



City of Pensacola

City Council Special Meeting

Agenda - Final

Monday, July 10, 2017, 1:30 PM

Hagler-Mason Conference Room,
2nd Floor

Quasi-Judicial Hearing - Review of Architectural Review Board Decision - 101 East Main Street - Palafox Historic Business District, C-2, Signage

ROLL CALL

ACTION ITEMS

1. [17-00407](#) QUASI-JUDICIAL HEARING: REVIEW OF ARCHITECTURAL REVIEW BOARD (ARB) DECISION - 101 E. MAIN STREET, PALAFOX HISTORIC BUSINESS DISTRICT, C-2A, SIGNAGE
Recommendation: That City Council conduct a Quasi-Judicial hearing to review the Architectural Review Board's decision of April 20, 2017 regarding 101 E. Main Street, Palafox Historic Business District, C-2A, Signage.
Sponsors: Brian Spencer
Attachments: [101 E. Main St. - Notice of Appeal](#)
[4-20-17 - ARB Meeting Minutes - 101 E. Main St.](#)
[Sec. 12 2 21. Palafox historic business district.](#)

DISCUSSION ITEMS

ADJOURNMENT

If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 17-00407

City Council

7/10/2017

LEGISLATIVE ACTION ITEM

SPONSOR: City Council President Brian Spencer

SUBJECT:

QUASI-JUDICIAL HEARING: REVIEW OF ARCHITECTURAL REVIEW BOARD (ARB) DECISION - 101 E. MAIN STREET, PALAFOX HISTORIC BUSINESS DISTRICT, C-2A, SIGNAGE

RECOMMENDATION:

That City Council conduct a Quasi-Judicial hearing to review the Architectural Review Board's decision of April 20, 2017 regarding 101 E. Main Street, Palafox Historic Business District, C-2A, Signage.

HEARING REQUIRED: Quasi-Judicial

SUMMARY:

This item was initially an abbreviated review; however due to the nature of the request, it was determined that a review by the entire Board was appropriate.

The applicant initially requested a non-illuminated monument sign and an illuminated attached wall sign for the Holiday Inn Express. The proposed signage includes a monument sign to be located on E. Main Street as well as two attached wall signs. The building fronts two streets and is allowed signage on two elevations. The proposed signage is blades and not flat-mounted signage. Colors are consistent with the branded flagship. The applicant further stated that it was felt that the request for illuminated signage was not out of line when looking at the surrounding area and that due to the design of the Holiday Inn Express logo reverse lit signage would not work.

The applicant amended the application, asking the ARB to consider internal illumination on the wall signs and offered as a compromise an internally illuminated sign where the colored portion of the sign would be opaque, and only the white letters would have light illuminating from behind, creating the effect of channel letters.

During the discussion, Board member Townes intimated that through interpretation of the Code related to the Palafox Historic Business District, the Board would make a subjective decision, trying to maintain the historic integrity of the district, one of the factors drawing Holiday Inn to this location. Further opining that the Board should evaluate if the Board would continue to hold the historic character of the district with non-illuminated signs throughout the area so that this facility and all the other facilities who have complied are very visible at night, stating that outside light directed onto the signage has worked on numerous occasions.

Mr. Mead explained that when you create a single point of light, you create the impression of shadow where it really does not exist, but it makes people feel there are darker places than there really are, and it impacts the street feel.

A motion was made by Board Member Townes to approve non-internally illuminated signs but to allow the applicant to externally illuminate the sign with appropriate uplighting, this motion received a second by Board Member Campbell. Board Chairman Quina clarified that one motion to deny the existing request for illuminated signage is being denied while accepting the conditional approval as stated in the original motion.

Prior to a vote being taken, the applicant stated that it was very possible that the Holiday Inn Corporation would seek internally illuminated signage in one of two ways; via the opaque compromise that was offered or similar to the Bank of Pensacola signage which is reverse channel.

A vote on the motion to deny the internally illuminated signage request and to conditionally approve a non-internally illuminated sign, allowing applicant to externally illuminate the sign with uplighting was taken and passed unanimously.

TO NOTE: In February of 2017 the City Council, through a Quasi-Judicial hearing overrode an ARB decision denying internally illuminated signage on the YMCA, thereby permitting such signage within the Palafox Historic Business District.

PRIOR ACTION:

April 20, 2017 - ARB decision regarding 101 E. Main Street
February 9, 2017 - City Council decision regarding YMCA Signage

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) 101 E. Main St. - Notice of Appeal
- 2) 4-20-17 - ARB Meeting Minutes - 101 E. Main St.
- 3) Sec. 12_2_21. _ Palafox_historic_business_district

File #: 17-00407

City Council

7/10/2017

PRESENTATION: Yes

Office of the
City Clerk

City of
Pensacola



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MEMORANDUM

TO: City Council President and Members of City Council

FROM: Ericka L. Burnett, City Clerk *ELB*

DATE: May 5, 2017

SUBJECT: Review of Architectural Review Board Decision – 101 E. Main Street, Palafox Business District, C-2A, Signage

Pursuant to Section 12-13-3(M) *Procedure for Review*, of the City Code, I am in receipt of a Notice of Appeal (forwarded by Sherry Morris, Planning Services via email) from Kramer A. Litvak, Attorney for Appellant, affected by the April 20, 2017 action of the Architectural Review Board. The board decision being requested for review is **Agenda Item 3, 101 E. Main Street, Palafox Historic Business District, C-2A, Signage.**

Attachments:

- 1) 4/24/2017 Letter from Kramer A. Litvak (received 5/5/2017)
- 2) City of Pensacola Code of Ordinances Section 12-13-3(M) Architectural Review Board – Procedure for Review

Cc: Don Kraher, Council Executive
Eric Olson, City Administrator
Lysia Bowling, City Attorney
Sherry Morris, City Planner

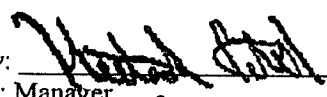
NOTICE OF APPEAL
OF
ARCHITECTURAL REVIEW BOARD DECISION

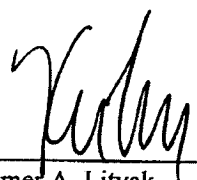
TO: CITY COUNCIL OF THE CITY OF PENSACOLA

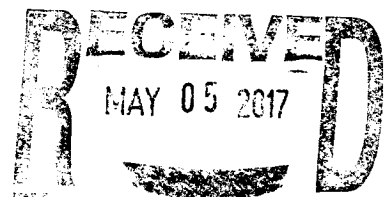
DATE: April 24, 2017

Pensacola Downtown Hotel, LLC, a Florida limited liability company (the "Appellant"), hereby requests a review by the City Council of the City of Pensacola (the "Council") of the decisions made by the Architectural Review Board of the City of Pensacola on April 20, 2016²⁰¹⁷ concerning New Business – Item 3 of the Agenda, 101 E. Main Street, Palafox Historic Business District, C-2A, Signage.

Pensacola Downtown Hotel, LLC

By: 
Its: Manager
Dated: April 26, 2017


Kramer A. Litvak
Florida Bar No.: 965881
Litvak, Beasley Wilson & Ball, LLP
226 East Government Street
Pensacola, FL 32502
(850) 432-9818
Attorney for Appellant
kramer@lawpensacola.com



City of Pensacola Code of Ordinances

Sec. 12-13-3(M) – Architectural Review Board

- (M) ***Procedure for review.*** Any person or entity whose property interests are substantially affected by a decision of the board may within fifteen (15) days thereafter, apply to the city council for review of the board's decision. A written notice shall be filed with the city clerk requesting the council to review said decision. If the applicant obtains a building permit within the fifteen-day time period specified for review of a board decision, said permit may be subject to revocation and any work undertaken in accordance with said permit may be required to be removed. The appellant shall be required to pay an application fee according to the current schedule of fees established by the city council for the particular category of application. This fee shall be nonrefundable irrespective of the final disposition of the application.



PLANNING SERVICES

THE UPSIDE of FLORIDA

Architectural Review Board

MINUTES OF THE ARCHITECTURAL REVIEW BOARD

April 20, 2017

MEMBERS PRESENT: Chairman Carter Quina, Ben Townes, George Mead, Ray Jones, Susan Campbell-Hatler, Nina Campbell

MEMBERS ABSENT: Michael Crawford

STAFF PRESENT: Brandi Deese, Leslie Statler, Ross Pristera, Advisor, Bill Weeks, Inspections, Victoria D'Angelo, CRA

OTHERS PRESENT: Allen Bounds, Neil Jernigan, Tim Whiteley, Steve Salter, Terry Nall, Fran Jones, Michael Boles, Christy Cabassa, David Bonnell, Elizabeth Schrey, J. Veal, Robert Montgomery, Brian Spencer, Sam Kuhn

CALL TO ORDER / QUORUM PRESENT

Chairman Carter Quina called the Architectural Review Board (ARB) meeting to order at 2:01 p.m. with a quorum present.

APPROVAL OF MINUTES

Ms. Campbell made a motion to approve the March 16, 2017 minutes, seconded by Mr. Mead. Mr. Mead suggested that everyone pay particular attention to Item 7 since it has been noticed for appeal to City Council, and if there is anything with a discrepancy that concerns them, the Board should address it. Chairman Quina stated the reason this item was in such detail was because there was the potential that it would be appealed. The information forwarded to Council for their review was clear in stating the basis of the decision of the Board to approve but suggesting the buildings and garages be close enough to the street where a car could not park. Ms. Deese advised the minutes were typically standard evidence presented at the hearing. **The motion then carried unanimously.**

OPEN FORUM – None

NEW BUSINESS

Item 1 **134 Cevallos St**

Fence

PHD

HR-2 / Wood Cottages

Action Taken: Tabled to await applicant then approved.

James and Susan Reeves are requesting approval for the addition of a historic wrought iron fence at the front yard garden area. The proposed fence will be located on both sides of the front walkway leading into the residence. The applicant did not indicate the color for the fence and has not provided the approval from the Aragon ARB. With no applicants to represent the item, **Mr. Jones made a motion to table the item and obtain information on the height of the fence. Mr. Mead seconded the motion. The motion carried unanimously.** It was determined that the Board would meet within 28 days to reconsider the item. Mr. Townes explained the Board had never reviewed an item without the applicant being present unless there were extenuating circumstances.

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

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Mr. Mead was not aware of any provision requiring the applicant to be present. Ms. Deese explained at the beginning of the agenda it states, "The applicants or authorized agent must be present for the public hearing in order for the Board to act upon their request." **Mr. Mead made a motion to reconsider Item 1, seconded by Mr. Townes.** Mr. Townes recommended delaying the item until the end of the meeting since Ms. Deese had notified them. **The Board agreed unanimously.**

(After Item 8, the Board returned to Item 1.)

Mr. Hagen stated the fence was identical to a photo of a fence on Government Street, with the height being around 34" and posts less than 36" and was the fence removed from another property. He stated it was not a containment fence and would have landscape behind it. He advised they would set a structural post at the terminating posts for support. He was not aware that Aragon ARB approval was necessary. Ms. Deese clarified that the Board could make its approval contingent on the Aragon approval. Mr. Mead questioned the material, and Mr. Hagen stated it would be aged black wrought iron with patina.

Mr. Mead made a motion to approve contingent on Aragon ARB approval, seconded by Ms. Campbell-Hatler. The motion carried unanimously.

Item 2
Contributing Structure
Action Taken: Approved.

410 W. Blount St

NHBD
PR-1AAA

Allen Bounds is requesting to construct a brick retaining wall along the perimeter of the front yard. The proposed retaining wall will be constructed of brick to match the house and will be capped with a soldier course. Brick pillars will set the ends and corners. Chairman Quina pointed out North Hill had no objections to the project, and it was the only house without a retaining wall in that section. **Mr. Townes made a motion to approve, seconded by Ms. Campbell.** Mr. Jones asked for clarification on the brick. Mr. Bounds advised the structure was around 90 years old, but they were able to closely match the brick and mortar. **The motion then carried unanimously.**

Item 3
Signage

101 E. Main St

PHBD
C-2A

Action Taken: Approved with external illumination (internal illumination denied).

Steve Salter is requesting a non-illuminated monument sign and illuminated attached wall signage for the "Holiday Inn Express" currently under construction. The proposed signage includes a monument sign to be located on E. Main Street as well as two attached wall signs. This building fronts along two streets and is allowed signage on two elevations. The attached wall signage proposed is blades and not flat-mounted signage. Colors are consistent with the branded flagship. Ms. Deese stated the original application was submitted as an abbreviated review to Mr. Crawford who felt the scale of this project should go before the whole Board. Information was later received that the applicant would like the Board to consider internal illumination on the wall signs.

Mr. Salter, the sign contractor, explained the original request was for a non-illuminated monument sign and wall signs. However, the Holiday Inn Corporation was pushing for internally illuminated signage. He did not think the request was out of line when looking at the surrounding area. Due to the design of the Holiday Inn Express logo, reverse lit would not work. He presented as a compromise an internally illuminated sign where the colored portion of the sign would be opaque, and only the white letters would have light illuminating from behind, creating the effect of channel letters.

Mr. Mead asked for a summary of the disposition of the YMCA signage. Ms. Deese explained the evidence presented for the YMCA signage displayed that requirements within the Code for this district do not explicitly spell out that internal illumination is prohibited; all the language is subjective, and Council took that evidence and voted unanimously to overturn. She suggested this location is different from the YMCA. Mr. Mead questioned the fact that the mullions have not been applied to the windows as approved. Mrs. Deese advised that the window mullions were not appropriate for this discussion but would be researched by staff.

Mr. Townes explained that the Board would make a subjective decision and try to maintain the historic integrity which was one of the factors drawing the Holiday Inn to this location; the Board should evaluate would the Board continue to hold this historic character with the non-illuminated signs throughout that area so that this facility and all the other facilities who have complied are very visible at night – outside light directed onto the signage has worked on numerous occasions. He was pleased with the original non-illuminated package and stated external illumination would be a good compromise. Mr. Salter advised they could use up lighting possibly mounted to the building.

Mr. Mead explained that when you create a single point of light, you create the impression of shadow where it really does not exist, but it makes people feel there are darker places than there really are, and it impacts the street feel.

Mr. Townes made a motion to approve non-internally illuminated signs but allow the applicant to externally illuminate the signs with appropriate uplighting, seconded by Ms. Campbell. Ms. Deese asked if it would be appropriate for the Board to make two different motions to make sure that it is clear. **Chairman Quina clarified one motion to deny the existing (request) and a motion to accept (the Board's conditional approval).** Upon discussion, the Board found the motion to be clear in its intent and the illuminated sign proposal is being denied. Ms. Deese stated she anticipates an appeal, and the motion needed to be very clear. Mr. Salter stated it was very possible they will seek internally illuminated signage in one of two ways. One with opaque (what was presented as a compromise) or like the Bank of Pensacola signage which is reverse channel. Mr. Salter accepted the Board's motion for external illumination and would take that back to his customer. **Chairman Quina confirmed, and the motion carried unanimously.**

Item 4 **43 S. Palafox St.**

PHBD

Demolition / Contributing Structure

C-2A

Action Taken: Approved.

James Veal, J Veal Architect, is requesting approval for the demolition of an addition on the rear of a contributing structure in conjunction with a renovation project. The area proposed for removal began as a carport structure and was later enclosed to provide additional storage. The applicant is proposing to remove the addition to expose the rear of the original contributing structure.

Mr. Veal provided additional photos to the Board. He advised that one of the concepts they were trying to do was to create a future private driveway with internal access to the Blount Building and others. Through this renovation, they would provide an upgraded rear entrance and a breezeway connecting to Palafox Street. The current tenants are Dollarhide, and they might open up the south façade of Dollarhide for other tenant spaces, with the Palafox façade having a couple of tenants, and the northwest portion possibly having some mini-storage use. **Ms. Campbell-Hatler made a motion to approve, seconded by Ms. Campbell.** Chairman Quina confirmed the Board was satisfied with the demolition and the applicant returning with project plans. **The motion then carried unanimously.**

Item 5 **50 E. Garden St.**

PHBD

Contributing Structure

C-2A

Action Taken: Approved.

J.P. MacNeil, Architectural Affairs, is requesting final approval for façade modifications as well as attached wall signage to accommodate a brewery. This project was conceptually presented to and approved by the Board in February 2017. The scope of work includes façade modifications in the form of recessing the storefront on the eastern portion of the building and utilizing glass garage doors for ingress/egress. Additionally, a flat metal canopy is proposed to extend over the sidewalk in front of the eastern storefront. The western storefront was conceptually approved to have a graphic screen applied over the existing storefront with up-lights placed directly over this feature. The current renderings have replaced the glass storefront with glass garage doors to match the eastern entrance. Signage consists of painted letters on the brick as well as an attached wall sign between the two entrances.

Mr. Jones made a motion to approve, seconded by Mr. Mead. It was clarified that the glass would be Low E clear glass, and there would be one awning on the east side. **The motion carried unanimously.**

Item 6 **224 W. DeSoto St**

NHPD

Contributing Structure

PR-1AAA

Action Taken: Approved.

Neal Jernigan, NJ Contractors, is requesting approval to replace the decking of a wraparound porch on a contributing structure with Aeratis composite deck material. The porch deck was replaced several years ago and is in need of replacement again. The applicant is proposing to use a composite material which visually replicates wood and is tongue-in-groove. This product has been approved for use within the Vieux Carre as well as other areas of architecturally historic relevance.

Mr. Jernigan explained the original floor was replaced four years ago, and the owner requested a composite material. He advised the owner preferred the Heritage type. Andrew Gilley with Aeratis advised their product had been approved in 48 states for historical applications. Their products have been used in Oak Alley and the French Quarter. He advised that the tongue-in-groove can be caulked during installation; it can also be installed next to a Low E window.

He stated it would be attached either with a flooring nailer with stainless fasteners or a trim head screw. The product is warranted against any contraction or expansion for the life of the product.

Mr. Townes made a motion to approve, seconded by Ms. Campbell. Mr. Jones wanted to make sure the product was approved for historical structures since others will want to use it. Chairman Quina advised there were no objections from North Hill. **The motion then carried unanimously.**

Item 7

Contributing Structure

311 N. 6th Ave

OEHPD
OEHR-2

Action Taken: Approved as discussed.

Tim Whiteley is requesting approval for exterior modifications to the front of the residence and an addition to the rear. The scope of improvements includes the addition of 3 new wood windows to the front of the residence, the removal and relocation of the current front door, and a 160 sf addition to the rear of the residence. The applicant proposes to use wood to match the existing exterior.

Chairman Quina asked about the porch, and Mr. Whiteley advised the porch would remain. He also stated the front windows would be wood to keep the historical style. Chairman Quina explained that the non-primary windows could be replaced with vinyl. He also suggested a straight shed roof as more appropriate for the rear, and Mr. Whiteley agreed. Mr. Mead asked about the front windows, and Mr. Whiteley stated they would be recessed the same as the windows on the side.

Mr. Jones made a motion to approve, seconded by Mr. Mead. Chairman Quina clarified the shed roof being a part of the motion, and Mr. Jones agreed to approve as discussed, seconded by Mr. Mead. The motion carried unanimously.

Item 8

Non-Contributing Structure

322 E. Intendencia St

PHD
HR-2 / Wood Cottages

Action Taken: Approved.

Philip Partington, SMP Architecture, is requesting approval for the addition of a conservatory to the existing residence. The 191 sf addition is proposed to be located adjacent to the existing breezeway connecting the main residence and the attached guest suite. The roof will be dimensional shingles to match the existing structure.

(The Board proceeded to Item 9 since the applicant was not present.)

Mr. Partington stated the home was built ten years ago, with the owners planning to spend more time in Pensacola.

Mr. Mead asked if most of the glass would be to view the east exposure, and Mr. Partington stated it would. Chairman Quina stated it was a beautifully designed house and would be a wonderful addition.

Ms. Campbell made a motion to approve, seconded by Mr. Jones. Mr. Mead asked about the roof treatment. Mr. Partington advised there was an existing breezeway with the octagon shape being hipped. The motion then carried unanimously.

(The Board then returned to Item 1.)

Item 9

Contributing Structure

311 E. LaRue St

OEHPD
OEHC-1

Action Taken: Approved.

Elizabeth Schrey, Flynn-Built, is requesting approval for an addition to the existing residence. The scope of work proposed includes a renovation and expansion of the rear of the existing structure, window replacement for the entire structure, and a 432 sf addition to the west side of the structure. The residence will be repainted with the existing color palette.

Ms. Schrey advised they would match the existing finishes and requested 6 over 6 for all windows in the house as well as in the additions.

Mr. Jones asked if it was appropriate for shutters on the front; Ms. Schrey stated the existing shutters were plastic and that portion would be hidden behind a privacy fence. She stated they would be willing to match shutters on the addition. Mr. Pristera suggested no shutters if they are not functional and the roof pitch on the revised plans which follow the others. Mr. Townes questioned using a gable end, and Ms. Schrey stated the plans had been revised with the gable end.

Chairman Quina clarified that when the house is repainted, it would be nice to remove the shutters, but it would be the applicant's choice.

Mr. Mead made a motion to approve the revised drawings, seconded by Mr. Townes, and it carried unanimously.

Item 10

191 South 9th Ave

PHD

New Construction

HC-1 / Brick Structures

Action Taken: Conceptual approval.

David Bonnell is requesting conceptual approval for a new single-family residence with attached garage. The proposed structure has been designed per Streetscape III with a true stucco exterior and metal roof. The principle structure will be connected to the garage via a roof deck on the second level; underneath is a covered porch and courtyard. Aluminum fencing will match the railings on the dwelling. The garage, which will front onto Privateers Alley, is proposed to have fiberglass or metal doors with a faux wood finish.

Ms. Cabassa presented to the Board for conceptual approval. Chairman Quina questioned using three separate garage doors versus the one large door. Ms. Cabassa explained it was easier to get larger vehicles in and out of the large door. Mr. Townes addressed the south elevation bridge connecting the two structures being three distinct elements rather than one continuous building. Ms. Cabassa stated the intent was to connect from the master balcony over to a guest or office area. Mr. Townes suggested a reveal at the joint. Mr. Mead pointed out the porch and opening treatment below the bridge, and with lintel detail above the windows, was there any consideration for lintels on the openings. Ms. Cabassa advised they wanted a punched window look, placing the lintels on the windows themselves. Chairman Quina suggested the final presentation show the relationship between the houses.

Mr. Mead made a motion for conceptual approval, seconded by Mr. Jones. Mr. Jones complemented the applicant on the parking, pavers and fencing design. **The motion then carried unanimously.**

Item 11

514 E. Government St

PHD

New Construction

HC-1 / Wood Cottages

Action Taken:

Since the project was with Chairman Quina's firm, Mr. Mead took over as Chairman.

Richard Perkins, Quina Grundhoefer Architects, is requesting approval for a new single-family residence with attached carport. The residence is proposed to have primarily Hardie-plank siding with a dimensional asphalt shingle roof. Windows will be either wood-clad casement or fixed. The gate will be aluminum picket. A neutral color palette has been chosen for the exterior.

Mr. Perkins provided the Board with revisions on the roof design. Mr. Jones asked about no windows on the west side, and Mr. Perkins stated it was the owner's request to have privacy on that side. He also advised the panel treatment at the top was horizontal siding with Hardie panel above. It was clarified that Hardie panel was allowed in the Wood District for new construction. Mr. Mead asked about the driveway, and it was determined to be brick pavers with one portion in Herringbone. Mr. Pristera questioned the porch, and Mr. Perkins stated it would be wood. He also advised the owner requested gravel in the courtyard.

Ms. Campbell made a motion to approve as presented, seconded by Ms. Campbell-Hatler. The motion carried unanimously.

(The Board then returned to Item 8. Mr. Townes left the meeting.)

Item 12

2 N. Palafox St.

PHBD

Contributing Structure

C-2A

Action Taken: Approved.

Scott Sallis, Dalrymple Sallis Architecture, is requesting approval for façade modifications, specifically the addition of 5 window bays, on the Garden Street elevation in conjunction with a renovation. The proposed exterior changes will replace the solid brick face on the second floor with window bays to match the existing original windows. Mr. Sallis advised the tenant for the "Isis Theater" built in 1913 is IRIS, a medical tech company, and the corporate headquarters will be located upstairs. In the early 1950s, they erected a steel frame concrete floor system in the middle of the theater to enable two stories. In doing so, they slaughtered the plaster ceiling, using it for hanging cable and wire to suspend acoustical ceiling tiles. Under a demolition permit from the City, his firm has removed all of this, exposing the theater ceiling once again. He stated the client wished to bring natural light into the workspace; since it was a theater, the south side of the building has never had windows. He provided the Board revised drawings for only three bays since the cost was \$35,000 per window bay. A curved plaster ceiling runs through the entire theater, with transom glass located behind this area. He advised the top portion of the new windows will look like glass from the outside but will not function as a window. The two existing bays would be in a different location.

Chairman Quina suggested treating the windows differently to work with the interior detail and possibly providing a cost savings. Mr. Sallis advised the client did not like the other options they had discussed. Mr. Mead questioned the rhythm for the panels, and Mr. Sallis stated this would allow for the most flexibility and bring light to most employees. Ms. Campbell asked about the timeline, and Mr. Sallis stated the client wanted to be functional January 2018. He also stated they were leaving the awnings for now, and the signage and lighting would come in a later submission. He clarified that the three new bay windows would match the existing as much as possible. **Mr. Mead made a motion to approve, seconded by Ms. Campbell, and the motion carried unanimously.**

Item 13

714 N. 6th Ave

OEHPD

Demolition / Non-Contributing Structure

OEHC-1

Action Taken: Applicant withdrew.

Henry Norris, Henry Norris & Associates, is requesting approval for the demolition of a non-contributing structure (single-family residence) to accommodate the expansion of a seafood market. The proposed improvements under consideration in the attached *Item 14* necessitate the removal of this structure to provide the rear ingress/egress to the proposed addition and accommodate the additional parking needs associated with the development. A driveway connection is also proposed on this property. Although this structure is currently identified as "non-contributing" it is the contention of UWF Historic Trust this structure was left off the "contributing" structure list given the style and age of the dwelling. Ms. Deese clarified that Item 14 was for aesthetic approval, however, the building is not located within the district, but because the district is split, the parking lot would need the Board's approval.

Mr. Norris stated the existing structure was in disrepair and did not display the character if a historical building. He believed it might have been intentionally left off the contributing structure list due to the commercial corridor. The structural engineering reports indicated it was structurally unsound and would have to be built from scratch. He also advised he had worked with Christian Wagley to sell the structure, but there were no interests in the property.

Mr. Pristera stated he was confident that the structure was from 1928 and did not know why it was not on the contributing structure list, but it would have to be resurveyed. Mr. Nall from the East Hill Preservation District stated this structure was compatible with the other contributing structures in the neighborhood. The Circle K across the street was on the footprint of the previous commercial property except for one house; that house was moved as part of the Circle K agreement. He stressed this house offers a buffer from the commercial district to the residential district. With the existing Circle K, there had been an increase in traffic, semitrailers and litter. He advised East Hill was opposed to the demolition of the house and would prefer it not be relocated. He pointed out that 303 N. 7th and 708 E. Wright were both denied demolition requests.

Mr. Mead noted when turning the corner, you enter the residential neighborhood, and that transition is critical. It was determined the structure was being removed for six parking spaces. Mr. Norris reiterated that this would be a neighborhood seafood grill. Mr. Mead asked if the structure could not be saved and they needed the parking, could they look at parking on the frontage. Mr. Pristera advised that this situation goes beyond the house since they are seeing the creep of Cervantes commercial development into a neighborhood.

Mr. Mead felt he did not have enough information on the landscaping or the actual costs to show the necessity is there to demolish the structure rather than renovate it. **He stated he would make a motion to deny as submitted without prejudice.**

Mr. Jones asked if the project could go forward without the demolition. Mr. Norris stated it would impede the neighborhood grill. Chairman Quina pointed out the applicant followed the recommended steps and purchased the property as a non-contributing structure. Ms. Campbell-Hatler stated it would be nice to see how the project is transitioned in a more neighborhood-friendly way. Mr. Norris suggested flipping the parking lot and having the drive on the north side with a heavy landscape buffer between the drive and the adjacent residential property. Chairman Quina asked about stormwater, and it was determined it would be underground.

After further discussion, the applicant withdrew the item to return with more detail at the next Board meeting.

Item 14

714 N. 6th Ave

OEHPD

New Construction

715 N 7th Ave

OEHC-1/C-3

621 E. Cervantes St

Action Taken: Applicant withdrew.

Henry Norris, Henry Norris & Associates, is requesting approval for a 2,400 sf addition to accommodate the expansion of a seafood market.

Item 15 **216 S. Tarragona St.** **PHD**
Demolition / Non-Contributing Structure **HC-1 / Brick Structures**

Action Taken: Approved.

Brian Spencer, SMP Architecture, is requesting approval for the demolition of a non-contributing structure (commercial building) to accommodate a new multi-family residential development. The proposed project under consideration in the attached *Items 16, 17, and 18* necessitate the removal of this structure to accommodate the redevelopment of the project area. The site is proposed to be redeveloped into multi-family residential units. Per the enclosed letter from UWF Historic Trust, the contributing structure was a warehouse which was demolished sometime after 1959.

Mr. Pristera stated the existing building was not historic and replaced a warehouse type building; it was his opinion that it could be demolished. At this point, the Board decided to look at the construction to replace the demolition (Item 16).

After review, **Mr. Mead made a motion to approve the demolition, seconded by Ms. Campbell, and it carried unanimously.**

Item 16 **200 Blk E. Intendencia St.** **PHD**
Variance **HC-1 / Brick Structures**

Action Taken: Approved.

Brian Spencer, SMP Architecture, is requesting approval of the following Variances to accommodate a new multi-family residential development: (a) to reduce the rear yard setback from 15 feet to 5 feet 1 inch; (b) to reduce the west side yard setback from 5 feet to 3.5 feet; and (c) to reduce the east side yard setback from 5 feet to 4 feet. The current parcel configuration within the project area is being modified to accomplish the development goals of the condominium project. The lot lines have been adjusted to accommodate the required setbacks on three of the four sides. The proposed building cannot be shifted further to the west due to a recorded ingress/egress easement. The applicant has advised staff of positive feedback from the owner of the impacted property, the adjacent residence to the east.

New property line packages were provided to the Board.

Mr. Spencer advised he was seeking approval of two buildings simultaneously since they were on the same parcel. He stated they intended to have controlled automated gates. He pointed out the variances in providing for bedrooms and a wall parking area extending to the terrace garden wall. He described the parking easement for perpetuity for an office complex. He also pointed out two garages for the project. Ms. Deese advised property owners within 500' had been notified of the variances, and no calls had been received. Mr. Jones noted the choice of white brick. Mr. Mead asked about the 3' corridor, and Mr. Spencer stated it was more of a jurisdiction for the homeowner having access to the back garden at the first floor. He proposed to have commercial dumpster access from Tarragona Street.

Ms. Campbell made a motion for conceptual approval as presented on 207 E. Intendencia, seconded by Mr. Mead, and it carried unanimously. Mr. Mead made a motion to accept the setback variances as presented in the revised plan, seconded by Ms. Campbell-Hatler, and it carried unanimously.

Item 17 **200 Blk S. Tarragona St.** **PHD**
Variance **HC-1 / Brick Structures**

Action Taken: Approved.

Brian Spencer, SMP Architecture, is requesting approval of a Variance to increase the maximum allowable height to accommodate a new multi-family residential development which is 38' in height. The building proposed is a 3-story multi-family residential building. The Ordinance limits the height to those which are adjacent. The proposed building is 38 feet in height; the average of the adjacent buildings is 35' 1".

Mr. Spencer stated he had designed a new building with some references to the scale of the brick warehouses with arches since it is within the brick district.

The streetscape is two-sided, borrowing from less historical structures across the street, weaving together two districts. He anticipates that the buyer of this type of project would be looking for a cutting edge contemporary development.

Ms. Campbell-Hatler appreciated the urban edge transitioning from the downtown to more residential/business.

Mr. Spencer stated they intended to use the same plant vine as Starbucks on Gregory for a lush wall, Asiatic Jasmine and a stacked brick pattern. He introduced Sam Kuhn, his intern architect, who was involved in creating all of the renderings and measured all nearby buildings. The new YMCA appeared to be above 35'. (Ms. Campbell-Hatler left the meeting at this time.) Chairman Quina questioned only one exit egress.

Mr. Spencer advised in meeting with Inspections, they are staying under their maximum required distance for two; the building can be no more than three stories high with four residences. He then explained the gate-controlled areas and dumpster access.

Ms. Campbell made motion to approve the conceptual renderings submitted for 210 S. Tarragona, seconded by Mr. Mead. The motion carried unanimously.

Mr. Mead made a motion to approve the height variance, seconded by Mr. Jones. The motion carried unanimously.

Item 18

200 Blk S. Tarragona St.

PHD

New Construction

200 Blk E. Intendencia St.

HC-1 / Brick Structures

Action Taken: Conceptual approval.

Brian Spencer, SMP Architecture, is requesting approval for a new multi-family residential development. The proposed multi-family residential development will consist of two buildings, each facing their respective streets. The exteriors will be a mixture of painted brick and stucco with sliding glass door systems combined with historic windows and doors. The central parking area incorporates a turf side parking surface (open-cell pavers).

DISCUSSION – None

ADJOURNMENT – With no further business, the meeting adjourned at 4:58 pm.

Respectfully Submitted,



Brandi C. Deese
Secretary to the Board

Sec. 12-2-21. - Palafox historic business district.

- (A) *Purpose.* The Palafox historic business district is established to preserve the existing development pattern and distinctive architectural character of the historic downtown commercial district. The regulations are intended to preserve, through the restoration of existing buildings and construction of compatible new buildings, the scale of the existing structures and the diversity of original architectural styles, and to encourage a compact, convenient arrangement of buildings.
- (B) *Character of the district.* The Palafox historic business district is characterized by sites and facilities of historical value to the city. These buildings and historic sites and their period architecture (i.e., Sullivanesque, Classical Revival, Renaissance Revival, and Commercial Masonry) blend with an overall pattern of harmony, make the district unique and represent the diversity of business activity and commercial architecture over a long period of Pensacola history. The district is an established business area, tourist attraction, containing historic sites, and a variety of specialty retail shops, restaurants, private and governmental offices, and entertainment centers.
- (C) *Historic theme area.* That portion of Palafox Place between Garden Street and Main Street is hereby designated a historical theme area, with a theme based on materials, signs, canopies, facades or other features as they existed in 1925 or earlier.
- (D) *Boundaries of the district.* The boundaries of the Palafox historic business district shall be the same as the Pensacola downtown improvement district as adopted pursuant to section 3-1-10 of the code, plus the west 14.25 feet of lot 214 and all of lots 215 and 216, old city tract.
- (E) *Procedure for review and submission of development plan.*
 - (1) *Submission of plans.* Every application for a building permit to erect, construct, renovate and/or alter an exterior of a building, or sign, located or to be located in the district shall be accompanied by plans for the proposed work. As used herein, "plans" shall mean drawings or sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of the building or sign, (both before and after the proposed work is done in the cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plat plan or site layout, including all site improvements or features such as walls, fences, walks, terraces, plantings, accessory buildings, paved areas, signs, lights, awnings, canopies and other appurtenances. Such plans shall be promptly forwarded by the building official to the architectural review board. The building official or his designee shall serve as secretary to the board.
 - (2) *General conditions, procedures and standards.* Prior to submitting a formal application for approval of a proposed exterior alteration, the owner(s) shall confer with the staff of the architectural review board, who will seek the advice of the downtown improvement board staff, the Historic Pensacola Preservation Board staff and appropriate city staff if necessary to review:
 - (a) The relationship between the proposed exterior alteration or proposed exterior to buildings in the immediate surroundings and to the district in which it is located or to be located.
 - (b) At the time of the predevelopment conference, the applicant shall provide a sketch plan indicating the location of the proposed exterior alteration and its relationship to surrounding properties. The advisory meeting should provide insight to both the developer, the city, the downtown improvement board, and the Historic Pensacola Preservation Board staff regarding potential development problems which might otherwise result in costly plan revisions or unnecessary delay in development.
 - (3) *Review and approval by the architectural review board.* All such plans shall be subject to review and approval by the architectural review board as established in section 12-13-3 and in accordance with the provisions of section 12-2-10(A)(4)(a) through (c), applicable to the historic zoning districts. The board shall adopt written rules and procedures for abbreviated review for paint colors, minor repairs, emergency repairs and minor deviations in projects already approved by the board. This process may authorize the board to designate one of its members to undertake such abbreviated review without the necessity for review by the entire board, provided, however

such abbreviated review process shall require review by the director of the downtown improvement board and the staff of the Historic Pensacola Preservation Board. If agreement cannot be reached as it pertains to an abbreviated review by the board designee, director of the downtown improvement board, Historic Pensacola Preservation Board staff and secretary to the architectural review board then the matter will be referred to the full board for a decision.

(F) *Architectural review of proposed exterior development.*

- (1) *General considerations.* The board shall consider plans for existing buildings based on their classification as significant, supportive, compatible or nonconforming as defined and documented in files located at the office of the downtown improvement board. In reviewing the plans, the board shall consider exterior design and appearance of the building, including the front, sides, rear and roof, materials, textures and colors; plot plan or site layout, including features such as walls, walks, terraces, plantings, accessory buildings, signs, lights, awnings, canopies, and other appurtenances; and conformity to plans and themes promulgated, approved and/or amended from time to time by the city council; and relation of the building to immediate surroundings and to the district in which it is located or to be located. The term "exterior" shall be deemed to include all of the outer surfaces of the building and is not restricted to those exteriors visible from a public street or place. The board shall not consider interior design or plan. The board shall not exercise any control over land use, which is governed by particular provisions of this title, or over construction, which is governed by Chapter 14-1.
- (2) *Decision guidelines.* Every decision of the board, in their review of plans for buildings or signs located or to be located in the district, shall be in the form of a written order stating the findings of the board, its decision and the reasons therefor, and shall be filed with and posted with the building permit on site. Before approving the plans for any proposed building, or signs located or to be located in the district, the board shall find:
 - (a) In the case of a proposed alteration or addition to an existing building, that such alteration or addition will not impair the architectural or historic value of the building or if due to a new use for the building the impairment is minor considering visual compatibility standards such as height, proportion, shape, and scale.
 - (b) In the case of a proposed new building, that such building will not, in itself or by reason of its location on the site, impair the architectural or historic value or character of buildings on adjacent sites or in the immediate vicinity.
 - (c) In the case of a proposed new building, that such building will not be injurious to the general visual character of the district in which it is to be located considering visual compatibility standards such as height, proportion, shape, and scale.
 - (d) In the case of the proposed razing or demolition of an existing building, that the regulations established in section 12-2-10(A)(9) to (11) shall apply.
 - (e) In the case of a proposed addition to an existing building or the base of a proposed new building, or building relocation, that such addition, new building or relocation will not adversely affect downtown redevelopment plans or programs or the Comprehensive Plan of the city.
- (3) *Recommendation for changes.* The board shall not disapprove any plans without giving its recommendations for changes necessary to be made before the plans will be reconsidered. Such recommendations may be general in scope, and compliance with them shall qualify the plans for reconsideration by the board.
- (4) *Board review standards.* The architectural review board shall use the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings as the general governing standards for existing structures. New construction shall maintain scale and quality of design. All new construction shall be reviewed in terms of massing, rhythm, materials and details, building elements and site. Generally, all structures should be compatible in these categories to surrounding structures. In addition the following standards shall apply:

- (a) Signs. In the case of any proposed new or altered sign, that the sign will not impair the architectural or historical value of any building to which it is attached, nor any adjacent building, and that such sign is consistent with the theme and spirit of the block where it is to be located, and that such sign is consistent with the following provisions:
1. Within the Palafox historic business district, signs protruding into or overhanging the public right-of-way are permitted subject to prior approval by the board, and are subject to removal on thirty (30) days notice if the city actually requires the space for any public purpose. Such signs must be of a character and size consistent with maintenance of the theme and character of the district. Existing overhanging signs are hereby approved and will not require further board approval unless altered.
 2. Businesses located within the Palafox Historic Business District may place one portable (two-sided A-frame) sign on the sidewalk adjacent to the business location subject to the following conditions:
 - a. The maximum size of the sign shall not exceed two (2) feet wide by three (3) feet high;
 - b. The sidewalk width shall be a minimum of eight (8) feet;
 - c. A one time fee of forty dollars (\$40.00) shall be paid to the City of Pensacola for a license to use the sidewalk for placement of a sign;
 - d. A license to use agreement, with proof of insurance, shall be required to use an identified area of the sidewalk for locating a sign;
 - e. The sign shall be removed from the sidewalk at the close of business hours daily;
 - f. Signs shall require approval by the Downtown Improvement Board and Architectural Review Board.
 3. Rooftop signs are prohibited, provided the business for which the sign is erected remains continuously in business, existing signs violating this provision may continue in use. Upon application to and approval by the board, such existing signs may be permitted to remain in place for a longer period if the board finds that the sign is consistent with the theme and character of the district.
 4. Whirling and flashing signs attached to a building are prohibited, unless such signs replicate an original sign used at that location in the historical theme area. Balloon-type, portable or nonaccessory signs are prohibited.
- (b) Building fronts, rears, and sides abutting streets and public areas. All structural and decorative elements of building fronts, rears, and sides abutting streets or public improvement areas shall be repaired or replaced to match as closely as possible the original materials and construction of that building.
- (c) Windows.
1. Window openings in upper floors of the front of the building shall not be covered from the outside.
 2. Window panes shall not be painted.
 3. The number of window panes and use of shutters should reflect the style and period of the structure.
 4. Windows not in front of buildings shall be kept properly repaired or, with fire department approval, may be closed, in which case sills, lintels and frame must be retained and the new enclosure recessed from the exterior face of the wall.
- (d) Show windows and storefronts:

1. A show window shall include the building face, porches, and entrance area leading to the door, sidelights, transoms, display platforms, and devices including lighting and signage designated to be viewed from the public right-of-way.
 2. Show windows, entrances, signs, lighting, sun protection, porches, security grilles, etc., shall be compatible with the original scale and character of the structure and the surrounding structures.
 3. Show windows shall not be painted for advertising purposes but may be painted for authorized identification of the place of business as authorized by the architectural review board.
 4. Show windows with aluminum trim, mullions, or muntins shall be placed or painted consistent with and compatible to the overall facade design as authorized by the Board.
 5. Solid or permanently closed or covered storefronts shall not be permitted, unless treated as an integral part of the building facade using wall materials and window detailing compatible with the upper floors, or other building surfaces.
- (e) Exterior walls:
1. All exterior front or side walls which have not been wholly or partially resurfaced or built over shall be repaired or replaced in a manner approved by the Board. Existing painted masonry walls shall have loose material removed and painted a single color except for trim which may be another color. Patched walls shall match the existing adjacent surfaces as to materials, color, bond and joining.
 2. Historic painted advertising on walls should be preserved at the discretion of the board.
 3. Rear and side walls, where visible from any of the streets or alleys, shall be finished so as to harmonize with the front of the building.
- (f) Roofs:
1. Chimneys, elevator penthouses or other auxiliary structures on the roofs shall be repaired or replaced to match as closely as possible the original.
 2. Any mechanical equipment placed on a roof shall be so located as to be hidden from view or to be as inconspicuous from view as possible. Equipment shall be screened with suitable elements of a permanent nature or finished in such a manner as to be compatible with the character of the building or to minimize its visibility.
- (g) Walls and fences. The size, design and placement of these features within the Palafox historic business district shall be consistent with the architectural character within the immediate area of their location.
- (h) Landscaping and screening. Landscaping and screening requirements in the Palafox historic business district shall be based on applicable requirements of Chapter 12-6. All service areas (i.e. trash collection containers, compactors, loading docks) shall be fully screened from street and adjacent buildings by one of the following techniques: Fence or wall, six (6) feet high; Vegetation six (6) feet high (within three (3) years); A combination of the above.
- (5) *Review.* Any person aggrieved by a decision of the board may, within fifteen (15) days thereafter, apply to the city council for review of the board's decision. He shall file with the city clerk a written notice requesting the council to review said decision.
- (G) *District rehabilitation, repair and maintenance guidelines.* The following rehabilitation, repair and maintenance standards shall be applied to all existing structures and land parcels respectively, whether occupied or vacant within the Palafox Historic Theme Area. These standards shall be considered as guidelines by the board when reviewing development plans in other areas of the Pensacola historic business district. In cases where an owner owns property comprising a total city block, the board shall consider the burden on the owner and may approve an incremental adherence to the standards or guidelines.

- (1) *Building fronts, rears, and sides abutting streets and public areas.* Rotten or weakened portions shall be removed, repaired and replaced to match as closely as possible the original.
 - (2) *Windows.*
 - (a) All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints or loose mullions or muntins shall be replaced. All broken and missing windows shall be replaced with new glass.
 - (b) Window openings in upper floors of the front of the building shall not be filled or boarded-up. Window panes shall not be painted.
 - (3) *Show windows and storefronts.* All damaged, sagging or otherwise deteriorated storefronts, show windows or entrances shall be repaired or replaced.
 - (4) *Exterior walls.*
 - (a) Existing miscellaneous elements on the building walls, such as empty electrical conduit, unused signs and/or sign brackets, etc., shall be removed.
 - (b) Sheet metal gutters, downspouts and copings shall be repaired or replaced as necessary.
 - (c) Rear and side walls shall be repaired and finished as necessary to cover evenly all miscellaneous patched and filled areas to present an even and uniform surface.
 - (5) *Roofs.* Roofs shall be cleaned and kept free of trash, debris or any other element which is not a permanent part of the building.
 - (6) *Auxiliary structures.* Structures, at the rear of buildings, attached or unattached to the principal structure, which are structurally deficient shall be properly repaired or demolished as authorized by the architectural review board.
 - (7) *Front, rear, and side yards, parking areas and vacant parcels.* When a front, rear or side yard, parking area or vacant parcel exists or is created through demolition, the owner may utilize the space in accordance with the provisions of the zoning district in which the space is located, provided, however, that the site shall be properly maintained free of weeds, litter, and garbage in accordance with applicable provisions of the code.
 - (8) *Walls, fences, signs.* Walls, fences, signs and other accessory structures shall be properly maintained.
- (H) *Survey, classification and technical assistance.*
- (1) *Survey and classification.* A survey of the district to determine in which areas historical themes are appropriate, and to classify buildings, by architectural design, and materials as historically significant, supportive, neutral, and nonconforming shall be available at the offices of the downtown improvement board and the Community Redevelopment Agency of Pensacola.
 - (2) *Technical assistance.* Within the limits of staff capability and availability of funds, the board may provide sketches or renderings to property owners and/or merchants, showing suitable designs and themes for facade improvement.

(Ord. No. 28-94, § 2, 9-18-94; Ord. No. 45-96, § 4, 9-12-96; Ord. No. 8-99, § 2, 2-11-99; Ord. No. 16-10, § 205, 9-9-10)