



**CITY OF PALATKA
PLANNING BOARD MINUTES
December 3, 2013**

The meeting was called to order by Vice-Chairman Daniel Sheffield at 4:10 pm. **Other members present:** Earl Wallace, Anthony Harwell, George DeLoach and Joseph Petrucci. **Members absent:** Chairman Carl Stewart, Lavinia Moody, Judith Gooding and Joe Pickens. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Donald Holmes.

Motion was made by Mr. DeLoach and seconded by Mr. Harwell to approve the minutes for November 5, 2013 meeting. All present voted affirmative, motion carried.

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

NEW BUSINESS

Case 13-51: Request to annex, amend the Future Land Use Map to RL (Residential-Low Density) and rezone to R-1A (single-family residential).

Location: 2410 Tommy Ave.

Owner/Applicant: Vincent and Gloria Thompson

Mr. Crowe advised that this request was made due to the need for water and that the request meets all annexation Land Use and Rezoning requirements. Staff recommended approval of the request,

Motion made by Anthony Harwell and seconded by Mr. DeLoach. All present voted affirmative, motion carried.

Case 13-52: Request to annex, amend the Future Land Use to PB (Public Buildings and Grounds) and rezone to PB-2 (Public Buildings other).

Location: 1400 N. State Rd 19

Owner: Marc Spalding

Applicant: Putnam County School District

Mr. Crowe advised that this case was originally advertised for PB and PB-2 zoning but he is recommending industrial land use and zoning designations, which are comparable to the advertised request. The industrial zoning and land use will allow for more impervious surface, which is more suitable for the Applicant's needs to develop a school bus maintenance facility. He added that the current School Board facility is located in a residential neighborhood which is unsuitable for such a use.

Mr. Petrucci asked what other uses would be allowed in M-1 zoning, since the site was across the street from a park.

Mr. Harwell added that billboards and adult entertainment facilities are allowed in M-1.

Mr. Crowe advised that is true, but added that there are distance restrictions between adult entertainment facilities and parks in place that would prohibit such uses in this location.

Motion made by Mr. DeLoach and seconded by Mr. Petrucci to approve the request as recommended by Staff. All present voted affirmative, motion carried.

WORKSHOP DISCUSSION - Case 13-46: Workshop discussion regarding administrative request to amend Municipal Code Sec. 94-161 and 94-162 to establish an overlay zoning district to provide for design standards and use restrictions in Downtown zoning districts.

Vice-Chairman Sheffield explained that no action would be taken during this workshop, that this is an opportunity to share concerns and ideas for the proposed amendment. He added that due to the number of people here today, there will be a time limit of five minutes for each person in an effort to allow all to speak.

Mr. Crowe explained the rationale for the amendment, displaying maps of the historic buildings and vacant parcels within the downtown area. He said the proposed amendment follows the Main Street program's approach of encouraging pedestrian generated uses such as restaurants, retail and personal services and is designed to ensure that development and redevelopment is compatible with the historic downtown character. Of the buildings downtown, from St. Johns to Main St., there are 16 significant historical buildings (12%), 63 contributing historic buildings (45%) and 60 noncontributing (43%). He explained that significant structures include the train station, City Hall Larimer Center, St. James Methodist Church, Bethel A.M.E. Church, Dairy Queen, Moragne building, James Hotel, Shelley building, Atlantic National Bank, Putnam County Courthouse, 417, 617-627, 726 and 801 St. Johns Av. and Angels Diner. He added that the amendment would recognize and help to retain the rich historic architecture of downtown, complimenting the North and South historic districts. The amendment would also help to protect and provide certainty for downtown property owners and developers as well as enhance property value. Staff is proposing two zones for the downtown areas, the retail core (St. Johns Ave from the river to 11th St.) and the periphery (all other areas within the downtown zoning area). There are certain institutional and other uses that do not generate foot traffic. He said that the current code explains the intent of downtown zoning is intended to provide "pedestrian oriented retail/entertainment" that discourages uses likely to create friction with pedestrian movement. Mr. Crowe referenced Palatka's 1964 Comprehensive Plan, which expressed the need to free up parking for retail uses by eliminating non-retail uses. He also referenced a landmark 1962 Washington, DC study and a 1959 Cleveland study, both of which support the need for concentration of retail to stimulate pedestrian activity. Several other reports, surveys and analyses referenced including *2010 Downtown Naperville Pedestrian Gap Analysis*, *2009 Downtown Milwaukee Streetfront Retail Strategy*, *2004 Downtown Tallahassee Pedestrian Connectivity Plan* and *2003 Fort Lauderdale: Building a Livable Downtown*. He added that all of these studies and many more all say the same thing, which is that you must create an environment that is conducive to foot traffic and pedestrians, where you have uses that attract customers to support the retail core. He explained that the use restrictions were proposed for the retail core only and the current uses would still be allowed in the periphery areas. The list of restricted uses for the retail core include package liquor store, drive-through restaurants, accessory structures (such as garages, sheds, decks and boathouses), boat repairs/marinas, government uses, appliance store, arcade, auction houses, bait & tackle shops, convenience stores, grocery stores, marine hardware and supplies, dry cleaning, Laundromats, car washes, outdoor amphitheaters & parks, expansion of nonconforming uses and child care as an accessory use. These uses do not have any stigma attached to them - the City is simply trying to preserve the main shopping

street for retail shopping and restaurants. He reiterated that uses such as institutional, government offices and churches are uses that generally attract specific and narrow segments of the population, as in the case of churches for example –churches vary across the board, with some having activities throughout the week and others being inactive for much of the week. There is no way to regulate activity. Institutional uses generally have vacant storefront windows which tend to stem the activity of foot traffic. He explained that the design standards are also proposed for the retail core only. The proposed design standards are intended to be administered by staff to allow for expedited review and to provide for clear-cut standards while allowing some flexibility. There is an avenue for appeal of Staff’s interpretation of the standards to the Planning Board of staff decision. Mr. Crowe added that his research included the review of several thriving nearby areas with downtown design standards in place, such as Apopka, Deland, Eustis, Gainesville, Mt. Dora, Ocala and St. Augustine. He stated that staff’s research has found that to have a successful downtown you need to have certain safeguards in place that provide a certain base level protection of the core retail function and he believes that the City owes it to the businesses downtown to preserve the retail area. The Overlay would also include design standards that protect the historic architectural character of downtown while complimenting the North and South Historic Districts. He explained that the design standards are proposed to provide basic standards for alterations and new construction. The standards are intended to be flexible while providing a redevelopment-friendly district. The design standards are proposed for alteration of building exteriors and also for new construction. The standards address awnings and canopies, emphasize store entrances and storefront windows, and the protection of architectural features. Basic color standards prohibit fluorescent colors so as to not present a jarring contrast with downtown buildings. Exterior materials in the retail core and periphery must be brick or stucco. Retail core lighting shall resemble period lighting, particularly gooseneck light fixtures. The design standards also propose that all storefront windows be maintained, as this is considered critical in attracting foot traffic. Historic building roof lines shall be maintained in the retail core. The standards would require future signs along Reid Street be ground signs, in an effort to reduce sign clutter, which detracts from downtown revitalization.

Mr. Petrucci asked if the existing non-conforming buildings and uses would be exempt from the code amendment. Mr. Crowe answered that after being vacant for more than six months, uses must conform to the use standards.

Discussion ensued regarding the recommended design suggestions for the proposed Hampton Inn. Mr. Harwell said he met with the Planning Department as the Planning Board had requested to recommend some architectural design ideas for the proposed building, versus the boxed style that was submitted, and that he submitted some design elements that he thought would be appropriate. Mr. Wallace said that he has seen some of the suggested design ideas that Mr. Harwell put together and likes them better as it didn’t appear to substantially change the building, but rather gave it more of an old time feeling. Mr. Crowe advised that staff’s understanding of the Board’s motion was to work with Mr. Harwell on some design suggestions and forward them to the developer, which Staff accomplished. He added that a corporate hotel like the Hampton Inn is bound by the Hilton Hotel’s corporate design standards and, as previously discussed, there are certain parameters that have to be considered. Mr. Crowe stated that Staff believes that a lot of progress has been made from the boxy design originally submitted. Elements of interest have been added to the architecture, such as splitting the building into bays and adding faux balconies and alternating roof lines. He believes that the amended design will comply with the design standards for downtown.

Mr. Rudd, Palatka Main Street Manager stated that he wanted to focus his comments on looking at the results the City and the citizens want to get. Currently the City has a 25% vacancy rate and 50% of properties are non-retail on St. Johns Avenue. The first step is to quantify what is wanted for St. Johns Avenue. A mixed use central business district downtown with residential, offices, professional services, churches and shops is the desire, but to be successful, somewhere in there must be a core or concentration of retail. He presented some

picture of what is currently along St. Johns Ave., pointing out the many spaces converted from retail to offices, churches and other non-retail and non-service type uses with closed and darkened windows. He showed those retail spaces that engage the sidewalk, with open display windows and tasteful sidewalk displays. Mr. Rudd stated that this is what helps the district to grow, that retail needs other retail to grow and share customers. It draws the pedestrian down the sidewalk, from the bakery to the book store and to next shop and so forth. This is what makes the pedestrian want to keep going to see what is next. When people get to an area where there is no more retail and or large gaps, studies have shown people tend to turn around and leave when they can no longer see what comes next. Comparing photos of what is existing and what is desired for St. Johns Ave., he reiterated that current regulatory environment is not giving us what the City and the citizens have expressed a desire for and that is a thriving downtown. He ended by saying that he believes that the proposed changes will create a gradual point of change over time. As things change out we begin to move the district to a retail corridor, just one street, to strengthen the entire central business district which strengthens the entire community. If we want to get different results, we must do different things.

Vice-Chairman Sheffield invited public comment.

Gail White, 117 Rivers Edge Drive, East Palatka, stated that the plan looks great and asked for clarity of the overlay area. Mr. Crowe explained that the proposed use changes are for the retail core area (along St. Johns Ave.) only. The rest of the area within the Downtown Business and Downtown Riverfront districts are referred to as the periphery with different use restrictions but with some basic design standards for new construction and signage. Ms. White stated that her church, (First Baptist Church of Palatka) have met with staff and reviewed the proposed changes. She asked if there is a building loss, albeit hurricane, fire, etc... would the overlay prevent them from rebuilding and would a conditional use permit "before" this overlay provide protection to rebuild for the existing churches that are currently invested in Palatka. Mr. Crowe replied that the most all of the existing churches in the downtown zoning districts, with the exception of the 800 block, are outside the retail core and would not be affected by this amendment. The 800 block Holy Word church would be recognized as an approved conditional use, which is effectively zoned for the church use. St. Mary's Church is a legal nonconforming use, meaning it can continue indefinitely in its present state.

Bob Hartwig, 543 West River Rd., asked if the First Presbyterian Church is within the periphery area and if there were any type of catastrophe they would go through the normal procedures to rebuild. Mr. Crowe replied that is correct as this church is within the South Historic District which is not intended for inclusion in the overlay area.

Robert Lemon, 111 Easement Ln., Welaka, thanked the Board for having the workshop and staff for all of the hard work and thought into the overlay, rezoning and design standards and believes that they are necessary to have some continuity in a small town like Palatka. He added that the River front is Palatka's gem and main draw. He suggested that the city may want to look at having the proposed hotel reserve the first floor for retail. He added that all small towns down town areas across the country are hurting due to malls and the big box retail. A lot of other cities have created a retail environment with coffee shops, antique stores, retail to promote their "ace in the hole" be it beach or river etc... He asked if the proposed design standards would require existing businesses to upgrade. Mr. Lemon ended by recommending that the two items; the overlay zoning and the architectural review or design standards be considered separately. Vice-chairman Sheffield reiterated that Mr. Crowe had explained the standards would only be for new construction and major exterior improvements. Mr. Crowe added that the hotel will be facing Memorial Parkway and not the retail core of St. Johns Ave. (and thus not subject to the retail core standards), however in the purchase agreement there is a strip of land adjacent to St. Johns Ave. that is reserved for retail development.

John Poitevent, 269 River Dr., East Palatka, asked for confirmation that the First Presbyterian Church on 2nd street and the apartments on 3rd Street are not within the overlay zoning. Mr. Crowe answered in the affirmative.

Calin Lester, 695 Calin Rd., asked if storm water retention would be affected. Mr. Crowe advised that City and St. Johns River Water Management District requirements would have to be met.

Mr. Holmes referred to the Municipal code regarding distance restrictions as applied to adult entertainment facilities.

Mr. Petrucci asked how the existing county offices would be affected by this amendment. Mr. Crowe advised that such uses on the south side of St. Johns Ave. would be allowed to continue as legal nonconforming uses, but that any significant additions to these uses would not be allowed. Uses on the north side of this street in the 400 and 500 blocks would be excluded from the retail core and would be part of the periphery.

Neal Chancey, 2615 Lane St., commended the Board, Staff and Mr. Rudd for their efforts in doing a great job. He said that there is no doubt that we all want the City of Palatka to have economic growth and uniformity, whatever it takes to rejuvenate and reinvigorate is important to bring in new revenue, not by raising taxes, but new revenue. He spoke in support of the First Baptist Church of Palatka, as Chairman of Deacons, and their planned family life center. He questioned if this would be an allowable or grandfathered use, understanding that there may have to be negotiations of possible storefront uses along St. Johns Avenue. He asked what good is it if we gain economic value to our city but loose the hearts and minds of our young people. Adding that he believes that their multi-million dollar family life center will reach the hearts and minds of many, giving a source of encouragement of families, enhance a source of business in that area, and aesthetically will be state of the art.

Cynthia Benz, 4498 Summer Haven Blvd Jacksonville, stated that she agreed that plans for controls are necessary and that the proposed ideas sound reasonable but cautioned the Board against any extreme measures that based on old information and comparisons from dissimilar areas.

Kirby Kennedy, 106 Lisa Lane, thanked the Board for tabling this request, for a workshop and allowing the First Baptist Church time to work with city administrators. He said that the church has had two meetings with the city and believes that they are making great progress on being able to coming to some kind of compromise on allowing the church to move forward with Phase 1 and Phase 2 of the Church's expansion plans. He explained that Phase 1 is the purchase of the TD Bank building and the renovation of the two story building into educational space for preschoolers, children and some adults, leaving the one story building for workshops and such. Once that building is paid for (anticipated for 2018), Phase 2 will involve building a new family life center, demolishing the one-story building that is currently there. He read a letter from the Putnam County Ministerial Association requesting that the City of Palatka amend the proposed prohibition of churches in the downtown retail core, and recommend the language be amended to read that churches are discouraged but not prohibited from locating in the retail core area fronting St. Johns Avenue.

Roberta Correa withdrew her comment request.

Michael Gagnon withdrew his comment request.

Brian Hammons, Putnam County Planning and Development Director, stated that the public has a large investment in County-owned land and buildings downtown and asked if the use were non-conforming, the first time they were to apply for permit to work on that building what they would have to do. Secondly, he submitted that the government uses downtown are actually professional office uses and it appears the government use

designation refers to who owns the property and not the actual use being conducted there. He urged staff to class governmental office in with the professional office designation. Mr. Crowe advised that a legal nonconforming use would be allowed to continue in that location indefinitely.

Mr. Holmes referenced section Sec. 94-114. Nonconforming lots, structures and uses; § (g) Repairs and maintenance: Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof. Mr. Holmes added that there does not appear to be any mention of value cap or percentage for repairs and maintenance, however; §(d)(2) Nonconforming structures, states: Should such structure be destroyed by any means to an extent of 60 percent or more of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this chapter.

Mr. Harwell asked why the Courthouse was being exempted and did it include the accessory buildings to the west of the courthouse. Mr. Crowe replied that the Courthouse and the accessory buildings have a significant presence and that the intent is to limit County agencies using storefront buildings downtown outside the government complex.

Robert Taylor, 241 Crystal Cove Dr., referred to a portion of staff report of Oct 22, 2013. He stated he is in support of the design guidelines. He believes that they are a bit aspirational and time will help heal some of the wounds. He commented that the guidelines are not historic design guidelines and 15 or so buildings are now being identified as significant. He said that there should be more than the Planning Director and a historic preservation student to decide what is historically significant. Mr. Taylor added that he believes that the public has a significant investment in the properties as a taxpayers and believes that the decision making body should be increased to possibly include be that taxpayer, a downtown building owner, and a member of the county. He believes in preserving and protecting our historic buildings, but is concerned with relegating that authority to a few people. The design guidelines in some areas appear to try to legislate or create historical features which he is opposed to, and believes that the buildings should stand on their own merit. Some of the standards have been in place for years and years and such as reflective glass and awnings below eight feet, yet there are several buildings that are not in compliance. He suggested that someone other than the Building Official should look at these plans to ensure the guidelines are enforced and the city map needs to be defined very clearly as it relates to the north and south historic districts, the central business district and how it relates to downtown business and riverfront as the lines overlay at times and create confusion.

Alex Altman said that there were an extreme number of restrictions and regularity standards which will be required for new business and create a hardship in an already tough economic time. He believes that what makes Palatka special is that it is different, and referred to Angel's Diner as with many others that are a prize for Palatka, that would not be allowed as they are under the proposed design standards.

Vernon Adams, 5262 Silver Lake Dr., referred to the Constitution and the protection of freedom of religion. He stated that churches are a vital part of our community and urged the Board not to restrict churches. He added that there are enough regulations and pressures choking existing business, and many of them are struggling and barely hanging on. He stated that he believes that the proposed standards would impose hardships on many of the existing businesses.

David Harrell 271 East River Rd., East Palatka, wants to know how the amendment can help him rent his spaces. He stated that he is opposed to the amendment.

Kenny Eubanks, 141 Ranch Rd. East Palatka, said he cosigned the check to get a main street manager, and expressed his wishes that some of these changes should not be made.

Dawn Perry, 2370 West River Dr., stated her objections to the overlay and referenced a federal law that prohibited discrimination against churches.

Mr. Crowe advised that the design regulations in the periphery areas would be much less restrictive than in the retail core and would allow new uses such as Angel's Diner.

Mr. Petrucci commented that in his opinion churches would be best served around the residential communities and commercial areas are best served for commercial uses. He added that he believes that the differences between Palatka and some surrounding communities like St. Augustine and Gainesville is that these towns create a feel or a theme to separate the downtown from the malls and big box stores.

Don Holmes commented that the decisions should not be based on feelings. The decision needs to be based on whether it is appropriate to put an overlay on one 11-block area of one street and restricting non-retail uses to create a retail entertainment district.

Vice-Chairman Sheffield questioned the issue of property rights for existing property owners. He asked if there were any considerations, or protections for existing building owners. Mr. Holmes advised that grandfathering does just that as it allows the use to continue until such time as it goes away. Mr. Crowe added that the State changes the Building Code minimum standards on occasion and all are required to meet these minimums.

Mr. Harwell asked Mr. Crowe questions regarding some of the design standards for existing and new construction.

Mr. Holmes asked Mr. Crowe if there were any considerations made for a variance. Mr. Crowe replied that if it pertains to a strict dimensional standard, a variance could be applied for, if it is related to more of an interpretational item, an appeal of Staff's decision would go to the Planning Board.

Mr. DeLoach said he was in retail for 35 years and agreed that retail thrives when near other retail, that one of the best things to happen to his business was when the furniture store moved in across the street from him. He added that for 12 of those years he was president of the Downtown Merchants Association, and they went to nearby downtowns to determine what could be done to improve downtown. He said that he believes that downtown Palatka can thrive again and stated that he supported the overlay.

OLD BUSINESS:

Case 13-50 Administrative requests 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 regarding landscape buffers applicable to conditional uses.

Mr. Crowe requested that this item be tabled to the next meeting.

Motion made by Mr. DeLoach and seconded by Mr. Petrucci to table this item to the January, 2014 meeting. Motion passed unanimously.

OTHER BUSINESS

The 2014 meeting calendar was presented and approved by a consensus of the Board:

January 7th

February 4th

March 4th
May 6th
July 1st
* September 9th
November 4th

April 1st
June 3rd
August 5th
October 7th
December 2nd

* Note: September's regularly scheduled meeting date falls next to the Labor Day holiday; it is staff's recommendation that this meeting be held on the 2nd Tuesday of the month.

Vice-Chairman Sheffield advised of Chairman Stewart's resignation, and asked for the Board to consider a replacement for Chairman at the next meeting.

ADJOURNMENT

With no further business, meeting adjourned.