



**CITY OF PALATKA  
PLANNING BOARD MEETING MINUTES  
September 4, 2012**

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Earl Wallace, George DeLoach, Anthony Harwell, Daniel Sheffield, Joe Pickens and Judith Gooding. **Members absent:** Lavinia Moody and Joseph Petrucci. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

**Motion** made by Mr. Sheffield and seconded by Mr. DeLoach to approve the minutes as submitted for the August 7, 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 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 (tabled from August meeting).

Mr. Crowe proposed to table this item until the October 2, 2012 meeting to allow him to continue working with the City Manager on possible implications and policies.

**Motion** made by Mr. Pickens and seconded by Mr. Wallace to table this item. All present voted affirmative, motion carried.

**Case 12-38:** Administrative request to amend Zoning Code Sec. 94-145, 94-146, 94-148, 94-149, 94-150, 94-152, 94-154, 94-155, to provide for height limits in various zoning districts, and to revise height limit for Planned Industrial Development District (Sec. 94-163) (tabled from August meeting).

Mr. Crowe requested that this item also be tabled until the October 2, 2012 meeting to allow him to continue working with the Florida Department of Transportation (FDOT) on the companion Comprehensive Plan amendment to address FDOT objections.

**Motion** made by Mr. DeLoach and seconded by Mr. Sheffield to table this item. All present voted affirmative, motion carried.

**Case 12-42:** Administrative request to amend the Future Land Use Map from RL (Residential, Low Density) to PB (Public Buildings and Grounds) for 301 River Street (Riverfront Park) (tabled from August meeting).

Mr. Crowe advised that the Planning Board wanted staff to research the possibility of a Planned Unit Development for the Riverfront Park and that he would like to include the northern piece of the Riverfront, which is not included in this application. He suggested that tabling this item until next month to consider all this comprehensively would make good sense.

**Motion** made by Mr. Pickens and seconded by Mr. Sheffield to table this item. All present voted affirmative, motion carried.

## NEW BUSINESS

**Case 12-43:** Request for a conditional use to allow an outdoor shooting range in an M-1 (Industrial) zoning district.  
**Location:** 404 N. Moody Rd.  
**Owner:** City of Palatka  
**Applicant:** Sgt. Matt Newcomb, Palatka Police Dept.

Mr. Crowe gave a power point presentation of the request. He explained that this property is located on the water plant site adjacent to N. Moody Rd., and that this activity occurs in the northeast corner, behind and to the side of the fire station. He said that there are residential communities in the general vicinity, with multi-family to the south and a partially developed single-family neighborhood across N. Moody Rd. in the Stillwell Avenue area. Both residential areas are approximately 400 to 500 feet away and there is another existing shooting range, the Skeet Club, immediately to the west of the water plant property. He added that this request is part of a Police Department revitalization plan as the range has gotten a little run down. He mentioned that the shooting range was established prior to the surrounding developments, but in an effort to mitigate the impact. Staff is recommending limiting hours of operation and supplementing buffers around the use. He recommended approval of this request with the following conditions:

1. The development shall conform generally with approved site plan, as submitted with application, allowing for shifting proposed buildings around within the range area;
2. range hours will be limited to between 9 AM to 9 PM, three set days during the work week and Saturday;
3. the dumpster shall be screened on three sides with a privacy fence with the open side not facing N. Moody Rd.;
4. debris (timbers, etc.) shall be removed from the site;
5. per Landscape Code, the buffer between the range and the single-family homes across Moody will require either shrubs and trees or an eight-foot tall privacy fence across the front part of the property adjacent to those homes;
6. the project will meet other applicable standards of the Landscape and Zoning Codes.

Sgt. Matt Newcomb with the City of Palatka Police Department stated that this part of a comprehensive plan that they would like to implement within the next five years, contingent upon funding. The only condition that they have great concerns with is the three day limitation for training. He said that they eventually want to open it up to other agencies, counties, municipalities and the general public. He added that the range has been in existence for approximately 50 years.

Chairman Stewart asked if they were using the range now on a regular basis. Sgt. Newcomb replied that they currently use it for internal training only on an infrequent basis, that it has been a year since they have let other agencies use it, because the primary berm is below the 20 foot height that they feel is necessary for safety's sake.

Ms. Gooding asked if there were any response from residents regarding this request. Sgt. Newcomb responded that they have not received any comments or complaints.

Mr. Sheffield asked when the range gets to its optimum, how many hours per day would they expect to be actually firing. Sgt. Newcomb replied that this would be hard to project without knowing who is going to be out

there and who will want a membership. He added that it is a lot cheaper to use an existing range than to build one. It is approximately 1.5 million dollars to develop a new one. He added that a lot of people prefer an outdoor range versus an indoor range, and they have had a huge level of inquiry as to when it will be open to the public.

Chairman Stewart asked what it would take to find another location. Sgt. Newcomb said that actually, in the case of moving an existing range, it would take approximately 1.5 million dollars just shut down the existing range, because once a range ceases operations, the Environmental Protection Agency gets involved. He added that they did research the idea of relocating and had received a lot of information regarding what it would take to relocate.

Mr. Harwell asked when this use is maxed out, would the noise level be any greater than it has been in the last 50 years. Sgt. Newcomb said that there would be more usage, but from a decibel perspective, the firing itself would not be louder. The Police Department has been shooting fully automatic weapons out there with a wide range of calipers for many years. A 40 caliber weapon is the same decibel level now as it was forty years ago.

Discussion took place regarding the idea of limiting the hours of operation.

Mr. Sheffield asked Mr. Crowe to explain his reasoning behind the three-day limitation. Mr. Crowe said his intent was to limit sustained noise impacts to the neighborhood by compressing the activity into certain time frames. The police department could work to schedule things to where they were concentrating activities, such as block scheduling versus dribs and drabs of activity.

Sgt. Newcomb explained that a lot of what they do is contingent upon the environment and the weather conditions. There is a lot involved in the instruction and training, in the set-up, break-down and clean-up as far as the retrieval of brass, etc. The range would not experience a constant of firing. He said that to have limit availability and access could be a problem, as training may occur any day of the week, as schedules allow.

Mr. Stewart asked Sgt. Newcomb if he was OK with the staff recommendation of no shooting on Sunday. Sgt. Newcomb replied that while he could not speak for the police chief and city manager, he believed that it would be OK, that they as a City department did not typically train on Sunday and the Sheriff's office has never requested a Sunday, but he might have to get back to Board with that answer.

Discussion continued regarding the Planning Board's ability to place conditions and restrictions on conditional use approvals, including the possibility of requiring a new Conditional Use if and when the Police Department wants to open the range to the public.

**Motion** made by Mr. Sheffield and seconded by Mr. Pickens to approve the request with staff recommendations not including the three-day plus Saturday limitation. The motion passed with five yeas and a dissenting vote cast by Mr. Harwell.

**Case 12-44:** Request for a conditional use for wall graphics (murals).  
**Location(s):** 1005 St. Johns Ave.  
**Owner(s):** Alex Sharp  
**Applicant:** John Alexander, Conlee-Snyder Mural Committee

Mr. Crowe explained that this request was advertised for multiple locations. The request is for the approval of one mural (Annie Oakley) to be located at 1005 St. Johns Avenue, and four more conceptual approvals, of

murals as to location, placement, and theme. The conceptually-approved murals would come back at a later date for the approval of specificity, if the Board chose to structure their motion this way. He reminded the Board that this has been done before, with the murals to be placed at Hammock Hall that were approved conceptually with specific approval to follow later by the Historic Preservation Board. He reviewed the request for conceptual approval for the conceptual mural themes and locations;

- Babe Ruth and other well known local ball players - the north wall of 300 St. Johns Ave. (James Hotel);
- Veterans Tribute – west wall of 520 St. Johns Ave. (building E, of the Court House annex);
- Harlem Nights- west wall of 726 St. Johns Ave. (Angela’s) and;
- They Touched Our Lives - west wall of 926 St. Johns Ave.

Mr. Crowe stated that this request does not conflict with the Comprehensive Plan but rather supports some of its policies, including preserving history and promoting civic pride. He recommended approval of the request with the exception of the one requested to be located at 300 St. Johns Ave. He explained that staff completely supports the concept of the baseball mural but not the location, due to the historical significance of the building.

John Alexander explained that they really would like to create a mural of Annie Oakley and her visit to Palatka. She came with her husband Frank Butler in January of 1908. She allowed him to put on a “Wild West” exhibition on the property at the riverfront where the former high-rise was located. At that time, there was also a train station located there called the Florida-Georgia Train Depot. He added that they want to do these types of murals because so many historical events have occurred in Palatka that people are not aware of.

Mr. Pickens asked if he had any comment on the Board possibly not considering the mural to be located on the north wall of the James Hotel. Mr. Alexander replied that is a mural that they really want to do. It is not so much that they place it on the James Hotel, but they do believe that having a mural facing Reid Street would help in promoting and attracting people into the City.

Mr. Crowe advised that a survey was recently completed of downtown buildings for potential National Register Historic District status and, based on the Master Site files and research that we have done, we have determine that this building is one a few buildings that are “individually” eligible for the National Register because of its architectural significance and its historic importance as a hotel. He added that staff’s concern is that a painted mural could potentially create an issue with National Register listing, and would want to be very careful about anything that could potentially impact the ability to have a National Register Historic District.

Mr. Sheffield asked if the owner of the James Hotel had agreed to have the mural on the building. Mr. Alexander replied yes, the owner had agreed.

Roberta Correa, 703 Emmett St., member of the Mural Committee, stated that she had previously worked with the owner of the Hotel James in preparing application to register the building. She said that at one time the owner wanted the building on the National Register, but that the application was never completed.

Discussion ensued regarding possible negative consequences of placing a mural on the James Hotel.

**Motion** made by Mr. Pickens and seconded by Mr. DeLoach to approve the request with all of staff’s recommendations, including not approving the mural being located 300 St. Johns Ave. All present voted affirmative, motion carried.

**Case 12-46:** Administrative request to amend Zoning Code Sec. 94-2, Definitions and rules of construction, to eliminate specific uses from list of uses prohibited as home occupations.

Mr. Crowe advised that this is an administrative effort to amend the list of prohibited home occupations. Since the time the code was written things have changed, some areas of the code are archaic or overly restrictive and even contradictory. An example of contradictory regulations includes language found in the Zoning Code that allows beauty salons in the R-2 & R-3 districts as home occupations, despite the prohibition of the use established in the definitions section. He reviewed the guidelines for home occupations, and pointed out that the required conditional use process provides for additional safeguards and considerations. Specifically, staff believes that the now-prohibited home occupation uses of beauty shops, barbershops, musical instruments, dance or swimming instruction, and massage therapy can be appropriate home occupation uses when limited to a single client at a time and can be carried out in a residential setting without a noticeable increase in traffic, noise, or other negative impacts. Furthermore, staff believes that the prohibition on utilizing accessory buildings for home occupations is not necessary. In older parts of the City it is not uncommon for homes to have outbuildings such as garage apartments or cottages that can only be used as non-rental "mother-in-law" suites, and allowing home occupation uses to occur in such outbuildings would better utilize properties. He does not see the distinction between activities occurring in the principal residence or in an outbuilding. He added that particularly in these days, when people are struggling to support their families, the opportunity to start some small businesses with a small amount of start-up expense could be appropriate with the right safeguards and conditions put in place. He recommended approval of the request.

Mr. Harwell stated that he believed this was opening up a can of worms, especially when it comes to beauty salons, music instruction, and massage therapy, that things can get carried away. Discussion continued regarding consideration of conditional use criteria and restrictions that can be put in place.

**Motion** made by Mr. DeLoach and seconded by Ms. Gooding to accept staff recommendations. The motion passed with four yeas and a dissenting vote cast by Mr. Harwell.

**Case 12-47:** Administrative request to amend the Future Land Use Map from RH (Residential, High Density) to COM (commercial) and rezone portions of properties from R-3 (Multi-family Residential) to C-1 (General Commercial).

**Location(s):** properties adjacent to Zeagler Drive, north of Crill Ave.

**Owner(s):** Multiple

Mr. Crowe advised that this is a housekeeping effort. The hospital and a number of the medical clinics along Zeagler Dr. have a residential land use category and/or zoning. This action will more appropriately reflect the existing medical uses. He added that he had discussions with the owner of 201 Zeagler Drive, who at first did not support the change but upon further reflection did support it. Mr. Crowe reviewed area land use and zoning maps depicting the proposed and surrounding properties and recommended approval.

**Other Business:** Discussion of PUD for Riverfront Park.

Jonathan Griffith, Assistant to the City Manager, reviewed the basic components of the 2009 approved riverfront development plan. He said that they constantly use the plan as a sort of "tool box" that they go back to the Commission for final approval before securing grant funding or turning dirt. He stated that they are currently working with the Rotary Club to secure funding for the nature based playground. They have completed all the park enhancements, streetscape and stormwater improvements for the north section of the park. They have secured funding for the boat launch expansion from two to five slips, as well as the demolition and reconstruction of the restrooms and snack bar. The city has made application to the Florida Wildlife Commission for 2014 funding for additional dock slips. He added that they will be re-advertising a request for

proposals and for alternatives to that process, for the redevelopment of the block 1 & 2 commonly referred to the 100 block.

Mr. Crowe added that when considering a potential Planned Unit Development for the Riverfront Park, it is important to retain some flexibility and we already have, as Jonathan stated, a “tool box” with interchangeable parts. We know that we want to expand the mooring facilities, add an education center and have additional retail/mixed use development in the two blocks along 2<sup>nd</sup> Street. We know that we want to retain the open green space elements along the river, and there has been some community consensus that it would be nice to have a riverfront restaurant at some point. He added that as the Planning Board expressed an interest in having a PUD for the riverfront, he wanted to know what the Planning Board wants to see in a PUD, looking for some direction to propose a draft. The original intent was to change the current land use designation, for portions of the riverfront, from a residential category to a PB category (Public Buildings and Facilities). The Board had concerns regarding the looseness of the PB category and the idea of a PUD was to provide some flexibility, to be able to define what could go there, such as concessions for kayaks, or a restaurant and it would better fit better that category. He added that he didn’t choose the recreation category, because in the Comp. Plan the recreation category is very specifically centered on pure parks, the idea about putting it in PB category was to provide some flexibility, for concessions for kayaks, or a restaurant and it would better fit better that category.

Mr. Holmes commented that with the plans for the whole riverfront development area to include the 100 block, things are still very fluid right now and going with a PUD at this time could be much like a chicken or the egg scenario. The idea of revisiting the whole methodology that we have been using, and possibly looking at it from a different prospective, is being considered right now as past efforts have resulted in things not moving forward. The Board may want to wait on a PUD and see what kind of proposals come through. He said he would be more concerned that a PUD could block attempts made to revitalize the area.

Mr. Crowe advised that he would agree with Mr. Holmes that it may be too soon, or at the very least the Board should make the PUD flexible so the city does not constrain itself from accepting good riverfront projects. But for now, he believed it would be a good idea to consider a text change to the recreation category that allows limited public/private uses that are recreation oriented.

Mr. Wallace stated that he would hate to see public buildings for that area, as there have been some hellacious public buildings on that property in the past. He added that we were not talking about ironing out the details of a PUD at this time, we were talking about a PUD zoning that would put some protections in place to be reviewed at a later date when a proposal is accepted.

Mr. Holmes advised that a Planned Unit Development is a plan, and that nothing can go there that the City does not specifically give approval of.

Mr. Harwell stated that whatever gives the Planning Board the ability to review what goes there, is what he would like to see.

Chairman Stewart agreed with Mr. Holmes and stated that a PUD without a plan is not the way we want to go.

Mr. Crowe advised that he would come back to the board for consideration, changing the land use category request to recreation and put some thought into how we can amend the recreation category to allow limited public/private land uses, maybe even by reference, that have been visualized for this area.

**Vice-Chairman Election.** Nomination for Vice-Chairman was made by Mr. DeLoach and seconded by Ms. Gooding to elect Mr. Sheffield. All present voted affirmative, motion carried.

**ADJOURNMENT-** With no further business, meeting adjourned.