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BOARD MEMBER

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CITY MANAGER

LORENZO AGHEMO, MRP
PLANNING DIRECTOR

JANE WEST, ESQ.
CITY ATTORNEY

KAREN HAYES, MMC
CITY CLERK



AGENDA
PLANNING BOARD MEETING
April 1, 2025 at 4:00 PM

1. CALL TO ORDER

- a. Invocation
- b. Pledge of Allegiance
- c. Roll Call
- d. ExParte Communication

2. APPROVAL OF MINUTES

- a. March 4th, 2025

3. PUBLIC COMMENTS

- a. **Public Comments** - (Speakers limited to three minutes - no action taken on items)

4. REGULAR BUSINESS

- a. **Case PB 25-05 – Sign Variance Sonny’s BBQ at 02-10-26-0000-0020-0000**
Address: 425 N State Road 19
Applicant: John Miller, Miller Land Holdings
Agent: Wesley E. Dixon, Palatka BBQ LLC, iserv LLC
- b. **Case PB 24-29 Annexation, Amendment to FLUM and Rezoning with PUD Overlay**
Address: “0” Moody Road, Approx. 16.72 acres +/-
Parcel No.: 02-10-26-0000-0420-0000
Applicant: Bryan Greiner, Gulfstream Design Group, LLC

5. STAFF COMMENTS

6. BOARD MEMBER COMMENTS

7. ADJOURN

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, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. FS 286.0105

NOTICE: Persons with disabilities requiring accommodations in order to participate in this meeting should contact the City Clerk's Office at 329-0100 at least 24 hours in advance to request accommodations.

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INTERIM CITY MANAGER
FINANCE DIRECTOR

LORENZO AGHEMO, MRP
PLANNING DIRECTOR

JANE WEST, ESQ.
CITY ATTORNEY

KAREN HAYES, MMC
CITY CLERK



MINUTES
PLANNING BOARD
March 4, 2025

1. CALL TO ORDER

a. Invocation

Invocation led by Mr. DeLoach.

b. Pledge of Allegiance

Pledge of Allegiance led by Ms. Wilson.

c. Roll Call

Present:

Edie Wilson

Earl Wallace

Ed Killebrew

George DeLoach

Andrew Burnett

Absent:

Chase Barnes

Also Present: Lorenzo Aghemo Planning Director, Jane West, City Attorney, Renee' Brown and Ryan Mickles, Planners; Allegra Kitchens, former City Commissioner; Toby Williams, Police Captain; Stephen Speaks;

d. ExParte Communication

The floor was opened for ex parte communication disclosure. Hearing none, the floor was closed.

Appeal procedures were read by the Chair.

2. APPROVAL OF MINUTES

a. February 4, 2025

Motion to approve by Wilson. Seconded by DeLoach. The Motion Passed unanimously. Mr. Burnett was not present for the vote.

3. PUBLIC COMMENTS

a. Public Comments - (Speakers limited to three minutes - no action taken on items)

The floor was opened to public comment. Upon hearing nothing further, the floor was closed to public comment.

4. REGULAR BUSINESS

- a. PB Case 25-01 Request to annex a 0.49-acre, single-family residence, into the city limits.
Parcel No.: 13-10-26-0000-0260-0002
Address: 1609 Edgemoor St. Palatka, FL 32177
Owner: Richard and Royane Mosley

Mrs. Brown presented the request to annex 0.49-acres, into the City of Palatka; amend the Future Land Use Map from Putnam County Urban Reserve (UR) to City of Palatka Residential Low land use, and rezone from Putnam County residential R-1 to City of Palatka single-family residential (R-1).
The applicant declined opportunity to speak.
The floor was opened to public comment. Upon hearing nothing further, the floor was closed to public comment.

Motion to annex the approximately 0.49-acre property into the City by Wilson. Seconded by Deloach. The Motion Passed unanimously.

Motion to amend the Future Land Use Map from Putnam County Urban Reserve (UR) to City of Palatka Residential Low by Wilson. Seconded by DeLoach. Motion Passed unanimously.

Motion to Putnam County Residential R-1 to City of Palatka (R-1) single-family residential district by Wilson. Seconded by DeLoach. The Motion Passed unanimously.

- b. PB 23-19 Fairways Estes (fka Moseley Heights) Final Plat
Parcel No.: 13-10-26-3170-0010-0010
Address: Unassigned (Moseley Avenue and Edgemoor Street)
Owner: A&M Home Builders, LLC

Mr. Aghemo advised this item continued from the last meeting due to changes that needed to be made to the plat - the name of the subdivision, amendment to the northern boundary, title opinion reference to the mortgage. The plat has been renamed Fairway Estates and other changes have been made by the surveyor.

Mr. Wallace expressed concern that the name is close to other subdivisions. Ms. West advised it is dissimilar enough.

Motion to approve the final plat by Wilson. Seconded by Burnett. The Motion Passed unanimously.

- c. PB 24-24 Amend Future Land Use Map and Rezone 0.39 acres
Parcel No.: 12-10-26-1070-0080-0020
Address: 1822 Twigg Street
Owner: Preston Sloan Jr.

Mr. Aghemo addressed the board regarding this case which was continued from the last meeting. He advised the applicant is requesting the property be rezoned to Residential R-2 to allow him to erect a duplex. Staff recommends approval.

The applicant was not present.

Board discussion commenced. Mr. Wallace expressed concern this would put residential R-2 zoning in the middle of other zonings.

The floor was opened to public comment:

Allegra Kitchens, 1027 S 12th St., Palatka, FL - spoke in opposition due to spot zoning

Mr. Aghemo advised it is Staff's opinion this would not be spot zoning as the future land use is not appropriate for the lot.

Discussion commenced regarding how the other properties on the block's zoning could be corrected.

Motion to amend the future land use map to Residential Medium (RM) by Wilson. Seconded by DeLoach. Motion Passed Yes 3, No 2, with Wallace and Burnett dissenting.

Motion to rezone from Single-family Residential (R-1A) to Two-family Residential (R-2). by Wilson. Seconded by DeLoach. Motion Passed unanimously.

5. STAFF COMMENTS Nothing further.
6. BOARD MEMBER COMMENTS Nothing further.
7. ADJOURN **Motion to adjourn by Wilson at 4:24 PM.**

Case PB 25-05 – Sign Variance Sonny’s BBQ at 02-10-26-0000-0020-0000

Address: 425 N State Road 19

Applicant: John Miller, Miller Land Holdings

Agent: Wesley E. Dixon, Palatka BBQ LLC, iserv LLC

STAFF REPORT

DATE: April 1, 2025
TO: City Planning Board
FROM: Ryan Mickles, Planner

APPLICATION REQUEST

Request is for a variance regarding the alteration and relocation of an existing legal nonconforming sign.

Public notice issued by the city included legal advertisement in the *Palatka Daily News*, property posting, and mailed notices to property owners within 150 feet of the subject property.

Background

Sonny’s BBQ restaurant is located on Florida State Rd 19 between State Route 100 (Reid Street) and Saint Johns Avenue. This section of SR19 is primarily a commercial corridor that consists of several restaurant establishments in the immediate vicinity of the site with relatively high vehicular traffic. According to the Florida Department of Transportation, it estimates 21,500 Annual Average Daily Traffic (2023) trips from SR 100 (Reid Street) to Crill Avenue. Signage for visibility is important to the business community in the area and many have free-standing or pole signs to attract customers.

Sonny’s BBQ restaurant is on a 1.93 acre parcel adjacent to Long Horn Steakhouse to the north and Zaxbys Chicken Fingers & Buffalo Wings to the south. Other commercial sites in the surrounding area include Wawa, Krystal, Firehouse Subs Palatka, J&J Seafood and Chicken, and Salsa Cocina Palatka. Lowe’s Garden Center, The Home Depot and Palatka Mall are larger commercial sites south of this location.

The applicant indicates that several large trees, both on private property and in the public rightofway, have grown to heights that block the visibility of the Sonny’s BBQ free-standing sign on SR19. At the request of the Sonny’s BBQ property owner, the adjacent property owner (Zaxbys Chicken Fingers & Buffalo Wings) has trimmed the tree(s) in question on its property when asked however the relief is short-lived due to fast regrowth.

In addition, the Sonny’s BBQ free-standing sign on SR19 has two signs on one pole structure and the property owner would like to change or alter one of the two signs. The applicant would like to remove the marquee panels from the marquee sign box and install an LED digital screen using existing low voltage wiring and framing. The digital sign would replace the physical letters and marquee paneling.

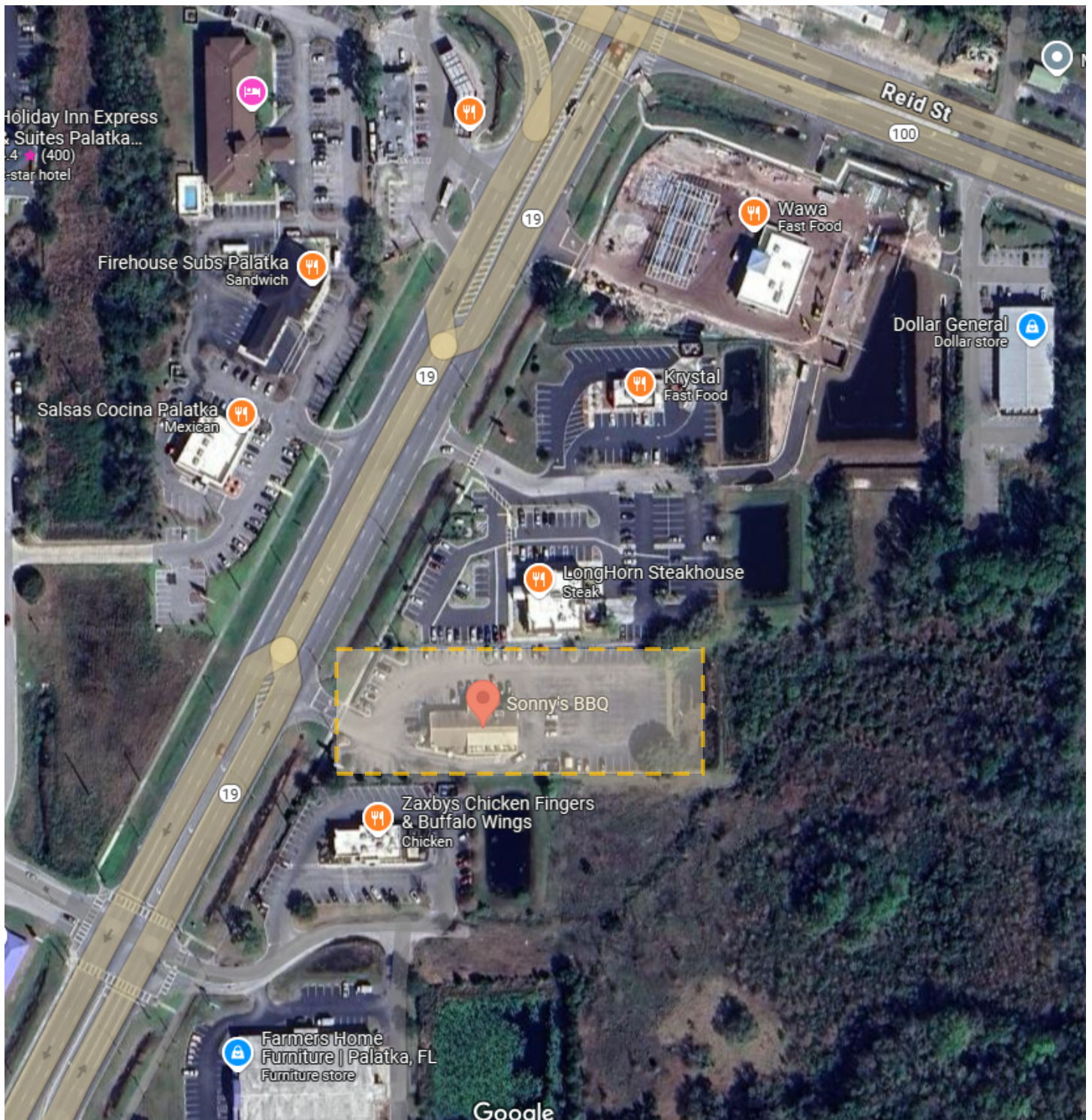


Figure 1 Aerial map showing Sonny's BBQ restaurant and surrounding area

City of Palatka Zoning Code regarding Nonconforming Signs.

Section 62-95. Requirements for nonconforming signs.

(b) No nonconforming sign shall be reconstructed, reerected, repaired, expanded, relettered, repainted or enlarged except as provided in this section. Otherwise, such signs shall be made to conform with the provisions of this chapter or be removed.

Section 62-4. Maximum area of commercial advertising signs.

No commercial advertising ground or pole sign shall be erected having a square foot area of advertising surface showing in any one direction more than 96 square feet, as applicable to single signs or multiple signs on an individual sign structure, and there shall be no more than two such signs on a lot having a lot front footage of 200 feet or greater. Lots with less than 200 feet of frontage shall be limited to one ground or pole sign.

Figure 2 shows the existing nonconforming sign currently on the Sonny's BBQ site. The calculated sign faces for the top and bottom signs are 98 square feet and 50 sq. ft, respectively, which collectively exceed the maximum sign-face area permitted by 52 sq. ft.

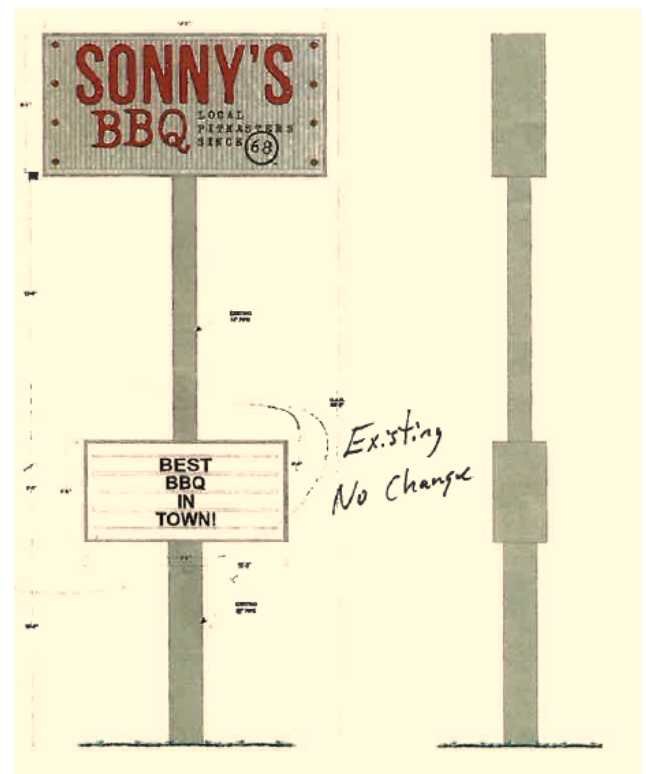


Figure 2 Existing nonconforming sign

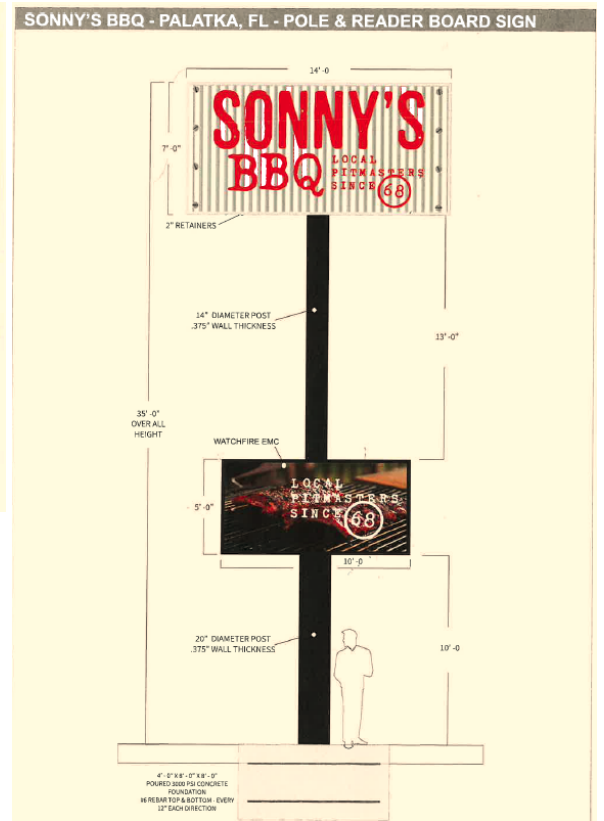
Figure 3 shows the existing location and proposed relocation of the Sonny's BBQ sign. The sign is proposed to be relocated approximately 160ft north of its current location and positioned approximately 22ft inside the property line. The applicant believes the proposed new location does not impact or block the view of other commercial free-standing signs on SR19.



Figure 3Existing and proposed location of sign



NOTE – The existing road sign on site will be used at the proposed new location.



Section 94-72 of the City of Palatka municipal code sets forth criteria to utilize in considering sign variance requests:

1. That sign size or height limitations cause an exceptional and unique hardship
2. That the unique hardship is not due solely to the owner's actions
3. That the variance authorized will be compatible with the physical characteristics of the neighborhood.

Staff Response and Findings of Fact:

- The height of the existing sign is 35ft which is in compliance to the current municipal code and would not change in this variance request.
- The sign area for the top sign will remain at its current size of 98 sq. ft. However, the applicant is willing to reduce the sign area of the bottom sign (from marquee panel to LED digital) from 50 sq. ft. to 36 sq. ft which would be in compliance with §62.17 of the city code. This reduction of the marquee panel (bottom) sign would make the total sign area less nonconforming by 14 sq. ft.
- Staff conducted a site visit to view conditions and evaluate claims. Staff concurs the Sonny's BBQ sign is not easily visible from SR19, particularly from the south approach due to foliage of the trees. Staff believes the trees in question are not located on the Sonny's BBQ property, thus the property owner has limited-to-no control over the pruning and trimming of foliage. Being able to see signage is critical for the restaurant business to attract vehicular traffic on SR19.
- There are several free-standing signs along the SR19 corridor of various heights and sign areas. The variance being requested will be compatible with the physical characteristics of the area/neighborhood.
- There is a potential traffic hazard due to non-visibility of the free-standing-sign (confused motorists looking for the entrance into the Sonny's BBQ restaurant).

Case PB 24-29 Annexation, Amendment to FLUM and Rezoning with PUD Overlay
Address: “0” Moody Road, Approx. 16.72 acres +/-
Parcel No.: 02-10-26-0000-0420-0000
Applicant: Bryan Greiner, Gulfstream Design Group, LLC

STAFF REPORT

DATE: April 1, 2025
TO: City of Palatka Planning Board
FROM: Lorenzo Aghemo, Planning Director

APPLICATION REQUEST

Request is to annex one parcel, approximately 16.72 acres +/-, from unincorporated Putnam County to the City of Palatka for the purpose of connecting to city water and sewerage systems, amend the Future Land Use Map (FLUM) from Putnam County Urban Services (US) to City of Palatka Residential High density (RH), and rezone from Putnam County Light Industrial (IL) to City of Palatka Multiple-family residential with a Planned Unit Development overlay (R-3, PUD). The proposed site is currently vacant with no structures.

Public notice included legal advertisement in the *Palatka Daily News*, notice signs posted on property, and mailed notices to property owners within 150 feet of the subject property.

The site is proposed to be developed for 128 townhomes and is currently located in Putnam County.

Background

The application is for a 16.72 acre +/- parcel located “0” Moody Road, parcel 02-10-26-0000-0420-0000. The site is bordered by the city limits to the north, east, south-east, and west. Properties to the south of the subject site are located in unincorporated Putnam County. This site is adjacent to Lowe’s Garden Center to the east and the Palatka Municipal Airport to the west. The applicant requests connection to the city’s water and sewerage facilities.



Figure 1: Subject site shown in orange.

Table 1: Current and Proposed Future Land Use Map and Zoning Designations

	Actual Use	FLUM	ZONING
Property Existing	Vacant	Putnam County, Urban Services (US)	Putnam County, Light, Industrial (IL)
Property Proposed	Townhomes	City of Palatka, Residential High (RH)	City of Palatka, Multiple-family Residential (R-3)
North	North East Florida Educational Consortium, and a vacant parcel	City of Palatka, Commercial (COM), and Light Industrial (IL)	City of Palatka, Commercial, Intensive (C-2), and Industrial, Light (IL)
South	FreeUp Storage Palatka, and North Florida Emulsions	Putnam County, Urban Services (US)	Putnam County, Light Industrial (IL)
East	Lowe's Garden Center	City of Palatka, Commercial (COM)	City of Palatka, Commercial, Intensive (C-2)
West	Palatka Municipal Airport	City of Palatka, Public Buildings and Grounds (PB)	City of Palatka, Airport (AP-1)

PROJECT ANALYSIS

Annexation Analysis

Florida Statute 171.044 references voluntary annexation requirements and requires that property proposed for annexation must meet two tests. First, properties must be contiguous to the annexing municipality and second, properties must also be "reasonably compact."

Contiguous: F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality's boundary.

Compactness: The statute provides a definition for compactness that requires an annexation to be for properties in a single area and precludes any action that would create or increase enclaves, pockets, or finger areas in serpentine patterns.

Annexation of this property meets the standard of compactness because it does not create an enclave or pocket and the proposed annexation borders the city limits to the north, east, west and portions to the south.

Connection to Water and Sewer: **Water and sewerage are available to the site in question. The applicant desires connection which are adequate to handle the expected volume.**

Comprehensive Plan Public Facilities Element Policy D.1.2.1.

The City of Palatka shall establish a coordinating relationship with the Putnam County Board of County Commissioners to discuss future development plans adjacent to City borders and to discuss the City supporting development beyond their border with water/sewer service. Areas served by Palatka water and sewer will be annexed into the City; however, the distribution of potable water for areas outside of City limits is conditioned upon annexation only when those properties become contiguous. Annexation of contiguous property receiving water or sewer service shall not be required if provision of service to a

property, in substantive terms, improves the efficiency of the collection system, supports the system through additional service and user fees, achieves environmental protection, and promotes economic development; and does not promote urban sprawl.

Proximity of Subject Parcel Adjacent to Palatka Municipal Airport.

There will be some restrictions and limitations affecting the proposed residential development. A small portion of the parcel (northern portion) lies within the Runway Protection Zone of the Palatka municipal airport (exact delineation to be determined). See Exhibit B of this report.

Although the Federal Aviation Administration (FAA) letter indicated that the proposed residential development structures will not pose a hazard to air navigation, subject to some conditions, one of those conditions clearly indicated that in cases where the airport owner can control the use of the property, structures within the RPZ that congregates people are prohibited. Once the property is annexed into the city this prohibition will then apply. As such the residential development would have to be placed in such a way that the residential structure does not encroach into the protection zone. Based on that, the applicant has submitted a revised site plan which complies with the stated prohibition.

An Airport Noise and Residential Land Use Compatibility study would be required to be submitted and, an easement holding the city harmless from possible complaints from future residents would have to be filed. Finally, a Planned Unit Development Overlay will have to be placed on the requested R-3 zoning.

Future Land Use Change Analysis



Figure 2: Current Future Land Use Map (FLUM)



Figure 3: Proposed Future Land Use Map (FLUM)

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

Staff are not aware of any soil or topography conditions that would present major problems for additional future development of this property in accordance with all applicable land development regulations, nor is staff aware of natural or historic resources on this developed site.

Provide analysis of the minimum amount of land needed as determined by the local government.

The adopted 2008 Comprehensive Plan does not determine minimum amounts of land needed for commercial or industrial land uses. However, data and analysis for the Future Land Use element does note that commercial land uses comprised 25% of the total land area of the city at that time. Industrial land uses comprised 5.3% of the total land area at that time. As the city and surrounding areas have grown, there has been increased demand for these land uses.

Demonstrate that amendment does not further urban sprawl, as determined through the following tests:

- Low-intensity, low-density, or single-use development or uses.
- Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
- Radial, strip, isolated, or ribbon development patterns.
- Development that fails to adequately protect and conserve natural resources and agricultural activities
- Development that fails to maximize use of existing and future public facilities and services.
- Development patterns or timing that will require disproportional increases in cost of time, money and energy in providing facilities and services.
- Development that fails to provide a clear separation between rural and urban uses.
- Development that discourages or inhibits infill development and redevelopment.
- Development that fails to encourage a functional mix of uses.

The annexation of this parcel would not contribute to urban sprawl. The area is not considered rural and it is contiguous to the existing city limits. The property is surrounded by commercial and industrial uses including the Palatka Municipal Airport. FreeUp Storage Palatka and North Florida Emulsions are located to the south.

Zoning Analysis



Figure 4: Current Zoning Map



Figure 5: Proposed Zoning Map

Section 94-38 (f) (1) requires that the report and recommendations of the Planning Board to the City Commission required by subsection 94-38 (e) of this section shall show that the planning board has studied and considered the proposed change in relation to the following, where applicable:

- a. *Whether the proposed change is in conformity with the Comprehensive Plan. The proposed zoning with a Planned Unit Development overlay is in conformity with the Comprehensive Plan.*
- b. *The existing land use pattern.*
The existing pattern is of mixed land uses.
- c. *Possible creation of an isolated district unrelated to adjacent and nearby districts.*
The proposed zoning will not create an isolated district.
- d. *The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc. Townhomes are proposed for development on the property following completion of annexation and rezoning of the parcel. The anticipated increase in residential population would not place an undue strain on the school system or on the city's water and sewer services as there is sufficient capacity.*
- e. *Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change. The existing district boundaries are not illogical drawn.*
- f. *Whether changed or changing conditions make the passage of the proposed amendment necessary. The annexation of the parcel into the city limits makes the assignment of a city zoning district necessary.*
- g. *Whether the proposed change will adversely influence living conditions in the neighborhood. The parcel is currently vacant.*
- h. *Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety. The rezoning for the proposed development would bring additional traffic to the area, however there is sufficient capacity on the immediate road facilities to safely absorbed the resulting number of trips.*
- i. *Whether the proposed change will create a drainage problem.*
No drainage problem is anticipated.
- j. *Whether the proposed change will seriously reduce light and air to adjacent areas.*
- k. *Whether the proposed change will adversely affect property values in the adjacent areas. The proposed rezoning will likely not adversely affect nearby property values.*
- l. *Whether the proposed change will be a deterrent to the improvement of adjacent property in accord with existing regulations. The proposed rezoning will not be a deterrent for improvement of adjacent property.*
- m. *Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare. The proposed rezoning will not constitute a grant of special privilege to the owner as contrasted with the public welfare.*
- n. *Whether there are substantial reasons why the property cannot be used in accord with existing zoning. The proposal is for a multifamily housing which is permitted in Multi-family (R-3) zoning district.*

- o. *Whether the change suggested is out of scale with the needs of the neighborhood or the city. **The zoning will be consistent with the needs of the city and the neighborhood.***
- p. *Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use. **It is not impossible.***
- q. *The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district. **Not in Historic district.***

PUD Analysis

The intent of the Planned Unit Development is to:

- (1) *Encourage the development of large tracts of land as planned neighborhoods or communities.*
- (2) *Encourage flexible and creative concepts of site planning.*
- (3) *Preserve the natural amenities of the land by encouraging scenic and functional open areas within residential areas.*
- (4) *Accomplish a more desirable environment than would be possible through the strict application of minimum requirements of this chapter.*
- (5) *Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lower development and housing costs.*
- (6) *Provide an environment of stable character compatible with surrounding residential areas.*
- (7) *Encourage a variety of housing types within the planned development in an orderly relation to one another and to existing land uses, with due regard to the comprehensive plan for the city.*

Section 94-233 of the Zoning Code set forth the development standards which must be applied to any PUD application:

a.- Unity: A parcel which is proposed for planned unit development shall be in single ownership or control.

- **Staff Response: “Daryl Gilbert et al” is listed in the Tax Appraiser’s record as the owner of the property. The application is in compliance with this standard.**

b.- Maximum density: The maximum density of a planned unit development shall not exceed that allowed in the district within which the planned unit development is approved.

- **Staff Response: The underlying zoning district proposed is Multiple-family residential (R-3) which allows a maximum density of 18 dwelling units per acre. The proposed residential development would be approximately 7.6 dwelling units per acre. This proposed density is below the maximum for the R-3 zoning district. The application is in compliance with this standard.**

c.- Access: Every dwelling unit or other permitted use in the planned unit development shall have access to a public street either directly or via an approved private road, pedestrian way, court or other area dedicated to public or private use, or common element guaranteeing access. Permitted uses are not required to front on a dedicated public road.

- **Staff Response: The concept plan depicts each lot with access fronting a proposed private internal road that connects to Moody Road. The application is in compliance with this standard.**

d.- Internal lots and frontage: Within the boundaries of the planned unit development, no minimum lot size, minimum yards, or maximum height of structures shall be required.

- **Staff Response: The concept plan shows a 35-ft front setback, 15-ft rear setback, and 15-ft side setback. In the draft Development Agreement, the applicant proposes a 20-ft front yard**

setback, 0-5-ft side yard setback, and 15-ft rear yard setback. No maximum height proposed is shown on the concept plan. The application is in compliance with this standard.

e.-Open space requirements: There shall be no minimum open space requirement for planned unit development; however, each planned unit development proposed within the City of Palatka must include provisions for open space, with reference to the preservation of natural features indigenous to the site. For purpose of this section, neither waters of the St. Johns River or land or waters bodies located off-site shall be included in determining open space.

• **Staff Response: The concept plan shows three stormwater management facilities (no area calculation provided). The application is in compliance with this standard.**

f.- Underground utilities: Within a planned unit development, all utilities, including telephone, television cable and electrical systems shall be installed underground, applicable only for new construction. Appurtenances to these systems which require aboveground installation must be effectively screened and thereby may be excepted from this requirement. Primary facilities providing services to the site of the planned unit development may be excepted.

• **Staff Response: The applicant will be required to submit a site plan for the development proposal, and at that time, plans should note compliance with this provision of the PUD ordinance.**

g.- Off-street parking requirements: The off-street parking requirements for uses within a planned unit development shall be as provided in Article V of the City of Palatka municipal code.

• **Staff Response: The concept plan generally depicts the residential parking however the applicant intends for each new townhome (unit) to be accommodated with two vehicular parking spaces. The minimum of 256 parking spaces are required as noted in Section 94-262 of the Code. Staff recommends that a condition regarding the accommodation of guest parking and recommends one vehicular parking space per five units be placed on the development. This condition must also be included in the development agreement. The application will be in compliance with this standard as conditioned.**

h.- Minimum living area for dwelling units: 500 square feet

• **Staff Response: The applicant states that the proposed development will meet the minimum living area, and therefore will be in compliance with this requirement.**

Unified Control

Section 94-234 of the Code requires that the entire development site be under the legal control of the applicant. It also requires that the legal counsel representing the applicant provide opinion stating that developer has the right to impose all covenants and conditions upon the land. All documents and evidence of unified control submitted must be examined by the city attorney who must certify that the documents meet the requirements of this section.

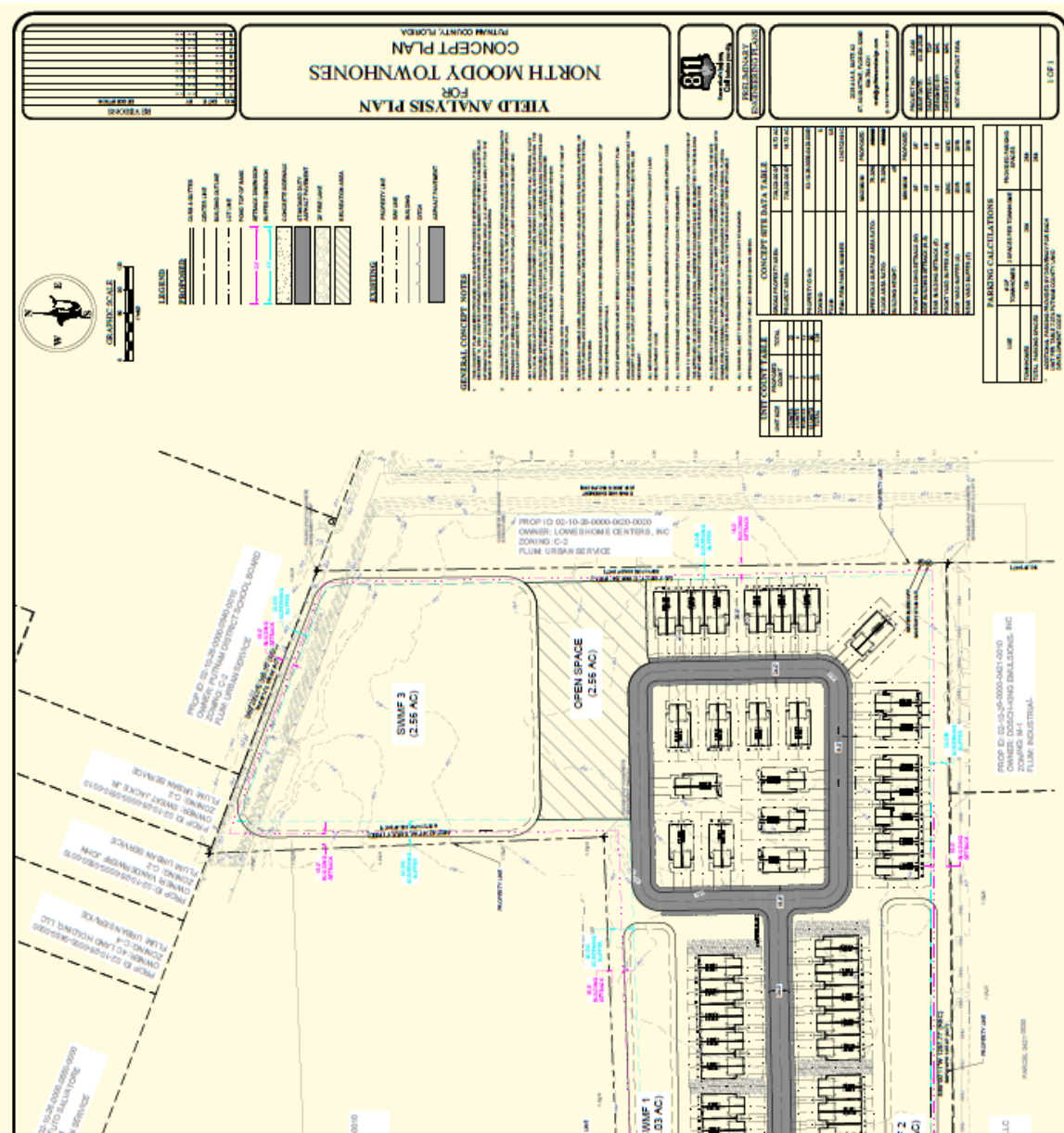
Staff Recommendation

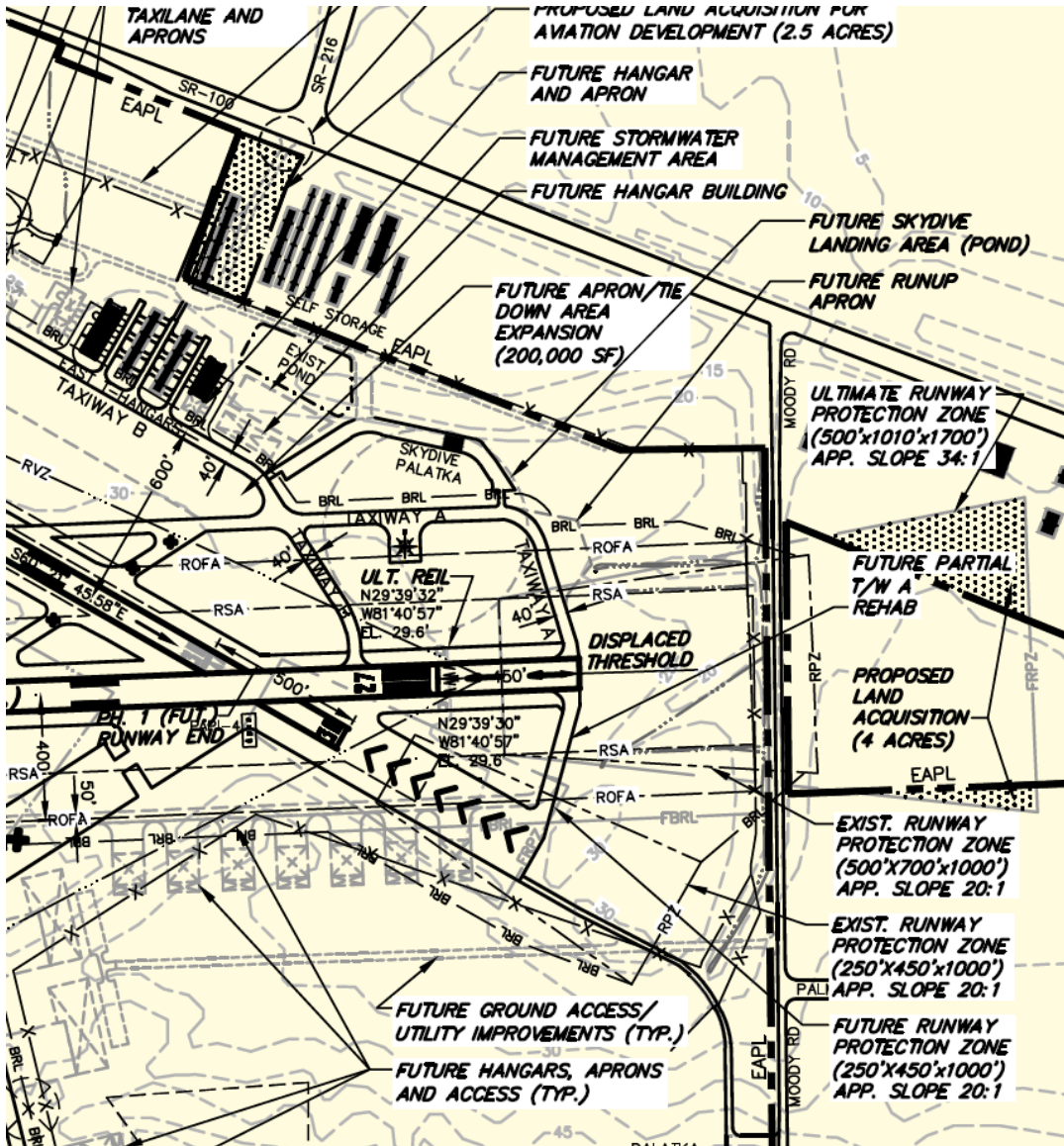
- Staff recommends **approval** of the annexation of "0" N Moody Road (Parcel 02-10-26-0000-0420-0000) for the purpose of connection to City of Palatka water and sewerage services
- Staff recommends **approval** to amend the district boundary FLUM designation from Putnam County, Urban Services (US), to City of Palatka Residential High (RH)
- Staff recommends **approval** to rezone from unincorporated Putnam County Light Industrial (IL) to City of Palatka Multiple-family residential with a Planned Unit Development overlay (R-3 PUD)

Conditions:

1. An Airport Noise and Residential Land Use Compatibility Study shall be submitted to the City.
2. An easement holding the city harmless of noise complaints from future residents must be filed and recorded
3. A traffic study prepared by a traffic engineer registered in Florida must be submitted.
4. The site plan submitted must be revised to indicate city requirements instead of county requirements.
5. The legal counsel representing the applicant must provide opinion stating that developer has unified control of the land and the right to impose all covenants and conditions upon the land for certification by the City Attorney.

Exhibit A – Draft Concept Plan





Client:

City of Palatka

201 N. 2nd Street

Palatka, Florida 32177



DEVELOPMENT AGREEMENT
SHERWOOD LANDING
TOWNHOMES PUD

This development agreement is made-and entered into this _____ day of 2025, by and between Sunrise Adeventures II, LLC., a Florida limited liability company, (collectively referred to as the "Developer") and THE CITY OF PALATKA, FLORIDA, a political subdivision of the State of Florida ("City") pursuant to the Florida Local Government Development Agreement Act, Section 163.3220, Florida Statutes.

PREAMBLE

WHEREAS, the Developer is the legal or equitable owner of certain real property located within the boundaries of the City, the legal description of which is attached to this Agreement as Exhibit A ("Property"); and

WHEREAS, the Developer and the City mutually acknowledge their desire to enter into a development agreement for the Property pursuant to Section 163.3220, Florida Statutes, and to be bound by the terms and provisions of this Agreement; and

WHEREAS, the Developer and the City desire to establish certain terms and conditions relating to the future development of the Property and wish to establish certainty as to the Developer's development of the Property; and

WHEREAS, the City finds that this Agreement is consistent with the City's Comprehensive Plan and City Code; and

WHEREAS, this Agreement has been considered by the City Commission at duly noticed public hearings on March 9, 2025 and April 3, 2025, respectively.

"Development" shall be as defined in Section 380.04, Florida Statutes.

"Developer" shall mean Sunrise Adeventures II, LLC., a Florida limited liability company, its successors in interest, successors in title, and assigns.

"Development Order" shall mean a development order or orders, issued by the City authorizing the Developer to proceed with and carry on development upon the Property.

"Development Permit" includes any building permit, rezoning, variance, waiver, development of regional impact, development order, or any other official action of local government having the effect of permitting the development of land.

"Effective Date" shall mean the date of recordation of this Agreement.

"Property" means the real property described in Exhibit A.

Any terms not defined in this Agreement shall have the definition as set forth in the Plan and the Code as they exist on the execution date of this Agreement.

3. Purpose. The purpose of this agreement is to set forth the ownership and general location of the parcels to be rezoned to the Sherwood Landing Townhomes Planned Unit Development (PUD). This Agreement is not intended to, nor does it, approve or authorize any amount of development or type of use on the Property, nor does it require the City to approve any Plan amendment, or rezoning, or development order, or development permit for the Property. Rather, the purpose of this Agreement is to set forth requirements and commitments regarding the development of the Property to ensure the Property may be developed during the term of this Agreement under the existing Code and Plan, except as otherwise set forth in this Agreement.

4. Lands Affected. The legal description for the lands affected by this Agreement ("Property") is set forth as Exhibit "A." The parcel ID numbers are: 02-10-26-0000-0420-0000

The parcels have approximately 400 linear feet of frontage along Moody Rd. The parcels are more particularly described herein PT OF S1/2 OF NW1/4 OR287 P201, OR347 P432(EX OR292 P918 OR604, P730 OR613 P1789 OR962 P12) of which is a recorded/platted division of land. Further division of the lands subject to this development agreement will be subject to a replat as defined by Florida Statutes Chapter 177.

5. Legal and Equitable Owners of Property. The name of the legal and equitable owners of the land are: GILBERT DARYL L ET AL, Sunrise Adventures II, LLC
6. Authority for Agreement. This Agreement is being entered into pursuant to authority provided in Sections 163.3220 - .3243, Florida Statutes, otherwise known as the Florida Local Government Development Agreement Act ("Act").

on all parties and all persons claiming under it in perpetuity, unless amended, and shall be transferable to future property owners.

8. **Project Plan.** The site plan generally depicts one parcel consisting of approximately 16.72 acres. The proposed development would consist of a maximum of 148 residential townhome dwelling units and parks along with permissible accessory/ancillary structures. Infrastructure located within the project would include entry roadways, internal roadways, sidewalks, lift stations, and stormwater management areas. The applicant is proposing a maximum density of twenty (20) dwelling units per acre.
9. **Development Uses Permitted.** The land uses currently permitted to be developed on the Property under the Comprehensive Plan and City of Palatka Code, residential densities, building intensities, height and other uses are set forth below:

- a) **Permitted Development Uses.** The City hereby acknowledges that the Plan and the Code allow the development of the Property. Upon execution of this Agreement and for the term thereof, the City confirms and agrees that the Property may be developed and used consistent with land uses, intensities, height, and other provisions of the Plan on the execution date of this Agreement. All permitted uses and conditional uses shall be consistent with Article III, Section 94-144 of the City of Palatka Zoning Code R-2 two-family residential district, or as otherwise provided in this PUD.
1. Two-family dwellings
 2. Patio houses
 3. Cluster houses
 4. Townhouses

There is no language in the PUD text that prevents the property from developing under the Live Local Act (Chapter 2023-17) where applicable; however, the Developer is not pursuing any entitlements or benefits under the Live Local Act at the time of this Agreement.

Part of the PUD Property has been used for silvicultural purposes. Silvicultural practices may continue and not subject to tree mitigation in areas of the PUD Property where construction has not commenced, except in upland buffers or preserved wetland areas.

- b) **Conditional Uses.** The following conditional uses are generally permitted subject to the conditions under Sec. 94-3 of the City's Code: Home occupations.
- c) The development of such other land uses, densities and intensities, shall be subject to all provisions of the comprehensive plan, ordinances, and code in effect at such time as the Developer files an application to develop such other uses. An amendment to this Agreement shall not be necessary to file an application to develop the Property with such other

- d) Developer retains the ability to seek rezoning or approvals for development that is not currently authorized by the Plan or the Code so long as it is consistent with the Comprehensive Plan and land development regulations in effect at such time.

- 10. **Development Standards:** The standards provided within this section are intended to allow for flexibility in design to foster more innovative development patterns for mixed use development. The intent of the PUD rezoning classification is to design residential uses while preserving open space, promoting environmental preservation all while providing design flexibility in order to create a cohesive place to live. PUDs include a variety of housing types to promulgate varying price points along with convenient access to workplaces, shopping, education and recreation.

Minimum Yard Requirements:

- 1. Residential:
 - a. Front Setbacks - 20 feet
 - b. Rear Setbacks - 15 feet (HVAC units may be placed in the required rear yard.)
 - c. Side (Corner lots only) Setbacks - 5 feet
- 2. Maximum Height:
 - a. 35 feet
- 3. Minimum living area for dwelling units:
 - a. 500 square feet

Lot Coverage and Impervious Surface Area:

- 1. Residential:
 - a. Impervious Surface Area - 70% (Max City of Palatka Comprehensive Plan)

- 11. **Perimeter Buffering:** Buffering will be provided between all incompatible uses, zoning district boundaries, and required parking buffering. The applicant has provided some exceptions (list below in waivers) to a minimal amount of the buffering requirements.

- 1. Minimum 10-foot buffer along the perimeter of the entire development.
- 2. Shrubs, or a privacy fence shall be arranged to provide a visual screen of 75 percent opacity and achieve a height of at least three feet within three years.
- 3. At least one shade tree planted for each 30 linear feet, or part thereof, of the boundary of the vehicular use area. The distance between such trees shall not exceed 40 feet

Incompatibility Buffering:

- 1. Residential adjacent to Commercial- 10-foot-wide Type A buffer (All

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share, dedications, and exactions imposed on new construction subject to the terms

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