



City of Pensacola

CITY COUNCIL

Special Meeting Minutes

February 14, 2019

4:00 P.M.

Council Chambers

Council President Terhaar called the meeting to order at 4:08 P.M. **for the purpose of conducting a Quasi-Judicial Hearing – Appeal of Architectural Review Board Decision.**

ROLL CALL

Council Members Present: Andy Terhaar, P.C. Wu (arrived 4:09), Ann Hill, Gerald Wingate, Sherri Myers, Jared Moore, Jewel Cannada-Wynn

Council Members Absent: None

ACTION ITEMS

1. [19-00092 QUASI-JUDICIAL HEARING: REVIEW OF ARCHITECTURAL REVIEW BOARD \(ARB\) DECISION - 11 E. ROMANA STREET, PHBD/C-2A, CONTRIBUTING STRUCTURE](#)

Recommendation: That City Council conduct a Quasi-Judicial hearing at a Special City Council meeting on Thursday, February 14, 2019 to review the Architectural Review Board's decision of August 16, 2018 regarding 11. E. Romana Street, PHBD/C2A, Contributing Structure.

First, Council President Terhaar explained by reading into the record a summary of how a quasi-judicial process differs from Council's legislative process. He then indicated this issue is contested and therefore, Council Members should disclose any ex parte communications. Each Council Member (individually) indicated they have not had any ex parte communications related to this matter.

Then, Council President Terhaar called on **City staff to present evidence on behalf of the City.** Assistant Planning Services Administrator Deese presented and entered evidence into the record on behalf of the City as outlined in the memorandum dated February 14, 2019 and its (listed) attachments. She then responded to questions from Council related to signage versus mural interpretation within the Land Development Code.

Next, Council President Terhaar called on the applicant(s) to provide testimony and submit evidence into the record. First, City Attorney Woolf swore-in the applicants, Veronique Zayas and Somi Choi.

Ms. Zayas and Ms. Choi provided an overhead presentation to Council regarding the positive impacts of murals in other cities (on file with background materials). Council Members were then provided an opportunity to ask questions of the applicants, with both Ms. Zayas and Ms. Choi responding accordingly.

Following, Council Members asked for legal clarification(s) with City Attorney Woolf responding accordingly. Assistant Planning Services Administrator Deese responded to further questions about determining signage versus murals.

During questioning of City staff, it was noted that staff made it clear to the Architectural Review Board members that the proposal is not for signage, but for a mural, yet the Land Development Code does not address standards for murals.

Council Member Moore inquired of the artistic concept being proposed, as he did not find it in the background materials. The applicants passed out copies of three (3) examples of murals with wording (not related to the business which occupies the building).

Assistant Planning Services Administrator Deese continued with responding to Council Members' questions. She further clarified that any future changes would need to go back to the Architectural Review Board.

There being no further rebuttal, Council President Terhaar indicated he would entertain a motion.

A motion to overturn the decision of the Architectural Review Board was made by Council Member Cannada-Wynn and seconded by Council Member Hill.

The motion carried by the following vote:

Yes: 7	Andy Terhaar, P.C. Wu, Ann Hill, Gerald Wingate, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0	None

ADJOURNMENT

WHEREUPON the meeting was adjourned at 4:42 P.M.

Adopted: _____

Approved: _____
R. Andy Terhaar, President of City Council

Attest:

Ericka L. Burnett, City Clerk