CITY OF PALATKA
PLANNING BOARD AGENDA
August 6, 2013

1. Call to Order.

2. Roll Call.

3. Approval of Minutes of the July 2, 2013 meeting.

4. Appeal procedures and ex parte communication.

5. **OLD BUSINESS:**

Case 13-12: administrative request to amend the Municipal Code to revise various landscaping and tree protection standards as set forth in Zoning Code Chapter 94, Article VI and VII. (tabled from the July Meeting)

6. **NEW BUSINESS**

Case 13-32: Conditional Use request to locate a church within 300 feet of an alcohol serving establishment.

Location: 806 St. Johns Avenue
Owner: Hector R. Corzo, MD
Applicant: Holy Word Revival Center, Vivian Johnson

Case 13-33 Request to amend the Municipal Code Sec. 62 and Sec. 94 revising standards for temporary A-frame, sandwich, and menu board signs for special events held within the Downtown Business and Downtown Riverfront zoning districts.

Applicant: Palatka Main Street, Charles Rudd

Case 13-35 Conditional Use request for a pawn shop located at 701 St. Johns Ave.

Owner: Thomas V. Kavanaugh
Applicant: David Buth

Case 13-36 Conditional Use request to expand an existing Church use in an R-3 zoning district.

Location: 1624Bronson Street
Owner: Sherman and Beverly Canty

CASE: 13-37 Administrative request to amend the Comprehensive Plan Future Land Use Element Policy A.1.9.3.A.2 to eliminate impervious surface minimums from Downtown zoning districts.

7. Other Business None

8. 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

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY BUILDING DEPARTMENT AT 329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

CITY OF PALATKA
PLANNING BOARD MINUTES (DRAFT)
July 2, 2013

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

Motion was made by Mr. DeLoach and seconded by Mr. Sheffield to approve the minutes for May 7, 2013 meeting. All present voted affirmative, motion carried.

Chairman Stewart recognized Mr. Crowe for the lifetime achievement award that he recently received from the Florida Planning and Zoning Association.

OLD BUSINESS

Case 13-12: administrative request to amend the Municipal Code to revise various landscaping and tree protection standards as set forth in Zoning Code Chapter 94, Article VI and VII.

Mr. Crowe requested that this item be tabled for additional staff review.

Motion made by Mr. Sheffield and seconded by Ms. Gooding to table the request. All present voted affirmative, motion carried.

NEW BUSINESS

Case 13-24: administrative request to amend the Municipal Code Sec. 62-1 Sign definitions to modify definitions for Banner Signs and to provide for clarification.

Mr. Crowe requested tabling this item for further research and assessment of existing conditions.

Motion made by Mr. Sheffield and seconded by Ms. Gooding to table the request. All present voted affirmative, motion carried.

Case 13-25: administrative request to amend the Municipal Code Sec. 94-145 to reduce the R-3 density from 31 to 18 units per acre to match the Residential High Future Land Use Map category.

Mr. Crowe explained that the Comprehensive Plan allows up to 18 units per acre for Residential High density, while the zoning code for R-3 (Residential multi-family) allows a much higher 31 units per acre, and which the Comprehensive Plan take precedence. He added that this density is sufficient for multi-family developments.

Motion made by Mr. Deloach and seconded by Mr. Petrucci to recommend appoval. All present voted affirmative, motion carried.

Case 13-27 Preliminary and final plat approval (lot split)
Location: 201 Zeagler Dr.
Owner: Kiva of Palatka LLC, Thomas D Scarborough

Mr. Sheffield stated for the record that his mother is a resident of the Kiva assisted living facility.

Mr. Wallace stated for the record that he did the boundary survey for this lot split.

Mr. Crowe explained that this request is for the City's recognition of a recorded easement that accesses the undeveloped rear portion of the lot, which the Subdivision Code defines as a platting action. The front portion of the lot is developed as a medical clinic. The applicant plans to He recommended approval of the 35-foot wide easement running along the north side of 201 Zeagler Drive and accessing the lot to the rear of this property.

Motion made by Mr. Deloach and seconded by Ms. Gooding to approve the request as submitted. All present voted affirmative, motion carried.

Case 13-26: Conditional Use request to locate a church within 300 feet of an alcohol serving establishment.

Location: 211 St. Johns Avenue
Owner: Ruth Burke
Applicant: The River Community Church, Pastor Chad Perry

Mr. Crowe explained that the zoning code requires both churches and alcohol serving establishments to be subject to a distance restriction of 300 feet from one another. He said that even though churches are a permitted use in the downtown zoning districts, because they are within 300 feet of an alcohol serving establishment the Alcoholic Beverage Code requires that such uses be considered through the conditional use process, which comes with its own set of review criteria. He said that the building's owner received a grant for a fitness center at this location but this use did not pan out. He added that the church is currently holding regular worship services at the riverfront Quality Inn. Mr. Crowe reviewed the evaluation criteria, stating that there was sufficient vehicular and pedestrian access and parking. He added that the downtown zoning districts are exempt from parking, landscaping and buffering requirements except for parking lot landscaping requirements. Staff's main concern pertains to compatibility. More specifically, this building is located in the retail core of Downtown and removing this large storefront area out of the potential for retail use could create what is called a "dead zone," where you have less pedestrian life and retail activity. This dead zone is accentuated by the relatively wide frontage of the building (approximately 90 feet). Studies of successful and walkable downtowns have found that concentrations of retail and restaurant uses greatly increase pedestrian traffic and street life, benefitting downtown businesses in general. Narrow storefronts contribute to increasing the interest and appreciation of pedestrians with the changing scenery of storefront window displays, signs and architecture. The combination of this property's wide frontage and removal from retail/service use would exacerbate the dead zone effect and staff has concerns that the lack of foot traffic and activity as generally generated by retail, restaurant and personal service uses will hamper downtown businesses. He added that the intent of the downtown zoning districts is to provide a pedestrian orientated retail, entertainment and personal service area. In the context of a downtown, a necessary ingredient for lively street life includes businesses with day and evening activities - churches do not provide that kind of activity. He emphasized that this assessment should not discount churches as an important component of downtown, pointing out several established churches in the periphery of the downtown retail corridor which complement the downtown retail core.

Mr. Petrucci asked if there were any restrictions with the church locating next to the Bingo Hall. Mr. Crowe replied that distance restriction is related to alcohol and that there were no distance restrictions between those two uses.

Ms. Ruth Burke, 510 Mulholland Park, owner of the property under consideration, spoke in favor of the request and stated that she was happy to have the River Community Church in her building and believes that this would be a good fit.

Pastor Chad Perry, 2370 Westover Dr., gave the Board members a handout, outlining basic information about the church and thanked them for their consideration. He explained that the church has been meeting at the Quality Inn, renting out all of their ballroom space on Sundays, while looking for a place to call home for the church. They are a one-year old unconventional, non-denomination church with several small groups throughout the County. He referenced some Bible passages, referring to the Church's desire to make Palatka a better place and the benefit of the righteous (Proverbs Chapter 11; 8 and Genesis 18 & 19). He read letters of support included in his submittal from the following persons: Jeanine Smith (one of Pastor Perry's Advisory Board members), Amanda Deffendall, Marianne B Honer (Assistant Manager of the Quality Inn & Suites), T.J. Smith (Beef O'Brady's), Robin Robinson (Hope FM radio station), Linda Faw (Women's Resource Center), Herbert and Sandra Smith (members of The River Community Church), Aray Woodward (Bingo Palace), and Ruth Burke, property owner.

City Attorney Holmes addressed the Chairman regarding the applause and comments coming from the audience. Mr. Holmes explained that the request to be considered is a process of deciding land use. It is not to decide whether a church is a good thing or if the church's people are good people. It is not a contest of who is in favor or who is against the request, nor is it one based on emotion, it is a land use decision with a review process that has to be applied consistently case by case. From that perspective, he reminded the Board to base their decision not on emotion, or cheers or boos but based upon the rules that apply to every applicant.

Pastor Perry shared a letter of support from John Lyon, owner of Steamboat Willies and said that he had also received verbal support from the people of the Elks Lodge. He stated that the only real issue is whether the Church should locate within 300 feet of a bar. He shared a power point presentation, showing existing churches in the proximity of bars within the downtown area which he believes sets precedence. He referred to several more Bible scriptures related to alcohol in Psalm 60 and John II, and said the bottom line is that the Bible says if you are going to drink you must drink responsibly- the bible stands against drunkenness. He referred to an e-mail he had received on July 1 and another on July 2, 2013 from the Planning Director Thad Crowe, stating that the Church needed to complete a business registration application with the City of Palatka and also needed to apply for a Conditional Use approval for the Beef O'Bradys' location, as that location was also within the distance restriction of an alcohol serving establishment. He pointed out that the Mr. Crowe had added in that letter, that if the Church were to apply for a Conditional Use at the hotel, Staff would support that request, which he found disconcerting as Staff is recommending denial for this location, and so it appeared to him that the distance restriction is not really the issue. He then noted that this property, the old McCrory's building, was important to him as his father had worked at a McCrory's in another city and shared some of his family retail history.

Mr. Petrucci asked Mr. Perry how his family retail experience relates to the Church use.

Pastor Perry answered that he believes his retail experience will help him create wonderful window displays to attract foot traffic, as he was taught the importance of this by his father. He plans to turn the vacant storefront

and "dead space" around with clean, interesting window displays, creating traffic and curb appeal. They intend to bring this building, which has been empty for 20 years, back to a "lively space." He added that they will have multiple environments within that space. The church would have an open door policy during the listed regular office hours, and would institute activities such as a coffee area, a media center, reading and study areas, and indoor gaming and play areas. He added that they may even develop a retail area of books CD's and tapes sometime in the future. He mentioned that the County had just recently purchased another piece of property in the 300 Block area, calling it "office space" which he believes is also classified as "dead space." He said that they want to be good neighbors and believes that this Church will actually bring business to the downtown establishments. He added that they have no intention of feeding the homeless at the 211 St. Johns Ave. that they may assist them with their needs but it would be at the program location. He said the Church has no intention of hurting the businesses downtown by their functions, only to enhance them.

Ms. Burke commented that even if the Church moves into the building it would remain on the tax rolls.

Mr. Charles Rudd, Main Street Manager; stated that he was speaking on behalf of the Main Street Board of Directors and as a professional. He has been a Main Street Manager and a downtown revitalization professional for 16 years. Palatka is the fourth community he has had the pleasure to serve, working here for the past two years. He networks with at least 1,500 other Main Street professionals across the Country. One of the things Main Street professionals strive toward in revitalizing a downtown is "critical mass" of retail uses. There are approximately 100 storefronts on St. Johns Ave. including those businesses occupying multiple spaces. Of those, 25% are vacant and of the occupied spaces, 50% are non-retail. This leaves approximately 25% retail within the downtown retail corridor. Mr. Rudd explained that one of the things a developer looks at when considering a new project is the critical mass that is required to attract an audience for a project such as a plaza. This critical mass must hold that audience for four hours, where people can eat and browse from shop to shop for it to be a viable project. The downtown is the shape of a barbell, with the middle (400 to 600 blocks) being office professional and the ends (200-300 blocks and 700-900 blocks) being retail nodes which need to be strengthened to better connect to each other. This is very important to work toward the goal of creating a viable downtown. If the 25% of vacancies were occupied with retail uses the overall retail percentage would still only be at 50%. At least 75% of the downtown should be a mix of retail/restaurant/entertainment. He added that every space is important to create a thriving downtown environment. One of the indicators that a downtown is in distress is the presence of storefront churches and offices. The presence of these uses indicates that rents are low and even though they may increase lunch traffic, those uses generally do not contribute to the retail corridor. The central business district is very large and there are already ten churches downtown, along with lots of offices and professional uses with some residential as well. These uses are all important to the mix but it is very important to have a retail/restaurant corridor that supports the surrounding mix. He summarized by saying that Main Street is concerned about trying to preserve retail corridor and the pedestrian, walkable environment – it is not about the church but that particular location within the retail core.

Ms. Burke stated that she owns a lot of the large vacant buildings and has spent a fortune, advertising all over the area including St. Augustine and Jacksonville. They come and fall in love with the buildings but the bigger stores do not want to pay the rents and they say that it is a dead downtown. She stated that it is easy to get the little stores.

Robert Taylor, 710 St. Johns Ave., He agreed with Staff's report findings as well as the concerns Mr. Rudd's had stated regarding the importance of the location in the revitalization efforts of the downtown core. He added that zoning has been established for a reason and in an effort to protect and preserve the downtown. The McCrory building was developed for retail and should return to retail, it could be sub-divided which would enhance its

opportunity for retail. He pointed out that a concerted effort has been made by the City of Palatka and Palatka Main Street to establish a viable retail core. He also believes it is extremely important to have a pedestrian corridor with lots of shops & restaurants to help enhance the development of this core. He said that he is not against churches, he is a Christian and he loves and serves God. While he applauds the Applicants' efforts to establish a church, he does not believe that this is the right location for a church and recommended denial of the request.

Alex Altman, 5256 Silver Lake Dr., spoke in support to the request, and stated that he does not believe there is issue with the proximity between the church and the bar, as the church has received support from the institutions that are being addressed. He said that in his opinion this is a loophole requiring them to establish why this request has viability and he believes that it does. He believes that the points that have been brought forward by staff and others are based on history and different circumstances and have no relevance in this individual and unique case, as this is not your typical church. He believes that the only consideration that should be made is the proximity to a bar, in which there is no issue because it has been addressed and signed off on.

Discussion: Mr. Holmes commented that the proximity to alcohol serving establishment is not the only issue, it is also compatibility with the surrounding land use. Mr. Crowe reiterated the point that the 300 foot distance restriction is what triggered the conditional use requirement, and that is when the criteria for conditional uses must be considered by the Board. Mr. Holmes agreed with Mr. Crowe and added that some uses are permissible by right and some can be allowed by conditional use considerations. Regardless of why one has to apply for a conditional use, the request must be guided and considered by the very specific conditional use criteria, including compatibility with surrounding land uses.

Dawn Perry, 2370 Westover Dr., thanked the Board for the opportunity to proclaim and promote downtown, that their hope to be a part of the revitalization of the downtown area. She stated that she believes that their request meets all of the required criteria and that she believes precedence has been set in the past and wanted to emphasize that since the mid eighteen hundreds churches have been located Downtown which is zoned to allow churches by right. She quoted the definition of a conditional use found in the Municipal Code, Definitions and Rules of Construction; Sec. 94-2(b). She said that their church should not be considered as dead space, but rather a positive contribution to the area, as they will have longer than usual hours with all of the activities they have planned. She added that they want to be a part of the revitalization of Downtown; they are a service use and believe that their church will provide lots of foot traffic with their extended hours.

Mr. Holmes stated that the same criteria is applied to all requests that require a conditional use approval and is intended to provide consistency in the review process.

Webster Marlow, 120 Kirkland St., spoke in support of the request, stating that he has looked at the vacant spaces along St. Johns Ave. and believes it time to have someone there doing something.

Ms. Janet Sikes, 113 Green Dr., former owner of Special Occasions Bridal Shop, spoke in favor of the request. She stated that she has several friends that have gone out of the retail business in the retail corridor of downtown, as it is a bad economy and doesn't believe any large retail business will be able to prosper downtown in that location.

Dwayne Johns, 206 Belmont Dr., spoke in favor of the request and stated that he has lived here for over 20 years and has not seen the revitalization of the downtown area and believes that at least this request is going to interject life.

Steve Rodrique, 305 Moseley Ave., asked who would be the one to pay for the suggested splits to the existing building.

Jerry Haffner, 122 Hilty Lane East Palatka, member of the Main Street Board, read a letter from Downtown Palatka Inc. (representing the majority of the businesses downtown). That letter endorsed by unanimous consent the Palatka Main Street Board of Directors letter dated June 21, 2013 and of the Community Vision for a revived retail corridor along St. Johns Avenue and supports denial of this request. He said that he has been involved in trying to help Downtown Palatka to be something better for the past 28 years, and in all of the activities he has been to, including his visits to this Planning Board, the Putnam County Board of Commissioners and Palatka City Commission he did not recall seeing these people before tonight for this request. He said there is a problem with that, that most people only become involved when the need arises to become involved.

Jerry Haffner spoke again as an individual and said that he was personally insulted and extremely disappointed in the way that this request was presented. He stated that he also is a Christian and that he was here tonight with regard to the agenda item for consideration, and that the sermon that was given tonight had nothing to do with the points for consideration. He added that the approach demonstrated exactly why he did not believe this church would fit downtown, because on numerous occasions here tonight there were comments made by this Board that the speaker should have picked up on with regards to sticking to the points for consideration, and to cut out all the emotional and irrelevant information. He added that the way you help a City is by being involved in the City, not to reach an objective that you have for yourself, but to help a City reach an objective.

David Church, 103 S 7th Street, spoke in opposition of the request. He stated that considers himself to be a successful business owner and owns several buildings downtown. He said that he has heard a lot of comments about nothing happening downtown and that kind of affects him, as he has been on the Main Street Design Committee for about 12 years and believes he and others have done quite a bit to help in the efforts. He applauded the Main Street Manager, Charles Rudd in his effort to make a difference. He added that there have been a lot of improvements made to the area and new businesses coming in. In his opinion, the vacant building owners have neglected their buildings year after year, sitting on the buildings and have done nothing with them. He believes if the building owners would take care of their buildings and maintain them they could rent them out, otherwise they should sell them.

Bonnie Buck, 208 S. 9th St., moved here in April, spoke in opposition of the request. She said that she leases a space on St. Johns Ave. across the street from Steamboat Willie's. She stated that since she first opened up her business has been doing better and better, month after month. She thanked Main Street and the people that care there. She stated that her store needs more retail nearby and that she supports the retail/entertainment corridor vision of Downtown.

Adam George, 232 West River Rd., previously a minister of Music at First Presbyterian Church, said they did not have any parking issues, during their Wednesday and Sunday evening services, with the Bingo Palace.

Ed Killebrew, owner of Servpro, 608 Main St., stated that he is not in support of or against the request. He added that this use is not what he had envisioned for downtown, but does believe that this church could bring foot traffic to the Downtown area.

Robert Lemon, 111 Easement Lane, Welaka spoke to compatibility, and stated that seems to be the biggest hurdle. He added that compatibility depends upon which eyes you are looking through and believes that churches have already been approved as compatible with other businesses in that area.

Edward Hawkstar, 101 Winchester Avenue, Interlachen, spoke in support of the request. He stated that the focus seems to be compatibility, but there are two businesses that have already experienced an entire year with this congregation and have expressed that their experiences with church have been positive.

Abigail Maxwell, 7437 Crill Ave., spoke in support of the request. She stated that she has been involved with the Church and its outreach programs since its inception.

Mellissa Botley, 841 Bardin Rd., spoke in favor of the request and stated she believes the use will help restore downtown.

Francine Modrique, 305 Moseley Ave., spoke in support of the request and stated that she has patronized the antiques and other storefront shops downtown on two occasions, which were both during festivals. She believes that for her the shopping sprees might be a couple of times per week rather than a couple of times per year.

Kirby Kennedy, 106 Lisa Lane, Pastor of First Baptist Church, spoke in support of the request.

Ms. Burke stated that she hopes the Board will make an exception for this request.

Mr. Sheffield stated that this Board is charted by the City of Palatka to give consideration to land use issues and does not believe that this use is compatible with the downtown retail area.

Motion made by Mr. Sheffield and seconded by Mr. Wallace to deny the request. Motion carried with a unanimous affirmative vote.

With no further business, meeting adjourned at 6:44 p.m.

Case 13-12
Tree Preservation and Landscape Code Revisions

STAFF MEMO

DATE: July 30, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

This item represents a comprehensive updating of the tree preservation and landscape code to reflect best practices and current circumstances as well as to provide greater clarity. Staff is recommending tabling this item to the September meeting as we continue to research and refine the ordinance.

Case 13-32

Request for a Conditional Use for Church within 300 feet of establishment serving alcoholic beverages

806 St. Johns Ave.

Applicant: Vivian Johnson McKnight

STAFF REPORT

DATE: July 30, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

A conditional use to allow a church within 300 feet of establishment serving alcoholic beverages. Public notice included newspaper advertisement, property posting, and letters to nearby property owners (within 150 feet). The Holy Word Revival Center is now operating in this location with Sunday morning and Friday evening services and Wednesday night bible study. This conditional use application is an "after the fact" request.

Figure 1: Property Location

APPLICATION BACKGROUND

This historic Masonry Vernacular building was built around 1930 and is part of the historic downtown central business district. The building originally had three storefronts and included such uses as a radio shop, glass store, and Army-Navy store in the 1940s and 1950s. At the time of the 1981 historic survey of the downtown it was used as a non-denominational storefront church (this was prior to the City having formal zoning). More recently the Planning Board in July, 2010 approved a conditional use for a church at this location. However the church did not complete the business registration with the City and after September, 2011 the lawful use of a church ceased and with it the conditional use. As noted in the Applicant's narrative the church use opened up in this location without any approvals from the City. The Applicant was aware of the previous church use and assumed they could operate similarly to the past church tenant. Staff informed the Applicant that a business registration was required, and that a new conditional use approval was also required due to the proximity to an alcohol-serving establishment.

PROJECT ANALYSIS

This case is very similar to the conditional use request for 211 St. Johns Ave., denied by the Planning Board at their July meeting. While churches are an allowable use by right in downtown zoning districts, they are subject to distance requirements set forth in Chapter 10 (Alcoholic Beverages) of the Municipal Code. Exceptions to the 300-foot minimum distance between churches and alcohol-serving establishments propel the church use into the conditional use category. A conditional use is defined as a "use that would not be appropriate generally or without restriction throughout a zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare." Regarding this last statement, it should be noted that there are nine active churches in the central business district (bounded by the river, railroad tracks, Madison Street, and Laurel Street), representing a considerably higher concentration of this use than in other districts and the remainder of the City.

Figure 2: 806 St. Johns Ave. – subject property

Figure 3: The historic St. Mary's Church, across the street, constructed in 1884

Per Section 94-200(c)(3) the Planning Board shall also review conditional use applications using the following criteria.

a. Compliance with all applicable elements of the comprehensive plan.
Staff comment: no specific comprehensive plan goals, objectives, and policies are applicable to this application. While Future Land Use Element Policy A.1.2.2 references and supports the Community Redevelopment Area Plan, this Plan provides no specific direction on downtown uses.
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.
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.
Staff comment: while nonresidential uses, including churches, are exempt from Zoning Code minimum parking requirements in the downtown, this property has 16 off-street private parking spaces, which the Applicant has stated are available for the public to use. There is also ample on-street parking and scattered public lots as well. Given the "off-peak" operation of the church Staff does not anticipate there would be a parking problem for the church and does not believe its operation would substantively impact surrounding uses.
d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.
Staff comment: The applicant will be using the green roll-out containers. No screening or buffering is required but containers must be placed behind the building when not at the curb for pick-up on the allocated days.
e. Utilities, with reference to location, availability and compatibility.
Staff comment: the site is fully served by utilities.
f. Screening and buffering, with reference to type, dimensions and character.
Staff comment: this is not applicable as the Zoning Code exempts downtown properties from landscaping requirements (except for parking lots).

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.
Staff comment: Signage and lighting must be in keeping with Zoning Code requirements.
h. Required yards and other open space.
Staff comment: this is not applicable as the Zoning Code exempts downtown properties from setback and open space requirements.
i. General compatibility with adjacent properties and other property in the district.
Staff comment: The response to this criterion is the same as that offered for 211 St. Johns Ave. Included in this packet is a letter from a City's Main Street Manager and Downtown Palatka, Inc. Similar to the July request, these letters set forth the argument that this church use is not compatible with the nature of the downtown retail core of St. Johns Avenue between the Riverfront Park and S. 11th Street. Staff concurs with this argument, particularly as applied to the retail concentrations between S. 2nd and 6th St., the 700 block, and the 900 block. Uses that are not retail, restaurant, or personal services uses lack the foot traffic and storefront window displays that promote a vibrant downtown pedestrian environment that "pulls" pedestrians down the street. Research has shown that empty lots, parking lots, and office/institutional uses serve as "pedestrian dead zones" that reduce the synergy and vitality of a downtown retail core.[1] Uses like churches lack the activity and longer hours of operation that sustain street life. Churches are single-point destinations in that typically the only reason people go to them is to worship.

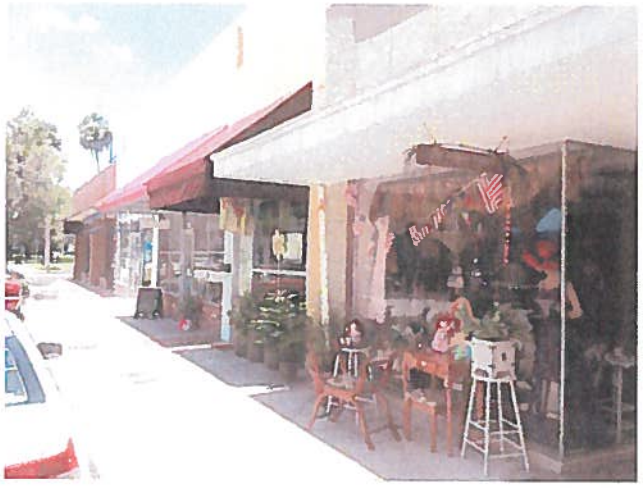
Another issue pertains to the relatively wide frontage of the building - studies of walkable downtowns such as Boulder, Colorado have found that narrow storefronts (averaging around 25 feet in width) contribute to increasing the interest and appreciation of pedestrians with the changing scenery of storefront window displays, signs, and architecture. Many of the buildings in the 200 through 400 blocks of St. Johns Ave. have such narrow storefronts, but the combination of this property's wide frontage and removal from retail/service use would exacerbate the dead zone effect. This could also hamper the City's efforts to revitalize the 100 block of N. and S. 2nd Street, a half block away.

These principles are even more important to consider in this case as the 800 block is fragmented by the presence of several vacant lots, which further hampers the continuity of street life between the more strong 800 and 900 blocks.

The Zoning Code provides support for the compatibility argument presented above. The intent of the Downtown Riverfront (DR) zoning district is to provide a "pedestrian oriented, retail/entertainment environment" that "discourage(s) uses that are likely to create friction with pedestrian movement."

Staff has included in this packet the Staff report for the previously approved conditional use in this location – the response in this report to the compatibility criterion noted compatibility with adjacent properties and

[1] Verified in multiple studies including Downtown Naperville Pedestrian Gap Analysis (Solomon Cordwell Buenz, 2010), Downtown Tallahassee Pedestrian Connectivity Plan (RMPK Group, 2004 for the Tallahassee Downtown Improvement Authority), Fort Lauderdale: Building a Livable Downtown (City of Fort Lauderdale, 2003),



Figures 3 & 4: 400 and 600 Block St. Johns Ave – narrow retail storefronts provide interest for pedestrians

noted there was a church across the street. However it should be noted that in 2010 the City did not utilize the Main Street approach and there was not a level of detail given to examining the land use mix of downtown.

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

Staff comment: There are no conditional use special requirements for churches.

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

Staff comment: Not applicable.

Conclusion

With a finding of general compatibility and lack of substantive negative impacts from the proposed use the Board could approve the application on the basis of general conformance with review criteria. However Staff believes that the use is not compatible with the strong retail character of St. Johns Ave., and that there are currently a sufficient number of churches in the central business district. Churches are an important component of the City's land use fabric, but are better suited in peripheral areas of the downtown, along major road corridors, and in some cases in residential settings when limited in intensity.

STAFF RECOMMENDATION

Staff recommends denial of the application.

ATTACHMENTS: APPLICANT NARRATIVE & EXHIBITS
2010 STAFF REPORT

Statement of Justification

Holy Word Revival Center

806 St. Johns Ave.

Palatka, Florida 32177

Project Name:	Holy Word Revival Center
Property Owner:	Hector R. Corzo, M.D.
Applicant:	Vivian Johnson
Location:	806 St. Johns Ave., Palatka, Florida 32177
Request:	To locate a church within 300' of an alcohol serving establishment and to be issued the needed documentation, licenses and permits, in order to allow Holy Word Revival Center the Conditional Use, in order to operate as a church at the above mentioned location.

The purpose of the use shall not adversely affect the surrounding properties and businesses, and is believed to be consistent with the City's Comprehensive Plan and shall not discourage appropriate usage of adjoining properties or businesses, as this location has housed two previous churches .

The proposed use shall not generate pedestrian or traffic hazards.

Parking is available to the public, when our usual three weekly church services aren't scheduled. We have allowed and encouraged the use of our parking lots, adjacent to each side of the building, for the general public and local businesses, during events, such as, the Blue Crab Festival, Azalea Festival and during the monthly Downtown Block Party, when the street is closed for a car show.

The following services, Wednesday and Friday nights, as well as, Sunday mornings that will be held at this facility create no noise violations. Any Conferences and Conventions that we have held in the past and will continue to do so in the future have been held at the Ravine Gardens, a State of Florida facility, the Price Martin Center, a City of Palatka facility, the Best Western and the Sleep Inn & Suites . All these facilities have been used by Holy Word Revival Center on numerous occasions without any problems occurring.

As a church and as individual members, we have utilized the services of and supported several downtown businesses since our beginning as a church. Some of those utilized are the Guide Post Book Store, Graphics II Print Store, Tire Kingdom, Dairy Queen, Family Shoe Store, S&S Seafood and Angela's of Palatka. We also utilize local hotels and restaurants. We have done this in order to try and keep our community and the local merchants supported and not to take business outside of Palatka. We have also received a warm reception from the owners of these businesses and other churches nearby. We believe that we are an asset to the downtown community, the City of Palatka, as well as Putnam County.

Our church membership consists of individuals that are employed by the State of Florida, City of Palatka, local businesses and also includes business owners.

Our church has been established for over seven years and has been located in another location. We moved into this location, unaware that there had been a lapse in the previous tenant's Occupational License. We were also unaware of the proper process of transferring our Occupational License, until we actually applied to do so.

We agree to adhere to any and all ordinances, policies, regulations and City, County and State Laws that apply to us. This is to include obtaining any permits, paying any required fees and submitting required documentation for any changes and events to occur on the property.

Palatka
MAIN STREET
REVITALIZATION-IT'S OUR NATURE.

July 30, 2013

City of Palatka Planning Board
City of Palatka
201 N. 2nd Street
Palatka, FL 32177

Dear Board members,

I am writing to you on behalf of the Palatka Main Street Board of Directors to again express our concerns about allowing a Conditional Use to permit the location of a church on St. Johns Avenue. As I indicated to you at your meeting in June, it is our hope and vision that St. Johns Avenue will again become the retail core of a mixed-use Central Business District (CBD). Again, I want to be clear that our opposition is not to the church itself. We already have many churches located in the CBD who are partners in the community and a component of a mixed-use downtown. Our opposition is to the proposed location of the church on St. Johns Avenue, our retail corridor. Palatka Main Street, as well as our partner organizations, has been working for years to revive the downtown and to have a vibrant retail core is fundamental to this effort. Every space on St. Johns Avenue is critical to building the volume and density of retail necessary to attract and retain a shopping public. The very nature of church facilities, which are typically vacant during daytime, is opposite from retail hours and contrary to the goal of stimulating retail activities. We sincerely hope you will support the community vision for a revived retail corridor along St. Johns Avenue and deny the Conditional Use.

Sincerely,

Charles Rudd
Main Street Manager

Downtown Palatka, Inc.

Downtown Palatka, Inc.
P.O. Box 832
Palatka, FL 32178-0832
July 30, 2013

City of Palatka Planning Board
City of Palatka
201 N. 2nd Street
Palatka, FL 32177

Dear Board Members,

Downtown Palatka Inc. by unanimous consent endorses the Palatka Main Street Board of Directors' letter to you, the City of Palatka Planning Board, dated July 30, 2013, and supports the community vision for a revived retail corridor along St. Johns Ave. and supports denial of requested variance at 806 St. Johns Ave.

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Thank you for your support,

Downtown Palatka, Inc.
Executive Board of Directors

Statement of Justification

Holy Word Revival Center

806 St. Johns Ave.

Palatka, Florida 32177

Project Name:	Holy Word Revival Center
Property Owner:	Hector R. Corzo, M.D.
Applicant:	Vivian Johnson
Location:	806 St. Johns Ave., Palatka, Florida 32177
Request:	To locate a church within 300' of an alcohol serving establishment and to be issued the needed documentation, licenses and permits, in order to allow Holy Word Revival Center the Conditional Use, in order to operate as a church at the above mentioned location.

The purpose of the use shall not adversely affect the surrounding properties and businesses, and is believed to be consistent with the City's Comprehensive Plan and shall not discourage appropriate usage of adjoining properties or businesses, as this location has housed two previous churches .

The proposed use shall not generate pedestrian or traffic hazards.

Parking is available to the public, when our usual three weekly church services aren't scheduled. We have allowed and encouraged the use of our parking lots, adjacent to each side of the building, for the general public and local businesses, during events, such as, the Blue Crab Festival, Azalea Festival and during the monthly Downtown Block Party, when the street is closed for a car show.

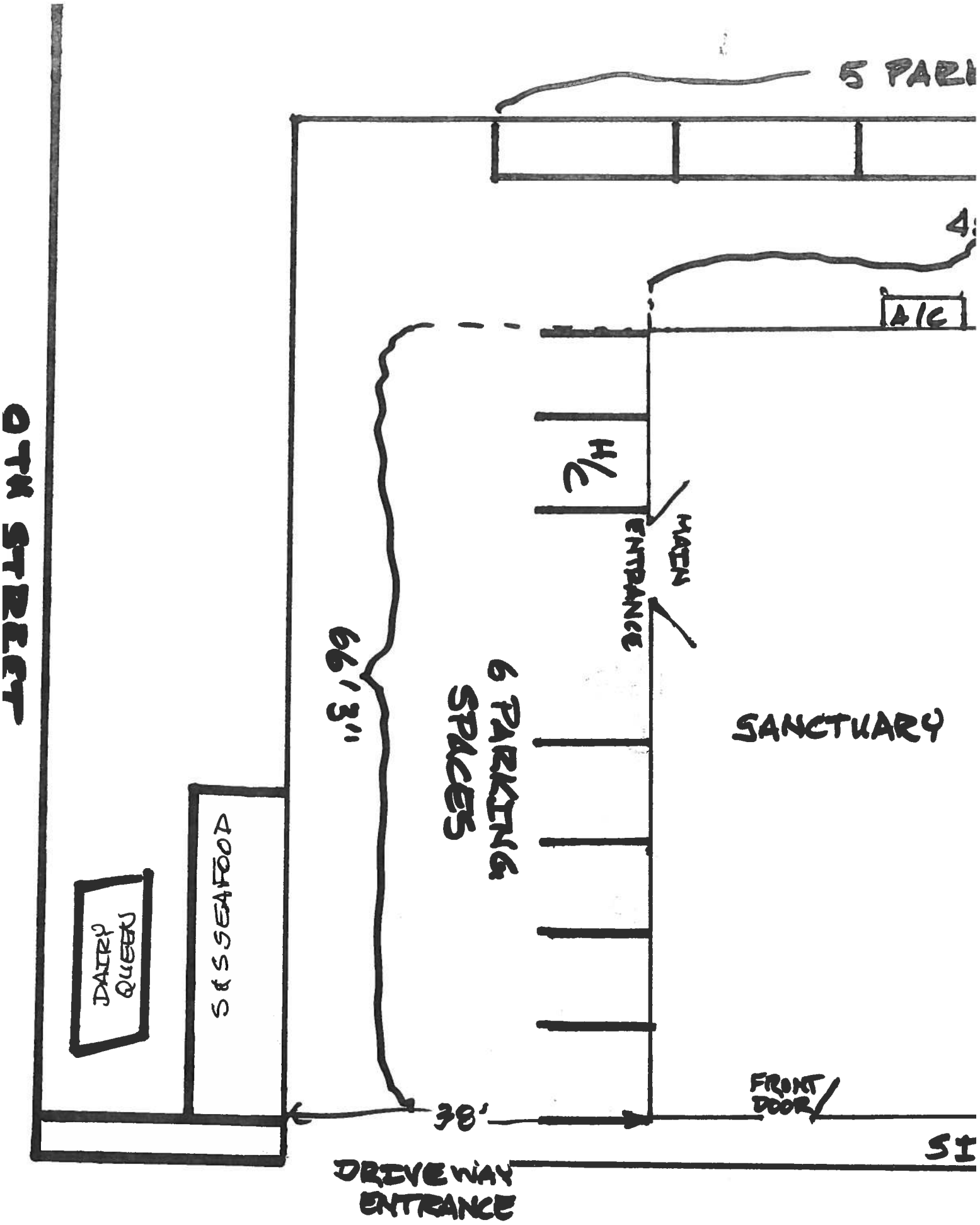
The following services, Wednesday and Friday nights, as well as, Sunday mornings that will be held at this facility create no noise violations. Any Conferences and Conventions that we have held in the past and will continue to do so in the future have been held at the Ravine Gardens, a State of Florida facility, the Price Martin Center, a City of Palatka facility, the Best Western and the Sleep Inn & Suites . All these facilities have been used by Holy Word Revival Center on numerous occasions without any problems occurring.

As a church and as individual members, we have utilized the services of and supported several downtown businesses since our beginning as a church. Some of those utilized are the Guide Post Book Store, Graphics II Print Store, Tire Kingdom, Dairy Queen, Family Shoe Store, S&S Seafood and Angela's of Palatka. We also utilize local hotels and restaurants. We have done this in order to try and keep our community and the local merchants supported and not to take business outside of Palatka. We have also received a warm reception from the owners of these businesses and other churches nearby. We believe that we are an asset to the downtown community, the City of Palatka, as well as Putnam County.

Our church membership consists of individuals that are employed by the State of Florida, City of Palatka, local businesses and also includes business owners.

Our church has been established for over seven years and has been located in another location. We moved into this location, unaware that there had been a lapse in the previous tenant's Occupational License. We were also unaware of the proper process of transferring our Occupational License, until we actually applied to do so.

We agree to adhere to any and all ordinances, policies, regulations and City, County and State Laws that apply to us. This is to include obtaining any permits, paying any required fees and submitting required documentation for any changes and events to occur on the property.


5 PARI
4
A/C
H/C
MAIN ENTRANCE
66' 3"
6 PARKING SPACES
SANCTUARY
DAIRY QUEEN
S & S SEAFOOD
38'
FRONT DOOR
DRIVEWAY ENTRANCE
OTH STREET
ST. J

PLANNING BOARD REPORT – July 6, 2010

CASE: PB 10-22

ADDRESS: 806 St. Johns Avenue

REQUEST: Request for a conditional use to locate a church within 300' of a licensed establishment selling alcohol.

APPLICANT: John L. Sweet **OWNER:** Maria Corp. of Seminole

Departmental Review

Departmental Review Requests were forwarded to the Fire, Police, Sanitation, Public Works and Building Departments. All responded with "No Comment." No responses were received as a result of the advertisement or notices sent to surrounding property owners.

Compliance with Conditional Use Requirements

The applicant has applied for conditional use approval to locate a church within 300' of a licensed establishment selling alcohol. Churches are permitted uses in the DB district however, locating within 300' of an establishment licensed to sell alcohol requires conditional use approval.

Section 94-3 of the Code contains the following definition that should be used by the Planning Board as a guide when considering conditional use requests. According to this section of the Code:

"A conditional use is a use that would not be appropriate generally or without restriction throughout a zoning district, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such conditional uses may be permissible in a zoning district if specific provision for such a conditional use is made in this chapter."

In accordance with Section 94-3:

"Findings. Before any conditional use shall be approved, the planning board shall make a written finding that the granting of the conditional use will not adversely affect the public interest and certifying that the specific requirements governing the individual conditional use, if any, have been met by the petitioner."

From Sec. 94-3(4) of the Palatka Municipal Code:

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

The property and requested use are in compliance with the comprehensive plan. Surrounding properties have future land use designations of Commercial. The zoning pattern of the site and surrounding area is C-2 (Intensive Commercial) to the north and DB (Downtown Business) to the south, east and west which are zoning designations consistent with 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.**

Ingress and egress is off of St. Johns Avenue.

c. Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection [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.

DB zoning does not have a parking requirement for commercial uses, however, this does not eliminate the need for handicap parking. Prior to occupancy, the applicant must comply with ADA requirements.

d. Refuse and service areas, with particular reference to the items mentioned in subsections [b] and [c] of this section.

The applicant will be using the green roll-out containers. No screening or buffering is required but containers must be placed behind the building when not at the curb for pick-up on the allocated days.

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

Utilities are available to the site and are compatible with the needs of the proposed conditional use.

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

Table 94-304A does not indicate a requirement for screening and buffering.

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.

The applicant does not indicate any signage on the application. A sign permit will be required for the installation of any new signage and must be in compliance with the Municipal Code and applicable building codes.

h. Required yards and other open space.

There are no requirements for yards/open space.

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

This proposed Conditional Use is generally compatible with adjacent properties. There is another church located across the street from this location.

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

There are no special requirements for this use listed in the City's Municipal Code other than registration with the Building & Zoning.

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

This parcel is not located in a Historic District.

Staff Recommendation

Staff recommends approval of the applicant's request for a church, subject to the conditions as listed in the Code and the following conditions:

1. That the church be registered with the City prior to occupancy;
2. That all ADA and Florida Building Codes be met prior to occupancy;
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.

PHOTOGRAPH

Case 13-33

Request to Amend Sign and Zoning Codes

(Allow sandwich signs for special events in downtown zoning districts)

STAFF REPORT

DATE: July 30, 2013

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

A request by Palatka Main Street, Inc. to amend the Sign and Zoning Codes to allow sandwich signs for special events in the Downtown Riverfront and Downtown Business zoning districts. Public notice included newspaper advertisement.

APPLICATION BACKGROUND

A-frame-type sandwich signs are currently allowed for storefront businesses in downtown zoning districts with the following standards applicable:

- One sign per building front placed on a public sidewalk.
- Sign shall be a uniform size of two feet in width and three feet in height, as measured by any single face.
- Signs are placed on the sidewalk in such a manner so as to maintain a minimum of 48 inches of clear area on the adjacent sidewalk (for pedestrian movement).
- Signs are to be made of rigid, weather resistant material such as wood, metal, or plastic.

These standards limit such signs to specific advertising for an individual storefront business. The Applicant is requesting the ability to place sandwich signs in the downtown area that promote special events. Table 1 provides a summary of downtown special events, which require approval by the City Commission. Palatka Main Street sponsors the monthly events, while the annual events are hosted by a variety of non-profit and merchant groups.

Table 1: Palatka Special Events

Event	Frequency	Date or Hours	Activities
4th of July Celebration	Annual	July (evening)	Fireworks, live music, vendor booths
Artoberfest	Annual	October (weekend)	Live music, vendor booths, car show
Azalea Festival	Annual	March (weekend)	Live music, vendor booths
Blue Crab Festival	Annual	May (weekend)	Live music, vendor booths, rides
Chalk Explosion	Annual	April (weekend)	Sidewalk chalk art
Christmas Parade	Annual	November	Parade, tree lighting
Cracker Boys Bass Tournament	Annual	March (weekend)	Fishing tournament
Light the Riverfront	Annual	December	Parade
MLK Parade	Annual	February (day)	Parade
March of Dimes Walk	Annual	March (day)	Walk
Mug Race	Annual	May (weekend)	Sailboat race

Event	Frequency	Date or Hours	Activities
NEFAR Bass Tournament	Annual	April (weekend)	Fishing tournament
Palatka Bicycle Festival	Annual	March (weekend)	Bicycle rides ending at riverfront
St. Johns River Blues Festival	Annual	November (weekend)	Live music, vendor booths
Shrimp Blast	Annual	August (weekend)	Live music, vendor booths
Swamp Fest	Annual	October	Games & rides
Veterans Day Parade	Annual	November	Parade
Wolfson Bass Tournament	Annual	May (weekend)	Fishing tournament
Downtown Cruise-in	Monthly	5-9 PM	Live music, vendor booths, car show
Third Friday Street Party	Monthly	6-10 PM	Live music, vendor booths, car show
Wine/Beer Strolls	Monthly	5-9 PM	Live music, wine/beer tasting inside local businesses

Staff proposes the following revisions to Zoning Code Section 94-161 and 94-162 (permitted signs in downtown zoning districts). New language is underlined and deleted language is ~~struck-through~~. Subsections a-d below are not new changes but help to better organize the multiple standards for sandwich signs.

(j) Permitted signs.

(1) Directional signs, ground signs limited to six feet in height, 30 square feet in size, and eight feet in width, and wall signs~~, and~~.

(2) One A-frame, sandwich sign, or menu board with the following applicable standards.

a. one sign per building front placed on a public sidewalk. ~~provided that such sign shall be a~~

b. uniform size of two feet in width and three feet in height, as measured by any single face~~,~~. ~~and that such~~

c. signs ~~are~~ to be placed on the sidewalk in such a manner so as to maintain a minimum of 48 inches of clear area on the adjacent sidewalk for pedestrian movement. ~~These~~

d. signs are to be of rigid, weather resistant material such as wood, metal, or plastic.

e. signs allowed for special events, limited to not more than two signs on each side of the street within one block; with signs allowed one day prior to a weekly event, six days prior to a monthly event, and one month prior to an annual event; and with signs being removed within one day after the event.

PROJECT ANALYSIS

Per Section 94-38(f)(2) of the Zoning Code, the Planning Board must study and consider proposed zoning text amendments in relation to the following criteria (if applicable), shown in underlined text (staff response follows each criterion).

The planning board shall consider and study:

a. The need and justification for the change.

Staff comments: the following justifications are applicable.

- The amendment would promote downtown events, direct visitors to events, and encourage downtown revitalization.
- The amendment would restrict time and location frequency of proposed signage to limit visual clutter.

b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

Staff comments: no specific Comprehensive Plan policies are applicable to this amendment and the amendment is not in conflict with the goals, objectives, and policies of the Comprehensive Plan. This amendment is in keeping with the goals, objectives, and policies of the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval of Case 13-33 revising Zoning Code Section 94-161 and 94-162 to revise sign standards for the Downtown Business and Downtown Riverfront zoning districts as noted below.

(j) Permitted signs.

(1) Directional signs, ground signs limited to six feet in height, 30 square feet in size, and eight feet in width, and wall signs~~, and~~.

(2) ~~o~~One A-frame, sandwich sign, or menu board with the following applicable standards.

a. one sign per building front placed on a public sidewalk. ~~provided that such sign shall be a~~

b. uniform size of two feet in width and three feet in height, as measured by any single face~~,~~. ~~and that such~~

c. signs ~~are~~ to be placed on the sidewalk in such a manner so as to maintain a minimum of 48 inches of clear area on the adjacent sidewalk for pedestrian movement. ~~These~~

d. signs are to be of rigid, weather resistant material such as wood, metal, or plastic.

e. signs allowed for special events, limited to not more than two signs on each side of the street within one block; with signs allowed one day prior to a weekly event, six days prior to a monthly event, and one month prior to an annual event; and with signs being removed within one day after the event.

Case 13-35
Request for a Conditional Use for Pawn Shop
701 St. Johns Ave.
Applicant: David Buth

STAFF REPORT

DATE: July 30, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

This Conditional Use request is for a pawn shop. Required public notice included newspaper advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

This request is for a retail establishment that is currently operating at this location. The Applicant wishes to expand the business to include pawn services.

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.

Figure 1: Project Site

The property is within the retail core of downtown and has a Future Land Use Map designation of Commerical and a zoning classification of DB (Downtown Business).

Figure 2: Property, from St. Johns Ave.

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. Furthermore, the following Future Land Use Element policies support this application.

Policy A.1.6.2 *9J-5.006(3)(c)3*
Minimize scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.

Objective A.1.8 *9J-5.006(3)(b)9; F.S. 187.201(16)(b)3*
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:

- *Flexibility and efficiency in site design to reduce infrastructure costs, improve interior circulation patterns, and promote open space;*
- *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.*

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 business is by St. Johns Ave. and 7th St., both of which have sidewalks on both sides of the street. There is good 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.
The Downtown Business district exempts commercial uses from on-site parking requirements. There is on-street parking on St Johns Ave. and side streets as well as in the old Prosperity Bank parking lot located across St. Johns Ave. and N. 7th St.

d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.
The Zoning Code requires that refuse areas must be screened on three sides by six-foot tall privacy fence or wall. Unfortunately the parcel lines are coterminous with the building's walls, therefore there is no place on the property for refuse storage. The Applicant now places a single rolling garbage can at the side of the building at the rear of the building along S. 7th St., which is the most inconspicuous place for it.

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.
Per the Zoning Code the downtown area is exempt from buffering and screening standards.

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.
Signs in the Downtown Business zoning district are limited to wall signs, limited window signage, sandwich board signs, and ground signs set back at least five feet from the property line and limited to six feet in height and 30 square feet in size. The only signs currently on the building are two temporary banner signs, one located above the entrance and the other located on the building exterior facing S. 7th St. Both signs are compliant with the Sign Code. The Applicant has proposed permanent signs as shown on the attached schematic, which are also compliant with the Sign Code. Staff did have some concerns about the proposed location of the signs, which would be asymmetrically placed on the side and front of the building close to each other, resulting in somewhat of a crowded and off-balance look. Staff contacted the Applicant and after a discussion the Applicant has agreed to center the wall sign facing St. Johns Ave.

h. Required yards and other open space.
See f. above.

i. General compatibility with adjacent properties and other property in the district.
The current and proposed retail use is compatible with the nature of the downtown retail core of St. Johns Avenue between the Riverfront Park and S. 11th Street. Retail, restaurant, or personal services uses generate the foot traffic and storefront window displays that promote a vibrant downtown pedestrian environment that "pulls" pedestrians down the street.

j. Any special requirements set out in the schedule of district regulations for the particular use involved.
Municipal Code Section 78-168 requires that the City Commission approve the location of a pawnbroker. No criteria or review standards are provided with this requirement. The City Commission approved this location at their June 27, 2013 meeting. No other special requirements exist within the Municipal Code for this use.

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. No comments or objections were received from other City departments, vicinity property owners, or members of the public.

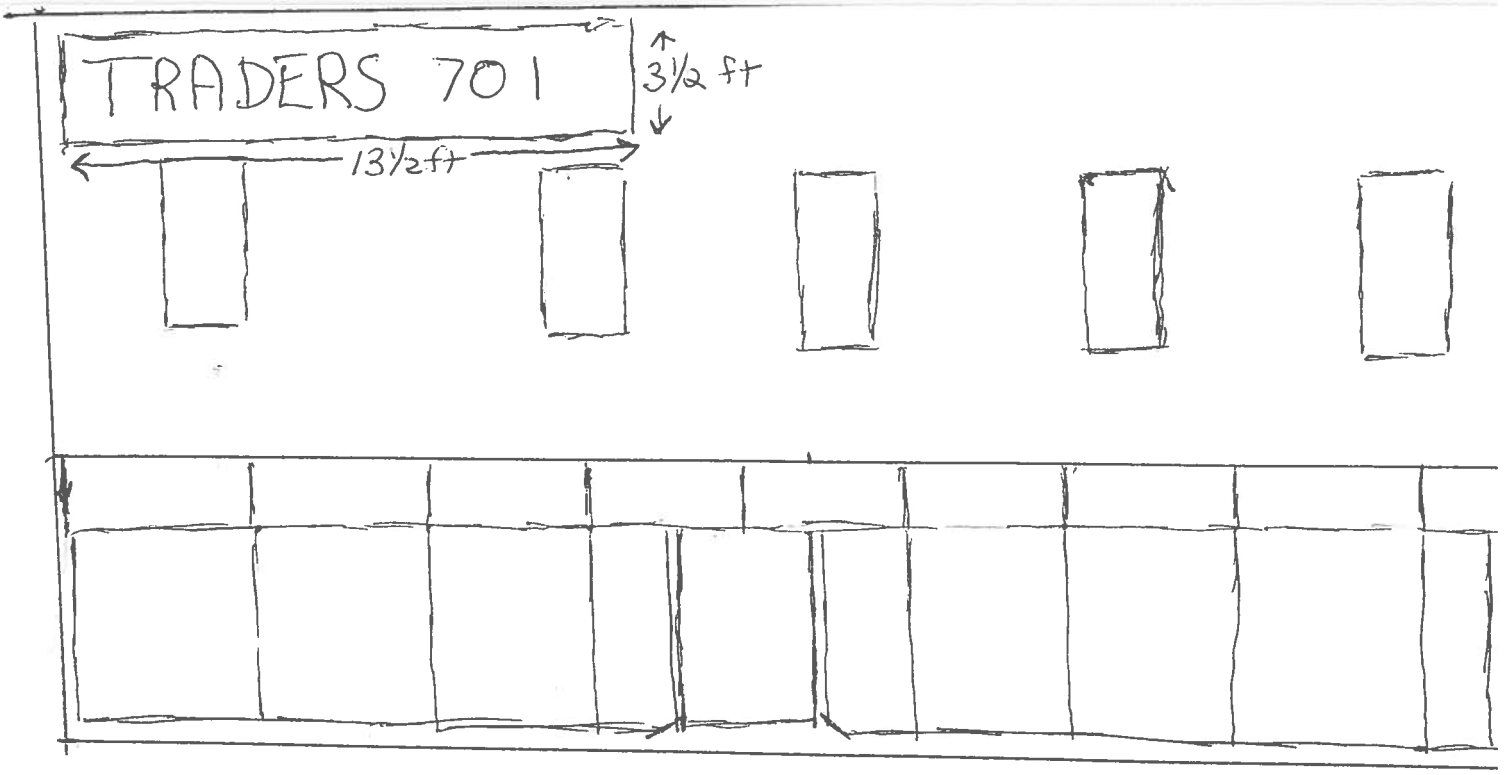
A motion for approval should include any relevant conditions and the staff findings for approval. Per Section 94-3(6) should the Planning Board decide to deny the application, such a motion should include the reasons for doing so, including reasons pertaining to the criteria listed above.

STAFF RECOMMENDATION

As demonstrated in this report, Staff believes that this application meets applicable conditional use criteria if the following recommendations are met. Staff recommends approval of Case 13-33, conditional use for pawn shop, with the following conditions:

- the wall sign facing St. Johns Ave. shall be centered on the building façade;
- the wall sign facing S. 7th St. shall be located as shown on the schematic or alternatively located between that end of the building and the center of the building along that street; and
- the garbage shall be placed along the side of the building toward the rear so as not to completely block the sidewalk.

ATTACHMENTS: APPLICANT'S SCHEMATIC



1) signage - ON Front and side - 13½ ft x 3½ ft
Electric

2) Parking - NO pacific parking since we are downtown
corner lot

Traders 701

Mission Statement:

Traders 701 is offering the city of Palatka a safe and fair way to sell, get a loan or buy items. Giving the local community a place to hang out with free WiFi, a laptop bar and much more. Attached with the Traders 701 Ebay Store, Traders is able to offer fair prices on otherwise impossible items to previously get a loan on / sell.

Palatka, City of Opportunity

Run by master jeweler David Buth and manager Joshua Godboldt we hope to offer the community a shopping and pawn experience not before seen in this area. Offering competitive prices and unique inventory, Traders 701 hopes to stand as a cornerstone of the growing downtown Palatka.

We standardize our store to the going rates of Ebay keeping us true to real world value and the ability to give our customers the right amount of money for their items. With the increase in our ability to sell unique and rare items we have the potential to draw out of town customers giving the city a reputation for the inventory found in our store.

We offer discounted interest rates on some of our loans and offer a grace period on all outstanding loans, we prefer for our customer to retrieve their items. With a trained staff we are able to answer any questions and can clearly explain the pawn process lending our customers with a clear understanding of the store.

Not only are we a pawnshop with the ability to buy almost anything we will also be offering a full *on site jewelry repair shop*. Run by David Buth, who is fully accredited, we offer A+ service on jewelry repair, stone replacement and duplications. All work is warrantied and guaranteed to hold and stay true to stated repair.

We hope for the community to enjoy our store, and plan on being for many years to come to help in the development of the city and surrounding areas.

Thank You,

Case 13-36
Request for a Conditional Use for Church Expansion
H.O.P.E. Ministries - 1624 Bronson St.
Applicant: Beverly Canty

STAFF REPORT

DATE: July 30, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

Conditional Use allowing expansion of existing church. Required public notice included newspaper advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

H.O.P.E. Ministries is located within an R-3 zoning district. In R-3 districts, as in all residential zoning districts, churches are allowed as a conditional use. While the Applicant has told staff that a church operated in the building historically, the church use ceased sometime before a conditional use for a day care center was approved in 1996. In 2000 a conditional use was approved for a youth indoor recreation center. After the cessation of this use, the church occupied the building without receiving the required conditional use approval. When the Applicant contacted staff regarding the addition of a multi-purpose building they were notified that conditional use approval for the church use would be required for the existing facility and expansion as well. This neighborhood church currently has 100 seats in the approximately 1,400 square foot building and is staffed by volunteers for its Sunday morning and Wednesday night services. The Church proposes to construct a new modular all-purpose building for fellowship, bible study, prayer, and other activities for church members. The building would be up to 1,500 square feet in size, contain 16 seats, and would be located to the rear/north of the sanctuary building.

PROJECT ANALYSIS

The church is part of a single-family residential area with multi-family zoning (R-3) and land use (Residential, High) that is generally bounded on the east by the railroad, the west by Reid St., the north by Dunham Street, and the south by Madison Street.

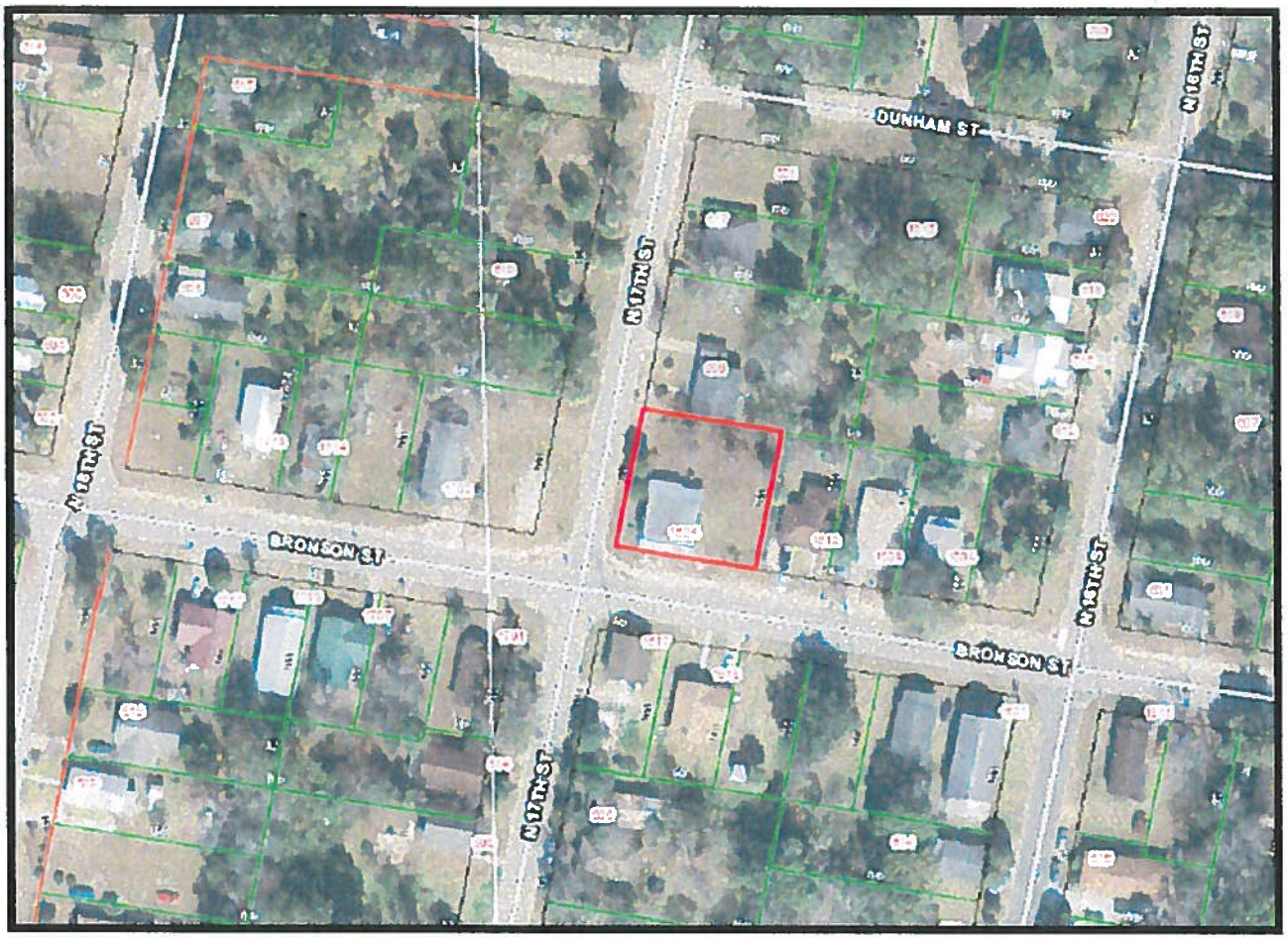


Figure 1 (above): Location Map

Figure 2 (below): Church from Bronson St/south – note approx. 45' wide area to the right of church as potential location for parking and new building to rear

Figure 3: Church from Bronson St/southeast, note approx. 45' wide area to the right as potential location for parking and new building in rear

Figure 4: Church from N. 17th St./northeast

Figure 5: Church from N. 17th St./northeast

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.
Staff Comment: 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.
Staff Comment: Vehicular/Pedestrian Access and Traffic Flow.
Bronson Street, an east-west street, is a residential and local street and is one of the few streets on the Northside that has sidewalks, in this case a sidewalk on the north side of the street and adjacent to the church property. Staff believes that the proposed vehicular and pedestrian circulation pattern is acceptable.

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.
Staff Comment: Zoning Code Section 94-262(6) requires one parking space for every four sanctuary seats. The existing sanctuary has 100 seats, which requires 25 paved spaces. The new building will have up to 16 seats, which requires parking of four paved spaces. As stated, the Church is not a legal nonconforming (grandfathered) use and therefore is not exempt from the minimum paved parking requirement. During the intermittent decades of operation, churchgoers have parked in the grass right-of-way along Bronson and N. 17th Streets and also in the vacant lots located north and west of the site on the west side of N. 17th St. The Applicant proposes to continue this informal parking arrangement by obtaining a variance from the minimum paved parking requirement from the Board of Zoning Appeals, and to provide required parking for the new building in the form of four paved spaces, one of those being a handicapped space, on the eastern portion of the site.

d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.
Staff Comment: The Church currently uses garbage cans similar to a residential use. As a requirement of the Zoning Code, an enclosure area must be created for the garbage carts.

e. Utilities, with reference to location, availability and compatibility.
Staff Comment: The property is appropriately served by utilities.

f. Screening and buffering, with reference to type, dimensions and character.
Staff Comment: Applicable sections of the City's landscape ordinance require the screening of the parking area from the single-family home to the east with a hedge and three shade trees along the property line adjacent to the parking area and the new building.

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.

Staff Comment: Figure 2 shows that there is a banner sign on the front of the church building. The Zoning Code allows for churches in residential zoning districts a permanent ground sign less than six feet in height and 30 square feet, and also a wall sign limited to 30 square feet.

h. Required yards and other open space.
Staff Comment: The R-3 zoning district requires the following building setbacks: front of 25 feet, side of ten feet, and rear of 15 feet. The existing building meets the side and rear setback, but does not meet the front setback standard. Therefore it is a legal nonconforming structure, meaning that it can be utilized but not expanded within that 25-foot front setback zone. The proposed building in the rear would meet the 15-foot and ten-foot setbacks.

i. General compatibility with adjacent properties and other property in the district.
Staff Comment: In this case compatibility would be determined by the input of neighbors on whether the Church is a use that does not negatively impact the neighborhood with traffic, noise, or other nuisance activities. The Applicant has told staff that the church members include nearby residents and that there are good relations. Neighbors within 150 feet of the property have been notified of the application and to this date Staff has not heard from anyone. The presence or absence of supporters or opposition at the public hearing will assist the Board in determining compatibility. Staff believes that the relatively small size of the church and the improved buffer along the west property line will ensure compatibility with adjacent residential uses.

j. Any special requirements set out in the schedule of district regulations for the particular use involved.
Staff Comment: There are no special requirements for churches within the R-3 zoning district.

k. The recommendation and any special requirements of the historic preservation board for uses within the HD zoning district.
Staff Comment: Not applicable.

Impact on Public Interest
Staff Comment: 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. The new building and landscaping will in fact positively impact the neighborhood. No comments or objections were received from other City departments, vicinity property owners, or members of the public.

STAFF RECOMMENDATION

As demonstrated in this report, this application generally meets the conditional use criteria. Staff recommends approval with the following conditions.

1. Uses on the property shall be limited to a maximum 100-seat church and 16-seat 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 plant a continuous hedge and three regularly-spaced shade trees along the east property line to visually screen the parking area and new building.
6. The Applicant must either provide 25 paved parking spaces on the property and on undeveloped lots within 600 feet of the property, or obtain a variance from this requirement from the Board of Zoning Appeals. The Applicant must also seek a variance of driveway distance from property lines from 20 feet to four feet from the Board of Zoning Appeals, to allow for the planned driveway on the eastern part of the property.
6. All other applicable standards of the Municipal Code must be met.

ATTACHMENTS: APPLICANT SITE PLAN AND NARRATIVE

Justification Statement for Higher Dimensions of H.O.P.E, Ministries

We would like to apply for a rezoning or conditional use for the property located at 1624 Bronson Street. This property is located in the city limits of Palatka. The building on this property was built approximately between the years of 1956-1958. It is located on a corner lot which is 100x100. The structure of the building is approximately 1400 sq. ft. of total inside space. It has another 160 sq. ft. of an outdoor porch.

We have attached a scale drawing or site plan showing the existing building with a proposed building added on the lot. It also shows the dimensions of space left with both buildings. At this present time we use the right side of the building for handicap parking. It has a flat area leveled with the porch. We use the left side as parking for other parking and a neighbor's vacant lot if needed. There are also other vacant lots along 17th street that has the possibility of being purchased at a future date. We have inquired about some of these lots. If we are able to obtain this rezoning or conditional use, we would move the existing handicap space to the right side with a handicap ramp.

Justification Statement Part II (a)

We understand that there are limited things that can be done, but not totally restricted according to Sec.94-3, which states: a conditional use is a use that would not be appropriate generally or without restriction throughout a zoning district, but which if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, moral, order, comfort, convenience, appearance, prosperity or general welfare. Such conditional uses may be permissible in a zoning district if specific provision for such a conditional use is made in this chapter.

We feel like we have met many of the above listed conditional uses. This property had become a sore eye in the community. Over the years we have worked hard to clean up and gradually improve some things, such as; new carpet, paint, texture the walls, replaced bathroom items, new ceiling fans, etc. We have begun working on the outside to make improvements with stuccoing the building. There are still things we are planning on doing such as the yards and other things that will improve the outer appearance. Our neighbors have been totally appreciated over the years for the accomplishments we have done. We have also seen our neighboring churches follow suit in trying to improvement their establishment with painting and other yard work.

We current have worship service on Sunday Mornings as well as Wednesday nights at 7:00 p.m. There is very little traffic stirring on these days. We also provide prayer M-F in the morning hours. During this time it is open to people in the community. This has been convenient to some of people on the northside area. There are some that come through on a daily basis for prayer that help them get through some difficult times. We have seen this promote the neighborhood with something good. We receive positive feedback from the neighbors in the area. It supports a safe place, a healthy place, a place of comfort, moral, and prosperity to those that come.

The purpose of wanting another building added is while we enjoy servicing others, we want to continue to keep and maintain the building we have in great condition. We have put a lot of time and manpower in trying to make the current property presentable.

Justification Statement (4) Findings:

(b), The ingress and egress of the property to the current structure is located in the front of the building with two separate 36" doorway entries. The proposed structure ingress and egress will be located on the front with a 72" entry, another 36" entry mid-way on the left side of the building. This gives two exits to each building. This gives easy access to exit in case of a fire or any other catastrophe. These exits give an easy and safe flow to exit to the back as well as the front of the building

(c), Off street parking and loading areas are located on the left side of the existing building (located by the North 17th Street). Parking is also located directly across the street. Loading area (if any) will be located in the front of the building. There is a 22' off street grass parking at the existing building. This extends from the structure to a concrete apron. A 29' off street grass parking for the proposed building.

(d), The refuse service area will be located at the rear of the existing structure.

(e), Access to the outside utilities is located on the left side of the existing with the AC unit, gas line, and electrical meter. There is a city water hydrant located across the street on the corner of Bronson and N. 17th street.

(f), Not Applicable

The attached site plan is an alternative site proposal for 1624 Bronson Street. The proposed building will be a modular building with a stucco finish or hardi board finish. This is to have the proposed building tie in with the existing building which is a stucco finish. The proposed site plans may vary on the location of the building to accommodate an area for a paved handicap and additional parking spaces. A handicap ramp will be included to the front entry of the building.

The existing building has 100 chairs seating capacity. The proposed building will be limited to 12-16 additional chairs. If there are additional chairs needed they will be moved from our sanctuary.

The attached pictures are similar to what we are expected to purchase with all appropriate engineered plans.

1654 Kronson Street
Palatka, FL

N. 17th Street

Site

SCALE: 3/32"

Case 13-37

Request to Amend Comprehensive Plan Text (Future Land Use Element Policy A.1.9.3.A.2)
(Impervious Surface Maximums in Downtown Zoning Districts)
Applicant: Building and Zoning Dept.

STAFF REPORT

DATE: July 30, 2013

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To consider an administrative text amendment to Comprehensive Plan Future Land Use Element (FLUE) Policy A.1.9.3.A.2 to eliminate impervious surface minimum from Downtown zoning districts. Public notice included newspaper advertisement.

Presbyterian

APPLICATION BACKGROUND

The FLUE policies below (italicized) pertain to PUDs. The shaded text represents language proposed for deletion by Staff. This application is related to a companion amendment to Zoning Code PUD standards, also an agenda item for the coming meeting.

> ***Policy A.1.8.1*** *9J-5.006(3)(c)5*
> *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. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and are subject to additional project density, design and locational standards set forth in these zoning districts (Ordinance # 11-22). The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel and a floor area ratio of 1.5, <u>except that no impervious surface maximum areas will be required</u> and a floor area ratio of up to 4.0 is allowed in downtown zoning districts. Intensity may be further limited by intensity standards of the Zoning Code. 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 term "impervious surface" refers to surfaces that do not retain rainfall such as pavement, buildings, and water bodies. Conversely, pervious surfaces are those surfaces that absorb rainfall such as grass, landscape areas, woods, or properly maintained pervious pavement. The rationale for the elimination of required pervious surfaces in the downtown is to encourage new development and redevelopment that is in keeping with the character of the downtown area. Downtown properties, particularly along St. Johns Avenue, are generally mostly or fully covered by building and/or parking. While it is appropriate to call for a base level of landscape area in suburban areas, the intense urban development pattern of downtown should not be

hamstrung by such a requirement. This change would not eliminate the current Zoning Code requirement for parking lot landscaping, and the City will continue to strive to plant street trees in the downtown areas to provide for public landscaping and shade.

PROJECT ANALYSIS

Florida Statutes do not provide specific criteria for the review of text amendments, other than the requirement that amendments to the Future Land Use Element (FLUE) must discourage the proliferation of sprawl, and that any such amendments must be in keeping with other Goals, Objectives, and Policies of the Plan.

This policy revision would not further urban sprawl but would in fact encourage it's antitheses: downtown redevelopment. The amendment is in keeping with the following Comprehensive Plan Future Land Use Element objective and policies.

FUTURE LAND USE ELEMENT

Objective A.1.2 *9J-5.006(3)(b)2*

Upon Plan Adoption, the City shall implement the following policies in order to provide the means for redevelopment and renewal of blighted properties.

Policy A.1.6.2 *9J-5.006(3)(c)3*

Minimize scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.

Objective A.1.8 *9J-5.006(3)(b)9; F.S. 187.201(16)(b)3*

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:

- *Flexibility and efficiency in site design to reduce infrastructure costs, improve interior circulation patterns, and promote open space;*
- *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.*

STAFF RECOMMENDATION

Staff recommends the following revised policy.

Policy A.1.8.1 *9J-5.006(3)(c)5*

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. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and are subject to additional project density, design and locational

standards set forth in these zoning districts (Ordinance # 11-22). The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel and a floor area ratio of 1.5, <u>except that no impervious surface maximum areas will be required</u> and a floor area ratio of up to 4.0 is allowed in downtown zoning districts. Intensity may be further limited by intensity standards of the Zoning Code. 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.