



## MINUTES OF THE PLANNING BOARD

June 9, 2020

**MEMBERS PRESENT:** Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

**MEMBERS VIRTUAL:** Vice Chairperson Larson

**MEMBERS ABSENT:** Board Member Powell, Board Member Sampson

**STAFF PRESENT:** Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding

**OTHERS VIRTUAL:** Christy Cabassa, Scott Sallis, Cynthia Bradford, Ryan Norenberg

### AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from May 12, 2020.
- **New Business:**
  1. **57 S. 9th Avenue - Gateway Review District - New Two Story Townhouse**
  2. **29 N. 9th Avenue – Gateway Review District – New Three Story Mixed-Use Building**
  3. **Request for Vacation of Right-of-Way – 2900 E. Lee Street between Perry Avenue and Pickens Avenue**
  4. **Request for License to Use Right-of-Way – 2110 E. Lakeview Avenue**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

### Call to Order / Quorum Present

Chairperson Ritz called the meeting to order at 2:00 pm with a quorum present and explained the procedures of the virtual Board meeting.

### **Approval of Meeting Minutes**

**Board Member Wiggins made a motion to approve the May 12, 2020 minutes, seconded by Board Member Grundhoefer, and it carried unanimously.**

### **New Business**

#### **57 S. 9TH AVENUE - GATEWAY REVIEW DISTRICT - NEW TWO STORY TOWNHOUSE**

Assistant Planning Director Cannon stated this item was in the GRD-1 which was in the Aragon redevelopment area. Ms. Cabassa presented to the Board and stated this was a single family residence attached to the Aragon Winebar, and they had received preliminary Aragon approval. There would be an out building for a garage connected with a breezeway and courtyard. All setbacks and heights had met the Aragon requirements. Chairperson Ritz advised this would be a great addition to that area. Board Member Grundhoefer indicated he had talked with the Aragon Review Committee Chairperson who said it had passed the Aragon requirements. Board Member Wiggins explained she had no concerns with the products of this designer. **Board Member Wiggins made a motion to approve, seconded by Board Member Grundhoefer, and it carried unanimously.**

#### **29 N. 9TH AVENUE – GATEWAY REVIEW DISTRICT – NEW THREE STORY MIXED-USE BUILDING**

Chairperson Ritz was glad to see some infill and stated he would not hesitate to support any project presented by Mr. Sallis. Mr. Sallis presented to the Board and stated the project was submitted to the Aragon Review Committee 27 days ago, and he expected a response within the next few days. He also stated the space was very generic right now and they had no tenant at this time. Chairperson Ritz explained this project would make it a more unified streetscape. Mr. Sallis confirmed if the rooftop was eliminated, it would return for an abbreviated review and Aragon approval would still apply. **Board Member Wiggins made a motion to approve, seconded by Board Member Grundhoefer, and it carried unanimously.**

#### **REQUEST FOR VACATION OF RIGHT-OF-WAY – 2900 E. LEE STREET BETWEEN PERRY AVENUE AND PICKENS AVENUE**

Chairperson Ritz pointed out the alleyway was not effective for vehicles, but the request here would give the property owners what would have been the property of the citizens of Pensacola. He suggested the right-of-way was probably not being used as intended and did not see any negative issues. It was pointed out that one property owner (2907 E. Blount) had not signed the petition to vacate; the property had been verified as vacant. Ms. Bradford addressed the Board and stated a chain link fence runs the entire length, and looked like it had not been traversed in 50 years. The owner of 2907 E. Blount could not be located, and ECUA had verified that home was abandoned. Chairperson Ritz explained the property owners of record had participated in this request. Staff indicated neighbors within 300' had been notified of this request. Chairperson Ritz advised if approved, this request would proceed to the Council for two readings prior to final approval.

Mr. DiBella advised the alleyway was the only way to access his property. Assistant City Attorney Lindsay advised Mr. DiBella's wife's name was on this deed, and there was access from the street with no requirement for the property to be accessed from the alley.

Mr. DiBella was a building contractor who needed access to the rear of the property. However, Chairperson Ritz advised Ms. DiBella had signed the petition to be a part of the vacation. He asked if Mr. DiBella was occupying any portion of the right-of-way, and Mr. DiBella stated he was not, but the fence was on their property line. Board Member Wiggins asked why his wife signed the petition, and Mr. DiBella stated she did not want to offend Ms. Bradford, but they had not talked together about it. It was determined Ms. DiBella's signature was received within the last few days. Board Member Murphy asked if the entire yard was fenced, was there a gate, and Mr. DiBella advised there was one which was overgrown in bushes. The property had been cleared, and the terrain was left unstable and impassable. Assistant City Attorney Lindsay clarified that Ms. DiBella owns the land, they live separately and homestead their separate residences. Chairperson Ritz explained if this matter proceeded to Council, Mr. and Mrs. DiBella could speak to Council on their concerns. **Board Member Wiggins made a motion to approve the vacation, seconded by Board Member Murphy, and it carried unanimously.**

#### **REQUEST FOR LICENSE TO USE RIGHT-OF-WAY – 2110 E. LAKEVIEW AVENUE**

For clarification, Assistant Planning Director Cannon explained the difference between a right-of-way and an LTU.

Ryan Norenberg has requested to install a 4' black aluminum fence across the front of his home, located no closer than 10' across the edge of Lakeview Avenue. Chairperson Ritz indicated there were lots of places along Lakeview without sidewalks; the City is adding sidewalks as they go along, but with LTU's and fences, the City would not be able to complete the sidewalks easily. He would like to see LTUs for general public use and not necessarily to close off spaces.

Board Member Murphy agreed that the City was trying to make neighborhoods more walkable, and this would reduce the ability to construct sidewalks especially in this area, and she felt it was important to keep this open. Board Member Grundhoefer agreed this was such a thoroughfare, it would be the next logical street for sidewalks, and a fence should be placed on their private property.

Mr. Norenberg addressed the Board and in looking at the aerial view, noted how close his house was to the front of the property. He was asking to enclose as much as possible to protect his children and the dog. Since there was slim to no chance for traffic calming, this seemed the best idea. Chairperson Ritz advised his house was 15' from the edge of the public sidewalk and could not support the request for an LTU. Board Member Wiggins advised the applicant that proceeding with a right-of-way vacation would substantially increase the property taxes, but she could not support the LTU. Board Member Murphy mentioned another reason for concern was the addition of a metal fence might be a potential sight safety issue with drivers attempting to turn right from Magnolia onto Lakeview.

**Board Member Grundhoefer made a motion to deny, seconded by Board Member Murphy.** Chairperson Ritz confirmed this item would proceed to Council as a recommendation. **The motion then carried unanimously.**

#### **Open Forum – None**

#### **Discussion on the Proposed Amendment to the Tree Ordinance**

Chairperson Ritz advised 2019 House Bill 1159 was circulated, and he read it as a lay person. Board Member Wiggins wanted to make sure anything the Board did fell within

the State law.

Ms. Murphy addressed the Board and stated she attended a private workshop with Lyssa Hall from Arizona, and the University of Florida professors will probably come in August for workshops; Lyssa Hall would participate virtually. She has asked key people for locations to allow workshops to be centrally located for public input. Chairperson Ritz had attended the virtual meeting; his takeaway was the botanical names for plantings, and the species list was not as accurate as it could be. He emphasized the City has a current tree ordinance, and the State has rulings and laws as well. Board Member Murphy hoped to have specific dates before the next Board meeting which would be forwarded to the Board members.

**Adjournment** – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:06 pm.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Cynthia Cannon".

Cynthia Cannon, AICP  
Assistant Planning Director  
Secretary to the Board