



## PLANNING SERVICES

### MINUTES OF THE PLANNING BOARD

January 8, 2019

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner, Mayor Robinson, Laurie Byrne, Constituent Services, Ross Pristera, Advisor

**OTHERS PRESENT:** Bill Weeks, Teresa Hill, Bennett Shuman, Nannette Chandler, David Peaden, Greg Dziadon, Kacee Bidnick, Steven Sebold, Chris Palmer, Marcie Whitaker, Fred Gunther, Tim Evans, Drew Buchanan, Councilwoman Ann Hill

#### AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from November 13, 2018.
- New Business:
  1. **Consider Zoning & FLUM Amendment for Airport Annexation Parcels**
- **Discussion Item: Amendment to Land Development Code for Historic Preservation Commission**
- Open Forum
- Adjournment

#### Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:02 pm with a quorum present.

#### Approval of Meeting Minutes

Ms. Wiggins made a motion to approve the November 13, 2018 minutes, seconded by Mr. Larson, and it carried unanimously.

#### New Business

##### Consider Zoning & FLUM Amendment for Airport Annexation Parcels

Mr. Dan Flynn, Pensacola International Airport Director, is requesting to rezone the City-owned properties included within the recent City of Pensacola annexation approved through Ordinance 25-18 to ARZ, Airport Restricted Zoning District. This request also requires a Future Land Use Map (FLUM) Amendment to A, Airport. The zoning district and FLUM designation were previously under the jurisdiction of Escambia County. Since the properties now lie within the jurisdictional boundary of the City of Pensacola, the applicable zoning district and FLUM designation need to be established.

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Mr. Grundhoefer asked why this was pertinent, and Chairman Ritz explained it was because the property was in Escambia County prior to annexation and needed to be changed in jurisdictional coverage. Ms. Deese confirmed the property was city-owned and annexed in December 2018.

**Mr. Larson made a motion to approve, seconded by Ms. Wiggins.** Chairman Ritz asked for audience speakers, and there were none. **The motion then carried unanimously.**

**Discussion Item: Amendment to Land Development Code for Historic Preservation Commission**

Chairman Ritz stated he appreciated all the public dialogue regarding this item. It seemed the 50-year time limit was the point of concern and was an awkward time limit. He expressed his concern over the suburban ranch house with attached garages being considered historic in just a few years. Ms. Wiggins had researched this item and had spoken with the head of the Certified Local Government with the State to get more background. Her biggest concern was with property rights, and she advised the 50-year timeframe was with the Department of State and was not historically significant; our ordinance automatically considered the 50-year measure as historic, and she did not feel that was the intent of the Department of State. She referred to the last meeting when Mr. Weeks brought up Florida Statute 70 addressing property rights. She had asked the City Attorney through the staff to weigh in regarding this ordinance. A determination to see if this was a conflict was not available at this time. She further stated that being on the National Registry was an honorary title and did not prevent demolition. In order to be certified, the staff has to attend workshops and conferences, and money would have to be allocated for staff and these functions. Also, there would be competition between 75 cities for any grant money. She felt if the City could govern demolition within the structure they currently have, there was no reason to form another board.

Mr. Monk agreed that the work on the 2016 ordinance was very exhaustive and specifically targeted demolition. It had been workshopped with tremendous citizen involvement and was a very good beginning. He felt it was not the government's responsibility to oversee morals and ethics. If the Board was to start over with another ordinance, it would be another nine months, with more demolitions occurring in the meantime. He agreed property rights were very important, but the history of Pensacola was owned by every resident. He emphasized more and more of what makes us Pensacola was disappearing. Other cities had found ways to balance property rights and manage demolition; this was also covered in the ordinance of 2016 and was closer to where the citizens wanted us to be.

Mayor Robinson thanked the Board for their service and stated he grew up in the Pensacola Heights and Cordova Park neighborhoods which were not considered historic. He was concerned about where we draw the timeline to consider what is defined as historic. He was reminded there were some Frank Lloyd Wright houses from the 1960s that would be architecturally worth saving, but there were some ranch homes that could be replaced without making Pensacola a worse place.

Chairman Ritz explained with having this item as a discussion, no action was anticipated at this time, and there had been enough input to keep the discussion open longer to answer any remaining questions. He referenced Councilwoman Cannada-Wynn's letter regarding historic homes versus property rights and used his own home of 100 years+ as an example - having nothing historically relevant to it but certainly at the 50-year mark. Mr. Monk was comfortable without the 50-year mark but was concerned with the shotgun type homes disappearing and wanted more discussion. Ms. Wiggins stated we need to be careful in defining "old" as "historic" and not devalue the true historic assets in the city. Saving something just to save it would lead to dilapidation due to the costs to maintain as well as gentrification because homeowners can't afford to live in their homes. Chairman Ritz pointed out if your renovation cost exceeds 50 percent of the building cost, you must bring it up to Code. Mr. Grundhoefer stated the guidelines set up two years ago specifically addressed the types of structures considered historic or significant. He asked if the Board should take Councilwoman Cannada-Wynn's suggestion and establish a historic preservation commission which could vet this document the Board was putting together.

He still felt it was a good document since it did not restrict or deny but simply delayed demolition in order to vet another opportunity to save the structure.

Mr. Monk felt the Board could take on the responsibility for review and fit it into the agenda rather than establishing another commission. Ms. Wiggins added there was only one benefit to being certified which was the ability to apply for grant money and obtain training, but it was very political and would not pay for the board itself or the accommodating staff. Mr. Monk stated he would not be offended if the City reinvested in those types of hardships. Ms. Wiggins suggested there might be private investors who were passionate about historic rehabilitation and might be willing to invest.

Bill Weeks referred to Section 5 of the Historic Preservation Commission document regarding knowledge of and a demonstrated interest in historic, architectural and aesthetic development. He was concerned with ending up with airstream trailers and a coffeehouse made out of shipping containers which were all approved by the ARB. He also pointed out Section 6 (d) stating he could opt out in writing, but the commission and Council could place him in a historic site or area and violate his property rights. He suggested the Board had the perfect opportunity two years ago when UWF offered to perform a study of Pensacola to determine the historic areas. He advised this needed to be defined and let the experts decide what is historic and what is not – not taking a shotgun approach to the entire city to determine what is historic and what is not.

Mr. Gunther advised he had purchased and renovated a number of older houses, and his biggest concern was the age determination and thought it was over-reaching in determining the color and landscaping which might deter investment within the city.

Mr. Pristera stated he liked the work they performed two years ago but did not like the current document. However, there were some misconceptions he wanted to clarify. He explained the National Park Service set a standard, with 50 years being the starting point, to look at a property to determine if it is historic – it was just a starting point. After that, they have established criteria for evaluation, and you must meet one or more categories either associated with events, significant people, architectural significance or archaeological significance. Once you have met one, the next would be integrity and how the property has changed over the years and did it retain its significance. There would still need to be additional research to make the historical determination. This was what the National Parks and National Registry followed. He pointed out most 50-year old structures would not qualify as historical.

Mr. Pristera performed a district survey in Defuniak Springs of over 300 properties following the National Park Service standards. On the Florida Master Site File, it asked if the structure was National Register eligible and/or National District Register eligible. Concerning ranch houses, some places not significant on their own could potentially be significant as a district. He pointed out the City could file for Survey and Planning Grants and either hire a consultant or have someone in-house to do survey work and define which areas of the city needed some attention and what potentially was historic. The neighborhood could then give their input if they wanted an ordinance to protect their resources which is the only way it works – a buy-in from the community. He considered Section F with powers and duties and did not know who on the Commission would be performing all the homework, but felt something needed to address demolition and offer an evaluation on a property with an opportunity to possibly move the structure, however, he was not in favor of another board. Mr. Grundhoefer asked if a demolition permit was applied for a 50-year old house, could it be forwarded to Mr. Pristera for a determination, and Mr. Pristera advised he could assist, with simple ones taking possibly 30 minutes and older ones a little longer. But if it was determined historic, he also did not want to see it rot. He was also concerned with what would replace it.

Chris Palmer, the incoming President of the Northwest Florida Chapter of NAIOP, their commercial real estate trade association, stated from their prospective they were concerned about this document and were not opposed to changing demolition ideas or things which preserve character, but this document was something they were keeping their eye on because they thought it might be problematic.

Nanette Chandler, a realtor, stated she had done historic renovations.

She explained some clients will specifically say they do not want to be in a historic district because they cannot adhere to the parameters for construction renovation or they are not interested in doing so. If there was a buy-in from specific districts stating this was a new historic district and those people who live there would agree to it, whenever they sell their home, the next person could adhere to those requirements. You would not be forcing a property owner to do anything differently and infringing on their property rights. The document needed to be specific with the requirements for each district and very straight forward. She pointed out gentrification was also a real concern. She stated her home was relocated and completely renovated, however, there was no way her neighbor could accomplish this on a fixed income.

Chairman Ritz offered the document in this agenda item was inadequate for Pensacola's needs and not wanted by anyone. This document was best served by being taken away from the Board's plate. Mr. Monk then recommended that the 2016 ordinance be on next month's agenda for discussion and vote. Chairman Ritz agreed since citizens had gotten more involved, and the Board needed to address the historic fabric of Pensacola in a way that was fair and equitable to the citizens as a whole as well as individual property owners. He did not believe there was a need for another board; this board could do that evaluation, and if it got too cumbersome, it could be addressed at that time. Going forward, the Board should revert to discussing the previous 2016 ordinance and restart that process.

Ms. Wiggins addressed the current document referring to 1(g) "The city council desires for the city to become a Certified Local Government." She wanted clarification on what the Board was being asked to do. Mr. Grundhoefer stated the document was an example, and the Board was to decide to use it or not use it. Chairman Ritz stated it was a discussion point, and the Board could recommend anything. Mr. Grundhoefer explained Councilwoman Cannada-Wynn was asking the Board to evaluate if we should develop the preservation board or the Planning Board, ARB or city staff could take care of these structures. Mr. Monk pointed out that Council had asked this of the Board two years ago and then punted. Ms. Campbell advised she was comfortable with the 2016 ordinance and comfortable in making a recommendation to Council to revisit that 2016 ordinance. Ms. Deese stated the Board had recommended a workshop and because of the light agenda, staff scheduled the document as a discussion item, and this was something which needed to be discussed at a regularly scheduled meeting as an agenda item. A formal recommendation or vote should not be held today. She explained staff has already received an application for the February 12th meeting, and this could be added as an agenda item for that meeting.

**Mr. Monk made a motion to bring back the 2016 ordinance at next month's meeting for further discussion and potential vote, seconded by Ms. Campbell.** Ms. Wiggins was worried there would not be time for public input and requested possibly two months. Chairman Ritz explained the Board could make recommendations at the February meeting to include future workshops. Mr. Monk stated the ordinance was workshopped substantially, and the Board would simply be passing this as a recommendation to Council; it would then have the previous workshop materials, review and discussion in February, and then proceed to Council to pass or fail. Ms. Deese explained the ordinance would go through at least two Council meetings, and Ms. Wiggins was comfortable with that timeframe.

Mr. Shuman informed the Board he was not familiar with the document, and Ms. Deese advised it was part of the agenda packet and offered to furnish him with a copy. **The motion then carried unanimously.**

Mr. Grundhoefer suggested since the ordinance was only six pages, the Board should recommend a process, and if the Planning Board would take this on instead of developing a Preservation Commission, that recommendation should be made since Councilwoman Cannada-Wynn asked for that consideration. Chairman Ritz advised this Board's official term ends July 2019, and whoever sits on that Board would reap the benefits of the decision coming from the Board in either making or not making more work for them.

**Open Forum** – None.

**Adjournment** – With no further business, Chairman Ritz adjourned the meeting at 3:04 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Brandi C. Deese". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brandi C. Deese  
Secretary to the Board