



MINUTES OF THE PLANNING BOARD

December 13, 2016

MEMBERS PRESENT: Paul Ritz-Chairman, Nina Campbell, Danny Grundhoefer, Kurt Larson, Nathan Monk

MEMBERS ABSENT: Kyle Owens

STAFF PRESENT: Brandi Deese, Leslie Statler

OTHERS PRESENT: Diane Mack, Don Kraher

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from November 8, 2016
- LDC Amendment – Section 12-14-1 (Definition of Building Height)
- Open Forum
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:06 pm with a quorum present. He gave instructions to the audience on the rules and procedures of the Board.

Approval of Meeting Minutes

Mr. Larson made a motion to approve the November 8, 2016 minutes. Ms. Campbell seconded the motion, and it carried unanimously.

LDC Amendment – Section 12-14-1 (Definition of Building Height)

Ms. Deese introduced the item which proposed to address concerns relative to surface parking lots and building height and explained the reason for adjusting the height. It has been mentioned several times in the recent past, by citizens and developers alike, that the City should discourage the use of surface parking lots or encourage development that hides the parking area, especially in prime locations within the City. In an effort to address those comments, the attached draft ordinance amends the definition for building height. The proposed amendment changes the definition for building height to be measured from the lowest habitable floor elevation instead of the current definition which measures it from the average elevation of the finished grade. This amendment would encourage parking below the first habitable floor elevation in prime locations where multi-story structures are most likely to be erected. This amendment creates an incentive to contain the parking underneath the building so that portion of the structure is not calculated into the building height, and at the same time it creates a more buildable footprint. Chairman Ritz discussed this issue with fellow architects and colleagues, and their concern was the lack of engagement when storefronts are elevated.

Mr. Larson gave examples in Tampa and Denver which have floors 1 through 3 for parking and 4 through 6 residential. Mr. Grundhoefer pointed out some zones are not suitable for multi-story which could then be constructed.

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

Mr. Monk explained if we isolate more areas to be historically preserved, up is the only way to build. Ms. Deese stated in development review meetings over the past year or two, it was shown that developers would benefit from this amendment.

Mr. Larson asked if it was possible to have a 35 foot parking structure and a 35 foot building, and Ms. Deese confirmed it was possible but not likely. Mr. Grundhoefer explained parking structures in New Orleans using car elevators to stack cars on parking decks, and this would not be acceptable in a residential neighborhood. Ms. Deese reiterated that it is not financially feasible in a medium to low density residential zoning district to construct a parking garage and she could not see that occurring. Ms. Deese also explained for transparency that this agenda item was drafted prior to last Wednesday's development review meeting where a developer proposed a project that would benefit from this amendment. She continued by stating that staff was unaware of this specific project at the time the Planning Board Agenda was created.

The Board then discussed flood and grade elevation. Mr. Grundhoefer suggested language "limited to one level of non-habitable space" to discourage parking garages with the first habitable space being 30-40-50 feet above grade in a zone allowing a 35 foot height limitation. They discussed a scenario of 90 feet of parking with one level of building and Ms. Deese again stated that was extremely unlikely that it would occur. Chairman Ritz did not think one level was enough.

Ms. Deese explained that in C-2A and C-3 you can build up to 100 feet, and even higher up to 150 feet however, it begins to dictate the percentage of lot coverage. Mr. Grundhoefer was concerned with residential zones; Ms. Deese stated the downtown area was the primary target.

The Board then discussed zones; consensus of the Board was exclude residential zones. Chairman Ritz asked for a motion. Ms. Deese read the revisions to the draft: **Building height means the vertical distance of a building measured from the average elevation of the finished grade to the highest point of the roof, except in a special flood hazard area where the height of a building is measured from an elevation established three (3) feet above the required base flood elevation. In C-1, C-2, C-2A, C-3, M1 and M2 zones, the measurements are from the lowest habitable floor elevation to the highest point of the roof.** Mr. Larson made a motion to adopt the amendment, seconded by Mr. Monk, and it carried unanimously.

Open Forum – Ms. Diane Mack thanked the Board for the support of the 9th Avenue Corridor Management Ordinance which was passed by the City Council. Chairman Ritz thanked Ms. Mack for her ground work on the ordinance. As a result, Mr. Monk explained he was more cognitive of the corridor being more of a thoroughfare through a neighborhood rather than a highway.

Mr. Grundhoefer asked for an update on the historic preservation ordinance.

Mr. Kraher stated the item is in the legal department for review. They are ironing out concerns with the city attorney and council chair, with the hope to present it to Council in January 2017. Mr. Grundhoefer was concerned with legal changing the intent. With the moratorium expiring in March, it was important to get the ordinance to Council for two readings. Mr. Kraher preferred the attorney speak to the three issues being considered, one of which was the Board's authority to impose fines, the definition of a historic structure, and a concern with the ordinance which was presented being stricter than what is currently in place in the historic district (state act). He explained this Board was considered a recommending board. Ms. Deese pointed out the Board had quasi-judicial proceedings but it was only limited to variance requests. Mr. Kraher indicated fines would be enforced by Code Enforcement and the Magistrate. Mr. Kraher advised the goal for the historic preservation ordinance was to get the recommendation through City Council in two meetings before the expiration of the moratorium in March. The first reading would be February 2017 and second reading March 2017 prior to the moratorium expiration.

Mr. Larson thanked the Board for its discussions and Chairman Ritz for his leadership.

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 2:49 pm.

Respectfully Submitted,

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

Brandi C. Deese
City Planner
Secretary to the Board