

PLANNING SERVICES

MINUTES OF THE PLANNING BOARD

September 13, 2016

MEMBERS PRESENT: Paul Ritz-Chairman, Nina Campbell, Nathan Monk,
Danny Grundhoefer, Kyle Owens, Chips Kirschenfeld

MEMBERS ABSENT: Kurt Larson

STAFF PRESENT: Brandi Deese, Leslie Statler, Karen Lefebvre, Bill Weeks, Lysia Bowling

OTHERS PRESENT: Dottie Dubuisson, Jacob Mossholder, Erica Mossholder, David Taylor, Meghan Triolo, Steven Sebold, Greg Uzdevenes, David S. Lamar, Rob Working, Diane Mack, Teresa Hill, Ann Hill, Omar Nagi, Beverly Perry, Ross Pristera, Elizabeth Benchley

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from August 9, 2016, and Workshop Minutes from August 25, 2016
- Old Business
 1. Preliminary Plat Approval – Junction at West Hill
 2. North 9th Avenue Overlay District
 3. Demolition of Historic Structures
- New Business
- Open Forum
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:05 pm with a quorum present. He gave instructions to the audience on the rules and procedures of the Board.

Approval of Meeting Minutes

Ms. Campbell made a motion to approve the August 9, 2016 minutes, seconded by Mr. Monk, and it carried unanimously. Mr. Monk made a motion to approve the August 25, 2016 workshop minutes, seconded by Mr. Owens, and it carried unanimously.

Old Business

ITEM 1: Preliminary Plat approval – Junction at West Hill

Mr. David Lamar, P.E., has submitted a request to plat the subject property. A previous iteration was submitted and tabled by the Board on June 14, 2016. The current iteration has excluded the 20' adjacent to the Mossholder property from the plat. At this time, the Planning staff comments have been corrected; all of the technical aspects from the surveyor, the Engineering Department, and all other relevant departments this plat was routed through provided comments which have been addressed. The revised version was signed by the City's surveyor. Ms. Deese advised that previous discussions of this agenda item included removal and/or demolition of an existing single-family residence, and although City Council

directed the Planning Board to look into this issue, the current ordinance would preclude the structure from being considered as part of the discussion today in the plat approval process.

It was clarified that the adjacent property had been eliminated from the proposal and was not a part of the development. Mr. Grundhoefer asked how this elimination impacted the development, and David Lamar indicated they lost one lot making the project a 24-lot townhome subdivision. Mr. Monk addressed the retention pond being located in the historic structure location. Ms. Megan Triolo with A Door Properties advised they had a letter of intention from homeowners in the neighborhood who would pay to have the structure moved onto two of their lots and possibly restoring the home. Ms. Campbell appreciated the efforts to salvage the historical property.

Omar Nagi voiced his support in moving forward with the development since the issue with the historic home had been resolved.

David Taylor, the attorney representing Junction at West Hill, offered his services to answer any remaining questions.

Rob Working was asked to perform the initial survey for A Door and was also available to answer questions.

Teresa Hill reminded everyone that the ultimate issue with the project was the scope and density per the Code.

Dottie Dubuisson thanked the Board for their patience and for listening to all of the conversations and agreed the project should move forward since the density and scope is as defined under the current Code; it is as defined by the neighborhood association, and it matches the 2009 Resolution that the Belmont/DeVilliers Neighborhood Association passed as well as the masterplan.

Ms. Deese provided an email from Eddie Todd, President of the Belmont/DeVilliers Neighborhood Association, which relayed their support for the project.

Mr. Kirschenfeld addressed the three stormwater ponds; it was determined the stormwater requirements would be considered at the commercial site plan approval. Mr. Grundhoefer asked about the design of the block wall; Mr. Lamar indicated the aesthetic design had not been developed, but there could be ways to enhance the aesthetic quality with the water cascading down to the lower pond. He advised the screening on the retention ponds would be vegetation.

Chairman Ritz emphasized that this was the preliminary plat approval phase, and the project would return to the Board for the final plat approval. Ms. Deese clarified that landscaping requirements would be addressed at the time of permitting. She stated plat approval did not consider renderings or code regulations pertaining to landscaping and aesthetics.

Mr. Monk questioned the entry to the roadway; Ms. Triolo stated originally there were gates on both sides, but at the request of the community, this would be an open drive. Ms. Campbell asked that on the final plat it would be nice to see something supporting the relocation of the historical property.

Mr. Grundhoefer addressed the lot sizes, and Ms. Triolo stated the square footage of the homes was downsized to 1300 square feet and under a \$200,000 price range.

With no other discussion, **Mr. Kirschenfeld made a motion to approve the preliminary plat, seconded by Ms. Campbell. It carried 5 to 1 with Mr. Monk dissenting.**

ITEM 2: North 9th Avenue Overlay District

Ms. Deese indicated this was in consideration of the LDC Amendment Section 12-2-14 – North 9th Avenue Corridor Management Overlay District. During the August 25, 2016 Planning Board workshop, Planning Board members cited several changes they would like to initiate relative to Section 12-2-24. The Ordinance has been provided with the proposed changes in a strike-through and underscore format with the new language in red. The lighting language was modified to include Board member Owens' feedback. Chairman Ritz indicated the Board began with Ms. Mack's draft, with the end product addressing City Council's instructions as well as input from citizens to the Board.

Mr. Monk stated the revised document was pushing in the right direction for 9th Avenue.

Mr. Grundhoefer asked about chain link fences being powder-coated and removing the vegetation requirement. Ms. Deese stressed chain link fencing with appropriate vegetation was hard to enforce. Mr. Grundhoefer recommended that vegetation be left in or not allow chain link fencing. Ms. Deese clarified that with DOT standards and drainage there would be other requirements besides landscaping such as a requirement for fencing.

Mr. Kirschenfeld supported leaving in the vegetation clause to shield the chain link fencing. It was decided to leave the language "will be permitted only if screened in their entirety by appropriate vegetation." It was also decided to remove the word "only" from black powder-coated.

Mr. Kirschenfeld was glad to have the December 31, 2024 date in (H) Conformity which provided the clause to bring existing businesses into compliance with the new requirements. He questioned how staff would inform existing developments of the new requirements, and Ms. Deese indicated they would be notified. However, there were concerns when property changed ownership and the information was not relayed. She offered in the weekly review meetings, property owners could be informed of the new regulations at that time but explained that unfortunately there will be property owners who do not complete their due diligence before purchasing.

Ms. Mack thanked the Board for their time and devotion to this issue. Regarding notification of existing property owners or when property changes hands, she asked if a link could be created on the City's zoning to link the property to the 9th Avenue Overlay requirements. Ms. Deese stated the City's site links to the Property Appraiser and the City's GIS map could provide the additional layer of information.

Ms. Mack also addressed 1. (a) Freestanding signs decorative covers. Ms. Deese stressed there could be a significant expense if only monument signage was allowed. The language was revised to "Monument signs are required; however, if a pole sign is existing, decorative covers to conceal the frame is required."

Mr. Kirschenfeld asked about 3. (c) 2. Freestanding signs may be uplit with landscape lighting. The language was changed to "uplit with shielded landscape lighting to promote dark sky lighting and minimize light pollution and nuisances."

Mr. Kirschenfeld made a motion to approve LDC Amendment Sec. 12.2.24 with suggested changes, seconded by Mr. Owens and it carried unanimously.

ITEM 3: Demolition of Historic Structures

During the August 25, 2016 Planning Board workshop, Planning Board discussed the current demolition process and lack of review and implementation of preservation standards and requirements. The Board was provided with sample ordinances from other jurisdictions with the understanding the discussion would continue at the next regular meeting, and proposed changes to the local Ordinance would be forthcoming. As the initial step, staff has provided the Board with proposed changes to Section 12-13-2 of the Ordinance, which establishes the Planning Board and includes the review of demolition permits within their charge. The Ordinance has been provided with the proposed changes in a strike-through and underscore format with the new language in red.

Additional information provided includes the suggestions provided to staff to date as well as a copy of Section 12-12-5. Since the Board would like to review demolitions which are outside of the historical districts and overlays, staff has provided the section of the Ordinance which regulates permitting and offers this as the most appropriate location for new language to be placed. Ms. Deese stated that she had discussed Sec. 12-13-2 – Planning Board with Ross Pristera of the UWF Historic Trust, agreeing that someone who was a historic preservationist should sit on the Board for those requests, and that language was added in paragraph (C) "The University of West Florida Historic Trust shall provide a Historic Preservationist as an advisor to the Board when the Board is scheduled to review a demolition request." Language also included that the Board could call upon any branch of the city government at any time for information and advice, with the Building Official serving as an advisor. Omar Nagi indicated that Pensacola was not listed on the Certified Local Government Program site which was a part of the National Historic Preservation Act Amendment of 1980. This program links federal, state

and local governments into a preservation partnership for identification, evaluation and protection of historical properties. He provided the Board with information to this site.

Ms. Dubuisson added her concern continues to be the only way to save the demolition from happening is by coming up with a solution – incentivize, encourage and in some ways sustain the maintenance of these houses. She wanted to see that any legislation moved forward to Council have a caveat that the Council look at all funds available from every source and come up with a means to make those funds available, with some support indicating that you cannot have demolition by neglect. Mr. Pristera explained that he was presently assisting with an ad valorem tax exemption for a historic property which was very complicated. He stressed the present tools for incentives need work to function better. He asked if a property comes up for demolition, was there notification to the adjacent property owners. Ms. Deese stated Board member Larson had provided an application for demolition covering a historic structure, but it could be possible to place notice requirements in the language itself. Mr. Pristera had no problem with providing an advisor, but wanted the public to be a part of the research as well. He advised UWF would provide the information and suggestions, but the determination of historical significance would be up to the Board. He saw the sample demolition application as providing the direction to begin the research process.

Mr. Kirschenfeld supported the posting of signage for a demolition. Ms. Deese stated in viewing the demolition application, staff did not want to draft an ordinance which might be in the wrong direction. However, if you have a list and if the property is listed, does it go the Planning Board, or would you review all demolitions; the Board would have to decide on that language, with Mr. Weeks knowing whether or not to send it to the Planning Board. Mr. Grundhoefer offered that a local registry could trigger the process into that category. Mr. Kirschenfeld felt the literature provided by staff included criteria which could be used to create a list. Mr. Grundhoefer suggested the demolition application did not have enough detail to include some of the properties needing to be saved. He asked about establishing the historic preservation board, and Ms. Deese offered at the prior Board meeting, based on the minutes, it seemed the Board was willing to take on the additional responsibility rather than creating a new board. Regarding the draft ordinance created by former City staff, Ms. Deese indicated it was broader than what the Board desired, covering conditional use permits, etc., and adding an additional layer of approval which could leave applicants with conflicting decisions.

Mr. Monk considered using UWF and the Planning Board as a review board and adding a designated staff person who could aid with the various applications and be funded with grant monies. Chairman Ritz stated staff members were not in the Board's powers, but it could be suggested to Council. Mr. Grundhoefer suggested the Board begin a process of incentives utilizing present staff for a trial period, then presenting to Council the need for a staff person. Mr. Kirschenfeld proposed a historical review board comprised of 7 members with expertise in historical grants, architecture and geography to determine if a demolition permit should be issued. He indicated the Board could develop an ordinance to be forwarded to City Council which created a new volunteer board. He also wanted to see this new board entertain nominations for historical structures so citizens could bring potential properties for approval on the historical list using the appropriate criteria.

Mr. Grundhoefer suggested revising the previous draft ordinance to include demolition, renovations and upkeep of historic structures not included in the ARB districts.

Elizabeth Benchley, an archaeologist with UWF, appreciated the continuing discussion of historic structures. The Historic Pensacola Preservation Board was developed in the 1970s, creating the historic districts in cooperation with the city, the county and local citizens. That board was transformed into the West Florida Historic Preservation, Inc., and then merged with UWF for what is now the UWF Historic Trust. Many properties were placed on the National Register, with the ARB and historic districts being set up. As budget pressures occurred, the city and the county both withdrew funding from the cooperative

agreement, and now we think of the ARB and historic preservation at UWF as being separate; however, it was always part of the community. She suggested obtaining grants to get the survey work done, with Mr. Pristera helping to manage the endeavor. She emphasized that state grant money is available every year for these surveys. She proposed surveying the whole city and getting a special category grant for \$500,000. She advised looking at CLTs which have model legislations for setting up historic commissions. She agreed having a designated City staff person would also help. She also emphasized that historic preservation includes archaeology. As of now, Policy 1 of the City Council addresses archaeology on city property, but it is not being followed. She encouraged the Board to revisit historic preservation.

Mr. Monk wanted to explore the previous City staff draft document to get clear definitions, possibly having a workshop to consider each element. Mr. Grundhoefer stated the Board needed to decide on creating a historic preservation board and developing an ordinance that addresses the demolition aspect which might take another staff person other than the Board to accomplish. He suggested bringing this to Councilman Spencer's attention on whether he felt the Board needed to develop an ordinance to protect the historic structures or establish a board or a staff person to help with the project.

Mr. Monk made a motion to table the item until the next Board meeting pending clarification from Councilman Spencer on what the Board needed to be doing. Ms. Deese read the motion from Councilman Spencer with instructions to the Board. **Mr. Monk still wanted to table until next month and potentially longer with a workshop in the future.** Ms. Campbell seconded the motion. **Chairman Ritz stated as part of the tabling motion to request staff gain clarification from Councilman Spencer which would help the Board deliberate.** Ms. Deese asked if it was possible to add this discussion item to the next Board agenda instead of a workshop since it appears the agenda could be fairly light next month. Ms. Campbell asked if Mr. Pristera and Ms. Benchley could be present at a future workshop. **Mr. Kirschenfeld offered an amendment in addition to tabling to the next Board meeting, to specifically include discussion on the Cosson ordinance and establishment of a new board.** Ms. Deese clarified that staff would revise the draft ordinance based on comments from the Board and have as a separate agenda item as requested. **The amendment was accepted and the motion carried unanimously.** Ms. Deese explained that even though it is not a City board, the community has a historic preservation board in UWF. Ms. Benchley stated with all the expertise available at UWF, they would be willing to participate in a workshop to give the Board a broader perspective.

New Business - None

Open Forum – Ms. Dubuisson thanked the Board and asked them to look at past mistakes and capsule the reasoning behind what the Board is doing which would help the public understand why something is or is not approved – preventing future problems and adding value. She asked that they educate the public in every way they could because when they understand the reasoning behind it, they are more likely to support it.

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 3:55 pm.

Respectfully Submitted,



Brandi C. Deese
City Planner
Secretary to the Board