



MINUTES OF THE PLANNING BOARD

August 8, 2023

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, Development Services Coordinator Statler, Help Desk Technician Russo, Executive Assistant Chwastyk

STAFF VIRTUAL: Development Services Director Morris, Assistant City Attorney Lindsay

OTHERS PRESENT: Dana Fredriksson, Rodney Sutton, Charles Liberis, Stephanie Moody, Jeff DeWeese, Scott Jennings, Brian Spencer, Debbie Frierdich, Renee Wilhoit

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from June 13, 2023
- **New Business:**
- Swearing in Reappointments
- Board of Election of Officers (Chair and Vice Chair)
- Request for Vacation of Alley and Street Right of Way – 100 Water Street and 3600 BLK Elkton Street – Zone R-1A
- Aesthetic Review Application – 50 S. 9th Avenue – Gateway Redevelopment District
- Proposed Amendment to the Land Development Code – Providing Further Development Incentives and Options
- Open Forum
- Discussion
- Adjournment

Call to Order / Quorum Present

Chairperson Paul Ritz called the meeting to order at 2:02 pm with a quorum present and

explained the procedures of the Board meeting including requirements for audience participation. Chair Person Ritz, Vice Chairperson Larson, Board Members Grundhoefer, Villegas, Sampson, and Van Hoose were sworn in by Assistant City Clerk Tice. Vice Chairperson Larson nominated Chairperson Ritz to continue as Chairperson, seconded by Board Member Grundhoefer, and it carried unanimously. Board Member Van Hoose nominated Chairperson Larson to continue as Vice Chairperson, seconded by Board Member Sampson, and it carried unanimously.

Approval of Meeting Minutes – Vice Chairperson Larson made a motion to approve the June 13, 2023, minutes, seconded by Board Member Sampson, and it carried 6:0.

New Business –

Request for Vacation of Alley and Street Right of Way – 100 Water Street and 3600 BLK Elkton Street – Zone R-1A – District 7

Assistant Planning & Zoning Manager, Harding introduced the item, a request has been received from Old City Developers, LLC, for a vacation of right of way at 100 Water Street and 3600 BLK Elkton Street. This includes two rights of way: (1) an unimproved portion of Water Street and (2) an unimproved alleyway. Both are located within two parcels and under a single ownership. The purpose is to later development the parcels as a subdivision which will also be reviewed by Planning Board at that time. This request has been routed through the various City departments and utility providers. Those comments are attached for your review. The item was properly noticed. Pensacola Energy had comments that have been resolved. Comments made by Florida Power and Light concerned overhead facilities in which their easement rights will be retained. Chairperson Ritz stated that the citizens of the City of Pensacola may give without payment being received the alley and right of way, they would be in fact giving it away. The applicant owns property on both sides of the right of way, they would get the entire right of way. The citizens may gain a benefit by it being on the tax roll, but the citizens would no longer have access to this right of way and the alleyway to the water. The right of way is quite overgrown, it appears to not have been used for an extended time. Board Member Grundhoefer wanted to know if the owner owned both sides of the alley way, Assistant Planning & Zoning Manager, Harding replied yes. The City was not aware of the right of way until a potential subdivision plat was submitted for review. Chairperson Ritz stated that there's still a right of way north of this right of way, the owners of that property may come in the future to request a vacation of that right of way. Charles Libers spoke on behalf of Olde City developers, he stated the road is never used and it has been under one ownership for years. The property owners to the north no longer use the alley or right of way. Dana Fredrikkson owner of 120 Water Street spoke out against this item, feels it will deny access to the water to the public. Even though she is opposed to this request, she does want construction of new houses to continue. Board Member Grundhoefer asked if she or her family members have used the access, she stated no but that does not mean she will not in the future. Renee Wilhoit of 3501 Marques Street stated she is not against the vacation of right way, however she wanted to make sure she maintains her legal access to Water and Marques Street and make sure she's not land locked. Debbie Friedrich of 3505 Marques Street shared the same concerns, wants a little more time to look at this request. Charles Liberis spoke again, stated he has no issue with a continuance so his surveyor can speak to Renee Wilhoit. Chairperson Ritz stated the boards decision is advisement to City Council,

Council will make their own decision. Assistant City Attorney Lindsay advised if they table the item, it becomes an automatic approval. Assistant Planning & Zoning Manager Harding stated that section 12-12-2 (4) Rules of procedure, meetings, and records. Any matter referred to the board shall be acted upon by the board within 45 days of the date of reference, unless a longer or shorter period is specified. Assistant City Attorney Lindsay advised the board to deny without prejudice instead of tabling the item. Boards Members discussed who owns the various parcels surrounding the right of way in question. **Board Member Grundhoefer made the motion to deny the application without prejudice and to allow the applicant to return to Planning Board to verify concerns heard by the public.** The concerns primarily included whether or not the Water Street right of way continued to the north and within the property located at 3505 Marques Street, and if the property located at 3501 Marques Street would be land locked as a result of the requested vacation. **The motion was seconded by Board Member Villegas.** Staff clarified that based on the application process, the applicant could choose to proceed to a City Council hearing, but that Planning Board's recommendation to City Council would be for denial. Alternatively, the applicant could choose to return to Planning Board with additional information resolving neighboring concerns in effort to receive a recommendation for approval. **With no further discussion, the board carried the motion 6-0.**

Aesthetic Review Application – 50 S. 9th Avenue – Gateway Redevelopment District – District 6

Assistant Planning & Zoning Manager, Harding introduced the item for aesthetic review of 50 S. 9th Avenue. SMP Architecture is seeking site plan and aesthetic approval for the Hawkshaw development project. The residential development shows three three-story buildings to accommodate 58 units. Materials include a stucco system façade with aluminum frame openings and standing seam metal roofs. Parking will be provided at the north side of the complex and along S. 10th Avenue. The parking area is proposed to be covered by concrete pavers in a herringbone pattern. This project has undergone a number of modifications, and a letter from CRA outlining certain deviations from past plans has been included. However, this current version will also be reviewed at the August 17 CRA meeting. As a result, any approvals granted by Planning Board will be contingent upon CRA's acceptance of the plans and subsequent permitting requirements. This request has been routed through the various City departments and utility providers. Those comments are attached for your review. The minutes from this meeting will be provided to the CRA, if CRA determines changes are needed this project could come back before the Planning Board. Brian Spencer of SMP Architecture spoke on the item and introduced a video of the planned project. He will have to go before the CRA on August 14th regarding this project. They are hoping to provide more housing opportunity for those who would like to live in the city limits. It's a three building scheme with connectivity, a tree orchard, 104 onsite parking spaces, an arborist has been hired to preserve three heritage oaks on this parcel. All residents will be built no lower than twelve feet. Site storm retention has been addressed via design capacity of the Admiral Mason Park stormwater pond. You will not see any onsite stormwater retention, there will be inlets and the roof will have internal downspouts within columns that then go to underwater stormwater systems. Aesthetically, there will be flat roofs, metal gable roof, and flat parapet roof. Documents submitted to the city show a concrete building, they are checking the pricing of CMU and ICF, exterior will

be sand texture stucco in an off-white color from Sherwin Williams. Chairperson Ritz inquired if there will be any patterns or slight projections in the stucco, Brian Spencer replied the projections are intended to be more than subtle to create shadows along the wall plains. This vernacular architecture is already seen along 9th Avenue near the Admiral Mason Park. Board Member Villegas wanted to know after providing all these renderings why not show all the gable roofs or the herringbone finish in the pavers. This is an aesthetic review that's not quite thorough in its presentation when it comes to presenting materials and then not quite showing them, Brian Spencer stated they did their best to have the coloring match in the renderings. A discussion was then had on what would cause this item to come back before the Planning Board after it goes before the CRA on August 14th. Assistant Planning & Zoning Manager informed the board that the CRA will not be held to the decision the Planning Board makes today, if there are any changes from the approved plans, it will go through an abbreviated review process by himself and the chair. If the chair deems those changes as more than minor, he has the authority to refer the project back before the board. Any excess parking would be handled in house, it meets the aesthetic requirements for that space per the Gateway Review District. A discussion was had regarding the trees, there will be eight- to ten-year-old mature trees planted to provide an immediate canopy. The pervious pavers will provide the trees with water, like the landscape that's across from the YMCA downtown. They had further discussion about the elevations and how to make it more attractive by adding vegetation or shrubs to the blank walls that are currently showing on the renderings. Board Member Villegas inquired as to where the ramps are, the ramps are on the auto court side and near the elevator shafts, while the ramps are not required, they would like to administer a combination of stairs and ramps concealed with a garden wall. Brian Spencer wanted to mention that the design conforms with the Urban Design Associates design guidelines that included Aragon neighbors. Chairperson Ritz appreciates how it's been laid out and the way it looks at the adjacent roadways, tenants will have a nice view of the Admiral Mason Park and Pensacola Bay. **Board Member Grundhoefer made a motion to approve, if the CRA makes changes that effect it esthetically it will come back for review. If it is abbreviated, Assistant Planning & Zoning Manager Harding would receive it, and it would then go before Chairperson Ritz and Board Member Grundhoefer. If there are major changes required, it would go back to the full board, seconded by Vice Chairperson Larson and it carried 6:0.**

Open Forum – none

Discussion – Proposed Amendment to the Land Development Code - Providing Further Development Incentives and Options

Assistant Planning & Zoning Manager Harding introduced the discussion. The Mayor's Office has requested Planning Board discuss amendments to Sec. 12-3-121 and Sec. 12-4-1 providing additional economic incentives and development opportunities related to off-street parking and building height. Two white paper studies provided by Development Services staff have been provided for reference and for further discussion. Included with the agenda item were maps of the Urban Core, Westside, and Eastside CRA districts, Resolution Nos. 55-80 and 13-84, and two white paper studies provided by Development Services staff. Hard copies of referenced code sections have also been provided and

include Sec. 12-3-8 Commercial land use districts, Section 12-3-109 Residential density bonuses, Sec. 12-3-121 Development plan requirements, design standards and guidelines, and Sec. 12-4-1 Off street parking requirements. The white paper studies include a comparison of the city's parking requirements to other Florida cities and thoughts on the elimination, reduction, or reorganization of off-street parking in the CRA Urban Core. The other is a review of building height maximums in the Urban Core with considerations focused on the commercial districts and waterfront in the event that an increase to maximum height or an optional relief to the current code is desired.

Concerning off-street parking requirements, Sec. 12-4-1(4)a.7. provides parking reductions which "shall apply only to the community redevelopment agency's boundaries, as defined in Resolution No. 13-84". During research on parking, staff discovered a likely error in which the above section of code should reference Resolution No. 55-80. Resolution No. 55-80 is a resolution providing for the creation of the Pensacola Community Redevelopment Agency. Resolution No. 13-84 (which is the incorrect resolution) is a resolution pertaining to the date, maturity, schedule, interest rates, interest dates, amount of capitalized interest, redemption provisions, bond registrar, and paying agent for redevelopment revenue bonds. Currently, staff only applies the parking reductions described in Table 12-3-1 to the Urban Core CRA. However, correction to this provision would expand those benefits to the Westside and Eastside CRA as believed to be originally intended.

Additionally, with exception to parking reductions listed in chapter 12-4-1, the LDC is mostly silent on further parking reduction opportunities. Sec. 12-3-121(c)(7)a. Development plan requirements, design standards and guidelines provides an administrative waiver process for projects proposing an excess of more than ten spaces or ten percent (whichever is greater) above the total parking required. The administrative waiver is performed by the city engineer and planning services department. An amendment for a mirrored process for a reduction of more than ten spaces or ten percent (whichever is less) below the total parking required is proposed for discussion.

Concerning building height, an amendment to Sec. 12-3-121(d) to allow building height bonuses above a zoning district's maximum allowance, but not to exceed 150' is requested for discussion. A suggested amendment might be to mirror Sec. 12-3-109, Residential density bonuses, where standards for approval shall include the construction of affordable housing, superior building and site design, preservation of environmentally sensitive lands and open space, or public benefit uses. In this scenario, all building height bonuses would require approval by the Planning Board.

Another option might include the addition for a board review process to exceed the 100' height limit at the property or setback lines in commercial land use districts. This provision is found in Sec. 12-3-8, Commercial land use districts, in the table and Note 1. Generally, buildings in commercial districts cannot exceed 100' at the property or setback line but may add three feet in height for every foot the building is set back. Board Member Grundhoefer inquired why this parking reduction requirement will not be done city wide, Assistant Planning & Zoning Manager Harding stated they're not sure how the development or the residents will react to it being done city wide. The thought is to at least start with our downtown urban areas where walkability is more concentrated and focused. Discussion moved to building height and Chairperson Ritz stated you don't see very many tall buildings in Pensacola, especially downtown. With limited availability of land many cities have decided to go up in height. In the white papers the zoning districts and height maximums are broken down. They foresee the development pressures occurring in the

Waterfront Redevelopment District and the South Palafox Business District where the height maximums are lower. Board Member Villegas stated there are still areas where it's inappropriate to allow high buildings, we need to protect the aesthetic that Pensacola is known for. The board began to discuss parking again, some feel a certain section of Palafox should be walking only and others felt the public enjoys being able to drive down Palafox regardless of the traffic. Assistant Planning & Zoning Manager Harding stated considering building height, they thought it was important to have some sort of board review process and to run some of these projects through the board. The board had a discussion of which board should review the incentives, bonuses for building height. The board felt they should discuss these items further so that they can add and delete, do strike throughs in September and then be able to put it to a vote in October.

Adjournment – With no further business, the Board adjourned at 4:15 p.m.

Respectfully Submitted,



Gregg Harding, RPA
Assistant Planning & Zoning Manager
Secretary of the Board