



City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



PLANNING BOARD

February 3, 2009

AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes of January 6, 2009
4. Read "To Appeal Any Decision" and request disclosure of any "Ex Parte Communication" be made prior to each case
5. Election of Chairman
6. **OLD BUSINESS**

Case 08-41 **Address:** Lundy Road (Oaks Landing)
Parcel: 18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000
Owner: Michael J. Held
Agent: Lara Diettrich – Kimley-Horn and Associates
Request: To rezone to R-3 Multi-family residential with a Planned Unit Development Overlay. (Continued from Jan. 6, 2009)

1. **Public Hearing**
2. **Regular Meeting**

Case 08-29 **Address:** N 16th from Reid St. to St. Johns Ave.
Applicant: St. Johns Automotive Real Estate LLC
Agent: Juli Holmes
Request: To close that portion of N 16th St from Reid St. to St. Johns Ave.

1. **Public Hearing**
2. **Regular Meeting**

7. NEW BUSINESS

Case PB 07-18 **Address:** 105 Williams Street (01-10-26-5200-0200-0110)
Applicant: Robert and Janet Walker

Request: To annex into the City of Palatka city limits, to rezone from County R1-A (single family residential) to City R 1-A (single family residential) and to amend the Future Land Use Map from County Urban Service to City Low Density Residential

Case PB 07-18 - 105 Williams Street (01-10-26-5200-0200-0110) continued

1. **Public Hearing**
2. **Regular Meeting**

Case PB 07-17 **Address:** 2104 Husson Avenue (13-10-26-6790-0000-0130_
 Applicant: Yvonne Van Der Lee

Request: To annex into the City of Palatka city limits, to rezone from County R 1-A (single family residential district) to City R 1-A (single family residential district) and to amend the Future Land Use Map from County Urban Service to City Low Density Residential

1. **Public Hearing**
2. **Regular Meeting**

Case 09-01 – Downtown Riverfront and Downtown Business District

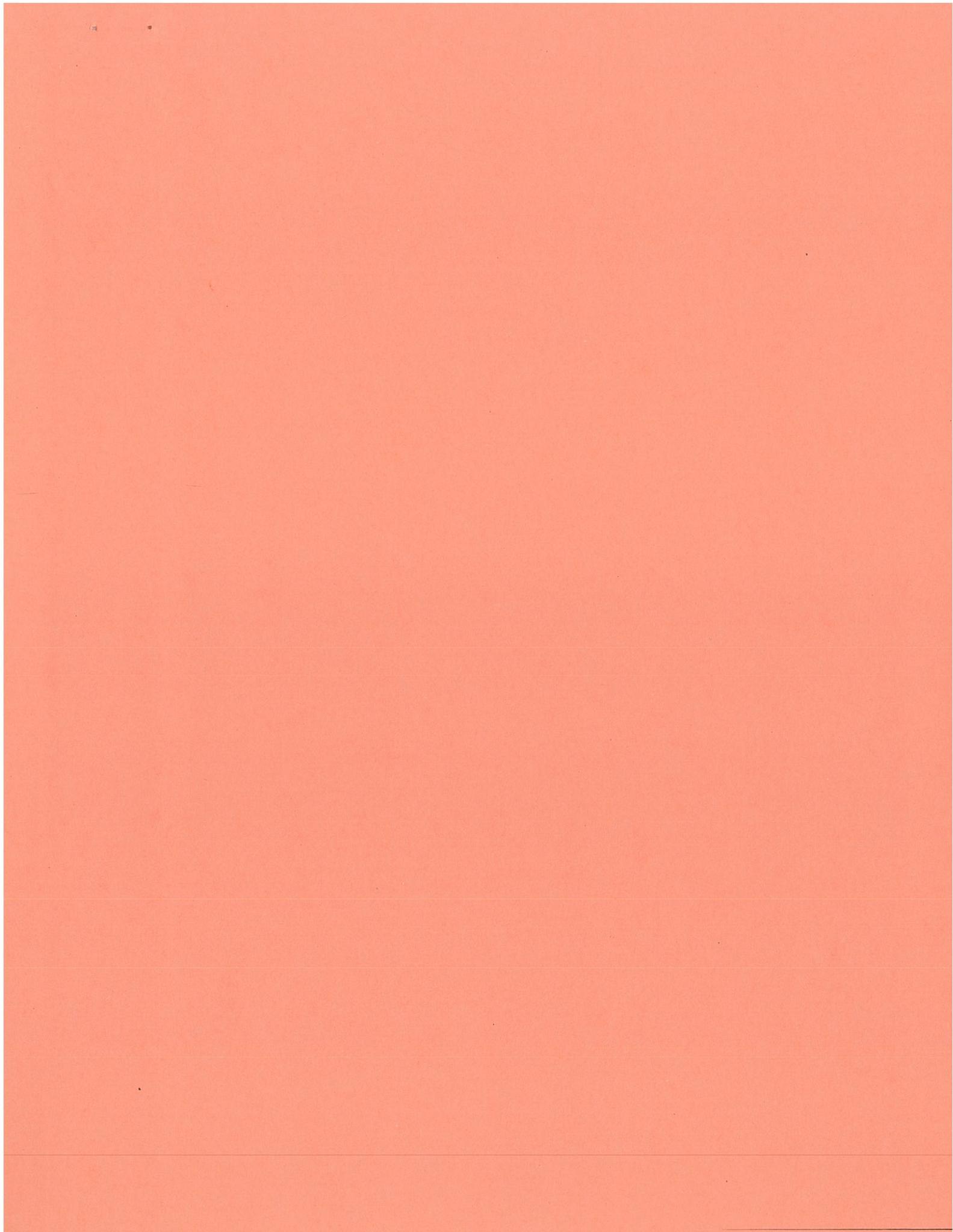
1. **Public Hearing**
2. **Regular Meeting**

Request: To amend the Downtown Riverfront and Downtown Business Zoning Districts to exclude those parcels abutting St. Johns Avenue from the conditional use allowance for single-family dwellings

8. **Adjournment** – Next meeting will be March 3, 2009

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, THAT 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.



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Meeting called to order by Chairman Carl Stewart at 4:00PM. **Members present:** Ezekiel Johnson, Earl Wallace, Sue Roskosh, Clem Saccareccia, Randy Braddy, Zachary Landis, and Anthony Harwell. **Members absent:** Leigh Rion and School Board Representative. Also present: City Attorney, Donald Holmes; Planning Director, Jim Lee; Assistant Planning Director, Debbie Banks and Recording Secretary, Pam Sprouse.

Motion made by Clem Saccareccia to approve the minutes of the December 2, 2008 meeting. Seconded by Sue Roskosh. All present voted affirmative, motion carried.

Jim Lee read, "To Appeal any Decision."

Mr. Stewart requested that any Ex Parte Communication be disclosed prior to each case.

OLD BUSINESS

Case 08-29 **Address:** N 16th from Reid St. to St. Johns Ave.
 Applicant: St. Johns Automotive Real Estate LLC
 Agent: Juli Holmes

Request: A request to close that portion of N 16th St from Reid St. to St. Johns Ave.

(Public Hearing)

Ms. Banks read into the record a letter from the applicant requesting a continuation of this case to the February 3, 2009.

(Regular Meeting)

Motion made by Sue Roskosh to continue the request until the February 3, 2009 meeting at 4:00 pm. Seconded by Ezekiel Johnson. All present voted affirmative, motion carried.

NEW BUSINESS

Case 08-43 **Location:** 2801 Kennedy Street
 Parcel #: 12-10-26-0000-0420-0000
 Owner: Putnam County
 Agent: Robert E. Taylor

Request: For a conditional use for a dental clinic in an R-3 zoning district

(Public Hearing)

Ms. Banks advised that there was no response received from the advertisement or notices sent to surrounding property owners, and recommended approval.

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Case 08-43 Location: 2801 Kennedy Street – continued

Mr. Taylor, 710 St. Johns Ave., gave an overview of the Owner's intent to expand their existing services for a dental clinic with a modular building of approximately 1453 square feet and that the facility will be established to serve the general public.

(Regular Meeting)

Motion made by Sue Roskosh to approve the request for a conditional use for a dental clinic in an R-3 zoning district. Seconded by Clem Saccareccia. All present voted affirmative, motion carried.

Case 08-17 Location: 3875 Reid Street
Parcel #: (03-10-26-0000-0010-0010)
Applicant: Palatka Lodge 184, Loyal Order of Moose, Inc.

Request: To amend the Future Land Use Map from Industrial (IN) to Public Buildings and Grounds (PBG) and rezone from Industrial (M-1) to Recreation/Open Space (ROS)

(Public Hearing)

Ms. Banks advised that this came to our attention several months ago, when the owners came and discussed their interest in allowing camping, which is not allowed in the current zoning district of M1. She stated that staff believes that this request will more appropriately reflect the existing use and the proposed use, and that the airport will be rezoned and the future land use will be amended to more correctly reflect the airport use. She added that no comments were received from the advertisement or notices sent out to surrounding property owners.

(Regular Meeting)

Motion made by Randy Braddy to approve the request to amend the Future Land Use Map from Industrial to Public Buildings and Grounds and rezone from Industrial to Recreation/Open Space. Seconded Sue Roskosh. All present voted affirmative, motion carried.

Case 08-41 Address: Lundy Road (Oaks Landing)
Parcel: 18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000
Owner: Michael J. Held
Agent: Lara Diettrich – Kimley-Horn and Associates

Request: To rezone to R-3 Multi-family residential with a Planned Unit Development Overlay.

(Public Hearing)

Mr. Lee gave a brief of history on this case, advising that the site was annexed into the City in 2005. The Planning Board had meetings on November 7, 2006 and December 5, 2006 to consider recommendation to the City Commission of whether to transmit the Large Scale Future Land Use amendment to the Department of Community Affairs (DCA) on December 14, 2006, and at that meeting, the owner's representatives

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Case 08-41 Address: Lundy Road (Oaks Landing) – continued

voluntarily agreed to place density and number of units per acre restrictions of 7.75 units per acre with a maximum density of 120 units on the site. At that time, it was discovered by DCA, that the City was not in compliance with the EAR or the Comprehensive Plan, and since then we have come full circle and are ready to move forward. He added that the Comprehensive Plan was approved by DCA on July 10, 2008 with site-specific conditions related to this project, which limited the density to 7.75 units per acre and 120 dwelling units. He added there are additional conditions listed in the staff report to be considered.

Mr. Holmes asked if this was forwarded to DCA as a large-scale amendment.

Mr. Lee advised yes, the original document was submitted as a Large Scale Future Land Use amendment, however, because of our status of non-compliance of Ear at the time, the request was approved with a medium density residential designation, with a density cap of 7.75 units per acre. This was not approved by DCA through the Large-scale Comprehensive Plan Future Land Use amendment process but through the EAR based amendment process.

Lara Diettrich, Agent for Kimley-Horn and Associates, 8657 Bay Pine Rd., Jacksonville, FL 32256 introduced several associates and reiterated what Mr. Lee had said and added that since the annexation of the property, it still carries the County's Land Use and Zoning designations and referred to the policy of the Comprehensive Plan A.1.11.5, which specifies that Oaks Landing shall have a land use designation of residential medium-density. with a cap of 7.75 units per acre and a maximum of 120 dwelling units. Part of her presentation included several maps that were shared with the audience. She added that 65% of this 15.51-acre site would not be developed. She stated that conservation lands of the Ravines State Gardens Park or the City of Palatka golf course mostly bind it. More than 10 acres of this site will be kept in open space and left undeveloped. There will 5 buildings, 4 stories, with one story for parking that will actually be underground and will not be visible. Due to the clustering design of these 5 buildings, they will all be buffered by either preservation area or open space. There will be amenities, to include a cabana and swimming pool area, cart paths and trails. She added that this development would also help promote the Municipal Golf Course.

Mr. Bill Schilling, also with Kimely-Horn and associates, spoke of traffic and safety concerns that were expressed from surrounding residents at the previous presentation and those items were addressed in the developer's agreement. He stated that as part of the EAR amendment is that this level of service had actually decreased as per the latest traffic counts that were conducted by the County. As of May of 2006, the total count is less than 10%. The project is expected to generate approximately 854 to 750 daily trips. He pointed out that as some improvements include upgrade/widening to 24 feet of that portion of Lundy Road and beyond approximately 200' and repave. Installing a southbound turning lane, road signage and sidewalks from the end of Moseley Ave. and down Edgemore St and down Lundy Rd. beyond the development.

Ms. Diettrich reiterated the improvements offered by the developer's agreement Edgmore St. at Moseley avenue intersection and 250' beyond the development there will be road improvements and water & sewer improvements to the area.

Dr. Cathy Cantwell, project chair for Putnam Land Conservancy also a member of the Palatka Water Works Committee, stated that she was not for or against the project and explained that one of the goals of the Palatka Water Works is to connect that area with the Florida Trail Ways. She stated that this development

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Case 08-41 Address: Lundy Road (Oaks Landing) – continued

would fall right in the middle of the planned trail. She asked that one of the conditions of the agreement be that an easement be worked out for this effort.

Tom Pelikan, Executive Director for Putnam Land Conservancy, 607 S. Moody Rd. #18E, explained that with combined efforts of the Chamber of Commerce and the City to promote Palatka as a Regional Trails Hub, this proposed trail would connect us with the Historic Water Works and the St. Johns River and the Cross Florida Greenway long term.

Discussion took place regarding the intentions for the future of the trails in this area and easement size requirements and acquiring trail type easements, through purchase agreements vs. adding it as a condition set forth by the Planning Board for this Planned Unit Development.

Mr. Holmes expressed his concerns regarding putting conditions of approval of this type on this request.

Mr. Lee reiterated that the considerations before the Board today for the PUD is the buildings, the landscaping, and internal road network and is the zoning appropriate with the Future Land Use element. He ended by saying that the PUD is reviewed, as stated in the staff report, under the conditional use criteria.

Henry Sanders, 2509 Lundy Rd, spoke in opposition of the request and advised that he was not aware of some of the meetings that were held. He mentioned one of his concerns was the fact that once rezoned R-3 it would remain with a maximum allowance for 31 units per acre and if something were to happen to this development, the R-3 zoning would still be in place and a different developer could come in with a completely different project, with even more units per acre than what is being proposed today. He ended by saying that he would rather see a single-family development go in this area.

Discussion took place regarding this request for R-3 zoning versus the current Future Land Use (with a parcel specific restriction cap of 7.75 units per acre) and the current zoning, and that fact that the medium density would take precedence over the zoning, whether this PUD goes through or not. The PUD's window of opportunity, if approved, would be 2 years from the effective date of the PUD with a 1 yr option for extension.

Ms. Elworth Kearney, 2403 Lundy Road stated that she lives right on the curve of Lundy Rd. right by the Church and has troubles now getting out of her driveway. She questioned where the turning lane and sidewalks would be in relation to her house and where the property would come from for the sidewalks.

Mr. Schilling explained that the turning lane would be southbound and the sidewalks would be on the North side of Edgemore St. and down the left side of the property. The sidewalks would come from the existing 60' r-o-w where the proposed road expansion is.

Debra Massey, 4041 Browns Landing Rd. questioned if the elements of the PUD are up for discussion tonight.

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Case 08-41 Address: Lundy Road (Oaks Landing) – continued

Mr. Holmes answered that yes, the PUD elements and the R-3 zoning is before the board tonight. Further explaining that with a PUD overlay zoning the site plan can be part of the Board's consideration.

Ms. Massey asked if it would be incomprehensible for the city to consider a lower residential designation and asked if there any other zoning choices, for the Future Land Use that has been designated, that could be considered tonight.

Mr. Holmes replied that zoning categories do not designate density, the Comp Plan does, in this case medium density is limited from 5 to 7.75 units per acres, which is site specific, and that the zoning must be compatible with the Comprehensive Plan at the time of approval. He added that R-2 could fit within the Comprehensive designation for this property, however, that would require duplexes and take more ground cover.

Ms. Massey commented that this development is that it is being marketed to golfers and golfing families, and believes that those types of people are really looking for up-scale single-family homes with back yards that they can build their own putting greens. She stated that she thought it was a wonderful thing that the developer wants to include so much green space. She asked the Board to consider the lowest density available to them, to not only meet the needs of the developer but the community as well.

Phyllis Lott, 1601 Edgemoor St., spoke in oppositions of this request, stating that she believes that this is not the best use for this land. She stated her concerns were of traffic, crime, infrastructure, noise pollution, and believes this will destroy their way of life.

Joe Willis, 2500 Lundy Rd., spoke in opposition to this request. He stated that he agreed with the others that spoke before him. He added that he is lucky enough to have a circular driveway, but there are many others that have to back out onto Lundy Rd. now, and with increased traffic, it will only be a bigger problem for them.

Lara Deittrech explained that negotiations were made in consideration of the same concerns expressed here tonight such as traffic and safety, through several public meetings and negotiations. The agreed improvements were made by way of a Developer's agreement with the City and include turning lanes, road expansions, re-surfacing, sidewalks and water & sewer utility line expansions. She added that this road is currently substandard and not adequate for an urban collector.

Mr. Schilling added that the main entrance had been reconsidered to relocate it further South than originally presented, in consideration of one of the neighboring property owners, so to not have vehicles shinning lights into his house. Also, Mr. Sanders had referred to issues of traffic volumes and his ability to get in and out of his driveway and as this development is North of his property, the traffic from this development would actually be subject to his right of way.

Ms. Lott again, spoke of concessions being made for others, with regards to driveways and easements and asked what about the other property owners.

Mr. Holmes asked if a signalization study had been done at the Lundy Rd. curve area.

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Case 08-41 Address: Lundy Road (Oaks Landing) – continued

Mr. Schilling replied yes, that there had been considerable dialog with the City about this intersection and possible modification for some other type of intersection, instead of it being a curve, and there was an ownership issue as to making it into a (T) type of intersection.

Discussion continued regarding traffic volumes.

Mr. Holmes advised that the discussion needed to be kept relevant to the items on the Agenda, which is the zoning and the PUD under the conditional use guidelines.

Mr. Lee concurred with Mr. Holmes and further advised that this is a difficult case, because you are dealing with a PUD that is typically designed for onsite issues. The Board would have the ability require and make stipulations within the PUD, in regards to location of buildings, elevations, height restrictions, the aesthetics of a building, setbacks requirements, landscaping, tree heights and those types of things. He did not advocate, but only informed the board, that the Comp. Plan limits the flexibility between 5 to 7.75 units per acre to remain consistent with zoning and the Future Land Use designation.

Discussion took place regarding the Developer's Agreement for this site.

Michael Held, 805 Brandy Wine Court, St. Augustine, FL, responded to several questions from Mr. Braddy.

Mr. Braddy asked if there were going to be several points of ingress and egress from various points at the golf course.

Mr. Held responded yes.

Mr. Braddy asked about fire safety, and how would the fire trucks and how city service trucks would turn around.

Mr. Braddy expressed that he had concerns that the flow of traffic from the point of ingress, would flow contrary to the normal flow of play.

Mr. Held stated that the cart path connectivity was conceptual at this point, that it was requested from the golf pro and the paths will be integrated for the most appropriate locations. That an auto turn analysis would be done as part of the construction documents phase.

Mr. Lee advised that this is the one chance that the Planning Board and the City Commission have to mandate how the project will look, there is no site plan review process between the Planning Board's recommendation to the City Commission and building permit application, at the moment, as some jurisdictions do.

Mr. Holmes stated that he believed everyone was interested in doing the best thing for the citizens of Palatka and the developer. The concerns that have been raised are real concerns in terms of what we are being told what is planned versus what could happen.

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Case 08-41 Address: Lundy Road (Oaks Landing) – continued

Mr. Lee stated that he would like to see more detail in terms of construction. He believed that is the intent and purpose of having a Planned Unit Development. That is where how it looks and the layout of the land is decided by the Planning Board and the City Commission, that he cannot, when it gets to his level, tell them that the building should be moved because it would have less impact on the neighborhood. He stated that the Planning Board, during this process, has the ability to indicate where it is located on the property, what kind of buffering, how high it is, number of stories, access, pool location, etc. If the Planning Board and City Commission determine the information presented is fine, so be it, it will then go forward to the permitting process and follow the basic zoning code. As there would not be another site review process before the Planning Board to engage in, and he had twice before asked the applicant's agent if they had additional site details.

Mr. Holmes stated that as there are some limitations to construction details at this stage, there are provisions for the Planning Board to request additional information if they decide they want more detail to properly evaluate the proposed development plan, as per the Municipal Code reference 94-235 (b)(2)(i)(4).

Mr. Schilling stated that there are height limits and restrictions in the PUD text however, they have not prepared a visual exhibit at this point because they are not that deep into the process as to finishes, colors and dumpster locations, etc. He added that they have worked very closely with staff for a considerable amount of time now and if there are a few additional questions, they can be worked through.

Discussion continued place regarding common review practices of the PUD process per our code and other jurisdictions, as well as, the definition of construction commencement, as per our code, as being vertical construction.

Anthony Harwell requested to see a more developed elevations plan, possibly some schematic design plans and a more developed site plan.

Zachary Landis, agreed with Mr. Braddy's concerns for ingress and egress safety.

Discussion took regarding the type of site plan submitted, and the recommendation for approval from staff after staff's review.

Mr. Holmes referred to municipal code section 94-235 and 94-3(1)(a...e) and stated that is the criteria that the staff and the Board is to consider for recommendation to the City Commission.

Mr. Lee advised that the staff report lists their findings based on the material submitted, and based on that, staff makes a recommendation based on those requirements being met to the Planning Board only, and the Board can then asked for additional details.

Mr. Braddy requested conceptual elevations of front, side and rear elevations of the buildings and a circulation plan for ingress/egress onto the golf course and refuse location.

Ms. Diettrich stated that this was planned to be a single-phase project.

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Case 08-41 Address: Lundy Road (Oaks Landing) – continued

Earl Wallace requested a right-of-way survey, as he does not believe that there is a right-of-way easement there at the curve of Lundy Rd.

Ms. Diettrich confirmed the requested additional items for consideration by the Board, for next month's meeting as follows:

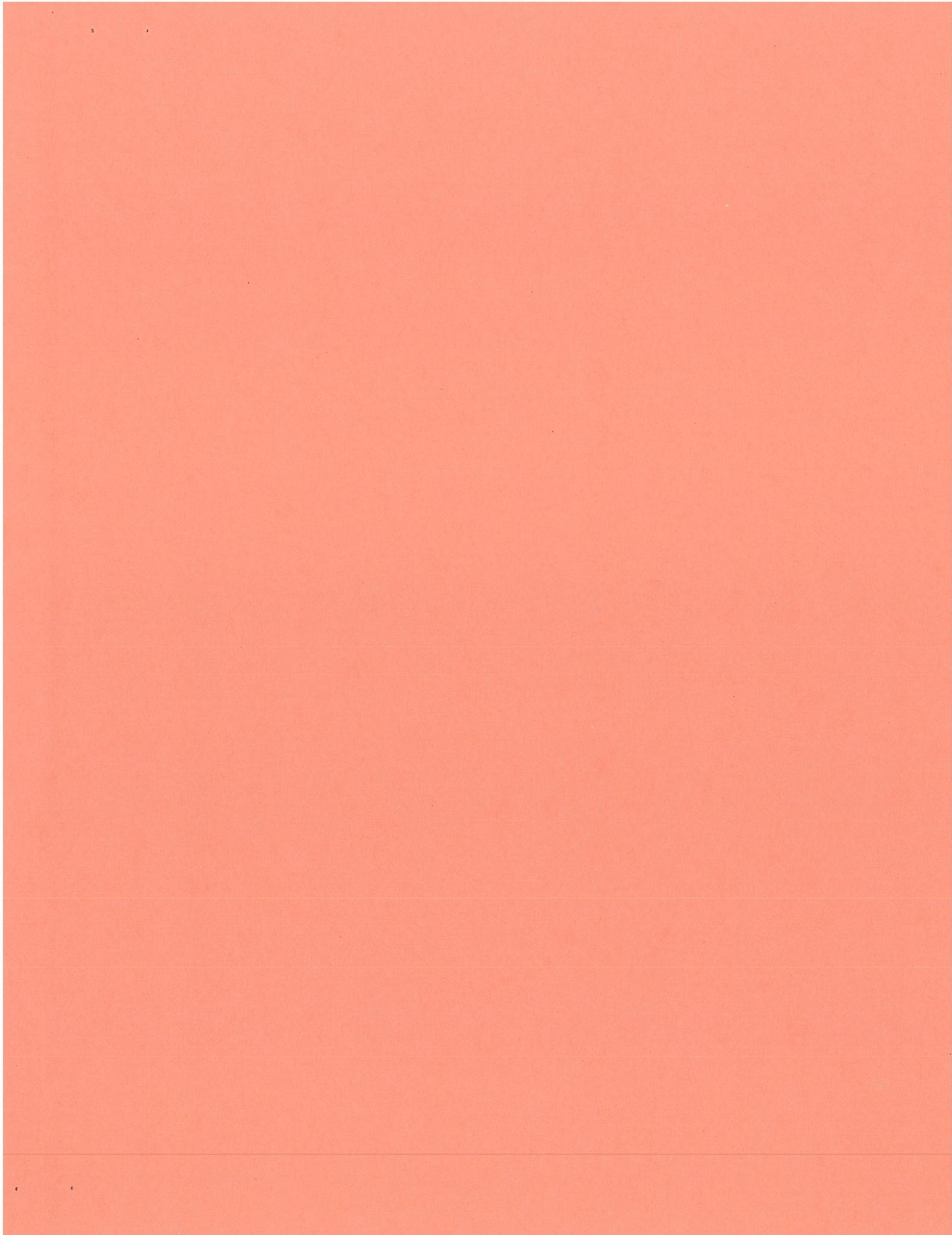
1. Ingress/Egress detail for fire safety with 3 point turn around,
2. Refuse locations,
3. Elevation drawings of front, back and sides,
4. Connectivity plan with the golf course for golf carts and;
5. Right-of-way maps based on survey for Lundy Rd. curve.

Mr. Stewart agreed.

Mr. Lee advised that these items should be turned in within the next two weeks for staff review and forwarding to the Board for the next scheduled meeting.

Motion made by Clem Saccareccia to table the request to rezone to R-3 Multi-family residential with a Planned Unit Development Overlay until the February 3, 2009 at 4:00 pm to review the requested information (as listed above). Seconded by Sue Roskosh. All present voted affirmative, motion carried.

Meeting adjourned at 7:40 pm.





January 22, 2009

■
Suite 300
8657 Baypine Road
Jacksonville, Florida 32256

Jim Lee
City of Palatka
Building and Zoning Department
201 North 2nd Street
Palatka, Florida 32177

Dear Mr. Lee:

**RE: PLANNING BOARD REQUESTS PER OAKS LANDING
REZONING APPLICATION**

On January 6, 2009, Kimley-Horn and Associates, Inc. (KHA), on behalf of the property owner Michael Held, Held Investment Properties, LLP, presented the rezoning application for Oaks Landing, Case No. 08-41. The subject parcels of this project are 18-10-27-0000-0060-0000 and 13-10-26-0000-0280-0000. The applicant requests to rezone the subject parcels from County Planned Unit Development (PUD) to City R-3 (Multi-Family Residential) with a PUD Overlay.

At the request of the Planning Board Members during the rezoning application public hearing held on January 6, 2009, the following items enclosed are provided to further support the rezoning application:

1. Right-of-Way Survey
2. Emergency Vehicle Access and Maneuverability Diagram
3. Refuse and Service Locations
4. Elevations of Buildings: north, south, east and west
5. Golf cart pathway connectivity locations

The Right-of-Way (ROW) information is derived from surveys performed by Brandt Wilson & Associates that depict the right-of-way and pavement limits of Lundy Road (aka Browns Landing Road).

The Emergency Vehicle Access and Maneuverability diagram depicts that emergency vehicles have appropriate areas to make turnarounds per the subject development site plan. The vehicles shown in the diagram are based on charts and measurements provided to KHA by Mark Lynady of the City of Palatka's Fire Department.



The Refuse and Service Locations are located in the Basement Floor (Garage) as proposed so that they are out of sight from surrounding properties. (See Staff Report, PUD Overlay Section, letter "d", page 16).

The Elevations of Buildings are provided as requested reflecting the north, south, east and west sides of the proposed development residential buildings. A section showing the conceptual view from Lundy Road has also been provided. Please note that the southern perspective takes into account the natural topography of the subject site that is ranging from 70 feet in elevation to 20 feet towards the southeastern portion of the property. The Basement Floor (Garage) will be designed, taking into account the grade of the site, to provide vehicular access.

The Golf Cart Pathway Connectivity Locations have been removed except for one, which is located at the more westerly point of the developed portion of the site. More specifically, the golf cart connectivity that is shown on the revised site plan (dated January 22, 2009) is located within proximity of the recreation open space, the pool and cabana area. Per conversations with the City of Palatka staff and Spanky Aaron, Golf Pro Representative for the City of Palatka Golf Course, the golf cart pathways are supported conceptually and will be further outlined and addressed in the future prior to development and subject to approval from City and Golf Course staff.

All exhibits enclosed fully address the above mentioned requests from the Planning Board and will be subject for discussion at the Continuance of the Rezoning Application Public Hearing to be held on Tuesday, February 3, 2009.

If you should have any questions or require further detail on the above mentioned items, please contact me directly at either 904-828-3900 or lara.diettrich@kimley-horn.com.

Best regards,

A handwritten signature in black ink, appearing to read "Lara K. Diettrich".

Lara K. Diettrich
Project Manager