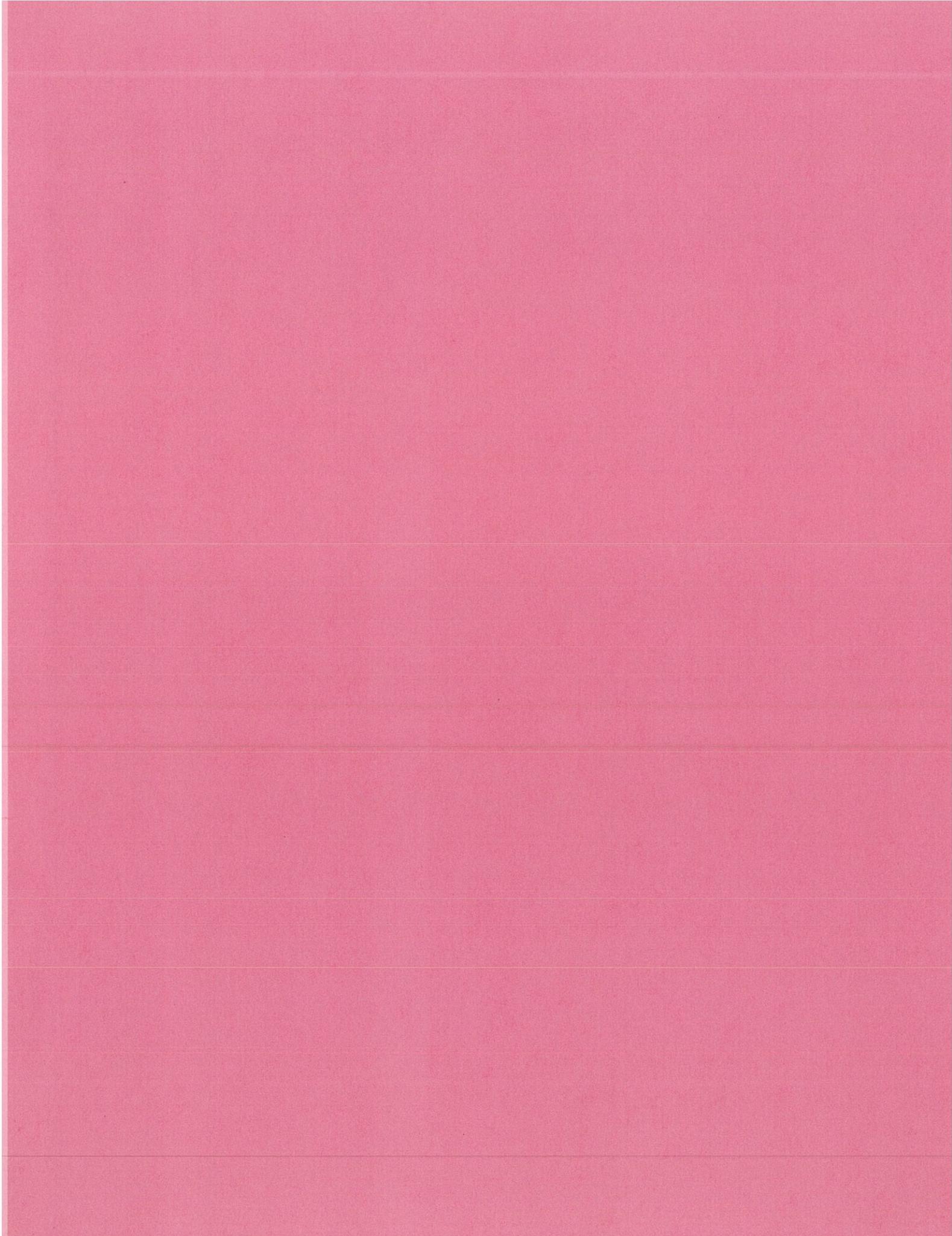
Hudson St. – looking east toward Mall



102 Phillips Dairy Rd.



908 N. Hwy. 19 – Palatka Baptist Temple



## CITY OF PALATKA FLUM AND ZONING CATEGORIES

FLUM Designation	Zoning District	Zoning Acronym	County Land Use
Low-density residential (0 to 5 units per acre)	Single-family residential (up to 3 UPA)	R-1AA	<u>CR</u> (Commercial)
	Single-family residential (up to 4 UPA)	R-1A	
	Single-family residential (up to 5 UPA)	R-1	<u>US (Urban Services)</u> Agriculture Commercial Industrial Residential (up to 9 UPA)
	Two-family residential (up to 8 UPA)	R-2	
	Multiple-family residential (up to 18 UPA)	R-3	
	Mobile home residential	R-4	
	Historic district	HD	
	Planned unit development	PUD	
Medium-density residential (5 to 10 units per acre)	Single-family residential (up to 3 UPA)	R-1AA	
	Single-family residential (up to 4 UPA)	R-1A	
	Single-family residential (up to 5 UPA)	R-1	
	Two-family residential (up to 8 UPA)	R-2	
	Multiple-family residential (up to 18 UPA)	R-3	
	Mobile home residential	R-4	
	Historic district	HD	
	Planned unit development	PUD	
High-density residential (10 to 18 units per acre)	Single-family residential (up to 3 UPA)	R-1AA	
	Single-family residential (up to 4 UPA)	R-1A	
	Single-family residential (up to 5 UPA)	R-1	
	Two-family residential (up to 8 UPA)	R-2	
	Multiple-family residential (up to 18 UPA)	R-3	
	Mobile home residential	R-4	
	Historic district	HD	
	Planned unit development	PUD	
Commercial	Neighborhood commercial	C-1A	
	General commercial	C-1	
	Intensive commercial	C-2	
	Downtown riverfront	DR	
	Downtown business	DB	
	Historic district	HD	
	Planned unit development	PUD	
Industrial	Light industrial	M-1	
	Historic district	HD	
	Planned unit development	PUD	
Recreational	Recreation/open space	ROS	
Public buildings and grounds	Public buildings and grounds	PBG-1	
Other public facilities	Other public facilities	PBG-2	
	Airport zoning	AP-1	
	Airport-related zoning	AP-2	
Conservation	Conservation	CON	
Agriculture	Open rural	OR	
	Planned unit development	PUD	

# Comprehensive Plan Map Amendments (Proposed) May, 2011

Site(s)	Address	Parcel Number	Acres	Current FLU	Proposed FLU	Zoning	Proposed Zoning
<b>School District-Related Amendments</b>							
James A. Long Elem. School	1400 Old Jacksonville Rd	01-10-26-2320-0010-0000	7.6	OPF	PBG	R-3	R-3
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310 S. Palm Ave.



300 Stillwell Ave.



Airport, from N. Moody Rd.



890 N. Hwy. 19 – Abundant Life Church



701 N. Moody Rd. – Airport Industrial Park



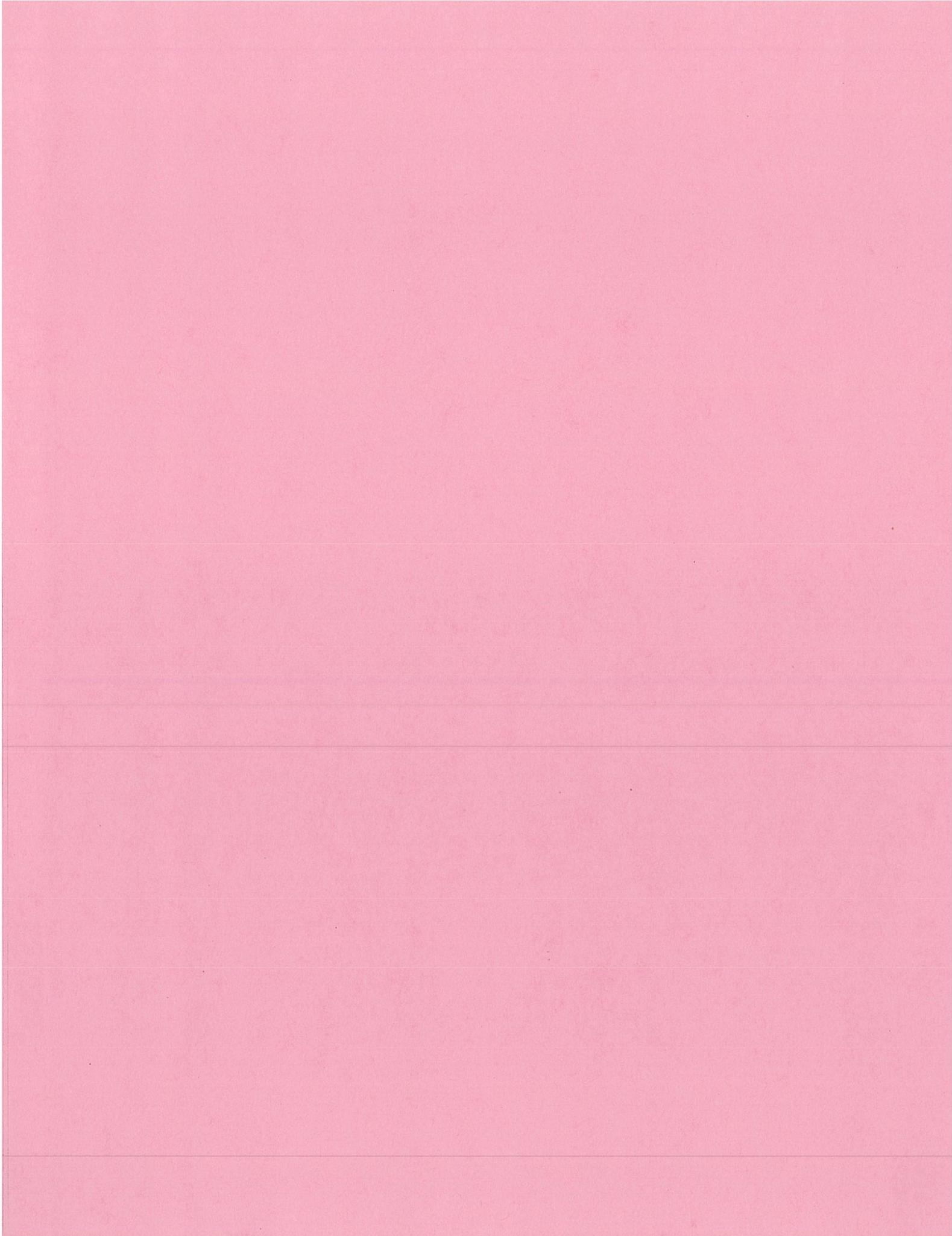
Hudson St. – looking east toward Mall



102 Phillips Dairy Rd.



908 N. Hwy. 19 – Palatka Baptist Temple



**Case 11-09**  
**Request to Rezone from R-1A to C-1**  
**310 S. Palm Ave.**  
**Applicant: Nancy M. Raby**

**STAFF REPORT**

**DATE:** May 29, 2011

**TO:** Planning Board members

**FROM:** Thad Crowe, AICP, Planning Director

**APPLICATION REQUEST**

To rezone portion of property from R-1A (Residential Single-Family) to C-1 (General Commercial). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

**APPLICATION BACKGROUND**

This application is a corrective action intended to convert split commercial-residential zoning on a property to a single commercial zoning. A companion comprehensive plan map (future land use map/FLUM) amendment is included in this agenda as part of a series of administratively-initiated corrective amendments.

310 S. Palm Avenue is an approximately 3.9 acre parcel located at the northwest corner of Palm and Kennedy Street, located in the "central" part of the City. Palm Avenue is a key four-lane, north-south collector road running from Reid Street south to Silver Lake Drive. The corridor is a patchwork of City-County jurisdiction with the majority of City properties being nonresidential uses, a hallmark of City annexation policy. The corridor includes a mix of uses in the portion (generally) within the City limits north of Crill Avenue, including office, retail, churches, residential uses, a cemetery, and a large nursing home. The table below site and surrounding property use classifications (see also attached maps).

**Table 1: Use Classifications**

<b>Property</b>	<b>FLUM</b>	<b>Zoning</b>	<b>Existing Use</b>
Site	OPF (Other Public Facilities)	C-1 (General Commercial) R-1A (Single-Family Resid.) R-3 (Multi-Family Resid.)	retail/office complex
Property to North	OPF (Other Public Facilities)	C-2 (Intensive Commercial)	credit union
Property to South	County US (Urban Services)	County C-1 (Commercial, General, Light)	church single-family residence
Property to West	OPF (Other Public Facilities) County US (Urban Services)	C-2 (Intensive Commercial)	undeveloped (owned by credit union)
Property to East	RL (Residential Low Density) COM (Commercial)	R-1A (Single-Family Resid.) County R-1A (Single Family) C-1 (General Commercial)	church

The property is partially developed, with an approximately 18,000 SF retail/office complex on the front half. Current tenants include a medical office, skin surgery center, builder's office, drugstore and lab, and law office.

As indicated in the Table 1, the property has three zoning classifications. The front third of the property facing Palm Ave. and including approximately the front half of the existing complex is in C-1 (General Commercial), the approximate rear half of the complex is in R-1A (Single-Family Residential), and the approximate rear (undeveloped) half of the property is in R-3 (Multi-Family Residential). The effect of the split zoning makes the rear part of the complex nonconforming in terms of use – the building cannot be substantially improved and if destroyed, can only be rebuilt for residential purposes.

### **PROJECT ANALYSIS**

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response follows each criterion, and comprehensive plan extracts are underlined).

*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.*

The application is in keeping with the following objective and policies of the comprehensive plan, and does not conflict with other plan elements.

### **Objective A.1.8**

Upon Plan adoption, The City shall establish a program that provides the means for innovative development planning. The end goals of the program are to provide:

- Development that is adapted to natural features in the landscape such as wetlands, vegetation and habitat, and which avoids the disruption of natural drainage patterns; and
- A mix of land use to promote convenience in the location of related uses and to reduce travel congestion and costs
- Flexibility and efficiency in site design to reduce infrastructure costs, improve interior circulation patterns, and promote open space

Recognizing and providing zoning conformity for this existing commercial use in a relatively central location in the City supports the second bullet above.

### **Policy A.1.9.3**

Land Development Regulations adopted, to implement this Plan shall be based on the following land use standards:

A. Land Use Districts

2. Commercial (1,210 acres)

Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel. The maximum height should not exceed 40 feet. Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

The existing retail and office complex is in keeping with the description of the Commercial FLUM category above.

**Objective A.1.11 187201(15)(b)1, 2, 3**

The City shall protect private property rights and recognize the existence of private interest in land use.

The existing commercial use is a legitimate business enterprise that essentially conforms to the Comprehensive Plan and Zoning Code, as such the City should legitimize this use.

*b. The existing land use pattern.*

S. Palm Avenue includes a mix of uses ranging in intensity from single-family residences to retail commercial uses. This four-lane roadway provides higher levels of traffic, accessibility, and visibility which help to sustain commercial enterprises such as 310 S. Palm.

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

The amendment will not create an isolated district. There is existing commercial zoning to the north, east, and south.

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

Not applicable as the zoning is nonresidential.

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

The current zoning boundaries are in fact illogical. Providing unified commercial zoning for this commercial site will provide logical boundaries.

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

Not applicable.

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

The change will not adversely affect living conditions, since the commercial use already exists.

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

This change will not increase traffic congestion or impact public safety as it applies to an existing use.

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

Not applicable.

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

Not applicable.

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

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

In fact not changing the zoning could negatively affect adjacent properties and property values since a portion of the complex cannot be substantially improved and could thus present a negative appearance.

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

Providing a unified zoning designation to a property is not a grant of special privilege.

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

A commercial building like this could not easily be used for residential purposes.

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

Not applicable due to existing use.

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

Not applicable due to existing use.

*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.*

Not applicable.

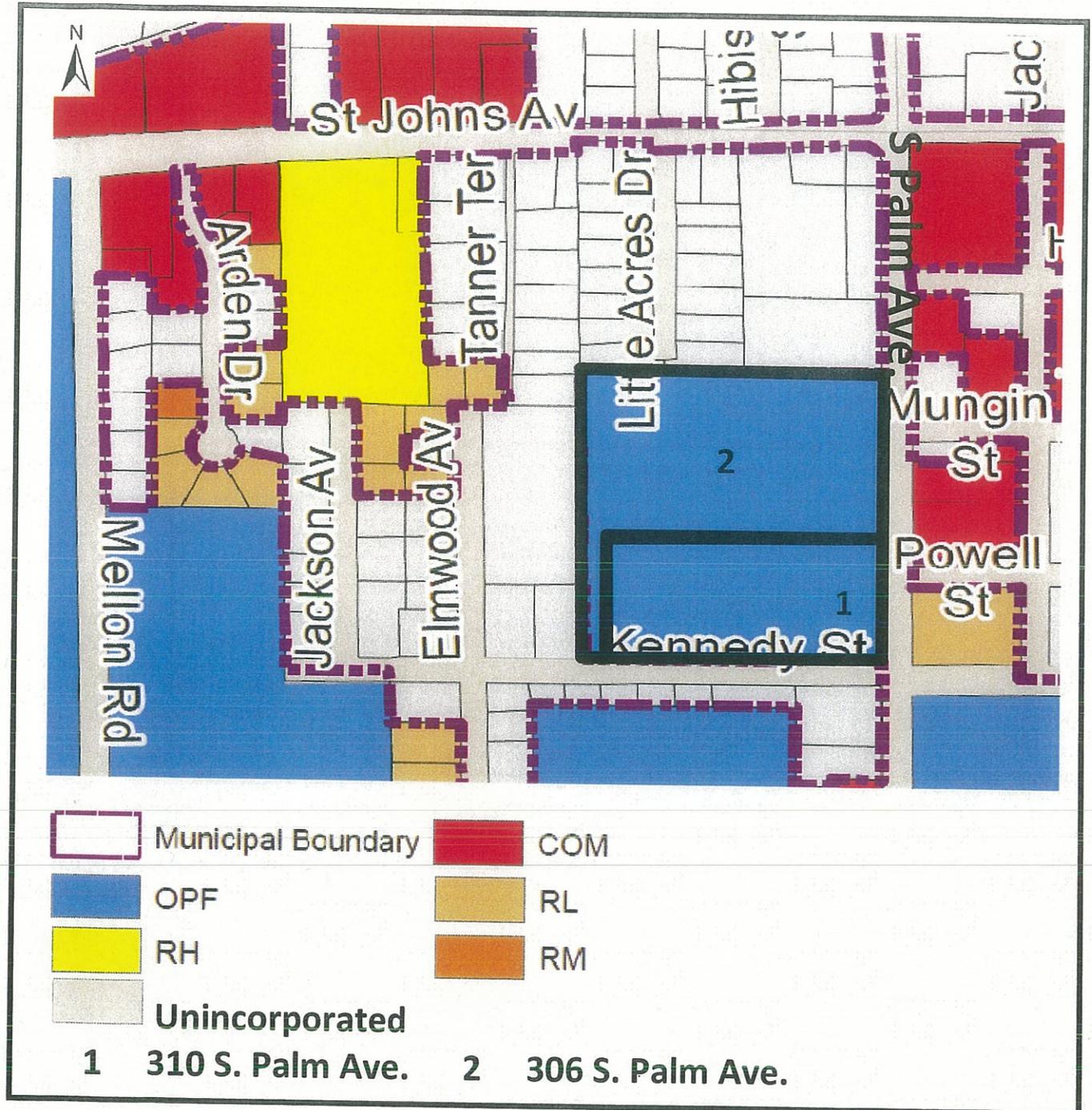
#### **STAFF RECOMMENDATION**

As demonstrated in this report, this application meets applicable rezoning criteria. Staff recommends approval of Case 11-09, rezoning of 310 S. Palm Ave. from R-1A to C-1.



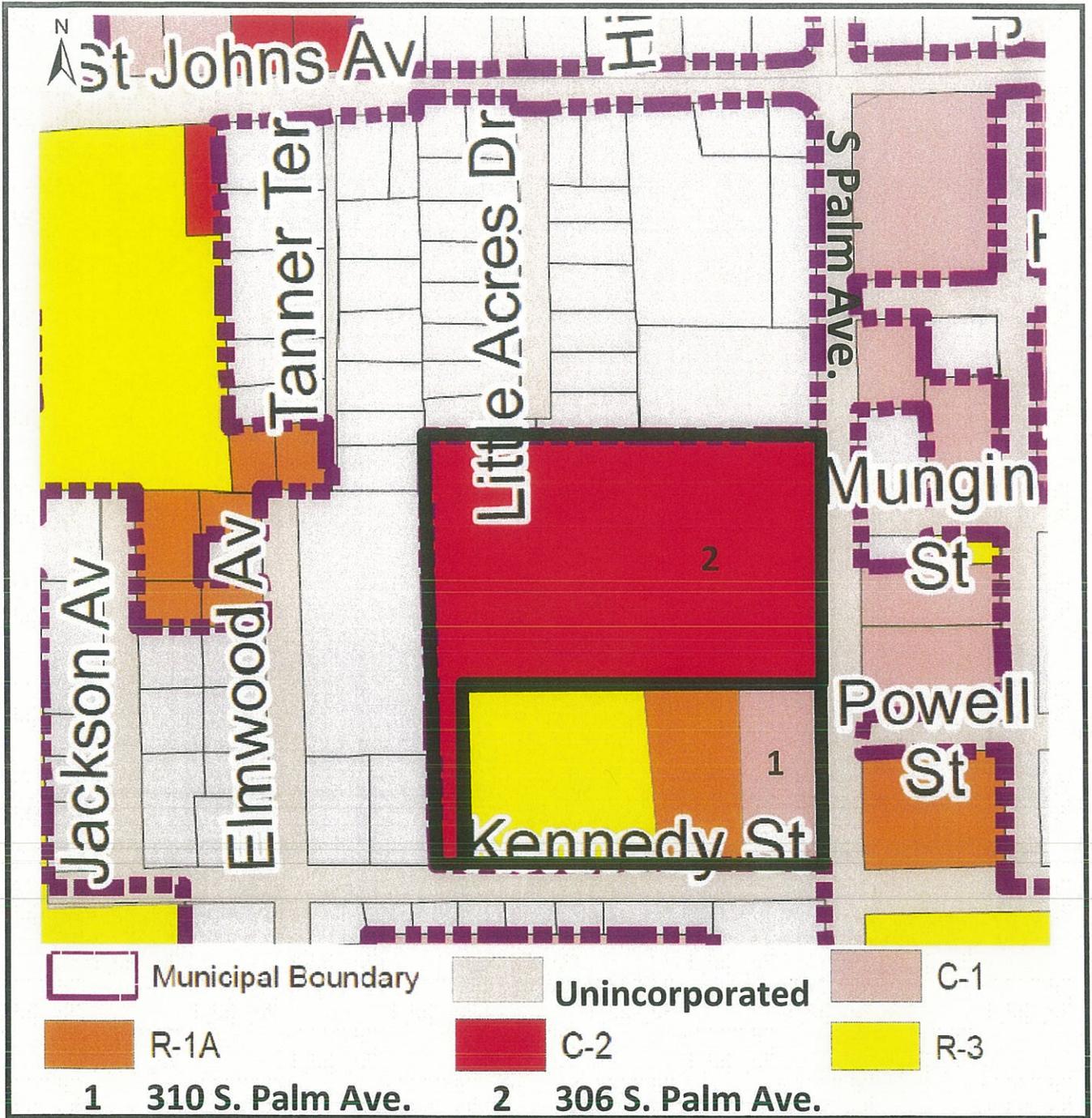
No.	Site(s)	Current FLUM	Proposed FLUM
1	Beauticream , Inc. 310 S. Palm Ave.	OPF	COM
2	First Coast Community Credit Union 306 S. Palm Ave.	OPF	COM

310 S. Palm Ave. and 306 S. Palm Ave.

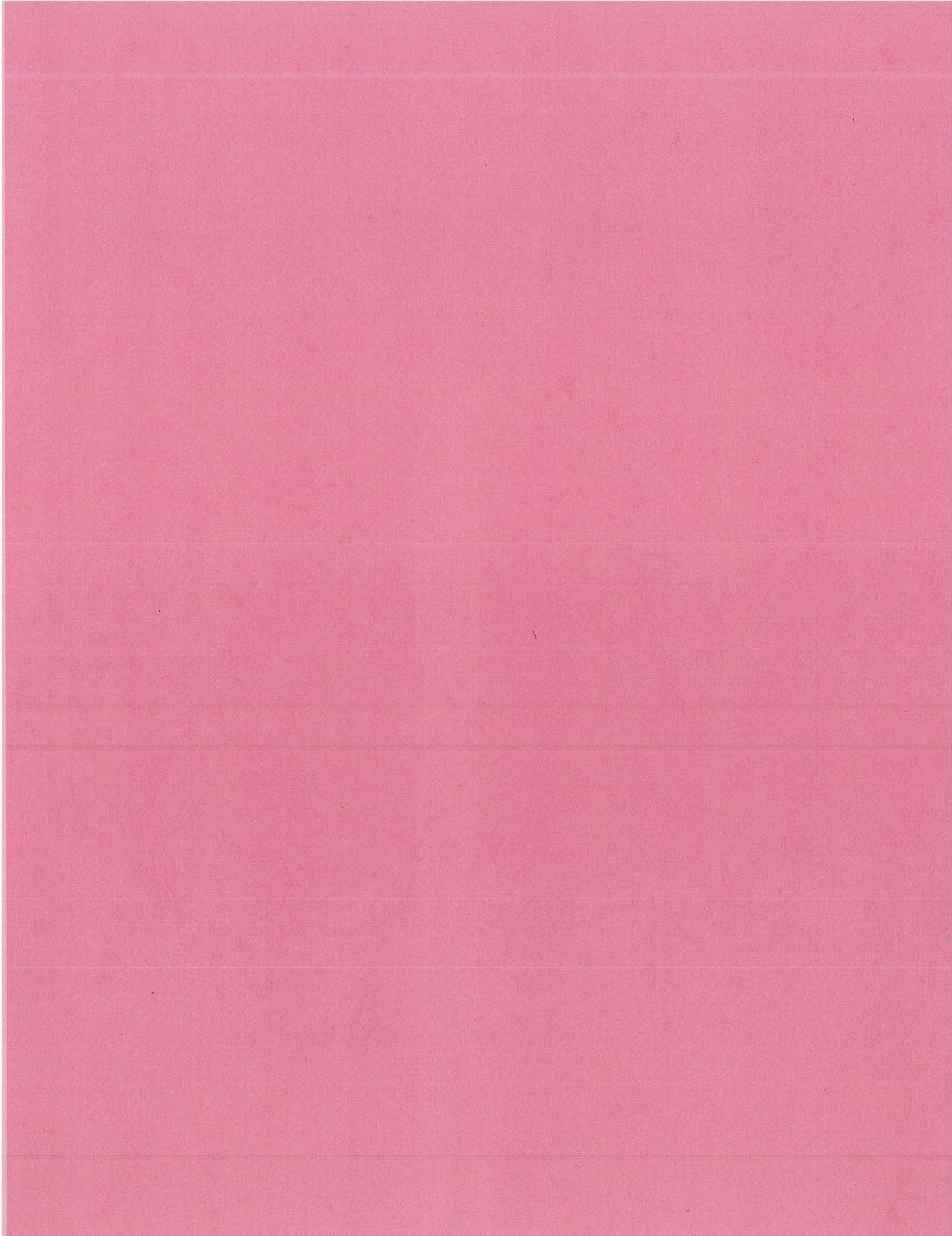


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**Case 11-11**  
**Request to Annex,**  
**Amend FLUM from County US to RL, &**  
**Rezone from County R-1A to R-1A**  
**300 Stillwell Ave.**  
**Applicant: Loretha W. Johnson**

## **STAFF REPORT**

**DATE:** May 31, 2011  
**TO:** Planning Board members  
**FROM:** Thad Crowe, AICP, Planning Director

### **APPLICATION REQUEST**

To annex, amend FLUM from County US (Urban Services) to RL (Residential Low Density), and rezone from County R-1A Residential, Single Family) to R-1A (Single-Family Residential). Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

### **APPLICATION BACKGROUND**

The property is within the Ridgedale neighborhood, located east of N. Moody Rd. and west of the Palatka Mall. This neighborhood consists of six east-west streets accessed from Stillwell Avenue, which runs north from St. Johns Avenue and loops to the west to meet N. Moody Road. Most of the neighborhood is within the City.

Despite being a single-family neighborhood, most of the Ridgedale neighborhood has a City FLUM of Residential High Density and a zoning classification of R-3. Other properties at the eastern end of most streets have the Residential Low Density designation and R-1A zoning. Finally, the (undeveloped) area set back 500 feet from N. Moody Rd. has been assigned the Neighborhood Commercial FLUM and a zoning of C-1 (General Commercial).

Approximately half of the lots on Stillwell Ave. are occupied by homes. Most are on the south side of the street – there are three homes on the north side, one of which was previously annexed into the City (402 Stillwell). This property was assigned the Residential Low Density FLUM and the R-1A zoning classification.

The County portion of the Ridgedale neighborhood north of Stillwell Ave. includes an area zoned for single-family, on the west side, and an area zoned for multi-family, on the east side.

The property under consideration currently has County single-family land use and zoning. The table below site and surrounding property use classifications (see also attached maps).

**Table 1: Use Classifications**

Property	FLUM	Zoning	Existing Use
Site	(County) US (Urban Services)	(County) R-1A (Single Family)	undeveloped
Property to North	(County) US (Urban Services)	(County) R-1A (Single Family)	undeveloped
Property to South	RH (Residential High Density)	R-3 (Multi-Family Residential)	single family residence
Property to West	(County) US (Urban Services)	(County) R-1A (Single Family)	undeveloped
Property to East	(County) US (Urban Services)	(County) R-3 (Multiple Family)	undeveloped

**PROJECT ANALYSIS**

**Annexation Analysis**

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

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that the boundary of the property proposed for annexation must be coterminous with a part of the municipality’s boundary. The definition further states that a road that comes between the property boundary and the municipal boundary shall not prevent annexation. This property is contiguous to the city limits, which run along the south side of Stillwell Avenue. Therefore this property is considered to be contiguous.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for a piece of property in a single area, and also precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Annexing this property meets the standard of compactness.

**Future Land Use Analysis**

Florida House Bill 7129, recently signed by the Governor, provides amended criteria for consideration of comprehensive plan amendments under F.S. 163-3187, shown in italics below (staff response follows each criterion, and comprehensive plan extracts are underlined).

*List Goals, Objectives, and Policies of the Comprehensive Plan that support the proposed amendment.*

The application 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**

Land Development Regulations adopted, to implement this Plan shall be based on the following land use standards:

**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.

The existing residence on the property in question is in keeping with the description of the Residential Low Density FLUM category above.

*Provide analysis of the availability of facilities and services.*

The property is in close proximity to a range of urban services and infrastructure. A four-inch water line runs along Stillwell Ave., immediately adjacent to the property. An eight-inch sewer line runs up the north-south segment of Stillwell Ave., approximately 1,500 feet from the property. The City has an ongoing expansion program for the sewer system and property owners must hook up to City sewer when the lines reach their property. The City's Kay Larkin fire station is less than ¼ mile from the property, the main library is approximately one mile from the property, and the police station is approximately two miles from the property.

*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.*

Assigning a City FLUM category to the property is appropriate given that the small size of the lots in this neighborhood are more in keeping with an urban designation. Also with small lots there is potential for septic tank failure and environmental degradation – City FLUM designation carries with it the eventual connection to City sewer and water, which is not an option for County FLUMs.

*Provide analysis of the minimum amount of land needed as determined by the local government.*

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.*

Not applicable, as this is an existing development.

- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The location is not a rural area and is within the Palatka urban area.

- *Radial, strip, isolated, or ribbon development patterns.*

Not applicable since this is not commercial development.

- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*

Not applicable since this is existing development.

- *Development that fails to maximize use of existing and future public facilities and services.*

This property is well-situated to utilize 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.*

Given its location with an urban service area, this property can be efficiently served.

- *Development that fails to provide a clear separation between rural and urban uses.*

This property is within an urban area.

- *Development that discourages or inhibits infill development and redevelopment.*

Not applicable as this property is within a developed urban area.

- *Development that fails to encourage a functional mix of uses.*

Not applicable as this property is a single residential parcel.

- *Development that results in poor accessibility among linked or related land uses.*

Not applicable as this property is a single residential parcel.

### **Rezoning Analysis**

Per Section 94-38 of the Zoning Code, the Planning Board must study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff response 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.*

As previously noted, the application is in keeping with the following objective and policies of the comprehensive plan, and does not conflict with other plan elements.

*b. The existing land use pattern.*

The property is an existing use and is consistent with current County and proposed City single-family residential FLUM and zoning designation.

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

While the amendment would appear at first glance to result in an isolated single-family designation in the context of the adjacent City multi-family zoning to the south, this is not the case. The single-family property at 402 Stillwell Ave., a block to the west, was brought in under City single-family zoning. In addition, the proposed single-family zoning is consistent with current County zoning immediately to the west and north. And there is some question as to whether the multi-family FLUM and zoning assigned to the Ridgedale neighborhood is appropriate, given the overwhelming single-family character of this area.

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

As an existing single-family use, impacts to City facilities will be marginal.

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

See response to c. above.

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

Conditions have not changed.

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

The change will not adversely affect living conditions as the use is a compatible single-family use in regard to the surrounding neighborhood.

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

Not applicable as this is an existing use.

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

Not applicable as this is an existing use.

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

Not applicable as this is an existing use.

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

See response to g. above.

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

Not applicable as this is an existing use.

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

Providing a zoning designation to a property that is compatible with the existing use and surrounding neighborhood is not a grant of special privilege.

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

Not applicable as the City single-family zoning will be the same as the current County zoning.

*o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.*  
See response to g. above.

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

Not applicable due to existing use.

*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.*

Not applicable.

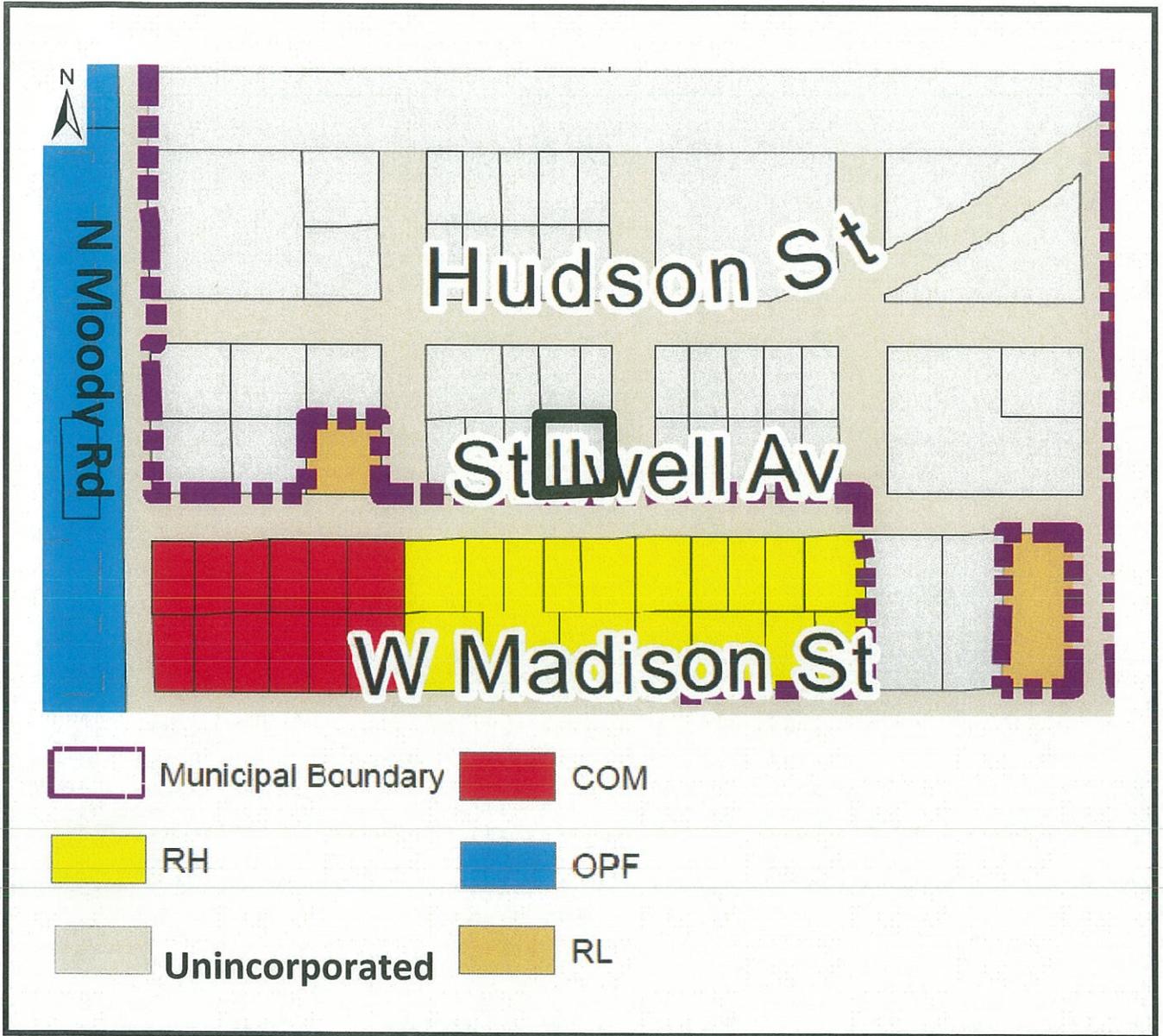
#### **STAFF RECOMMENDATION**

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of Case 11-11: annexation, amendment of future land use map category to RL, and rezoning to R-1A for 300 Stillwell Ave.



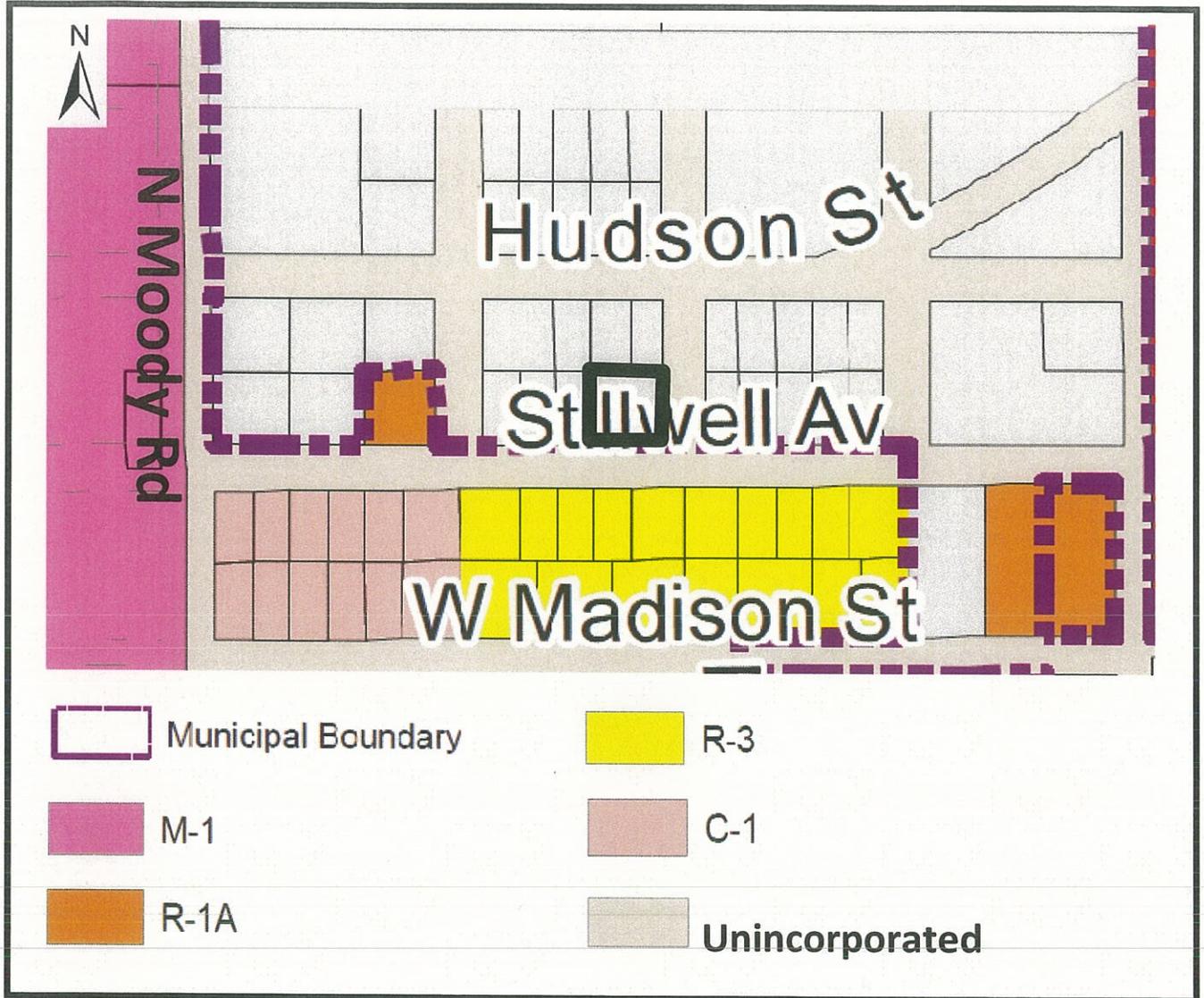
Site	Current FLUM	Proposed FLUM
MAXWELL LUCILLE ET AL 300 Stillwell Ave.	(County) US	RL

300 Stillwell Ave.

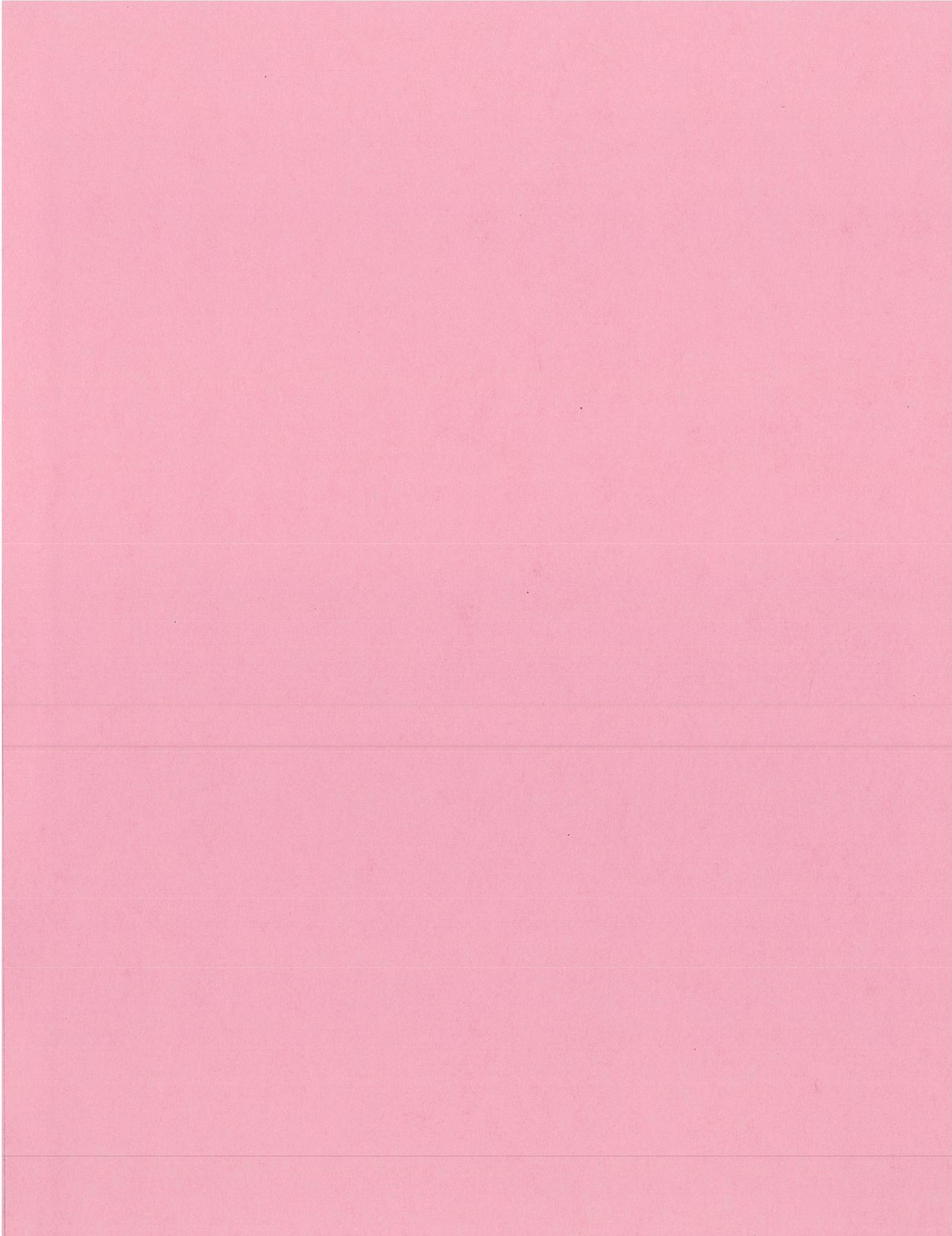


Site	Current FLUM	Proposed FLUM
MAXWELL LUCILLE ET AL 300 Stillwell Ave.	(County) US	RL

300 Stillwell Ave.



Site	Current FLUM	Proposed FLUM
MAXWELL LUCILLE ET AL 300 Stillwell Ave.	(County) US	RL



**Case 11-12**

**Request for a Conditional Use for Sale of Seasonal Goods**  
**1024 S. Hwy 19 (WalMart)**  
**Applicant: TNT Fireworks/Wesley Reid**

## **STAFF REPORT**

DATE: May 31, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

### **APPLICATION REQUEST**

Conditional Use allowing sale of seasonal goods (fireworks) in the WalMart parking lot. Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

### **APPLICATION BACKGROUND**

Sales of seasonal goods is regulated by Zoning Code Section 94-200. The applicant plans to sell 4<sup>th</sup> of July fireworks, and has applied for this conditional use for a number of years. The event would take place within the WalMart parking lot between June 24 and July 5, 2011. The zoning code provides the following definitions for the types of events that are requested.

*Seasonal goods or commodities* means a temporary sale not to exceed 30 days in duration for the purpose of vending or selling goods or commodities relevant to the season to include but not be limited to spring plant sales Fourth of July fireworks sales and Christmas tree sales.

### **PROJECT ANALYSIS**

The Zoning Code provides several restrictions on seasonal goods sales:

- No activities on public rights-of way.
- Not more than one event in a six month timeframe.
- An additional business regulatory fee is required, equal to .5 percent of the total value of goods offered, not to exceed \$1,500.
- Proof of the value of the goods must be provided at the time of the fee payment.
- Nonprofit organizations are exempt from the fee if proof of nonprofit status is provided.
- A tent permit will be required; applicant will need to forward a copy of the fire retardant certificate at the time of permit issuance.

Regarding these restrictions, the tent will not occur on any public rights-of-way. All sides of the tent will be accessible to emergency vehicles. The additional fee is waived as the event is sponsored by the First Assembly of God Church, a non-profit. The Church will retain the proceeds from the sales.

Per Section 94-200(c)(3) the Planning Board shall review such an application to ensure protection of the public health, safety, and general welfare. In addition to normal concerns of the planning board in considering conditional use requests, particular attention shall be given to traffic flow and control, auto and pedestrian safety, and the effect which such use and activity will have on surrounding uses, particularly where the adjoining use is residential.

Traffic Flow

The tent will be located at the southern end of the parking lot, approximately 400 feet south of the main store at the southern end of the parking lot. No driveways will be blocked as the tent will be located within a single parking row.

Auto Safety

No driveways will be blocked to allow for the current vehicle circulation pattern to continue.

Pedestrian Safety

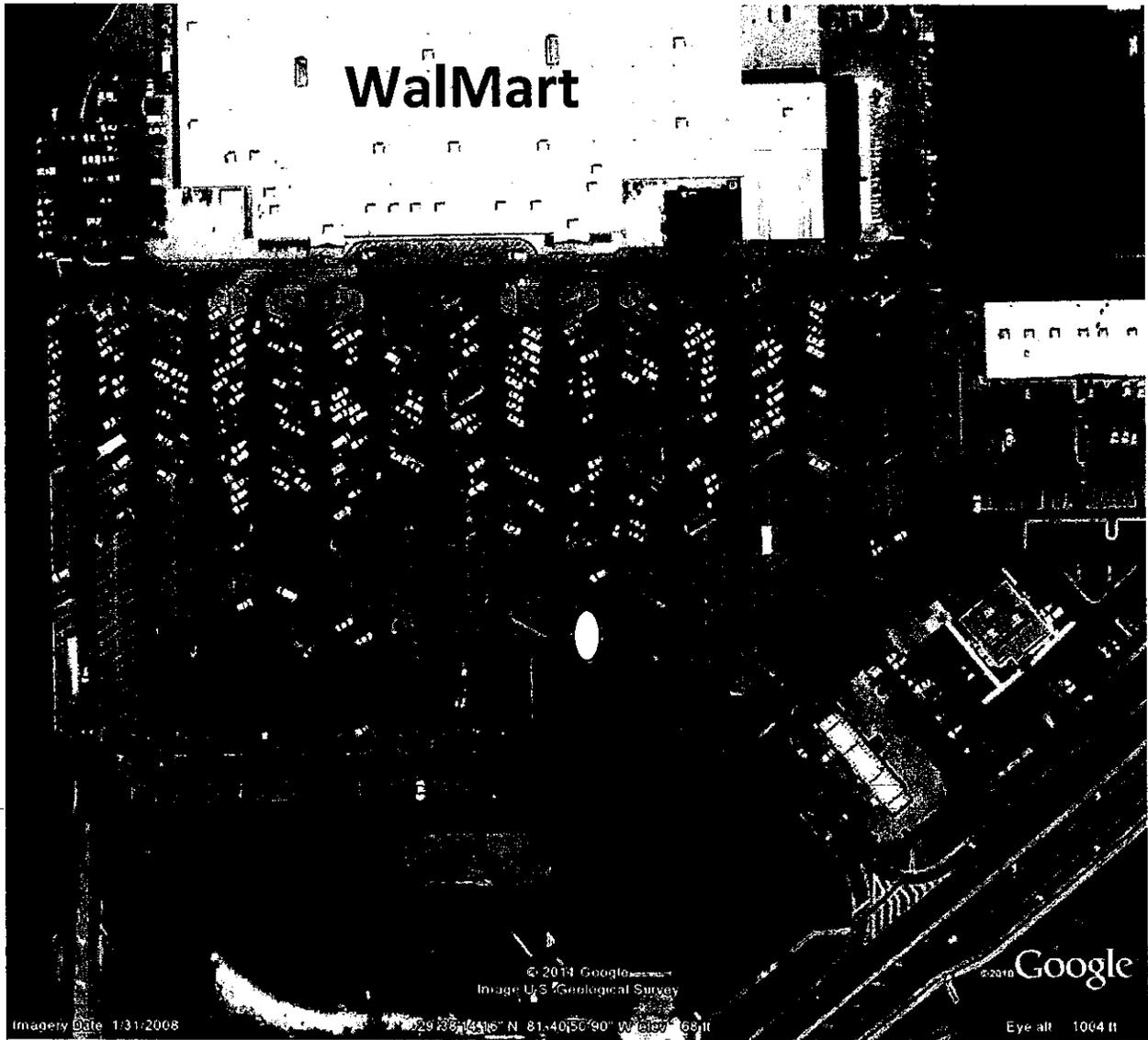
There are no sidewalks that provide access to the tent site. Customers will drive up and park nearby to purchase fireworks.

Effect on Surrounding Uses

The area is a fairly intensive retail commercial area with no nearby residences. A church is immediately to the south with undeveloped residential areas to the west. Staff has determined that there is adequate parking to serve both WalMart and this sales event – this WalMart, like most, is “overparked.” No adverse impacts on surrounding uses are anticipated.

**STAFF RECOMMENDATION**

As demonstrated in this report, this application meets applicable seasonal goods sales criteria. Staff recommends approval of Case 11-12, seasonal goods sales of fireworks in the WalMart parking lot.



March 29, 2011

Ms. Pam Sprouse  
City of Palatka  
Building & Zoning  
201 N. 2<sup>nd</sup> Street  
Palatka, Florida 32177

Re: Conditional Use Request

Dear Ms. Sprouse:

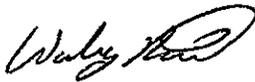
I am requesting permission for a conditional use permit for the sale of Florida State Approved Sparklers in the Wal-Mart Parking Lot. The tent will go up between the 21 or 22 of June. The sale will begin on the 24, 25 and end on July 5. The same Church will be running this location; First Assembly of God, Inc of Palatka. Enclosed is their Certificate of Exemption for your file.

The above addresses paragraph 1. Listed below are the appropriate required:

- A. Site plan attached. (I have marked where we place it last year).
- B. A portable generator will be used.
- C. The tent will be a 30x45 and will stay within the parking spaces and not restrict any driveways
- D. There will be no trees, or shrubs affected
- E. We will have vinyl signs on the tent. Most of them are 3/17'. They are "Buy One Get One Free" and "TNT fireworks".
- F. Ingress and egress to – there will be neither obstruction to any drives nor entrances. The tent will be 30x45 and be within 9 parking spaces. An emergency vehicle would have access to all sides of the tent.
- G. There is no-street parking and only unloading of product when it arrives. The truck can pull into parking spaces and not block a drive.
- H. Refuse service – the Church takes away their rubbish every evening.

I am attaching a flame spread, letter of permission from Wal-Mart, my check and the application.

Sincerely,



Wesley Reid



**Building Bridges with God and People—Equipping People for Life and Ministry**

**Ted Stackpole**  
Senior Pastor  
ag@visitmychurch.org

**Wayne Mustered**  
Associate Pastor  
wmustered@visitmychurch.org

**Doug Fournier**  
Associate Pastor  
dfournier@visitmychurch.org

**Randy Robinson**  
Associate Pastor  
rrobinson@visitmychurch.org

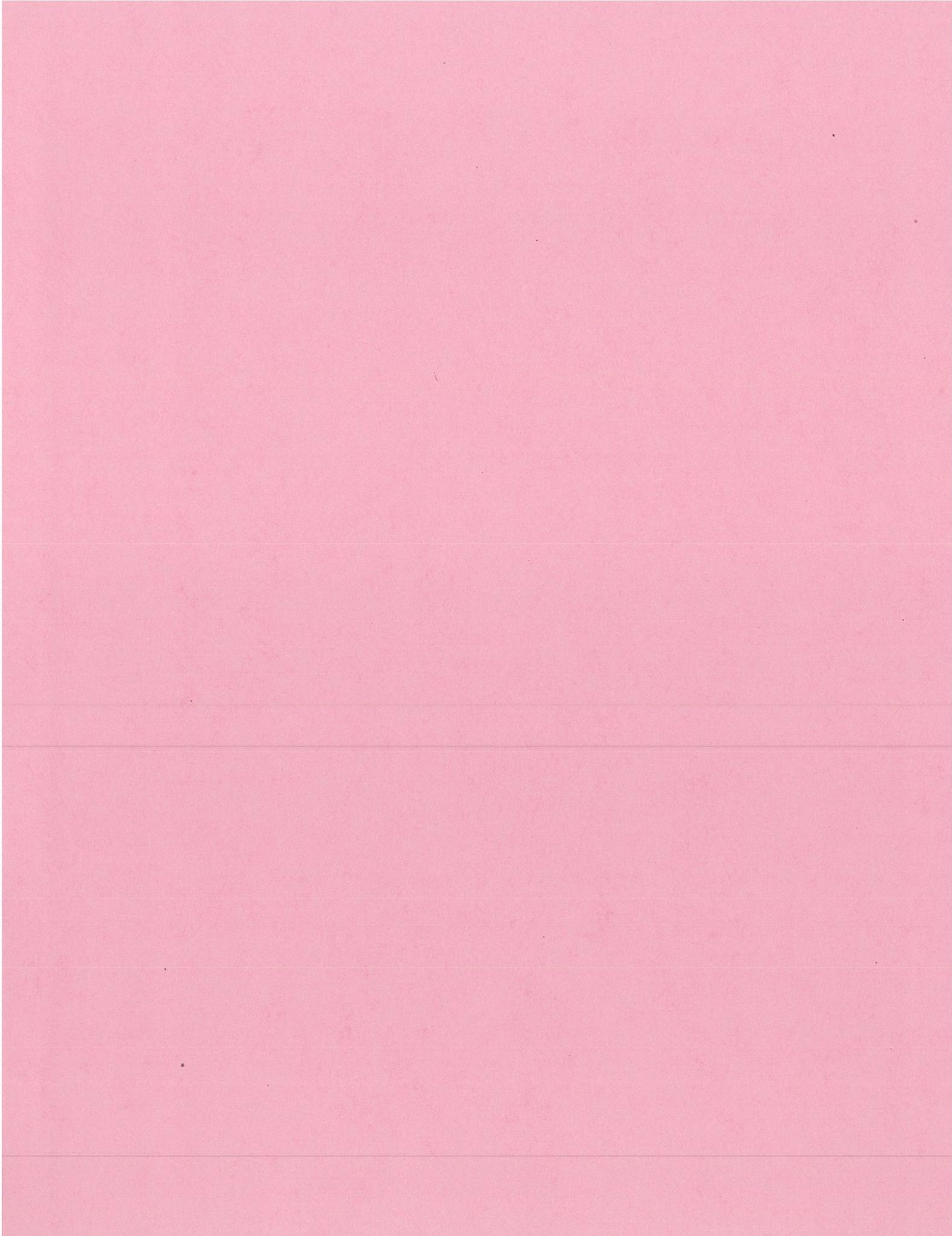
City of Palatka  
201 N 2<sup>nd</sup> Street  
Palatka, Fl. 32177

To whom it may concern;

The time has come again for our fireworks fundraiser at Walmart. This letter is to acknowledge that we partner with TNT fireworks each year to raise money for different ministries within the church. This year funds raised will go to sending kids to camp, teens on missions trips, and other various outreaches in the community. Without these funds many youth would be limited in our activities.

Thank you in advance for issuing a permit for this event.

Douglas Fournier  
Associate Pastor



**Case 11-14**  
**Request for a Conditional Use for Establishment Serving**  
**Alcohol within 300 feet of Similar Establishments**  
**118-1 N. 19<sup>th</sup> St.**  
**Applicant: Craig Z. Sherar**

## **STAFF REPORT**

DATE: May 31, 2011

TO: Planning Board members

FROM: Thad Crowe, AICP, Planning Director

### **APPLICATION REQUEST**

Conditional Use allowing an establishment serving alcohol within 300 feet of other establishments serving alcohol. Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

### **APPLICATION BACKGROUND**

This request is associated with the opening of a tavern type lounge in the shopping center located at the southwest corner of Reid St. and N. 19<sup>th</sup> St. The unit is the northernmost end unit in the center, formerly occupied by Southwell's Restaurant.

The applicant provided a brief narrative and sketch plan of the site, attached with this report.

Chapter 10 of the Municipal Code regulates alcoholic beverages. Section 10-3 of this chapter provides specific distance/separation requirements, including a 300-foot separation between establishments licensed to sell alcohol. The required license in this case is from the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business and Professional Regulation.

Section 94-3 of the Zoning Code governs Conditional Uses, and provides the authority for granting such uses to the Planning Board, although the decision can be appealed to the City Commission by an "aggrieved" person.

### **PROJECT ANALYSIS**

Criteria for consideration include the following (*italicized*) as well as the general finding that the conditional use will not adversely affect the public interest.

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

The application is not in conflict with applicable elements of the Comprehensive Plan.

*b. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Vehicle access for the center is by multiple curb cuts along N. 18<sup>th</sup> St. and Reid Street. Both streets have sidewalks, as does the center along its front. There is adequate vehicle and pedestrian access to the use.

*c. Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.*

Adequate and accessible parking is provided in the center's parking lot. There are no nearby residential uses to adversely affect.

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

Refuse dumpsters are provided in the rear of the center, and again there are not nearby residences to adversely impact.

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

The property is appropriately served by utilities.

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

The property was developed prior to adoption of the City's landscape ordinance, and there are no landscape areas on the property. Zoning Code Section 94-302(b)(3) requires that a conditional use conform with the landscape code. The only applicable landscape requirement for this property is the street frontage buffer (Section 94-305). This provides the choice of either a five foot wide right-of-way landscape buffer with two shade trees and 30 shrubs for every 100 linear feet, or an eight foot wide right-of-way buffer with one shade tree and 25 shrubs for every 100 linear feet. These buffers would be required along all four adjacent streets.

Section 94-309 requires that the Conditional Use request include specifics regarding buffer location and dimensions, and also the type of buffer for each street. Staff has requested that the applicant provide this to the Planning Board at the public hearing.

*g. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.*

Any proposed signs shall meet the current code in regard to signs and exterior lighting.

*h. Required yards and other open space.*

See f. above.

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

The Comprehensive Plan and Municipal Code view compatibility in light of nonresidential uses impacting residential uses. Since the surrounding uses are all nonresidential, there are no issues pertaining to compatibility.

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

The use must meet all requirements of Municipal Code Chapter 10 pertaining to alcoholic beverage establishments, including hours of operation limitations. The applicant has provided proposed hours of operation which are reduced from the Code’s hours of operations, as shown in the table below.

**Table 2: Hours of Operation Comparison**

	Code	Applicant	Code	Applicant	Code	Applicant
	Mon-Thurs.		Fri.-Sat.		Sunday	
<b>From</b>	7 AM	12 Noon	7 AM	12 Noon	1:00 PM	1:00 PM
<b>To</b>	2 AM	12 Midnight	2 AM	2 AM	12 Midnight	12 Midnight

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

Not applicable.

*Impact on Public Interest*

A review of the criteria above indicates that the proposed conditional use would not present a substantially negative impact on the overall public interest of the surrounding area and the City as a whole. Required landscaping improvements would have a positive affect on the appearance of the property and surrounding streets as well. The street frontage buffer has an added benefit of directing vehicle traffic to specific driveway entrances, which will reduce potential for traffic accidents – an important consideration given the increased potential for alcohol-related fender-benders.

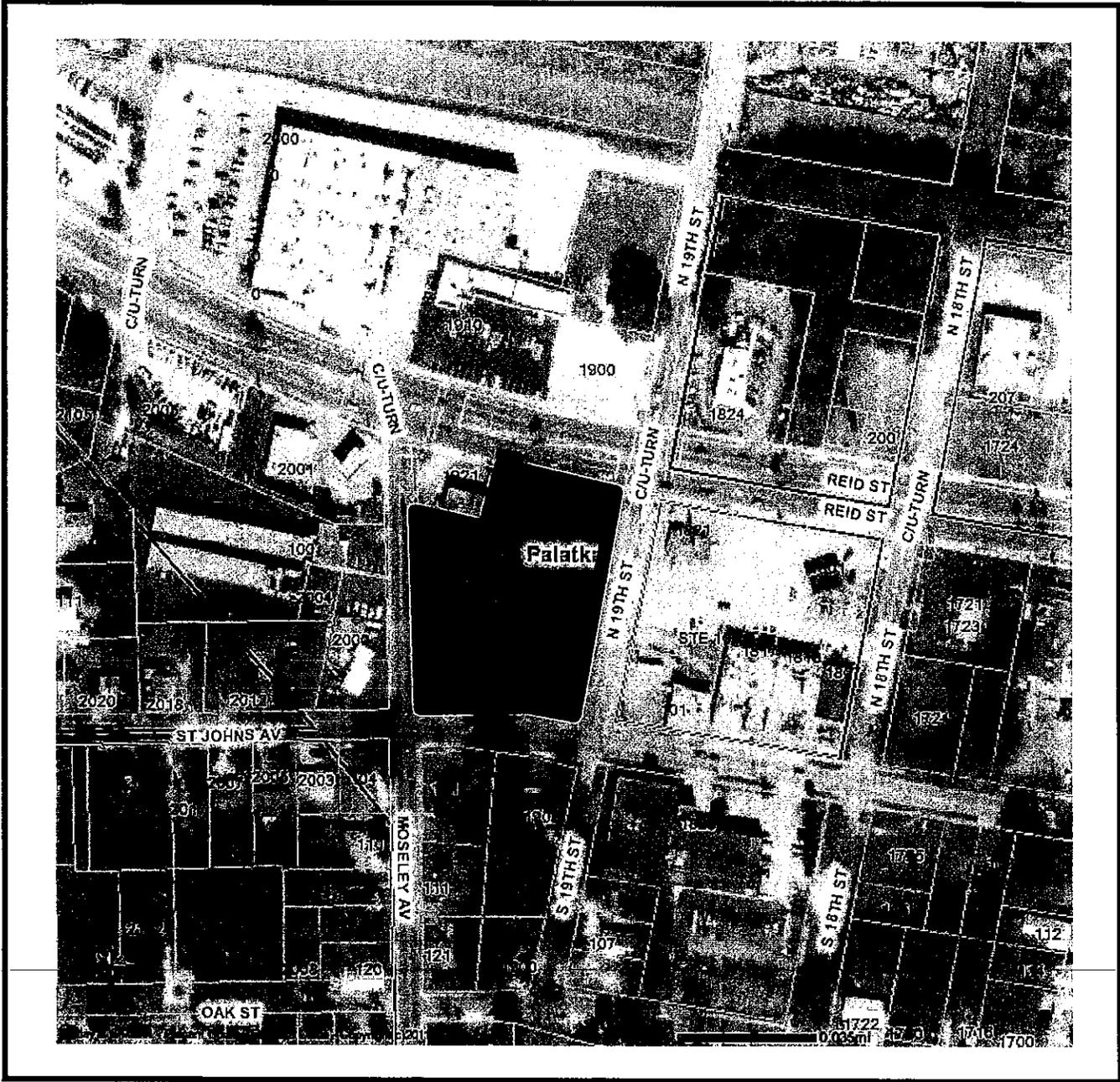
It should be noted that the Police Department provided a courtesy conceptual review of the application, which found that based on current data the use could generate around 31 calls for service a year and generate the need for an additional .07 police officers. This report did not provide a recommendation of approval or denial and did not provide specific recommendations. Staff would note that there may be public input during the consideration of this item that could lead to additional conditions on the proposed use.

A motion for approval should include any relevant conditions and the staff findings for approval. Per Section 94-3(6) should the Planning Board decide to deny the application, such a motion should include the reasons for doing so, including reasons pertaining to the criteria listed above.

**STAFF RECOMMENDATION**

As demonstrated in this report, this application meets applicable conditional use criteria. Staff recommends approval of Case 11-14, conditional use for alcoholic beverage establishment with the following conditions:

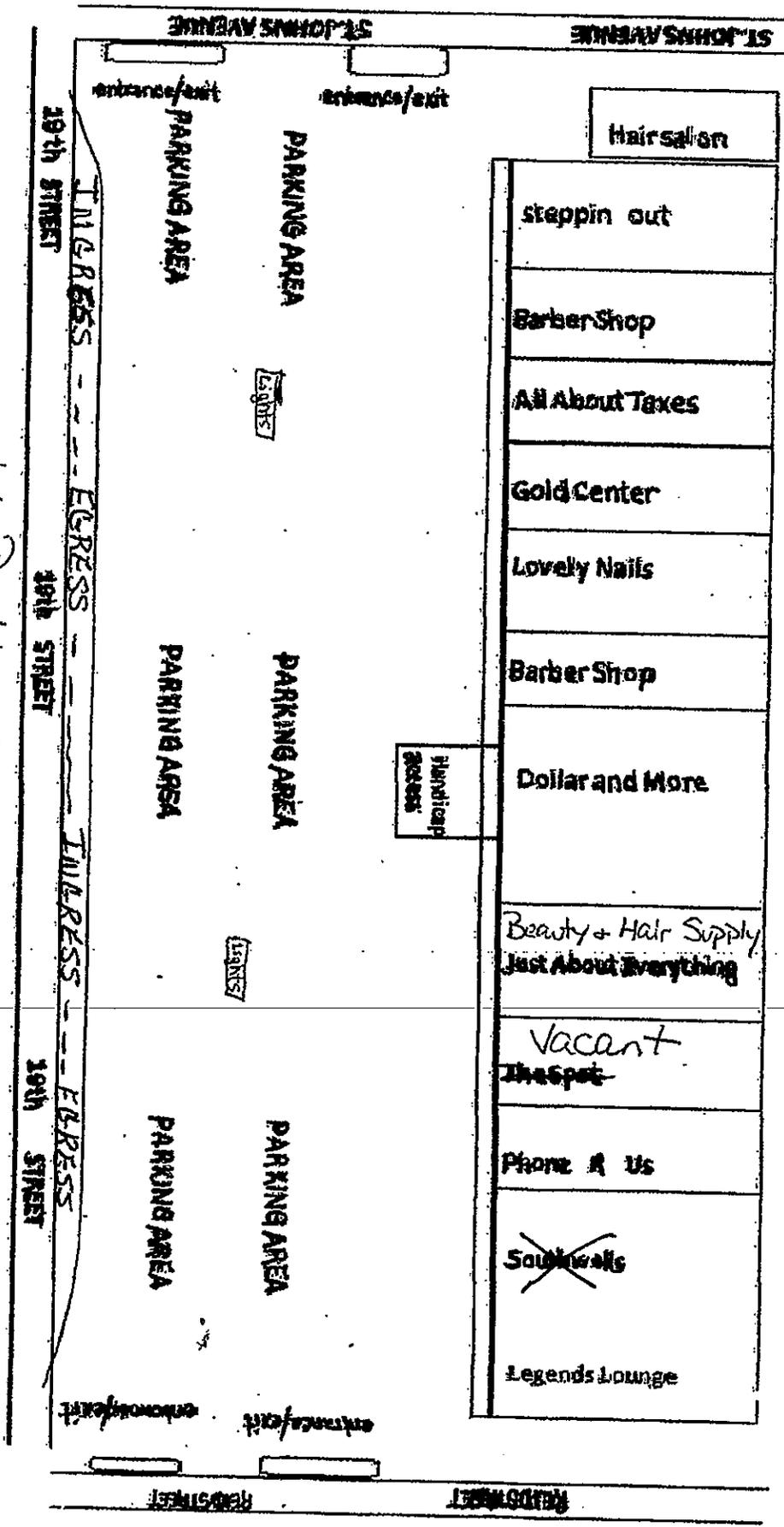
1. Provision of street frontage landscape buffer for the perimeter of the property along all four adjacent streets per Municipal Code Section 94-305.
2. Live entertainment shall be limited to music, including live bands, karaoke, and DJs; and no outdoor entertainment is allowed.
3. The use shall operate within the following hours: Sunday-Thursday 12 Noon to 12 Midnight, Friday-Saturday 12 Noon to 2 AM, and Sunday 1 PM to 12 Midnight.
4. All other current standards of the Municipal Code must be met.



Site	Current Zoning
Sisl Inc. 118-1 N. 19 <sup>th</sup> Street	C-2

We are applying for a conditional use to open a Bar located at 118-1 N 19<sup>th</sup> St (The old Southwells) which was a Restaurant and Lounge for 25 plus years. It is a location that has formally been used for this type of activity. It is consistent with prior use. It is a commercial non residential area.

It is also accessible to main roads. The location is within a Plaza which provides parking and proper lighting. This location will provide entertainment such as pool and Dart tournaments and Live entertainment. We want to provide a nice, clean, safe place for mature adults to come socialize. Hours of operation will be Sunday - Thursday 12:00 to 12:00 AM Friday & Saturday 12:00 to 2:00 AM we expect to employ 10 to 12 people.



66 Parking Spaces  
 6 Handicap Spaces  
 72 Total Parking Spaces

# 118 N. 19<sup>th</sup> St

