



PLANNING SERVICES

THE UPSIDE *of* FLORIDA

## MINUTES OF THE PLANNING BOARD

July 11, 2017

**MEMBERS PRESENT:** Paul Ritz-Chairman, Danny Grundhoefer, Jared Moore, Kyle Owens, Kurt Larson

**MEMBERS ABSENT:** Nina Campbell, Nathan Monk

**STAFF PRESENT:** Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner,

**OTHERS PRESENT:** Soumya Chakrabarti, Kamal Hossain, Greg Stack, Diane Mack, Mick Novota, Annie M. Davis, Christian Wagley

### AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from June 13, 2017
- New Business:
  1. Request for Site Plan Approval for 4771 North 9th Avenue (North 9th Avenue Corridor Management Overlay District)
  2. Request for Minor Subdivision Plat Approval for Cottages at Eighth Subdivision (Preliminary and Final Plat Approval)
  3. Request for Final Plat Approval for River Birch Subdivision
  4. Consider Rezoning and FLUM Amendment for 109 N. A Street
- Open Forum
- Adjournment

### Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:03 pm with a quorum present. He gave instructions to the audience on the rules and procedures of the Board.

### Approval of Meeting Minutes

Mr. Larson made a motion to approve the June 13, 2017 minutes, seconded by Mr. Moore, and it carried unanimously.

### Request for Site Plan Approval for 4771 North 9th Avenue (North 9th Avenue Corridor Management Overlay District)

This application is being received in response to the recent amendments to the North 9th Avenue Corridor Management Plan which require Board approval. The proposed improvements include a new 5,000 sf retail/office building with required parking as well as site modifications to the existing "Food Mart" convenience store and gas station. Since the existing site is being modified, FDOT has required adherence with their access management standards.

EVERYTHING THAT'S GREAT ABOUT FLORIDA IS BETTER IN PENSACOLA.

The large expanse of concrete which currently provides direct access to North 9th Avenue will be reduced to two directional driveways with the sole full-access driveway connection relocated to the side street (Springdale Circle). A landscaping plan has also been included within the submittal package. Although these plans were originally developed prior to the LDC Amendment, the plan does not meet the intent of the ordinance. The applicant allowed their building permit to expire, so they were required to conform to the present code.

Chairman Ritz asked about the access to Code changes, and Ms. Deese stated the LDC online actually goes through a codification process through Municode and their attorneys before being published online. However, access is available through the Municode website or the City of Pensacola's Code of Ordinances website where a listing is available for ordinances adopted but not yet codified.

Mr. Chakrabarti explained the project was initiated before the current ordinance was put in place, then they were caught up with FDOT for driveway permitting. The biggest challenge was fuel trucks being able to safely enter and exit the site. FDOT allowed a 16' right-in and a 16' right-out, and the City allowed full access on the side street. After being advised of the new ordinance, they prepared the building based on what they felt was best suited for the area. He explained the truck access was because FDOT requires cross access when the adjacent property is with the same owner (Exxon Station). He stated there was only one exit on 9<sup>th</sup> Avenue and right-in and right-out on Springdale.

Mr. Grundhoefer discussed the span of concrete in the parking lot, since the goal of the ordinance was to bring in landscaping and buffers for parking spaces. Ms. Deese advised there were two different sections where landscaping would be addressed - in the regular landscaping and tree section and North 9<sup>th</sup> Avenue District. Chairman Ritz advised one of the purposes of the overlay district was to try and guide development along 9<sup>th</sup> Avenue to create a more pedestrian-oriented approach. However, the large expanse of asphalt was accommodating the adjacent property. Mr. Chakrabarti clarified if the property sold, the cross access easement would stay. Mr. Chakrabarti advised the original driveway was closer to the intersection which Engineering had approved. Ms. Deese pointed out the plans had not been approved by Engineering or Inspections as that would be completed during permitting. Mr. Grundhoefer suggested extending the awning for more coverage. Mr. Chakrabarti advised they could also increase the landscaping and possibly reduce the asphalt which would also reduce the cost to the owner.

Ms. Mack appreciated the discussion on the asphalt and asked that the Board not approve the project until they see the changes discussed. She observed fuel trucks and delivery trucks, and it was unfortunate that this corner lot was rezoned to RNC. The applicant cannot be required to place parking in the rear due to FDOT requirements. She also reminded the Board that economics and the quality of the development are related and provided pictures of neighboring commercial development. She mentioned there was a section in the LDC which reduces the parking requirements based on enhanced landscaping.

Chairman Ritz pointed out 18 parking spaces illustrated on the project, with 17 required by Code. He was concerned with the application dealing with the convenience store with the sign moved and the canopy extended, and those details were not presented. Regarding the aesthetics of the strip mall, it did not have much to differentiate it from any other area in Pensacola. Mr. Grundhoefer felt it had no beauty and appreciated the residential examples provided by Ms. Mack. He stressed the goal throughout the city was to promote projects which would make the city more attractive.

Chairman Ritz advised in addressing the design, the Board could submit ideas and suggestions for a more appropriately styled building. He suggested windows or storefronts which do not extend to the sidewalk. The character of those buildings with some delineation or windows and doors at different heights, separation between door members and windows, along with a change in the exterior finish would encompass his suggestions. Mr. Grundhoefer stated if the exterior had brick or precast, it could withstand some of the elements in Pensacola and might not require as much maintenance. He offered that the designers could come up with something more attractive to make it fit with the neighborhood.

Mr. Chakrabarti stated most of the building examples illustrated were residential converted to commercial, and his project was proposing modern-day design.

Regarding the storefront, they could introduce a knee-wall in front and also meet the landscaping requirements. Chairman Ritz stated in considering successful projects, the insurance office on Cervantes near 14<sup>th</sup> was recent construction which had more character.

He pointed out this project was not in a historic district where the Board was trying to maintain a certain period, but a designer could develop a different approach with a residential feel. Mr. Grundhoefer explained to the applicant how to reconfigure the parking orientation. Ms. Deese pointed out that Ms. Mack had referred to the reduction of parking spaces when providing landscaping; the Code provides for a variety of relief from parking possibly a bike rack, compact cars or landscaping as options. **Mr. Moore made a motion to deny and wanted to see the project come back with suggestions considered, and Mr. Larson seconded.** Chairman Ritz stated the minutes would reflect the suggestions of a knee-wall, and a change in texture or texture finish. He stressed the Board was not trying to prevent development and was sensitive to jobs it would create, but the Board was trying to guide development in this district utilizing the regulations of the LDC. Mr. Grundhoefer offered his services to guide the applicant, and Ms. Deese stated if he was willing to devote his time to this project, it would be appropriate as long as it did not include other Board members. **The motion then carried unanimously.**

**Request for Minor Subdivision Plat Approval for Cottages at Eighth Subdivision  
(Preliminary and Final Plat Approval)**

Gregory Stack has submitted a request for Minor Subdivision approval for "Cottages at Eighth"; this request includes both the Preliminary Plat and the Final Plat for the development. The proposed townhouse development, identified as 800 E. Strong Street, is a 0.2525-acre parcel on the northeast corner of the intersection of E. Strong Street and North 8th Avenue. The single family residence which was located on the site has been demolished to accommodate this development. The proposed subdivision consists of 4 lots which measure 34 feet in width. This development is located within the R-1A zoning district. Front yard averaging was applied and resulted in a reduction to the front and corner side yard setbacks. Both the Preliminary Plat and Final Plat were routed thru the various City departments and outside agencies for review and comments. Ms. Deese advised the only comment of any substance was from Engineering concerning drainage.

Chairman Ritz was familiar with the area and suggested the project was in line with existing development and had no objections to the preliminary or final plat. Mr. Grundhoefer confirmed the Board was not reviewing for aesthetics. Mr. Moore asked if the Engineering comment needed to be addressed, and Ms. Deese explained the Board was approving contingent on the comments received; the applicant has indicated they will meet the requirements and will have to do so in order to obtain a building permit. Mr. Grundhoefer explained the project was being developed behind the fire station and was consistent with the structures in the area.

Mr. Stack suggested the project would be a major improvement for that area. The building would be constructed with hardie board siding with a metal roof or architectural shingled roof. The columns would be wrapped, similar to single family homes on LaRua located by the railroad tracks. He explained they wanted to keep as much green as possible by constructing paver track driveways up to the garages. Currently, the garages are pushed to the back to provide additional parking; Chairman Ritz appreciated the garages pushed to the rear to allow for pedestrian traffic.

**Mr. Larson made a motion to approve based upon compliance with drainage and utilities, seconded by Mr. Grundhoefer, and it carried unanimously.**

**Request for Final Plat Approval for River Birch Subdivision**

John and Connie Bowman, Our Family Property LLC, have submitted a request for Final Plat approval for "River Birch" subdivision. The proposed development, identified as the 7100 blk of Spanish Trail, is a 3.93-acre parcel located on the east side of Spanish Trail, and is immediately adjacent to the north of Gull Point Community Center. The site is currently vacant.

The Preliminary Plat was granted approval by this Board in May 2017. The proposed Final Plat is fairly consistent with the approved Preliminary Plat, with the exception of the location of the stormwater facilities. The current iteration has a 15' wide stormwater easement located along the perimeter of the parent parcel with a much wider area located in the southeast portion of the parent parcel. This residential development is located within the R-1AA zoning district. Per the application, the proposed subdivision consists of 4 lots, three new residential lots and the remainder of the parent parcel.

The Final Plat has been routed thru the various City departments and outside agencies for review and comments.

Mr. Rebol stated the stormwater has been relocated to the parent parcel; the Bowmans are building their own home on the rear lot. **Mr. Larson explained the applicant had addressed all the Board's issues and made a motion to approve, seconded by Mr. Moore. The motion then carried unanimously.**

#### **Consider Rezoning and FLUM Amendment for 109 N. A Street**

Novota Properties, LLC is requesting to rezone the property located at 109 N. A Street from Residential/Office (R-2) to Commercial (C-2). This request also requires a Future Land Use Map Amendment from Office (O) to Commercial (C). This parcel is across the street from C-2A zoned property. The proposed Future Land Use Amendment from Office to Commercial will allow the applicant to request a Commercial (C-2) zoning designation, since C-2A is a specific zoning not appropriate for this parcel. The applicant has indicated the reason for the rezoning request is to match adjacent property on the east side of N. A Street.

Ms. Deese indicated several calls and a letter had been received opposing this request. To clarify, Chairman Ritz advised that spot zoning is not allowed by State of Florida law, so there has to be a rationale to change zoning. Mr. Larson asked the difference between C-1 and C-2. Ms. Deese advised C-1 is the least intensive of commercial districts and lies next to residential/commercial neighborhoods; C-2 has more intensive uses. Everything permitted in C-1 and below is permitted in C-2.

Mr. Novota stated the request was due to a residential home across the street being in C-2. He emphasized they wanted to make their property zoned for what it looks like since it has never been a residence. He had spoken with the person who wrote the letter, and her concern was the traffic. He indicated he bought the property for a family hobby shop and wanted the building to be reflective of that use. He informed one of the neighbors the intent was not to widen A Street. He also stated the lady who wrote the letter was not familiar with the building, and no longer had any issues.

Mr. Grundhoefer indicated he was in favor of granting the previous barber shop request, but he was concerned with the uses in a commercial district; a dentist, doctor or barber shop are compatible but not heavy retail.

Ms. Davis, who lives at 819 W. Gregory, stated the street corner holds water and does not drain and is a mosquito issue. Chairman Ritz clarified that although they hear her concern, this Board does not handle those issues. He did advise her to state her issue in the Open Forum portion of the meeting.

After returning to the agenda item, Ms. Deese advised RNC would be the zone between R-2 and C-1, however, there are future land use categories. In order to request one of the zoning listings under that category, you would have to be adjacent or contiguous. In looking at the map, the only options that could be offered to Mr. Novota was the office, the residential or the commercial, since there wasn't an RNC designation; this would be spot zoning which is illegal. She explained that C-2 was chosen by the applicant since it fit the best with what is adjacent to it. However, the Future Land Use request within this request would accommodate C-1. As requested, Ms. Deese read the uses from the ordinance for C-1. Mr. Grundhoefer observed that even though they did not fit, service stations were permitted in RNC. Chairman Ritz stated after having driven the area, his opinion was to suggest C-1 as a viable alternative; with the size of the parcel, C-1 would allow sufficient variation of use.

Mr. Grundhoefer noted there was no outpouring of complaints on the request. At this point, Mr. Novota advised he was satisfied with C-1 zoning.



**Mr. Larson made a motion to approve for C-1, seconded by Mr. Owens.** Mr. Larson stated C-1 was least intensive and a mix between residential and commercial. **The motion then carried unanimously.** Ms. Deese advised the applicant the project would proceed to City Council.

**Open Forum** – Annie Davis wanted to address the water on C and Gregory Streets. The erosion from the City's right-of-way is a problem. Ms. Deese offered to direct Ms. Davis to the appropriate department for solutions.

Mr. Grundhoefer asked the reason for pulling the Girard item from the agenda. Ms. Deese advised they had found some issues that would be addressed through the platting process, but no revisions had been received at this time.

Chairman Ritz confirmed that Board members were given the option for reappointment, and this meeting closes the term. Ms. Deese advised each Board member had indicated the desire to serve, and reappointments were scheduled for the July 13th Council meeting.

Ms. Deese explained Mr. Larson had inquired about the communication tower at Strong and A Streets. Planning Board's recommendation was upheld through the City Council's final approval. The applicant has added the fencing, trees and stealth technology as required. The form of stealth technology applied was painting (least desirable) which was listed in the Code as an option. In discussion with Mr. Weeks, the only way to help the situation in the future was to be more specific in the motion. The trees were also an issue since the number or size of trees was not specified.

**Adjournment** – With no further business, Chairman Ritz adjourned the meeting at 3:42 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Brandi C. Deese', with a long horizontal flourish extending to the right.

Brandi C. Deese  
Secretary to the Board