



MINUTES OF THE PLANNING BOARD

December 13, 2022

MEMBERS PRESENT: Chairperson Paul Ritz, Vice Chairperson Larson, Board Member Grundhoefer, Board Member Villegas, Board Member Sampson, Board Member Van Hoose

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Planning & Zoning Manager Cannon, Assistant Planning & Zoning Manager Harding, City Attorney Lindsay, Deputy City Administrator Forte, Help Desk Technician Russo, Executive Assistant Chwastyk

STAFF VIRTUAL: Development Services Director Morris

OTHERS PRESENT: Michael Carro, Clint Geci

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from November 8, 2022
- **New Business:**
- Conditional Use Permit Application – 716 N. 9th Avenue, Unity Church – District 6
- Preliminary Plat Main Street Crossing Townhomes – District 7
- Open Forum
- Discussion
- Adjournment

Call to Order / Quorum Present

Chairperson Paul Ritz called the meeting to order at 2:01 pm with a quorum present and explained the procedures of the Board meeting including requirements for audience participation.

Approval of Meeting Minutes - Vice Chairperson Larson made a motion to approve the November 8, 2022 minutes, seconded by Board Member Villegas, and it carried 6:0.

New Business –

Conditional Use Permit Application – 716 N. 9th Avenue – Unity Church- District 6

Planning & Zoning Manager, Cannon introduced the item and stated that Jamie Sanders with Unity Church is requesting to change the existing use from a church to an events center. Michael Carro, SVN | Southland Commercial, represented the applicant. Chairperson Ritz stated that the structure is on the natural register of historic places. Chairperson Ritz asked what the parking requirements were. Planning & Zoning Manager Cannon answered the structure is in the Urban Core Community Redevelopment Area which makes it eligible for reduced parking requirements. The event center would be compared to a restaurant and restaurants are allowed a 100% parking reduction in the Urban Overlay District. Board Member Grundhoefer inquired about the adjacent zoning. Assistant Planning & Zoning Manager Harding replied that it was all relatively commercial zoning. Representative Michael Carro gave a background of the building and stated that the building will remain intact since it's in excellent condition. Board Member Villegas inquired where the overflow parking would be. Michael Carro stated there are twenty-eight (28) spaces behind the church, thirty (30) spaces in an adjacent vacant field, and twenty (20) on street spaces available. Michael Carro listed other event centers downtown such as 511 Palafox and The Wharf at 617 S Palafox Street that have zero parking. Board Member Grundhoefer wanted to know if the church would be running the event center, Michael Carro stated a new investment group would be running the event center. Board Member Grundhoefer inquired if they could later change the use to a restaurant. Planning & Zoning Manager, Cannon answered that would not be allowed by right and stated that a change of use from the event center to anything else would require a new conditional use application that would again proceed through both the Planning Board and City Council for consideration. Planning & Zoning Manager, Cannon read into the record the standards for approval found in Sec. 12-3-107 – Conditional Use, that the Planning Board must consider for approval:

- (d) *Standards for approval.* A conditional use may be approved by the city council only upon determination that the application and evidence presented clearly indicate that all of the following standards have been met:
 - (1) The proposed use shall be in harmony with the general purpose, goals, objectives and standards of the city comprehensive plan, the land development regulations, or any other applicable plan, program, map or regulation adopted by the city council.
 - (2) The proposed use will not adversely affect the public health, safety or welfare.
 - (3) The proposed use shall be compatible with the surrounding area and not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses.
 - (4) The proposed use shall be provided with adequate public facilities and services, including roads, drainage, water, sewer, and police and fire protection.
 - (5) The proposed use will not create undue traffic congestion.
 - (6) The proposed use shall minimize, to the extent reasonably possible, adverse effects on the natural environment.

Chairperson Ritz stated that he believed that based on their discussion today that the six criteria for approval had been met. Planning & Zoning Manager, Cannon stated this item would go before City Council on January 19th. **Board Member Villegas made a motion to approve, seconded by Board Member Sampson and it carried 6:0.**

Request for Preliminary Plat Approval – Main Street Crossings Townhomes – 555 S. G Street – District 7

Planning & Zoning Manager, Cannon introduced the item in which one parcel will be subdivided into thirty-two (32) lots to accommodate townhomes. Assistant Planning & Zoning Manager Harding confirmed this parcel is in the CRA Urban Design Overlay District. Chairperson Ritz mentioned that the parking is interior to the project so there are no driveways or parking lots along the main street. Chairperson Ritz stated the current warehouse has been there for a long time and due for an update. Assistant Planning & Zoning Manager Harding informed the Board that it has gone through the historic demolition review and did receive approval. Clint Geci the representative recapped their plans for the property. Board Member Grundhoefer inquired about the easement, Clint Geci stated the 20ft easement is not a requirement, but they wanted to give extra space for the utilities and improvements. Clint Geci stated they have a non-access easement to prevent people from parking on a small portion of the property. Chairperson Ritz stated this is a preliminary plat so it will come back before the board for final plat approval. **Board Member Grundhoefer made a motion to approve, seconded by Board Member Villegas and it carried 6:0.**

Open Forum – none

Discussion – Proposed Amendment to The Land Development Code Sec. 12-3-60 (2) – Boathouses, Piers and Docks, All Residential Zones

Planning & Zoning Manager, Cannon explained Christian Wagley's background and community involvement and added that Mr. Wagley is affiliated with Healthy Gulf, 350 Pensacola and also serves on the mayor's transition team. Planning & Zoning Manager, Cannon stated that discussions were ongoing regarding updating the city's Land Development Code. Cannon added that the public notification process for LDC amendments brought forward by members of the public may be reviewed at that time. Planning & Zoning Manager, Cannon then read the email from Christian Wagley seen below.

Dear Planning Board members:

I hope you all are well. I do want to send along some brief comments on the proposal to increase the allowed height for boathouses on city waterways. A few thoughts:

--any notion that higher boathouse heights will be an environmental improvement for light access to seagrass seems to be inaccurate.

--when I spoke with the reviewer at the FL Dept. of Environmental Protection who looks at docks and boathouses, she told me that they generally do not consider boathouse height but rather the height of docks above the water. They require new docks to be placed higher above the water surface to allow more light to reach the bottom (to support seagrass) and to reduce damages from storm surges;

--The main issue here appears to be one of aesthetics, as the city's waterways have an inherent natural beauty that must be protected. Taller boathouses will create a larger visual barrier that will block waterfront residents and visitors, as well as waterway users, from clearer and more scenic views of our waterways. Taller boathouses will add to, and not detract from, visual clutter along our waterways.

--It is important to note that there are no private property rights related to the issue of boathouse height, as the property in question is submerged lands owned in trust by the State of FL and managed in the public interest.

I oppose any increase in building heights for boathouses and believe that it is in the best interest of Pensacola residents and visitors to maintain the existing height limits in the city's land development code.

Thank you for considering my comments.

Christian Wagley
801 East Larua St.
(850) 687-9968

Board Member Sampson wanted to know if John Loftis had provided any pictures or videos, Planning & Zoning Manager, Cannon stated she had not received any. Board Member Sampson stated she had done some research and that the preservation of the grass beds that provide a home and feeding ground for sea creatures is a factor to be considered versus aesthetics. Board Member Grundhoefer spoke to Sean O'toole an Ecological Consultant with Biome Consulting Group, and he felt if boat docks are allowed to go from 15 feet to 25 feet it would prevent more sunlight to the grass beds. Board Member Villegas stated the height change would not create a safer environment and protect the elements we are concerned with protecting. Board Member Van Hoose inquired as to who exactly wants the change to boat house height and if Bayou Texar residents were polled. Chairperson Ritz stated this was brought before the board by Loftis Marine and that he would suggest no poll was taken. Board Member Villegas stated the premise for which John Loftis came before the board was to streamline the code with other jurisdictions. The board members had a discussion regarding the number of letters that were provided to support the request of John Loftis. Board Member Van Hoose inquired if this would be just for Bayou Texar. Planning & Zoning Manager, Cannon answered it would be City wide and cover all the water ways. Board Member Van Hoose stated she spoke to three Bayou Texar property owners that are against this request. Board Member Grundhoefer stated that he too had spoken with Texar property owners and that they were against the request as well. Grundhoefer still feels this should be done as a variance and a case-by-case basis and not city wide. The Board had a discussion with City Attorney

Lindsay as to what their options were going forward with this discussion item since they were likely to deny the request if it became an action item. City Attorney Lindsay stated that the board could vote to remove this discussion item from the agenda if there was consensus to deny it if in fact it were to become an action item. **Board Member Villegas made a motion to decline that this be brought back as a discussion point, seconded by Vice Chairperson Larson and it carried 6:0.**

Discussion –

Board Member Grundhoefer asked if there were any updates on items that previously went before the board and if they were approved by council. A discussion began about agenda items the board members voted on such as Grove Park Final Plat. Board Member Grundhoefer stated it would be great if they could receive feedback based on how the Council Members vote on items that are sent before them. Chairperson Ritz stated he appreciated that the council members read the Planning Board deliberations.

Adjournment – With no further business, the Board adjourned at 2:48 p.m.

Respectfully Submitted,

Cynthia Cannon, AICP
Planning & Zoning Manager
Secretary of the Board