



# City of Pensacola

## Agenda Conference

### Agenda

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Monday, March 11, 2019, 3:30 PM

Hagler-Mason Conference Room,  
2nd Floor

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IMMEDIATELY FOLLOWING 3:30 CRA MEETING

#### ROLL CALL

#### PRESENTATION ITEMS

#### REVIEW OF CONSENT AGENDA ITEMS

1. [19-00108](#) FOURTH AMENDMENT TO MULTI-USE FACILITY NON-EXCLUSIVE USE AGREEMENT BETWEEN THE CITY OF PENSACOLA AND NORTHWEST FLORIDA PROFESSIONAL BASEBALL, LLC. (NFPB)

**Recommendation:** That City Council approve the Fourth Amendment to Multi-Use Facility Non-Exclusive Use Agreement between the City of Pensacola and Northwest Florida Professional Baseball, LLC (NFPB). Further, that City Council authorize the Mayor to take all actions necessary to execute an amendment to the agreement.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Fourth Amendment to Multi-Use Facility Non-Exclusive Use Agreement bet](#)

#### REVIEW OF REGULAR AGENDA ITEMS (Sponsor)

2. [19-00097](#) PUBLIC HEARING: REQUEST FOR ZONING MAP AMENDMENT - 3100 NAVY BOULEVARD

**Recommendation:** That City Council conduct a public hearing on March 14, 2019 to consider the request to amend the City's Zoning Map for the property located at 3100 Navy Boulevard.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Rezoning Application, 3100 Navy Boulevard](#)  
[Survey, 3100 Navy Boulevard](#)  
[Technical Comments, 3100 Navy Boulevard](#)  
[February 12, 2019 Planning Board Minutes](#)  
[Proposed Zoning Ordinance, 3100 Navy Boulevard](#)

3. [07-19](#) PROPOSED ORDINANCE NO. 07-19 - REQUEST FOR ZONING MAP AMENDMENT - 3100 NAVY BOULEVARD

**Recommendation:** That City Council approve Proposed Ordinance No. 07-19 on first reading.

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Proposed Ordinance No. 07-19](#)  
[Rezoning Application, 3100 Navy Boulevard Survey, 3100 Navy Boulevard](#)  
[Technical Comments, 3100 Navy Boulevard](#)  
[February 12, 2019 Planning Board Minutes](#)

4. [09-19](#) PROPOSED ORDINANCE NO. 09-19 - AMENDMENT TO SECTION 14-1-136 - DEMOLITION

**Recommendation:** That City Council approved Proposed Ordinance No. 09-19 on first reading:

AN ORDINANCE AMENDING SECTION 14-1-136 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA ENTITLED "DEMOLITION"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**Sponsors:** Ann Hill

**Attachments:** [Proposed Ordinance No. 09-19](#)

5. [08-19](#) PROPOSED ORDINANCE NO. 08-19 - AMENDING DEFERRED RETIREMENT OPTION PLAN (DROP) CITY CODE SECTION 9-9-4(L) AND CREATING CITY CODE SECTION 9-4-4(M)

*Recommendation:* That City Council adopt Proposed Ordinance No. 08-19 on second reading.

AN ORDINANCE AMENDING SECTION 9-9-4 (l) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ALLOWING THE RE-EMPLOYMENT OF FORMER DROP PARTICIPANTS INTO AUTHORIZED POSITIONS; CREATING SECTION 9-9-4 (m) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AUTHORIZING THE RE-EMPLOYMENT OF RETIRED PENSACOLA POLICE OFFICERS INTO PART-TIME POSITIONS AS PARTICIPANTS IN THE FLORIDA RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

*Sponsors:* Grover C. Robinson, IV

*Attachments:* [Proposed Ordinance No. 08-19](#)

**FOR DISCUSSION**

6. [19-00125](#) UPDATES: BUDGET PROCESS AND WORKSHOP, COMPLETE STREETS WORKSHOP, COUNCIL EXECUTIVE’S REPORT

*Sponsors:* Sherri Myers

**INFORMATIONAL ITEMS**

**CONSIDERATION OF ANY ADD-ON ITEMS**

**READING OF ITEMS FOR COUNCIL AGENDA**

**COMMUNICATIONS**

**City Administrator's Communication**

7. [19-00126](#) CITY ADMINISTRATOR COMMUNICATIONS

*Sponsors:* Grover C. Robinson, IV

**City Attorney's Communication**

**Monthly Financial Report - Chief Financial Officer Richard Barker, Jr.**





# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00108

City Council

3/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

FOURTH AMENDMENT TO MULTI-USE FACILITY NON-EXCLUSIVE USE AGREEMENT BETWEEN THE CITY OF PENSACOLA AND NORTHWEST FLORIDA PROFESSIONAL BASEBALL, LLC. (NFPB)

**RECOMMENDATION:**

That City Council approve the Fourth Amendment to Multi-Use Facility Non-Exclusive Use Agreement between the City of Pensacola and Northwest Florida Professional Baseball, LLC (NFPB). Further, that City Council authorize the Mayor to take all actions necessary to execute an amendment to the agreement.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The City of Pensacola received a letter dated October 29, 2018 from the president of the Northwest Florida Professional Baseball, LLC notifying the City of an error in the amount remitted to the City paid on the Variable Attendance Surcharge since its inception. NFPB indicated they had overpaid its Variable Attendance Surcharge by a total of \$452,579.24. While no reimbursement by the City to NFPB is required, moving forward the Variable Attendance Surcharge calculation would need to be adjusted to meet estimated revenues for FY 2019.

As part of the November 2018 and December 2018 monthly financial reports to City Council, the Chief Financial Officer reported the issue and that the two surcharges would be reviewed. On December 19, 2018, City Staff met with the NFPB to discuss the issue and it was agreed upon that the Variable Attendance Surcharge would change to "Attendance Surcharge" and would be a flat fee of \$1.50 per ticket instead of a sliding scale at 50¢ per ticket. The attached amendment to the agreement incorporates said change.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

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**FINANCIAL IMPACT:**

Approval of the amendment to the agreement is projected to provide sufficient revenues in the Community Maritime Park Management Services Fund to meet budget.

**CITY ATTORNEY REVIEW:** Yes

2/25/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Richard Barker, Jr., Chief Financial Officer  
Brian Cooper, Parks & Recreation Director

**ATTACHMENTS:**

- 1) Fourth Amendment to Multi-Use Facility Non-Exclusive Use Agreement between the City of Pensacola and Northwest Florida Professional Baseball, LLC (NFPB)

**PRESENTATION:** No

FOURTH AMENDMENT TO MULTI-USE FACILITY

NON-EXCLUSIVE USE AGREEMENT

(Located at the Community Maritime Park)

CITY OF PENSACOLA AS SUCCESSOR TO  
COMMUNITY MARITIME PARK ASSOCIATES, INC.

and

NORTHWEST FLORIDA PROFESSIONAL BASEBALL, LLC

Dated as of \_\_\_\_\_, 2019

FOURTH AMENDMENT TO MULTI-USE FACILITY NON-EXCLUSIVE USE AGREEMENT

THIS FOURTH AMENDMENT TO MULTI-USE FACILITY NON-EXCLUSIVE USE AGREEMENT ("First Amendment") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, by and among NORTHWEST FLORIDA PROFESSIONAL BASEBALL, LLC, a Florida limited liability company ("NFPB"), and the CITY OF PENSACOLA, as successor-in-interest to COMMUNITY MARITIME PARK ASSOCIATES, INC., a Florida non-profit corporation ("CMPA").

RECITALS:

A. Effective July 20, 2011, NFPB and the CMPA entered into that certain Multi Use Facility Non-Exclusive Use Agreement (the "Agreement") relating to that certain Multi-Use facility located at the "Vince Whibbs, Sr. Community Maritime Park" (the "Park") and said Agreement has been previously amended on three occasions. The Park is a 32-acre parcel located on Pensacola Bay in downtown Pensacola, Florida.

B. NFPB owns a class "AA" minor league baseball team known as the "Pensacola Blue Wahoos," presently an affiliated franchise of the Minnesota Twins Organization, referred to herein as the "Club." The Club's existence in Downtown Pensacola, and specifically at the Community Maritime Park, continues to generate significant economic development activity and increase incremental taxable values of properties located in Downtown Pensacola.

C. Pursuant to the parties Agreement, NFPB utilizes the Park as a forum for different events, including home baseball games, and related training, exhibition and possible post-season play.

D. The parties have encountered several issues that need to be resolved and clarified such that the Agreement may be administered more appropriately.

E. Pursuant to that certain Omnibus Bill of Sale, Assignment and Related Agreements between the CMPA and the City dated June 1, 2017 (the "Omnibus Agreement"), the CMPA assigned to the City all of its right, title and interest in, to and under the Use Agreement and transferred and conveyed to City all of its right, title and interest in and to all buildings, structures and improvements at the Vince Whibbs Sr. Community Maritime Park in Pensacola, Florida, which improvements include without limitation the Multi-Use Facility as such term is defined in the Use Agreement;

F. The Agreement calls for the parties to address the sufficiency of certain surcharges on ticket sales and attendance not less than every three years. CMPA and NFPB believe that these negotiations and this Amendment to the Agreement will satisfy any and all necessity to review those charges in the future and that the Agreement, as amended herein, will continue to create a positive economic impact for the community.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the premises, the mutual promises and covenants herein contained, and other good and valuable consideration, the receipt, sufficiency and adequacy of which are expressly acknowledged, NFPB and CMPA, each intending to be legally bound, do hereby mutually agree as follows:



1. ATTENDANCE SURCHARGE. The term "Variable Attendance Surcharge" is hereby amended and substituted with the term "Attendance Surcharge" wherever the former appears in the Agreement or any Amendments thereto.

2. SUBSTITUTION OF PARAGRAPH. Paragraph 6(c) titled "Variable Attendance Surcharge" is deleted in its entirety and shall be replaced with the following language:

6. (c) Attendance Surcharge. NFPB shall collect on behalf of, and pay to CMPA during the Term a surcharge based on "actual paid attendance" at certain Club Home Games (the "Attendance Surcharge"). The Attendance Surcharge shall be based on "actual paid attendance" at regular season Club Home Games, EXCLUDING, HOWEVER (a) Club Home Game attendees for exhibition games, (b) all season ticket attendees for regular, exhibition, playoff or post-season games for the first year of play at the Multi-Use Facility; (c) all unredeemed vouchers and/or tickets distributed in the community by NFPG for educational, promotional, or charitable purposes. The Attendance Surcharge shall be one dollar and fifty cents (\$1.50) per attendee for all other actual paid attendance.

The Attendance Surcharge for each Baseball Season shall be paid to CMPA within sixty (60) days after the end of such Baseball Season. The Attendance Surcharge may, in NFPB's discretion, be separately charged and identified on each ticket as a "City/CMPA--surcharge," "attendance surcharge," or other identifying language. In no event shall the total Attendance Surcharge due the CMPA be less than \$125,000.00 in any of the first ten (10) years of the term of this Agreement. NFPB shall provide attendance and ticket sales reports to CMPA monthly or less frequently in order to coincide with the delivery of such information to the League.

No later than every three years, the parties agree to meet and review the sufficiency of the Attendance Surcharge. The parties agree to use their best efforts to amend said Attendance Surcharge as necessary and mutually agreeable.

3. BINDING EFFECT. This Agreement shall insure to the benefit of and remain fully binding upon the parties hereto and their respective successors and permitted assigns.

4. STATUS OF PARTIES. The parties hereto shall be deemed and construed as independent contractors for all purposes and not as the agent, employee, representative or servant of the other.

5. SEVERABILITY. If any provisions of this Agreement shall be declared invalid or unenforceable, the remainder of the Agreement shall continue in full force and effect unless so construing the Agreement would produce an inequitable result.

6. GOVERNING LAW AND JURISDICTION. This Agreement shall be construed and enforced in accordance with the laws of the State of Florida. The parties hereby submit to the jurisdiction of the United States District Court for the Northern District of Florida or of any Florida state court sitting in Escambia County, Florida, for the purposes of all legal proceedings arising out of or relating to this Agreement and the parties irrevocably waive, to the fullest extent permitted by law, any objection which they may now or hereafter have to the venue of any such proceeding which is brought in such a court.

7. ENTIRE AGREEMENT. The Agreement, this Amendment and its Exhibits shall constitute the entire agreement between the parties hereto with respect to the subject matter herein contained. There are no agreements or understandings between the parties hereto, whether oral or written, regarding the subject matter hereof, which have not been embodied herein or incorporated herein by reference.

8. ATTORNEYS FEES. In the event either party to this action is required to take legal action to enforce the rights and remedies created herein, the prevailing party shall be entitled to recovery of attorneys' fees and costs, including without limitation fees and costs incurred in finalizing a fee and cost award.

IN WITNESS WHEREOF, this Amendment has been executed by duly authorized officers of NFPB and duly authorized officials of the City of Pensacola, each of whom hereby represents and warrants that he has the full power and authority to execute this Agreement in such capacity, all as of the day and year first above written.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.  
SIGNATURES ON FOLLOWING PAGES.]

CITY:

CITY OF PENSACOLA,  
a Florida municipal corporation

BY \_\_\_\_\_  
Grover C. Robinson, IV, Mayor

ATTEST:

\_\_\_\_\_  
Ericka L. Burnett, City Clerk

(AFFIX CITY SEAL)

WITNESS:

WITNESS:

\_\_\_\_\_

\_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

LEGAL IN FORM AND VALID AS DRAWN:

\_\_\_\_\_  
Susan A. Woolf, City Attorney

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2019 by Grover C. Robinson, IV, Mayor of the City of Pensacola, a municipal corporation of the State of Florida, on behalf of said municipal corporation. Said person is personally known to me and/or produced a current Florida driver's license ad identification.

\_\_\_\_\_  
NOTARY PUBLIC

(AFFIX NOTARY SEAL)

NFPB:

NORTHWEST FLORIDA  
PROFESSIONAL BASEBALL, LLC  
A Florida limited liability company

By: \_\_\_\_\_  
Quinton D. Studer, its Managing Member

WITNESS:

\_\_\_\_\_

Print Name: \_\_\_\_\_

WITNESS:

\_\_\_\_\_

Print Name: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by Quinton D. Studer, the Managing Member of Northwest Florida Professional Baseball, LLC, a Florida limited liability company, on behalf of the company. Said person is personally known to me and/or produced a current Florida driver's license ad identification.

\_\_\_\_\_  
NOTARY PUBLIC

(AFFIX NOTARY SEAL)



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00097

City Council

3/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PUBLIC HEARING: REQUEST FOR ZONING MAP AMENDMENT - 3100 NAVY BOULEVARD

**RECOMMENDATION:**

That City Council conduct a public hearing on March 14, 2019 to consider the request to amend the City's Zoning Map for the property located at 3100 Navy Boulevard.

**HEARING REQUIRED:** Public

**SUMMARY:**

Centennial Imports, LLC is requesting to rezone the property located at 3100 Navy Boulevard from Commercial (C-1 and C-2) to Commercial (C-3). The current future land use category of Commercial would accommodate this rezoning and so this request does not include a change to the future land use designation. The property is currently occupied by Centennial Imports, LLC, used car dealership. The applicant indicates the reason for this request is to make the zoning consistent. This request has been routed through the various City departments and utility providers and those comments are attached for your review.

On February 12, 2019, the Planning Board recommended approval of the proposed Zoning Map amendment by a vote of 5 to 1.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

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**CITY ATTORNEY REVIEW:** Yes

2/21/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Sherry H. Morris, AICP, Planning Services Administrator

**ATTACHMENTS:**

- 1) Rezoning Application, 3100 Navy Boulevard
- 2) Survey, 3100 Navy Boulevard
- 3) Technical Comments, 3100 Navy Boulevard
- 4) February 12, 2019 Planning Board Minutes
- 5) Proposed Ordinance, 3100 Navy Boulevard

**PRESENTATION:** Yes

Lot 1



**REZONING**

Please check application type:

<input checked="" type="checkbox"/> Conventional Rezoning	Comprehensive Plan / FLUM Amendment	
Application Fee: \$2,500.00	<input type="checkbox"/> (< 10 acres) \$3,500.00	<input type="checkbox"/> (≥ 10 acres) \$3,500.00
Rehearing/Rescheduling (Planning Board): \$250.00	\$250.00	\$250.00
Rehearing/Rescheduling (City Council): \$750.00	\$750.00	\$1,000.00

Applicant Information:

Name: George Biggs Date: 1/3/19  
 Address: P.O. Box 1552 Pensacola, FL 32591-1552  
 Phone: 850 430 4307 Fax: 850 430 4308 Email: george@gabiggs.com

Property Information:

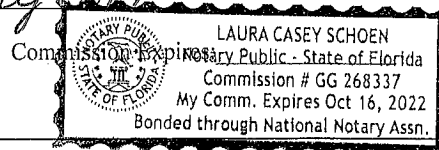
Owner Name: Centennial Imports Phone: 877-759-7927  
 Location/Address: 3100 Navy Blvd. Pensacola, FL 32505  
 Parcel ID: 00-05-00-9092-220-001 Acres/Square Feet: 4416  
 Zoning Classification: Existing C-1 Proposed C-3  
 Future Land Use Classification: Existing Commercial Proposed Commercial  
 Reason Rezoning Requested: to make 3 adjoining  
lots currently C2, C1 & C3  
All C-3 for future use

Required Attachments: (A) Full legal description of property (from deed or survey)  
 (B) General location map with property to be rezoned indicated thereon

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 4 day of January, 2019

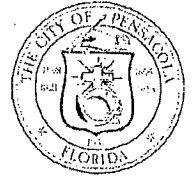
Applicant Signature: George Biggs Owner Signature: Karan Pox  
 Applicant Name (Print): George Biggs Owner Name (Print): Karan Pox

Sworn to and subscribed to before me this 4th day of January, 2019  
 Name: Laura C. Schoen



**FOR OFFICE USE ONLY**

Council District: #7 Date Received: 1/11/2019 Case Number: N/A  
 Date Postcards mailed: 2/4/19 Planning Board Date: 2/14/19 Recommendation: N/A  
 Committee Date: N/A Council Date: \_\_\_\_\_ Council Action: \_\_\_\_\_  
 Second Reading: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_



REZONING

Please check application type:

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> <b>Conventional Rezoning</b><br>Application Fee: \$2,500.00<br>Rehearing/Rescheduling (Planning Board): \$250.00<br>Rehearing/Rescheduling (City Council): \$750.00 | <input type="checkbox"/> <b>Comprehensive Plan / FLUM Amendment (&lt; 10 acres)</b><br>\$3,500.00<br>\$250.00<br>\$750.00 | <input type="checkbox"/> <b>Comprehensive Plan / FLUM Amendment (≥ 10 acres)</b><br>\$3,500.00<br>\$250.00<br>\$1,000.00 |
|---|---|--|

Applicant Information:

Name: George Piggs Date: 1/3/19  
 Address: P.O. Box 1552 Pensacola, FL 32591-1552  
 Phone: 850 430 4307 Fax: 850 430 4308 Email: george@gatiggs.com

Property Information:

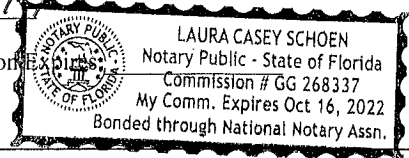
Owner Name: Centennial Imports. Phone: 877-759-7927  
 Location/Address: 3100 NAVY BLVD; Pensacola, FL 32505  
 Parcel ID: 00-05-00-9090-001-121 Acres/Square Feet: 8,854.5 SF  
 Zoning Classification: Existing C-2 Proposed C-3  
 Future Land Use Classification: Existing Commercial Proposed Commercial  
 Reason Rezoning Requested: to Make 3 ADJOINING  
LOTS CURRENTLY C2, C1 + C3 ALL C3  
for future USE

- Required Attachments: (A) Full legal description of property (from deed or survey)  
 (B) General location map with property to be rezoned indicated thereon

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 4 day of January, 2019.

George Piggs Applicant Signature      Karan Box Owner Signature  
George Piggs Applicant Name (Print)      Karan Box Owner Name (Print)

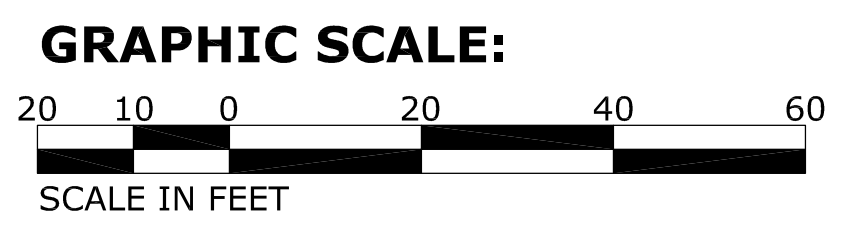
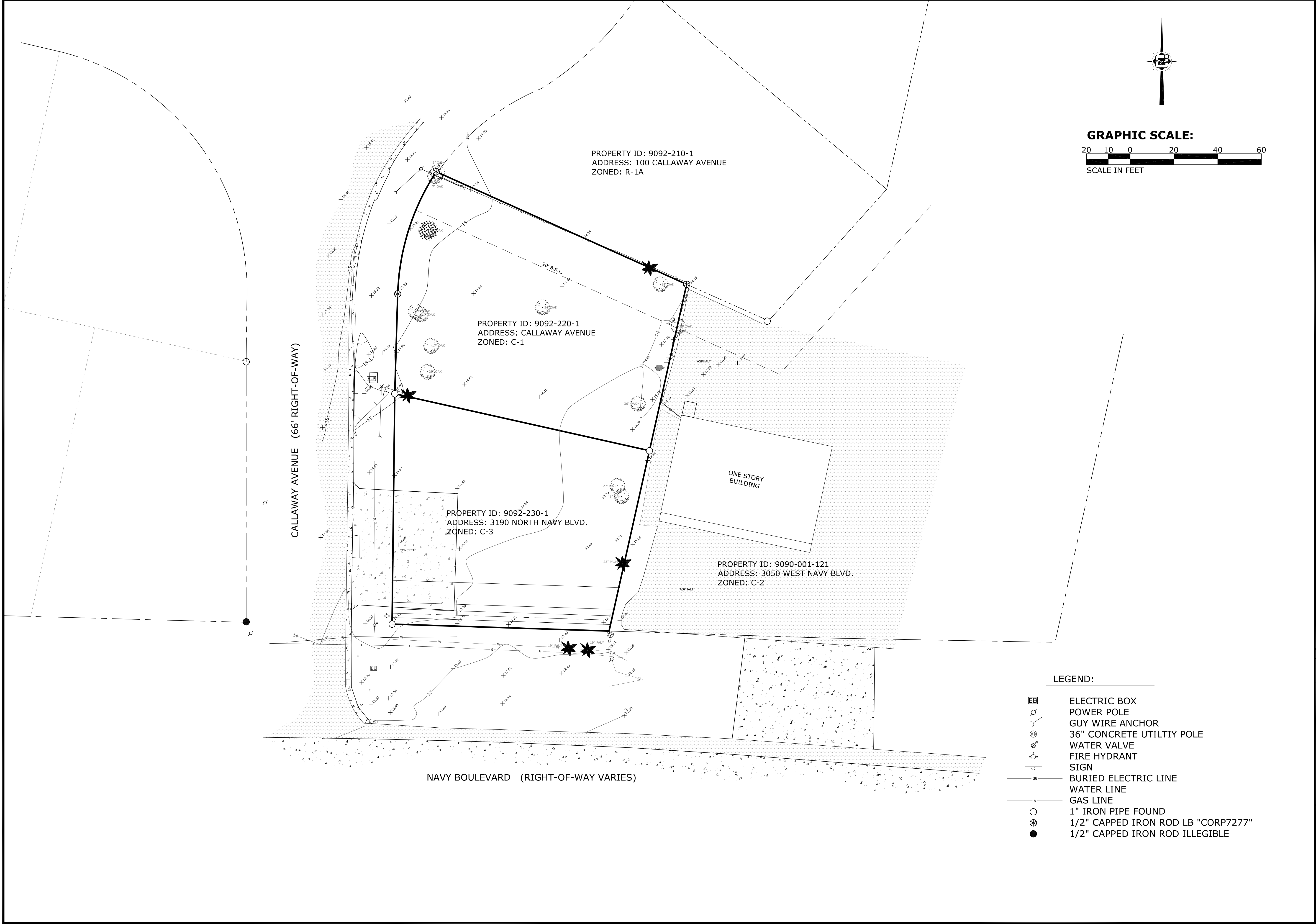
Sworn to and subscribed to before me this 4 day of January, 2019  
 Name: Laura C. Schoen Commissioner



**FOR OFFICE USE ONLY**

Council District: #7 Date Received: 1/11/2019 Case Number: N/A  
 Date Postcards mailed: 2/4/19 Planning Board Date: 2/14/19 Recommendation: N/A  
 Committee Date: N/A Council Date: \_\_\_\_\_ Council Action: \_\_\_\_\_  
 Second Reading: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_





- LEGEND:**
- ELECTRIC BOX
  - POWER POLE
  - GUY WIRE ANCHOR
  - 36" CONCRETE UTILTIY POLE
  - WATER VALVE
  - FIRE HYDRANT
  - SIGN
  - BURIED ELECTRIC LINE
  - WATER LINE
  - GAS LINE
  - 1" IRON PIPE FOUND
  - 1/2" CAPPED IRON ROD LB "CORP7277"
  - 1/2" CAPPED IRON ROD ILLEGIBLE

FABRE ENGINEERING, INC.  
 DBA  
**FABRE ENGINEERING & SURVEYING**  
 ENGINEERS ♦ PLANNERS ♦ SURVEYORS  
 119 GREGORY SQUARE PENSACOLA, FLORIDA 32502  
 TELEPHONE: 850-433-6438 FAX: 850-434-7842  
 L.B. NO. 000679 E.B. NO. 0007215



**EXISTING CONDITIONS & TOPOGRAPHY**  
 NOT Released for Construction Date: \_\_\_\_\_  
 As-Built Record Drawing By: \_\_\_\_\_ Date: \_\_\_\_\_  
This Drawing is the Property of FABRE ENGINEERING, INC. and is not to be reproduced in whole or in part for any other Project without the written consent of FABRE ENGINEERING, INC.

CENTENNIAL IMPORTS  
 PARKING LOT EXPANSION  
 FOR  
 CENTENNIAL IMPORTS OF PENSACOLA  
 ESCAMBIA COUNTY FLORIDA

Revisions:


Frank J. Fabre, P.E.  
 P.E. #15967

Designed By: MER  
 Drawn By: JMC  
 Checked By: MER  
 Date: 10-20-2015  
 Job Number: 150088  
 File Name: SEE LEFT  
 Sheet: **G-201**

## Brandi Deese

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**From:** SAUERS, BRAD <bs5403@att.com>  
**Sent:** Monday, January 14, 2019 9:27 AM  
**To:** Brandi Deese  
**Subject:** FW: Please Review & Comment - 3100 Navy Boulevard Rezoning  
**Attachments:** Rezoning Application, 3100 Navy Boulevard, Centennial Imports.pdf; Survey for 3100 Navy Boulevard Rezoning.pdf

AT&T has no objection.

**Brad Sauers**  
Manager – OSP PIng and Eng  
Technology Operations

**AT&T**  
605 W Garden St, Pensacola, FL 32502  
o 850.436.1495 | bs5403@att.com

MOBILIZING YOUR WORLD

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**From:** FENNER, KARL L  
**Sent:** Friday, January 11, 2019 4:23 PM  
**To:** SAUERS, BRAD <bs5403@att.com>  
**Subject:** FW: Please Review & Comment - 3100 Navy Boulevard Rezoning

Brad,  
See below and attached.

**Karl Fenner**  
Area Manager – OSP PIng and Eng  
Technology Operations

**AT&T**  
605 W Garden St, Pensacola, FL 32502  
o 850.436.1485 | kf5345@att.com

MOBILIZING YOUR WORLD

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**From:** Brandi Deese <bdeese@cityofpensacola.com>  
**Sent:** Friday, January 11, 2019 2:44 PM  
**To:** Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Dennis Fleming <DFleming@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; FENNER, KARL L <kf5345@att.com>; KENNINGTON, STEPHEN <sk1674@att.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Simmons, Kellie L. <KLGRESSE@SOUTHERNCO.COM>

## Brandi Deese

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**From:** Andre Calaminus <andre.calaminus@ecua.fl.gov>  
**Sent:** Monday, January 14, 2019 2:13 PM  
**To:** Brandi Deese  
**Subject:** RE: Please Review & Comment - 3100 Navy Boulevard Rezoning

Hi Brandi,

ECUA has no comment or objection to the rezoning of those 3 parcels.

Thanks,

**Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |**

P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: [www.ecua.fl.gov](http://www.ecua.fl.gov) |

Phone: (850) 969-5822 | Fax: (850) 969-6511 |

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**From:** Brandi Deese [mailto:[bdeese@cityofpensacola.com](mailto:bdeese@cityofpensacola.com)]

**Sent:** Friday, January 11, 2019 2:44 PM

**To:** Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Dennis Fleming <DFleming@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (KF5345@att.com) <KF5345@att.com>; KENNINGTON, STEPHEN <sk1674@att.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Simmons, Kellie L. <KLGRESSE@SOUTHERNCO.COM>

**Cc:** Leslie Statler <LStatler@cityofpensacola.com>; Amy Hargett <ahargett@cityofpensacola.com>; Karen Lefebvre <KLefebvre@cityofpensacola.com>

**Subject:** Please Review & Comment - 3100 Navy Boulevard Rezoning

Happy Friday Afternoon -

Please review and comment on the attached rezoning for 3100 Navy Boulevard – Centennial Imports. The property owner is seeking to make his zoning consistent among the various parcels and has requested the C-1 and C-2 parcels be rezoned to C-3. The land use of a car lot remains the same and there are no plans at this time for that use to change. Please submit all comments/concerns by Friday, January 25<sup>th</sup> in order for the applicant to move forward to Planning Board in February. Thanks so much and have a wonderful weekend!

*Brandi C. Deese, AICP*

*Planning Services Division*

*City of Pensacola*

*222 W. Main Street (5<sup>th</sup> Floor)*

*Pensacola, FL 32514*

*Office: 850.435.1697*

*[www.cityofpensacola.com/139/Planning-Services](http://www.cityofpensacola.com/139/Planning-Services)*

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## Brandi Deese

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**From:** Annie Bloxson  
**Sent:** Tuesday, January 22, 2019 7:33 AM  
**To:** Brandi Deese  
**Subject:** RE: Please Review & Comment - 3100 Navy Boulevard Rezoning

Good Morning,

I have no issues at this time.

*Annie Bloxson*

Fire Marshal  
Pensacola Fire Department  
O: 850-436-5200  
[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)

---

**From:** Brandi Deese <bdeese@cityofpensacola.com>  
**Sent:** Friday, January 18, 2019 4:08 PM  
**To:** Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Dennis Fleming <DFleming@cityofpensacola.com>; Derrick Owens <DOwens@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Kellie L. - Gulf Power Simmons (Kellie.Simmons@nexteraenergy.com) <Kellie.Simmons@nexteraenergy.com>; KENNINGTON, STEPHEN <sk1674@att.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>  
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## Brandi Deese

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**From:** Diane Moore  
**Sent:** Monday, January 14, 2019 12:06 PM  
**To:** Brandi Deese  
**Subject:** RE: Please Review & Comment - 3100 Navy Boulevard Rezoning

We have no comments concerning the rezoning.

Thanks,  
Diane

Diane Moore | Gas Distribution Engineer  
Pensacola Energy | 1625 Atwood Drive, Pensacola, FL 32514  
Desk: 850-474-5319 | Cell: 850-324-8004 | Fax: 850-474-5331  
Email: [dmoore@cityofpensacola.com](mailto:dmoore@cityofpensacola.com)

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For Non-Emergency Citizen Requests, Dial 311 or visit [Pensacola311.com](http://Pensacola311.com)

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**Cc:** Leslie Statler; Amy Hargett; Karen Lefebvre  
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*Brandi C. Deese, AICP*  
Planning Services Division  
City of Pensacola  
222 W. Main Street (5<sup>th</sup> Floor)

## Brandi Deese

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**From:** Derrik Owens  
**Sent:** Friday, January 18, 2019 4:10 PM  
**To:** Brandi Deese  
**Subject:** RE: Please Review & Comment - 3100 Navy Boulevard Rezoning

PW&F has no objection to the subject request.

Thanks

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PLANNING SERVICES

**MINUTES OF THE PLANNING BOARD**

**February 12, 2019**

**MEMBERS PRESENT:** Chairman Paul Ritz, Danny Grundhoefer, Kurt Larson, Ryan Wiggins, Nina Campbell, Laurie Murphy

**MEMBERS ABSENT:** Nathan Monk

**STAFF PRESENT:** Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner, Robyn Tice, Clerk's Office, Ross Pristera, Advisor

**OTHERS PRESENT:** Daniel Rivera, Teresa Hill, George Biggs, Laurie Byrne, Bobby Kickliter, Barbara Mayall, David Peaden, Derek Cosson, Fred Gunther, Drew Buchanan, Marcie Whitaker, Sandy Boyd, Councilwoman Ann Hill, Councilwoman Sherri Myers

**AGENDA:**

- Quorum/Call to Order
- Swearing in of New Member (Laurie Murphy)
- Approval of Meeting Minutes from January 8, 2019.
- **New Business:**
  1. **Consider Rezoning for 3100 Navy Boulevard from C-1, C-2 to C-3.**
  2. **Amendment to LDC Section 12-12-5 Building Permits - Historic Building Demolition Review**
- Open Forum
- Adjournment

**Call to Order / Quorum Present**

Chairman Ritz called the meeting to order at 2:02 pm with a quorum present and explained the Board procedures to the audience.

**Swearing in of New Member (Laurie Murphy)** The Clerk's Office swore in new board member Laurie Murphy.

**Approval of Meeting Minutes**

Ms. Wiggins made a motion to approve the January 8, 2019 minutes, seconded by Mr. Larson, and it carried unanimously.

**New Business**

**Consider Rezoning for 3100 Navy Boulevard from C-1, C-2 to C-3**

Mr. George Biggs on behalf of Centennial Imports, LLC is requesting to rezone the property located at 3100 Navy Boulevard from Commercial (C-1 and C-2) to Commercial (C-3). The current future land use category of Commercial would accommodate this rezoning and so this request does not include a change to the future land use designation. The property is currently occupied by Centennial Imports, LLC, a used car dealership. The applicant indicates the reason for this request is to make the zoning consistent. This request has been routed through the various City departments and utility providers with no significant comments received.

Chairman Ritz stated this was of a serious nature due to C-3 being the most intense commercial district and requested that Mr. Biggs speak.

Mr. Biggs addressed the Board on behalf of John Mobley, the owner. Mr. Mobley had acquired the lots as they became available, and his intent was to refurbish the area, but the design was difficult to accomplish within the three zoning districts. Ms. Deese confirmed the largest parcel was C-3. Chairman Ritz reminded the Board and the audience that if approved as C-3, anything allowed in C-3 under this owner would be available to future owners as well. Mr. Biggs advised the current car dealership was within the C-2 and C-3 districts. He then provided an overlay to demonstrate what the owner planned to develop, and Ms. Deese confirmed the owner needed C-3 for a car dealership. Mr. Biggs pointed out there would still be the required buffers and landscaping.

Chairman Ritz asked for audience input, and there were no speakers. Mr. Biggs stated the existing used car building would be removed and replaced with a whole new configuration. The owner renovated the Mercedes Benz recently which included Volvo, but Volvo now wanted their own space; this was the used car building on the other side of Davidson Street. Chairman Ritz explained this homogenizes the zoning, and this had been a car lot for some time and there were protections for the R-1A district north of it. He felt this would likely improve the entire area and was in favor of approving the request. Mr. Grundhoefer stated he was also in favor of the request since when the zoning maps were drawn, they could easily have been drawn as C-3.

**Mr. Larson made a motion to approve, seconded by Ms. Campbell, and the motion carried unanimously.**

**Amendment to LDC Section 12-12-5 Building Permits - Historic Building Demolition Review**

On October 11, 2018, City Council referred to this Board for review and recommendation an Amendment to the Land Development Code to include the addition of a Historic Preservation Commission. Planning Board discussed this agenda item during their November 13, 2018 meeting as well as the January 8, 2019 meeting. This Board directed staff to bring back a previous agenda item that was a recommendation to City Council on November 8, 2016 which addressed this concern from a different angle. The proposed ordinance from 2016 amends Land Development Code Section 12-12-5 Building Permits and sets out a process for review of demolition requests for historic buildings citywide. This would provide standards to be met before demolition permits are issued instead of the creation of a Historic Preservation Commission.

Chairman Ritz pointed out this version references buildings built before 1940 and refers to the Planning Board for some determinations on the historic aspects. Mr. Grundhoefer explained the Board had felt there was no need for an added commission for historic demolition delay. Mr. Larson added the discussion was about the City putting out additional funds for a historic commission and obtaining grant funds.



Chairman Ritz advised the Board would be making the City create additional boards and commissions, whereas this document sticks with what is in play now, and the Board did not believe this would not place an undue burden on this Board. He then asked for audience input.

Mr. Gunther was troubled by the idea of this being controlled by a City employee who was hired and controlled by the Mayor, and it would make more sense to hire someone like Mr. Pristera to determine if the property was historic. Also, it was unclear to him if you wanted to make an application to demolish something, you had to have permits or drawings for what was to replace the structure. He felt this was a little onerous since someone could conceivably be working on plans for replacement while the demolition is ongoing. Ms. Campbell explained she was on the Architectural Review Board (ARB), and when a request is received for a demolition, it is in their comfort zone to know what will replace the structure. In the event the person requesting the demolition has not done all the due diligence, it is in their comfort zone to see what is coming. Mr. Gunther stated that made sense to him in the historic district, but for large areas downtown, it would delay the process unnecessarily. Mr. Grundhoefer explained the intent was that if you want to demolish a building and build something, it helps move the process along since the Board would see the plans for replacement. Ms. Wiggins pointed out Mr. Gunther was not wrong about the mayor, and agreed we have a great mayor. However, she works with another community and had concerns about the current mayor's integrity; he used his staff to punish people who were not his supporters, and she thought that was a point well made with having this in the hands of a City staffer. Ms. Deese clarified this would come before the Planning Board and not as an administrative decision. Chairman Ritz explained the request would come before the Building Official as far as formality and then would be referred to the Board. Ms. Deese read from Page 3, Section (2) Buildings Subject for Review. Ms. Campbell referred to Section 3 Criteria for Determining Significance and the building not necessarily being historical, and this language would be something reviewed by the Board.

Teresa Hill thanked the Board for trying to obtain answers. The demolition of the Sunday House resulted in a demolition moratorium. She advised this process is for districts with no protection, and this ordinance was fully vetted through workshops with public input, however, it was pulled from Council just before the Hallmark demolition. She pointed out the actual existing process to get a demolition required \$100 for the application in which the applicant agrees there is no asbestos, etc., but there is no preemptive site visit; she referred to 1207 Cervantes Street where two houses were demolished. She stated there needs to be some kind of review or public notice for people who might have breathing difficulties. She explained the public was asking for help in protecting areas like Longhollow and Tanyard, giving breathing room for when the demolition permit is issued to when it actually happens.

Mr. Cosson stated he understood the desire for no additional boards. He explained Florida has the Certified Local Government program which is the gateway to national Park Service Grant opportunities for historic properties. Two requirements for becoming a Certified Local Government specifies a Historic Preservation Ordinance which conforms to State guidelines, and a Historic Preservation Board; it is not enough for the duties to be placed on another board, but it requires an additional board to obtain grant monies. He encouraged the Board to consider this path to open up opportunities for Pensacola. Ms. Wiggins indicated the Board spent the majority of the time in the last meeting discussing the positives and negatives of that path.

Mr. Pristera stated he examined the document and the 1940 date.

He pointed out as time marches on, eventually that date would have to be revised and suggested staying with the National Standard of 50 years; if that was not comfortable, try 60 or 75 years, but remove any mention of a hard date. He pointed out the UWF Historic Trust was mentioned in the document as a reviewing party, and that would be a part of their services offered; they could provide research and an unbiased review for determination by the Board. He explained having them as part of the review was critical. He pointed out historical significance was also a National Standard where we use the building to tell a story. He felt it was easier to stay within the National Standard which had already been developed and was the model for many other locations. He also stated if a building was delayed in demolition, it would give his team enough time to document if it was deemed significant and placed it in their records; if it was approved for demolition, they would have some evidence of what it looked like. Mr. Pristera indicated he was not able to get inside of the Hallmark School and was not able to work with anyone to salvage pieces or come up with plans on what could be done afterwards, and this document would give time to consider other solutions.

Mr. Peaden suggested going out and finding what was on the ground before passing a new ordinance or form another layer of regulation. Concerning other alternatives for the applicant to consider, how much can a city or board tell a citizen what they can or cannot do with the property they are trying to get the best use and value out of.

Councilwoman Hill stated she supported the ordinance in 2016 with the delay on demolition, the six-month moratorium, and had worked with Mr. Pristera at other locations and appreciated his thorough job. Taking a demolition one at a time was less time consuming than a full review of the city, and she wanted the Board to support the ordinance.

Chairman Ritz considered Mr. Peaden's suggestion to consider what is here and meshing that with 50 years old designation. Many subdivisions north of I-10 are more than 50 years old which would create huge swaths of the city to be considered historically significant. He considered how much level of effort he would want to go through in order to tear down his own home for something new. Ms. Wiggins pointed out just because a structure is old does not mean it is historic. She also explained we need to be careful with categorizing. Because of its time period (ranch houses), it would be classified historic. She also asked who would maintain the structure if it was determined historic. She agreed with Mr. Pristera that at least the structure should be documented before demolition. She asked if a property owner had a specific plan for a property and was not interested in any alternatives, should they have to wait 120 days. Mr. Grundhoefer explained that delay allowed the Board some time to vet the request. Mr. Larson asked if we allowed everything to be demolished just because someone bought the property, considering shotgun houses, we could lose the history; where would we put the brakes on to say we value the history or we tear down and build new structures. Ms. Wiggins explained there was a cost to maintain the property, and if the City did not maintain it, would it be put on the property owner; we may not want to keep that property since it might become dilapidated. Mr. Grundhoefer pointed out the Board did not have the authority to demand the structure not be demolished, so within a four to five-month period, a house in bad condition would not be in worse condition; he stressed we are trying to preserve our history. Mr. Larson explained we are taking a second look at the requests.

Councilwoman Myers advised she supported this effort even if the Board could not force someone to do something; pushing the pause button was very important since our heritage is quickly being destroyed.

She was most concerned with the Board of Education building on Garden Street which has historical significance relating to WWII and the WPA where women were trained to support the war effort. She stressed before the building is demolished, the public should be able to speak on its preservation. She indicated that building is the rightful heritage of women, and inanimate objects without power to speak for themselves need humans to speak for them before they are destroyed. She also advised the City of Milton has a Historic Preservation Board along with many other cities in Florida.

Chairman Ritz explained whether it was the cultural significance or historical significance of houses or other buildings we may have lost, trying to balance that with someone's economic forward movement for the city was what he wrestled with personally. He explained his father owned the former Sacred Heart Hospital on 12<sup>th</sup> Avenue, purchasing that building so it would not be torn down; there are few people who would want to make that their life's labor. However, his business makes money in designing new buildings but also in restoring old ones. Mr. Grundhoefer stated there should be a Preservation Board. If this document passes and we see what level of involvement the Board will have and how many projects are referred to the Board, should it become overwhelming, then the City may possibly determine a Historic Board should be developed. He was not prepared to accept the language in the previous document, but this was a good first step, and maybe three to ten years from now, another board could be developed. Chairman Ritz pointed out the powers of this Board did not want to extend beyond what was appropriate by creating another board or saying for the City to create another board; he felt it should originate from the City. Mr. Larson asked if the Board recommended this document to Council, could it ask the question was it the intent of Council to have a Certified Local Government; that would change the whole complexion of the discussion. They had asked the Board to pass a Historic Preservation Commission to maintain our history, but after discussion, the Board did not feel that was in the best interest financially for the City at this time. If their goal is to become a Certified Local Government, then that should return to the Board at that time when that is their focus.

Chairman Ritz pointed out the Board could amend the document for the 1940 hard date. If the date was 1950, there would be a lot of structures such as the Cordova Park, Camelot and entire subdivisions being considered. Ms. Campbell explained if the Board saw the workload becoming overwhelming, then a separate board would be encouraged. Ms. Murphy pointed out some gray areas in determining significance and thought it was a lot of responsibility for the Board. She asked if there was a consultant available for determination for historical or historical significance. Chairman Ritz explained the Board could request outside input, but the document did not guarantee outside input. Mr. Grundhoefer stated the Board had asked Mr. Weeks, the Building Official, how many demolitions were requested; he advised there were only two or three per month at that time. Ms. Deese pointed out demolition permits were issued by Building Inspections, but she remembered the number in 2016 being fewer than they anticipated. Ms. Campbell was interested in the last three years, and Mr. Grundhoefer understood that most of the permits were for unsafe buildings. Ms. Wiggins was more comfortable with razing than demolition as outlined in the document since a remodel fell within a demolition. If she wanted to remodel her home in Cordova Park, it would be considered a demolition because she wanted to remodel a room with an exterior wall facing a public street, and she would come before this Board with a wait of 120 days. Mr. Grundhoefer pointed out the Board was not tasked to review additions like the ARB, however, the exterior wall would come before this Board. Ms. Deese advised in 2019 there were 98 demolitions, in 2017 99 demolitions, in 2018 90 demolitions, and in 2019 10 so far; this totaled 297 in the last three years for commercial and residential.

Chairman Ritz indicated the direction of the Board could be to fine tune the document, and it would still go through a process for approval with Council. He pointed out except for designated districts, there was nothing citywide for protections.

**Ms. Campbell made a motion to change the language from built prior to 1940 to over 60 years old (page 3) and recommending approval of the ordinance as submitted. It was seconded by Mr. Larson.** Chairman Ritz was still concerned with the 25% removal of roofs or exterior walls (page 2). **The motion then carried 5 to 1 with Ms. Wiggins dissenting.** Since Council was meeting twice a month, Ms. Deese advised the ordinance would most likely be considered at a March Council meeting. Mr. Grundhoefer wanted assurance this item would not be dropped, and Councilwoman Hill said she would make sure it was not.

**Open Forum** – Mr. Larson stated since Councilwoman Cannada-Wynn asked the Board to look at a Historic Preservation Commission, could the Board ask if that was their goal to be a Certified Local Government, and if so, that would change the complexion of why the Board said no to begin with. He asked if the Board could ask Council if their goal was to be a Certified Local Government. Ms. Campbell advised this had been tossed around for so long even with Mr. Spencer, and he never pursued it. Chairman Ritz agreed the Board could ask that question to Council and await an answer. Ms. Deese referred to the Board's previous meeting where the Council Executive did touch base with Councilwoman Cannada-Wynn and reported back that the basic concept was she wanted some protection for those areas outside the special review districts, and it may or may not be in the form of a Historic Preservation Commission. Chairman Ritz confirmed the conversation was centered around a protection issue. He advised that as the Council read the minutes, they could determine if it was important at that time or as it develops. Ms. Deese stated the Council meetings were on March 14 and 28, and the ordinance would probably be placed on one of those agendas.

**Adjournment** – With no further business, Chairman Ritz adjourned the meeting at 3:26 pm.

Respectfully Submitted,



Brandi C. Deese  
Secretary to the Board

PROPOSED  
ORDINANCE NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

WHEREAS, the City of Pensacola adopted a Comprehensive Plan on October 4, 1990, pursuant to applicable law; and

WHEREAS, a proposed amended zoning classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on March 14, 2019 concerning the following proposed zoning classification affecting the property described therein; and

WHEREAS, after due deliberation, the City Council has determined that the amended zoning classification set forth herein will affirmatively contribute to the health, safety, and general welfare of the citizens of the City of Pensacola; and

WHEREAS, said amended zoning classification is consistent with all applicable elements of the Comprehensive Plan as amended,  
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Zoning Map of the City of Pensacola and all notations, references and information shown thereon is hereby amended so that the following described real property located in the City of Pensacola, Florida, to-wit:

The parcel of real estate in Escambia County, Florida described as Lot No. 22, Block No. 1, BAYOU GROVE SUBDIVISION, except that portion of said Lot lying East of a line drawn Northerly in a continuation of the East line of Lot No. 23 of said Block 1 of said subdivision, according to plat of said subdivision filed in Plat Book 2, at Page 87 of the Public Records of Escambia County, Florida.

AND:

Lot 23, Block 1, BAYOU GROVE SUBDIVISION, according to plat recorded in Plat Book 2, Page 87 of the Public Records of Escambia County, Florida.

AND:

Beginning at the Northwest corner of the intersection of the North line of Navy Boulevard with the West line of Davison Street, thence North 1 degree 30' West 191.1 feet, thence South 88 degrees 3' West 120 feet, thence South 28 degrees 23' West 80.6 feet, thence North 79 degrees 56' West 40.8 feet, thence South 1 degree 30' East 162.4 feet to the North line of Navy Boulevard, thence North 79 degrees 05' East along the North line of Navy Boulevard 202.7 feet to point of beginning, being Lots 1, 2 and a portion of Lot 22 in Block 1 Bayou Grove, according to plat filed in Plat Book 2 at page 87 and Fractional Lots 9, 10, 11 and 12 in Block 121 Pettersen addition according to plat of the City of Pensacola as copyrighted by Thomas C. Watson in 1906.

is hereby changed from Commercial (C-1 and C-2) to Commercial (C-3).

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 07-19

City Council

3/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 07-19 - REQUEST FOR ZONING MAP AMENDMENT - 3100 NAVY BOULEVARD

**RECOMMENDATION:**

That City Council approve Proposed Ordinance No. 07-19 on first reading.

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

Centennial Imports, LLC is requesting to rezone the property located at 3100 Navy Boulevard from Commercial (C-1 and C-2) to Commercial (C-3). The current future land use category of Commercial would accommodate this rezoning and so this request does not include a change to the future land use designation. The property is currently occupied by Centennial Imports, LLC, used car dealership. The applicant indicates the reason for this request is to make the zoning consistent. This request has been routed through the various City departments and utility providers and those comments are attached for your review.

On February 12, 2019, the Planning Board recommended approval of the proposed Zoning Map amendment by a vote of 5 to 1.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

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**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

2/21/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Sherry H. Morris, AICP, Planning Services Administrator

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 07-19
- 2) Rezoning Application, 3100 Navy Boulevard
- 3) Survey, 3100 Navy Boulevard
- 4) Technical Comments, 3100 Navy Boulevard
- 5) February 12, 2019 Planning Board Minutes

**PRESENTATION:** No



PROPOSED  
ORDINANCE NO. 07-19

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

WHEREAS, the City of Pensacola adopted a Comprehensive Plan on October 4, 1990, pursuant to applicable law; and

WHEREAS, a proposed amended zoning classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on March 14, 2019 concerning the following proposed zoning classification affecting the property described therein; and

WHEREAS, after due deliberation, the City Council has determined that the amended zoning classification set forth herein will affirmatively contribute to the health, safety, and general welfare of the citizens of the City of Pensacola; and

WHEREAS, said amended zoning classification is consistent with all applicable elements of the Comprehensive Plan as amended, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Zoning Map of the City of Pensacola and all notations, references and information shown thereon is hereby amended so that the following described real property located in the City of Pensacola, Florida, to-wit:

The parcel of real estate in Escambia County, Florida described as Lot No. 22, Block No. 1, BAYOU GROVE SUBDIVISION, except that portion of said Lot lying East of a line drawn Northerly in a continuation of the East line of Lot No. 23 of said Block 1 of said subdivision, according to plat of said subdivision filed in Plat Book 2, at Page 87 of the Public Records of Escambia County, Florida.

AND:

Lot 23, Block 1, BAYOU GROVE SUBDIVISION, according to plat recorded in Plat Book 2, Page 87 of the Public Records of Escambia County, Florida.

AND:

Beginning at the Northwest corner of the intersection of the North line of Navy Boulevard with the West line of Davison Street, thence North 1 degree 30' West 191.1 feet, thence South 88 degrees 3' West 120 feet, thence South 28 degrees 23' West 80.6 feet, thence North 79 degrees 56' West 40.8 feet, thence South 1 degree 30' East 162.4 feet to the North line of Navy Boulevard, thence North 79 degrees 05' East along the North line of Navy Boulevard 202.7 feet to point of beginning, being Lots 1, 2 and a portion of Lot 22 in Block 1 Bayou Grove, according to plat filed in Plat Book 2 at page 87 and Fractional Lots 9, 10, 11 and 12 in Block 121 Pettersen addition according to plat of the City of Pensacola as copyrighted by Thomas C. Watson in 1906.

is hereby changed from Commercial (C-1 and C-2) to Commercial (C-3).

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

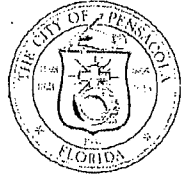
Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

Lot 1



**REZONING**

Please check application type:

Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment

(< 10 acres)

\$3,500.00

\$250.00

\$750.00

(≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: George Biggs Date: 1/3/19

Address: P.O. Box 1552 Pensacola, FL 32591-1552

Phone: 850 430 4307 Fax: 850 430 4308 Email: george@gabiggs.com

Property Information:

Owner Name: Centennial Imports Phone: 877-759-7927

Location/Address: 3100 Navy Blvd. Pensacola, FL 32505

Parcel ID: 00-05-00-9092-220-001 Acres/Square Feet: 4416

Zoning Classification: Existing C-1 Proposed C-3

Future Land Use Classification: Existing Commercial Proposed Commercial

Reason Rezoning Requested: to make 3 adjoining  
lots currently C2, C1 & C3  
All C-3 for future use

- Required Attachments: (A) Full legal description of property (from deed or survey)  
 (B) General location map with property to be rezoned indicated thereon

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 4 day of January, 2019

Applicant Signature George Biggs

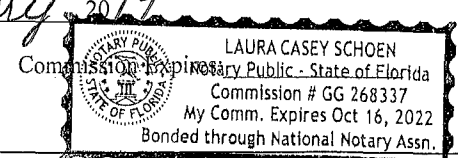
Applicant Name (Print) George Biggs

Owner Signature Karan Pox

Owner Name (Print) Karan Pox

Sworn to and subscribed to before me this 4th day of January, 2019

Name: Laura C. Schoen



**FOR OFFICE USE ONLY**

Council District: #7 Date Received: 1/11/2019 Case Number: N/A

Date Postcards mailed: 2/14/19 Planning Board Date: 2/14/19 Recommendation: N/A

Committee Date: N/A Council Date: \_\_\_\_\_ e Council Action: \_\_\_\_\_ e

Second Reading: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_



REZONING

Please check application type:

Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment

(< 10 acres)

\$3,500.00

\$250.00

\$750.00

(≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: George BIGGS Date: 1/3/19

Address: P.O. Box 1552 Pensacola, FL 32591-1552

Phone: 850 430 4307 Fax: 850 430 4308 Email: george@gabiggs.com

Property Information:

Owner Name: Centennial Imports. Phone: 877-759-7927

Location/Address: 3100 NAVY BLVD; Pensacola, FL 32505

Parcel ID: 00-05-00-9090-001-121 Acres/Square Feet: 8,854.5 SF

Zoning Classification: Existing C-2 Proposed C-3

Future Land Use Classification: Existing Commercial Proposed Commercial

Reason Rezoning Requested: to Make 3 ADJOINING  
lots currently C-2, C-1 + C-3 all C-3  
for future use

- Required Attachments: (A) Full legal description of property (from deed or survey)
- (B) General location map with property to be rezoned indicated thereon

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 4 day of January, 2019.

[Signature]  
Applicant Signature

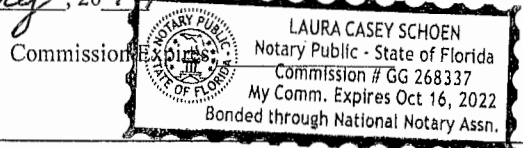
[Signature]  
Owner Signature

George Biggs  
Applicant Name (Print)

Karan Box  
Owner Name (Print)

Sworn to and subscribed to before me this 4 day of January, 2019

Name: Laura C Schoen



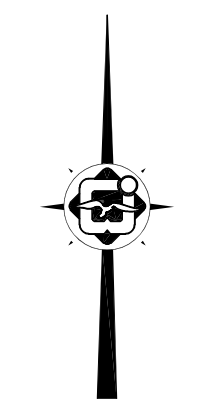
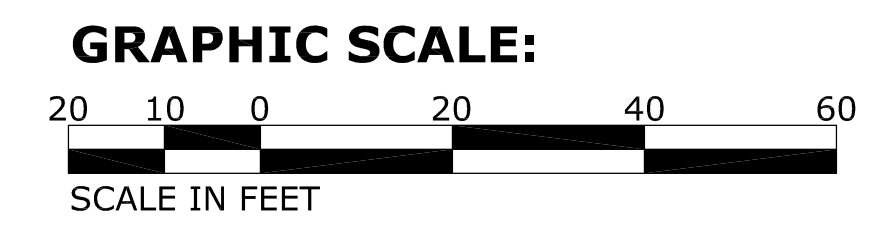
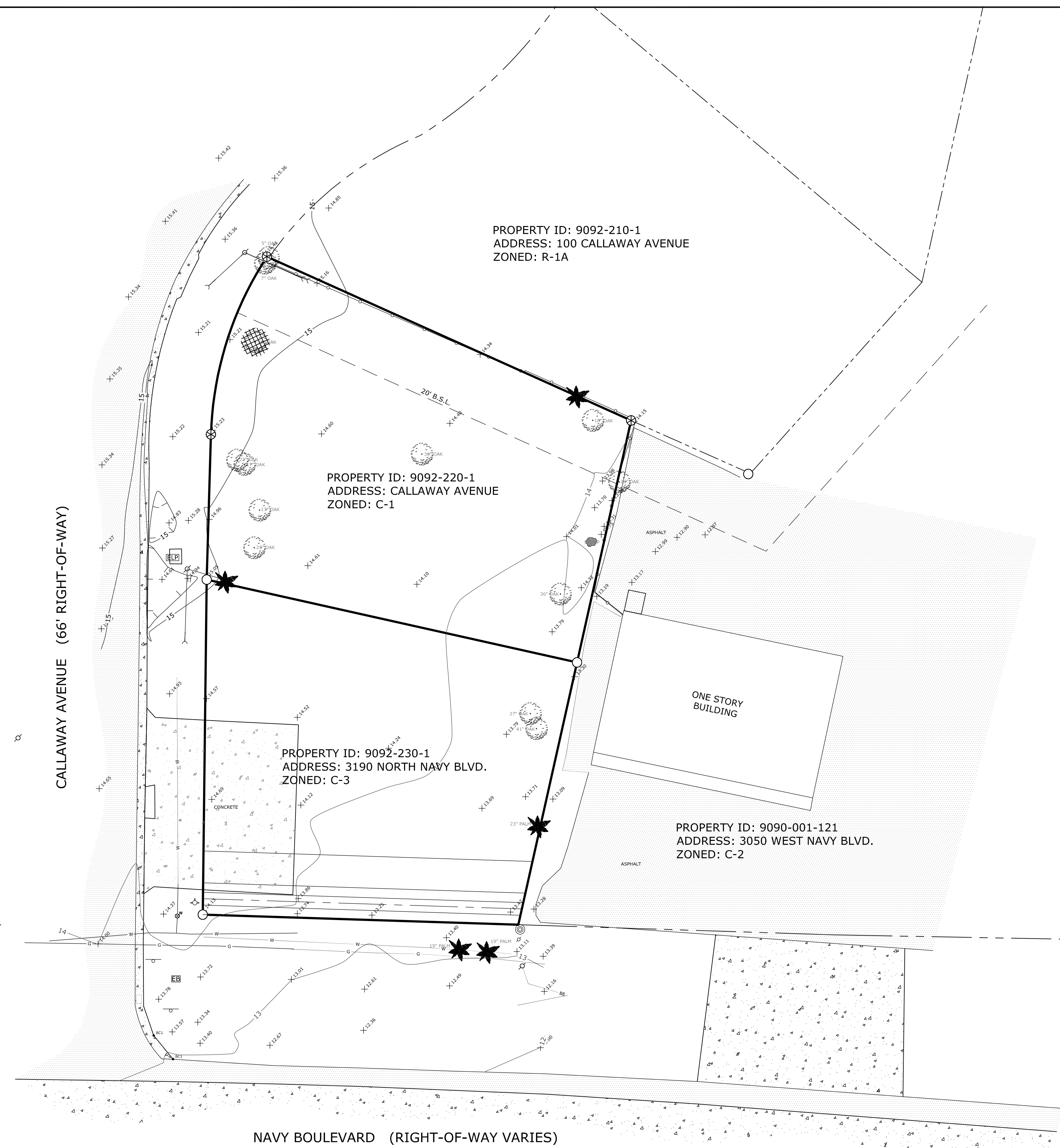
FOR OFFICE USE ONLY

Council District: #1 Date Received: 1/11/2019 Case Number: N/A

Date Postcards mailed: 2/4/19 Planning Board Date: 2/14/19 Recommendation: N/A<sup>e</sup>

Committee Date: N/A Council Date: \_\_\_\_\_ Council Action: e e e

Second Reading: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_



- LEGEND:**
- ELECTRIC BOX
  - POWER POLE
  - GUY WIRE ANCHOR
  - 36" CONCRETE UTILTIY POLE
  - WATER VALVE
  - FIRE HYDRANT
  - SIGN
  - BURIED ELECTRIC LINE
  - WATER LINE
  - GAS LINE
  - 1" IRON PIPE FOUND
  - 1/2" CAPPED IRON ROD LB "CORP7277"
  - 1/2" CAPPED IRON ROD ILLEGIBLE

CENTENNIAL IMPORTS  
 PARKING LOT EXPANSION  
 FOR  
 CENTENNIAL IMPORTS OF PENSACOLA

ESCAMBIA COUNTY  
 FLORIDA

EXISTING CONDITIONS  
 &  
 TOPOGRAPHY

NOT Released for Construction  
 Date: \_\_\_\_\_  
 By: \_\_\_\_\_

Revisions:

Frank J. Fabre, P.E.

P.E. #15967

Designed By:  
 MER

Drawn By:  
 JMC

Checked By:  
 MER

Date:  
 10-20-2015

Job Number:  
 150088

File Name:  
 SEE LEFT

Sheet:  
 G-201

FABRE ENGINEERING, INC.  
 DBA  
**FABRE ENGINEERING & SURVEYING**  
 ENGINEERS ♦ PLANNERS ♦ SURVEYORS

119 GREGORY SQUARE PENSACOLA, FLORIDA 32502  
 TELEPHONE: 850-433-6438 FAX: 850-434-7842

L.B. NO. 000679  
 E.B. NO. 0007215

## Brandi Deese

---

**From:** SAUERS, BRAD <bs5403@att.com>  
**Sent:** Monday, January 14, 2019 9:27 AM  
**To:** Brandi Deese  
**Subject:** FW: Please Review & Comment - 3100 Navy Boulevard Rezoning  
**Attachments:** Rezoning Application, 3100 Navy Boulevard, Centennial Imports.pdf; Survey for 3100 Navy Boulevard Rezoning.pdf

AT&T has no objection.

**Brad Sauers**  
Manager – OSP Plng and Eng  
Technology Operations

**AT&T**  
605 W Garden St, Pensacola, FL 32502  
o 850.436.1495 | bs5403@att.com

MOBILIZING YOUR WORLD

---

**From:** FENNER, KARL L  
**Sent:** Friday, January 11, 2019 4:23 PM  
**To:** SAUERS, BRAD <bs5403@att.com>  
**Subject:** FW: Please Review & Comment - 3100 Navy Boulevard Rezoning

Brad,  
See below and attached.

**Karl Fenner**  
Area Manager – OSP Plng and Eng  
Technology Operations

**AT&T**  
605 W Garden St, Pensacola, FL 32502  
o 850.436.1485 | [kf5345@att.com](mailto:kf5345@att.com)

MOBILIZING YOUR WORLD

---

**From:** Brandi Deese <[bdeese@cityofpensacola.com](mailto:bdeese@cityofpensacola.com)>  
**Sent:** Friday, January 11, 2019 2:44 PM  
**To:** Andre Calaminus <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Dennis Fleming <[DFleming@cityofpensacola.com](mailto:DFleming@cityofpensacola.com)>; Derrik Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; FENNER, KARL L <[kf5345@att.com](mailto:kf5345@att.com)>; KENNINGTON, STEPHEN <[sk1674@att.com](mailto:sk1674@att.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; Simmons, Kellie L. <[KLGRESSE@SOUTHERNCO.COM](mailto:KLGRESSE@SOUTHERNCO.COM)>

## Brandi Deese

---

**From:** Andre Calaminus <andre.calaminus@ecua.fl.gov>  
**Sent:** Monday, January 14, 2019 2:13 PM  
**To:** Brandi Deese  
**Subject:** RE: Please Review & Comment - 3100 Navy Boulevard Rezoning

Hi Brandi,

ECUA has no comment or objection to the rezoning of those 3 parcels.

Thanks,

**Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |**

P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: [www.ecua.fl.gov](http://www.ecua.fl.gov) |

Phone: (850) 969-5822 | Fax: (850) 969-6511 |

---

**From:** Brandi Deese [mailto:[bdeese@cityofpensacola.com](mailto:bdeese@cityofpensacola.com)]  
**Sent:** Friday, January 11, 2019 2:44 PM  
**To:** Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Dennis Fleming <[DFleming@cityofpensacola.com](mailto:DFleming@cityofpensacola.com)>; Derrik Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; Karl Fenner (KF5345@att.com) <[KF5345@att.com](mailto:KF5345@att.com)>; KENNINGTON, STEPHEN <[sk1674@att.com](mailto:sk1674@att.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; Simmons, Kellie L. <[KLGRESSE@SOUTHERNCO.COM](mailto:KLGRESSE@SOUTHERNCO.COM)>  
**Cc:** Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Karen Lefebvre <[KLefebvre@cityofpensacola.com](mailto:KLefebvre@cityofpensacola.com)>  
**Subject:** Please Review & Comment - 3100 Navy Boulevard Rezoning

Happy Friday Afternoon -

Please review and comment on the attached rezoning for 3100 Navy Boulevard – Centennial Imports. The property owner is seeking to make his zoning consistent among the various parcels and has requested the C-1 and C-2 parcels be rezoned to C-3. The land use of a car lot remains the same and there are no plans at this time for that use to change. Please submit all comments/concerns by Friday, January 25<sup>th</sup> in order for the applicant to move forward to Planning Board in February. Thanks so much and have a wonderful weekend!

*Brandi C. Deese, AICP*

*Planning Services Division*

*City of Pensacola*

*222 W. Main Street (5<sup>th</sup> Floor)*

*Pensacola, FL 32514*

*Office: 850.435.1697*

*[www.cityofpensacola.com/139/Planning-Services](http://www.cityofpensacola.com/139/Planning-Services)*

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a

## Brandi Deese

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**From:** Annie Bloxson  
**Sent:** Tuesday, January 22, 2019 7:33 AM  
**To:** Brandi Deese  
**Subject:** RE: Please Review & Comment - 3100 Navy Boulevard Rezoning

Good Morning,

I have no issues at this time.

*Annie Bloxson*

Fire Marshal  
Pensacola Fire Department  
O: 850-436-5200  
[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)

---

**From:** Brandi Deese <bdeese@cityofpensacola.com>  
**Sent:** Friday, January 18, 2019 4:08 PM  
**To:** Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Dennis Fleming <DFleming@cityofpensacola.com>; Derrick Owens <DOwens@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Kellie L. - Gulf Power Simmons (Kellie.Simmons@nexteraenergy.com) <Kellie.Simmons@nexteraenergy.com>; KENNINGTON, STEPHEN <sk1674@att.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>  
**Cc:** Leslie Statler <LStatler@cityofpensacola.com>; Amy Hargett <ahargett@cityofpensacola.com>; Karen Lefebvre <KLefebvre@cityofpensacola.com>  
**Subject:** FW: Please Review & Comment - 3100 Navy Boulevard Rezoning

Good Afternoon!

Just a quick reminder that your comments are required by January 25<sup>th</sup>. Hope you have a wonderful long weekend!

*Brandi C. Deese, AICP*

Planning Services Division  
City of Pensacola  
222 W. Main Street (5<sup>th</sup> Floor)  
Pensacola, FL 32514  
Office: 850.435.1697  
[www.cityofpensacola.com/139/Planning-Services](http://www.cityofpensacola.com/139/Planning-Services)



## Brandi Deese

---

**From:** Diane Moore  
**Sent:** Monday, January 14, 2019 12:06 PM  
**To:** Brandi Deese  
**Subject:** RE: Please Review & Comment - 3100 Navy Boulevard Rezoning

We have no comments concerning the rezoning.

Thanks,  
Diane

Diane Moore | Gas Distribution Engineer  
Pensacola Energy | 1625 Atwood Drive, Pensacola, FL 32514  
Desk: 850-474-5319 | Cell: 850-324-8004 | Fax: 850-474-5331  
Email: [dmoore@cityofpensacola.com](mailto:dmoore@cityofpensacola.com)

\*\*\*Please consider the environment before printing this email.



For Non-Emergency Citizen Requests, Dial 311 or visit [Pensacola311.com](http://Pensacola311.com)

**Notice:** Florida has a very broad public records law. As a result, any written communication created or received by City of Pensacola officials and employees will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

---

**From:** Brandi Deese  
**Sent:** Friday, January 11, 2019 2:44 PM  
**To:** Andre Calaminus; Annie Bloxson; Bill Kimball; Brad Hinote; Brian Cooper; Chris Mauldin; Dennis Fleming; Derrick Owens; Diane Moore; Jonathan Bilby; Karl Fenner (KF5345@att.com); KENNINGTON, STEPHEN; Miriam Woods; Paul A Kelly(GIS); Robbie Weekley; Ryan J. Novota; Sherry Morris; Simmons, Kellie L.  
**Cc:** Leslie Statler; Amy Hargett; Karen Lefebvre  
**Subject:** Please Review & Comment - 3100 Navy Boulevard Rezoning

Happy Friday Afternoon -

Please review and comment on the attached rezoning for 3100 Navy Boulevard – Centennial Imports. The property owner is seeking to make his zoning consistent among the various parcels and has requested the C-1 and C-2 parcels be rezoned to C-3. The land use of a car lot remains the same and there are no plans at this time for that use to change. Please submit all comments/concerns by Friday, January 25<sup>th</sup> in order for the applicant to move forward to Planning Board in February. Thanks so much and have a wonderful weekend!

*Brandi C. Deese, AICP*

Planning Services Division  
City of Pensacola  
222 W. Main Street (5<sup>th</sup> Floor)

## Brandi Deese

---

**From:** Derrick Owens  
**Sent:** Friday, January 18, 2019 4:10 PM  
**To:** Brandi Deese  
**Subject:** RE: Please Review & Comment - 3100 Navy Boulevard Rezoning

PW&F has no objection to the subject request.

Thanks

---

**From:** Brandi Deese  
**Sent:** Friday, January 18, 2019 4:08 PM  
**To:** Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Dennis Fleming <DFleming@cityofpensacola.com>; Derrick Owens <DOwens@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Kellie L. - Gulf Power Simmons (Kellie.Simmons@nexteraenergy.com) <Kellie.Simmons@nexteraenergy.com>; KENNINGTON, STEPHEN <sk1674@att.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>  
**Cc:** Leslie Statler <LStatler@cityofpensacola.com>; Amy Hargett <ahargett@cityofpensacola.com>; Karen Lefebvre <KLefebvre@cityofpensacola.com>  
**Subject:** FW: Please Review & Comment - 3100 Navy Boulevard Rezoning

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*Brandi C. Deese, AICP*

*Planning Services Division*

*City of Pensacola*

*222 W. Main Street (5<sup>th</sup> Floor)*

*Pensacola, FL 32514*

*Office: 850.435.1697*

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**From:** Brandi Deese  
**Sent:** Friday, January 11, 2019 2:44 PM  
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PLANNING SERVICES

**MINUTES OF THE PLANNING BOARD**

**February 12, 2019**

**MEMBERS PRESENT:** Chairman Paul Ritz, Danny Grundhoefer, Kurt Larson, Ryan Wiggins, Nina Campbell, Laurie Murphy

**MEMBERS ABSENT:** Nathan Monk

**STAFF PRESENT:** Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner, Robyn Tice, Clerk's Office, Ross Pristera, Advisor

**OTHERS PRESENT:** Daniel Rivera, Teresa Hill, George Biggs, Laurie Byrne, Bobby Kickliter, Barbara Mayall, David Peaden, Derek Cosson, Fred Gunther, Drew Buchanan, Marcie Whitaker, Sandy Boyd, Councilwoman Ann Hill, Councilwoman Sherri Myers

**AGENDA:**

- Quorum/Call to Order
- Swearing in of New Member (Laurie Murphy)
- Approval of Meeting Minutes from January 8, 2019.
- **New Business:**
  1. Consider Rezoning for 3100 Navy Boulevard from C-1, C-2 to C-3.
  2. Amendment to LDC Section 12-12-5 Building Permits - Historic Building Demolition Review
- Open Forum
- Adjournment

**Call to Order / Quorum Present**

Chairman Ritz called the meeting to order at 2:02 pm with a quorum present and explained the Board procedures to the audience.

**Swearing in of New Member (Laurie Murphy)** The Clerk's Office swore in new board member Laurie Murphy.

**Approval of Meeting Minutes**

Ms. Wiggins made a motion to approve the January 8, 2019 minutes, seconded by Mr. Larson, and it carried unanimously.

**New Business**

**Consider Rezoning for 3100 Navy Boulevard from C-1, C-2 to C-3**

Mr. George Biggs on behalf of Centennial Imports, LLC is requesting to rezone the property located at 3100 Navy Boulevard from Commercial (C-1 and C-2) to Commercial (C-3). The current future land use category of Commercial would accommodate this rezoning and so this request does not include a change to the future land use designation. The property is currently occupied by Centennial Imports, LLC, a used car dealership. The applicant indicates the reason for this request is to make the zoning consistent. This request has been routed through the various City departments and utility providers with no significant comments received.

Chairman Ritz stated this was of a serious nature due to C-3 being the most intense commercial district and requested that Mr. Biggs speak.

Mr. Biggs addressed the Board on behalf of John Mobley, the owner. Mr. Mobley had acquired the lots as they became available, and his intent was to refurbish the area, but the design was difficult to accomplish within the three zoning districts. Ms. Deese confirmed the largest parcel was C-3. Chairman Ritz reminded the Board and the audience that if approved as C-3, anything allowed in C-3 under this owner would be available to future owners as well. Mr. Biggs advised the current car dealership was within the C-2 and C-3 districts. He then provided an overlay to demonstrate what the owner planned to develop, and Ms. Deese confirmed the owner needed C-3 for a car dealership. Mr. Biggs pointed out there would still be the required buffers and landscaping.

Chairman Ritz asked for audience input, and there were no speakers. Mr. Biggs stated the existing used car building would be removed and replaced with a whole new configuration. The owner renovated the Mercedes Benz recently which included Volvo, but Volvo now wanted their own space; this was the used car building on the other side of Davidson Street. Chairman Ritz explained this homogenizes the zoning, and this had been a car lot for some time and there were protections for the R-1A district north of it. He felt this would likely improve the entire area and was in favor of approving the request. Mr. Grundhoefer stated he was also in favor of the request since when the zoning maps were drawn, they could easily have been drawn as C-3.

**Mr. Larson made a motion to approve, seconded by Ms. Campbell, and the motion carried unanimously.**

**Amendment to LDC Section 12-12-5 Building Permits - Historic Building Demolition Review**

On October 11, 2018, City Council referred to this Board for review and recommendation an Amendment to the Land Development Code to include the addition of a Historic Preservation Commission. Planning Board discussed this agenda item during their November 13, 2018 meeting as well as the January 8, 2019 meeting. This Board directed staff to bring back a previous agenda item that was a recommendation to City Council on November 8, 2016 which addressed this concern from a different angle. The proposed ordinance from 2016 amends Land Development Code Section 12-12-5 Building Permits and sets out a process for review of demolition requests for historic buildings citywide. This would provide standards to be met before demolition permits are issued instead of the creation of a Historic Preservation Commission.

Chairman Ritz pointed out this version references buildings built before 1940 and refers to the Planning Board for some determinations on the historic aspects. Mr. Grundhoefer explained the Board had felt there was no need for an added commission for historic demolition delay. Mr. Larson added the discussion was about the City putting out additional funds for a historic commission and obtaining grant funds.

Chairman Ritz advised the Board would be making the City create additional boards and commissions, whereas this document sticks with what is in play now, and the Board did not believe this would not place an undue burden on this Board. He then asked for audience input.

Mr. Gunther was troubled by the idea of this being controlled by a City employee who was hired and controlled by the Mayor, and it would make more sense to hire someone like Mr. Pristera to determine if the property was historic. Also, it was unclear to him if you wanted to make an application to demolish something, you had to have permits or drawings for what was to replace the structure. He felt this was a little onerous since someone could conceivably be working on plans for replacement while the demolition is ongoing. Ms. Campbell explained she was on the Architectural Review Board (ARB), and when a request is received for a demolition, it is in their comfort zone to know what will replace the structure. In the event the person requesting the demolition has not done all the due diligence, it is in their comfort zone to see what is coming. Mr. Gunther stated that made sense to him in the historic district, but for large areas downtown, it would delay the process unnecessarily. Mr. Grundhoefer explained the intent was that if you want to demolish a building and build something, it helps move the process along since the Board would see the plans for replacement. Ms. Wiggins pointed out Mr. Gunther was not wrong about the mayor, and agreed we have a great mayor. However, she works with another community and had concerns about the current mayor's integrity; he used his staff to punish people who were not his supporters, and she thought that was a point well made with having this in the hands of a City staffer. Ms. Deese clarified this would come before the Planning Board and not as an administrative decision. Chairman Ritz explained the request would come before the Building Official as far as formality and then would be referred to the Board. Ms. Deese read from Page 3, Section (2) Buildings Subject for Review. Ms. Campbell referred to Section 3 Criteria for Determining Significance and the building not necessarily being historical, and this language would be something reviewed by the Board.

Teresa Hill thanked the Board for trying to obtain answers. The demolition of the Sunday House resulted in a demolition moratorium. She advised this process is for districts with no protection, and this ordinance was fully vetted through workshops with public input, however, it was pulled from Council just before the Hallmark demolition. She pointed out the actual existing process to get a demolition required \$100 for the application in which the applicant agrees there is no asbestos, etc., but there is no preemptive site visit; she referred to 1207 Cervantes Street where two houses were demolished. She stated there needs to be some kind of review or public notice for people who might have breathing difficulties. She explained the public was asking for help in protecting areas like Longhollow and Tanyard, giving breathing room for when the demolition permit is issued to when it actually happens.

Mr. Cosson stated he understood the desire for no additional boards. He explained Florida has the Certified Local Government program which is the gateway to national Park Service Grant opportunities for historic properties. Two requirements for becoming a Certified Local Government specifies a Historic Preservation Ordinance which conforms to State guidelines, and a Historic Preservation Board; it is not enough for the duties to be placed on another board, but it requires an additional board to obtain grant monies. He encouraged the Board to consider this path to open up opportunities for Pensacola. Ms. Wiggins indicated the Board spent the majority of the time in the last meeting discussing the positives and negatives of that path.

Mr. Pristera stated he examined the document and the 1940 date.

He pointed out as time marches on, eventually that date would have to be revised and suggested staying with the National Standard of 50 years; if that was not comfortable, try 60 or 75 years, but remove any mention of a hard date. He pointed out the UWF Historic Trust was mentioned in the document as a reviewing party, and that would be a part of their services offered; they could provide research and an unbiased review for determination by the Board. He explained having them as part of the review was critical. He pointed out historical significance was also a National Standard where we use the building to tell a story. He felt it was easier to stay within the National Standard which had already been developed and was the model for many other locations. He also stated if a building was delayed in demolition, it would give his team enough time to document if it was deemed significant and placed it in their records; if it was approved for demolition, they would have some evidence of what it looked like. Mr. Pristera indicated he was not able to get inside of the Hallmark School and was not able to work with anyone to salvage pieces or come up with plans on what could be done afterwards, and this document would give time to consider other solutions.

Mr. Peaden suggested going out and finding what was on the ground before passing a new ordinance or form another layer of regulation. Concerning other alternatives for the applicant to consider, how much can a city or board tell a citizen what they can or cannot do with the property they are trying to get the best use and value out of.

Councilwoman Hill stated she supported the ordinance in 2016 with the delay on demolition, the six-month moratorium, and had worked with Mr. Pristera at other locations and appreciated his thorough job. Taking a demolition one at a time was less time consuming than a full review of the city, and she wanted the Board to support the ordinance.

Chairman Ritz considered Mr. Peaden's suggestion to consider what is here and meshing that with 50 years old designation. Many subdivisions north of I-10 are more than 50 years old which would create huge swaths of the city to be considered historically significant. He considered how much level of effort he would want to go through in order to tear down his own home for something new. Ms. Wiggins pointed out just because a structure is old does not mean it is historic. She also explained we need to be careful with categorizing. Because of its time period (ranch houses), it would be classified historic. She also asked who would maintain the structure if it was determined historic. She agreed with Mr. Pristera that at least the structure should be documented before demolition. She asked if a property owner had a specific plan for a property and was not interested in any alternatives, should they have to wait 120 days. Mr. Grundhoefer explained that delay allowed the Board some time to vet the request. Mr. Larson asked if we allowed everything to be demolished just because someone bought the property, considering shotgun houses, we could lose the history; where would we put the brakes on to say we value the history or we tear down and build new structures. Ms. Wiggins explained there was a cost to maintain the property, and if the City did not maintain it, would it be put on the property owner; we may not want to keep that property since it might become dilapidated. Mr. Grundhoefer pointed out the Board did not have the authority to demand the structure not be demolished, so within a four to five-month period, a house in bad condition would not be in worse condition; he stressed we are trying to preserve our history. Mr. Larson explained we are taking a second look at the requests.

Councilwoman Myers advised she supported this effort even if the Board could not force someone to do something; pushing the pause button was very important since our heritage is quickly being destroyed.

She was most concerned with the Board of Education building on Garden Street which has historical significance relating to WWII and the WPA where women were trained to support the war effort. She stressed before the building is demolished, the public should be able to speak on its preservation. She indicated that building is the rightful heritage of women, and inanimate objects without power to speak for themselves need humans to speak for them before they are destroyed. She also advised the City of Milton has a Historic Preservation Board along with many other cities in Florida.

Chairman Ritz explained whether it was the cultural significance or historical significance of houses or other buildings we may have lost, trying to balance that with someone's economic forward movement for the city was what he wrestled with personally. He explained his father owned the former Sacred Heart Hospital on 12<sup>th</sup> Avenue, purchasing that building so it would not be torn down; there are few people who would want to make that their life's labor. However, his business makes money in designing new buildings but also in restoring old ones. Mr. Grundhoefer stated there should be a Preservation Board. If this document passes and we see what level of involvement the Board will have and how many projects are referred to the Board, should it become overwhelming, then the City may possibly determine a Historic Board should be developed. He was not prepared to accept the language in the previous document, but this was a good first step, and maybe three to ten years from now, another board could be developed. Chairman Ritz pointed out the powers of this Board did not want to extend beyond what was appropriate by creating another board or saying for the City to create another board; he felt it should originate from the City. Mr. Larson asked if the Board recommended this document to Council, could it ask the question was it the intent of Council to have a Certified Local Government; that would change the whole complexion of the discussion. They had asked the Board to pass a Historic Preservation Commission to maintain our history, but after discussion, the Board did not feel that was in the best interest financially for the City at this time. If their goal is to become a Certified Local Government, then that should return to the Board at that time when that is their focus.

Chairman Ritz pointed out the Board could amend the document for the 1940 hard date. If the date was 1950, there would be a lot of structures such as the Cordova Park, Camelot and entire subdivisions being considered. Ms. Campbell explained if the Board saw the workload becoming overwhelming, then a separate board would be encouraged. Ms. Murphy pointed out some gray areas in determining significance and thought it was a lot of responsibility for the Board. She asked if there was a consultant available for determination for historical or historical significance. Chairman Ritz explained the Board could request outside input, but the document did not guarantee outside input. Mr. Grundhoefer stated the Board had asked Mr. Weeks, the Building Official, how many demolitions were requested; he advised there were only two or three per month at that time. Ms. Deese pointed out demolition permits were issued by Building Inspections, but she remembered the number in 2016 being fewer than they anticipated. Ms. Campbell was interested in the last three years, and Mr. Grundhoefer understood that most of the permits were for unsafe buildings. Ms. Wiggins was more comfortable with razing than demolition as outlined in the document since a remodel fell within a demolition. If she wanted to remodel her home in Cordova Park, it would be considered a demolition because she wanted to remodel a room with an exterior wall facing a public street, and she would come before this Board with a wait of 120 days. Mr. Grundhoefer pointed out the Board was not tasked to review additions like the ARB, however, the exterior wall would come before this Board.

Ms. Deese advised in 2019 there were 98 demolitions, in 2017 99 demolitions, in 2018 90 demolitions, and in 2019 10 so far; this totaled 297 in the last three years for commercial and residential.

Chairman Ritz indicated the direction of the Board could be to fine tune the document, and it would still go through a process for approval with Council. He pointed out except for designated districts, there was nothing citywide for protections.

**Ms. Campbell made a motion to change the language from built prior to 1940 to over 60 years old (page 3) and recommending approval of the ordinance as submitted. It was seconded by Mr. Larson.** Chairman Ritz was still concerned with the 25% removal of roofs or exterior walls (page 2). **The motion then carried 5 to 1 with Ms. Wiggins dissenting.** Since Council was meeting twice a month, Ms. Deese advised the ordinance would most likely be considered at a March Council meeting. Mr. Grundhoefer wanted assurance this item would not be dropped, and Councilwoman Hill said she would make sure it was not.

**Open Forum** – Mr. Larson stated since Councilwoman Cannada-Wynn asked the Board to look at a Historic Preservation Commission, could the Board ask if that was their goal to be a Certified Local Government, and if so, that would change the complexion of why the Board said no to begin with. He asked if the Board could ask Council if their goal was to be a Certified Local Government. Ms. Campbell advised this had been tossed around for so long even with Mr. Spencer, and he never pursued it. Chairman Ritz agreed the Board could ask that question to Council and await an answer. Ms. Deese referred to the Board's previous meeting where the Council Executive did touch base with Councilwoman Cannada-Wynn and reported back that the basic concept was she wanted some protection for those areas outside the special review districts, and it may or may not be in the form of a Historic Preservation Commission. Chairman Ritz confirmed the conversation was centered around a protection issue. He advised that as the Council read the minutes, they could determine if it was important at that time or as it develops. Ms. Deese stated the Council meetings were on March 14 and 28, and the ordinance would probably be placed on one of those agendas.

**Adjournment** – With no further business, Chairman Ritz adjourned the meeting at 3:26 pm.

Respectfully Submitted,



Brandi C. Deese  
Secretary to the Board





# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 09-19

City Council

3/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Ann Hill

**SUBJECT:**

PROPOSED ORDINANCE NO. 09-19 - AMENDMENT TO SECTION 14-1-136 - DEMOLITION

**RECOMMENDATION:**

That City Council approved Proposed Ordinance No. 09-19 on first reading:

AN ORDINANCE AMENDING SECTION 14-1-136 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA ENTITLED "DEMOLITION"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The purpose of this amendment to Section 14-1-136 (Demolition) is to provide greater notice requirements when a demolition is to take place. The proposed ordinance calls for certification by the applicant for a demolition permit stating that reasonable efforts have been made to provide notice to those within a 300-foot radius of a demolition site. Further it will require the placing of a sign on the property where demolition is to take place showing a NOTICE OF DEMOLITION. Finally, it states that demolition work shall be conducted in compliance with the noise regulations for construction as well as applicable nuisance ordinances contained within the City Code, including dust control and/or mediation.

This amendment was a collaborative effort between a Council Member, City staff (Inspections) and the City's legal team.

**PRIOR ACTION:**

January 31, 2008 - Ordinance No. 08-08 amending Section 14-1-136(a) was adopted by City Council

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 09-19

**PRESENTATION:** No

PROPOSED  
ORDINANCE NO. 09-19

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 14-1-136 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA ENTITLED "DEMOLITION"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 14-1-136 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 14-1-136. - Demolition.

- (a) The demolition of buildings and structures shall be controlled by provisions of the Florida Building Code and the International Property Maintenance Code, as adopted herein, by those additional provisions, outlined for special review districts, contained in Chapter 12-2, Code of the City of Pensacola and those guidelines as established in this part.
- (b) No building or structure shall be demolished, razed, dismantled or removed in whole or in part without first obtaining a permit issued by the Building Official of the city. A permit issued for demolition shall be valid for ninety (90) days. Extensions for periods not exceeding thirty (30) days each may be granted in writing by the building official.
- (c) ~~Applications for demolition permits must include written proof that residents within a three hundred-foot radius of the property of proposed demolition have been provided notice of the intent to demolish with an estimated date of demolition. This proof of notification shall be evidenced by the signature(s) of the resident and/or property owner on the provided form. Also included must be an affidavit, signed by the applicant or the property owner, indicating that all gas, water and electrical utilities have been cut off or disconnected. Utilities shall be cut off at the property line or off premises when a building or structure is to be totally demolished.~~

Applications for demolition permits must include written certification by the applicant that reasonable steps have been taken to provide notice to residents within a three hundred-foot radius of the property of the proposed demolition and the intended date upon which demolition will commence once a permit is obtained. This certification must be included in affidavit form, signed by the applicant or the property owner, also indicating that all gas, water and electrical utilities have been cut off or disconnected. Utilities shall be cut off at the property line or off premises when a building or structure is to be totally demolished.

- (d) After the issuance of permit, the permit holder shall be responsible for placing a sign on the property where demolition is to take place. The sign shall be a minimum of 11" X 17" in

size and mounted at a minimum for four (4) feet above the ground. The sign shall have black lettering with a contrasting white background, have block style lettering a minimum of three (3) inches in height and shall state "NOTICE OF DEMOLITION" with a phone number for contact included. The sign shall be of a material that is durable, laminated or other weather resistant material. Also posted shall be the demolition permit or a copy thereof.

- ~~(d)~~ (e) Demolition permits for structures larger than three thousand (3,000) square feet in floor area or over thirty-five (35) feet in height at any point shall require a current certificate of insurance showing general liability coverage of at least three hundred thousand dollars (\$300,000.00), per occurrence and per accident, for products and completed operations.
- (e) ~~(f)~~ When required by the Building Official, the Florida Building Code, ~~or by the International Property Maintenance Code,~~ or City Ordinance, as adopted herein, barricades and other shielding shall be used to protect adjacent property and the public; to include dust control and/or mediation. At the end of each working day the remainder of the structure shall be left in a stable condition with no dangerous unsupported roofs, walls or other elements. Fencing or continuous security guard(s) may be required.
- ~~(f)~~ (g) All footings, foundations, piers, etc. of one- and two-family dwellings which have been demolished, shall be removed to a depth of not less than twelve (12) inches below the natural ground level. Utility supply and sewer piping shall be removed so as to be flush with grade level. The footings, foundations, utility supply and sewer piping and all pilings of structures larger than a one- or two-family dwelling shall be removed to not less than four (4) feet below the natural ground level. Remaining sections of footings, foundations, pilings, and piping may be buried provided they have not been disturbed from their original position and are surrounded by compacted earth or other permitted backfill. All excavations are to be filled to the natural grade; unnatural hills or mounds of earth are to be leveled or removed.
- ~~(g)~~ (h) Debris and waste materials shall not be allowed to accumulate or be buried on the premises. Usable, recyclable by products of demolition including, but not limited to, steel beams and rip-rap may be stored only where permitted by the provisions of Chapter 12-2, Code of the City of Pensacola.
- ~~(h)~~ (i) Demolition work shall be conducted in compliance with the noise regulations for construction as well as applicable nuisance ordinances contained in the Code of the City of Pensacola.
- ~~(i)~~ (j) The owner of a building or structure or his duly authorized agent may appeal a decision or requirement of the Building Official, concerning demolition, to the Construction Board of Adjustment and Appeals. Filing of an appeal will stay the work until a decision has been rendered by the board. When an appeal is made, the Building Official shall require appropriate safeguards to protect the public and adjacent buildings. If deemed necessary, an immediate meeting of the Construction Board of Adjustment and Appeals shall be called by the chair of the board.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given

effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 08-19

City Council

3/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 08-19 - AMENDING DEFERRED RETIREMENT OPTION PLAN (DROP) CITY CODE SECTION 9-9-4(1) AND CREATING CITY CODE SECTION 9-4-4(m)

**RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 08-19 on second reading.

AN ORDINANCE AMENDING SECTION 9-9-4 (1) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ALLOWING THE RE-EMPLOYMENT OF FORMER DROP PARTICIPANTS INTO AUTHORIZED POSITIONS; CREATING SECTION 9-9-4 (m) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AUTHORIZING THE RE-EMPLOYMENT OF RETIRED PENSACOLA POLICE OFFICERS INTO PART-TIME POSITIONS AS PARTICIPANTS IN THE FLORIDA RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The City's current Deferred Retirement Option Program (DROP) prohibits the re-employment of City law enforcement officers who have retired under the City's Police Pension Plan. The Proposed Ordinance would permit the re-employment of retired City law enforcement officers as part-time employees who would participate in the Florida Retirement System, but not the Police Pension Plan.

**PRIOR ACTION:**

February 28, 2019 - City Council voted to approve Ordinance No. 08-19 on first reading.

November 18, 1999 - City Council adopted Ordinance No. 46-99 establishing a Deferred Retirement Option Plan (DROP).

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

2/20/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Tommi Lyter, Police Chief

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 08-19

**PRESENTATION:** No

PROPOSED  
ORDINANCE NO. 08-19

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 9-9-4 (l) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ALLOWING THE RE-EMPLOYMENT OF FORMER DROP PARTICIPANTS INTO AUTHORIZED POSITIONS; CREATING SECTION 9-9-4 (m) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AUTHORIZING THE RE-EMPLOYMENT OF RETIRED PENSACOLA POLICE OFFICERS INTO PART-TIME POSITIONS AS PARTICIPANTS IN THE FLORIDA RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 9-9-4 (l) of the Code of the City of Pensacola, Florida, is hereby amended to read:

**Sec. 9-9-4 (l). Employment limitation after DROP participation.** A DROP participant who is not a member of the General Pension and Retirement Fund shall not be eligible for ~~civil service or contract~~ reemployment with the City of Pensacola after the conclusion of the DROP period if the nature and extent of such employment or re-employment could result in the participant being eligible to participate in any defined benefit retirement plan of the city other than participation in the Florida Retirement System in a position of the city established by the Mayor pursuant to the provisions of Sec. 9-9-4 (m).

SECTION 2. Section 9-9-4 (m) of the Code of the City of Pensacola, Florida is hereby created to read:

**Sec. 9-9-4 (m). Mayor's authority to re-employ former police DROP participants.** The Mayor is authorized to create appropriate part-time employment positions for the purpose of enhancing and supplementing the public safety services rendered by the city's regular, sworn law enforcement employees. These positions shall be structured so as to permit, but not require, the employment of retired, former city law enforcement officers who shall not become participants in the Police Officers' Retirement Fund.

SECTION 3. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.



SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_

President of the City Council

Attest:

City Clerk

\_\_\_\_\_



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00125

City Council

3/14/2019

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### **DISCUSSION ITEM**

**FROM:** City Council Member Sherri Myers

**SUBJECT:**

UPDATES: BUDGET PROCESS AND WORKSHOP, COMPLETE STREETS WORKSHOP, COUNCIL EXECUTIVE'S REPORT

**SUMMARY:**

Request for an update of the status of these items and any discussion as appropriate.

**PRIOR ACTION:**

Council previously approved the scheduling of these workshops.

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

1) None

**PRESENTATION:** No



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00126

City Council

3/14/2019

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**SUBJECT:**

CITY ADMINISTRATOR COMMUNICATIONS

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# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00081

City Council

3/14/2019

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**SUBJECT:**

MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.