



CITY OF PALATKA
PLANNING BOARD
MEETING MINUTES
June 6, 2012

Meeting called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Earl Wallace, Daniel Sheffield, George DeLoach, Joseph Petrucci and Anthony Harwell. **Members absent:** Joe Pickens. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse, and Planning Intern Briana Ozor.

Motion made by Mr. Sheffield and seconded by Mr. DeLoach to approve the minutes as submitted for the May 1, 2012 meeting. All present voted affirmative, motion carried.

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

OLD BUSINESS

Case 11-43 Request to rezone from R-1A (Single-Family Residential) to PUD (Planned Unit Development)/PBG-1 (Public Buildings and Grounds) - item remanded to the Planning Board from the City Commission on May 10, 2012
Location: 1001 Husson Ave. (School District Annex)
Owner: Putnam County District School Board
Applicant: James L Padgett, Esq.

Mr. Crowe stated that the City Commission considered this request at their May 10th meeting and after lengthy discussion and public input, the item was remanded back to the Planning Board, as some of the conditions agreed to by the School District had changed, specifically in regards to the length of time for the “sunset” of the warehouse use and for limiting vehicle access to Husson Avenue. He added that he believed it has been established from staff’s testimony and that of the citizens, that while the office use is acceptable the warehouse use is not. He reviewed the conditions and recommended approval subject to the following:

1. Surplus vehicles shall not be stored on the property.
2. Surplus sales shall not be held on property.
3. Forklift alarm shall be maintained at the OSHA minimum sound level.
4. Fenced-in lawn crew’s equipment and trailers shall be stored in areas with high privacy fence.
5. Outdoor hallways will limit items stored in halls (only in case of emergency).
6. All vehicles shall enter and exit the facility from Husson Ave.
7. The School District Annex is to be utilized primarily for school district offices and training, with accessory and ancillary uses of a warehouse and storage of equipment and materials for the District’s custodial and landscaping maintenance functions. The use of a school is also allowable.
8. The warehouse use shall cease by July 1, 2013.
9. Building uses and all other activities are limited to what is shown on site plan.
10. Operations limited to Monday-Friday, 7 AM to 6 PM, except that training activities may occasionally occur on the weekend.
11. All outdoor storage shall be fenced or screened from view from adjacent public rights-of-way.
12. The PUD will allow for a pocket park that would include playground equipment, picnic tables, and an informal ball field. Additional uses and location of such a pocket park would be determined at a future date following meetings with neighbors in the vicinity of the site.
13. Existing trees on the site shall be preserved.

Jim Padgett, representative of the Putnam County School District, thanked the Board for the opportunity for them to come back and clarify some items of confusion and update the board as to some decisions made by the

District since the last meeting. He said that the warehouse use is approximately 15% of the overall use and he believed that the public perception is that the School Board wants to continue the warehouse at this location, which is not the case. He explained that from the very beginning, when people from the community expressed concern and disappointment that there was a warehouse use operating at this property, the District met with concerned citizens and Staff to come up with acceptable compromises and try to come up with something good for the City and the District which has been unsuccessful. He stated that they are trying to transition out of the warehouse use, with the only difficulty being agreement on how soon they could remove this use. He said initially they had requested 60 months to remove the warehouse use, and since that time, they have found a way to relocate the warehouse use within 12 months as recommended by staff and possibly even less time than that, but would request that cushion of the 12 months. He said that they have reviewed and accept all 13 conditions of staff's recommendation. He added that they can comply with all of the conditions, but one of their concerns is that they have adequate access. They would like to have two entrances but they could live with one if they must. He recognized that the City has been patient with them, and they are not in compliance with zoning, through an honest mistake but that they are trying to do everything they can to comply.

Mr. Petrucci asked if they did not close the drive way from Prosper St. how would they prevent trucks from entering there to unload, as he didn't believe it to be so much a problem with cars using that entrance, as it has always been used to access the parking area, as it would be for the trucks coming and going through there.

Scott Gattshall, Putnam County Schools Facilities Director, responded that there is a swing gate there now that would be closed and the trucks would have to back out onto Husson Ave.

Discussion continued regarding possible alternative curb cuts along Husson Ave. for a secondary vehicle access.

Mr. Petrucci asked if provisions had been made to relocate the access for the yard maintenance vehicles from using Kirby Street and the Cleveland Avenue entrance.

Mr. Gattshall answered that they have agreed to all the conditions and with staff recommendations and that when they remove the Cleveland Avenue access they would have to incur costs to put in a driveway to access the rear employee parking and maintenance equipment area.

Robert Cavuoti, 2206 Prosper St., stated that he would not be in favor of an access road along the northern side of the property adjacent to Prosper St.

Mr. Wallace asked if the custodial and lawn maintenance equipment would remain.

Mr. Crowe replied that condition number seven allows for that and that it would have to be screened.

Mr. Padgett explained that at one time, each school had its own janitorial and maintenance staff at each school site for maintenance of the grounds and the athletic fields, now they have teams that go from one school site to another, which is more efficient and cost effective. He believes that there will be a lot less traffic and it will be quieter when the warehouse is gone than when it was a school, with all the staff, faculty, busses, parents and others comings and goings.

Rissi Cherie, 517 S. Francis St., Interlachen, representing the Putnam Citizens Alliance spoke of concerns for property rights and possible future business encroachments from this use. She said that we cannot have a disintegration of family's life, their rights and the right to have a community where you feel comfortable, safe and secure.

Mr. Crowe explained that the uses for the Annex are specifically defined in the PUD.

Mike Lewis, 2313 Prosper Street stated in his opinion the School District overstepped boundaries in setting up the warehouse and that the roads are not set up for the 18 wheel truck traffic. He stated that he does not object to the office and training center.

Janet Cavuoti, 2206 Prosper St., stated that there have been 13 meetings on this request. She suggested that a private citizen not following the law, would not be allowed this much time to correct a violation, but a public entity like the School Board is, and that is not fair. She explained that when she served on a Board and had to make difficult decisions, she would follow the law and feel comfortable that her decision was based on the law. She thanked the Board for their patience and asked that they follow the law.

Mr. Cavuoti gave a brief history of this request and stated that a Planned Unit Development (PUD) is supposed to be “planned” before the use is established. He stated that using this property as office space and an education/training facility would be acceptable, but he is concerned that this warehouse use has already been there three years, and if allowed to continue for another year, they may come back and ask for an extension. He added that if allowed to stay, all traffic should be restricted to Husson Ave.

Betty Jean Bryant, 2016 Kirby St. stated her biggest complaint is the traffic, that they have all kinds of traffic including service trucks along Kirby St.

Mr. Harwell asked if the PUD were denied, could a school resume there.

Mr. Crowe answered yes, with a conditional use approval.

Discussion ensued regarding limiting all deliveries to the loop drive and the possibility of an alternative access road, around the south of the property by the media center, to the rear parking area.

Tom Townsend, School Board Superintendent stated that they want to be good neighbors and they want to be practical and in short, they do not want to spend any more money than they have to – everyone is aware of the financial situation that the School District is under, they are under declining enrollment, but clearly they will do whatever the City Commission asks for.

Motion made by Mr. Sheffield and seconded by Mr. Petrucci, to accept staff recommendations with the following additional conditions: a Twigg Street vehicle entrance is not allowed and all delivery is restricted to the Husson Ave. loop driveway. He said that while he thought this was the best solution, he remained uncomfortable with the precedent of allowing a code violation like this to continue for years and then approve it. Motion carried with five yeas and Mr. Harwell voting against the motion.

NEW BUSINESS

Case 12-23 Request for a conditional use for wall graphics (murals).
Location: 429 Kirby Street (Hammock Hall)
Owner: City of Palatka
Applicant: South Historic Neighborhood Association

Mr. Crowe explained that this is a request for 8 murals to be located on the north and east side of the building. He showed an example of existing murals on the south side of the building at this location and a site plan with one

proposed rendering. He added that with the understanding that this will be an ongoing series of murals at this location over a period of time, he recommended approval of the concept, arrangement and the general location of the murals but that the Board defers future review of the specific designs to the Historic Preservation Board.

Michael Gagnon, 703 Emmett St., representing the South Side Historic Association, explained that this is an effort through the Arts Council and that the art will be children's art from ages 6 to 12 years old. They will be well supervised.

Motion made by made by George DeLoach and seconded by Anthony Harwell to approve the request and defer future design approval to the Historic Preservation Board. All present voted affirmative, motion carried.

Case 12-27 Request for a conditional use to re-establish a nonconforming use (barbecue restaurant take-out), in an R-2 (Two-Family Residential) zoning district.
Location: 1322 Washington St.
Applicant: Herman and Pamela G Roberts

Thad Crowe explained that the Board has recently approved a code change that allows the reestablishment of a nonconforming use through the conditional use criteria. That historically, for several decades until the last few years, there had been a take-out barbecue restaurant in the rear building of this residence. He advised that letters were sent to all the adjacent property owners, the property was posted and the request was advertised, no comments or objections were received. He recommended approval with the following conditions:

1. Refuse area shall be screened with a six-foot tall stockade fence on three sides from neighbors and Washington Street.
2. Existing light in front of shed shall be shielded so light is downcast and does not present glare to neighbors and nearby street.
3. Shed shall be repainted and any deteriorated features must be repaired so that a neat and pleasing appearance results.
4. At the time of development of the property to the west, applicant shall install a hedge along the property line to effectively screen the shed.
5. Operator of use shall live on the property.
6. Use shall comply with all applicable fire codes and state licensing.
7. All other applicable standards of the Municipal Code shall be met.

Herman Roberts, 1322 Washington St., stated that he and his wife are trying to reestablish this takeout restaurant that had been there for forty years.

Motion made by Anthony Harwell and seconded by Daniel Sheffield to approve the request with staff recommendations. All present voted affirmative. Motion carried.

Case 12-28 Request for a conditional use for a temporary outdoor sales event (firework sales).
Location: 1024 State Rd. 19 (Walmart parking lot)
Owner: Walmart Stores East, LP
Applicant: TNT Fireworks, Inc.

Mr. Crowe explained that this is the same request that is made each year it is a non-profit activity with the same set-up as previous years. He recommended approval of the request.

Motion made by Daniel Sheffield and seconded by Anthony Harwell to approve the request. All present voted affirmative. Motion carried.

Case 12-32 Request for a conditional use to construct a warehouse, in a C-2 zoning district.
Location: 410 S. State Road 19 (Putnam County Emergency Operations Center)
Owner: Putnam County Board of County Commissioners
Applicant: Mike Brown, Putnam County Emergency Services

Thad Crowe gave an overview of the request. He explained that this location is a pretty intensive commercial area along State Rd. 19 and the intent of this request is to build a warehouse to store emergency supplies in the event of disaster. The request does not conflict with the Comp plan and that he believes this use will positively impact public interest. He added that it was agreed with the applicant, that where abutting residential properties along the west boundary, chain link fence covered with evergreen vegetation would be acceptable screening. He said that this request meets all of the applicable criteria for consideration and recommended approval with the following conditions:

1. development to conform with approved site plan as submitted with application, dated 5/10/2012, including tree preservation indicated;
2. chain link fences would be allowed within buffer areas where adjacent to commercial or undeveloped property AND not visible from a public right-of-way;
3. barbed wire allowed in horizontal arrangements atop new chain link fences but coiled arrangements not allowed;
4. an eight foot tall stockade fence would be required adjacent to or visible from existing residential development to the west and south, and if and when new residential development occurred, would be required adjacent to or visible from that as well;
5. the proposed retention area planned between the warehouse and the western residential property line is allowable if it can be planted with required shrubs and trees;
6. dumpster shall be screened on three sides with opaque fencing material; and
7. the Applicant will meet other applicable standards of the Landscape and Zoning Codes.

Quinn Romy, Chief of Putnam County Emergency Services, introduced Mike Brown, E.O.C. Logistics and Planning Coordinator and Robert Taylor, the Architect for this project and explained that they have been working on this project for some time as a grant program through the Federal Emergency Management Association (FEMA). That this is warehouse will be a logistical staging area for disasters and security is a big concern for them. He added that they fully intend to meet the requirements of the ordinance for buffering and that there is an existing fence that they would like to maintain and extend along the perimeter of the building for security, saving the tax payers dollars, as there are not as many of them as there used to be.

Motion made by George DeLoach and seconded by Joseph Petrucci to approve the request subject to staff recommendations. All present voted affirmative. Motion carried.

Case 12-34 Administrative request to amend Zoning Code Sec. 94-151 to allow outdoor pistol or rifle ranges as a conditional use in the M-1 (Light Industrial) zoning district.

Mr. Crowe stated that currently outdoor pistol or rifle ranges are not allowed any district in the City, and only indoor pistol ranges are allowed in the C-2 zoning district, by conditional use, making the current shooting range non-conforming. He said it would be acceptable in certain cases to allow for outdoor shooting ranges, as there is a need for such a use both for public and private firearms owners and that the M-1 zoning district is more intensive and a more appropriate zoning district for this use. The proposed amendment will allow this use

through the conditional use process only in the M-1 district. He added that the conditional use process requires a careful evaluation of the location for the use, an important factor given the potential noise impacts of the use as well as issues pertaining to potential soil contamination by lead from bullets.

Motion made by Joseph Petrucci and seconded by George DeLoach to approve the request. All present voted affirmative. Motion carried.

Case 12-29 Administrative request to amend Zoning Code Sec. 94-200 to require that in the case of outdoor promotional sales and temporary goods or commodities sales, sales shall be limited to items that are customarily offered for sale by the principal use which occupies the property where the sale is to be held, and that only the business or entity occupying the principal structure may sell such merchandise.

Mr. Crowe gave a brief overview of the request, stating that the Zoning Code is pretty tough on outdoor activities. There are four types allowed; farmers markets, outdoor promotional sales, special event sales, the sale of seasonal or temporary goods and commodities. He explained that several comments were made by local businesses and citizens and a request was made by the City Commission for staff to look into revising the regulation to protect local businesses from out-of-town interest. Staff approached this change from a zoning standpoint, with regulations that tie outdoor activities to the principal use. He said this amendment would only apply to outdoor promotional sales and temporary goods and that the sale would have to be tied to the business in which the temporary sale is taking place, and would be limited to items that are customarily offered for sale by the principal use. He recommended approval of the request, exempting local financial institutions such as Credit Unions or Banks from the requirement that the products for sale be sold at that property, but they would still have to be a sponsor or be in charge of the sale.

Motion made by Daniel Sheffield and seconded George DeLoach to recommend approval of the amendment to the City Commission with staff recommendations. The vote was four yeas and two nays. Motion carried.

Case 12-33 Administrative request to amend Comprehensive Plan Future Land Use Element Policy A.1.9.3 to remove height limitations for structures within future land use map categories.

Mr. Crowe advised that the Zoning Code and the Comprehensive Plan do not match do not match in terms of height limitations and that the Comprehensive Plan is really a vision document and the development standards are a more appropriate place for these types of details.

Motion by Joseph Petrucci and seconded by Anthony Harwell to approve the request as submitted. All present voted affirmative. Motion carried.

The Board asked that Mr. Crowe research the Zoning height limitations and bring back to the Board at a later date for consideration.

Case 12-31 Administrative request to amend Comprehensive Plan Public Facilities Element Policy D.1.2.1 to provide for exceptions, based on economic development and system efficiency considerations, to the requirement that properties receiving City water or sewer that are contiguous to the city limits be annexed, and the requirement that properties receiving City sewer service be within the City limits.

Mr. Crowe presented the pros' and cons' with this request. He stated that this request would allow the city to extend sewer to properties outside the incorporated limits, while water service is available for properties outside the City with the requirement that if and when such properties become contiguous to the city limits they must annex into the city. He explained that there has been an ongoing dialogue among elected officials and staff about water and sewer provision and annexation for a number of years. Some see water and sewer service provision as one of the few incentives that the City has to encourage property owners to annex into the City which is important to overcome the economic fact that annexation results in additional City taxes. Others make the argument that denying urban service provision hampers economic development within the urban area, which may ultimately dampen the City's ability to expand through annexation. Additional problems go with both sides of the discussion, from the need for expensive expansions to the utility system that go with system growth, to the problem of the status quo of not addressing septic tank proliferation and continuation.

Eddie Stovall, 1438 Canopy Oaks Dr., Orange Park, explained that about a year and half ago he came before the Board to request annexation for city utilities and was approved contingent upon the two churches across highway annexing into the City. Since that time, the Church's have failed to complete the annexation process and he received a letter from Mr. Boynton recognizing that the Church's had not made the commitment to annex into the city but that the City would go ahead and make the connection to his property, which he had forwarded to Putnam County Building Department so he could continue with his renovation project for a Restaurant and Barber/Hair Salon. Since that time he has been investing in improving his commercial building with thousands of dollars because he was assured he would get City utilities.

Mr. Stewart asked if there was a problem with conventional utilities.

Mr. Stovall replied that there would not be enough parking if he had to put in a raised septic system.

Through Board consensus, this item was tabled until August 3, 2012 to allow staff to speak to the interim City Manager about the letter and possible options for making the connection to utilities possible.

OTHER BUSINESS – Board consensus was to postpone the July meeting date due to the Holiday and vacations until the next regular meeting of August 7, 2012.

With no further business, meeting adjourned.