



MINUTES OF THE ARCHITECTURAL REVIEW BOARD

September 21, 2023

MEMBERS PRESENT: Chairperson Salter, Board Member Mead, Board Member Ramos, Board Member Yee, Board Member Fogarty, Board Member Courtney, Advisor Pristera

MEMBERS ABSENT: Board Member McCorvey

STAFF PRESENT: Assistant Planning & Zoning Division Manager Harding, Digital Media Specialist Russo, Cultural Resources Coordinator Walker

STAFF VIRTUAL: Development Services Director Morris, Assistant City Attorney Lindsay, Development Services Coordinator Statler, Division Manager Cannon

OTHERS PRESENT: Paul Jansen, Winford Lindsay, Michael Courtney, Alan Gray, Teri Levin, Harry Levin, Mark Chastain, Matt Posner

CALL TO ORDER / QUORUM PRESENT

Chairperson Salter called the meeting to order at 2:00 p.m. with a quorum present.

APPROVAL OF MINUTES

Board Member Yee made a motion to approve the August 17, 2023, minutes, seconded by Board Member Fogarty, and it carried 6-0.

OPEN FORUM

Michael Courtney, 523 N. 8th Avenue, addressed the board on behalf of Susan Ford, Vice President of the Old East Hill Neighborhood Association, 813 E. La Rua. Mr. Courtney read aloud. I'm speaking in regards to several hotels proposed for downtown Pensacola. While the need for hotels in downtown is apparent, I feel there is an obligation to our history and the overall feel of the downtown area that needs to be at the forefront of these plans. The proposed design for 600 South Palafox does not blend with the current architecture or height of the surrounding buildings, with Seville and Jackson Square, Christ Church and the historic Pensacola village within walking distance. This plan seems to be out of place visually, architecturally, and in height. The Holiday Inn, south of Main, is only four to five stories. And also the proposed design for 101 Palafox shares the same issues, as above,

in height and architecture with the added issue of having an entryway off of Palafox. This impedes the walkability of the area and becomes a safety issue for bikes and pedestrians. It is also inconvenient considering Palafox is shut down for parades, Gallery Night, and other pedestrian friendly events, a highlight of downtown no one wants to lose. I along with countless others choose to live in Pensacola because of the history, art, food festivals, and events and the small town vibe it offers, it is unique. These structures are not and seem to fight against the general feel of downtown, historic area. Thank you.

NEW BUSINESS

Item 2 215 W. De Soto Street NHPD / Zone PR-1AA, City Council District 6 Exterior Alterations at a Contributing Structure

Action Taken: Approved.

Paul Jansen is seeking approval to remove two existing vinyl windows to be framed in and finished with 5 1/8" novelty wood siding to match the existing in addition to adding an exterior plumbing chase that will be finished to match the existing siding and wood trim. All exterior work will be painted to match the existing, Sherwin Williams Nantucket Dune for the siding and Benjamin Moore Nantucket Grey for the trim.

Paul Jansen presented to the board. Chairperson Salter noted that the North Hill Preservation Association has no objections to the request.

Board Member Mead made a motion to approve. Board Member Ramos seconded the motion and it carried 6-0.

Item 3 11 E. Garden Street PHBD / Zone C-2A, City Council District 6 Abbreviated Review for Minor Changes Referred to the Full Board

Action Taken: Approved with abbreviated review required.

SMP Architecture is seeking approval for minor deviations from what was approved by the ARB at the October 2022 meeting. The changes include using Sherwin Williams Elder White paint for the bar structure, utilizing Hardie cement board for the restroom component and back bar walls, and utilizing a green glazed ceramic tile for the below-bar-counter bar face. An abbreviated review for the changes was submitted in August 2023 and was referred to the full board for review.

Mark Chastain, Teri Levin, and Harry Levin presented to the board. Board Member Ramos noted that he recommended the abbreviated review to the full board, there are not a lot of exterior finishes on this project, but the ones that are present have been changed from the original application, so it was prudent to refer to the full board for review. Board Member Ramos noted the roll down shutters do not have the historic image graphics that were discussed during the full board review and one image depicts a wood trellis near the restroom entrance that was not approved. Mr. Chastain answered that the black and white historic photographs that were approved are currently being manufactured and they are expected to be installed over the next few weeks. The wood trellis is no longer there. Chairperson Salter noted that of the three items that were listed on the abbreviated review, the color change does not drastically change the way the structure sits or reads or how it interacts with the historic district. Chairperson Salter's opinion is that the change in color palette is fine. The change from stucco to lap siding is not an issue, it is clean and lap siding is allowed and common in the area. The change of the bar from the previously proposed to the tile contributes quite a bit to linking the

more contemporary structure with the historic and is a nice touch.

One thing not listed as a change but is visible in the photographs, is the plastic, fake green wall system that looks to be applied across the wall in the back. Mr. Chastain answered that the area of green wall is not a part of the B-Side property, that stops at a concrete curb, so it is not a part of the application package. Chairperson Salter asked the applicant to explain the use of fake greenery on the food truck. Mr. Chastain noted the end of the food truck has industrial looking items like an air conditioner condensing unit, grease trap, and water backflow and the fake greenery was meant to be screening for those items. Chairperson Salter asked how the screening was supported. Mr. Chastain answered on lattice. Chairperson Salter asked if the lattice sits on the ground, and is it anchored to the ground or anchored to the truck. Mr. Chastain answered it sits on the ground and is not permanently anchored or attached to the trailer. Chairperson Salter asked staff if that entity is under the purview of the board. Assistant Planning & Zoning Division Manager Harding asked the applicant for clarification. Mr. Chastain noted that the green wall system on the bottom of the truck is glued to the truck wall panel and where it reaches six feet tall, it is attached to wood lattice that was put up to be screening and it was covered with green ivy to be consistent with the bottom of the truck. Assistant Planning & Zoning Division Manager Harding noted his opinion that if it is directly related to the truck and does not require a building permit and is not related to the building permit for the overall changes, it would probably not be under the purview of the ARB and would be related to the temporary nature of the food truck. Mr. Chastain noted if the food truck gets moved, the screening would be taken down. Assistant Planning & Zoning Division Manager Harding stated that typically the ARB does not weigh in on the aesthetics of food trucks because they are a temporary element; however, if they are anchored down and require a permit then the ARB is required to weigh in. Mr. Chastain clarified that the truck is not anchored. Assistant Planning & Zoning Division Manager Harding noted that the Fire Marshal did inspect the truck and confirmed it is not tied down. Board Member Mead asked if a food truck is not tied down, how well will it stand up to winds. Assistant Planning & Zoning Division Manager Harding answered that if temporary, the idea is the truck would be moved ahead of a storm. Mr. Chastain noted there is a group that leases the space for the truck who went through a permitting process and has a responsibility to move the truck, if needed. Assistant Planning & Zoning Division Manager Harding noted the truck was inspected by the Fire Marshal who has a separate set of criteria for food trucks, which is why the truck location was moved a few weeks ago. Captain Cobbs is ok with the current location and condition of the truck.

Board Member Ramos noted artificial greenery material on the Garden Street side of the building to screen panels behind the bar. Chairperson Salter asked the applicant if that is the same material. Mr. Chastain answered yes, it is hanging over electrical meters and panels. It was selected for consistency and to cover unattractive elements. Chairperson Salter asked staff to access the original application for the project to see the extent of the southernmost wall. Chairperson Salter noted that the applicant's stance is that the southernmost wall is on a separate piece of property and asked the applicant to clarify if the greenery on the south wall was placed as a part of this project. Mr. Chastain answered that the southern piece of property is owned by the Masonic LLC and work was being done there at the same time. Technically the work was done through the Masonic LLC and not through the B-Side, they are two different entities. Chairperson Salter asked if the Masonic LLC received board approval to install the material. Mr. Chastain answered no, they did not.

Assistant Planning & Zoning Division Manager Harding depicted the property lines on the screen. Cultural Resources Coordinator Walker depicted the original application on the screen.

Board Member Fogarty commented that she has no issues with the revised paint color, she looks forward to the graphics, and she likes the tile but for the record, strongly feels that the vertical artificial greenery is an eyesore and hopes that it gets addressed. Chairperson Salter noted that while the artificial greenery on the food truck is not under the purview of the ARB, it needs to be determined if the use of the material on the back wall was a part of the original project and application. The use to screen electrical panels is an element that falls under the ARB purview, and it is a change that can be addressed. Assistant Planning & Zoning Division Manager Harding noted that anything related to this project and permits that the project needs would be subject to ARB's review. Cultural Resources Coordinator depicted a rendering of what was approved in October 2022 and the site plan states, low media planting and planters for the south wall area. Chairperson Salter asked the applicant to clarify the location of the south wall in question. Mr. Chastain concurred it is the wall that was depicted and called out with low media planting and planters. Board Member Ramos asked if the electrical screening was depicted on the original plans and Cultural Resources Coordinator Walker answered no. Board Member Ramos questioned the coiling doors with the housing facing outwards instead of being hidden inside the bar area. Mr. Chastain answered that the installation required the housing to be on the outside. Board Member Mead recalled discussion about the installation framework and Assistant Planning & Zoning Division Manager Harding noted that the board required the paint selection of the housing to come back because it was going to be visible. Cultural Resources Coordinator Walker confirmed the Elder White paint selection for the housing was approved through an abbreviated review. Board Member Mead asked for clarification about the back wall property line and boardwalk area. Mr. Chastain answered that the boardwalk area is owned by the Masonic and is part of their exit corridor. Chairperson Salter commented that the three items on the abbreviated review are in keeping within the general aesthetic of the previously approved project. With regard to the green wall specifically, the fake and plastic green wall that is visible from the street, with regard to Sec. 12-3-27(f.)4. that all new construction shall be reviewed in terms of massing, rhythm, materials and details, building elements and site, Chairperson Salter thinks the fake plants are in vast contrast to the standards for the historic district and are completely inappropriate for that area.

Board Member Mead asked the applicant if there was discussion with the Masonic group about using the green wall on the B-Side in regard to consistency. Mr. Chastain answered that the use of greenery behind the bar was to cover a door they had considered painting. After the ivy was put up on the back wall, there was some left over and from a consistency standpoint it is close to the green tile color and provides texture as opposed to just a painted door. Board Member Mead asked if the same crew assisted with putting the ivy on the back wall. Mr. Chastain answered yes. Board Member Mead asked staff how the Masonic ivy would be reviewed. Assistant Planning & Zoning Division Manager Harding answered, as a different property it is up to the board's discretion as to whether that installation was intended to be a part of this application. Mr. Chastain clarified that he did not make a separate application for the greenery on the Masonic property.

Board Member Mead asked the applicant if alternative options were explored such as panels or tile. Mr. Chastain noted they did not look at tile since there is a weight issue and the ivy is lightweight. Around town the ivy product has been used other places and the client had just arrived back from a trip to New York where it was used. In tying in with the original green color and the burger truck color, it seemed to fit well for the needs. Board Member Fogarty commented that she understands the rationale behind the choice and if the ivy was a live plant growing up a lattice, her opinion would be different. A lot of discussion occurred debating the artificial turf in that area, with very conflicting opinions on it, and having such a visible presence of artificial material detracts from the overall, historic nature of the space. Specifically, the space hiding the electrical panel stands out even more

because it is in such contrast from the wall color. Aside from issues using artificial plants, if there is another way to disguise that with something that blends in more with the wall color, so it doesn't stand out so much as you pass by. Mr. Chastain noted that the photograph showing the back wall from outside of the property shows the artificial vegetation fades into the background. Board Member Fogarty noted that if used in a different place, her feelings about it would be different.

Ms. Levin addressed the board as one of the owners of the property. The artificial grass and ivy are everywhere now as a current trend in big cities and expensive places. It is not cheap, is dimensional, and looks real until you go up and touch it. To have real ivy, which was considered, would require planters that would impede the exit. Rather than just paint the boards green, where extra tables are stored behind, or looking at garbage cans or junk, the green wall has been complimented on by visitors to the space. Ms. Levin walked downtown and took pictures of other properties that have used the fake ivy such as the food court at Main and Palafox Street. When looking at examples, the applicants felt as though they weren't doing anything that has not already been done in the historic district. The applicants didn't want to look at ugly meters and to keep it all congruent and together, the ivy was used so it all aesthetically blends together. Chairperson Salter asked if the food court at Main and Palafox was in an ARB review district. Assistant Planning & Zoning Division Manager Harding answered no and you would not know it by walking since they complement so nicely but it is a redevelopment district, the South Palafox Business District, though it is across the street from the historic district. The South Palafox Business District is a planning board review district. Chairperson Salter noted that he appreciates Ms. Levin walking the board through the reasoning behind it, which makes sense. It is not a cheap product, it is used in a lot of places and high-end places, but what this board is tasked with is within our review districts trying to maintain the historic integrity of the district and the ordinance states the materials are one of those things that the board must consider. That is why Chairperson Salter feels the material is presenting itself as something it is not in an artificial way. While there are instances where that is traditionally historic, such as stucco facades that are carved to resemble block, Chairperson Salter is not aware of an instance where plastic plants have been used to represent plants in historic districts. From a materials standpoint, Chairperson Salter has an issue with it being used in such a prominent spot in the actual historic district. Ms. Levin noted that the applicants didn't feel it was a prominent spot. There is a wall with fake plants behind the Wine Bar and Cigar Bar, but you wouldn't know they are not real until you touch them. Chairperson Salter asked staff if the board has ever approved a fake system of this sort in what would be considered a permanent application. Assistant Planning & Zoning Division Manager Harding answered not to his knowledge and there has always been great discussion on the use of artificial turf and this board has determined it is on a case-by-case basis, based on the architecture on site and the intended occupancy of that area and the specific use. Assistant Planning & Zoning Division Manager Harding was unfamiliar with the board ever approving a green wall screen.

Board Member Mead posed an alternative of a green wall made of pothos, a very durable plant. It has a lovely trailing affect and is very easy to tend to, watering it from time to time, and is very draught tolerant. It is a good choice in long, linear hanging baskets and it doesn't weigh much. It can be supported without impeding the walkway. Board Member Ramos recalled during the demo application, there was discussion on the egress stair that was removed and replaced. Board Member Ramos noted a new egress stair was installed per the plans, though we have seen that this is a different property which is fine, but it does sound like the applicants are storing equipment under the egress stair on this adjacent property, and in Board Member Ramos' opinion it is very likely to be the applicant's fence that is being used to hide equipment. Board Member Ramos has concern over storing items under the egress stair, though it is not under the purview of the board, but it is in

addition to the misuse of material. Mr. Chastain clarified that the tables and chairs stored behind the fence are for Vinyl. Board Member Courtney noted another alternative would be to have an artist paint a panel or create hand crafted art. Ms. Levin answered they considered an artist or having a mural and asked if that would be acceptable to the board. Board Member Courtney noted that painted murals should not detract from the historic images on the shutters, but a real material should be used, perhaps in the green color family. Ms. Levin noted that nothing there is historical, such as the burger truck, and it is a new property that replaced the barber shop that was demolished. The goal was to make it aesthetically beautiful.

Board Member Yee noted that the board appreciates the work that has gone into the property and the other changes are improvements or not a big deal. Board Member Yee does not take exception to the material, frustration may be stemming from procedurally how it was installed, but from the street the artificial vegetation is not noticeable. There are other systems or materials that can be used, live plants are always best, but they are hard to keep alive and maintain. Property owners are not always considerate of how they are using materials. The challenge the board faces is once it appears, though it does not technically set a precedent for others to use that material, once you can see it somewhere it implies it is allowed to be used. The area of the electrical panel might be easier to remedy with some other system. Board Member Yee noted the ordinance is written in such a way that it makes it difficult for the board to approve newer, artificial materials. Ms. Levin asked why the board is allowing the artificial vegetation on the burger truck but not on Vinyl property. Chairperson Salter answered that the vegetation is being allowed on the food truck because the ARB cannot deny it since the board has no control over the food truck because it is a temporary structure. Ms. Levin asked if the board could deny the artificial vegetation on the fence at Vinyl since it is not B-Side property. Chairperson Salter answered that is a question for staff. Assistant Planning & Zoning Division Manager Harding answered if the board determines that the intent of the green wall being put on was in coordination with this project, the board could deny it.

Advisor Pristera noted that he agrees with Board Member Yee that from the street it is not that noticeable. This property is not trying to be historic; it is new infill. The vegetation is being used as a background material and once everything is set up, it is not a main focal point. The part around the electrical meters could probably be changed since that is closest to the street, but in this case, it isn't fooling anyone. It is one, cohesive newer project. This material is an issue if used in the historic village, obviously that is not a correct use for it. It should be on a case by case basis for how and when it is used. In a modern infill project where it is in the background, it does not detract from the historic district. People will point to this like they point to other projects, but in this case and some others, it has a very clear purpose if approved. The process of how the board is finding out is why there is a longer discussion. Board Member Mead echoed Board Member Yee and Advisor Pristera's sentiments about being careful of inviting people to do whatever they want and come back for forgiveness after the fact. From a policy standpoint, the ARB can't afford that which will lead to post-construction approvals that lead to burden. Ms. Levin again pointed out the fact that the greenery is on Vinyl property. Board Member Mead stated that from ARB perspective there is an implicit license to use, granted by Vinyl to use and to install the amenity for the project, which then brings it into the sweep of the project. Board Member Fogarty noted that the biggest problem with the material is on the food truck and that is the biggest eyesore along with the electrical panel and she understands the rationale for placing the artificial vegetation on the back wall. Eyesore was a strong word to use, but so much discussion has centered around the use of this material. Board Member Courtney reiterated what Board Member Fogarty stated about the back wall being least offensive.

Board Member Ramos complimented the applicants on their hard work but stated that the artificial ivy takes away from what has been created and plans to vote against using the material in the historic district. Ms. Levin asked for a suggestion to replace the ivy. Board Member Ramos answered the siding material by the restrooms would work for a small electrical room and the rear fence should be built with materials that are approved for that district. Harry Levin addressed the board, providing additional support for the applicant's justification for using artificial vegetation.

Board Member Ramos made a motion to approve the application as submitted with the exception that the applicant come back for abbreviated review for presenting an appropriate material to be used at the meters along Garden Street and at the rear fencing area at the side alley.

Chairperson Salter clarified that the motion was to approve the three listed items but require modification to the other item discussed heavily being the faux green wall and that it come back for abbreviated review for a replacement with an appropriate material, as discussed. Board Member Mead made a suggested amendment to have staff determine if the rear wall is included within the application by virtue of its being built by the applicant with the permission of the adjoining landowner to coordinate with this space. Assistant Planning & Zoning Division Manager Harding directed the board's attention to the January 2023 abbreviated review provided in the application package, sheet A2-1, that clearly shows that the wood fence at the back of the property is included as a part of this project. Assistant Planning & Zoning Division Manager Harding advised for it to be treated as such.

Board Member Mead seconded the motion as presented with the amendments. The motion carried 5-1.

Assistant Planning & Zoning Division Manager Harding clarified that the denial of the screening was based on the noted section about materials and in this district if something is denied, even if it is just an element, that replacement plans are to be submitted.

Item 4 600 S. Palafox Street PHBD / Zone C-2A, City Council District 6
Demolition of a Non-Contributing Structure
Action Taken: Approved.

Buck Lindsay is seeking approval to demolish a non-contributing structure to allow for the development of a nine-story Hilton Brand hotel. The 28,875 sf. structure is non-contributing and does not require replacement plans to be provided, but the next agenda item is for conceptual review of the proposed hotel development.

Buck Lindsay presented to the board. Chairperson Salter clarified that the criteria to consider demolition of a non-contributing structure is to determine if there is architectural significance. Board Member Mead clarified that the original factory was torn down in the 1970s so the existing structures are warehouses that long post-date the original factory. Advisor Pristera concurred and described the 1907 Sanborn map depicting the space and an aerial from 1920s-1930s showing the area. Board Member Mead asked staff about height and setback conditions for this property and asked about considering the demolition and conceptual review in conjunction. Assistant Division Manager Harding stated that per Sec. 12-3-10(1)j.2. Other Demolition permits, if the structure is determined to have no cultural, historical, architectural, or archaeological significance, a demolition permit may be issued immediately, provided such application otherwise complies with the provisions of all city code

requirements. Board Member Mead asked for clarification about the requirement for replacement plans and Assistant Division Manager Harding clarified that non-contributing structures can be approved for demolition without replacement plans. Assistant Planning & Zoning Division Manager Harding clarified that if the board determines the property does not have cultural, historical, architectural, or archaeological significance, the ordinance is clear that a demolition permit can be issued.

Board Member Mead asked Chairperson Salter if the two requests, demolition and conceptual review, could be considered together. Board Member Mead felt strongly that the ARB ought not be knocking buildings down unless the board has something they know is likely to go back or at least has been approved to replace it. Chairperson Salter answered it is his understanding of the criteria for the non-contributing structure that it has no basis upon which it is going to be used. It is based purely on the structure itself as to its demolition so they should be heard separately. Assistant Planning & Zoning Division Manager Harding clarified that there is a section of code that can require plans for the demolition if significance is determined by the board.

Board Member Fogarty commented that the condition of the building is moldy and is preventing the owner or people from using the space as intended. Chairperson Salter noted that walking down Palafox Street, the façade for the boutique hotel portion gives the street a great presence and maintains a historic feel when walking downtown. That alone is not reason enough to prevent demolition of the building, but great consideration needs to be given to what goes back to try and maintain that presence because that is one thing that the current building did achieve. Board Member Mead asked Advisor Pristera about the age and history of the infill with the bow window room with a flat roof and parapet. Advisor Pristera noted he was unsure, but it was added at some point. Cultural Resources Coordinator Walker noted there is no Florida Master File form for the structure, and it was deemed non-contributing during the original survey and not included in the National Register nomination re-survey. Board Member Mead agreed that whatever goes back needs character and cohesion.

Board Member Mead made a motion to approve the application. Board Member Fogarty seconded the motion and it carried 6-0.

Item 5 600 S. Palafox Street PHBD / Zone C-2A, City Council District 6
Conceptual Review for New Hotel Development

Action Taken: Denied.

Buck Lindsay is seeking conceptual approval for a new nine-story Hilton Brand hotel with 231 guest rooms, lobby area, dining, a meeting space, fitness area, swimming pool, and surface parking. Since this is for conceptual review, a final review will be required at a later date. Cultural Resources Coordinator Walker noted that the board's task today is to aesthetically review this new construction in terms of massing, rhythm, materials and details, building elements and site. New construction shall maintain scale and quality of design and should be compatible to surrounding structures, per Sec. 12-3-27(f)4, Board Review Standards for the Palafox Historic Business District. There are several items that require coordination with the City's Planning and Zoning Division that must be addressed prior to returning for subsequent aesthetic review.

Assistant Planning & Zoning Division Manager Harding noted there has been a lot of discussion on the city's parking downtown and the use of properties, the board is aware of what is about to be said but for those listening, the ARB is tasked with reviewing what is going on within the property boundaries. Alterations or modifications to streets or public rights of way, especially in this application

that depicts some modifications to Jefferson Street, are not in the board's purview as well as the use. While reviewing this application, the board should be aware that the ARB does not have jurisdiction over or weighing in on the use of properties. Board Member Mead asked for clarification on what issues would go before planning and zoning. Cultural Resources Coordinator answered that, speaking to what Assistant Planning & Zoning Division Manager Harding stated, about any city right of way or parking, this review is about the aesthetic in terms of materials, massing, scale, how it fits within the Palafox Historic Business District and the character of the overall district. Board Member Mead asked if this property has any similar height or setback concerns along Palafox. Assistant Planning & Zoning Division Manager Harding answered this property is zoned C-2A, which is primarily the entire downtown area, for height a property can be built up to 100 feet at the property line. For every one foot that building is pushed back or stair-stepped back, the property can be granted an additional three feet in height. When this packet returns for final review, staff will make sure that height is appropriately demonstrated and the packet meeting Sec. 12-3-121 General Commercial Development Standards and 12-4 which is parking, and that is done for all applications that come before the ARB for final review.

Board Member Mead asked for the planning height of the structure. Assistant Planning & Zoning Division Manager Harding answered 113 feet. Board Member Mead noted that height affects massing, which was demonstrated in recent applications reviewed by the board, both of which contributed to the architectural interest in the structure and its difference from perhaps more conventional architecture. Assistant Planning & Zoning Division Manager Harding reminded the board that building height begins at the lowest habitable floor and goes up to the floor of the roof, parapet walls aren't included in that. For parking, the board has authority over materials, screening, applications, and things like that.

Buck Lindsay presented to the board and introduced Alex Grace, representing the developer; Jim Homyack, current property owner; and Ross Dorough, a development consultant to the developer. Mr. Lindsay noted the building is planned to be set back from the property line to be roughly 107.5 total feet from the first floor to the roof surface. The parapets will be beyond that, but the plans will comply strictly with the provisions of the building height and increases allowed on a 1:3 basis. There are no yard or setback requirements or lot coverage requirements, and no changes to the street right of way proposed but there are easements that will be an internal development challenge.

Advisor Pristera asked how much of the design is driven by brand standards of the hotel in terms of layout, aesthetic, and materials. Mr. Lindsay answered that the exterior of the building has zero impact from the franchisors, on the inside the guest rooms will be brand driven. The plans say Hampton Inn & Suites and Home2Suites, which is not a committed brand identification, but the Hilton name is a committed brand identification. Mr. Grace stated that the plans under review are being driven by being part of the downtown fabric and part of the historic district, so the materials being used were chosen to activate Palafox and accentuate the corner of Cedar Street. The best way to activate is to have glazing. The hotel for the developers, is a hotel for the community and part of the business is to drive locals to the property with two bars and a third-party restaurant. None of the Hilton criteria played a part in the exterior, this is a custom experience from ground floor to rooftop. Mr. Lindsay noted that the mid-height range is characterized by a base, middle, and top and this has been accomplished through the use of different colorations of materials. The base is two-stories high, with a nine-story building, a one-story base would not look correctly proportioned. The middle is characterized by a variety of materials, colors, façade undulations, and some balcony experiences. The glass corner on the front is the most important corner and the most seen by visitors. There will be guest rooms behind the glass facades. The ninth-floor level has a terrace that opens from the dining

and bar area to experience views of the bay and city.

Board Member Ramos asked about the three-foot setback on the Palafox and Cedar sides and if that is already reflected in the plan. Mr. Lindsay answered no, it is not properly illustrated. The plans were developed as the applicants were understanding the conditions limiting building height, but the proposal is a 2.5-foot setback from Palafox and Cedar Streets. Board Member Ramos asked for clarification on the proposed materials since the renderings do not demonstrate finer details. Mr. Lindsay answered the first floor is proposed to have cast stone material, Arriscraft manufactured stone to be exact. The second floor is a light-colored brick, the intermediate levels from third to eighth will be a combination of light and dark brick, and the top will be synthetic, smooth stucco. Board Member Ramos asked if the base material that connects to the sidewalk, the plenum of the building, will be cast stone as well. Mr. Lindsay answered yes and clarified that the Arriscraft will go up to the second floor and will transition to light and dark brick.

Board Member Ramos asked if the conceptual approval includes signage. Cultural Resources Coordinator Walker answered signage would be submitted through a separate abbreviated review application.

Chairperson Salter complimented the applicant on the siting of the building to activate Palafox and the use of materials is a positive approach and appreciates the use of masonry and cast stone. Chairperson Salter has concerns about the glass corner on the northwest side with regard to relating to the fabric of the area. Taking a step back, the masonry, the cast stone, the location of the building, and the materials all together sounds right but something is not right about the building, perhaps the color palette. Audibly everything sounds good, but visually the building does not work. Taking into consideration the look of the materials and the color coupled with the theme of the area and the mass of the building, it seems like the tie is missing. The mass of the building reads a monumental hotel. Chairperson Salter would like to see more of the color palette, not exactly red brick, and historic detailing for the area. The mass and presence are similar to how the San Carlos read. Some detailing is evident on the base and at the cornice level, but a nod to the historic detailing might help to bring a historic feel to the development. With all that, the glass corner may not be necessary since that is a modern feature like you see at an office building. Somewhere else that might be a nice feature, but that may be the element that is causing a gap between the historic fabric of the area to what is being proposed. The way it is situated and the approach that is started is nice and will be a good presence, once finding the link to the historic fabric of Pensacola.

Mr. Lindsay note the building is conceptually traditional but executed with detail that speaks to modern forms and shapes. The base, middle, cap is traditional. Water table and bandings to accentuate the building have been used. The next review will hopefully include a 3D model to demonstrate the depth of the windows. A monolithic color building does not work in an important, urban corner. All red brick would be a waste of a good opportunity to play with the architecture. The glass corner has been used successfully in other urban contexts. It provides a sense of activation and invitation and something visually interesting.

Board Member Mead noted that in his opinion this is an extremely conventual example of hotel architecture. The standards state, the new building will not, in itself or by reason of its location on the site, impair the architectural or historical value or character of buildings on adjacent sites or in the immediate vicinity. The building will not be injurious to the general visual character of the district in which it is to be located considering visual compatibility standards such as height, proportion, shape,

and scale. The larger point has to do with the standard of, its overall massing and conception is going to be in some manner of speaking consistent with the nature of the district as a whole. All new construction shall be reviewed in terms of massing, rhythm, materials and details, building elements and site. Generally, all structures should be compatible in these categories to surrounding structures. The problem Board Member Mead sees is the height, and the area is mainly composed of converted warehouses, office buildings, and other facilities and some townhomes to continue down the Palafox corridor. The high-rise buildings begin almost exclusively north of Ferdinand Plaza, which is where you begin to have the central business district height between the National Bank Building, the Thiesen, and the Blount building. This is going to compete with them in height but is not consistent with the types of buildings or structures we have here in that regard. Board Member Mead noted most recently the ARB saw the hotel development at the post office where the ground floor façade is being maintained, but the high portion is stepped back far enough that it distinguishes itself from the historic facades along the street. That project accomplishes fitting this type of massing, but fit better within the context it finds itself. The proposed plans under review are out of context. It is an any place building; it is not a someplace building and this is a particular place. The ARB is charged with fitting what is being approved to the place. This would be lovely in Atlanta or Tampa, but it does not fit here. That said, something similar to scale can probably be accomplished without too much change but it has got to be better speaking to the district it is in, south of Main Street. It really is not speaking to its context and that is the charge of the ARB. It does not necessarily require a massive redesign in terms of its overall structure, though some of the stepping back may be something to consider because there is enough property for that. If the surface parking were pulled into the building it may allow the applicants to do more interesting things with the overall site.

Advisor Pristera echoed Board Member Mead's statements, the ARB has seen other taller buildings, though driven by tighter lot size so they have to go a little higher. This is a fairly large lot and could the size of the hotel be driven by making the project feasible. In this area, six stories is the tallest along with penthouses. Generally, five story buildings fit in. Advisor Pristera asked what is driving the height. Mr. Grace answered from an economic standpoint and to fulfill needs, density drives height and the applicants want to maximize the density, what is permitted by right. The view from that height has benefits and activating the rooftop. Pensacola seems to have a lot spot heights and not a lot rhythm. Mr. Grace noted that most cities want developments to be on the property line and while he has heard the board's comments about stepping the building back, he is not sure what they would do with that space. The applicants want to be on the property line and have on-site parking in the rear and the building is a natural screen. If the building is stretched in two directions and the height comes down, the parking access and services will be limited.

Board Member Mead complimented the roof activation, but the amenity is for the hotel users not the public and does not activate the street. If you pull back the structure or even pushing to the property line on the ground one or two floors, you gain the ability to activate an intermediate area or buffer that can provide an outdoor space that is closer to the street activity without necessarily being in the middle of it. It is also more consistent with some of the patterns of development the board has seen in terms of integrating the street level activity in the area with the activity in the structure, particularly with a corner presentation. The Harborview site is very simplistic and is oriented completely to the water and is shielded from view by the parking garage. This location is very different than the area of Harborview, right on Palafox Street, at a very significant intersection.

Mr. Lindsay noted there is no immediate context to relate to like an urban area, this area is an island. The two-story base is an accent onto itself because of the light coloration that relates well to the one-

and two-story retail spaces across Palafox.

Board Member Courtney noted that this will read as a giant building, looming over whereas the charm, walkability, and casual connectivity should be maintained. The existing boutique hotel has a New Orleans feel with a low structure and metalwork and if the proposed hotel were not so massive maybe it would be easier to incorporate those details. Board Member Yee noted he does not have a major issue with the scale and appreciates the base, mid-section, and upper element design. Board Member Yee acknowledged this stage of design is hard to imbue the renderings with enough detail at a conceptual level, and that is hurting the presentation today. Modern and historic buildings can coexist with each other, the disadvantage in Pensacola is there is not as much of that already in place as context to play off of. The size of the building and height will be held to a very high standard. Board Member Yee echoed Board Member Mead's statements about pulling the building back to create an intermediate area. The glass is critical at ground level to activate the street. The detailing feels completely out of place for downtown Pensacola and Board Member Yee agrees this would fit in elsewhere but not in Pensacola.

Surface parking lots are never a good thing for downtowns. The proposal flips the parking to be in the rear rather than the most prominent corner. If surface parking is required and driven by numbers, landscape buffers need to be looked at. Assistant Planning & Zoning Division Manager noted that Chapter 12-6 for parking would be applicable to this development. The high cost of parking on a project and challenges with site planning, fortunately most of the parking is impervious from a stormwater standpoint, but it seems like more can be done. Has wrapping been considered for the parking lot, assuming a structured parking garage is out of the question, but it does seem like an unfair weight is being put on the off-street parking. Board Member Yee asked if the intent that the on-street parking would be dedicated to the hotel or would it continue to be public. Assistant Planning & Zoning Division Manager answered there have been discussions of the on-street parking being covered under a parking agreement that is historically been done through a license to use, a Planning Board and City Council process, but the city is currently reorganizing how parking and public rights of way are leased and contracted so that would be handled through Parking Services Department.

Board Member Ramos noted that the applicant stated they have the right to build to a certain height, the code allows a building to built to this height, and that is important. Board Member Mead's statement about an any place building that needs to be site specific is also a valid point. Board Member Ramos likes the balconies, something that hasn't been done in the downtown area, as there are great views. The activation of the roof deck is a great concept as a destination and amenity for the City of Pensacola. Board Member Ramos agrees with the need to screen the parking and minimizing what is being provided. This building doesn't really have a back, even though the parking area is in the back and the fenestration of the rear of the building is very hotel-like, additional care needs to be taken for the rear as the bay and port-facing facades. A key element to make it fit within the site is the materials and colors chosen. Board Member Ramos likes the corner glass as it breaks the hotel typology. The A/C units are generally below the window, the Holiday Inn on Main Street has the same window system, but they have done something to the proportions and the mullions to make it less hotel-like for the punched openings. Maybe increasing some glazing or working with mullions to subdivide the glass might give it less of a punched, hotel opening look. This is a huge investment and there is excitement that developments want to come to Pensacola and Board Member Ramos echoes Board Member Mead's statements about this being an any place project that needs to become place-specific.

Board Member Fogarty asked about the glazed corner and individual guest suites will read at

nighttime. Mr. Lindsay answered that all the rooms on the glass corner will have black-out curtains. Hotels generally display a variety of lit and unlit rooms which provides texture. Board Member Fogarty noted at first glance the space was a full height atrium or lobby but would appreciate the glass corner to be on the rear for the views of the bay. The façade facing the bay has no fenestration facing the water. Board Member Fogarty would prefer to see the glass corner on the less prominent corner and something grander taking its place.

Board Member Ramos noted he likes the activation on Cedar Street, which makes sense with the balcony and main entrance. Board Member Ramos likes the addition of the third-party restaurant on the south corner of Palafox Street and would argue that the storefront is not really activated just by glass, but it would be interesting to have people inhabiting outdoor spaces on the Palafox side of things. Board Member Mead echoed Board Member Ramos' and Fogarty's comments about activating the views to the south and east. The south face could have projected balconies that could be a tremendous amenity for those who do not have private balconies. The upper floors could have cantilevered or bracketed balconies. There is a lot of potential to be less conventional and more suited to its place and responding to where it is.

Mr. Grace appreciated the comments of the board and noted the comment that this hotel could be anywhere. There is a need for hotel developments in Pensacola and the applicants will take the comments and work on this. At the end of the day, a hotel is a linear shape, and its overall width is based on the rooms and corridor and the number of glazing and windows is for a hotel. The applicants will weave in the comments, but some elements of a hotel will not go away. The applicants prefer the lighter and softer colors and the current renderings do not show details like grout joints and water table. High definition will show the character of the building. Parking is a must through the ordinance, structured parking is not an option, and all four sides cannot be developed. The applicants wanted to activate Palafox and Cedar and the building is a beacon at the corner. Mr. Grace noted that as the developer, he is trying to understand what to do with the commentary on height. Board Member Mead noted he is not opposed to the height, the integration with the streetscape and surrounding structures is the concern. The wall affect that close to the property line has such a predominating effect on pedestrians and vehicle appreciation of the district. If it is stepped in, you get an amenity space outside and you will not have the wall affect. The ground floor can have a different feel than the body of the main, tall structure. Board Member Mead noted an advantage to covered walkways that can increase the setback without having to pull back as far into the property. There is a lot to be done that will not impact parking.

Mr. Lindsay noted that the C-2 zoning allows for future, taller development and this is the first one to the entitlements of the zoning. In 50 years, this building will be surrounded and sets the context for what will be. Advisor Pristera noted Pensacola has a slower development in terms of height and the development history is new to taller buildings. Board Member Yee echoed the code allows the height, but the board has the ability to help with the streetscape and context. Board Member Yee noted that balconies can dramatically change the pedestrian experience and echoed Board Member Ramos' comments about more amenities on the Palafox Street side. More can be done to buffer and dress up the parking areas. Board Member Yee asked utility and back of house on the plans. Mr. Lindsay noted a large electrical space inside the building and items like grease traps will come as the project develops. Mr. Lindsay noted that moving the stair one or two bays inward could create rooms with broad views of the south. Chairperson Salter noted there were no speakers to this item.

Board Member Mead made a motion to disapprove the concept as submitted, mindful of the

board's obligation under the code to give recommendations as to changes necessary for reconsideration, which Board Member Mead encourages based upon the comments that have been heard here today. This denial is based on Sec. 12-3-10f., 1. that the relation of the building to immediate surroundings to the district in which it is located or to be located is not an appropriate fit and f.2. that the building and its location on the site risks impairing architectural value or character of buildings on adjacent sites or immediate vicinity, to see that it risks injury to the general visual character of the district in which it is to be located, considering visual compatibility standards such as height, proportion, shape, and scale; 2.e. that the base of the proposed building will risk adversely affecting some of the downtown redevelopment plans, as Board Member Mead mentioned the Hashtag that is one of the things that the city is looking at as that makes Cedar Street much more significant and Board Member Mead encourages looking at that. We just don't know how that will be fitted into this question, but it is something the city is looking very carefully at. 4) that the new construction shall be reviewed in terms of massing, rhythm, material, details, building elements and that they shall be compatible in these categories to surrounding structures. Board Member Mead heard no objections to the materials proposed and nobody had any difficulty with the materials or those types of issues, it is really about the massing and the interaction with the street level.

Cultural Resources Coordinator Walker clarified that Board Member Mead's motion was for Sec. 12-3-27(f)(2)a.- e. and (4).

Board Member Fogarty seconded the motion and the motion carried 6-0.

Mr. Grace asked for clarification about the massing and not fitting within the context of the downtown. Board Member Mead answered what the code permits in terms of gross massing is one thing, what fits within the district is a different thing. It certainly qualifies, in Board Member Mead's view, and that is why the board has these powers in the code to review those questions and give applicants the board's thoughts on whether that would be approved or not, which is what the board has done. Mr. Grace stated that he is trying to figure out where to go from here. Board Member Mead encouraged talking to the city about the gallery idea, that fixes a lot of problems without necessarily having to relocate the building. Mr. Lindsay asked for clarification on the notion of gallery and would it be the same as arcade. Board Member Mead answered that in terms of having covered walkways, that would involve rights to use within the city's right of way, which has been done in other settings and there is a process for that. Assistant Planning & Zoning Division Manager noted that the board will approve aesthetics and the license to use request goes to the city's planning board. Board Member Mead noted that the use of arcades or some combination would provide effective, visual setback while also providing a street amenity for the public which is part of our charter and how it integrates, as it helps to mass the overall height of the structure from the other surrounding properties, which diminishes its impact. Mr. Grace asked Board Member Mead if that answers the overall height. Board Member Mead answered that he is not offended by the overall height but the question is how to relate that height to the site and overall placement of where it is. Mr. Grace asked if the next step is to go back to the drawing board and return with another conceptual review for the same board. Cultural Resources Coordinator Walker noted that yes, the plans must return for a second conceptual review taking into consideration the motion and the board's feedback. Mr. Grace asked if the applicants could speak to the board offline. Assistant Planning & Zoning Division Manager answered that the applicants can reach out to individual board members, but they cannot contact more than one at once and cannot take the information one board member gives and provide it to another board member per

state statutes. Board Member Ramos noted that city staff does a good job of coordinating with applicants and city staff can pass along questions to the appropriate board member.

Chairperson Salter noted the next item is quasi-judicial, staff will introduce the item, the applicant will be given time to make their case to address all the criteria and present their case for the variance, afterwards the floor will be opened to public comment if any, each speaker will be limited to no more than five minutes. After all public speakers, the applicant will have an opportunity to address the comments, the board will have an opportunity to ask the applicant questions, then close for discussion and deliberate and make a decision.

Item 6 800 E. Belmont Street OEHPD/ Zone OEHR-2/ City Council District 6
Variance

Action Taken: Approved.

Jordan Yee is seeking approval for a variance to reduce the west side yard setback from 7.5 feet to 2 feet 5 ½ inches to allow the new porch roof of the addition to extend north in plane with the existing west elevation of the house. The next agenda item is review of the proposed exterior alterations for this structure.

Jordan Yee presented to the board and noted as an ARB member he recused himself. The property owner, Matt Posner, also presented to the board. The existing Queen Anne cottage in Old East Hill has been in disrepair for some time. The current property owner is interested in restoring the home rather than demolition. The lot is particular and based on the Old East Hill comments, the siting of the house on the parcel is odd and skewed. It is difficult to site a structure like this, on a parcel like this, particularly when there are two frontages. In this case, the rear of the house in the northwest corner is impacted. Christian Wagley, Old East Hill Preservation Association, noted in his comments that the sidewalks and the right of ways could have been different when this house was built. The width of public right of way and location of sidewalks are in very close proximity to the house. None of the house is compliant with current zoning code, in terms of the secondary frontage setback of 7.5 feet. The front porch has a Dutch gable, but the primary hip portion of the roof extends all the way to the front of the porch. The new design with the addition is meant to carry that language to the rear of the house at the northwest corner. The existing addition is in disrepair. Mr. Posner spoke to the board about purchasing and restoring the home. Chairperson Salter noted that Old East Hill Preservation Association's comments were provided to the board and applicants and will be included in the minutes as part of the official record.

Board Member Mead asked staff about the survey, showing Belmont and 8th, and how the city's street grid takes a jog at 8th Avenue and the fact the house is square to the Belmont right of way but the 8th Avenue frontage skews to where the lot has made a compromise in orientation. Board Member Mead noted this is unlikely to be the fault of the builder or the original site plan but rather a limitation that was imposed by the street grid. Staff noted that they can neither confirm nor deny that fact, but that is what the survey appears to reflect. Mr. Yee noted from the front to the back of the house, the front corner of the porch is about four feet off the property line and tapers to 2.9 feet, losing one foot four inches moving further north which impacts the siting and future use of the house.

Chairperson Salter noted that no points or arguments against the variance within the Old East Hill comments were overlooked or went unaddressed. Cultural Resources Coordinator Walker noted if

the variance is approved for the open-air porch area, any future alterations such as enclosing the space would require a second variance. Board Member Ramos noted Diane Dixie's comment in the Old East Hill Preservation Association comments that mentioned an encroachment on neighboring property lines, staff and the board clarified there is no encroachment associated with the request. Board Member Fogarty asked for more information about the privacy fence. Mr. Yee answered the privacy fence will land at the existing northwest corner of the house to conceal the porch. The grade changes fairly considerably from the front to the rear, so the fence will be a six-foot fence that will provide some privacy to the porch as it is currently designed. The fence will not continue further south from the porch. Board Member Fogarty asked if the fence would return or attach to the house. Mr. Yee answered a small return will go east toward the house.

Board Member Mead made a motion to approve the variance on the basis of the provisions of 12-11-(2)(a)(2) and 12-12-3(5)(b). Particularly with regard to the impact of the apparent discrepancy in the street grid caused by the 8th Avenue at Belmont intersection jog and the attempt of the house as originally built to conform to the street line at Belmont, which put it out of skew with regard to 8th Avenue; that would be peculiar to the land, structure, or building and not applicable to other lands or buildings in the same zoning district; these conditions did not result from actions of the applicant; the applicant is getting no special privilege in this regard; literal interpretation would deprive them the common right to build to the back which everyone else would enjoy; it is a minimum that will make possible that use of the land; and this is in general harmony with the provisions of this district; and will not be injurious or constitute any change in the zoning or impair anything else governed by that or the additional criteria in the ordinance.

Board Member Courtney seconded the motion and it carried 6-0.

Item 7 800 E. Belmont Street OEHPD / Zone OEHR-2, City Council District 6
Exterior Alterations at a Contributing Structure
Action Taken: Approved with abbreviated review required.

Jordan Yee is seeking approval for exterior alterations at a contributing structure. The proposed work includes removing a non-original addition on the rear and replacing with a new addition and covered porch with a fiberglass exit door; removing existing asbestos siding and replacing with wood lap siding; a new corrugated metal roof; replacing all existing windows with PGT single hung vinyl windows with simulated divided lites; repairing and replacing fascia, trim, and brackets with in-kind material; a reconfigured front porch with new railing and columns; a new CMU retaining wall with parged cement finish to match existing; a new 6 ft. wood privacy fence; and new HVAC unit screened by a 4 ft. painted wood fence.

Mr. Yee clarified that for the street frontages a clad-wood Sierra Pacific window is being proposed and there might be one clad-wood window that wraps onto the east elevation in the front living space for continuity on the inside. The bathroom and bedroom areas on the rear and west side are vinyl single hung replacement style windows. Mr. Yee addressed whether any of the existing windows can be salvaged, but all windows are in bad shape including the front porch windows. Advisor Pristera agreed that a full rebuild of the sashes would be necessary, so they are not in a reparable state at this time. Mr. Yee also addressed the proposal to change from a turned column to a square column, providing precedent imagery of surrounding, period homes that do have square columns with some of the bracketing and spandrel details that are typical of the Queen Anne style. The existing turned columns, whether original or not, are severely rotted and poorly attached, resting on non-period CMU

piers that will be demolished and removed. What configuration is approved, the new columns will go from the top of the porch walking surface up to the underside of the porch roof, in full height. Advisor Pristera noted that he worked with the applicants and encouraged the applicants to keep the turned millwork at the top of the porch. There are a number of other examples in Old East Hill that have squared posts, there is still a possibility to go back with turned, but square felt appropriate so long as the other detailing is preserved.

Board Member Courtney noted that the brackets underneath the turned work, with the fleur-de-lis pattern, should be maintained. Mr. Posner answered his intent is to maintain that detailing. Board Member Ramos asked if the shutters are original. Mr. Yee did not know and noted there is a mix in shutter style, and many are just fastened to the building. Chairperson Salter asked staff if the particular vinyl window line had been reviewed before, that being the PGT Series SH500, in particular the profile and how the frame will fit in. Chairperson Salter asked for clarification on the location of the Sierra Pacific clad window within the plans. Mr. Yee answered the street frontages and the southernmost window on the east side is also proposed to be Sierra Pacific. Mr. Yee noted the 500 series is the incorrect series and it should be the PGT Winguard 5500 series, the drawings will be updated accordingly.

Board Member Courtney asked about the east elevation having a four over four window and the north elevation has four over four and it looks odd. Mr. Yee answered it is difficult to maintain the proportion on the individual lites on some of the short windows. Mr. Yee asked Advisor Pristera about a preference for four over one versus six over six divided lites. Advisor Pristera asked where the four over one windows are currently located in the back. Mr. Yee answered the short windows are located in the back and the taller windows are six over six, on the west elevation. Advisor Pristera noted the differences in divided lites are later additions and changes, and Advisor Pristera is fine with what is proposed. Board Member Ramos asked for clarification on the variety of divided lites. Mr. Yee noted it was an attempt to try to maintain the proportion of the individual lites as much as possible. If six over six is used consistently as the windows get smaller, the proportions are strange. The four over four pattern, if appropriate, may address that concern. Board Member Ramos noted the types of windows documented on the Florida Master Site file, indicating there are options. Board Member Courtney noted the east elevation with four over four, perhaps four over one or one over one windows would work. Board Member Ramos asked if the goal is uniformity with either all six over six or four over four. Mr. Yee answered yes, uniformity is the goal and for the shorter windows, the four over one looks nicer. Advisor Pristera noted four over one would be appropriate for some but not all. Chairperson Salter commented the six over six for the majority fits with the style. The shorter window on the west elevation is fine as six over six. A square pane proportion will not be distracting. Mr. Yee agreed. Board Member Mead commented that he prefers the smaller panes or more divided lites, and appreciates the proposed corrugated roof.

Board Member Fogarty made a motion to approve the application with the request that the new windows be six over six in pattern.

Board Member Ramos proposed an amendment to have the 5500 series single hung vinyl windows submitted for abbreviated review, and asked staff for clarification if the correct series of window could be approved without an abbreviated review. Assistant Planning & Zoning Division Manager Harding answered yes, and the board should make note of Chair Salter's recollection that the series has been approved before. Chairperson Salter noted the window in the packet is not the PGT Winguard 5500, but the applicant has stated that his intent is to use the PGT Winguard 5500 which has been

approved before. An abbreviated review is appropriate to submit the product data for the record to demonstrate that is the window being used. Mr. Yee concurred and agreed to submit updated elevations depicting consistent lite patterns for all the windows.

Board Member Fogarty accepted the amendment. Board Member Ramos seconded the motion and it carried 6-0.

Assistant Planning & Zoning Division Manager Harding notified the board that the city has begun the process of the land development code assessment with Inspire, a planning and architecture firm, that will occur over the next few months. The intent is just an assessment of the code, no revisions at this time, but those may come later. If the board has any revisions or suggestions for the historic district code, let staff know or a discussion item can be placed on a future board agenda. Any suggestions will be provided to the auditors.

ADJOURNMENT

With no further business, the meeting adjourned at 5:29 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Adrienne J. Walker".

Cultural Resources Coordinator Walker
Secretary to the Board

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Yee, Jordan		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Board	
MAILING ADDRESS 1904 E. Leonard Street		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Pensacola	COUNTY Escambia	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 9/21/2023		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jordan Yee, hereby disclose that on Thursday, September 21, 20 23 :

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

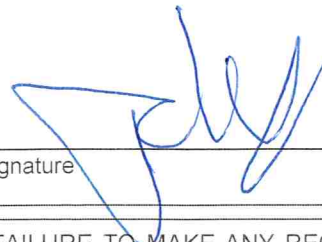
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

9/21/23

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

IN THE ARCHITECTURAL REVIEW BOARD OF THE CITY OF PENSACOLA

ORDER ON APPLICATION FOR VARIANCE

September 21, 2023

800 E. Belmont Street

This matter came before this Board upon the application of **Jordan Yee** for a variance to the requirements of **Sec. 12-3-10(3)** of the City of Pensacola Land Development Code, to wit: a variance to reduce the required west side yard setback from 7.5 feet to 2 feet 5 ½ inches to allow the new porch roof of the addition to extend north in plane with the existing west elevation of the house.

Based upon the consideration of the application and other evidence presented at a hearing before the Board, the Board:

- ☐ Finds that the application is for an impermissible variance as to the use of the subject property, and, therefore, the Board denies the variance.
- ☐ Finds that the evidence does not support the findings and determinations which the Board is required by law to make in order to authorize the variance, and therefore the Board denies the variance.

☒ Makes the following findings and determinations:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
2. That the special conditions and circumstances do not result from the actions of the applicant;
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other lands, buildings, or structures in the same zoning district;
4. That literal interpretation of the provisions of the applicable zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
6. That the grant of the variance will be in harmony with the general intent and purpose of the applicable zoning ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and
7. That the variance will not constitute any change in the districts shown on the zoning map, will not impair an adequate supply of light and air to adjacent property, will not

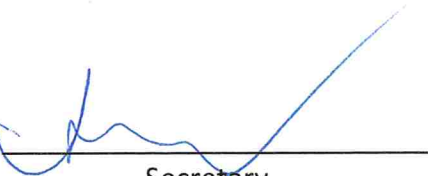
materially increase the congestion in public streets, or increase the public danger of fire and safety, will not materially diminish or impair established property values within the surrounding area, and will not otherwise impair the public health, safety, morals and general welfare of the City of Pensacola.

Additional Criteria per Sec. 12-12-3(5)b:

- (a) That the Variance granted will not detract from the architectural integrity and/or historical accuracy of the development and its surroundings; and
- (b) That the grant of the Variance will be in harmony with the general intent and purpose of this title and that such Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

DONE AND ORDERED this the **21st** day of **September 2023**, by the Architectural Review Board of the City of Pensacola.

Attest:

By: 
Secretary

By: 
Chairman

JUDICIAL REVIEW OF DECISION OF BOARD: If denied a variance by the Board, that request for a variance cannot be heard again for a period of one (1) year. In accordance with Section 12-12-2 of the Land Development Code, any person or persons, jointly or severally, aggrieved by a decision of the Board, may apply to the Circuit Court of the First Judicial Court of Florida within thirty (30) days from the date of rendition of the decision by the Board. The Board, Building Inspector, or Attorney of the City of Pensacola must be notified of an appeal within five (5) days of the application being made to the Circuit Court. If a Notice or Appeal has not been received within thirty-five (35) days of the date of rendition of the decision of the Board and the variance was denied, the petitioner shall be notified by the Building Inspector that they have ten (10) days to remove or correct the violation.

ARB Comments

North Hill Preservation Association

September 21, 2023

The North Hill Architectural Review and Assistance Committee (ARAAC) reviewed the one item pertaining to North Hill which is on the ARB agenda for September. The committee had the following comments:

Item 2 Contributing Structure

215 W. DeSoto Street

North Hill Preservation District

Paul Jansen is requesting approval for exterior renovations at the rear of a contributing structure. Two vinyl windows will be removed and infilled with wood siding to match existing siding. A small exterior plumbing chase will be added and finished with wood siding to match existing. New siding and trim will be painted to match existing; siding will be SW Nantucket Dune and trim will be BM Nantucket Gray.

1. We have no objections to this request.

.

Respectfully submitted,

North Hill Architectural Review and Assistance Committee (ARAAC):

Deborah Hart, member North Hill Preservation Assoc.; ARAAC Chairperson

Bobbi Godwin, member North Hill Preservation Association

Lisa Bradley, member NHPA Board of Directors

Kathy McKean, member North Hill Preservation Association

Hannah Domoslay-Paul, member NHPA Board of Directors

Carrie Webster, member North Hill Preservation Association

Diane Walker, member North Hill Preservation Association

Lee Hansen, member North Hill Preservation Association

Adrianne Walker

From: Christian Wagley <christianwagley@gmail.com>
Sent: Thursday, September 21, 2023 11:51 AM
To: Adrianne Walker
Cc: Gregg Harding
Subject: [EXTERNAL] comments to ARB on item in Old East Hill

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

Hello Adrianne:

Please share the comments below with the ARB. Thank you!

Dear ARB members:

Our Old East Hill Property Owners Association Architectural Committee has reviewed the one proposed project on the September ARB agenda, and we offer the following comments:

Item 6 800 E. BELMONT STREET- VARIANCE

There were varying opinions on the variance request and no consensus was reached. Committee members comments are below:

Sep 18, 2023, 6:34 PM

gatorwaller@hotmail.com

to me, Susan, Dianne, Michael, Pat

I think Jordan does great work and I like the finishes. The fact the house sits crooked in respect to the lot definitely makes playing within property setbacks hard. The lot has a lot of room to the backside, why can't the home be somehow extended more to the back versus encroach on someone's property line. His comment on the application that it may be the smallest lot in the neighborhood I believe is inaccurate and I don't think that in itself creates a hardship.

Casandra Manis
410 E. La Rua

diane dixey

Mon, Sep 18, 9:23 PM

to gatorwaller@hotmail.com, me, Susan, Michael, Pat

It seems to me that the ARB has never denied a variance.. and this one seems way weak.

The location of the existing historic home on the parcel is such that the footprint is not parallel to any of the property lines, which exacerbates the existing non-conformity and unduly burdens the property for context sensitive and appropriate restoration and renovation goals for the home and the neighborhood

I have nothing really to add... and no real objections except that I don't see how the home sitting 'crooked' on the lot "unduly burdens the property for context sensitive and appropriate restoration and renovation goals" for the neighborhood.

That's a real stretch.

D

Michael Courtney

Sep 19, 2023, 10:48 AM

to Cassandra, me, Dianne, Pat, Susan

The front of the house seems to be parallel with the property line. If the house was built parallel with the side property line the house would look more awkward than the front being parallel, if that makes sense. When the house was originally built, sidewalks were probably not there and street was either dirt or maybe brick at that time. Where sidewalk is now may have been part of property, til city decided to add sidewalks and was deeded part of property. In this case putting house outside of setback. I'm sure this happened with our house because of our distance to Jackson on north side. So I don't have a problem with the variance in this situation. Also being an open porch doesn't make it seem as intrusive to sidewalk as if it was closed in part of house.

Christian Wagley

7:43 AM (0

to Michael, gatorwaller@hotmail.com, Susan, Pat, Dianne

As for the variance, the city staff wrote to say that the small variance on the east side of the property has already been granted administratively by staff. So now it's just the variance along the west side (along the sidewalk). I do think the fact that the house sits crooked on the lot could present the necessary hardship. And the variance requested is pretty minimal--to accommodate the roof extension only. So I don't have any issue with it.

Christian

Item 7 800 E. BELMONT STREET- EXTERIOR ALTERATIONS

We support the proposed project and are excited to see this lovely home brought back to life. We are excited to see the front porch restored to its original condition with full length support columns and wood porch rails, though we do ask the Board to consider the use of turned columns as is original to the home.

We also support the proposed removal of asbestos siding and the restoration of wood siding. The submittal refers to lap siding, while the existing siding on the home (beneath the asbestos) is shiplap (also called novelty) siding. We would prefer to see the original siding style used and ask the Board to clarify this. We do note that the proposed 4" siding reveal is an important historical detail that is often lost on new construction, and is preferred over wider reveals.

Thank you for considering our comments, and for your service.



Christian Wagley

Chair

On behalf of the Old East Hill Property Owners Association Architectural Committee

Diane Dixie

Michael Courtney

Cassandra Manis

Susan Ford Buck

Christian Wagley

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Christian Wagley

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