



**CITY OF PALATKA  
PLANNING BOARD MINUTES  
November 5, 2013**

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Anthony Harwell, George DeLoach Lavinia Moody and Earl Wallace, (arrived after the 2<sup>nd</sup> case). **Members absent:** Joe Petrucci, Judith Gooding and Joe Pickens. **Also present:** Planning Director Thad Crowe and Recording Secretary Pam Sprouse.

**Motion** was made by Mr. DeLoach and seconded by Mr. Sheffield to approve the minutes for September 3, 2013 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** – none

**NEW BUSINESS**

**Case 13-49:** Request to amend Municipal Code Sec. 94-200(e) to reduce the required minimum size for required permanent enclosed structure associated with non-temporary outdoor storage and sales from 1500 to 1200 sq. ft.

Mr. Crowe explained that application for this request is for the reduction of minimum size for permanent structures associated with non-temporary outdoor storage and sales, which is currently 1,500 sq. ft., and the applicant would like the Board to consider reducing the minimum to 1,200 sq. ft. to accommodate his business of non-temporary outdoor storage shed sales, proposed to be located at 3725 Reid St. and is a companion request to be considered next on the agenda. He reminded the Board of its April 2<sup>nd</sup> 2013 meeting's recommendation to the City Commission that non-temporary outdoor sales be allowed within C-2 zoning districts as a principal use, with the condition (among others) that there be a permanent building on the site that was at least 1,500 square feet in size. The reasoning behind the permanent structure rule was to ensure that a business had a permanent presence on the site instead of just a collection of outdoor sales items. Staff believes that there is not a substantive difference between a 1,500 and a 1,200 sq. ft. building, and that the smaller building will suffice in establishing a permanent presence for a business and accommodating the central office activities. In the interest of economic development and infill, important factors in the City's Comprehensive Plan, he recommended approval.

**Motion** made by Mr. Sheffield and seconded by Ms. Moody to recommend approval of the amendment as submitted. All present voted affirmative, motion carried.

**Case 13-45:** Conditional use request for non-temporary outdoor sales located in a C-2 zoning district, located at 3725 Reid Street.

Mr. Crowe gave an overview of the request and reviewed a sketch plan submitted by the applicant to show the general layout of parking, vendor spaces and proposed landscaping. He stated that the applicant has proposed the hours of operation to be Monday through Saturday 8:30 a.m. to 6:00 p.m. Mr. Crowe added that he believes this application meets applicable non-temporary outdoor sales criteria and recommended approval in accordance with the revised site plan submitted by the applicant and subject to the following conditions:

- a Required buffering and screening shall occur at the time that residential development occurs to the rear.
- b The site plan must be revised to include six parking spaces adjacent to the building on the paved area, with one of those being a 15-foot wide and 20-foot long handicapped space with a five foot striped ramp on the passenger side, and the others being 10 by 20 foot spaces. The internal driveway shall be at least 22 feet in width. The parking row shall have parking-space-size landscape islands on either end with shade trees planted within them that are adjacent to the end of parking rows. Wheel stops are required.
- c Garbage cans must be stored in an area that is enclosed on three sides with a six-foot tall privacy fence or wall and on one side with a swinging gate.
- d Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size, otherwise the Sign Code shall apply.
- e Display items are to be arranged in an organized and neat manner and not in a haphazard arrangement.
- f No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; or personal services shall be offered for sale.
- g Shed storage areas visible from the right-of-way shall be screened by fencing or vegetation that shall be maintained in an attractive and neat appearance. Sheds will be clustered together in an organized and attractive manner in several multiple display areas, and those visible from the public right-of-way shall be bounded by portable fences and large potted plants.
- h Exterior lighting shall be shielded and downcast to reduce glare.
- i Hours of operation are 8:30 AM to 6 PM Monday through Saturday.

Mr. Sheffield asked Mr. Hatcher if he had any problem with the restrictions recommended by staff as well as the hours of operation. Bob Hatcher with Florida Carports and Sheds, the applicant for this request, stated that he was amenable to the conditions recommended.

Ms. Moody commented that the City is trying to create some growth here but also address the problem of certain businesses violating zoning standards and presenting an unattractive appearance and strongly suggested that the applicant take the recommendations seriously and make the business look good. Mr. Hatcher indicated he would diligently comply with codes.

**Motion** made by Mr. DeLoach and seconded by Ms. Moody to approve the request subject to staff recommendations. All present voted affirmative, motion carried.

**Case 13-46:** amend code Sec 94-161 and 162 to establish an overlay zoning district to provide for design standards and use restrictions in the Downtown zoning districts.

Mr. Crowe explained that what Staff is proposing is a kind of holistic and comprehensive set of guidelines governing downtown. Unlike many other Florida towns and cities of the City's size, Palatka's downtown does not have any design regulations or any special standards. There is some vague language in the zoning district's development standards section about creating a pedestrian oriented environment, but that is not very enforceable. The proposed overlay addresses the broad spectrum of issues that affect downtown and encourages the revitalization of downtown, using the Main Street approach. This approach generates pedestrian activity and brings more people downtown to restaurants, retail stores and personal service establishments. The overlay also addresses the current right to demolish any downtown building regardless of historic or architectural significance and the need for some basic design standards to ensure that new infill buildings and the renovation of existing buildings will blend with the fabric of the physical environment of Downtown Palatka so as not to present a jarring contrast with existing community character and architecture. The overlay also

encourages uses that contribute to a vibrant and active shopping and business area. Mr. Crowe explained that there are two areas being proposed: 1) the retail core which would include properties fronting on St. Johns Avenue from the Riverfront Park up to 11<sup>th</sup> St.; and 2) the Periphery area which includes all areas zoned DB (Downtown Business) and DR (Downtown Riverfront) excluding the retail core. He added that there are many communities that have these types of standards and protections in place. The overlay standards would not present a regulatory burden as they would be administered by staff with any appeal of staff's decision would then come to the Planning Board. He completed his PowerPoint presentation by graphically presenting the proposed design criteria for the building façades, signage and amendments to the allowed uses.

Mr. Sheffield asked if this was in essence creating a downtown historic district. Mr. Crowe explained that this was a step short of a historic district and was more of a design district that provided limited historic protection – in essence requiring historic preservation board review for the 16 individually significant downtown historic buildings but not for the 62 contributing buildings or the 29 noncontributing buildings. This measure is justified by Comprehensive Plan policies under Future Land Use Element Objective A.1.5 that compel the City to preserve historically significant buildings.

Robert Lemon, 111 Easement Lane, Interlachen, commended the City for taking these steps to have regulations for any area, historic buildings are extremely valuable and this is a wonderful way to preserve the history and add to the ambiance of the whole city. Zoning is also a very good way to separate incompatible uses, such as an industrial site right next to a residential use. He questioned mixing the two issues (architectural design and zoning) as they are both fairly complex issues. He said that he would encourage the City to separate the two issues and suggested workshops inviting input from the taxpaying community.

Reverend Don Hanna, St. James United Methodist Church and Vice President of the South Putnam Ministerial Association voiced concerns of putting restrictions on churches even though right now it is confined to St. Johns Ave. and then also restricting those specific churches on the periphery deemed historic. He read a letter from the South Putnam Ministerial Association urgently requesting the tabling of this proposed amendment to a time certain. Additionally, the Association requested that the Planning Director forward to them the interpretation of this proposed ordinance before the next meeting. He ended by saying that the appropriate action would be to table this request until additional review can be made.

Neal Chancey, 2615 Lane St., Palatka, commended Mr. Crowe for his detailed restructuring of the zoning code to really appeal to the commercial class (use), but expressed concerns for some of the items relating to compatibility. He agreed that revitalization for downtown as a base is very important, but this effort should not impact churches. To restrict the church is to restrict the church's ability to reach out to people in this community that are in need. He recommended taking out the emphasis on churches of this amendment, and also recommended that a questionnaire be sent out to the community about this particular code amendment.

Cynthia Aisa, 424 N. Fern St. San Mateo, stated that she attends church on 7<sup>th</sup> St. and Main St. and wanted to know if her church would be affected by this amendment which would be a problem for them, as the church is trying to grow. She agreed that this item should be tabled for a workshop discussion so that the community can better understand the proposed changes and how existing businesses and uses will be affected.

Kirby Kennedy, representative of First Baptist Church, 501 Oak St., agreed that Mr. Crowe and his group have done a tremendous job trying to figure out ways to make downtown an incredible place where people will gather. He stated that his church has been in Palatka since the early 1870s and on Oak Street since the early 1900's. He stated that they have a vested interest in downtown. He also requested that this item be tabled. He added that they have the ability to invest in downtown to bring people downtown. He said that his church had met with city officials in August and again in September regarding how they could invest in the property across the street from the church in building a \$3.5 to \$4 million-dollar family life center with a gymnasium and

swimming facility with a façade on St. Johns Ave., possibly to include an art gallery as well. He said this would grow their congregation and added that city staff had made no mention of these proposed changes.

Charlie Rayburn agreed with the need for a workshop.

Bob Taylor, 241 Crystal Cove, commended Mr. Crowe and staff in their efforts on putting the guidelines together. He stated that there are some concerns (some that have already been voiced) and another one is with the 50 year historic rule (structures are eligible for local and national historic registration once they are 50 years old). He agreed that a workshop would be advisable to find compromises on some of the concerns that need to be worked out. One significant concern is with removing the allowance of some of the uses, as those that are existing will then become non-conforming, which could be troublesome.

Dawn Perry, 2370 Westover Dr., stated that a lot of his concerns have been brought up by the previous speakers and added that of her opposition to excluding churches from this area and referenced excerpts from a federal statute protecting churches known as the R.E.L.U.P.I.A. act.

Alexander Altman, 5256 Silver Lake Dr., referred to a quote from Benjamin Franklin, stating that if you give up a little freedom for protection, you deserve neither freedom nor protection, as has been presented as “a sort of protection measure” with this proposal. He believes that it is clear this amendment will create a schism in the community that this particular issue and point will create division and conflict within the very community the Board is trying to serve.

Charles Rudd, Palatka Main St. Manager, referred to grants that are attracting people to the retail district and explained that the goal is to create a destination retail corridor of specialty boutiques and restaurants as that is the only way to compete with the big stores like Wal-Mart and K-mart, so the Downtown retail/entertainment district competes on specialization, customer service and attracting people to a retail destination, that brings an infusion of new dollars into the community. The statistics prove that when you buy local, more money stays in the community. Mr. Rudd added that all of the current uses that have been allowed, all this time are a big part of what has brought the City to this point today, adding that more than fifty percent of current use is office/non-retail and another twenty-five percent is vacant. Every space is extremely valuable and each space needs to support the next space, staff is just proposing the retail corridor for the proposed overlay zoning use restrictions. The goal is to create a destination retail corridor of specialty boutiques and restaurants as that is the only way to compete with the big stores like Wal-Mart and K-mart. He ended by saying this is just another tool for the City to use to where we can kind of tip that mouse, and change what we have been doing, because “we” people don’t like what we have been getting to where we preserve and create a retail corridor. These uses are allowed in the periphery of this district, as well as in other places all over town. He continued that there is probably not any use that is allowed in every district.

**Motion** made by Ms. Moody and seconded by George DeLoach to table this request until a workshop can be held. All present voted, resulting in 5 yeas and 1 nay (Mr. Harwell). Motion carried.

**Case 13-47:** Administrative request to repeal the Public Schools Element of the Comprehensive Plan.

Mr. Crowe explained this request is for consideration of repealing the Public Schools Facilities Element of the Comprehensive Plan. The Florida legislature several years ago eliminated the requirement for this element within the Comprehensive Plan of local jurisdictions due to its basic “unworkability” and unnecessary red tape. Given that the school enrollment is declining and ample school capacity is available, significant residential development is unlikely to occur to create school capacity problems and the City has very little say about school boundary changes; and also 3) the process requires unnecessary investment of staff time on all fronts; Staff recommends repeal of the Element.

Staff recommended repeal of the School Facilities Element of the adopted Comprehensive Plan

**Case 13-48:** Request for a conditional use to expand an existing church located in an R-2 (Two-family) zoning district.

**Location :** 1511 Washington Street  
**Owner:** Church of God by Faith, Inc.

Mr. Crowe reviewed the staff report and recommendations for consideration. He recommended approval with the following conditions:

1. Uses on the property shall be limited to a maximum existing 225-seat church sanctuary, associated activities normally associated with a church, and 864 square foot new multi-purpose building.
2. Site development shall occur in keeping with the approved site plan.
3. Per Zoning Code Section 261 any exterior lighting on the site must be designed and arranged so that no source of such lighting is visible from adjoining residential properties. All site lighting shall be shielded or downcast to eliminate glare on adjoining properties and roadways.
4. The refuse area shall be screened on three sides with a six-foot tall privacy or stockade fence.
5. The Applicant shall erect a six-foot tall wood privacy or stockade fence or plant a continuous hedge of similar height along the east and west property lines adjacent to the new addition (not along the entirety of these property lines). While it is not required, Staff recommends that the Applicant plant a shade tree to the west of the new addition. The Applicant shall submit a landscape plan showing these elements for staff review and approval prior to any permit issuance.
6. All other applicable standards of the Municipal Code must be met.

Mr. Sheffield asked if the building design would be in keeping with the existing building.

Robert Benjamin, agent and contractor for the owner advised that it would be in keeping with the existing church and that the construction documents are in review at the building department. He explained that this is a multipurpose room for activities for the existing congregation.

**Motion** made by Mr. Sheffield and seconded by Mr. DeLoach to approve the request as recommended by staff. All present voted affirmative. Motion carried.

**Case 13-50** Administrative request to amend Municipal Code Sec. 94-295 Landscaping and Tree Protection (General landscape requirements) to provide standards for fencing; and amend Buffering and Screening Code Section 94-303 to the following landscape area types applicable to conditional uses: roadway buffers, vehicular use buffers, and parking lot landscape islands.

Mr. Crowe recommended tabling this item to the December 3<sup>rd</sup> meeting for continued research and refinement of the ordinance.

**Motion** made by Mr. Deloach and seconded by Ms. Moody to table the request until next month. All present voted affirmative.

With no further business, meeting adjourned.