



City of Pensacola

Agenda Conference

Agenda

Monday, June 8, 2020, 3:30 PM

Council Chamber

***Members of the public may attend and participate only via live stream or phone city of pensacola.com/428/Live-Meeting-Video**

***Citizens may submit an online form here <https://www.cityofpensacola.com/ccinput>
BEGINNING AT 1 PM**

ROLL CALL

PRESENTATION ITEMS

1. [20-00296](#) PRESENTATION: FLORIDA-ALABAMA TPO ORIENTATION

Recommendation: That City Council receive a presentation from Austin Mount, Chief Executive Officer of Emerald Coast Regional Council regarding a TPO Orientation.

Sponsors: Jewel Cannada-Wynn

REVIEW OF CONSENT AGENDA ITEMS

2. [20-00231](#) REQUEST FOR LICENSE TO USE RIGHT OF WAY - PUPPY PIT STOP - 1 SOUTH JEFFERSON STREET

Recommendation: That City Council approve the request for a License to Use Right of Way for improvements at 1 South Jefferson Street

Sponsors: Grover C. Robinson, IV

Attachments: [Downtown Improvement Board License to use Application](#)
[Planning Board Minutes May 12 2020 DRAFT](#)
[ARB Minutes January 16 2020](#)

3. [20-00281](#) PENSACOLA INTERNATIONAL AIRPORT - PENSACOLA AVIATION CENTER LEASE AGREEMENT AMENDMENT NO. 11
- Recommendation:** That City Council authorize the Mayor to execute Amendment No. 11 with Pensacola Aviation Center to provide for the expansion of hangar facilities and improvements to the fuel farm, and to confirm the previously approved extension of the lease. Further, that City Council authorize the Mayor to take all actions necessary to execute the Amendment.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Pensacola Aviation Center Lease Agreement Amendment No. 11](#)
4. [20-00282](#) PENSACOLA INTERNATIONAL AIRPORT - PENSACOLA AVIATION CENTER LEASE (F/K/A AEROSE LLC) AMENDMENT NO. 4
- Recommendation:** That City Council authorize the Mayor to execute Amendment No. 4 with Pensacola Aviation Center, LLC (f/k/a Aerose LLC) for the construction of a 20,000 square foot hangar and to provide for the extension of the lease. Further, that City Council authorize the Mayor to take all actions necessary to execute the Amendment.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Pensacola Aviation Center \(fka Aerose LLC\) Amendment No. 4](#)
5. [20-00299](#) MAYORAL REAPPOINTMENTS TO THE DOWNTOWN IMPROVEMENT BOARD (DIB)
- Recommendation:** That the City Council affirm the Mayor's reappointment of Mr. Michael Carro and Ms. Patti Sonnen to the Downtown Improvement Board (DIB) for a term of three years expiring June 30, 2023.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Application of Interest - Michael Carro](#)
[Application of Interest - Patti Sonnen](#)
6. [20-00253](#) AWARD OF BID# 20-047 LANGLEY AVENUE ROUNDABOUT PROJECT
- Recommendation:** That City Council award Bid #20-047 Langley Avenue Roundabout Project to Panhandle Grading & Paving, Inc., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$633,196.14 plus a 10% contingency in the amount of \$63,319.61 for a total amount of \$696,515.75. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Bid Tabulation, Bid No. 20-047](#)
[Final Vendor Reference List , Bid No. 20-047](#)
[Project Location Map, Bid No. 20-047](#)

REVIEW OF REGULAR AGENDA ITEMS (Sponsor)

7. [20-00276](#) CITY COUNCIL CONSENT TO THE MAYOR'S APPOINTMENT OF MATT COUGHLIN AS AIRPORT DIRECTOR AT THE PENSACOLA INTERNATIONAL AIRPORT
- Recommendation:* That City Council consent to the Mayor's appointment of Matt Coughlin as Airport Director at the Pensacola International Airport in accordance with City Charter Section 4.01(a)(7).
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [Coughlin - Resume](#)
8. [20-00229](#) PUBLIC HEARING: REQUEST TO VACATE RIGHT OF WAY - 16TH AVENUE
- Recommendation:* That City Council conduct a public hearing on June 11, 2020, to consider the request to vacate a 10' portion of 16th Avenue between Belmont and Wright Streets.
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [Vacation of Right of Way Application](#)
 [Planning Board Minutes May 12 2020 DRAFT](#)
 [Proposed Ordinance No. 22-20](#)
9. [22-20](#) PROPOSED ORDINANCE NO. 22-20: REQUEST TO VACATE RIGHT OF WAY - 16TH AVENUE
- Recommendation:* That City Council approve Proposed Ordinance No. 22-20 on first reading.
- AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF 16TH AVENUE IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [Proposed Ordinance No. 22-20](#)
 [Vacation of Right of Way Application](#)
 [Planning Board Minutes May 12 2020 DRAFT](#)

10. [20-00233](#) PUBLIC HEARING: ZONING MAP AND FUTURE LAND USE MAP AMENDMENT - 1421 SONIA STREET
- Recommendation:** That City Council conduct a Public Hearing on June 11, 2020, to consider the request to amend the Zoning Map and Future Land Use Map for 1421 Sonia Street.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Planning Board Rezoning Application](#)
 [Planning Board Minutes May 12 2020 DRAFT](#)
 [Future Land Use Map May 2020](#)
 [Zoning Map May 2020](#)
 [Proposed Ordinance No. 23-20](#)
 [Proposed Ordinance No. 24-20](#)
11. [23-20](#) PROPOSED ORDINANCE NO. 23-20 - REQUEST FOR FUTURE LAND USE AMENDMENT - 1421 SONIA STREET
- Recommendation:** That City Council approve Proposed Ordinance No. 23-20 on first reading:
- AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Proposed Ordinance No. 23-20](#)
 [Planning Board Rezoning Application](#)
 [Planning Board Minutes May 12 2020 DRAFT](#)
 [Future Land Use Map May 2020](#)

12. [24-20](#) PROPOSED ORDINANCE NO. 24-20 - REQUEST FOR ZONING MAP
AMENDMENT - 1421 SONIA STREET

Recommendation: That City Council approve Proposed Ordinance No. 24-20 on first
reading:

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

Sponsors: Grover C. Robinson, IV

Attachments: [Proposed Ordinance No. 24-20](#)
[Planning Board Rezoning Application](#)
[Planning Board Minutes May 12 2020 DRAFT](#)
[Zoning Map May 2020](#)

13. [20-00239](#) PUBLIC HEARING: ZONING MAP AND FUTURE LAND USE MAP
AMENDMENT - 1700 BLK LANSING DRIVE

Recommendation: That City Council conduct a Public Hearing on June 11, 2020, to consider
the request to amend the Zoning Map and Future Land Use Map for
property located in the 1700 BLK Lansing Drive.

Sponsors: Grover C. Robinson, IV

Attachments: [Planning Board Rezoning Application](#)
[Planning Board Minutes May 12 2020 DRAFT](#)
[Future Land Use Map May 2020](#)
[Zoning Map May 2020](#)
[Proposed Ordinance No. 25-20.doc](#)
[Proposed Ordinance No. 26-20.doc](#)

14. [25-20](#) PROPOSED ORDINANCE NO. 25-20 - REQUEST FOR FUTURE LAND
USE MAP AMENDMENT - 1700 BLK LANSING DRIVE
- Recommendation:* That City Council approve Proposed Ordinance No. 25-20 on first
reading:
- AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND
FUTURE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA;
PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING
AN EFFECTIVE DATE.
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [Proposed Ordinance No. 25-20](#)
 [Planning Board Rezoning Application](#)
 [Planning Board Minutes May 12 2020 DRAFT](#)
 [Future Land Use Map May 2020](#)
15. [26-20](#) PROPOSED ORDINANCE NO. 26-20 - REQUEST FOR ZONING MAP
AMENDMENT - 1700 BLK LANSING DRIVE
- Recommendation:* That City Council approve Proposed Ordinance No. 26-20 on first
reading:
- AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF
CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE
COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING
THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING
CLAUSE AND EFFECTIVE DATE.
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [Proposed Ordinance No. 26-20](#)
 [Planning Board Rezoning Application](#)
 [Planning Board Minutes May 12 2020 DRAFT](#)
 [Zoning Map May 2020](#)

16. [20-00240](#) PUBLIC HEARING: PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - CITY CODE SECTION 12-2-4, VACATION OF STREETS, ALLEYS, SECTION 12-12-7, LICENSE TO USE RIGHT OF WAY, SECTION 12-13-2 VARIANCES, AND SECTION 12-13-5, APPLICATION DEADLINES
- Recommendation:** That City Council conduct a Public Hearing on June 11, 2020, to consider a proposed amendment to the Land Development Code, to request that Planning Board applications be submitted thirty (30) days prior to a Planning Board meeting.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Proposed Ordinance No. 27-20](#)
[Planning Board Minutes May 12 2020 DRAFT](#)
17. [27-20](#) PROPOSED ORDINANCE NO. 27-20 - PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - CITY CODE SECTION 12-2-4, VACATION OF STREETS, ALLEYS, SECTION 12-12-7, LICENSE TO USE RIGHT OF WAY, SECTION 12-13-2 VARIANCES, AND SECTION 12-13-5, APPLICATION DEADLINES
- Recommendation:** That City Council approve Proposed Ordinance No. 27-20 on first reading.
- AN ORDINANCE AMENDING SECTION 12-2-4, VACATION OF STREETS, ALLEYS, SECTION 12-12-7, LICENSE TO USE RIGHT OF WAY, SECTION 12-13-2 VARIANCES, AND SECTION 12-13-5, APPLICATION DEADLINES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Proposed Ordinance No. 27-20](#)
[Planning Board Minutes May 12 2020 DRAFT](#)
18. [20-00232](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - CORTE DE LA RUA
- Recommendation:** That City Council conduct a quasi-judicial hearing on June 11, 2020, to consider approval of the Final Subdivision Plat, Corte De La Rua.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Corte De La Rua Final Plat Application](#)
[Planning Board Minutes May 12 2020 DRAFT](#)

19. [14-20](#) PROPOSED ORDINANCE NO. 14-20 - ADOPTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S MODEL FOR FLORIDA-FRIENDLY USE OF FERTILIZER
- Recommendation:* That the City Council approve Proposed Ordinance No. 14-20 on first reading.
- AN ORDINANCE CREATING CHAPTER 7-12 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, REGULATING TO THE COMMERCIAL APPLICATION OF FERTILIZER FOR THE PROTECTION OF LOCAL WATER BODIES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [Proposed Ordinance No. 14-20](#)
20. [2020-14](#) SUPPLEMENTAL BUDGET RESOLUTION 2020-14 - CARES ACT ADDITIONAL HOUSING CHOICE VOUCHER (HCV) ADMINISTRATIVE FUNDING
- Recommendation:* That the City Council adopt Supplemental Budget Resolution No. 2020-14.
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [Supplemental Budget Resolution No. 2020-14](#)
 [Supplemental Budget Explanation No. 2020-14](#)
21. [2020-15](#) SUPPLEMENT BUDGET RESOLUTION NO. 2020-15 - PENSACOLA INTERNATIONAL AIRPORT - CARES ACT GRANT NO. 3-12-0063-045-2020
- Recommendation:* That City Council approve Supplemental Budget Resolution No. 2020-15.
- A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [Supplemental Budget Resolution No. 2020-15](#)
 [Supplemental Budget Explanation No. 2020-15](#)

22. [29-20](#) PROPOSED ORDINANCE NO. 29-20 - PROPOSED AMENDMENT TO
THE LAND DEVELOPMENT CODE - REPEALING AND REPLACING
SECTION 12-4-6 AND AMENDING SECTION 12-14-1- PERTAINING TO
TEMPORARY SIGNS.

Recommendation: That City Council adopt Proposed Ordinance No. 29-20 on second reading.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PENSACOLA, FLORIDA, TITLE XII LAND DEVELOPMENT CODE, CHAPTER 12-4 REGULATING SIGNS; REPEALING AND REPLACING SECTION 12-4-6 TEMPORARY SIGNS TO CONFORM TO THE REQUIREMENTS OF LAW AND PROVIDING FOR ENFORCEMENT; AMENDING SECTION 12-14-1 DEFINITIONS ENUMERATED; AMENDING DEFINITION OF TEMPORARY SIGNS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Sponsors: Grover C. Robinson, IV

Attachments: [Proposed Ordinance No. 29-20](#)
[Planning Board Minutes May 2018](#)
[Planning Board Workshop Minutes June 2018](#)
[Proposed Ordinance Draft Reviewed by Planning Board](#)

FOR DISCUSSION

23. [20-00297](#) BOARDS HANDBOOK

Sponsors: Jewel Cannada-Wynn

Attachments: [BOARDS HANDBOOK \(1\)](#)

CONSIDERATION OF ANY ADD-ON ITEMS

READING OF ITEMS FOR COUNCIL AGENDA

COMMUNICATIONS

City Administrator's Communication

City Attorney's Communication

City Council Communication

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



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00296

City Council

6/11/2020

PRESENTATION ITEM

FROM: City Council President Jewel Cannada-Wynn

SUBJECT:

PRESENTATION: FLORIDA-ALABAMA TPO ORIENTATION

REQUEST:

That City Council receive a presentation from Austin Mount, Chief Executive Officer of Emerald Coast Regional Council regarding a TPO Orientation.

SUMMARY:

This presentation will give an orientation of the TPO, its role and process.

PRIOR ACTION:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

1) None

PRESENTATION: Yes



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00231

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

REQUEST FOR LICENSE TO USE RIGHT OF WAY - PUPPY PIT STOP - 1 SOUTH JEFFERSON STREET

RECOMMENDATION:

That City Council approve the request for a License to Use Right of Way for improvements at 1 South Jefferson Street

HEARING REQUIRED: No Hearing Required

SUMMARY:

The Downtown Improvement Board is requesting approval for a License to Use for improvements within the Right of Way at 1 South Jefferson Street. The purpose of this request is to allow for a Puppy Pit Stop at the corner of Jefferson and Romana Streets.

The Architectural Review Board approved this project at their January 16, 2020 meeting. On May 12, 2020, the Planning Board unanimously recommended approval of the request.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/15/2020

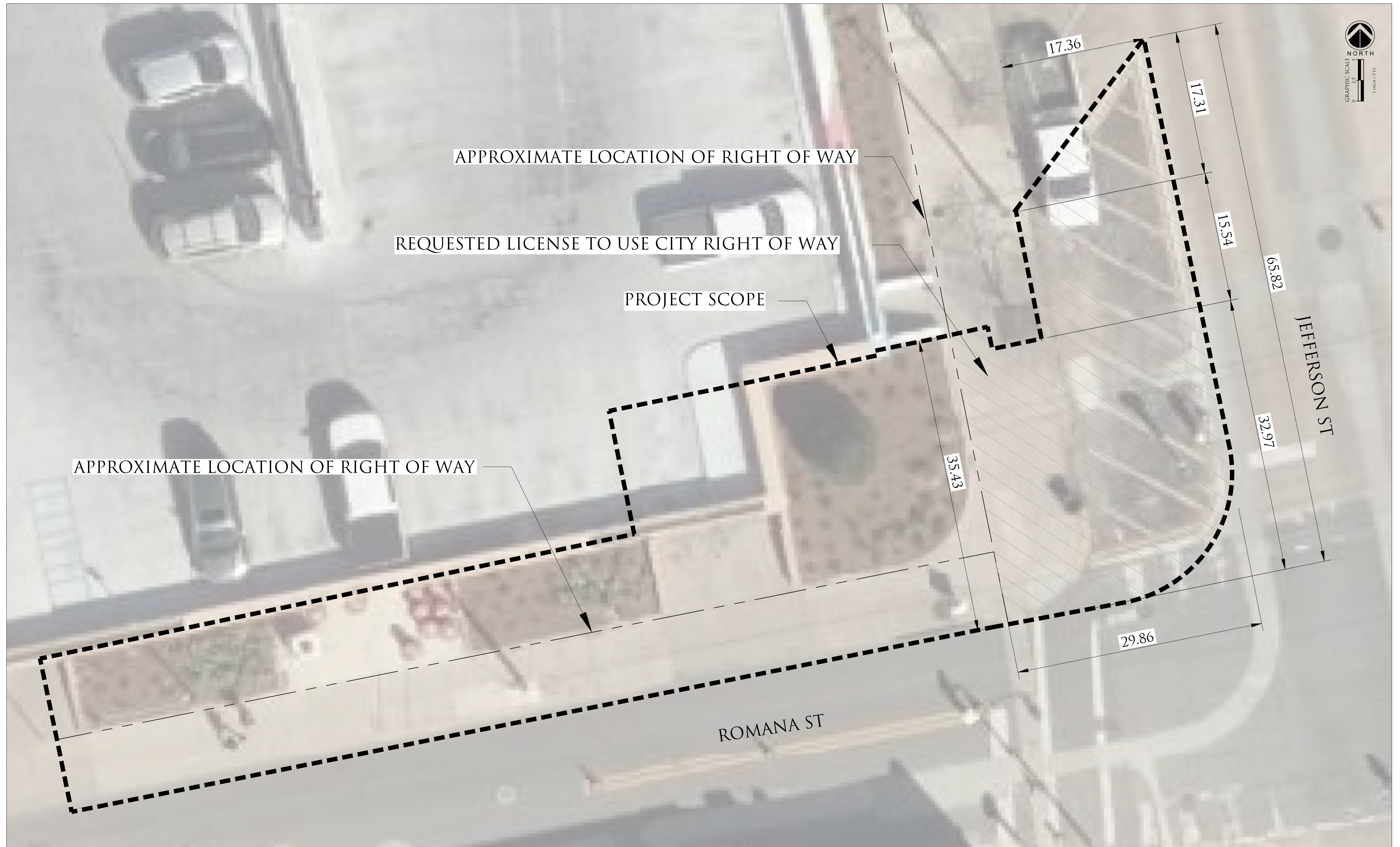
STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator - Community Development
Sherry Morris, AICP, Planning Services Director

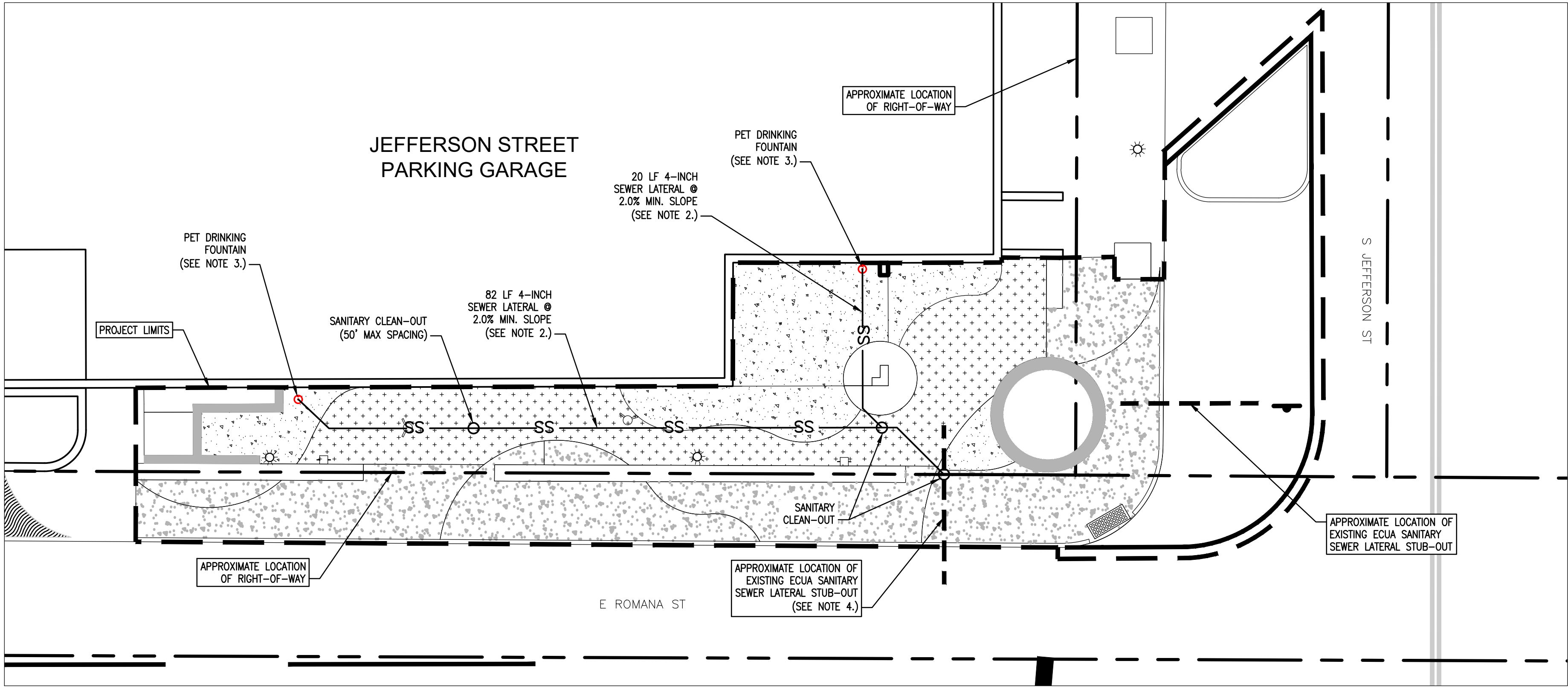
ATTACHMENTS:

- 1) Downtown Improvement Board License to Use Application
- 2) Planning Board Minutes May 12 2020 DRAFT
- 3) ARB Minutes January 16 2020

PRESENTATION: No



\\WdMyCloudMirror\GCE\ENGINEERING\GCE LLC\Projects\00000.02\Site Design\Jefferson Doggy Stop\3_19016_DIB Puppy Pit Stop_Hardscape - Standard\Pet Fountain_Utility Plan_certified.dwg, Feb 27, 2020 - 1:40:42PM, erica

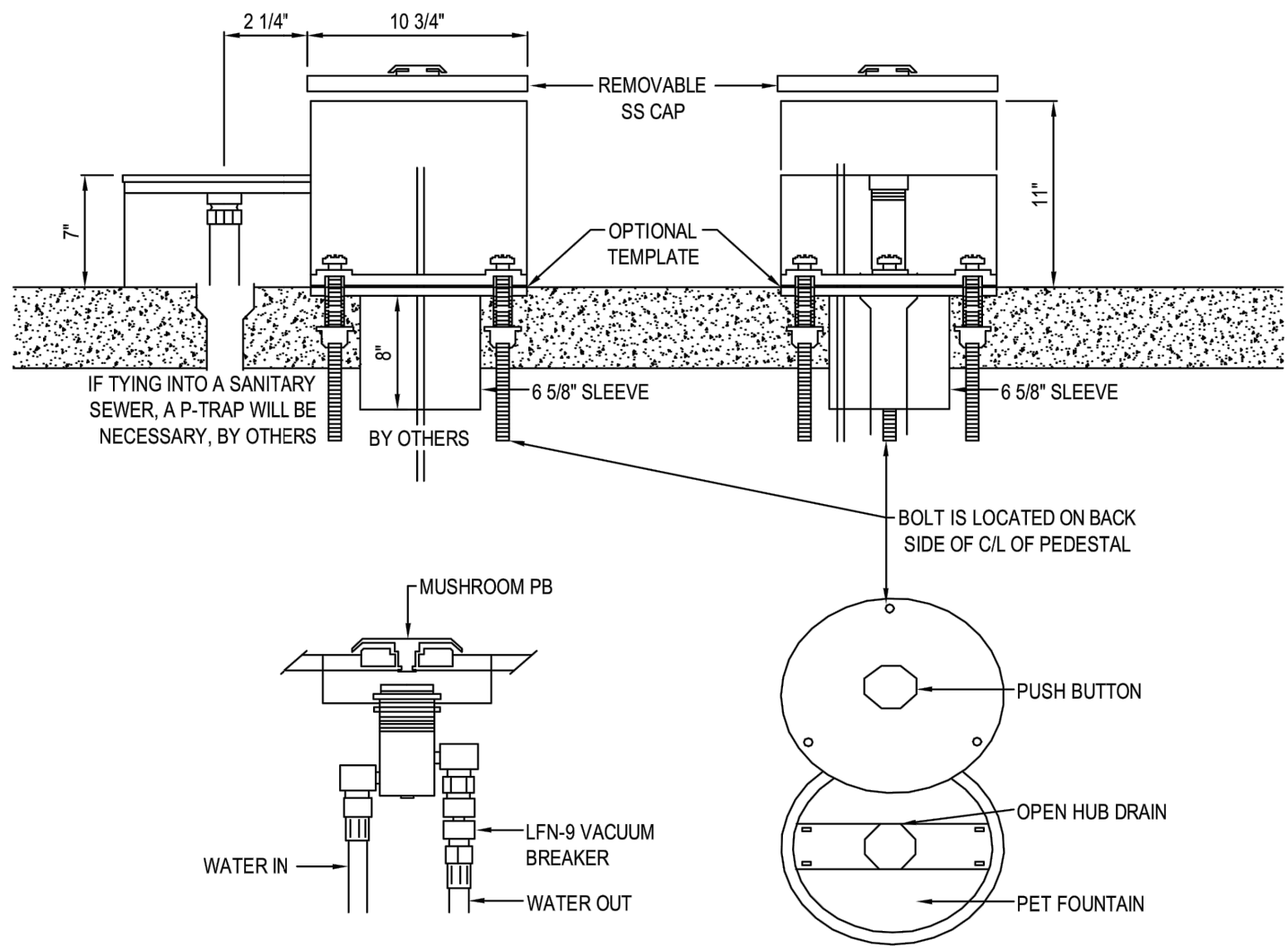


OVERALL UTILITY PLAN

SCALE: 1" = 40' 0 20' 40' 80'



MOST DEPENDABLE FOUNTAINS, INC.
5705 COMMANDER DR. P.O. BOX 587
ARLINGTON, TN 38002-0587
TOLL FREE: 1-800-552-6331
PHONE: (901) 867-0039
FAX: (901) 867-0159
www.mostdependable.com



- NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
 2. DO NOT SCALE DRAWING.
 3. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
 4. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
 5. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADdetails.com/info AND ENTER REFERENCE NUMBER 3354-9.5.

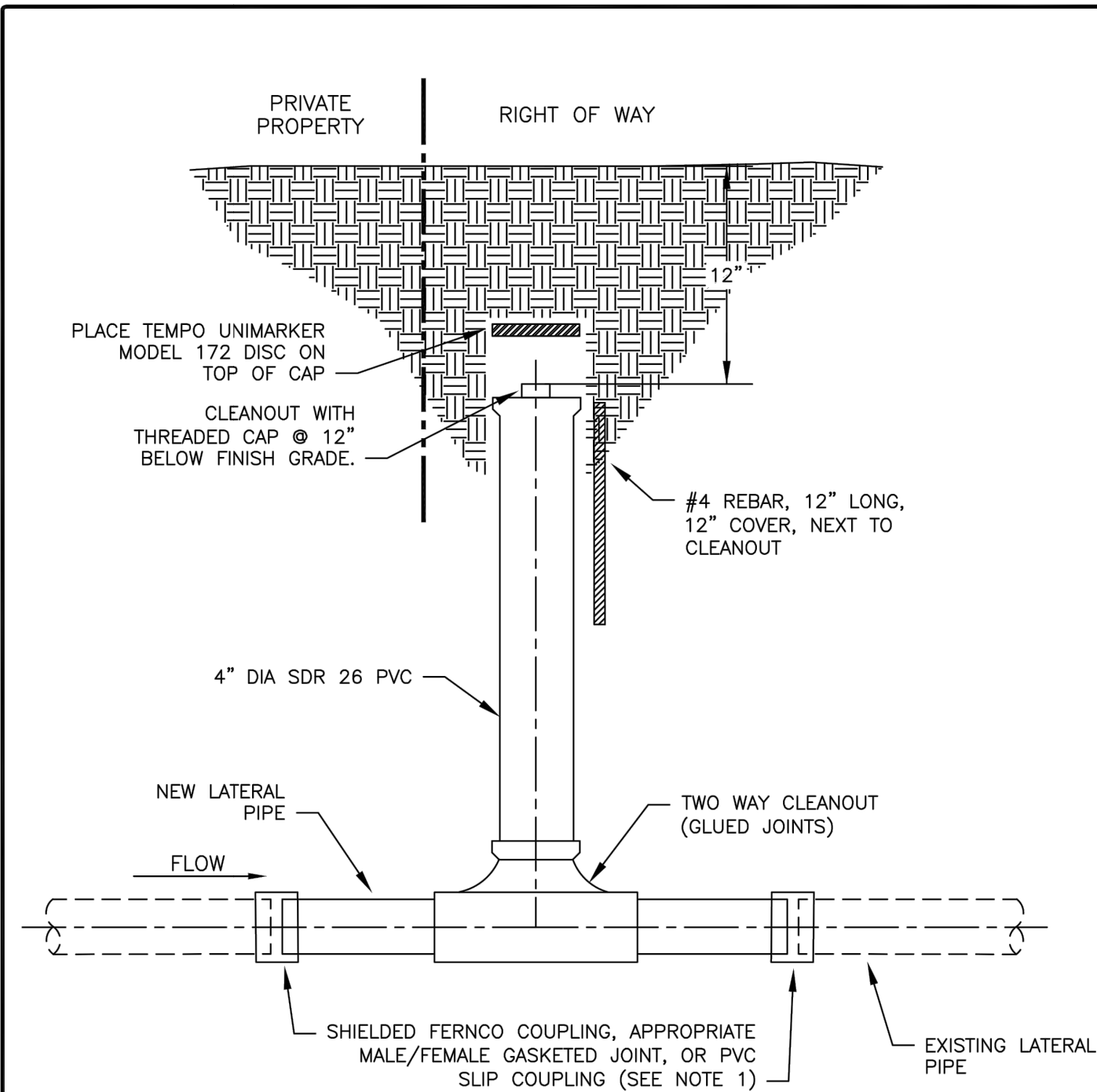


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REVISION DATE 10/18/2016

CADdetails.com



NOTES:

1. MAKE CONNECTION TO EXISTING JOINTS USING NEW GASKETS OR CONNECT TO CLEANLY CUT EXISTING PIPE USING APPROVED REINFORCED FERNCO COUPLING. WHEN COUPLING PVC TO PVC OF THE SAME OUTSIDE DIAMETER, USE A PVC SLIP COUPLING INSTEAD OF A FERNCO.
2. WHERE PRACTICAL, INSTALL CLEANOUTS AS CLOSE TO PROPERTY LINE WHILE REMAINING IN ROW.



SCALE: N.T.S.
DATE: 9/01/2016

NEW CLEANOUT INSTALLATION ON EXISTING LATERAL

DETAIL

D-2

ECUA Engineering Manual Reference Note*

*note shall be inserted in the upper right corner of title sheet

* applicable only to ECUA infrastructure to be constructed in public ROW or in utility easement; not to be applied to private water/sewer facilities on private property (see Building Code)

A. ECUA Engineering Manual Incorporated by Reference

The ECUA Engineering Manual, dated December 18, 2014, along with Update # 1 dated September 1, 2016 (hereinafter "Manual"), located at www.ecua.fl.gov, is hereby incorporated by reference into this Project's official contract documents as if fully set forth therein. It is the Contractor's responsibility to be knowledgeable of the Manual's contents and to construct the Project in accordance with the Manual. The Contractor shall provide its employees access to the Manual at all times, via Project site or office, via digital or paper format. In the event of a conflict between the Manual and Plans, Contractor shall consult Engineer of Record for proper resolution.

B. Additional Documents (to be completed by the Engineer of Record)

Does this Project have additional technical specifications or construction details that supplement and/or supersede the Manual listed above? ☐ YES ☐ NO. If yes, Contractor shall construct Project in accordance with said documents as listed and located below:

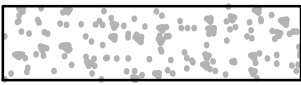
Document Name	Document Type		Location	
	Specifi- cation	Detail	Plans	Project Manual*
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*Project Manuals used only with ECUA CIP Projects

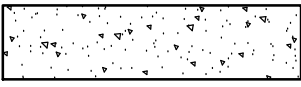
C. Engineer of Record Responsibilities

The Engineers of Record (EORs) that have affixed their seals and signatures on these plans warrant their portions of the plans have been designed in accordance with the Manual (unless otherwise directed by the ECUA Project Engineer). The EORs shall be knowledgeable of the Manual's contents and shall assume responsibility for its use on this Project.

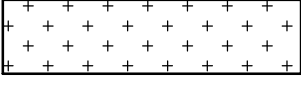
LEGEND



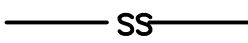
EXISTING CONCRETE



NEW CONCRETE



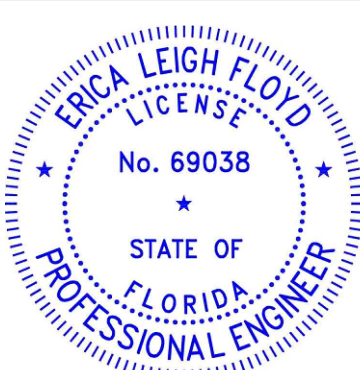
NEW ASTROTURF



NEW SANITARY SEWER LATERAL

NOTES:

1. UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY ALL EXISTING LOCATIONS PRIOR TO START OF DEMOLITION OR CONSTRUCTION.
2. NEW SANITARY SEWER LATERAL CONSTRUCTION AND PLACEMENT SHALL BE IN ACCORDANCE WITH ECUA ENGINEERING MANUAL (SEE ECUA REFERENCE NOTE THIS SHEET).
3. CONTRACTOR TO CONNECT PET DRINKING FOUNTAIN DRAIN TO 4-INCH SEWER LATERAL IN ACCORDANCE WITH PLUMBING CODE.
4. CONTRACTOR SHALL VERIFY LOCATION OF EXISTING SANITARY SEWER STUB-OUT AND COORDINATE CONNECTION WITH ECUA INSPECTIONS.
5. CONNECTION TO EXISTING ECUA SANITARY SYSTEM SHALL BE MADE WITH ECUA INSPECTOR PRESENT. CONTRACTOR SHALL NOTIFY ECUA 72 HOURS PRIOR TO CONNECTION.



ERICA LEIGH FLOYD, P.E.
FL REG. ENGINEER # 69038

This item has been digitally signed and sealed by Erica Leigh Floyd, PE on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

GULF CIVIL ENGINEERING, LLC
Site/Civil Design Services

3298 Summit Boulevard, Suite 44
Pensacola, FL 32503
850.262.8941
FL Certificate of Auth. # 30082

gce

DOWNTOWN
IMPROVEMENT BOARD

JEFFERSON STREET
PUPPY PIT STOP

REVISION / ACTION TAKEN

APPR.

NO.

DATE

PROJECT NO: 00000.02

DATE: FEBRUARY 2020

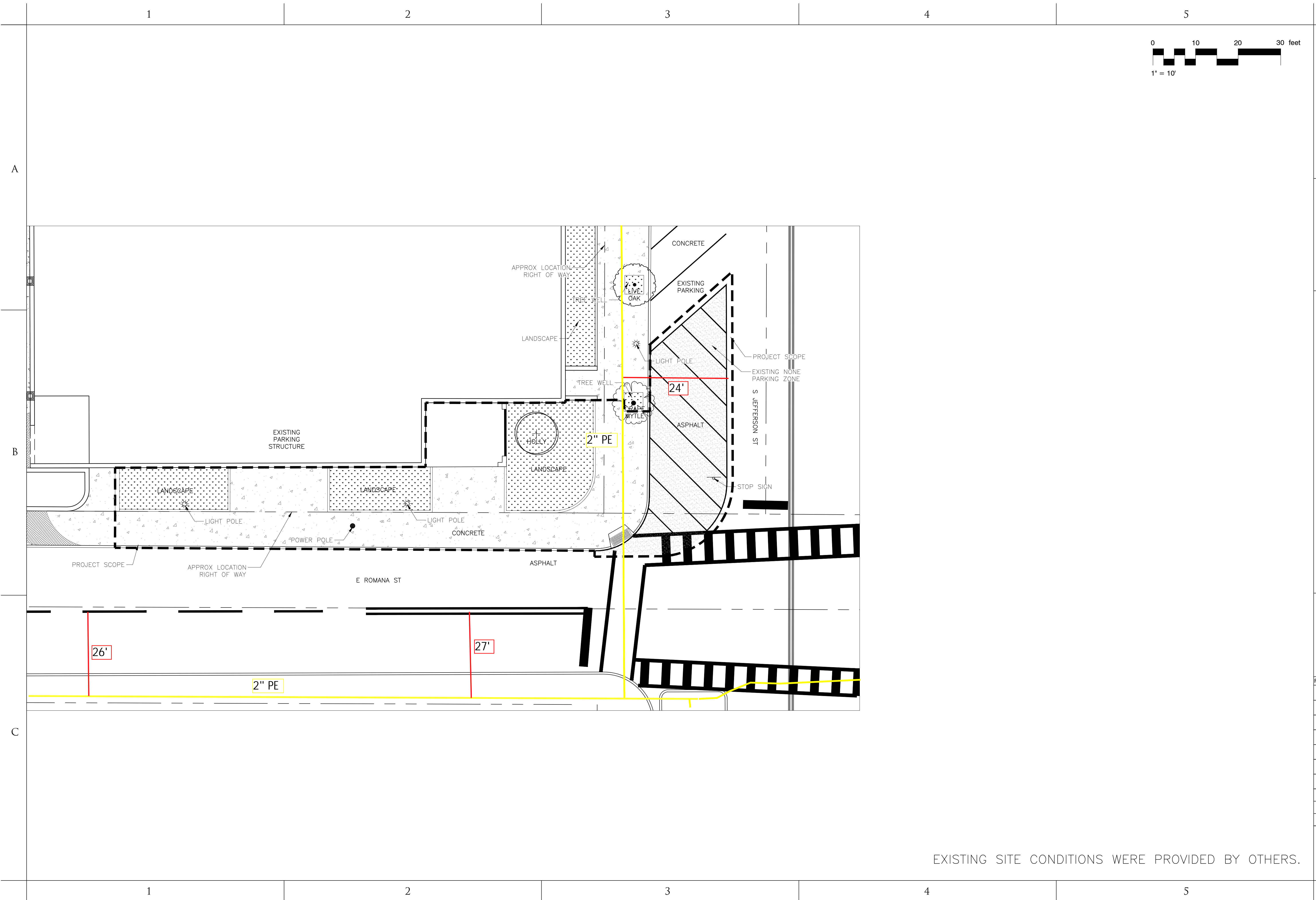
PROJECT MGR: E. FLOYD

SCALE:

UTILITY PLAN

RELEASED
FOR CONSTRUCTION

C-100



JEFFERSON STREET PUPPY PIT STOP

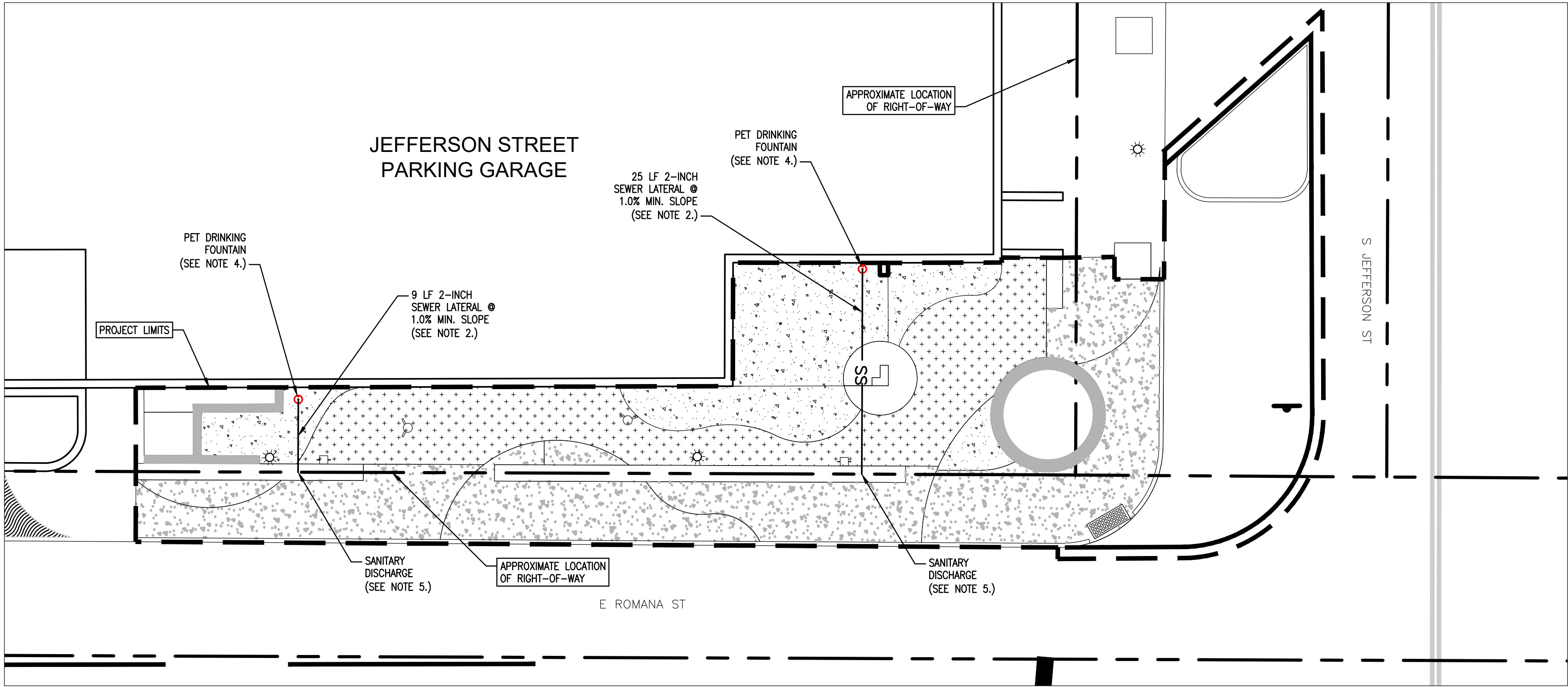
EXISTING CONDITIONS PLAN

REV. #	DATE
PROJECT NUMBER:	
49016	
DATE: 2.26.2020	
SUBJECT NO.	

LS101

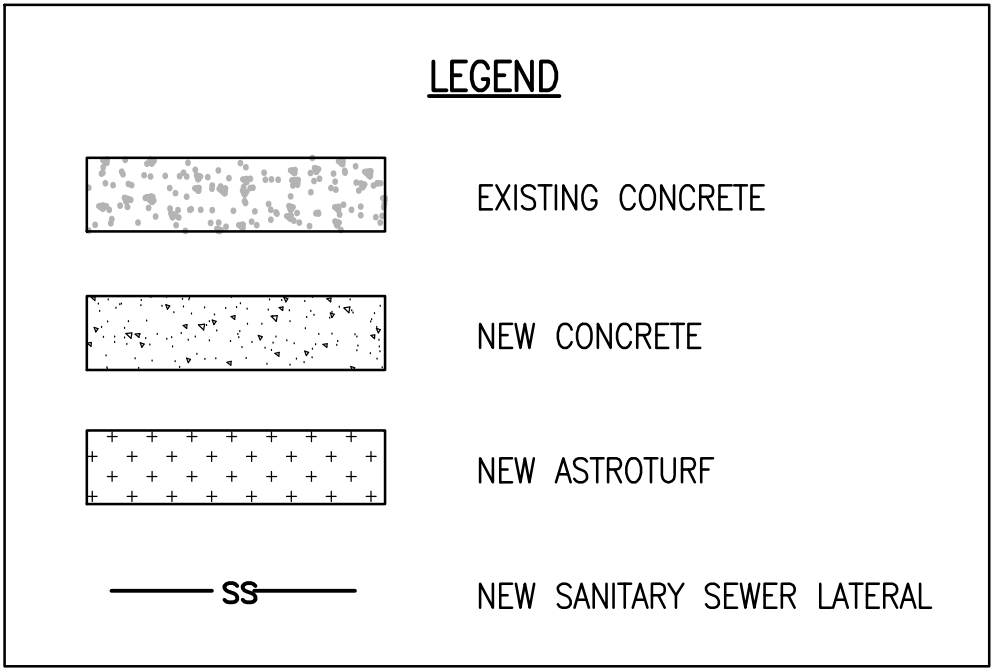
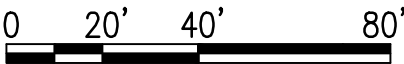
ISSUE FOR PERMIT

\\WDMyCloudMirror\GCE\ENGINEERING\GCE\Projects\00000.02\Site Design\Jefferson Doggy Stop\3_19016_DIB Puppy Pit Stop_Hardscape - Standard\3_19016_DIB Puppy Pit Stop_Hardscape_2013.dwg, Apr 07, 2020 - 11:01:36AM, erica



OVERALL UTILITY PLAN

SCALE: 1" = 40'

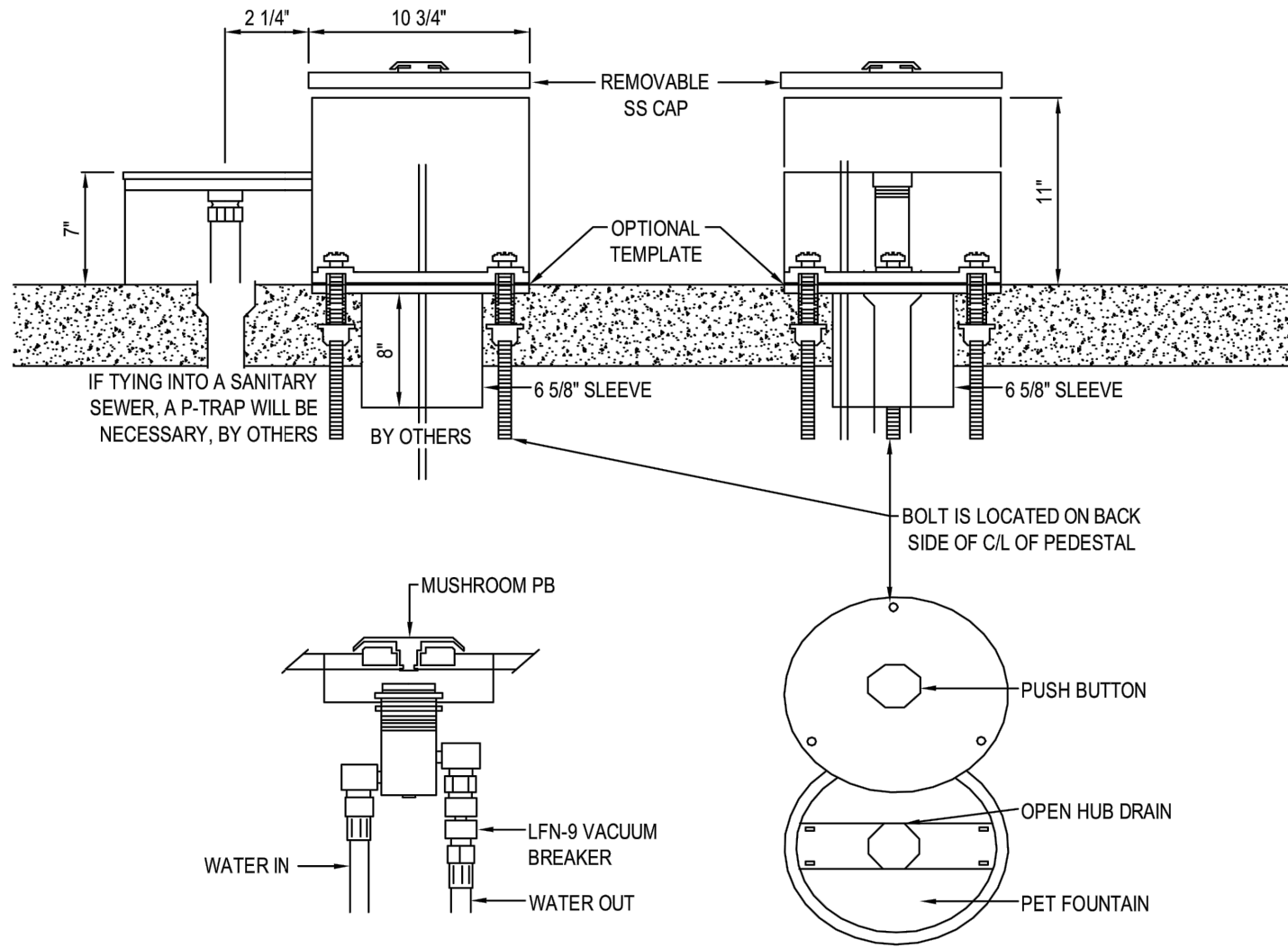


NOTES:

- UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY ALL EXISTING LOCATIONS PRIOR TO START OF DEMOLITION OR CONSTRUCTION.
- NEW SANITARY SEWER LATERAL CONSTRUCTION AND PLACEMENT SHALL INCLUDE A MINIMUM 30-INCH COVER OVER PIPE AND INSTALLATION AT A MINIMUM 1.0% POSITIVE SLOPE TO DISCHARGE LOCATION.
- SANITARY SEWER PIPING SHALL BE ASTM D3034 DR 26 PIPE w/ GLUED JOINTS.
- CONTRACTOR TO CONNECT PET DRINKING FOUNTAIN DRAIN TO 2-INCH SEWER LATERAL IN ACCORDANCE WITH PLUMBING CODE (INCLUDING P-TRAP).
- DISCHARGE LOCATION SHALL BE DIRECT DISCHARGE WITH SUMP BOTTOM TO VEGETATED/PEA GRAVEL DEPRESSED LANDSCAPE AREA. SEE LANDSCAPE PLANS FOR SECTION VIEW AND DETAILS.



MOST DEPENDABLE FOUNTAINS, INC.
5705 COMMANDER DR. P.O. BOX 587
ARLINGTON, TN 38002-0587
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- DO NOT SCALE DRAWING.
- THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
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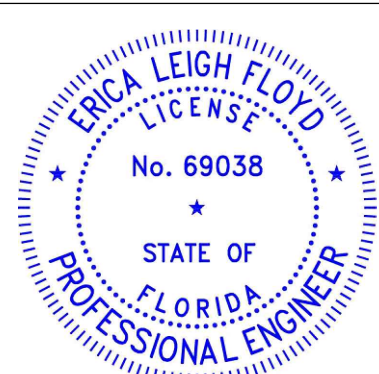


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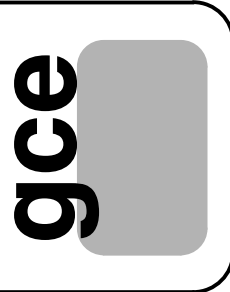


ERICA LEIGH FLOYD, P.E.
FL REG. ENGINEER # 69038

This item has been digitally signed and sealed by Erica Leigh Floyd, PE on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

GULF CIVIL ENGINEERING, LLC
Site/Civil Design Services
3298 Summit Boulevard, Suite 44
Pensacola, FL 32503
850.262.8941
FL Certificate of Auth. # 30082



DOWNTOWN
IMPROVEMENT BOARD
JEFFERSON STREET
PUPPY PIT STOP

REVISION / ACTION TAKEN

APPR.

DATE

NO.

PROJECT NO: 00000.02

DATE: APRIL 2020

PROJECT MGR: E. FLOYD

SCALE:

UTILITY PLAN

RELEASED
FOR CONSTRUCTION

C-100



DIB JEFFERSON STREET PUPPY PIT STOP

LANDSCAPE IMPROVEMENTS PLAN

PROJECT LOCATION

1 S JEFFERSON ST (SOUTH GARAGE)
PENSACOLA, FL 32502



301 SCHUBERT DRIVE - PENSACOLA, FL 32504
850-479-4653 WWW.JERRYPATEDESIGN.COM

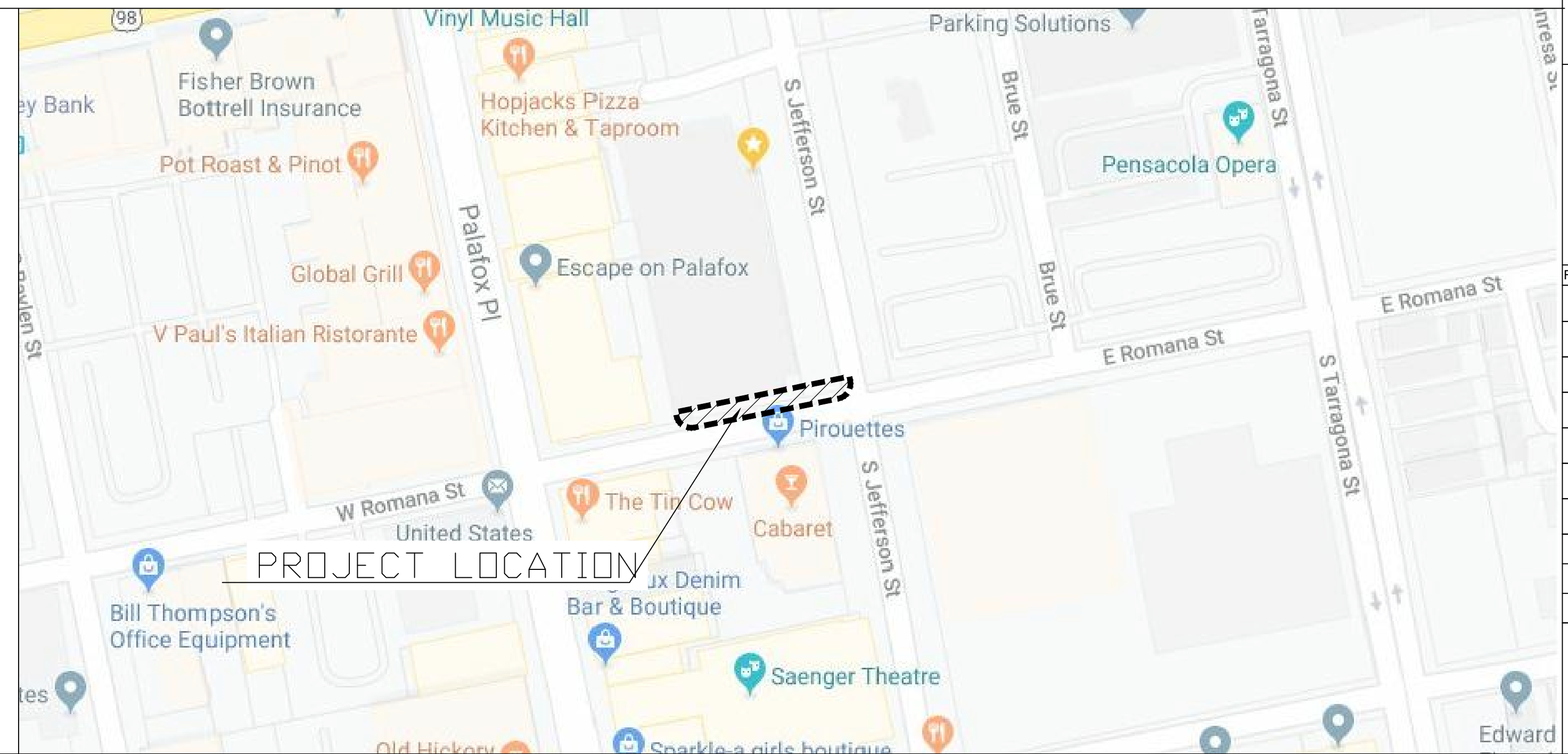
DOWNTOWN IMPROVEMENT BOARD
JEFFERSON STREET PUPPY PIT STOP

COVER PAGE

SHEET_INDEX

SHEET DESCRIPTION

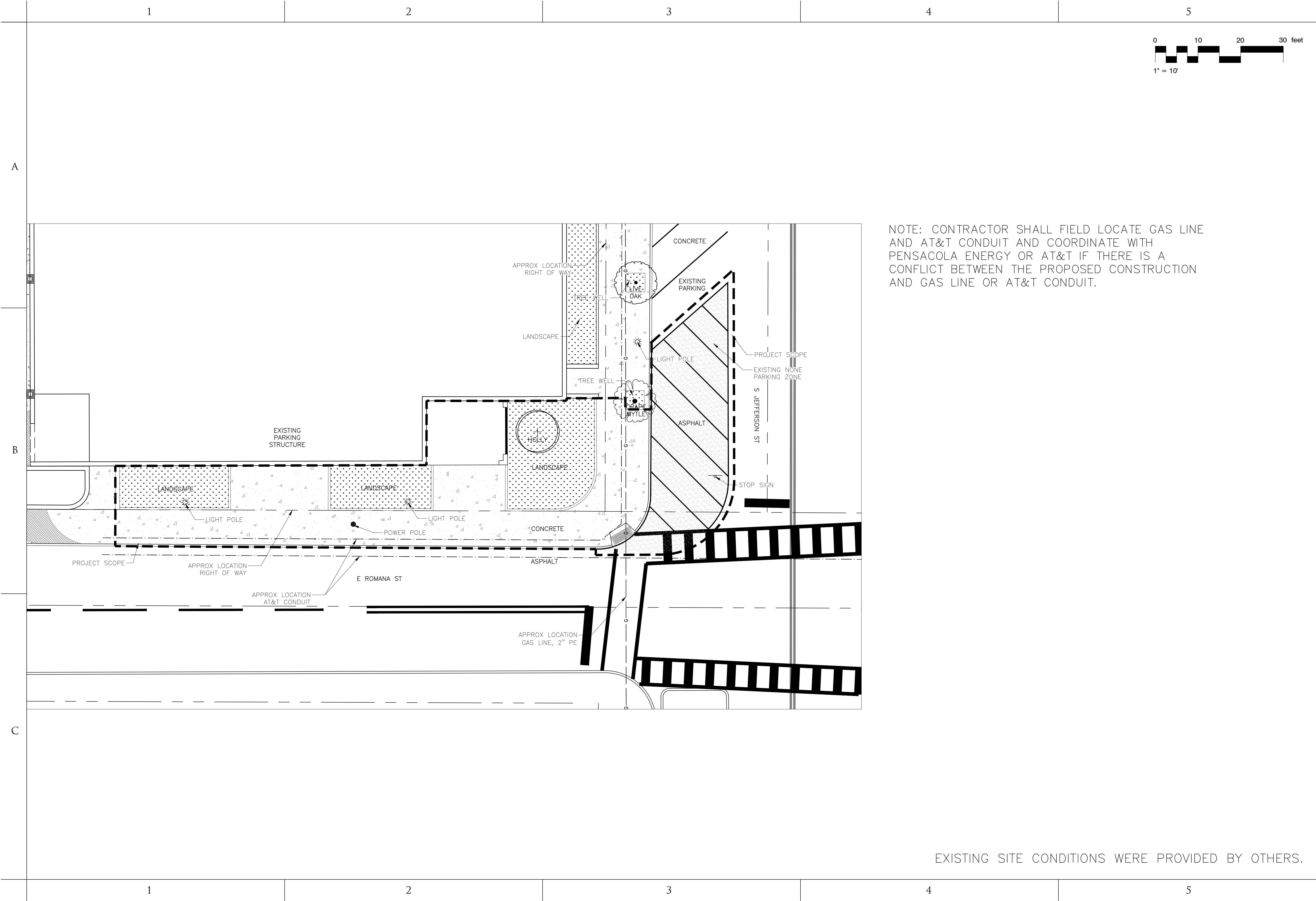
LS100	COVER PAGE
LS101	EXISTING CONDITIONS PLAN
LS201	DEMOLITION PLAN
LS301	LAYOUT PLAN
LS401	HARDSCAPE PLAN
LS501	LANDSCAPE PLAN
C100	UTILITY PLAN
LS601	DETAILS
LS602	DETAILS
IR101	IRRIGATION PLAN
IR201	IRRIGATION DETAILS



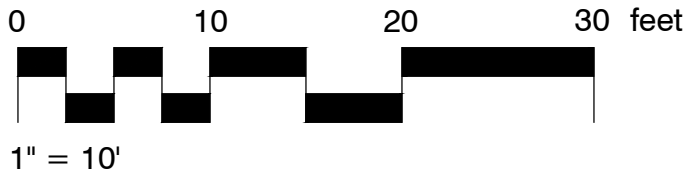
REV. #	DATE
PROJECT NUMBER: 19016	
DATE: 4.9.2020	

LS100

ISSUE FOR PERMIT



NOTE: CONTRACTOR SHALL FIELD LOCATE GAS LINE AND AT&T CONDUIT AND COORDINATE WITH PENSACOLA ENERGY OR AT&T IF THERE IS A CONFLICT BETWEEN THE PROPOSED CONSTRUCTION AND GAS LINE OR AT&T CONDUIT.



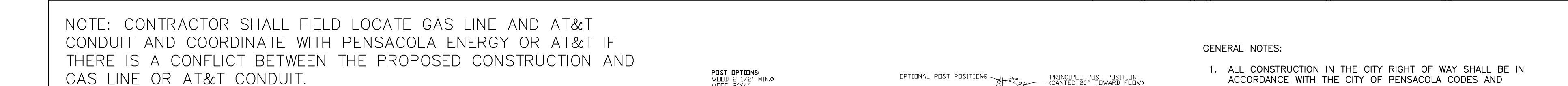
DOWNTOWN IMPROVEMENT BOARD
JEFFERSON STREET PUPPY PIT STOP
EXISTING CONDITIONS PLAN

REV. #	DATE
PROJECT NUMBER: 19016	
DATE: 4.9.2020	
SHEET NO.:	

LS101

EXISTING SITE CONDITIONS WERE PROVIDED BY OTHERS.

ISSUE FOR PERMIT



SYMBOL	DEMOLITION DESCRIPTION	QTY	DETAIL
 (D-101)	REMOVE EXISTING TURF & VEGETATION TO DEPTH REQUIRED FOR NEW HARDSCAPE & LANDSCAPE.	1,056 sf	
 (D-102)	REMOVE EXISTING CONCRETE TO DEPTH REQUIRED FOR NEW HARDSCAPE & LANDSCAPE	492 sf	
 (D-103)	REMOVE EXISTING WALL	34 lf	
 (D-104)	REMOVE EXISTING ASPHALT TO DEPTH REQUIRED FOR NEW HARDSCAPE & LANDSCAPE	207 sf	
 (D-105)	SILT FENCE	222 lf	

<u>EXISTING TO REMAIN</u>	<u>CODE</u>	<u>BOTANICAL / COMMON NAME</u>	<u>CAL</u>	<u>QTY</u>
	LN3	Lagerstroemia x 'Natchez' Crape Myrtle	Existing	1
	QV3	Quercus virginiana Southern Live Oak	Existing	1
<u>REMOVE</u>	<u>CODE</u>	<u>BOTANICAL / COMMON NAME</u>	<u>CAL</u>	<u>QTY</u>
	IM3	Ilex x 'Mary Nell' Mary Nell Holly	Existing	1

1. ALL EROSION AND SEDIMENT CONTROL PRACTICES TO BE INSTALLED PRIOR TO ANY MAJOR SOIL DISTURBANCE, OR IN THEIR PROPER SEQUENCE, AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED.
2. ANY DISTURBED AREAS THAT WILL BE LEFT EXPOSED MORE THAN 20 DAYS, AND NOT SUBJECT TO CONSTRUCTION TRAFFIC, WILL IMMEDIATELY RECEIVE A TEMPORARY SEEDING. IF THE SEASON PREVENTS THE ESTABLISHMENT OF A TEMPORARY COVER, THE DISTURBED AREAS WILL BE MULCHED WITH STRAW, OR EQUIVALENT MATERIAL, AT A RATE OF TWO (2) TONS PER ACRE, ACCORDING TO STATE STANDARDS.
3. PERMANENT VEGETATION TO BE SEED OR SODDED ON ALL EXPOSED AREAS WITHIN TEN (10) DAYS AFTER GRADING. MULCH TO BE USED AS NECESSARY FOR PROTECTION UNTIL SEEDING IS ESTABLISHED.
4. ALL WORK AND MATERIALS TO BE IN ACCORDANCE WITH THE FDOT "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION", LATEST EDITION, SECTIONS 104, 570, 575 AND 980 TO 986.
- *5. A BITUMINOUS CONCRETE BASE COURSE WILL BE APPLIED IMMEDIATELY FOLLOWING ROUGH GRADING AND INSTALLATION OF IMPROVEMENTS IN ORDER TO STABILIZE STREETS, ROADS, DRIVEWAYS AND PARKING AREAS. IN AREAS WHERE NO UTILITIES ARE PRESENT, THE BITUMINOUS CONCRETE BASE SHALL BE INSTALLED WITHIN 15 DAYS OF THE PRELIMINARY GRADING.
6. IMMEDIATELY FOLLOWING INITIAL DISTURBANCE OR ROUGH GRADING, ALL CRITICAL AREAS SUBJECT TO EROSION (I.E. STEEP SLOPES AND ROADWAY EMBANKMENTS) WILL RECEIVE A TEMPORARY SEEDING IN COMBINATION WITH STRAW MULCH OR A SUITABLE EQUIVALENT, AT A THICKNESS OF TWO (2) TO FOUR (4) INCHES MIXED WITH THE TOP TWO (2) INCHES OF SOIL, ACCORDING TO STATE STANDARDS.
- *7. ANY STEEP SLOPES RECEIVING PIPELINE INSTALLATION WILL BE BACKFILLED AND STABILIZED DAILY, AS THE INSTALLATION PROCEEDS (I.E. SLOPES GREATER THAN 3:1).
8. A CRUSHED LIMEROCK, VEHICLE WHEEL-CLEANING BLANKET SHALL BE INSTALLED AT THE CONTRACTOR'S STAGING YARD AND/OR STOCKPILE AREAS TO PREVENT OFF-SITE TRACKING OF SEDIMENT BY CONSTRUCTION VEHICLES ONTO PUBLIC ROADS. BLANKET SHALL BE 15FT. X 50FT. X 6IN. (MINIMUM), CRUSHED LIMEROCK 2 1/2 INCHES IN DIAMETER. SAID BLANKET SHALL BE UNDERLAIN WITH A FDOT CLASS 3 SYNTHETIC FILTER FABRIC AND MAINTAINED IN GOOD ORDER.
9. AT THE TIME WHEN THE SITE PREPARATION FOR PERMANENT VEGETATIVE STABILIZATION IS GOING TO BE ACCOMPLISHED, ANY SOIL THAT WILL NOT PROVIDE A SUITABLE ENVIRONMENT TO SUPPORT ADEQUATE VEGETATIVE GROUND COVER, SHALL BE REMOVED OR TREATED IN SUCH A WAY THAT WILL PERMANENTLY ADJUST THE SOIL CONDITIONS AND RENDER IT SUITABLE FOR VEGETATIVE GROUND COVER. IF THE REMOVAL OR TREATMENT OF THE SOIL WILL NOT PROVIDE SUITABLE CONDITIONS, NON-VEGETATIVE MEANS OF PERMANENT GROUND STABILIZATION WILL HAVE TO BE EMPLOYED.
- *10. CONDUIT OUTLET PROTECTION MUST BE INSTALLED AT ALL REQUIRED OUTFALLS PRIOR TO THE DRAINAGE SYSTEM BECOMING OPERATIONAL.

12. SHOULD THE CONTROL OF DUST AT THE SITE BE NECESSARY, THE SITE WILL BE SPRINKLED UNTIL THE SURFACE IS WET, TEMPORARY VEGETATION COVER SHALL BE ESTABLISHED OR MULCH SHALL BE APPLIED IN ACCORDANCE WITH STATE STANDARDS FOR EROSION CONTROL.
13. ALL SOIL WASHED, DROPPED, SPILLED OR TRACKED OUTSIDE THE LIMIT OF DISTURBANCE OR ONTO PUBLIC RIGHTS-OF-WAY WILL BE REMOVED IMMEDIATELY.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY EROSION OR SEDIMENTATION THAT MAY OCCUR BELOW STORMWATER OUTFALLS OR OFFSITE AS A RESULT OF CONSTRUCTION OF THE PROJECT.
15. ALL SOIL STOCKPILES ARE TO BE TEMPORARILY STABILIZED IN ACCORDANCE WITH SOIL EROSION AND SEDIMENT CONTROL NOTE NUMBER 2 (ABOVE).
16. THE SITE SHALL AT ALL TIMES BE GRADED AND MAINTAINED SUCH THAT ALL STORM WATER RUNOFF IS DIVERTED TO SOIL EROSION AND SEDIMENT CONTROL FACILITIES.
17. ALL SEDIMENTATION STRUCTURES SHALL BE INSPECTED AND MAINTAINED REGULARLY.
18. ALL CATCH BASIN INLETS SHALL BE PROTECTED WITH HAY BALES AS SHOWN ON DETAIL.
19. THE CONTRACTOR SHALL PREPARE A PLAN FOR THE PROPER DEWATERING AND DOWNSTREAM SILTATION PROTECTION.
20. ANY AREAS USED FOR THE CONTRACTOR'S STAGING, INCLUDING BUT NOT LIMITED TO, TEMPORARY STORAGE OF STOCKPILED MATERIALS (E.G. CRUSHED STONE, QUARRY PROCESS STONE, SELECT FILL, EXCAVATED MATERIALS, ETC.), SHALL BE ENTIRELY PROTECTED BY A SILT FENCE ALONG THE LOW ELEVATION SIDE TO CONTROL SEDIMENT RUNOFF.
21. THE CONTRACTOR'S MEANS AND METHODS OF GROUNDWATER DEWATERING SHALL COMPLY WITH ALL REGULATORY REQUIREMENTS FOR THE TEMPORARY DIVERSION OF GROUNDWATER AND ITS DISCHARGE, INCLUDING FDEP CHAPTER 62-621 "GENERAL PERMIT FOR THE DISCHARGE OF PRODUCED GROUNDWATER FROM ANY NON-CONTAMINATED SITE ACTIVITY".

* WHERE APPLICABLE

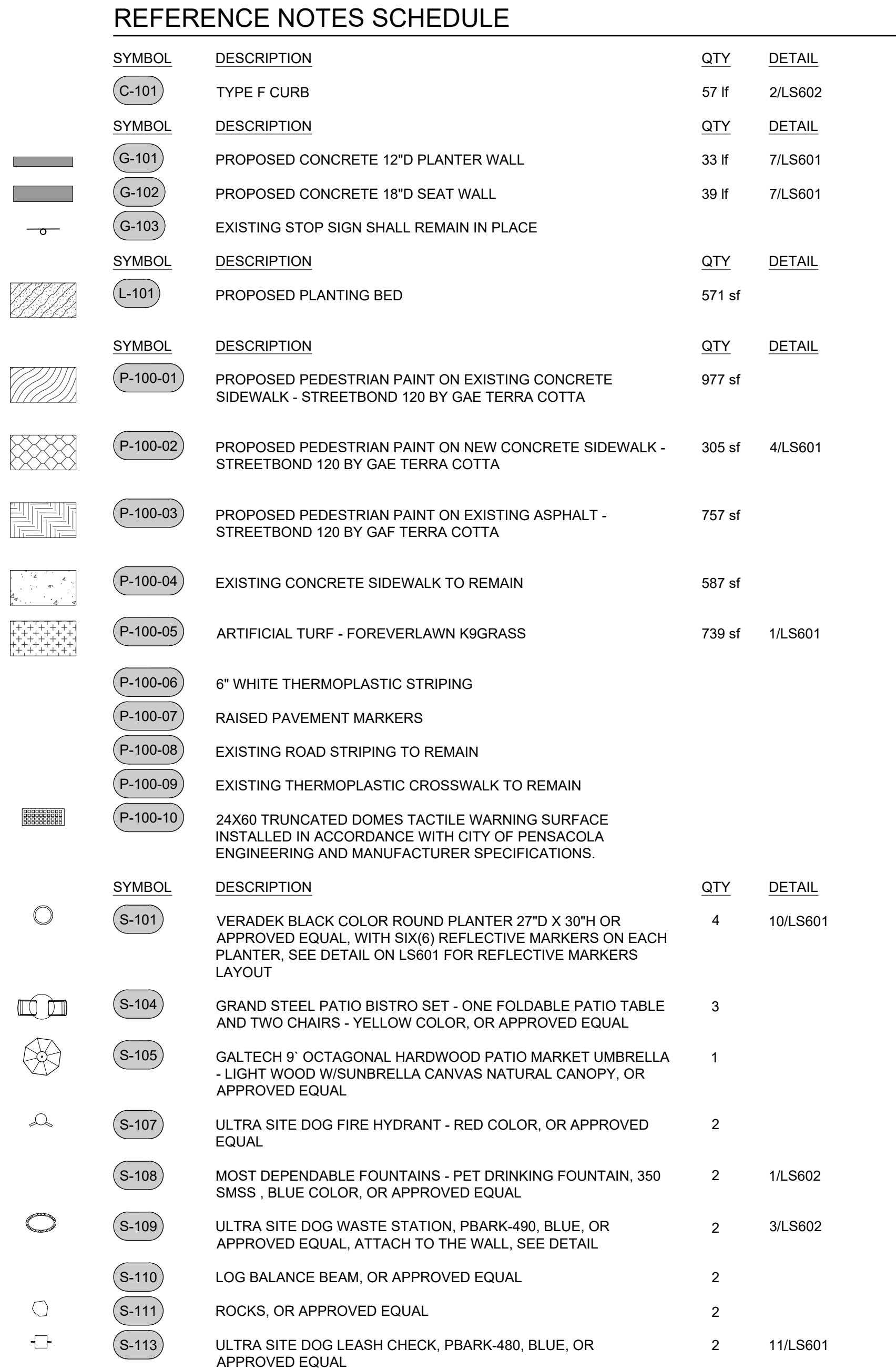
THE CONSTRUCTION SHOULD PROCEED IN THE FOLLOWING MANNER:

1. INSTALLATION OF ALL SEDIMENT AND EROSION CONTROL DEVICES THAT CAN BE PLACED PRIOR TO ANY MAJOR SOIL DISTURBANCES.
2. CLEAR AND REMOVE ALL EXISTING VEGETATION IN THOSE AREAS WHERE NECESSARY. ALL REMAINING VEGETATION TO BE PROPERLY PROTECTED AND TO REMAIN IN ITS NATURAL STATE. TOPSOIL IN AREAS TO BE DISTURBED TO BE STRIPPED TO A MINIMUM DEPTH OF SIX (6) INCHES AND STOCKPILED SEPARATELY FROM OTHER EXCAVATED SOIL(S)
3. IMMEDIATE INSTALLATION OF ALL REMAINING SEDIMENT AND EROSION CONTROL DEVICES.
4. INITIATE CONSTRUCTION.
5. UPON COMPLETION OF CONSTRUCTION ACTIVITIES, PROVIDE RESTORATION, FINE GRADE REMAINDER OF SITE, RESPREAD STOCKPILED TOPSOIL AND STABILIZE WITH PERMANENT VEGETATIVE COVER AND LANDSCAPING.
6. REMOVAL OF APPROPRIATE TEMPORARY SEDIMENT AND EROSION CONTROL DEVICES.

[illegible][illegible]

- REFERENCE_NOTES_SCHEDULE

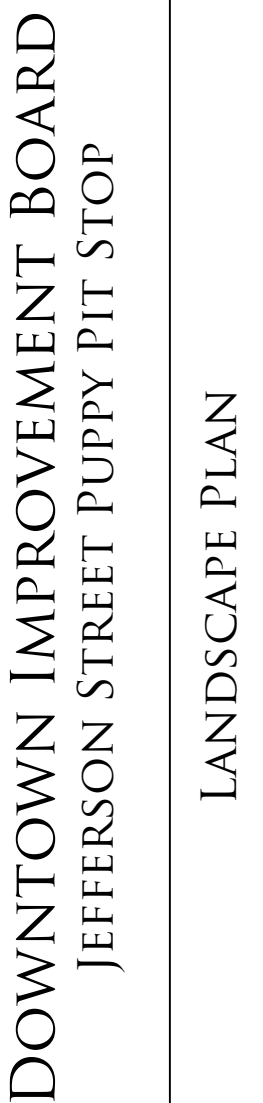
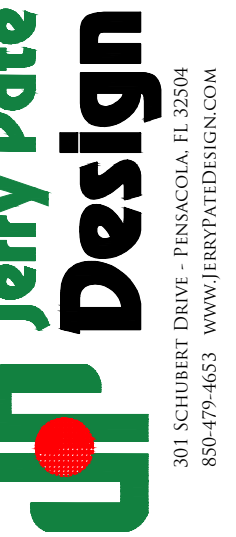
NOTE: ALL SITE FURNITURE AND AMENITIES EXACT LOCATION TO BE FIELD LAID OUT BY LANDSCAPE ARCHITECTS AND CONTRACTOR.



B



1. ALL CONSTRUCTION IN THE CITY RIGHT OF WAY SHALL BE IN ACCORDANCE WITH THE CITY OF PENSACOLA CODES AND SPECIFICATIONS.
2. EXISTING ROAD & CROSSWALK STRIPING SHALL NOT BE DESTROYED, MOVED OR OTHERWISE ALTERED.
3. ALL LANES SHALL BE OPEN FOR TRAFFIC IN THE EVENT OF AN EVACUATION NOTICE.
5. CONTRACTOR SHALL FIELD LOCATE GAS LINE AND AT&T CONDUIT AND COORDINATE WITH PENSACOLA ENERGY OR AT&T IF THERE IS A CONFLICT BETWEEN THE PROPOSED CONSTRUCTION AND GAS LINE OR AT&T CONDUIT.
6. ALL STRIPING SHALL BE THERMOPLASTIC.
7. IMPROVEMENTS IN THE CITY RIGHT OF WAY SHALL BE MAINTAINED BY THE DOWNTOWN IMPROVEMENT BOARD AS LONG AS THE DIB IS TASKED BY THE CITY OF PENSACOLA.
8. DETECTABLE WARNINGS SHALL COMPLY WITH LATEST FDOT DESIGN STANDARDS INDEX 522.
9. RAISED PAVEMENT MARKERS SHALL COMPLY WITH LATEST FDOT STANDARD PLANS INDEX 706 & INDEX 711.
10. ALL RAISED PAVEMENT MARKERS SHALL BE CLASS B DOUBLE SIDED REFLECTIVE & WHITE IN COLOR PER FDOT STANDARD PLANS INDEX 706.
11. REFLECTIVE MARKERS:
 - 11.1. ALL ROUND PLANTERS ON SIDEWALK BUMP-OUT ON JEFFERSON STREET SHALL CONTAIN (6) SIX REFLECTIVE MARKERS ATTACHED TO THE FACE OF THE PLANTERS WITH SCREWS. SEE DETAIL ON LS601.
 - 11.2. REFLECTIVE MARKERS SHALL HAVE A REFLECTION COLOR OF RED.



LS501



GENERAL NOTES:

1. ALL CONSTRUCTION IN THE CITY RIGHT OF WAY SHALL BE IN ACCORDANCE WITH THE CITY OF PENSACOLA CODES AND SPECIFICATIONS.
2. EXISTING ROAD & CROSSWALK STRIPING SHALL NOT BE DESTROYED, MOVED OR OTHERWISE ALTERED.
3. ALL LANES SHALL BE OPEN FOR TRAFFIC IN THE EVENT OF AN EVACUATION NOTICE.
4. IMPROVEMENTS IN THE CITY RIGHT OF WAY SHALL BE MAINTAINED BY THE DOWNTOWN IMPROVEMENT BOARD AS LONG AS THE DIB IS TASKED BY THE CITY OF PENSACOLA.
5. CONTRACTOR SHALL FIELD LOCATE GAS LINE AND AT&T CONDUIT AND COORDINATE WITH PENSACOLA ENERGY OR AT&T IF THERE IS A CONFLICT BETWEEN THE PROPOSED CONSTRUCTION AND GAS LINE OR AT&T CONDUIT.



MINUTES OF THE ARCHITECTURAL REVIEW BOARD

January 16, 2020

MEMBERS PRESENT: Chairperson Quina, Vice Chairperson Crawford, Board Member Fogarty, Board Member Campbell-Hatler, Board Member Mead, Board Member Salter, Board Member Villegas

MEMBERS ABSENT: None

STAFF PRESENT: Historic Preservation Planner Harding, Senior Planner Statler, Board Advisor Pristera, Assistant City Attorney Lindsay, Intern Mendillo, Assistant Planning Director Cannon, Digital Media Coordinator Siedah Rosa

OTHERS PRESENT: Elsie Zhang, Lissa Dees

CALL TO ORDER / QUORUM PRESENT

Chairperson Quina called the Architectural Review Board (ARB) meeting to order at 2:00 p.m. with a quorum present and explained the Board procedures to the audience.

APPROVAL OF MINUTES

Board Member Crawford made a motion to approve the December 19, 2019 minutes, seconded by Board Member Villegas, and it carried unanimously. Board Member Fogarty made a motion to approve the minutes of the special meeting tour on January 10, 2020, seconded by Board Member Campbell-Hatler, and it carried unanimously.

OPEN FORUM - None

NEW BUSINESS

Item 1

1304 N. Barcelona Street

NHPD

Contributing Structure

PR-1AAA

Action taken: Approved.

Scott Sallis, Dalrymple Sallis Architecture, is requesting modifications to a recently approved project.

Mr. Sallis presented to the Board and explained the proposed changes were simplified due to construction costs but felt it warranted returning to the Board for approval. Chairperson

Quina noted that North Hill had no objections to the request. He asked about the materials for the pergola, and Mr. Sallis advised they were most likely wood. Board Member Mead addressed the tree cutting, and Mr. Sallis stated the neighborhood association had met and had given their concerns. It was determined the tree cutting involved Laurel oaks, and everyone was on board. He further explained the trees coming out were near the pool, and they were planting far more trees than they were removing. It was determined the pergola was open to the sky with aluminum slats. Chairperson Quina asked about the security from the house to the pool. Mr. Sallis stated the pool contractor would be addressing this. He also advised there was a new connection from the porch to the master suite since the windows leaked horribly. **Board Member Crawford made a motion to approve, seconded by Board Member Mead, and it carried unanimously.**

Item 2

1 S. Jefferson Street

PHBD

Non-Contributing Structure

C-2A

Action taken: Approved (awning not included).

Lissa Dees, Downtown Improvement Board (DIB), is requesting approval for a "Puppy Pit Stop" along the south side of the Jefferson Street parking garage.

Ms. Zhang and Ms. Dees presented to the Board and stated the dog area would be open with the dogs on leashes. The no parking zone would be painted to expand the sidewalk area with planters to protect pedestrians from the vehicles. Some of the furniture and amenities would be offered in the second phase.

Chairman Quina pointed out it was an interesting way to enliven that corner, and it was a shame they couldn't raise the curb to make it all level. It was determined the funding came from the DIB. Board Member Mead asked if there was some manner where they could attach leashes, possibly installing rails to give for more freedom for the animals and the owners; it might also be a good architectural addition. Board Member Campbell-Hatler asked about the cleanup plan, and Ms. Dees stated the DIB had hired a company for street cleaning who would add this to their regular routine. Ms. Zhang advised there would be a waste station, and the turf was designed to keep the solid waste on top of the turf for easier cleaning.

Board Member Villegas was concerned about safety and asked about the shrubs which were determined to be in the first phase. She was concerned with the presence of the dogs and how people deal with them and how this would all play out. She liked the idea of attaching the leash to something and asked if there could be a gate on the entrance if needed; she wanted to know the quick fix for any potential problems. Ms. Dees advised when Southtowne was proposed, there was a dog park, but that had been mitigated. There were now areas to avoid, and they were trying to provide an area for the downtown pets. She also explained they were working within the budget they currently have, and a gate might be affordable at a later date. She indicated the traffic flow was a part of Public Works, and they had not commented on the need for a change.

Ms. Zhang stated they would use the same screening as the rear of Jefferson garage, and the awning cover was within Phase 2. They considered the retractable awning for the tight space and hurricane conditions. Advisor Pristera asked about the lighting, and Ms. Dees advised the lighting on the inside had been converted to LEDs, and the domes would be replaced to make it brighter. She also explained there were lots of security cameras around

the parking garage. Board Member Salter asked about the size of the in-ground waste disposal, and it was determined to be around 24" to 36" but it would be a regular size container buried in the ground. Board Member Campbell-Hatler was concerned about the shade and suggested "lollipop" trees, and Ms. Dees stated she would be asking Council about the Tree Fund monies. **Board Member Campbell-Hatler made a motion to approve, seconded by Board Member Crawford. Board Member Salter made an amendment to state the awning was not included, and it was accepted and seconded. With no speakers, the motion carried unanimously.**

Item 3

412 E. Belmont Street

OEHPD

Contributing Structure

OEHC-1

Action taken: Approved with abbreviated reviews.

Jesse LaCoste, LaCoste Construction Group, is seeking *final* approval for a rear addition and exterior modifications to a contributing structure.

Mr. LaCoste addressed the Board and stated the siding color was aqua, windows and doors would be a deep espresso stain, the iron fixtures would be black, and trim color would be white. Chairperson Quina advised from the onsite visit, the actual ceiling height upstairs seemed adequate, but the problem was the ceiling height over the stairwell. Mr. LaCoste stated raising one roof line above the other created the need to raise the whole roof for the best visual.

Advisor Pristera stated it seemed to be a lot of expense to raise the roof for two rooms and a bathroom, and with a deep lot it might be better to construct an addition on the rear and not deal with the stairs and raising the roof; he explained this was not a preservation project. Mr. LaCoste stated the deep structural work was caused by the Code, and once they did the structural alterations, it became a Level 3 alteration. Advisor Pristera felt the lot was wide enough for other things. Mr. LaCoste stated the house was actually twisted, and according to the boundary, the rear of the left elevation was actually diving into the property line; he did not have as much room to build in the rear as it seemed. The Board then discussed other methods to obtain the needed height. Mr. Scapechi, the engineer, explained that Mr. Weekley pointed to a structural beam which holds up the second floor which is below the head height, and it could not be raised. Chairperson Quina asked how significant this house was, and Advisor Pristera stated it was unique to Old East Hill and significant to them. Staff stated Old East Hill had provided comments when the project was presented for conceptual review. Mr. LaCoste indicated they wanted to keep the structure the same, but it would be taller. Staff handed out the prior Old East Hill comments to the Board for consideration. It was determined the age for construction of the house was the 1890s, and Old East Hill wanted to maintain the gothic influence and details with a single front door and sidelights; Mr. LaCoste was agreeable to these suggestions.

Chairperson Quina appreciated the fact they were trying to preserve the structure, and adding 2' was minimal in saving the house. Mr. Weekley then explained to the Board that the foundation was a must, the head level at the stairs would have to come to Code, it was a Level 3 alteration, and he would need reports for historical repairs. He pointed out the foundation would not be done from the crawl space, and all flooring would be removed even to level the foundation. In just walking across the flooring, he could see there were some serious issues. He advised the east side appeared to be an add-on with multiple

piers at one location which was the point where it was beginning to sag. He explained they were basically building a new house from inside out. Advisor Pristera agreed this structure needed work. Board Member Campbell-Hatler asked what aesthetic quality would the structure have in the end with all the required changes and would it be better to take it down. Mr. LaCoste explained they had factored in enough to build what they proposed, and since his name would be attached to this home, it would be built with certain standards. Board Member Mead addressed the lack of fenestration on the rear, and Board Member Crawford suggested a window on the new rear elevation.

Board Member Mead made a motion to approve with the following modifications: 1) that the dormer on the west side have a double gang of square windows or a single square window consistent with the other square windows on that elevation; 2) in the addition, that the window over the top be modified to fit one of the component windows on the main body of the house to be submitted for abbreviated review; 3) on the rear elevation the door be shifted to the left to accommodate the retention of the double gang windows – he was fine with the deletion of the single window to the left of that side, and that some type of appropriate fenestration be placed in the rear elevation wall to give it some relief and more light in the bathroom which could be in an abbreviated review. (It was clarified that it was the door on the upper level of the rear elevation. It was also noted the Board preferred the single door on A2.2.) Board Member Crawford seconded the motion. Board Member Salter amended the motion to ensure all of the eaves, overhangs, and rakes of the new addition matched the profiles of the existing. The amendment was accepted and seconded, and the motion carried unanimously.

**Item 4
Contributing Structure
Action taken: Approved.**

200 W. Jackson Street

**NHPD
PR-2**

James and Michelle English are requesting a *Variance* to increase the maximum allowed rear yard coverage from 25% (625 sf) to 27.36% (684 sf) to accommodate a detached garage with second-story living quarters.

Mr. English presented to the Board, and Chairperson Quina stated he appreciated the applicant returning to the Board and addressing its concerns. Board Member Mead pointed out the house originally comprised a parcel which included the lot behind it, so with respect to the current Code, the existing house is built well into the rear setback line which is part of the percentage problem. Historic Preservation Planner Harding advised the Board had approved the removal of the existing stairs but 175 sq. ft. of the house still encroached into the rear; he explained they were able to occupy 625 sq. ft. and they were asking for 684 sq. ft. If the building had been built within its own setbacks, a variance would not be necessary. **Board Member Mead considered this a hardship, and the applicant should get credit for that detail and receive the balance for that on the additional coverage for what they were requesting and moved for an approval. Board Member Crawford seconded the motion, and with no audience speakers, the motion carried unanimously.**

Item 5

200 W. Jackson Street

NHPD

Contributing Structure

PR-2

Action taken: Approved with abbreviated review.

James and Michelle English are requesting approval for exterior modifications to a contributing structure and to add a detached two-car garage with second-story living quarters.

Mr. English addressed the Board and stated the windows were changed to wood since they wanted to emulate each elevation. The steel carriage doors would be trimmed to match the house. Board Member Crawford was concerned with the steel because of extruding methods which might not have sharp edges. Mr. English advised their goal was consistency which would be addressed by the painter. He also explained the balcony was now at 4' and they wanted it to aesthetically match the house. Chairperson Quina suggested lowering the balcony windows for access. Mr. English advised they proposed to position the A/C units under the stairs. Board Member Mead addressed the awning roof over the door and suggested duplicating the bracket detail on the front porch.

Board Member Crawford made a motion to approve with the following modifications:

1) that the windows on the front and right include a 4" center trim piece which matches the main house; 2) that brackets be added to the rear elevation canopy similar to the front elevation; 3) recommended the carriage door in the plans and suggested considering fiberglass doors with a cement board overlay for sharper details. Board Member Salter amended the motion to include that the second floor windows be lowered. Board Member Mead suggested an abbreviated review for the 4" center window trim since the trim was probably a 6" trim. The amendments were accepted. Board Member Mead seconded the motion, and it carried unanimously.

(The Board then proceeded to Item 7.)

Item 6

2 N. Palafox Street

PHBD

Contributing Structure

C-2A

Action taken: Approved as art.

The UWF Historic Trust is requesting modifications to a previously approved mural. This project was denied during an Abbreviated Review due to the inclusion of the UWF Historic Trust's name and logo causing the mural to be classified as signage.

Advisor Pristera presented to the Board and explained the mural had been installed. He explained as people come into the mural program, they were trying to deal with how to place the signature on it to designate it as part of a walking trail. They will eventually have an application which visitors can follow to an information hub. He explained the key was a citation or artist's signature, and they did not intend it to be offsite advertising.

Board Member Salter explained the definition of a sign by the City of Pensacola does not distinguish or exclude not-for-profits but states any entity, and the Trust is an entity. Assistant City Attorney Lindsay stated Board Member Salter was correct. Whether this Board would want to recommend that the City look at whether the ordinance could be amended at how we define signs, the Board could recommend that review. But as the Code is currently written, the opinion by Board Member Salter was correct. Staff referred to Sec. 12-14-1 *Definitions enumerated, Sign* - Sign means any device, display or structure, or part thereof, which advertises, identifies, displays, directs or attracts attention to an

object, person, institution, organization, business, product, service, event or location by the use of words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

Board Member Mead suggested the Trust was the custodian of the art and what it had been approved under previously. Board Member Salter advised every image he had seen in the past did not have the logo/key. Staff advised they had looked at it as off-premise signage which was also prohibited in this district. Assistant City Attorney Lindsay explained it was public art but might not be under the City's definition because there is a designation referencing back to the Historic Trust; the logo and the wording created the sign. Board Member Campbell-Hatler explained it was more an installation piece since one would have to know what they were looking at in order to participate in the viewing and consumption of it. Board Member Mead pointed out the Gulf Coast Arts Festival had lots of signs and depictions which direct the person to the artist. Advisor Pristera stated the parking garage also had the signature of the artists. Board Member Mead felt the categories were different. Board Member Campbell-Hatler explained if it was really signage, it would be very legible and very obvious for what it was trying to advertise; she did not believe this mural was focused on selling. She pointed out if walking through a museum with earphones on, you would have to have a designation to know which pieces were in that collection. Advisor Pristera indicated the key was lending to interactive wayfinding. Board Member Mead explained the value was given by the designation, and Board Member Campbell-Hatler suggested it was out of the perimeters of advertising and believed all of the murals should have it. Board Member Salter believed the issue at hand was using the key/logo as the symbol for the wayfinding paths, but the murals being mounted to the sides of the building represented the emblem of the Historic Trust Trail and did not need the mark of the Historic Trust placed on them to mark them as a part of the historic trail. The way the Code is written does not mean it has to be a business but states "which identifies an entity" which it does. He felt there needed to be an alteration to the Code.

Board Member Mead did not feel in this context an alteration was needed because he thought a categorical distinction could be made between art and signage and that the customary nature of the identification that is spoken to in the signage is different than the customary nature of the identification that is typically the signature of the artist, or in this case, the custodian of art. Proportionally speaking, this was consistent for the signature on art where we have a matter which is in the public domain and has to be maintained by a public custodian; he suggested this was within the bounds for custom of art and did not become signage. Board Member Salter asked the difference between this mural and the mural with the logo for the East Garden District development. Advisor Pristera felt the development was using the mural to benefit them for their development, and the logo placement was also in a more prominent location. Board Member Salter stated it was still a logo of an entity and did not see a distinction between this logo and the Historic Trust logo. Board Member Mead explained they were trying to use a public domain image as signage in the same manner as the Historic Trust, but here you have the public custodian of the art and of the location putting up the historic image of the place and also indicating the custodian. Board Member Salter pointed out the image could change and at that point, anyone who wanted to become the custodian could place their image on it. Board Member Mead clarified that the Historical Trust was the real custodian of the images, and if that

custodian did not exist, those historical resources would go away. Advisor Pristera advised there was a committee to oversee donors, and it was a program for public benefit, and if they wanted their sponsorship noted, it could be placed on a website. He felt giving the key gave it legitimacy in that a larger group had reviewed this, and it was appropriate and serving a public good.

Board Member Villegas agreed with both Board members but felt some type of amendment needed to be in place to acknowledge the historical value of it and how these things are approached. Verbiage of custodianship could get the Board in trouble down the line, and she felt amending it with some acknowledgment to a historical acknowledgement within the community would be the value of the community and allowed in that context. But outside of that, signage was signage; she felt it would be changed out and could be a problem down the line. Board Member Mead explained that within an art placement, you would sign the iteration of the art, and this mural was consistent with that. Attempts to prescribe too much winnows out all the creative efforts that you could get in the play of the joints that are needed in order to be successful. Board Member Villegas pointed out there were a lot of images not owned by UWF which the Historical Trust had not handed over, and a private company could purchase them, and an amendment protected the Board in the long term.

Board Member Mead made a motion to approve as these are public art in placements which are being signed effectively by the custodian of the art in placement responsible for its erection, these should be considered as art, and insofar as they are in proportion to the typical customary signature on a piece of art, they should be approved and not considered signage. Board Member Campbell-Hatler seconded the motion. The motion carried 5 to 2 with Board Member Salter and Villegas dissenting.

Item 7

423 E. Government Street

PHD

Contributing Structure

HC-1 / Wood Cottages

Action taken: Approved.

Robin Hoban is requesting approval to remove a chimney.

Ms. Hoban presented to the Board and thanked Historic Preservation Planner Harding for his assistance in preparing the application. She advised they did a preliminary assessment of the chimney initially, and based on the Board's discussion, they decided to try and keep the chimney; the entire floorplan had been designed around the chimney. At this time, they have begun to fully assess the brick on the chimney and the house, and the sun dried brick had not held up over time, and the prior owners had not done anything to mitigate the damage. After getting onto the roof with the structural engineer, the degradation was alarming; it was a concern at this point, it would cost more to remove it than to keep it, and they wanted the Board to consider her request to remove the chimney. Advisor Pristera explained he had met the contractor at the house and also felt the house was very unstable, and only a small portion was supporting the chimney structure; to repair the house would be a total rebuild. He pointed out the homeowner was doing a great job in restoring the house the correct way, but the chimney would be a total rebuild. **Board Member Mead made a motion to approve the chimney removal, seconded by Board Member Salter, and it carried unanimously.**

ADJOURNMENT – With no further business, the meeting adjourned at 4:22 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'G. Harding', written in a cursive style.

Historic Preservation Planner Harding
Secretary to the Board



MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

222 West Main Street Pensacola, Florida 32502

www.cityofpensacola.com

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained it was maintained by the DIB. Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, who was working with the applicant, explained there was no intention of subdividing the lot but to build another structure for rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr.

Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved which included City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment

Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated to accommodate staff, give the utility companies more time and to have the items on the same track as subdivisions or rezonings made more sense. **Vice Chairperson Larson made a motion to approve, seconded**

by Board Member Wiggins. Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance

Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board



MINUTES OF THE ARCHITECTURAL REVIEW BOARD

January 16, 2020

MEMBERS PRESENT: Chairperson Quina, Vice Chairperson Crawford, Board Member Fogarty, Board Member Campbell-Hatler, Board Member Mead, Board Member Salter, Board Member Villegas

MEMBERS ABSENT: None

STAFF PRESENT: Historic Preservation Planner Harding, Senior Planner Statler, Board Advisor Pristera, Assistant City Attorney Lindsay, Intern Mendillo, Assistant Planning Director Cannon, Digital Media Coordinator Siedah Rosa

OTHERS PRESENT: Elsie Zhang, Lissa Dees

CALL TO ORDER / QUORUM PRESENT

Chairperson Quina called the Architectural Review Board (ARB) meeting to order at 2:00 p.m. with a quorum present and explained the Board procedures to the audience.

APPROVAL OF MINUTES

Board Member Crawford made a motion to approve the December 19, 2019 minutes, seconded by Board Member Villegas, and it carried unanimously. Board Member Fogarty made a motion to approve the minutes of the special meeting tour on January 10, 2020, seconded by Board Member Campbell-Hatler, and it carried unanimously.

OPEN FORUM - None

NEW BUSINESS

Item 1

1304 N. Barcelona Street

NHPD

Contributing Structure

PR-1AAA

Action taken: Approved.

Scott Sallis, Dalrymple Sallis Architecture, is requesting modifications to a recently approved project.

Mr. Sallis presented to the Board and explained the proposed changes were simplified due to construction costs but felt it warranted returning to the Board for approval. Chairperson

Quina noted that North Hill had no objections to the request. He asked about the materials for the pergola, and Mr. Sallis advised they were most likely wood. Board Member Mead addressed the tree cutting, and Mr. Sallis stated the neighborhood association had met and had given their concerns. It was determined the tree cutting involved Laurel oaks, and everyone was on board. He further explained the trees coming out were near the pool, and they were planting far more trees than they were removing. It was determined the pergola was open to the sky with aluminum slats. Chairperson Quina asked about the security from the house to the pool. Mr. Sallis stated the pool contractor would be addressing this. He also advised there was a new connection from the porch to the master suite since the windows leaked horribly. **Board Member Crawford made a motion to approve, seconded by Board Member Mead, and it carried unanimously.**

Item 2	1 S. Jefferson Street	PHBD
Non-Contributing Structure		C-2A
Action taken: Approved (awning not included).		

Lissa Dees, Downtown Improvement Board (DIB), is requesting approval for a "Puppy Pit Stop" along the south side of the Jefferson Street parking garage.

Ms. Zhang and Ms. Dees presented to the Board and stated the dog area would be open with the dogs on leashes. The no parking zone would be painted to expand the sidewalk area with planters to protect pedestrians from the vehicles. Some of the furniture and amenities would be offered in the second phase.

Chairman Quina pointed out it was an interesting way to enliven that corner, and it was a shame they couldn't raise the curb to make it all level. It was determined the funding came from the DIB. Board Member Mead asked if there was some manner where they could attach leashes, possibly installing rails to give for more freedom for the animals and the owners; it might also be a good architectural addition. Board Member Campbell-Hatler asked about the cleanup plan, and Ms. Dees stated the DIB had hired a company for street cleaning who would add this to their regular routine. Ms. Zhang advised there would be a waste station, and the turf was designed to keep the solid waste on top of the turf for easier cleaning.

Board Member Villegas was concerned about safety and asked about the shrubs which were determined to be in the first phase. She was concerned with the presence of the dogs and how people deal with them and how this would all play out. She liked the idea of attaching the leash to something and asked if there could be a gate on the entrance if needed; she wanted to know the quick fix for any potential problems. Ms. Dees advised when Southtowne was proposed, there was a dog park, but that had been mitigated. There were now areas to avoid, and they were trying to provide an area for the downtown pets. She also explained they were working within the budget they currently have, and a gate might be affordable at a later date. She indicated the traffic flow was a part of Public Works, and they had not commented on the need for a change.

Ms. Zhang stated they would use the same screening as the rear of Jefferson garage, and the awning cover was within Phase 2. They considered the retractable awning for the tight space and hurricane conditions. Advisor Pristera asked about the lighting, and Ms. Dees advised the lighting on the inside had been converted to LEDs, and the domes would be replaced to make it brighter. She also explained there were lots of security cameras around

the parking garage. Board Member Salter asked about the size of the in-ground waste disposal, and it was determined to be around 24" to 36" but it would be a regular size container buried in the ground. Board Member Campbell-Hatler was concerned about the shade and suggested "lollipop" trees, and Ms. Dees stated she would be asking Council about the Tree Fund monies. **Board Member Campbell-Hatler made a motion to approve, seconded by Board Member Crawford. Board Member Salter made an amendment to state the awning was not included, and it was accepted and seconded. With no speakers, the motion carried unanimously.**

Item 3

412 E. Belmont Street

OEHPD

Contributing Structure

OEHC-1

Action taken: Approved with abbreviated reviews.

Jesse LaCoste, LaCoste Construction Group, is seeking *final* approval for a rear addition and exterior modifications to a contributing structure.

Mr. LaCoste addressed the Board and stated the siding color was aqua, windows and doors would be a deep espresso stain, the iron fixtures would be black, and trim color would be white. Chairperson Quina advised from the onsite visit, the actual ceiling height upstairs seemed adequate, but the problem was the ceiling height over the stairwell. Mr. LaCoste stated raising one roof line above the other created the need to raise the whole roof for the best visual.

Advisor Pristera stated it seemed to be a lot of expense to raise the roof for two rooms and a bathroom, and with a deep lot it might be better to construct an addition on the rear and not deal with the stairs and raising the roof; he explained this was not a preservation project. Mr. LaCoste stated the deep structural work was caused by the Code, and once they did the structural alterations, it became a Level 3 alteration. Advisor Pristera felt the lot was wide enough for other things. Mr. LaCoste stated the house was actually twisted, and according to the boundary, the rear of the left elevation was actually diving into the property line; he did not have as much room to build in the rear as it seemed. The Board then discussed other methods to obtain the needed height. Mr. Scapechi, the engineer, explained that Mr. Weekley pointed to a structural beam which holds up the second floor which is below the head height, and it could not be raised. Chairperson Quina asked how significant this house was, and Advisor Pristera stated it was unique to Old East Hill and significant to them. Staff stated Old East Hill had provided comments when the project was presented for conceptual review. Mr. LaCoste indicated they wanted to keep the structure the same, but it would be taller. Staff handed out the prior Old East Hill comments to the Board for consideration. It was determined the age for construction of the house was the 1890s, and Old East Hill wanted to maintain the gothic influence and details with a single front door and sidelights; Mr. LaCoste was agreeable to these suggestions.

Chairperson Quina appreciated the fact they were trying to preserve the structure, and adding 2' was minimal in saving the house. Mr. Weekley then explained to the Board that the foundation was a must, the head level at the stairs would have to come to Code, it was a Level 3 alteration, and he would need reports for historical repairs. He pointed out the foundation would not be done from the crawl space, and all flooring would be removed even to level the foundation. In just walking across the flooring, he could see there were some serious issues. He advised the east side appeared to be an add-on with multiple

piers at one location which was the point where it was beginning to sag. He explained they were basically building a new house from inside out. Advisor Pristera agreed this structure needed work. Board Member Campbell-Hatler asked what aesthetic quality would the structure have in the end with all the required changes and would it be better to take it down. Mr. LaCoste explained they had factored in enough to build what they proposed, and since his name would be attached to this home, it would be built with certain standards. Board Member Mead addressed the lack of fenestration on the rear, and Board Member Crawford suggested a window on the new rear elevation.

Board Member Mead made a motion to approve with the following modifications: 1) that the dormer on the west side have a double gang of square windows or a single square window consistent with the other square windows on that elevation; 2) in the addition, that the window over the top be modified to fit one of the component windows on the main body of the house to be submitted for abbreviated review; 3) on the rear elevation the door be shifted to the left to accommodate the retention of the double gang windows – he was fine with the deletion of the single window to the left of that side, and that some type of appropriate fenestration be placed in the rear elevation wall to give it some relief and more light in the bathroom which could be in an abbreviated review. (It was clarified that it was the door on the upper level of the rear elevation. It was also noted the Board preferred the single door on A2.2.) Board Member Crawford seconded the motion. Board Member Salter amended the motion to ensure all of the eaves, overhangs, and rakes of the new addition matched the profiles of the existing. The amendment was accepted and seconded, and the motion carried unanimously.

Item 4

200 W. Jackson Street

**NHPD
PR-2**

Contributing Structure

Action taken: Approved.

James and Michelle English are requesting a *Variance* to increase the maximum allowed rear yard coverage from 25% (625 sf) to 27.36% (684 sf) to accommodate a detached garage with second-story living quarters.

Mr. English presented to the Board, and Chairperson Quina stated he appreciated the applicant returning to the Board and addressing its concerns. Board Member Mead pointed out the house originally comprised a parcel which included the lot behind it, so with respect to the current Code, the existing house is built well into the rear setback line which is part of the percentage problem. Historic Preservation Planner Harding advised the Board had approved the removal of the existing stairs but 175 sq. ft. of the house still encroached into the rear; he explained they were able to occupy 625 sq. ft. and they were asking for 684 sq. ft. If the building had been built within its own setbacks, a variance would not be necessary. **Board Member Mead considered this a hardship, and the applicant should get credit for that detail and receive the balance for that on the additional coverage for what they were requesting and moved for an approval. Board Member Crawford seconded the motion, and with no audience speakers, the motion carried unanimously.**

Item 5

200 W. Jackson Street

**NHPD
PR-2**

Contributing Structure

Action taken: Approved with abbreviated review.

James and Michelle English are requesting approval for exterior modifications to a contributing structure and to add a detached two-car garage with second-story living quarters.

Mr. English addressed the Board and stated the windows were changed to wood since they wanted to emulate each elevation. The steel carriage doors would be trimmed to match the house. Board Member Crawford was concerned with the steel because of extruding methods which might not have sharp edges. Mr. English advised their goal was consistency which would be addressed by the painter. He also explained the balcony was now at 4' and they wanted it to aesthetically match the house. Chairperson Quina suggested lowering the balcony windows for access. Mr. English advised they proposed to position the A/C units under the stairs. Board Member Mead addressed the awning roof over the door and suggested duplicating the bracket detail on the front porch.

Board Member Crawford made a motion to approve with the following modifications:

1) that the windows on the front and right include a 4" center trim piece which matches the main house; 2) that brackets be added to the rear elevation canopy similar to the front elevation; 3) recommended the carriage door in the plans and suggested considering fiberglass doors with a cement board overlay for sharper details. Board Member Salter amended the motion to include that the second floor windows be lowered. Board Member Mead suggested an abbreviated review for the 4" center window trim since the trim was probably a 6" trim. The amendments were accepted. Board Member Mead seconded the motion, and it carried unanimously.

(The Board then proceeded to Item 7.)

Item 6

2 N. Palafox Street

**PHBD
C-2A**

Contributing Structure

Action taken: Approved as art.

The UWF Historic Trust is requesting modifications to a previously approved mural. This project was denied during an Abbreviated Review due to the inclusion of the UWF Historic Trust's name and logo causing the mural to be classified as signage.

Advisor Pristera presented to the Board and explained the mural had been installed. He explained as people come into the mural program, they were trying to deal with how to place the signature on it to designate it as part of a walking trail. They will eventually have an application which visitors can follow to an information hub. He explained the key was a citation or artist's signature, and they did not intend it to be offsite advertising.

Board Member Salter explained the definition of a sign by the City of Pensacola does not distinguish or exclude not-for-profits but states any entity, and the Trust is an entity. Assistant City Attorney Lindsay stated Board Member Salter was correct. Whether this Board would want to recommend that the City look at whether the ordinance could be amended at how we define signs, the Board could recommend that review. But as the Code is currently written, the opinion by Board Member Salter was correct. Staff referred to Sec. 12-14-1 *Definitions enumerated, Sign* - Sign means any device, display or structure, or part thereof, which advertises, identifies, displays, directs or attracts attention to an

object, person, institution, organization, business, product, service, event or location by the use of words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

Board Member Mead suggested the Trust was the custodian of the art and what it had been approved under previously. Board Member Salter advised every image he had seen in the past did not have the logo/key. Staff advised they had looked at it as off-premise signage which was also prohibited in this district. Assistant City Attorney Lindsay explained it was public art but might not be under the City's definition because there is a designation referencing back to the Historic Trust; the logo and the wording created the sign. Board Member Campbell-Hatler explained it was more an installation piece since one would have to know what they were looking at in order to participate in the viewing and consumption of it. Board Member Mead pointed out the Gulf Coast Arts Festival had lots of signs and depictions which direct the person to the artist. Advisor Pristera stated the parking garage also had the signature of the artists. Board Member Mead felt the categories were different. Board Member Campbell-Hatler explained if it was really signage, it would be very legible and very obvious for what it was trying to advertise; she did not believe this mural was focused on selling. She pointed out if walking through a museum with earphones on, you would have to have a designation to know which pieces were in that collection. Advisor Pristera indicated the key was lending to interactive wayfinding. Board Member Mead explained the value was given by the designation, and Board Member Campbell-Hatler suggested it was out of the perimeters of advertising and believed all of the murals should have it. Board Member Salter believed the issue at hand was using the key/logo as the symbol for the wayfinding paths, but the murals being mounted to the sides of the building represented the emblem of the Historic Trust Trail and did not need the mark of the Historic Trust placed on them to mark them as a part of the historic trail. The way the Code is written does not mean it has to be a business but states "which identifies an entity" which it does. He felt there needed to be an alteration to the Code.

Board Member Mead did not feel in this context an alteration was needed because he thought a categorical distinction could be made between art and signage and that the customary nature of the identification that is spoken to in the signage is different than the customary nature of the identification that is typically the signature of the artist, or in this case, the custodian of art. Proportionally speaking, this was consistent for the signature on art where we have a matter which is in the public domain and has to be maintained by a public custodian; he suggested this was within the bounds for custom of art and did not become signage. Board Member Salter asked the difference between this mural and the mural with the logo for the East Garden District development. Advisor Pristera felt the development was using the mural to benefit them for their development, and the logo placement was also in a more prominent location. Board Member Salter stated it was still a logo of an entity and did not see a distinction between this logo and the Historic Trust logo. Board Member Mead explained they were trying to use a public domain image as signage in the same manner as the Historic Trust, but here you have the public custodian of the art and of the location putting up the historic image of the place and also indicating the custodian. Board Member Salter pointed out the image could change and at that point, anyone who wanted to become the custodian could place their image on it. Board Member Mead clarified that the Historical Trust was the real custodian of the images, and if that

custodian did not exist, those historical resources would go away. Advisor Pristera advised there was a committee to oversee donors, and it was a program for public benefit, and if they wanted their sponsorship noted, it could be placed on a website. He felt giving the key gave it legitimacy in that a larger group had reviewed this, and it was appropriate and serving a public good.

Board Member Villegas agreed with both Board members but felt some type of amendment needed to be in place to acknowledge the historical value of it and how these things are approached. Verbiage of custodianship could get the Board in trouble down the line, and she felt amending it with some acknowledgment to a historical acknowledgement within the community would be the value of the community and allowed in that context. But outside of that, signage was signage; she felt it would be changed out and could be a problem down the line. Board Member Mead explained that within an art placement, you would sign the iteration of the art, and this mural was consistent with that. Attempts to prescribe too much winnows out all the creative efforts that you could get in the play of the joints that are needed in order to be successful. Board Member Villegas pointed out there were a lot of images not owned by UWF which the Historical Trust had not handed over, and a private company could purchase them, and an amendment protected the Board in the long term.

Board Member Mead made a motion to approve as these are public art in placements which are being signed effectively by the custodian of the art in placement responsible for its erection, these should be considered as art, and insofar as they are in proportion to the typical customary signature on a piece of art, they should be approved and not considered signage. Board Member Campbell-Hatler seconded the motion. The motion carried 5 to 2 with Board Member Salter and Villegas dissenting.

Item 7

423 E. Government Street

PHD

Contributing Structure

HC-1 / Wood Cottages

Action taken: Approved.

Robin Hoban is requesting approval to remove a chimney.

Ms. Hoban presented to the Board and thanked Historic Preservation Planner Harding for his assistance in preparing the application. She advised they did a preliminary assessment of the chimney initially, and based on the Board's discussion, they decided to try and keep the chimney; the entire floorplan had been designed around the chimney. At this time, they have begun to fully assess the brick on the chimney and the house, and the sun dried brick had not held up over time, and the prior owners had not done anything to mitigate the damage. After getting onto the roof with the structural engineer, the degradation was alarming; it was a concern at this point, it would cost more to remove it than to keep it, and they wanted the Board to consider her request to remove the chimney. Advisor Pristera explained he had met the contractor at the house and also felt the house was very unstable, and only a small portion was supporting the chimney structure; to repair the house would be a total rebuild. He pointed out the homeowner was doing a great job in restoring the house the correct way, but the chimney would be a total rebuild. **Board Member Mead made a motion to approve the chimney removal, seconded by Board Member Salter, and it carried unanimously.**

Architectural Review Board Meeting
January 16, 2020
8

ADJOURNMENT – With no further business, the meeting adjourned at 4:22 p.m.

Respectfully Submitted,

Historic Preservation Planner Harding
Secretary to the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00281

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PENSACOLA INTERNATIONAL AIRPORT - PENSACOLA AVIATION CENTER LEASE AGREEMENT AMENDMENT NO. 11

RECOMMENDATION:

That City Council authorize the Mayor to execute Amendment No. 11 with Pensacola Aviation Center to provide for the expansion of hangar facilities and improvements to the fuel farm, and to confirm the previously approved extension of the lease. Further, that City Council authorize the Mayor to take all actions necessary to execute the Amendment.

HEARING REQUIRED: No Hearing Required

SUMMARY:

Pensacola Aviation Center (PAC) is the full-service Fixed Base Operator serving the Pensacola International Airport. As a Fixed Base Operator, PAC is required to provide fueling, aircraft maintenance, pilot and passenger waiting areas, aircraft parking and storage, and a variety of other services to the operators of the privately and corporate-owned aircraft using the facility.

To provide aircraft parking and storage, Pensacola Aviation Center currently manages various hangars on the Airport. This includes 43 "T" hangars totaling 62,600 square feet that are used to house individual small single and twin-engine aircraft, and four clear span hangars totaling 55,700 square feet that are used to house a number of medium-sized single and twin-engine aircraft.

The recently completed Master Plan reviewed all of the facilities on the Pensacola International Airport and outlined those items needed to meet current and forecast demand. The number of T hangars and clear span hangars was last expanded in 2008. Given the growth in general aviation activity over the last eleven years, the Master Plan identified a current need for an increase in both types of facilities.

In lieu of providing these facilities itself, the City of Pensacola typically works with private entities such as Pensacola Aviation to fund, construct, and operate the various hangars and buildings required to accommodate the needs of the general aviation community. In consideration of the development and to allow a company to amortize the investment, the City grants longer term leases.

In October 2019, City Council approved Amendment No. 10 to the lease with Pensacola Aviation. Under this Amendment, Pensacola Aviation was to invest \$2.9 million dollars to develop additional T hangars and an additional 20,000 square foot clear span hangar. To allow for the amortization of the investment, the lease with Pensacola Aviation was extended seventeen years to September 30, 2049.

Pensacola Aviation actually has two different leaseholds on the Airport. Both leaseholds would be affected by the proposed capital investment, and both would need to be amended to account for the development and the additional amortization period. Previously approved Amendment No. 10 with the main Pensacola Aviation lease did not take this into account. Proposed Amendment No. 11 takes into account the capital investment of \$1.9 million for the main leasehold. This includes \$1 million to design and construct additional T hangars, \$600,000 to design and construct an office addition to an existing hangar facility, and \$300,000 in equipment improvements to the fuel farm. In consideration of this capital investment, the previously approved lease extension to September 30, 2049 would remain in effect.

A separate amendment to the secondary Pensacola Aviation leasehold, formerly held by Aerose, LLC, would take into account the proposed capital improvements for that site.

PRIOR ACTION:

August 25, 1997: City Council approved the lease with Pensacola Aviation Center, Inc.

March 26, 1997: City Council approved Amendment No. 1 to the lease.

January 14, 1999: City Council approved Amendment No. 2 to the lease.

November 18, 1999: City Council approved Amendment No. 3 to the lease.

January 10, 2002: City Council approved Amendment No. 4 to the lease.

November 20, 2003: City Council approved Amendment No. 5 to the lease.

October 12, 2006: City Council approved Amendment No. 6 to the lease.

June 28, 2007: City Council approved Amendment No. 7 to the lease.

May 26, 2011: City Council approved Amendment No. 8 to the lease.

January 10, 2013: City Council approved Amendment No. 9 to the lease.

October 24, 2019: City Council approved Amendment No. 10 to the lease.

FUNDING:

N/A

FINANCIAL IMPACT:

Pensacola Aviation pays ground rent for the property it uses on the main leasehold. The annual rental payment is currently \$59,470.97. The additional property required for the T hangar expansion and office expansion on the existing hangar will be added to the annual rental. The overall rental rate is adjusted every five years.

CITY ATTORNEY REVIEW: Yes

5/28/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Richard Barker, Jr., Deputy City Administrator - Administration & Enterprise
Daniel Flynn, Airport Director

ATTACHMENTS:

- 1) Pensacola Aviation Center Lease Agreement Amendment No. 11

PRESENTATION: No

LEASE AGREEMENT AT THE PENSACOLA INTERNATIONAL AIRPORT BETWEEN THE
CITY OF PENSACOLA AND PENSACOLA AVIATION CENTER, LLC

AMENDMENT NO. 11

THIS AMENDMENT NO. 11 TO THE LEASE AGREEMENT of December 1, 1997, (hereinafter referred to as "Amendment No. 10"), is made and entered into this _____ day of _____, 2_____, by and between the City of Pensacola, a municipal corporation of the State of Florida (hereinafter referred to as "City") and Pensacola Aviation Center, LLC, a Florida Limited Liability Company authorized to transact business in the State of Florida with an address of 4145 Maygarden Road, Pensacola, Florida 32504, and the Federal Tax Identification Number of 59-3688156, (hereinafter referred to as "Operator"), (Each at times hereinafter referred to also as "party" or collectively "parties"),

WITNESSETH:

WHEREAS, the City owns, operates, and maintains Pensacola International Airport (hereinafter referred to as "Airport") located in Escambia, County, Florida; and

WHEREAS, City and Operator entered into a Lease Agreement dated December 1, 1997, whereby the City granted Operator the right to conduct commercial aeronautical services/activities described as Full Service Fixed Base Operations at Pensacola Regional Airport; and

WHEREAS, said Lease Agreement was amended on May 29, 1998, February 25, 1999, December 16, 1999, March 26, 2002, December 30, 2003, February 9, 2007, August 24, 2007, July 1, 2011, January 13, 2013, and November 13, 2019; and

WHEREAS, the parties now desire to amend the Lease Agreement upon the terms and conditions hereinafter set forth in order to remove the requirement to construct an additional clear span hangar added under Amendment No. 10, and provide for improvements to an existing clear span hangar and provide for improvements to the fuel farm;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, it is agreed that the Lease Agreement is hereby amended as follows:

1. Article 1 - Leased Premises, Paragraph B as last modified under Amendment No. 10 is hereby amended to read:
 - B. Commencing upon the Date of Beneficial Occupancy (defined in Article V below) of the Operator's new general aviation facility and until the termination of

this Agreement, the premises shall consist of approximately 463,478.4 sq. ft. of ramp area, 106,990 sq. ft. of land for offices and hangars, 29,185.2 sq. ft. of parking area, and 9,147.6 sq. ft. of fuel farm area, all more particularly described and summarized on Exhibit A annexed hereto and made a part hereof. Further, Parcel 4 shown in Exhibit B-2 of the original lease (being Parcel 4 of Exhibit A attached hereto) is hereby modified to reflect the property is located in Escambia County, Florida, which, through a scrivener's error, incorrectly indicated it was located in Santa Rosa County, Florida.

~~Operator shall design and construct an additional common storage hangar the dimensions of which shall be approximately 100' by 200', and located adjacent to Parcel No. 9 of Exhibit A attached hereto. Promptly upon completion of the construction, Exhibit A attached hereto will be updated to reflect the additional parcel on which the hangar is constructed, and the amount of land covered under this Paragraph B of Article 1 will be updated accordingly.~~

Operator shall design and construct an office addition to the existing 100'x200' hangar located on Parcel No. 9. Promptly upon completion of the construction, Exhibit A will be updated to reflect the additional land on which this improvement is located.

2. Article VI-Rent & Fees, paragraph 2(A) as last modified under Amendment No. 10 is hereby amended to read:

A. Base Ground Rent:

A base ground rent, calculated on a square foot basis, of:

Lease Area	Lease Term	Annual Rate	Annual Rent	Monthly Rent
Existing	Through 12/31/21	\$0.08	\$48,704.09	\$4,058.67
Additional	Through 12/31/21	\$0.32 0.08	To be determined	To be determined

~~Promptly upon completion of the project, Exhibit A will be updated to reflect the additional parcel on which the common storage hangar covered under this Amendment No. 10 is constructed. The existing lease area in effect prior to execution of this Amendment No. 10 will be assessed a rental rate of \$0.08 per square foot as shown above through 12/31/21. The additional lease~~

~~area added under this Amendment No. 10 will be assessed a rental rate of \$0.32 from completion of the project through 12/31/21. Rental rates will be periodically adjusted in accordance with the schedule and process outlined for the Adjustments to Base Ground Rent.~~

Promptly upon completion of the project, Exhibit A will be updated to reflect the additional parcel on which the office addition covered under this Amendment No. 11 is constructed. The additional lease area added under this Amendment No. 11 will be assessed a rental rate of \$0.08 from completion of the project through 12/31/21. Rental rates will be periodically adjusted in accordance with the schedule and process outlined for the Adjustments to Base Ground Rent.

T-hangar Property:

Lease Area	Lease Term	Annual Rate	Annual Rent	Monthly Rent
Existing	Through 12/31/21	\$0.08	\$10,766.88	\$897.24
Additional	Through 12/31/21	\$0.32	To be determined	To be determined

Promptly upon completion of the project, Exhibit A will be updated to reflect the additional parcel(s) on which the T-hangars covered under this Amendment No. 10 are constructed. The existing T-hangar lease area in effect prior to execution of this Amendment No. 10 will be assessed a rental rate of \$0.08 per square foot as shown above through 12/31/21. The additional T-hangar lease area added under this Amendment No. 10 will be assessed a rental rate of \$0.32 from completion of the project through 12/31/21. Rental rates will be periodically adjusted in accordance with the schedule and process outlined for the Adjustments to Base Ground Rent.

Operator shall be responsible for adding the applicable state and local sales tax to all base ground rental payments.

Adjustments to Base Ground Rent. Adjustments to the base ground rental rate will be made on January 1, 2007, and each five years thereafter, using either the National Consumer Price Index for Urban Consumers (CPI-U), or, upon request by the Operator, an appraisal of the property to determine the fair market rental rate.

If using the CPI-U, the ground rental rate shall be increased or decreased by a percentage amount equal to the percentage increase or decrease in the CPI-U for the previous five years using May 1 and April 30 as the beginning and ending dates.

If the Operator chooses the appraisal process, the City shall contract with an MAI appraiser that has performed airside appraisals or market rent studies of FBOs at airports within the previous 3 years. The appraisal shall only address the underlying unimproved land, not any of the improvements, to determine the fair market rental rate for the underlying unimproved land only. The Operator shall be responsible for paying one-half of the appraisal cost.

Should Operator disagree with the City's appraisal, Operator may select, at its own cost and expense, an MAI appraiser meeting the same qualifications as set forth above to perform an appraisal to determine the fair market rental rate for the underlying unimproved land. The two appraisers shall jointly select a third MAI appraiser who shall review the work of each appraiser. In the event the two MAI appraisers cannot agree upon the selection of the third qualified MAI appraiser, then the parties shall petition the Escambia County Circuit Court for the appointment of a third qualified MAI appraiser.

The review appraiser shall evaluate each report in all respects, with the validity and reasonableness of the final valuation conclusion being the principal focal point.

The review appraiser should attempt to reconcile any variances between different appraisals. However, the review appraiser is not the appraiser and should not substitute his or her judgment for that of an appraiser. The review appraiser should secure necessary corrective material from an appraiser prior to the final recommendation of the fair market rental rate.

The review appraiser shall make a recommendation of a single value and not a range of values. The review appraiser shall have the ability to derive a value different from the appraisals by using separate parts of the individual appraisals. However, the review appraiser shall not use any data not contained in either appraisal to form their conclusions. The review appraiser is not obligated to select a final fair market rental rate from one of the appraisals.

However, the conclusion of the review appraiser shall not be outside of the range reflected by the two appraisals.

The review appraiser's determination shall be final, binding and non-appealable upon the parties. Each party shall bear the costs incurred by their own appraisers, and each shall bear one-half (1/2) the fees of the third party appraiser, one-half (1/2) the costs incurred by the third appointed appraiser, if any, and one-half (1/2) the court fees incurred if the Circuit Court is petitioned.

Whichever method is selected, the adjusted ground rent will thereafter go into effect in accordance with the following schedule:

First Adjustment - January 1, 2007
Second Adjustment - January 1, 2012
Third Adjustment - January 1, 2017
Fourth Adjustment - January 1, 2022
Fifth Adjustment - January 1, 2027
Sixth Adjustment - January 1, 2032

Base Ground Rent will be readjusted using the foregoing appraisal process at the request of Operator in the event the main air carrier operations discontinue use of the Airport and the Airport remains open as a general aviation airport.

Commencing October 1, 2032, Operator's Base Ground Rent shall be comprised of two components as follows:

- 1) Market rent for the land and improvements in place as of the date of this Amendment No. 10; and
- 2) Ground rent for the land added under this Amendment No. 10

In January 2032, the City shall obtain a Market Rent Analysis for the land AND improvements in place as of the date of this Amendment No. 10 and not reduced or removed by subsequent amendments. It is understood that the land shall include Parcels 1 through 11 of Exhibit A attached hereto, encompassing approximately 743,387 square feet. The market rent analysis shall determine the market rental rate for the land and improvements based upon similar airports and operations in the Southeastern United States. The market rent as determined by the Market Rent Analysis shall go into effect October 1, 2032.

Ground rent for the property added under this Amendment

No. 10 will continue at the per square foot annual rate as adjusted on January 1, 2032.

Adjustments to the market rent and to the ground rent will be made each five years thereafter, using the National Consumer Price Index for Urban Consumers (CPI-U). The market rent and the ground rent shall be increased or decreased by a percentage amount equal to the percentage increase or decrease in the CPI-U for the previous five years using May 1 and April 30 as the beginning and ending dates. The adjusted rental amounts will go into effect in accordance with the following schedule:

January 1, 2037
January 1, 2042
January 1, 2047

3. The purpose of the lease extension granted under Amendment No. 10 was solely to facilitate Operator obtaining financing for the construction of additional facilities, of which the additional T-hangars as outlined in Amendment No. 10 will still be required. In addition to the T-hangars, Operator will also be required to construct an office facility for the current clear span hangar, and provide equipment improvements to the fuel farm facility. In the event that Operator does not construct additional T-hangar facilities with a construction value of at least \$1,000,000, construct an office addition to the existing clear span hangar with a construction value of at least \$600,000, and provide equipment improvements to the fuel farm facility with a value of at least \$300,000 and complete construction within eighteen (18) months of the date of this Amendment No. 11, the lease term extension is void and the term shall revert to September 30, 2032, the expiration date as stated in Amendment No. 6.
4. All other terms and conditions of the Lease Agreement dated December 1, 1997, not amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 11 to the Lease Agreement on the date first above written.

ATTEST:

THE CITY OF PENSACOLA, FLORIDA

Ericka Burnett, City Clerk

By: Grover C. Robinson, IV, Mayor

(City Seal)

Pensacola Aviation Center, LLC

By: Member

(SEAL)

(Printed Member's Name)

By: Member

(Printed Member's Name)

Legal in Form and Valid as Drawn:

Approved As To Substance:

City Attorney

Airport Director



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00282

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PENSACOLA INTERNATIONAL AIRPORT - PENSACOLA AVIATION CENTER LEASE (F/K/A AEROSE LLC) AMENDMENT NO. 4

RECOMMENDATION:

That City Council authorize the Mayor to execute Amendment No. 4 with Pensacola Aviation Center, LLC (f/k/a Aerose LLC) for the construction of a 20,000 square foot hangar and to provide for the extension of the lease. Further, that City Council authorize the Mayor to take all actions necessary to execute the Amendment.

HEARING REQUIRED: No Hearing Required

SUMMARY:

Pensacola Aviation Center (PAC) is the full-service Fixed Base Operator serving the Pensacola International Airport. As a Fixed Base Operator, PAC is required to provide fueling, aircraft maintenance, pilot and passenger waiting areas, aircraft parking and storage, and a variety of other services to the operators of the privately and corporate-owned aircraft using the facility.

To provide aircraft parking and storage, Pensacola Aviation Center currently manages various hangars on the Airport. In addition to the facilities covered under PAC's 1997 lease, they also manage facilities constructed by Aerose, LLC (also known as Innisfree) under a separate 2004 agreement. Pensacola Aviation assumed the Aerose lease in 2016, which included a single 15,200 square foot hangar.

The recently completed Master Plan reviewed all of the facilities on the Pensacola International Airport and outlined those items needed to meet current and forecast demand. The number of hangars was last expanded in 2008. Given the growth in general aviation activity over the last eleven years, the Master Plan identified a current need for an increase these facilities.

In lieu of providing these facilities itself, the City of Pensacola typically works with private entities such as Pensacola Aviation to fund, construct, and operate the various hangars and buildings required to accommodate the needs of the general aviation community. In consideration of the development and to allow a company to amortize the investment, the City grants longer term leases.

To meet the current needs for expanded hangar facilities, Pensacola Aviation previously proposed to invest \$2.9 million dollars into the development of various types of hangars. This included \$1.6 million in hangar improvements to their 1997 lease area and approximately \$1.3 million in hangar improvements to the old Aerose leasehold. The original proposed overall capital investment between both leaseholds has since been increased to \$3.4 million, of which \$1.5 million is now for the construction of a 20,000 square foot hangar on the old Aerose leasehold.

To allow for the amortization of the investment, PAC has requested an extension for each separate lease. The proposed extension for the old Aerose agreement would take that lease out to September 30, 2049.

PRIOR ACTION:

May 5, 2004: City Council approved the lease with Aerose LLC.

September 9, 2007: City Council approved Amendment No. 1 to the lease.

November 15, 2012: City Council approved Amendment No. 2 to the lease.

June 18, 2015: City Council approved Amendment No. 3 to the lease.

July 14, 2016: City Council authorized the assignment and assumption of the lease from Aerose, LLC to Pensacola Aviation Center LLC.

FUNDING:

N/A

FINANCIAL IMPACT:

Pensacola Aviation pays a ground rent for the property it uses. The annual rental payment for the former Aerose LLC leasehold is currently \$72,576.72. The additional property required for the hangar construction will be added to the annual rent. The overall rental rate is adjusted every five years.

CITY ATTORNEY REVIEW: Yes

5/28/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Richard Barker, Jr., Deputy City Administrator - Administration & Enterprise

Daniel Flynn, Airport Director

ATTACHMENTS:

- 1) Pensacola Aviation Center (f/k/a Aerose LLC) Amendment No. 4

PRESENTATION: No

LEASE AND OPERATING AGREEMENT BY AND BETWEEN THE CITY OF PENSACOLA
AND PENSACOLA AVIATION CENTER, LLC (f/k/a Aerose LLC)

AMENDMENT NO. 4

THIS AMENDMENT NO. 4 TO THE LEASE AND OPERATING AGREEMENT of July 29, 2004 (hereinafter referred to as "Amendment No. 4"), is made and entered into this _____ day of _____, 2_____, by and between the City of Pensacola, a municipal corporation of the State of Florida (hereinafter referred to as "City") and Pensacola Aviation Center, LLC, a Florida Limited Liability Company authorized to transact business in the State of Florida with an address of 4145 Maygarden Road, Pensacola, Florida 32504, and the Federal Tax Identification Number of 59-3688156, (hereinafter referred to as "Operator"), (Each at times hereinafter referred to also as "party" or collectively "parties"),

WITNESSETH:

WHEREAS, the City owns, operates, and maintains Pensacola International Airport (hereinafter referred to as "Airport") located in Escambia, County, Florida; and

WHEREAS, City and Aerose LLC entered into an Agreement dated July 29, 2004 whereby Aerose LLC leased certain property at the Pensacola International Airport, (hereinafter referred to as "Airport") to store and house aircraft owned by the Operator; and

WHEREAS, said Lease Agreement was amended on May 8, 2008 whereby Aerose LLC leased additional property in the aviation fuel farm area for the installation of an above-ground fuel tank facility; and

WHEREAS, said Lease Agreement was amended on January 24, 2013 whereby the City granted Aerose LLC the right to conduct commercial aeronautical services/activities described as Full Service Fixed Base Operations at the Airport; and

WHEREAS, said Lease Agreement was amended on July 16, 2015 to lease certain space in the Airport Terminal Building on a month-to-month basis; and

WHEREAS, on August 2, 2016, Aerose LLC assigned all of its rights, title, interest, and leasehold estate in, to, and under the lease to Pensacola Aviation Center, LLC, and Pensacola Aviation Center, LLC assumed the Lease and Operating Agreement.

WHEREAS, the parties now desire to amend the Lease Agreement upon the terms and conditions hereinafter set forth in order to extend the lease to allow for the amortization of the construction costs;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, it is agreed that the Lease Agreement is hereby amended as follows:

1. Article 1 - Leased Premises, Exclusive Use Leased Premises, Leased Premises Number 2 as last modified under Amendment No. 2 is hereby amended to read:

LEASED PREMISES NUMBER 2

Leased Premises Number 2 is leased to Operator as Exclusive Use Leased Premises as hereinafter defined. Leased Premises Number 2 is an aircraft hangar site of approximately ~~9,000~~ 20,000 square feet for the construction of a ~~9,000~~ 20,000 square feet aircraft hangar. The Operator will construct an aircraft hangar on this site in accordance with the requirements of Article XI-Improvements of this Agreement. The Operator will diligently pursue the construction of the hangar and hereby agrees that the hangar will be complete and have a date of beneficial occupancy within ~~twenty four (24)~~ twelve (12) months of the date of this Amendment No. 2 ~~4.~~ 4. ~~While the hangar is being constructed, the City will convert a roadway in the area into a taxilane for light aircraft connecting the corporate aircraft apron to the Operator's hangar area.~~ Leased Premises Number 2 is shown on Exhibit "A".

After the date of the Agreement, Leased Premises Number 2 will be verified. If necessary, the square footage shown above will be adjusted and Exhibit "A" updated by an Administrative Directive from the Airport Director without further amendment of this Agreement. Rents and fees will be increased or decreased based on changes in the square footage comprising Leased Premises Number 2.

2. Article 1 - Leased Premises, Exclusive Use Leased Premises, Leased Premises Number 2 Use as last modified under Amendment No. 2 is hereby amended to read:

LEASED PREMISES NUMBER 2 USE

The Leased Premises Number 2 area of approximately ~~9,000~~ 20,000 square feet is the footprint of the area that the Operator's aircraft hangar will occupy. The Operator may use this leased area and enjoy the right of airside and landside ingress and egress. The Operator may not otherwise use areas around the hangar without adding such space to its leasehold and paying rent therefore. ~~Further, the City is not requiring the Operator to have three to one leased land to building ratio (that is a standard practice) out of a spirit of competitive fairness. This practice should not be~~

~~regarded as a policy and the City reserves the right to require land to building ratios consistent with "best practices" in the airport industry in future expansions of the Operator's business at the Airport.~~

3. Article 1 - Leased Premises, Exclusive Use Leased Premises, Hangar Construction and Investment as last modified under Amendment No. 2 is hereby deleted in its entirety.

4. Article V - Term, is hereby amended to read:

The term of this agreement shall commence at midnight on July 1, 2004 (the "commencement date") and shall continue until September 30, 2049 ~~for a period of thirty (30) years.~~

5. Article VI-Rent & Fees, Exclusive Use Lease Premises Rents, Leased Premises Number 1 and Leased Premises No. 2 as last modified under Amendment No. 4 are hereby amended to read:

LEASED PREMISES NUMBER 1

Annual ground rental rate and annual rental rate are as follows:

Adjustment Period	Annual Rate*	Square Footage	Annual Rent*
Commencement Date 12/31/06	\$0.12	30797	\$3,695.64
1/01/07-10/31/07	\$0.136	30797	\$4,188.39
11/01/07-12/31/07	\$0.136	34597	\$4,705.19
01/1/12 Date of Amend #1	\$0.300	34597	\$10,379.10
Date of Amend #1 12/31/16	\$0.300	42947	\$12,884.10
<u>1/01/17 - 12/31/21</u>	<u>\$0.3177</u>	<u>43,847</u>	<u>\$13,928.16</u>

*The annual rental rate and the annual rental will be adjusted as described below. The annual rental rate and annual rent will be next adjusted January 2022 ~~2017~~.

LEASED PREMISES NUMBER 2:

The Operator will begin paying rent for Leased Premises Number 2 from the date of this Amendment No. 4 2. Annual ground rental and annual rental are as follows:

	Annual Rate*	Square Footage	Annual Rent*
Effective Date of This Amendment	\$0.060	9,000	\$540.00
<u>Effective Date of This Amendment</u>	<u>\$0.3177</u>	<u>20,000</u>	<u>\$6,354.00</u>

*The annual rental rate and the annual rental will be adjusted as

described below. The annual rental rate and annual rent will next be adjusted January 1, 2022 ~~2017~~.

6. Article VI-Rent & Fees, Exclusive Use Lease Premises Rents, Exclusive Use Lease Payments Commencing July 1, 2034 is hereby added to read:

Commencing July 1, 2034, Operator's Exclusive Use Leased Premises Ground Rent shall be comprised of two components as follows:

- 1) Market rent for the land and improvements in place as of the date of this Amendment No. 4; and
- 2) Ground rent for the land added under this Amendment No. 4

In January 2034, the City shall obtain a Market Rent Analysis for the land AND improvements in place as of the date of this Amendment No. 4 and not reduced or removed by subsequent amendments. It is understood that the land shall include Leased Premises Number 1 encompassing approximately 43,847 square feet. The market rent analysis shall determine the market rental rate for the land and improvements based upon similar airports and operations in the Southeastern United States. The market rent as determined by the Market Rent Analysis shall go into effect July 1, 2034.

Ground rent for the property on which the clear span hangar is added under this Amendment No. 4 will continue at the per square foot annual rate as adjusted on January 1, 2032.

Adjustments to the market rent and to the ground rent will be made each five years thereafter, using the National Consumer Price Index for Urban Consumers (CPI-U. The market rent and the ground rent shall be increased or decreased by a percentage amount equal to the percentage increase or decrease in the CPI-U for the previous five years using May 1 and April 30 as the beginning and ending dates. The adjusted rental amounts will go into effect in accordance with the following schedule:

July 1, 2039
July 1, 2044

7. Article XXV - Buyout of Improvements, is hereby amended to read

In the event of any cancellation or termination of this

Agreement prior to the expiration date pursuant to Article XXII(A)(2) or Article XXII(B), the City shall, within ninety (90) days after the effective date of such termination or cancellation, pay the Operator for all Operator Improvements installed or constructed by the Operator which were approved by the City pursuant to the terms hereof, provided, however, the City shall not make any payments hereunder for any Operator Improvements not then in existence at the time of any such cancellation or termination. The price for said improvements shall equal the Operator's undepreciated Direct Costs for such improvements, ~~less amounts reimbursed by Federal or State grants,~~ pursuant to Article XI, Improvements, and less the salvage value of the improvements retained and removed by the Operator.

~~For improvements, alterations, or additions in place at the date of this Amendment No. 4, Operator shall depreciate the approved costs of any improvements, alterations, or additions on a straight line basis, commencing with the completion of such installation or construction and extending until June 30, 2034 the expiration of this agreement.~~ For improvements, alterations, or additions constructed as part of this Amendment No. 4, Operator shall depreciate the approved costs on a straight line basis, commencing with the completion of such installation or construction and extending until September 30, 2049. The Operator's tax depreciation method will have no bearing on computation of this amount.

8. Article XXVI-Surrender Upon Termination is hereby amended to read:

Upon the expiration or sooner termination of this Agreement, for any reason whatsoever, Operator shall peaceably surrender to the City possession of the Leased Premises in as good a condition as the Leased Premises were initially provided to Operator, ordinary wear and tear excepted, and, subject to terms of Article XXV, Buyout of Improvements, above, without any compensation whatsoever, and free and clear of any claims or interests of Operator or of any mortgages or any other third party whose position was derived from or through Operator. If any of said Leased Premises are encumbered by a mortgage or lien at the time of expiration or sooner termination of this Agreement, Operator shall be responsible for eliminating said mortgage or lien and shall hold the City harmless therefrom.

~~Upon the expiration or sooner termination of this~~

~~Agreement, Operator shall have the right to sell its improvements, items of personal property and trade fixtures to another entity that has entered into an operating agreement with the City or remove or abandon the same. Should Operator choose to sell or remove its improvements, Operator shall have the right to do so through 30 days after the close of business on the day of expiration or sooner termination of this Agreement. The sale of the improvements in and of itself does not constitute an assignment of this agreement nor does it grant the purchaser any right to conduct operations from the facility without first applying for, and, if approved, entering into an agreement with the City for said services.~~

Title to all improvements, personal property and trade fixtures and signs not removed by Operator from the Leased Premises or claimed from storage within thirty (30) days of the expiration or sooner termination of this Agreement shall be subject to the City taking ownership of such improvements, personal property and trade fixtures and signs, without payment by the City to Operator of any compensation whatsoever, and said personal property and trade fixtures and signs shall thereafter be owned by the City free and clear of any claim or interest by Operator or of any mortgagee or any third party whose position was derived from or through Operator.

Title to all permanent leasehold improvements, alterations, or additions, as defined by Florida Law, in place at the date of this Amendment No. 4 will vest in the City on June 30, 2034. Title to all permanent leasehold improvements, alteration, or additions, as defined by Florida Law, constructed as part of this Amendment No. 4 will vest in the City upon termination or sooner expiration of this agreement, free and clear of any liens or encumbrances whatsoever arising by, through or under the Operator.

- 9 The parties acknowledge and agree to fulfill all obligations respecting required contract provisions in any contract entered into or amended after July 1, 2016, in full compliance pursuant to Section 119.0701, Florida Statutes, and obligations respecting termination of a contract for failure to provide public access to public records. The parties expressly agree specifically that the contracting parties hereto shall comply with the requirements within Attachment "A" attached hereto and incorporated by reference.

10. The purpose of the lease extension is solely to facilitate Operator obtaining financing for the construction of additional hangar facilities. In the event that Operator does not construct additional hangar facilities, with a construction value of at least \$1.5 million, and complete construction within twelve (12) months of the date of this Amendment No. 4, the lease term extension is void and the term shall revert to June 30, 2034, the expiration date as stated in the original Lease Agreement.
11. All other terms and conditions of the Lease Agreement dated July 29, 2004, not amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 4 to the Lease Agreement on the date first above written.

ATTEST:

THE CITY OF PENSACOLA, FLORIDA

Ericka Burnett, City Clerk

By: Grover C. Robinson, IV, Mayor

(City Seal)

Pensacola Aviation Center, LLC

By: Member

(SEAL)

(Printed Member's Name)

By: Member

(Printed Member's Name)

Legal in Form and Valid as Drawn:

Approved As To Substance:

City Attorney

Airport Director



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00299

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

MAYORAL REAPPOINTMENTS TO THE DOWNTOWN IMPROVEMENT BOARD (DIB)

RECOMMENDATION:

That the City Council affirm the Mayor's reappointment of Mr. Michael Carro and Ms. Patti Sonnen to the Downtown Improvement Board (DIB) for a term of three years expiring June 30, 2023.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The Downtown Improvement Board (DIB) is a quasi-governmental, not-for-profit agency created in 1972 for the purpose of physically, economically, and socially revitalizing downtown Pensacola. The DIB coordinates the marketing and promotion of the 44-block central business core of downtown Pensacola.

The DIB was created by a Special Act of the Florida Legislature Section 72.662 and is to be composed of five (5) members appointed by the Mayor and confirmed by the City Council. Members must be owners of realty within the downtown area, subject to ad valorem taxation, or a lessee thereof required by lease to pay taxes. No voting member may be a City or County Officer or employee.

Article II, Section I (1) - Board Composition, Term and Appointments, states in part, "...The Board shall be composed of five (5) members appointed by the Mayor of Pensacola with the concurrence of the Pensacola City Council for three (3) year staggered terms."

PRIOR ACTION:

August 2017 - Michael Carro was appointed to the Downtown Improvement Board (DIB)

August 2019 - Patti Sonnen was appointed to the Downtown Improvement Board (DIB)

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

6/2/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Kerrith Fiddler, Deputy City Administrator - Community Development

ATTACHMENTS:

- 1) Application of interest - Michael Carro
- 2) Application of interest - Patti Sonnen

PRESENTATION: No

Ericka Burnett

From: noreply@civicplus.com
Sent: Friday, April 24, 2020 3:53 PM
To: Ericka Burnett; Robyn Tice
Subject: [EXTERNAL] Online Form Submittal: Application for Boards, Authorities, and Commissions - Mayoral Appointment

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

Application for Boards, Authorities, and Commissions - Mayoral Appointment

This application will be utilized in considering you for appointment by the Mayor to various boards and advisory committees. Pursuant to Florida Statutes, Chapter 119, all information provided on or with this form becomes a public record and is subject to disclosure, unless otherwise exempted by law.

Completed applications will be kept on file for a period of one (1) year from the date received in the Office of the City Clerk.

If you have any questions, contact the City Clerk's Office.

(Section Break)

Personal Information

Name	Michael Carro
Home Address	4369 Devereux Circle
Business Address	Suite D
To which address do you prefer we send correspondence regarding this application?	Field not completed.
Preferred Contact Phone Number(s)	18503803344
Email Address	mcarro@svn.com
Upload Resume (optional)	Field not completed.

(Section Break)

Details

Are you a City resident?	Yes
If yes, which district?	<i>Field not completed.</i>
If yes, how long have you been a City resident?	Pensacola
Do you own property within the City limits?	Yes
Are you a registered voter in the city?	Yes
Board(s) of interest:	DIB
Please list the reasons for your interest in this position:	Current Chairman of the DIB and would like to maintain prosperity of the downtown.
Do you currently serve on a board?	Yes
If yes, which board(s)?	DIB
Do you currently hold a public office?	No
If so, what office?	<i>Field not completed.</i>
Would you be willing to resign your current office for the appointment you now seek?	N/A
(Section Break)	
Diversity <i>In order to encourage diversity in selections of members of government committees, the following information is required by Florida Statute 760.80 for some committees.</i>	
Gender	Male
Race	Caucasian
Physically Disabled	No
(Section Break)	
Acknowledgement of Terms	I accept these terms.

Email not displaying correctly? [View it in your browser.](#)

Ericka Burnett

From: noreply@civicplus.com
Sent: Friday, May 1, 2020 3:14 PM
To: Ericka Burnett; Robyn Tice
Subject: [EXTERNAL] Online Form Submittal: Application for Boards, Authorities, and Commissions - Mayoral Appointment

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

Application for Boards, Authorities, and Commissions - Mayoral Appointment

This application will be utilized in considering you for appointment by the Mayor to various boards and advisory committees. Pursuant to Florida Statutes, Chapter 119, all information provided on or with this form becomes a public record and is subject to disclosure, unless otherwise exempted by law.

Completed applications will be kept on file for a period of one (1) year from the date received in the Office of the City Clerk.

If you have any questions, contact the City Clerk's Office.

(Section Break)

Personal Information

Name	Patti Sonnen
Home Address	3535 Hillside Ave
Business Address	3535 Hillside Ave
To which address do you prefer we send correspondence regarding this application?	Field not completed.
Preferred Contact Phone Number(s)	8505297546
Email Address	psonnen@gmail.com
Upload Resume (optional)	Field not completed.

(Section Break)

Details

Are you a City resident?	No
If yes, which district?	<i>Field not completed.</i>
If yes, how long have you been a City resident?	<i>Field not completed.</i>
Do you own property within the City limits?	Yes
Are you a registered voter in the city?	No
Board(s) of interest:	DIB
Please list the reasons for your interest in this position:	I love the Downtown area and would like to be involved in community service there.
Do you currently serve on a board?	Yes
If yes, which board(s)?	DIB
Do you currently hold a public office?	No
If so, what office?	<i>Field not completed.</i>
Would you be willing to resign your current office for the appointment you now seek?	N/A
(Section Break)	
Diversity <i>In order to encourage diversity in selections of members of government committees, the following information is required by Florida Statute 760.80 for some committees.</i>	
Gender	Female
Race	Caucasian
Physically Disabled	No
(Section Break)	
Acknowledgement of Terms	I accept these terms.

Email not displaying correctly? [View it in your browser.](#)



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00253

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

AWARD OF BID# 20-047 LANGLEY AVENUE ROUNDABOUT PROJECT

RECOMMENDATION:

That City Council award Bid #20-047 Langley Avenue Roundabout Project to Panhandle Grading & Paving, Inc., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$633,196.14 plus a 10% contingency in the amount of \$63,319.61 for a total amount of \$696,515.75. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

HEARING REQUIRED: No Hearing Required

SUMMARY:

This project will consist of reconstruction of the intersection of Langley Avenue and Hilltop Road to incorporate a roundabout for the purposes of traffic calming and to provide a safe ingress/egress method for the new Hitzman Park soccer complex. The project will improve both vehicular and pedestrian safety while maintaining traffic flow at the intersection of Hilltop Drive and Langley Avenue. It will include a number of sustainable infrastructure items that include roadside bioswales for stormwater treatment, pervious pavers, LED lighting, and extensive landscape.

PRIOR ACTION:

None

FUNDING:

Budget:	\$	425,000.00	LOST IV Pavement Management Program
		<u>400,000.00</u>	LOST IV Intersection Improvement
		<u>825,000.00</u>	TOTAL

Actual:	\$	633,196.14	Construction Contract
		63,319.61	10% Contingency
		57,387.43	Engineering Design/Permitting/Surveying (Completed)

15,000.00 Engineering Management/Inspection (Estimate)
2,000.00 Construction Testing/Misc. (Estimate)
\$ 770,903.18 TOTAL

FINANCIAL IMPACT:

The total budget for this project is \$825,000.00. This project is funded within the LOST IV Pavement Management Program for a total of \$425,000.00 and also funded within the LOST IV Intersection Improvement Capital Projects for a total of \$400,000.00. To date, \$57,509.47 has been expended for completed items related to Surveying, Engineering Design, Studies, and Permitting, leaving a balance of \$767,490.47. The remaining budget balance is sufficient to cover the remaining items that have yet to be completed/expended.

CITY ATTORNEY REVIEW: Yes

5/26/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator-Community Development
L. Derrik Owens, Director of Public Works and Facilities/City Engineer

ATTACHMENTS:

- 1) Bid Tabulation, Bid No. 20-047
- 2) Final Vendor Reference List, Bid No. 20-047
- 3) Project Location Map, Bid No. 20-047

PRESENTATION: No

TABULATION OF BIDS

BID NO: 20-047

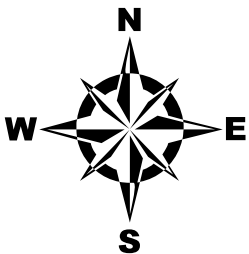
TITLE: LANGLEY AVENUE ROUNDABOUT

OPENING DATE: May 13, 2020 OPENING TIME: 2:30 P.M.	PANHANDLE GRADING & PAVING, INC. Pensacola, FL	J. MILLER CONSTRUCTION, INC. Pensacola, FL
DEPARTMENT: Engineering		
Base Bid	\$633,196.14	\$710,200.00
M/WBE Participation	5%	5.6%
Attended Prebid	Yes	Yes

**FINAL VENDOR REFERENCE LIST
LANGLEY AVENUE ROUNDABOUT
ENGINEERING**

Vendor	Name	Address	City	St	Zip Code	SMWBE
067544	AFFORDABLE CONCRETE & CONSTRUCTION LLC	4089 E JOHNSON AVE	PENSACOLA	FL	32515	Y
044957	ALL SEASONS CONSTRUCTION LLC	6161 BLUE ANGEL PARKWAY	PENSACOLA	FL	32526	
068495	ANDALA ENTERPRISES INC	641 BAYOU BOULEVARD	PENSACOLA	FL	32503	
003350	ASPHALT SEALCOATING & STRIP CO INC	3358 PURSELL LANE	PENSACOLA	FL	32526	
053457	BIRKSHIRE JOHNSTONE LLC	507 E FAIRFIELD DR	PENSACOLA	FL	32503	Y
070527	BLOWERS, BENJAMIN DBA INNOVIS USA LLC	5540 LEESWAY BLVD	PENSACOLA	FL	32504	
067318	BLUE WATER CONSTRUCTION & LANDSCAPING INC	2314 S HWY 97	CANTONMENT	FL	32533	Y
078639	C W ROBERTS CONTRACTING INC	3372 CAPITAL CIR NE	TALLAHASSEE	FL	32308	
042045	CHAVERS CONSTRUCTION INC	1795 DETROIT BLVD	PENSACOLA	FL	32534	Y
049653	CHRISTOPHER C BARGAINEER CONCRETE CONSTRUCTION INC	6550 BUD JOHNSON ROAD	PENSACOLA	FL	32505	Y
045454	COASTLINE STRIPING INC	8840 FOWLER AVENUE	PENSACOLA	FL	32534	
070552	EMERALD COAST MILLING & SERVICES	7370 KACANAUGH RD	MILTON	FL	32570	Y
074355	GANNETT MHC MEDIA INC DBA PENSACOLA NEWS JOURNAL	2 NORTH PALAFOX ST	PENSACOLA	FL	32502	
053862	GFD CONSTRUCTION INC	8771 ASHLAND AVE	PENSACOLA	FL	32514	
074076	GRAY SERVICE PAVERS CO INC	8121 LILLIAN HWY LOT 90	PENSACOLA	FL	32506	
000591	GULF ATLANTIC CONSTRUCTORS INC	650 WEST OAKFIELD RD	PENSACOLA	FL	32503	Y
074827	GULF COAST MINORITY CHAMBER OF COMMERCE INC	321 N DEVILLERS ST STE 104	PENSACOLA	FL	32501	
017352	GULF COAST TRAFFIC ENGINEERS	8203 KIPLING STREET	PENSACOLA	FL	32514	
036662	H H H CONSTRUCTION OF NWF INC	8190 BELLE PINES LANE	PENSACOLA	FL	32526	
001597	HEATON BROTHERS CONSTRUCTION CO INC	5805 SAUFLEY FIELD ROAD	PENSACOLA	FL	32526	
049240	J MILLER CONSTRUCTION INC	8900 WARING RD	PENSACOLA	FL	32534	Y
053163	J2 ENGINEERING INC	2101 WEST GARDEN STREET	PENSACOLA	FL	32502	
071564	JOSEPH BRIDGES DBA JOE'S LINE UP	222 EHRMANN ST	PENSACOLA	FL	32507	
043857	KBI CONSTRUCTION CO INC	9214 WARING RD	PENSACOLA	FL	32534	
068161	LEA, DOUGLAS C DBA L&L CONSTRUCTION SERVICES LLC	9655 SOUTH TRACE ROAD	MILTON	FL	32583	Y
052456	MEI LING DAVIS LLC	PO BOX 18155	PENSACOLA	FL	32523	
073522	MOORE BETTER CONTRACTORS, INC	1721 EAST CERVANTES STREET	PENSACOLA	FL	32501	Y
049208	NWF PAVING AND BLACK TOP INC	3709 WEST BRAINERD STREET	PENSACOLA	FL	32505	
002720	PANHANDLE GRADING & PAVING INC	P O BOX 3717	PENSACOLA	FL	32516	
030951	PAV'R CONSTRUCTION INC	P O BOX 1293	GULF BREEZE	FL	32562	
003956	PENSACOLA CONCRETE CONSTRUCTION CO INC	P O BOX 2787	PENSACOLA	FL	32513	
060344	PENSACOLA BAY AREA CHAMBER OF COMMERCE DBA GREATER PENSACOLA CHAMBER	117 W GARDEN ST	PENSACOLA	FL	32502	
055028	PERDIDO GRADING & PAVING	PO BOX 3333	PENSACOLA	FL	32516	Y
064219	POE, JAMIN DBA P3 CONSTRUCTION & ENERGY SOLUTIONS LLC	321 N DEVILLIERS ST STE 208	PENSACOLA	FL	32501	
066152	PRINCIPLE PROPERTIES INC	3773 HIGHWAY 87 S	NAVARRE BEACH	FL	32566	Y
049671	RADFORD & NIX CONSTRUCTION LLC	7014 PINE FOREST ROAD	PENSACOLA	FL	32526	Y
001681	RANDALL, HENRY DBA RANDALL CONSTRUCTION	1045 S FAIRFIELD DRIVE	PENSACOLA	FL	32506	
031881	ROADS INC OF NWF	106 STONE BLVD	CANTONMENT	FL	32533	
017634	ROBERSON EXCAVATION INC	6013 SOUTHRIDGE ROAD	MILTON	FL	32570	Y
055499	ROCKWELL CORPORATION	3309 LINGER COURT	PENSACOLA	FL	32526	Y
065450	SITE AND UTILITY LLC	PO BOX 30136	PENSACOLA	FL	32503	Y
062939	THREE TRADE CONSULTANTS	5690 JEFF ATEs RD	MILTON	FL	32583	Y
032732	WALLER, DONALD DBA NORTHCOAST CONTAINER INC	2325 MID PINE CIRCLE	PENSACOLA	FL	32514	
044856	WOLFE CONSTRUCTION	40 W NINE MILE ROAD #2 SUITE 212	PENSACOLA	FL	32534	Y

LANGLEY AVENUE ROUNDBABOUT



**DEPARTMENT OF PUBLIC WORKS AND FACILITIES
ENGINEERING AND CONSTRUCTION SERVICES DIVISION**



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00276

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

CITY COUNCIL CONSENT TO THE MAYOR'S APPOINTMENT OF MATT COUGHLIN AS AIRPORT DIRECTOR AT THE PENSACOLA INTERNATIONAL AIRPORT

RECOMMENDATION:

That City Council consent to the Mayor's appointment of Matt Coughlin as Airport Director at the Pensacola International Airport in accordance with City Charter Section 4.01(a)(7).

HEARING REQUIRED: No Hearing Required

SUMMARY:

City Charter Section 4.01(a)(7) - Powers and Duties of the Mayor states:

(7) To appoint the head of each department, with the consent of the City Council by an affirmative vote of a majority of City Council Members.

Mr. Coughlin has been Deputy Airport Director at the Pensacola International Airport with the City of Pensacola for 10 months. In this position, he has been a capital project advocate with oversight in nearly \$100M of capital improvements. He has also served as a team member in the supervision of a \$210M program collaborating with local, national, and international partners, which will result in the expansion of an internationally recognized aviation Maintenance, Repair, and Overhaul (MRO) facility in Pensacola, FL. Matt has also handled project oversight of numerous near-term airport projects to include a new construction Customs and Border Patrol (CBP) Facility and a Remain Over-Night (RON) Commercial Service Ramp for expanded airport capacity.

Mr. Coughlin holds Master's degrees in National Resource Strategy and Management, and a Bachelor's Degree in Mechanical Engineering alongside being an FAA Commercial Rated Pilot of Fixed and Rotary Wing aircraft. He is also recognized by the American Association of Airports Executives as a Certified Member (C.M.). Before joining the City of Pensacola, Matt held management positions with Escambia County serving as the Interim County Administrator/Assistant County Administrator. He previously served as Assistant Airport Director for Operations at the Pensacola International Airport (2014-2017) where he oversaw the Cargo Expansion project, a ten phase, \$7.7M facility allowing Pensacola International to triple its cargo capacity. He was also instrumental in the design and construction phases for the Project STALLION MRO effort.

Additionally, he was charged with all day to day responsibilities associated with Airport Operations and Facilities leadership.

Mr. Coughlin experienced a diverse profession of leadership excellence during his US Navy career spanning more than 24 years. He served as, a Naval Officer and Aviator (1990-2014), Presidential Nuclear/Global Strike Advisor for the Chairman, Joint Chiefs of Staff (2003-2005), Commanding Officer/Executive Officer of a Naval squadron (2005-2008), an Aircraft Carrier Air Officer (2008-2010) and the Base Commanding Officer at NAS Whiting Field (2011-2014).

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/26/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Richard Barker, Jr., Deputy City Administrator - Administration & Enterprise

ATTACHMENTS:

- 1) Coughlin - Resume

PRESENTATION: No

Matthew F. Coughlin, C.M.
619.587.9317
coughlin.matt@yahoo.com

SUMMARY

Deputy Airport Director and former Interim County Administrator, Assistant County Administrator, C-Level Aviation Executive, Senior Military Officer, Base Commander and Naval Aviator seeking opportunities that focus squarely on stakeholder collaboration and bottom-line organizational success.

EDUCATION and CERTIFICATIONS

M.S. National Resource Strategy	National Defense University	Washington, DC
M.S. Management (Manpower Systems)	Naval Post Graduate School	Monterey, CA
B. S. Mechanical Engineering	Western New England University	Springfield, MA

FAA Commercial Rated Pilot - Fixed and Rotary Wing
Security Clearance - Active "Secret" – Department of Homeland Security

EXPERIENCE

DEPUTY DIRECTOR – PENSACOLA INTERNATIONAL AIRPORT (Current)

- Capital project advocate for the Pensacola International Airport. Program oversight approaches \$100M in capital improvements over the planning period with a strategic goal on increasing the airports competitive advantage amongst all I-10 Corridor airports from New Orleans, LA to Jacksonville, FL.
- Team Member in the oversight of a \$210M program collaborating with local, national, and international partners on a generational game changing industry shift for Northwest Florida. This effort will result in the expansion of an internationally recognized aviation Maintenance, Repair and Overhaul (MRO) facility in Pensacola, FL. Ultimately, the designed facilities will approach 900,000 Square Feet of newly constructed hangar, office and warehouse space supporting over 1350 high paying, high tech jobs for Northwest Florida.
- Project oversight of numerous near-term airport projects to include a new construction Customs and Border Patrol (CBP) Facility and a Remain Over Night (RON) Commercial Service Ramp for expanded airport capacity.
- Championed air service development and marketing efforts to acquire new and expanded airline service. Efforts resulted in new commitments from airline partners for new and expanded air service.

**INTERIM COUNTY ADMINISTRATOR / ASSISTANT COUNTY ADMINISTRATOR –
ESCAMBIA COUNTY, FL (2017-2019)**

- COO and subsequent CEO to the Board of County Commissioners for a growing community of over 310,000+ citizens spanning 875 square miles of the Florida Panhandle. Prepared and Presented to the Board of County Commissioners the FY 2019/20 Annual Budget of \$491M. Total workforce of 1750+. Specific oversight duties and responsibilities:

- Employee Relations – Participated in contract negotiations with three labor bargaining units (PBA, IAFF and IAEP) in support of favorable outcomes.
- County Corrections Department – Accredited “Excelsior” in 2019 by Florida Sheriffs Association. Oversight and accountability:
 - County Jail: 1700+ Inmates
 - County Road/Work Prison: 300+ Inmates
 - Community Corrections, Pretrial Diversion, Probation: 3500+ Caseload
- Construction oversight of \$128M Main Jail Facility.
- Public Safety:
 - Escambia Fire Rescue – 21 Stations, 300+ personnel
 - Emergency Medical Services – 200+ EMT and Paramedic personnel.
 - Emergency Management – Served as Incident Commander (IC) for multiple EOC activations.
 - Lifeguard Services – Pensacola Beach – 80 Lifeguard personnel.
- Waste Services:
 - Oversight and Operation of the Perdido Landfill, an Integrated Municipal Solid Waste Management Facility employing a series of complementary actions to solid waste quantities in an economic and environmentally sound manner.
- Building Services – Permitting, Contract Licensing, Flood Plain Management
- Military and Veteran Affairs
- Animal Shelter and Animal Control
- Public Works – County Engineering – Roads and Bridges
- Parks and Recreation
- Developmental and Neighborhood Services
- Regional Economic Development
- Community Media Relations

ASSISTANT DIRECTOR – PENSACOLA INTERNATIONAL AIRPORT (2014-2017)

- Development and execution of annual operating budget (~\$30 M).
- Established all planning efforts in support of three highly successful FAA Part 139 annual inspections.
- Planned and executed all phases of the FAA mandated emergency exercise continuum. Efforts included all facets of planning and execution spanning tabletop to full scale multi-agency disaster response exercises.
- Participated in all aspects of “cradle to construction” efforts for various airport capital projects to include landside, airside and terminal projects. Examples:
 - Aircraft Cargo Facility – A \$7.7M, ten-phase project spanning 345 days to triple capacity of current facility. A unique project requiring the facility to remain fully operational while also minimizing impacts to ground operations. Continuously monitored all aspects of the project to include strict enforcement of all safety protocols. Administered weekly progress meetings with stakeholders. Held prime contractor accountable for all aspects of project. Project delivered on time/on budget.

- Maintenance Repair and Overhaul Facility – A \$37M project to deliver a 173,000 square foot MRO facility having an enormous economic development impact to the community. Participated in design and value engineering efforts. Monitored all daily aspects of project from NTP to vertical buildout of facility.
- Served as a legislative advocate for all Florida airports in garnering the necessary support through the state legislative delegation to amend Florida Statute 332.08. This effort resulted in the passage of amending language allowing airports to transition to favorable tenant lease terms while also aligning these same requirements with the FAA Airport Compliance Manual.
- Participated in both preparation and subsequent negotiations with various tenant airlines ultimately leading to an Airline Operating Agreement.
- Joined in efforts regarding the solicitation and ultimate vendor selection for the Airport Master Plan. Efforts progressed through the investigation (inventory, forecasts and facility requirements) and solutions phases of the master planning process.
- Worked in conjunction with both the Pensacola Fire and Police Departments regarding all aspects of a safe airport operation. Coordinated VIP visits to include POTUS candidates. Responsible for the daily management and oversight of all operations and maintenance for a FAA Part 139 certificated International Airport.

BASE COMMANDING OFFICER – NAVAL AIR STATION (2011-2014)

- Base Commander for the United States Navy's busiest and most complex aviation operation consisting of 15 airports spanning five counties and two states. CEO equivalent responsibilities included the oversight of 3000+ personnel.
- Formally trained and fully competent in all aspects of media and public relations. Served as the Installation's chief spokesperson and representative for an area spanning 4000 square miles to include Northwest Florida and Southern Alabama.
- Held direct accountability for mission accomplishment of the busiest and most complex Naval Air Station in the world (1.3 Million operations annually).
- Responsible for the maintenance and sustainability of over \$1 Billion in facilities and plant property to include 30 individual runways exceeding 100,000 feet.
- Public Safety: Resourced and ensured Law Enforcement, Fire Department and Emergency Operations Center (EOC) were staffed and maintained at the highest levels of readiness.
- Interagency Coordination: Administered policy and procedures consistent with the Federal Aviation Administration (FAA), Environmental Protection Agency (EPA), Florida Department of Environmental Protection (FDEP), Department of Defense (DoD) and the Chief of Naval Operations.
- Additional responsibilities included quality of life services for 3000+ personnel. Administered over Public-Private Venture to provide 280 single family residential homes for constituents. Other quality of life business lines included hotel services, grocery and retail outlets, a golf course and a marina.

Accomplishments:

- Recognized by the Chief of Naval Operation (CNO) with the 2014 Installation Excellence Award as the highest performing Naval Base worldwide, the first time in the awards 30-year history that the Naval Air Station was awarded this prestigious award.
- Initiated and served as the Navy's direct liaison for a first of its kind "land swap" initiative. This effort resulted in the transfer of a severely encroached upon airport facility (60,000+ annual operations) for a new construction, state of the art heliport facility in a neighboring county.
- Partnered with local, state, and federal entities regarding compatible land use using real estate buffering initiatives. 5500+ adjoining acres protected from encroachment threats.
- Recognized by the Florida Department of Environmental Protection (FDEP) as the best "Community Water System" in Florida's Northwest District for an unprecedented three-year run.
- Monitored and held accountable an Integrated Product Team (IPT) in the acquisition of 80+ land and residential parcels for the purpose of supporting three individual airport expansion projects.
- Cradle to construction oversight of over \$100 million in airport infrastructure upgrades and construction projects.

AIR OFFICER – Aircraft Carrier “AIR BOSS” (2008 - 2010)

- Directly responsible for the safe movement, launch and recovery of all tactical fixed and rotary wing assets. Oversight of 200 personnel. Supported a Navy and Marine Air Combat Element of 30+ combat aircraft in support of Operations IRAQI and ENDURING FREEDOM.

COMMANDING OFFICER/EXECUTIVE OFFICER – NAVAL SQUADRON (2005 - 2008)

- Deployed combat assets and personnel worldwide in support of National Maritime Strategy. Held direct responsibility and accountability for the combat readiness, training, deployment and logistical support of a diverse workforce of 300 personnel with over \$270 million in national aviation assets.

POTUS(President of the United States) NUCLEAR STRIKE ADVISOR (2003-2005)

- Qualified in numerous capacities at the National Military Command Center, Pentagon. Served as a real time, on duty Presidential Global Nuclear Strike Advisor and Emergency Actions Officer.
- Served as the Chairman, Joints Chiefs of Staff as Assistant Deputy Director of Operations.
- Performed as the Chairman's Global Strategic Reconnaissance Officer. Conducted START Treaty notifications to National Command Authorities regarding all worldwide launches of ballistic missiles and space-based systems.

NAVAL OFFICER AND AVIATOR (1990-2014)

Achieved executive rank of Navy Captain. Over 2500+ flight hours. Naval Aviator qualified in both fixed wing and helicopter aircraft.

CIVIC AND PROFESSIONAL AFFILIATIONS

BOARD OF DIRECTORS (2011-2014): Santa Rosa County Chamber of Commerce
LEADERSHIP COUNCIL (2018-2019): Achieve Escambia
EXECUTIVE MENTOR: University of West Florida School of Business
CERTIFICATED MEMBER: Florida Association of Counties
County Government Education Program
CERTIFICATED MEMBER: C.M.- American Association of Airport Executives
MEMBER (2017-Current): Escambia County Military Affairs Committee
MEMBER (2011-2014): Santa Rosa County Military Affairs Committee
MEMBER (2011-2014): Governor of Florida - Commanders Council
MEMBER (2016-Current) United States Navy League
MEMBER (1990-Current) Naval Helicopter Association
MEMBER (2016-2018) Florida Association of Counties
GRADUATE: Leadership Santa Rosa - Class 26



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00229

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PUBLIC HEARING: REQUEST TO VACATE RIGHT OF WAY - 16TH AVENUE

RECOMMENDATION:

That City Council conduct a public hearing on June 11, 2020, to consider the request to vacate a 10' portion of 16th Avenue between Belmont and Wright Streets.

HEARING REQUIRED: Public

SUMMARY:

The City of Pensacola received a request from Mr. Kendall G. Wilder for approval of a vacation of right-of-way for a 10' portion of 16th Avenue between Belmont and Wright Streets. The purpose of the vacation is to allow the applicant to construct two single-family detached structures instead of one single-family detached structure.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/15/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Kerrith Fiddler, Deputy City Administrator
Sherry Morris, AICP, Planning Services Director

ATTACHMENTS:

- 1) Vacation of Right of Way Application
- 2) Planning Board Minutes May 12 2020 DRAFT
- 3) Proposed Ordinance No. 22-20

PRESENTATION: No

VACATION OF ALLEY OR STREET RIGHT OF WAY

Fee: \$2,000.00

Rehearing/Rescheduling Planning \$250.00

Rehearing/Rescheduling City Council: \$500.00

Applicant Information:

Name: Kendall Glen Wilder

Address: 305 N 17th Avenue; Pensacola, FL 32501

Phone: 850-748-4211

Fax:

Email: 2kswilder@att.net

Property Information:

Owner Name: Kendall Glen Wilder

Location/Address: 1517 E. Belmont Street; Pensacola, FL 32501

Legal Description: Please attach a full legal description (from deed or survey)

Purpose of vacation of city right of way/comments:

See Attached

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

Kendall G. Wilder

3/5/2020

Signature of Applicant

Date

(Owner of Property or Official Representative or Owner)

FOR OFFICE USE ONLY

District: _____

Date Received: _____

Case Number: _____

Date Postcards mailed: _____

Planning Board Date: _____

Recommendation: _____

Council Date: _____

Council Action: _____



Purpose of Vacation of City Right of Way

Kendall G. Wilder is requesting the approval of the vacation of a 10 ft portion of 16th Avenue between Belmont and Wright streets correctly zoned R-1AA. The request is to attain the highest and best use of the property and to preserve and increase the property values in this area of East Hill. If granted, the additional 10 feet would allow the applicant to construct two single family detached structures instead of one single family detached structure. Approval would not affect traffic flow on 16th Avenue as it already terminates at Wright Street resulting in virtually no thru traffic. Applicant could find no future plans to widen 16th Avenue or Wright Street. The right of way on this segment of 16th Avenue is 70 feet wide with the 24 ft road width centered in the right of way. Homes would face Belmont Street. I would like to see two homes be built that would blend in to this beautiful property of oaks and Spanish moss.

Please find attached:

Escambia County Property Appraisers Parcel Sheet
Warranty Deed

Current Legal Description

Regulations for Medium Density Residential Districts

Approval of Abutting Property Owners



REBOL-BATTLE & ASSOCIATES

Civil Engineers and Surveyors
2301 N. Ninth Avenue, Suite 300
Pensacola, Florida 32503
Telephone 850.438.0400 Fax 850.438.0448
EB 00009657 LB 7916

DESCRIPTION & SKETCH

PREPARED FOR: MS. CAROL RUBEN

REQUESTED BY: MR. KENDALL WILDER

RUBEN PARCEL

PROJECT: 2020.051

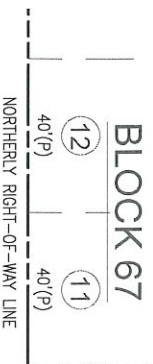
FIELD SURVEY DATE: N/A

SECTION: 8

TOWNSHIP: 2 SOUTH

RANGE: 30 WEST

COUNTY: ESCAMBIA

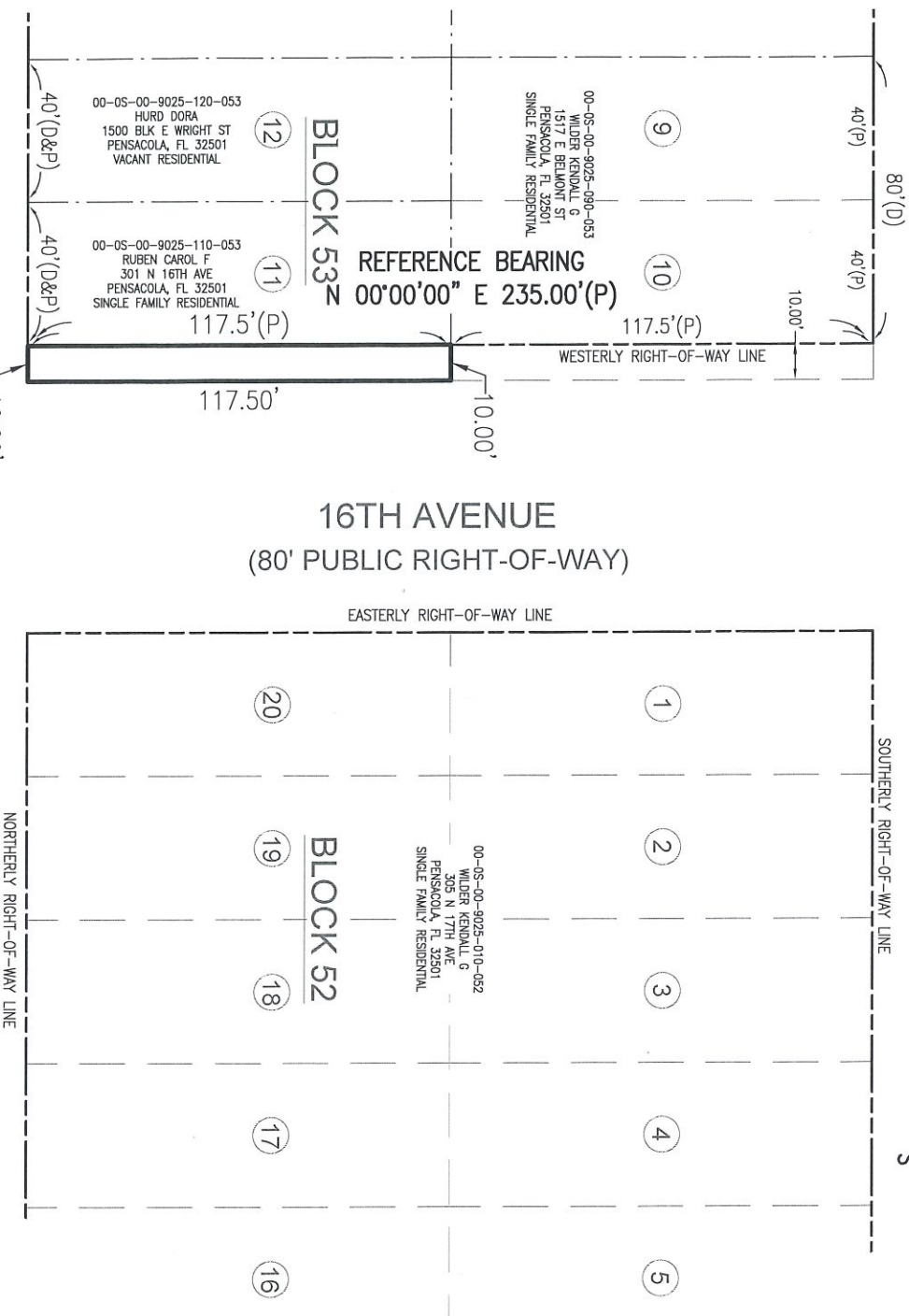


NORTHERLY RIGHT-OF-WAY LINE

HAVANA SQUARE



BELMONT STREET
(70' PUBLIC RIGHT-OF-WAY)



REFERENCE BEARING
00°00'00" E 235.00'(P)

EASTERLY RIGHT-OF-WAY LINE

WRIGHT STREET (100' PUBLIC RIGHT-OF-WAY)
(EXISTING RAILROAD)

DESCRIPTION: (AS PREPARED BY REBOL-BATTLE & ASSOCIATES)

A PORTION OF THE WESTERLY RIGHT-OF-WAY OF 16TH AVENUE BETWEEN BELMONT AND WRIGHT STREET DESCRIBED AS FOLLOWS:

THE WESTERLY 10.0 FEET 16TH AVENUE (80' R/W) ABUTTING LOT 11, BLOCK 53, OF THE NEW CITY TRACT, ACCORDING TO THE MAP OF THE CITY OF PENSACOLA COPYRIGHTED BY THOMAS C. WATSON IN 1906.

GENERAL NOTES:

1. NORTH AND THE SURVEY DATUM SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WESTERLY RIGHT-OF-WAY(R/W) LINE OF 16TH AVENUE(80' PUBLIC R/W); COPY OF MAP OF PENNSACOLA FLORIDA, PUBLISHED BY THOMAS C. WATSON & CO., COPYRIGHTED IN 1906 AS RECORDED IN DEED BOOK 126, AT PAGE 400 OF THE PUBLIC RECORDS OF ESCAMBA, COUNTY, FLORIDA; AND DEEDS OF RECORD.
 2. IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 120330C0390, NO PANEL WAS PRINTED.
 3. THE SKETCH SHOWN HEREON WAS PREPARED FOR DESCRIPTIVE PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A FIELD SURVEY. AN ACCURATE FIELD SURVEY OF THE PARCEL(S) DESCRIBED HEREON MAY RESULT IN VARIATIONS IN BEARINGS AND/OR DISTANCES.
 4. THE SKETCH SHOWN HEREON IS SUBJECT TO DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
 5. THE SKETCH SHOWN HEREON IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
 6. MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN DECIMAL OF FEET.
 7. THIS DESCRIPTION AND SKETCH DOES NOT REFLECT, DETERMINE NOR GUARANTEE OWNERSHIP.
- | | |
|-----|------|
| 1 | DEED |
| (0) | DEED |
| (P) | DEED |
| | DEED |
- LEGEND**

LEGEND:

- | | |
|-----|----------------------------|
| 1 | DENOTES PLATTED LOT NUMBER |
| (D) | DENOTES DEED INFORMATION |
| (P) | DENOTES PLAT INFORMATION |
| N/A | DENOTES NOT APPLICABLE |

ADDRESS: 301 NORTH 16TH AVENUE, PENSACOLA, FLORIDA 32501

REVISIONS		DATE	DESCRIPTION	BY	NO.

I HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5-17.050, 5-17.051, AND 5-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Mark A. Norris

MARK A. NORRIS
FLORIDA REGISTRATION NO. 6211

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR

S. AND MAPPER

CHECKED BY: MAN

SCALE: 1" = 50'

F.B. N/A PG N/A

DRAWN BY: AC

SHEET: 1 OF 1



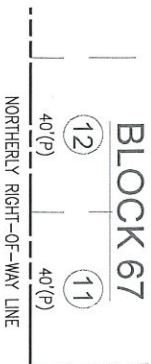
REBOL-BATTLE & ASSOCIATES

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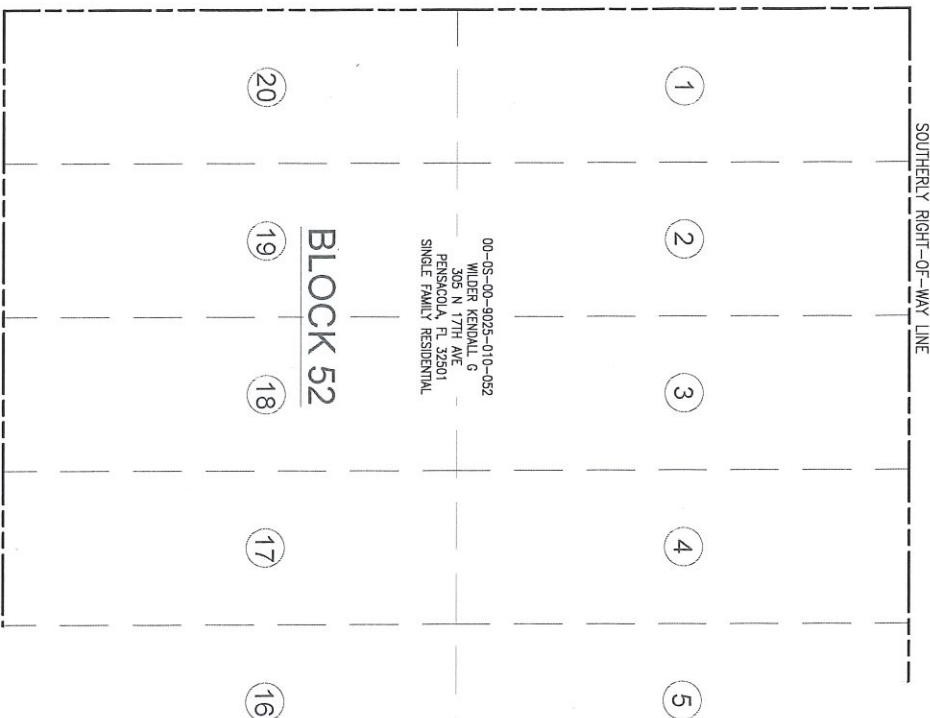
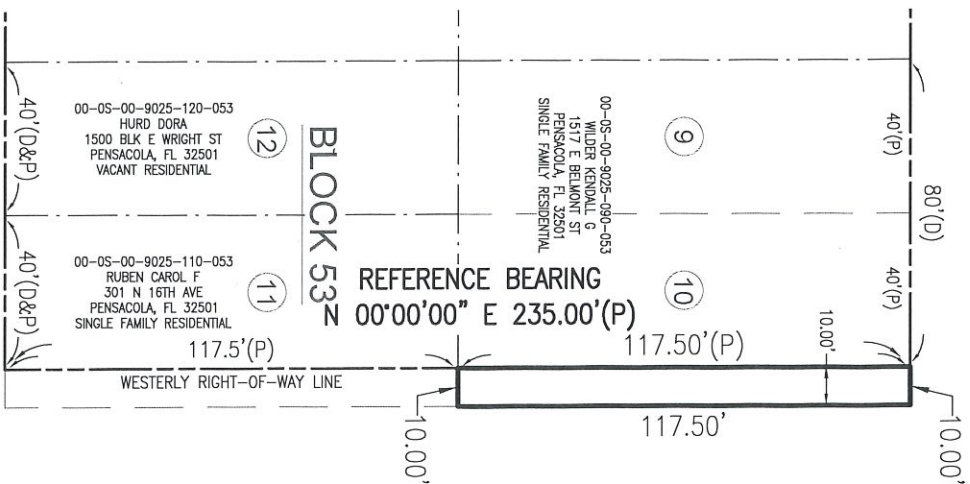
DESCRIPTION & SKETCH

PREPARED FOR: MR. KENDALL WILDER
REQUESTED BY: MR. KENDALL WILDER
WILDER PARCEL

PROJECT:	2020.051
FIELD SURVEY DATE:	N/A
SECTION:	8
TOWNSHIP:	2 SOUTH
RANGE:	30 WEST
COUNTY:	ESCAMBIA



BELMONT STREET
(70' PUBLIC RIGHT-OF-WAY)



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(EXISTING RAILROAD)



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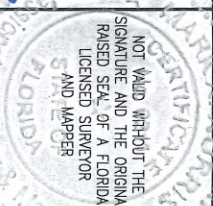
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ADDRESS: 1517 E BELMONT STREET, PENSACOLA, FLORIDA 32501

NO.	BY	DESCRIPTION	DATE

I HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER SJ-17.050, SJ-17.051 AND SJ-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK A. NORRIS
3/23/2020

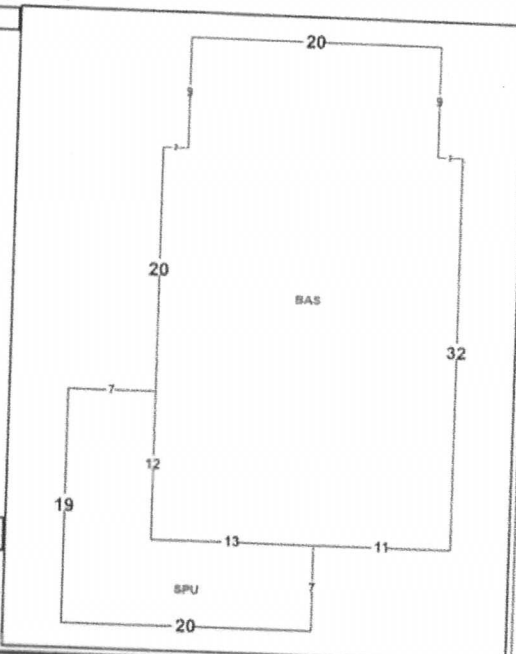



CHECKED BY:	MAN
SCALE:	1" = 50'
FB:	N/A
PG:	N/A
DRAWN BY:	AC
SHEET:	1 OF 1

Legal Description

Lots 9 and 10 Block 53, New City Tract, City of Pensacola, Escambia County, Florida, according to the map of the City of Pensacola copyrighted by Thomas C. Watson in 1906.

General Information Reference: 000S009025090053 Account: 140296500 Owners: WILDER KENDALL G Mail: 305 N 17TH AVE PENSACOLA, FL 32501 Situs: 1517 E BELMONT ST 32501 Use Code: SINGLE FAMILY RESID Taxing Authority: PENSACOLA CITY LIMITS Tax Inquiry: Open Tax Inquiry Window Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector	Assessments <table border="1"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2019</td> <td>\$135,783</td> <td>\$43,576</td> <td>\$179,359</td> <td>\$153,587</td> </tr> <tr> <td>2018</td> <td>\$135,783</td> <td>\$40,483</td> <td>\$176,266</td> <td>\$139,625</td> </tr> <tr> <td>2017</td> <td>\$134,664</td> <td>\$37,512</td> <td>\$172,176</td> <td>\$126,932</td> </tr> </tbody> </table> <p align="center"><u>Disclaimer</u></p> <p align="center"><u>Tax Estimator</u></p> <p align="center">> <u>File for New Homestead Exemption Online</u></p>	Year	Land	Imprv	Total	Cap Val	2019	\$135,783	\$43,576	\$179,359	\$153,587	2018	\$135,783	\$40,483	\$176,266	\$139,625	2017	\$134,664	\$37,512	\$172,176	\$126,932										
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Parcel Information Section Map Id: CA042 Approx. Acreage: 0.2179 Zoned: R-1AA Evacuation & Flood Information Open Report	<p align="right">Launch Interactive Map</p> <p align="center">View Florida Department of Environmental Protection(DEP) Data</p>																														

Buildings	
Address: 1517 E BELMONT ST, Year Built: 1953, Effective Year: 1975	
Structural Elements	
DECOR/MILLWORK-AVERAGE	
DWELLING UNITS-1	
EXTERIOR WALL-ASBESTOS SIDING	
FLOOR COVER-PINE/SOFTWOOD	
FOUNDATION-WOOD/NO SUB FLR	
HEAT/AIR-CENTRAL H/AC	
INTERIOR WALL-DRYWALL-PLASTER	
NO. PLUMBING FIXTURES-3	
NO. STORIES-1	
ROOF COVER-COMPOSITION SHG	
ROOF FRAMING-GABLE	
STORY HEIGHT-0	
STRUCTURAL FRAME-WOOD FRAME	
	
Areas - 1172 Total SF	
BASE AREA - 948	
SCRN PORCH UNF - 224	
Images	
	

8/31/16

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Reference: 000S009025090053

Account: 140296500

Situs: 1517 E BELMONT ST
Complex: NEW CITY TRACT
Owner: WILDER KENDALL G
Last Sale: 3/1992 \$41,900
Property Use: SINGLE FAMILY RESID
Approx. Acreage: 0.2179 ac

Zoned: R-1AA
Bldg. Count: 1
Act Yr Blt: 1953
Eff Yr Blt: 1975
Bld Cat: 3

Total Htd Area: 948 sf

Working Values:

Lnd - \$135,783

Imp - \$42,975

Tot - \$178,758

Certified Exemptions:

NONE

UseCd	Uts	UTp	UPrc	Cond	SzFctr	AdjVal	Note
1	9,400.0000	S	13.5000	1.0000	1.0700	135,783	

5+1
251.40
257.40

This Warranty Deed

DA 3023 3145 PG 218

Made this 12th day of March A.D. 19 92
by Angela Frances Thigpen, f/k/a/ Angela Thigpen Harding,
an unmarried woman

hereinafter called the grantor, to
KENDALL G. WILDER

whose post office address is: **305 North 17th Avenue
Pensacola, FL 32501**

Grantees' SSN:
hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$ **251.40**
and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises,
releases, conveys and confirms unto the grantee, all that certain land situate in **Escambia**
County, Florida, viz:

**Lots 9 and 10, Block 53, NEW CITY TRACT, City of Pensacola,
Escambia County, Florida, according to the map of the City of
Pensacola copyrighted by Thomas C. Watson in 1906.**

**SUBJECT TO covenants, restrictions, easements of record and taxes
for the current year.**

This Deed is an absolute conveyance of title in effect as well as in form and is
not intended as a mortgage, trust conveyance or security of any kind. The consideration
therefore is full release of all debts, obligations, costs and charges heretofore
subsisting on account of and by the terms of that certain Mortgage recorded in
O. R. Book 2481, Page 754 between the aforementioned parties: This Conveyance
completely satisfying said obligation and terminating said Mortgage and all effect
thereof in every respect.

Parcel Identification Number: ...00-05-00-9025-090-053.....

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple;
that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants
the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is
free of all encumbrances except taxes accruing subsequent to December 31, 19 91

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above
written.

Signed, sealed and delivered in our presence:

Sara Matthews
Name: Sara Matthews

Angela Frances Thigpen LS
Name & Address: Angela Frances Thigpen

Marianne Mason
Name: Marianne Mason

LS
Name & Address:

DATE 3/25/92
Name: D.S. PD 5

LS
Name & Address:

DATE 3/25/92
Name: J. A. FLOWERS, COMPTROLLER

LS
Name & Address:

BY: [Signature]
Name: [Redacted]
CERT. REG.

LS
Name & Address:

State of
County of

The foregoing instrument was acknowledged before me this 16th day of
by Angela Frances Thigpen f/k/a Angela Thigpen Harding

March , 1992

who is personally known to me or who has produced
and who did not take an oath.

Drivers Licenses

as identification

**PREPARED BY: Rhonda H. Sewell
RECORD & RETURN TO:
Lawyers Title Agency of North Florida, Inc.
55 South Baylen Street
Pensacola, Florida 32501
File No: 3A-39875**

Marianne Mason
Print Name: Marianne Mason
Notary Public
My Commission Expires: 4-9-93

March 5, 2020

Petition form signed by all property owners ABUTTING the portion of right of way to be vacated.

Neighbors in agreement with Vacation of Right of Way at 1500 Block E. Belmont Street

Kendall G. Wilder is seeking possession of 10' of the Right of Way on the South West corner of 16th avenue and E. Belmont Street.

Name	Address	Signature	Phone
Carol Linder	1462 Central Hwy Gulf Breeze, FL 32563	Carol Linder	850-698-0766
	301 N. 16 th Avenue Pensacola, FL 32501		

- (a) Residential design manufactured homes when proposed in the R-1AA zoning district subject to regulations in 62.
- (b) Bed and breakfast subject to regulations in section 12-2-55.
- (c) Childcare facilities subject to regulations in section 12-2-58.
- (d) Accessory office units subject to regulations in section 12-2-51.
- (D) *Development permitted.*
 - (a) Conventional subdivision subject to regulations in section 12-2-76.
 - (b) Special planned development subject to regulations in section 12-2-77.
- (E) *Regulations for development within the medium density residential land use district.* Table 12-2.2 and 12-2.3 describes requirements for the one-and two-family residential zoning districts.

TABLE 12-2.2
REGULATIONS FOR THE MEDIUM DENSITY RESIDENTIAL ZONING DISTRICTS

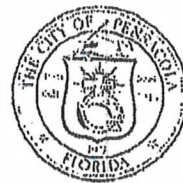
Standards	R-1AA			R-1A		
	Single Family Detached	Two- Family Attached (Duplex)	**Single Family Attached (Townhouses)	Single Family Detached	Two- Family Attached (Duplex)	**Single Family Attached (Townhouses)
Maximum Residential Gross Density	8.7 units per acre	11.6 units per acre	11.6 units per acre	12.4 units per acre	17.4 units per acre	17.4 units per acre
Minimum Lot Area	5,000 s.f.	7,500 s.f.	3,750 s.f.	3,500 s.f.	5,000 s.f.	2,500 s.f.
Lot Width at Minimum Building Setback Line	40 feet	60 feet	30 feet	30 feet	50 feet	25 feet
Minimum Lot Width at Street R-O-W Line	40 feet	50 feet	25 feet	30 feet	50 feet	25 feet
Minimum Yard Requirements *Front Yard Side Yard Rear Yard	(Minimum Building Setbacks) 30 feet 6 feet 30 feet			(Minimum Building Setbacks) 20 feet 5 feet 25 feet		
Off-Street Parking	1 space/unit		2 sp./unit	1 space/unit		2 sp./unit

Maximum Building Height	35 feet (Except as provided in <u>Sec. 12-2-39</u>)	35 feet (Except as provided in <u>Sec. 12-2-39</u>)
* The front yard depths in the R-1AA and R-1A districts shall not be less than the average depths of all front and street side yards located on either side of the block face, up to the minimum yard requirement; in case there are no other dwellings in the block, the front yard depths shall be no less than the footages noted.		
** Each single-family attached dwelling unit must be located on its own lot. If a development requires subdivision procedures it shall be subject to and must comply with subdivision regulations as set forth in Chapter 12-8.		
*** All future residential development on parcels changed to a Medium Density Residential (MDR) zoning district via the passage of Ord. No. 23-16, effective on August 18, 2016, shall be considered legal non-conforming and may utilize the R-1A zoning district standards applicable to lot width, lot area and setbacks.		

TABLE 12-2.3

Standards	R-1B		
	Single Family Detached	Two-Family Attached (Duplex)	**Single Family Attached (Townhouses)
Maximum Residential Gross Density	8.7 units per acre	11.6 units per acre	17.4 units per acre
Minimum Yard Requirements *Front Yard Side Yard Rear Yard	(Minimum Building Setbacks) 10 feet 5 feet 10 feet		
Off-Street Parking	1 space/unit		
Maximum Building Height	45 feet (Except as provided in <u>Sec. 12-2-39</u>)		

VACATION OF ALLEY OR STREET RIGHT OF WAY



Fee: \$2,000.00

Rehearing/Rescheduling Planning Board: \$250.00

Rehearing/Rescheduling City Council: \$500.00

Applicant Information:

Name: _____

Carol J. Ruben

Address: _____

1462 Central Parkway, Gulf Breeze, FL 32563

Phone: _____

850-698-0266

Fax: _____

Email: _____

Carol@innisfreehotels.com

Property Information:

Owner Name: _____

Carol J. Ruben

Location/Address: _____

301 N. 16th Avenue, Pensacola, FL 32501

Legal Description: Please attach a full legal description (from deed or survey)

Purpose of vacation of city right of way/comments:

to increase the property line

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

Signature of Applicant

Carol J. Ruben

Date

3/6/2020

(Owner of Property or Official Representative of Owner)

FOR OFFICE USE ONLY

District: _____

Date Received: _____

Case Number: _____

Date Postcards mailed: _____

Planning Board Date: _____

Recommendation: _____

Council Date: _____

Council Action: _____

CAROL RUBEN
1462 Central Parkway
Gulf Breeze, FL 32563

March 6, 2020

Re: 301 North 16th Avenue
Pensacola, Florida 32501
Account #140297000
Ref: #000S009025110053
Legal Description:
LT 11 BLK 53 NEW CITY TRACT OR 6322 P
1353 OR 8143 P 1492 CA 42

TO WHOM IT MAY CONCERN:

I, Carol Ruben, am the owner of the above referenced property. I would like to join Mr. Ken Wilder in his application in asking the City of Pensacola to vacating 10 ft of the easement along 16th Avenue and my property line.

Thank you in advance for your consideration and approval of the above.

Respectfully,



Carol Ruben

Recorded in Public Records 05/02/2008 at 04:37 PM OR Book 6322 Page 1353,
Instrument #2008033986, Ernie Lee Magaha Clerk of the Circuit Court Escambia
County, FL Recording \$10.00 Deed Stamps \$350.00

Prepared by and return to:
Stephens Law Firm, P.A.
4507 Furling Lane, Suite 210
Destin, FL 32541
850-837-7135
File Number: 2008-11

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 24th day of April, 2008 between Lisa R. Dempsey, a single woman, whose post office address is 301 N 16th Avenue, Pensacola, Florida 32501, grantor, and Carol F. Ruben and Robert M. Ruben, wife and husband whose post office address is 1462 Central Pkwy, Gulf Breeze, FL 32563, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Escambia County, Florida to-wit:

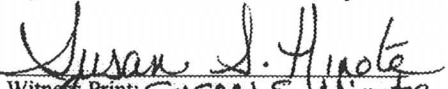
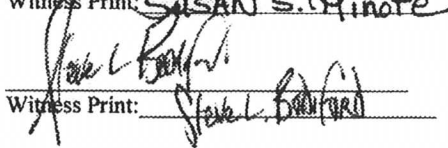
Lot 11, Block 53, of the New City Tract, according to Watson's Map in 1906 according to the Map of City of Pensacola, County of Escambia, Florida.

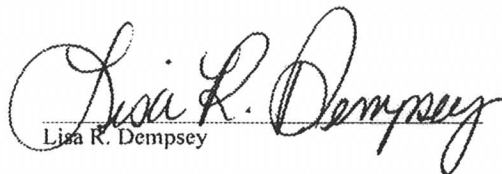
Parcel Identification Number: 000S009025110053

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

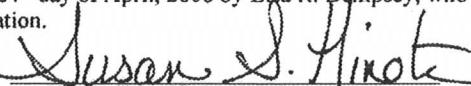
Signed, sealed and delivered in our presence:


Witness Print: SUSAN S. Hinote

Witness Print: Jack L. Balford


Lisa R. Dempsey

State of Florida
County of Escambia

The foregoing instrument was sworn to and subscribed before me this 24th day of April, 2008 by Lisa R. Dempsey, who [] is personally known or [] has produced a driver's license as identification.


Notary Public

Susan S. Hinote

Notary Public

State of Florida

Commission No. DD320722

Expires June 21, 2008

DoubleTime®

BUREAU of VITAL STATISTICS

CERTIFICATION OF DEATH

STATE FILE NUMBER: 2019111164

DATE ISSUED: JULY 16, 2019

DECEDENT INFORMATION

DATE FILED: JULY 16, 2019

NAME: ROBERT M RUBEN

DATE OF DEATH: JULY 6, 2019

SEX: MALE

AGE: 075 YEARS

DATE OF BIRTH: OCTOBER 3, 1943

SSN: ***-**-6322

BIRTHPLACE: PENSACOLA, FLORIDA, UNITED STATES

PLACE WHERE DEATH OCCURRED: DECEDENT'S HOME

FACILITY NAME OR STREET ADDRESS: 1462 CENTRAL PARKWAY

LOCATION OF DEATH: GULF BREEZE, SANTA ROSA COUNTY, 32563

RESIDENCE: 1462 CENTRAL PARKWAY, GULF BREEZE, FLORIDA 32563, UNITED STATES

COUNTY: SANTA ROSA

OCCUPATION, INDUSTRY: SALESMAN, REAL ESTATE

EDUCATION: ASSOCIATE DEGREE

EVER IN U.S. ARMED FORCES? YES

HISPANIC OR HAITIAN ORIGIN? NO, NOT OF HISPANIC/HAITIAN ORIGIN

RACE: WHITE

SURVIVING S

(NAME PRIOR TO

MARITAL ST

SURVIVING S

FATHER'S/P

MOTHER'S/P

INFORMANT

INFORMANT'S

RELATIONSH

INFORMANT'S

FUNERAL DIR

FUNERAL FAC

METHOD OF D

PLACE OF DIS

CERTIFIER IN

TYPE OF CERT

TIME OF DEAT

CERTIFIER'S N

CERTIFIER'S L

NAME OF ATTENDING PHYSICIAN (IF OTHER THAN CERTIFIER):

NOT ENTERED

IN INFORMATION

32563, UNITED STATES

CASE NUMBER: NOT APPLICABLE

JULY 15, 2019

The first five digits of the decedent's Social Security Number has been redacted pursuant to §119.071(5), Florida Statutes.

Kim Jones

, STATE REGISTRAR

REQ: 2020652877

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE.

WARNING:

THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH WATERMARKS OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARKS. THE DOCUMENT FACE CONTAINS A MULTICOLORED BACKGROUND, GOLD EMBOSSED SEAL, AND THERMOCHROMIC FL. THE BACK CONTAINS SPECIAL LINES WITH TEXT. THE DOCUMENT WILL NOT PRODUCE A COLOR COPY.

DH FORM 1946 (03-13)

CERTIFICATION OF VITAL RECORD



* 3 9 1 8 8 8 3 7 *

VOID IF ALTERED OR ERASED

VOID IF ALTERED OR ERASED

BUREAU of VITAL STATISTICS

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BIRTHPLACE: PENSACOLA, FLORIDA, UNITED STATES

PLACE WHERE DEATH OCCURRED: DECEDENT'S HOME

FACILITY NAME OR STREET ADDRESS: 1462 CENTRAL PARKWAY

LOCATION OF DEATH: GULF BREEZE, SANTA ROSA COUNTY, 32563

RESIDENCE: 1462 CENTRAL PARKWAY, GULF BREEZE, FLORIDA 32563, UNITED STATES

COUNTY: SANTA ROSA

OCCUPATION, INDUSTRY: SALESMAN, REAL ESTATE

EDUCATION: ASSOCIATE DEGREE

EVER IN U.S. ARMED FORCES? YES

HISPANIC OR HAITIAN ORIGIN? NO, NOT OF HISPANIC/HAITIAN ORIGIN

RACE: WHITE

SURVIVING SPOUSE / PARENT NAME INFORMATION

(NAME PRIOR TO FIRST MARRIAGE, IF APPLICABLE)

MARITAL STATUS: MARRIED

SURVIVING SPOUSE NAME: CAROL DEMPSEY

FATHER'S/PARENT'S NAME: ROBERT DANOR RUBEN

MOTHER'S/PARENT'S NAME: DOROTHY UDELL

INFORMANT, FUNERAL FACILITY AND PLACE OF DISPOSITION INFORMATION

INFORMANT'S NAME: CAROL RUBEN

RELATIONSHIP TO DECEDENT: WIFE

INFORMANT'S ADDRESS: 1462 CENTRAL PARKWAY, GULF BREEZE, FLORIDA 32563, UNITED STATES

FUNERAL DIRECTOR/LICENSE NUMBER: BRIAN MORRIS, F077911

FUNERAL FACILITY: HARPER-MORRIS MEMORIAL CHAPEL F040431

2276 AIRPORT BLVD, PENSACOLA, FLORIDA 32504

METHOD OF DISPOSITION: BURIAL

PLACE OF DISPOSITION: BAYVIEW MEMORIAL PARK
PENSACOLA, FLORIDA

CERTIFIER INFORMATION

TYPE OF CERTIFIER: CERTIFYING PHYSICIAN

MEDICAL EXAMINER CASE NUMBER: NOT APPLICABLE

TIME OF DEATH (24 HOUR): 0558

DATE CERTIFIED: JULY 15, 2019

CERTIFIER'S NAME: NICHOLAS DRAKE

CERTIFIER'S LICENSE NUMBER: ME135482

NAME OF ATTENDING PHYSICIAN (IF OTHER THAN CERTIFIER): NOT ENTERED

The first five digits of the decedent's Social Security Number has been redacted pursuant to §119.071(5), Florida Statutes.



, STATE REGISTRAR

REQ: 2020652877

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* 3 9 1 8 8 8 3 7 *

DH FORM 1946 (03-13)

CERTIFICATION OF VITAL RECORD



VOID IF ALTERED OR ERASED

VOID IF ALTERED OR ERASED

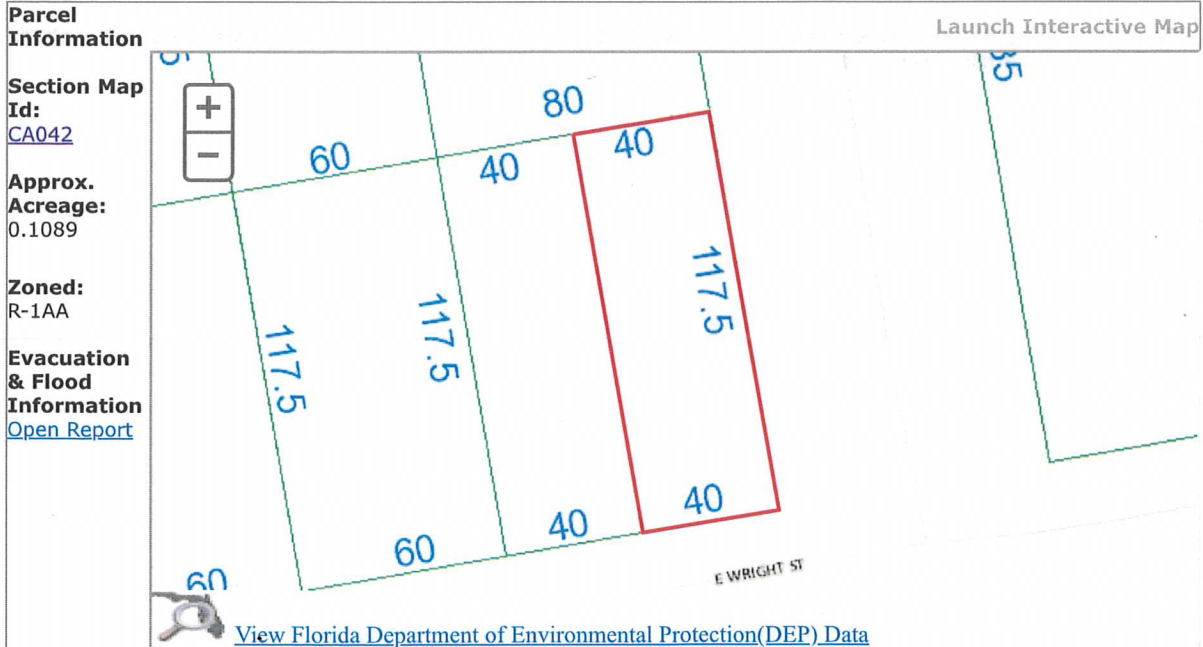


Source: Escambia County Property Appraiser

[Restore Full Version](#)

General Information		Assessments				
Reference:	000S009025110053	Year	Land	Imprv	Total	<u>Cap Val</u>
Account:	140297000	2019	\$15,510	\$60,937	\$76,447	\$76,447
Owners:	RUBEN CAROL F	2018	\$15,510	\$57,274	\$72,784	\$72,784
Mail:	1462 CENTRAL PKWY GULF BREEZE, FL 32563	2017	\$15,510	\$52,949	\$68,459	\$68,459
Situs:	301 N 16TH AVE 32501	<p align="center">Disclaimer</p> <hr/> <p align="center">Tax Estimator</p> <hr/> <p align="center">> File for New Homestead Exemption Online</p>				
Use Code:	SINGLE FAMILY RESID					
Taxing Authority:	PENSACOLA CITY LIMITS					
Tax Inquiry:	Open Tax Inquiry Window					
Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector						

Sales Data						2019 Certified Roll Exemptions
Data						None
Sale Date	Book	Page	Value	Type	Official Records (New Window)	Legal Description
08/09/2019	8143	1492	\$100	OT	View Instr	
04/24/2008	6322	1353	\$50,000	QC	View Instr	
02/2005	5580	1363	\$100	QC	View Instr	
05/1993	3792	448	\$100	QC	View Instr	
05/1993	3374	309	\$100	WD	View Instr	
04/1986	2203	587	\$100	QC	View Instr	
Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller						Extra Features METAL BUILDING



Buildings

Address:301 N 16TH AVE, Year Built: 1995, Effective Year: 1995

Structural Elements

DECOR/MILLWORK-AVERAGE

DWELLING UNITS-1

EXTERIOR WALL-BRICK-FACE/VENEER

FLOOR COVER-PINE/SOFTWOOD

FOUNDATION-WOOD/SUB FLOOR

HEAT/AIR-CENTRAL H/AC

INTERIOR WALL-DRYWALL-PLASTER

NO. PLUMBING FIXTURES-6

NO. STORIES-1

ROOF COVER-DIMEN/ARCH SHNG

ROOF FRAMING-GABLE

STORY HEIGHT-0

STRUCTURAL FRAME-WOOD FRAME

Areas - 1072 Total SF

BASE AREA - 1051

OPEN PORCH FIN - 12

OPEN PORCH UNF - 9

The floor plan diagram shows a rectangular building with a central area labeled 'BAS' in red. The perimeter is defined by blue lines with numerical dimensions. The top horizontal boundary is 30 units long. The left vertical boundary is 25 units long. The right vertical boundary is 25 units long. The bottom horizontal boundary is 14 units long. A small rectangular extension on the left side of the bottom boundary is 8 units wide and 6 units high, with a red label 'OFF' inside. A small rectangular extension on the top boundary is 3 units wide and 3 units high, with a red label 'OFF' inside. The overall dimensions are 30 by 25.



8/15/16

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

E Belmont St

N 16th Ave N 16th Ave

N 16th Ave



301 North 16th Avenue

N 16th Ave

Good



Map



ESCAMBIA COUNTY TAX COLLECTOR

General Notice - Litigation accounts are not considered delinquent and payments are not due. To see the range of accounts in litigation, click [here](#).

2019 Roll Details — Real Estate Account At 301 N 16TH AVE

Real Estate Account #14-0297-000

[Parcel details](#)

[Latest bill](#)

[View/Print full bill history](#)

[Print this page](#)

2019

2018

2017

2016

...

2008

PAID

PAID

PAID

PAID

PAID

[Apply for the 2020 Installment Payment Plan](#)

[Get Bills by Email](#)

PAID 2019-11-25

\$1,303.13

Receipt #EEX-19-

00364879

[Print Paid Bill](#)

Owner: RUBEN CAROL F
1462 CENTRAL PKWY
GULF BREEZE, FL 32563
Situs: 301 N 16TH AVE

Account number: 14-0297-000

Alternate Key: 7227

Millage code: 16

Millage rate: 17.3407

Escrow company: SUNTRUST BANK (CL-0011883)

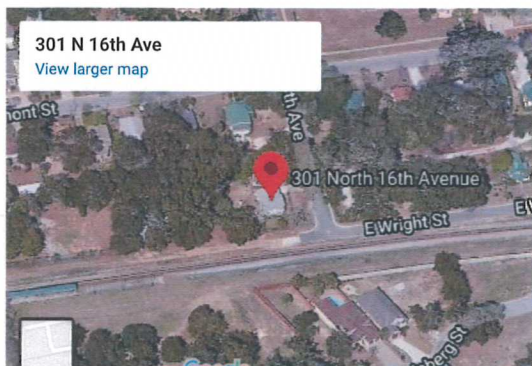
95 METHODIST HILL DR.

ROCHESTER, NY 14623

Assessed value: 76,447

School assessed value: 76,447

Unimproved land value: 15,510



Map data ©2020 Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency

Location is not guaranteed to be accurate.

Property Appraiser

2019 Annual bill

[View](#)

Ad valorem: \$1,325.64

Non-ad valorem: \$31.79

Total Discountable: 1357.43

No Discount NAVA: 0.00

Total tax: \$1,357.43

Legal description

LT 11 BLK 53 NEW CITY TRACT OR 6322 P 1353 OR 8143 P 1492 CA 42

Location

Geo number: 000S009025110053

Range: 00

Township: 0S

Section: 00

Block: 053

Lot: 110

Use code: 0100

Total acres: 0.110





Scott Lunsford, CFC • Escambia County Tax Collector

EscambiaTaxCollector.com

facebook.com/ECTaxCollector

twitter.com/escambiatc



SCAN TO PAY ONLINE

2019

REAL ESTATE

TAXES

Notice of Ad Valorem and Non-Ad Valorem Assessments

ACCOUNT NUMBER	MILLAGE CODE	ESCROW CODE	PROPERTY REFERENCE NUMBER
14-0297-000	16	CL-0011883	000S009025110053

RUBEN CAROL F
1462 CENTRAL PKWY
GULF BREEZE, FL 32563

PROPERTY ADDRESS:
301 N 16TH AVE

EXEMPTIONS:

AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.6165	76,447	0	76,447	505.81
PUBLIC SCHOOLS					
BY LOCAL BOARD	2.0990	76,447	0	76,447	160.46
BY STATE LAW	3.9440	76,447	0	76,447	301.51
PENSACOLA	4.2895	76,447	0	76,447	327.92
WATER MANAGEMENT	0.0327	76,447	0	76,447	2.50
M.S.T.U. LIBRARY	0.3590	76,447	0	76,447	27.44

TOTAL MILLAGE 17.3407

AD VALOREM TAXES \$1,325.64

LEGAL DESCRIPTION	NON-AD VALOREM ASSESSMENTS		
	TAXING AUTHORITY	RATE	AMOUNT
LT 11 BLK 53 NEW CITY TRACT OR 6322 P 1353 OR 8143 P 1492 CA 42	SW STORMWATER(CITY OF PENSACOLA)		31.79
	NON-AD VALOREM ASSESSMENTS		\$31.79

Pay online at EscambiaTaxCollector.com

Payments must be in U.S. funds drawn from a U.S. bank

COMBINED TAXES AND ASSESSMENTS \$1,357.43

If Paid By Please Pay	Nov 30, 2019 \$0.00				
--------------------------	------------------------	--	--	--	--

RETAIN FOR YOUR RECORDS

2019 REAL ESTATE TAXES

DETACH HERE AND RETURN THIS PORTION WITH YOUR PAYMENT

Make checks payable to:

Scott Lunsford, CFC
Escambia County Tax Collector

P.O. BOX 1312

PENSACOLA, FL 32591

Pay online at EscambiaTaxCollector.com

Payments in U.S. funds from a U.S. bank

PAY ONLY ONE AMOUNT

AMOUNT IF PAID BY Nov 30, 2019
0.00

AMOUNT IF PAID BY

AMOUNT IF PAID BY

AMOUNT IF PAID BY

AMOUNT IF PAID BY

DO NOT FOLD, STAPLE, OR MUTILATE

ACCOUNT NUMBER
14-0297-000
PROPERTY ADDRESS
301 N 16TH AVE

RUBEN CAROL F
1462 CENTRAL PKWY
GULF BREEZE, FL 32563

Paid 11/25/2019 Receipt # EEX-19-00364879 \$1,303.13

Paid By SUNTRUST BANK



MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, Rebol-Battle, the applicant's consultant, explained there was no intention of subdividing the lot but to build another structure for

rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr. Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved by the City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance

Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board

PROPOSED
ORDINANCE NO. 22-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE CLOSING, ABANDONING AND
VACATING A PORTION OF 16TH AVENUE IN PENSACOLA,
ESCAMBIA COUNTY, STATE OF FLORIDA; PROVIDING
FOR SEVERABILITY; REPEALING CLAUSE; AND
PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held on June 11, 2020, as to the vacation of a
portion of the 16th Avenue right-of-way; Pensacola, Escambia County, Florida; and

WHEREAS, the vacation of said right-of-way, hereinafter described, will
contribute to the general welfare of the City of Pensacola in that said right-of-way is no
longer needed as a public thoroughfare; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the following described right-of-way in Pensacola, Escambia
County, Florida is hereby closed, discontinued, vacated and forever abandoned by the
City of Pensacola as a public thoroughfare:

A PORTION OF THE WESTERLY RIGHT-OF-WAY OF 16TH AVENUE
BETWEEN BELMONT AND WRIGHT STREET DESCRIBED AS
FOLLOWS:

THE WESTERLY 10.0 FEET OF 16TH AVENUE (80' R/W) ABUTTING
LOT 10, BLOCK 53, OF THE NEW CITY TRACT, ACCORDING TO THE
MAP OF THE CITY OF PENSACOLA COPYRIGHTED BY THOMAS C.
WATSON IN 1906; AND

THE WESTERLY 10.0 FEET OF 16TH AVENUE (80' R/W) ABUTTING
LOT 11, BLOCK 53, OF THE NEW CITY TRACT, ACCORDING TO THE
MAP OF THE CITY OF PENSACOLA COPYRIGHTED BY THOMAS C.
WATSON IN 1906.

SECTION 2. That the owners of the abutting property be, and they are hereby,
authorized to acquire possession of the right-of-way more particularly described in
Section 1 of this ordinance, and the City of Pensacola does hereby abandon all claim of
right, if any it has, in said property, and it shall remain and be the property of the
abutting property owners.

SECTION 3. That, notwithstanding the foregoing sections, the City of Pensacola reserves for itself and all existing utility providers, their successors and assigns, a full width easement in the entire portion the right of way vacated hereby for the purpose of locating and maintaining public utilities and improvements.

SECTION 4. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: _____

Approved: _____
President of City Council

Attest:

City Clerk



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 22-20

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 22-20: REQUEST TO VACATE RIGHT OF WAY - 16TH AVENUE

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 22-20 on first reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF 16TH AVENUE IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: Public

SUMMARY:

The City of Pensacola received a request from Mr. Kendall G. Wilder for approval of a vacation of right-of-way for a 10' portion of 16th Avenue between Belmont and Wright Streets. The purpose of the vacation is to allow the applicant to construct two single-family detached structures instead of one single-family detached structure.

On May 12, 2020, the Planning Board unanimously recommended approval of the request.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/15/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator
Sherry Morris, AICP, Planning Services Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 22-20
- 2) Vacation of Right of Way Application
- 3) Planning Board Minutes May 12 2020 DRAFT

PRESENTATION: No

PROPOSED
ORDINANCE NO. 22-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE CLOSING, ABANDONING AND
VACATING A PORTION OF 16TH AVENUE IN PENSACOLA,
ESCAMBIA COUNTY, STATE OF FLORIDA; PROVIDING
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portion of the 16th Avenue right-of-way; Pensacola, Escambia County, Florida; and

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abutting property owners.

SECTION 3. That, notwithstanding the foregoing sections, the City of Pensacola reserves for itself and all existing utility providers, their successors and assigns, a full width easement in the entire portion the right of way vacated hereby for the purpose of locating and maintaining public utilities and improvements.

SECTION 4. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: _____

Approved: _____
President of City Council

Attest:

City Clerk

VACATION OF ALLEY OR STREET RIGHT OF WAY

Fee: \$2,000.00

Rehearing/Rescheduling Planning \$250.00

Rehearing/Rescheduling City Council: \$500.00

Applicant Information:

Name: Kendall Glen Wilder

Address: 305 N 17th Avenue; Pensacola, FL 32501

Phone: 850-748-4211

Fax:

Email: 2kswilder@att.net

Property Information:

Owner Name: Kendall Glen Wilder

Location/Address: 1517 E. Belmont Street; Pensacola, FL 32501

Legal Description: Please attach a full legal description (from deed or survey)

Purpose of vacation of city right of way/comments:

See Attached

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

Kendall G. Wilder

3/5/2020

Signature of Applicant

Date

(Owner of Property or Official Representative or Owner)

FOR OFFICE USE ONLY

District: _____

Date Received: _____

Case Number: _____

Date Postcards mailed: _____

Planning Board Date: _____

Recommendation: _____

Council Date: _____

Council Action: _____



Purpose of Vacation of City Right of Way

Kendall G. Wilder is requesting the approval of the vacation of a 10 ft portion of 16th Avenue between Belmont and Wright streets correctly zoned R-1AA. The request is to attain the highest and best use of the property and to preserve and increase the property values in this area of East Hill. If granted, the additional 10 feet would allow the applicant to construct two single family detached structures instead of one single family detached structure. Approval would not affect traffic flow on 16th Avenue as it already terminates at Wright Street resulting in virtually no thru traffic. Applicant could find no future plans to widen 16th Avenue or Wright Street. The right of way on this segment of 16th Avenue is 70 feet wide with the 24 ft road width centered in the right of way. Homes would face Belmont Street. I would like to see two homes be built that would blend in to this beautiful property of oaks and Spanish moss.

Please find attached:

Escambia County Property Appraisers Parcel Sheet
Warranty Deed

Current Legal Description

Regulations for Medium Density Residential Districts

Approval of Abutting Property Owners



REBOL-BATTLE & ASSOCIATES

Civil Engineers and Surveyors
2301 N. North Avenue, Suite 300
Pensacola, Florida 32503
Telephone 850.438.0450 Fax: 850.438.0448
EB 00009697 LB 7916

DESCRIPTION & SKETCH

PREPARED FOR: MS. CAROL RUBEN

REQUESTED BY: MR. KENDALL WILDER

RUBEN PARCEL

PROJECT: 2020.051

FIELD SURVEY DATE: N/A

SECTION: 8

TOWNSHIP: 2 SOUTH

RANGE: 30 WEST

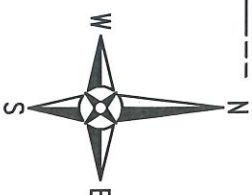
COUNTY: ESCAMBA

BLOCK 67

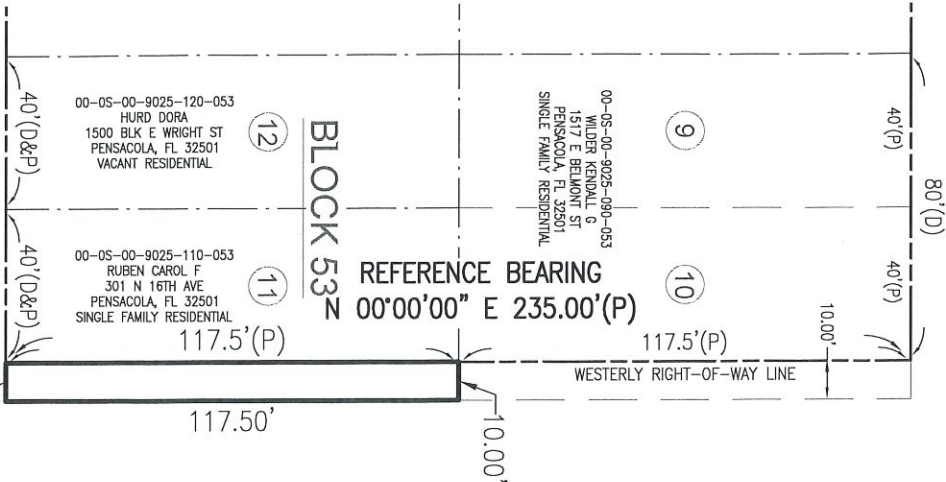
12 11
40'(P) 40'(P)

NORTHERLY RIGHT-OF-WAY LINE

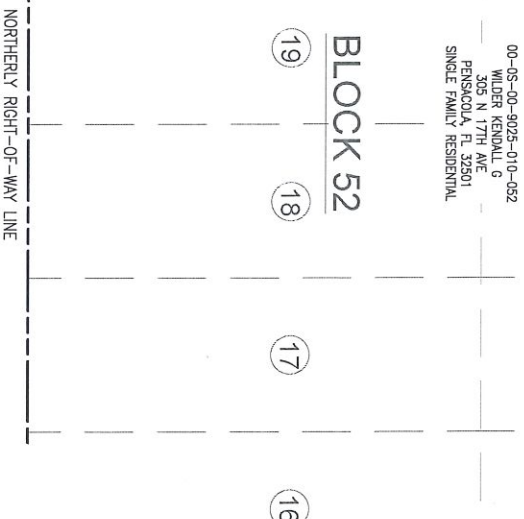
BELMONT STREET
(70' PUBLIC RIGHT-OF-WAY)



SOUTHERLY RIGHT-OF-WAY LINE



WRIGHT STREET (100' PUBLIC RIGHT-OF-WAY)
(EXISTING RAILROAD)



DESCRIPTION: (as prepared by REBOL-BATTLE & ASSOCIATES)

A PORTION OF THE WESTERLY RIGHT-OF-WAY OF 16TH AVENUE BETWEEN BELMONT AND WRIGHT STREET DESCRIBED AS FOLLOWS:

THE WESTERLY 10.0 FEET 16TH AVENUE (80' R/W) ABUTTING LOT 11, BLOCK 53, OF THE NEW CITY TRACT, ACCORDING TO THE MAP OF THE CITY OF PENSACOLA COPYRIGHTED BY THOMAS C. WATSON IN 1906.

GENERAL NOTES:

- NORTH AND THE SURVEY DATUM SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WESTERLY RIGHT-OF-WAY(W) LINE OF 16TH AVENUE(80' PUBLIC R/W); COPY OF MAP OF PENSACOLA FLORIDA, PUBLISHED BY THOMAS C. WATSON & CO., COPYRIGHTED IN 1906 AS RECORDED IN DEED BOOK 126, AT PAGE 400 OF THE PUBLIC RECORDS OF ESCAMBA, COUNTY, FLORIDA; AND DEEDS OF RECORD.
- IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 12033C0390, NO PANEL WAS PRINTED.
- THE SKETCH SHOWN HEREON WAS PREPARED FOR DESCRIPTIVE PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A FIELD SURVEY, AN ACCURATE FIELD SURVEY OF THE PARCEL(S) DESCRIBED HEREON MAY RESULT IN VARIATIONS IN BEARINGS AND/OR DISTANCES.
- THE SKETCH SHOWN HEREON IS SUBJECT TO DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
- THE SKETCH SHOWN HEREON IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
- MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN DECIMAL OF FEET.
- THIS DESCRIPTION AND SKETCH DOES NOT REFLECT, DETERMINE NOR GUARANTEE OWNERSHIP.

ADDRESS: 301 NORTH 16TH AVENUE, PENSACOLA, FLORIDA 32501

HORIZONTAL SCALE
1 INCH = 50 FEET



LEGEND:

- 1 DENOTES PLATTED LOT NUMBER
- (D) DENOTES DEED INFORMATION
- (P) DENOTES PLAT INFORMATION
- N/A DENOTES NOT APPLICABLE

REVISIONS		
NO.	BY	DESCRIPTION

I HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 51-17.050, 51-17.051 AND 51-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK A. NORRIS
FLORIDA REGISTRATION NO. 62113023/2020

CHECKED BY: MAN
SCALE: 1" = 50'
F.B. N/A Pg N/A
DRAWN BY: AC
SHEET: 1 OF 1



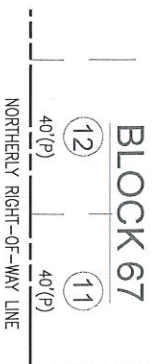
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2301 N. Ninth Avenue, Suite 300
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Telephone 850.438.0400 Fax 850.438.0448
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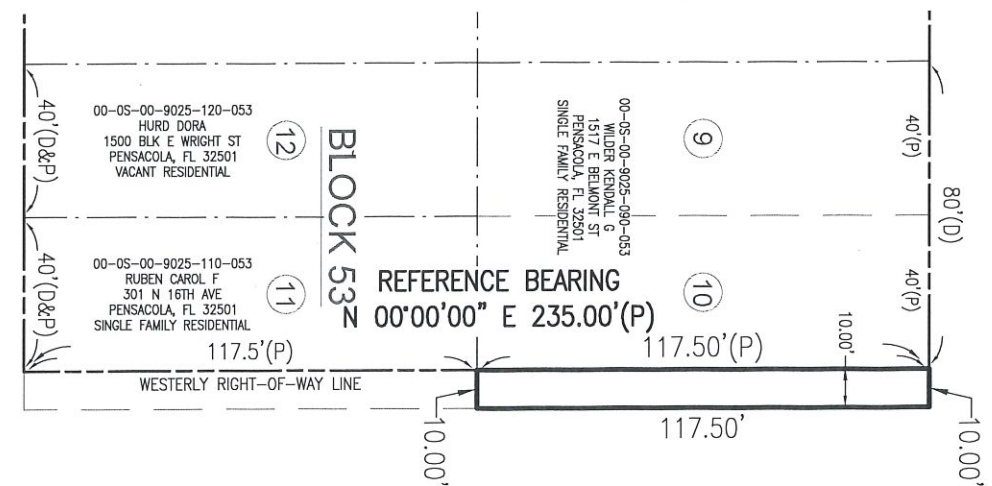
DESCRIPTION & SKETCH

PREPARED FOR: MR. KENDALL WILDER
REQUESTED BY: MR. KENDALL WILDER
WILDER PARCEL

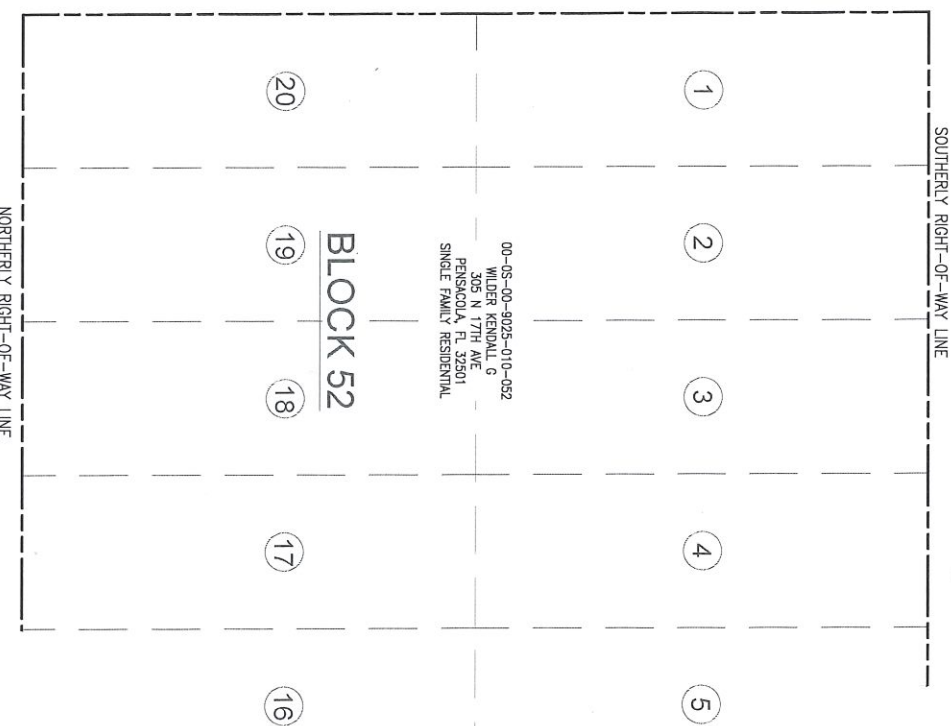
PROJECT:	2020.051
FIELD SURVEY DATE:	N/A
SECTION:	8
TOWNSHIP:	2 SOUTH
RANGE:	30 WEST
COUNTY:	ESCAMBIA



BELMONT STREET
(70' PUBLIC RIGHT-OF-WAY)



16TH AVENUE
(80' PUBLIC RIGHT-OF-WAY)



WRIGHT STREET (100' PUBLIC RIGHT-OF-WAY)
(EXISTING RAILROAD)



DESCRIPTION: (AS PREPARED BY REBOL-BATTLE & ASSOCIATES)

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LEGEND:

- ① DENOTES PLATTED LOT NUMBER
(D) DENOTES DEED INFORMATION
(P) DENOTES PLAT INFORMATION
N/A DENOTES NOT APPLICABLE

ADDRESS: 1517 E BELMONT STREET, PENSACOLA, FLORIDA 32501

REVISIONS		DESCRIPTION	DATE
NO.	BY		

I HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER SJ-17.050, SJ-17.051 AND SJ-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK A. NORRIS
FLORIDA REGISTRATION NO. 6211 3/23/2020

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

CHECKED BY: MAN
SCALE: 1" = 50'
F.B. N/A Pg N/A
DRAWN BY: AC
SHEET: 1 OF 1

Legal Description

Lots 9 and 10 Block 53, New City Tract, City of Pensacola, Escambia County, Florida, according to the map of the City of Pensacola copyrighted by Thomas C. Watson in 1906.

General Information Reference: 000S009025090053 Account: 140296500 Owners: WILDER KENDALL G Mail: 305 N 17TH AVE PENSACOLA, FL 32501 Situs: 1517 E BELMONT ST 32501 Use Code: SINGLE FAMILY RESID Taxing Authority: PENSACOLA CITY LIMITS Tax Inquiry: Open Tax Inquiry Window Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector	Assessments <table border="1"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2019</td> <td>\$135,783</td> <td>\$43,576</td> <td>\$179,359</td> <td>\$153,587</td> </tr> <tr> <td>2018</td> <td>\$135,783</td> <td>\$40,483</td> <td>\$176,266</td> <td>\$139,625</td> </tr> <tr> <td>2017</td> <td>\$134,664</td> <td>\$37,512</td> <td>\$172,176</td> <td>\$126,932</td> </tr> </tbody> </table> <p align="center"><u>Disclaimer</u></p> <p align="center"><u>Tax Estimator</u></p> <p align="center">> <u>File for New Homestead Exemption Online</u></p>	Year	Land	Imprv	Total	Cap Val	2019	\$135,783	\$43,576	\$179,359	\$153,587	2018	\$135,783	\$40,483	\$176,266	\$139,625	2017	\$134,664	\$37,512	\$172,176	\$126,932										
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2018	\$135,783	\$40,483	\$176,266	\$139,625																											
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Sales Data <table border="1"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>03/1992</td> <td>3145</td> <td>218</td> <td>\$41,900</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>09/1991</td> <td>3062</td> <td>101</td> <td>\$21,000</td> <td>QC</td> <td>View Instr</td> </tr> <tr> <td>11/1987</td> <td>2481</td> <td>753</td> <td>\$43,000</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>11/1979</td> <td>1391</td> <td>475</td> <td>\$24,000</td> <td>WD</td> <td>View Instr</td> </tr> </tbody> </table> <p>Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller</p>	Sale Date	Book	Page	Value	Type	Official Records (New Window)	03/1992	3145	218	\$41,900	WD	View Instr	09/1991	3062	101	\$21,000	QC	View Instr	11/1987	2481	753	\$43,000	WD	View Instr	11/1979	1391	475	\$24,000	WD	View Instr	2019 Certified Roll Exemptions None Legal Description LTS 9 & 10 BLK 53 NEW CITY TRACT OR 3145 P 218 CA 42 Extra Features UTILITY BLDG
Sale Date	Book	Page	Value	Type	Official Records (New Window)																										
03/1992	3145	218	\$41,900	WD	View Instr																										
09/1991	3062	101	\$21,000	QC	View Instr																										
11/1987	2481	753	\$43,000	WD	View Instr																										
11/1979	1391	475	\$24,000	WD	View Instr																										
Parcel Information Section Map Id: CA042 Approx. Acreage: 0.2179 Zoned: R-1AA Evacuation & Flood Information Open Report	<p align="right">Launch Interactive Map</p> <p align="center">View Florida Department of Environmental Protection(DEP) Data</p>																														

Buildings	
Address: 1517 E BELMONT ST, Year Built: 1953, Effective Year: 1975	
Structural Elements	
DECOR/MILLWORK-AVERAGE	
DWELLING UNITS-1	
EXTERIOR WALL-ASBESTOS SIDING	
FLOOR COVER-PINE/SOFTWOOD	
FOUNDATION-WOOD/NO SUB FLR	
HEAT/AIR-CENTRAL H/AC	
INTERIOR WALL-DRYWALL-PLASTER	
NO. PLUMBING FIXTURES-3	
NO. STORIES-1	
ROOF COVER-COMPOSITION SHG	
ROOF FRAMING-GABLE	
STORY HEIGHT-0	
STRUCTURAL FRAME-WOOD FRAME	
Areas - 1172 Total SF	
BASE AREA - 948	
SCRN PORCH UNF - 224	
Images	

8/31/16

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Reference: 000S009025090053

Account: 140296500

Situs: 1517 E BELMONT ST
Complex: NEW CITY TRACT
Owner: WILDER KENDALL G
Last Sale: 3/1992 \$41,900
Property Use: SINGLE FAMILY RESID
Approx. Acreage: 0.2179 ac

Zoned: R-1AA

Bldg. Count: 1

Act Yr Blt: 1953

Eff Yr Blt: 1975

Bld Cat: 3

Total Htd Area: 948 sf

Working Values:

Lnd - \$135,783

Imp - \$42,975

Tot - \$178,758

Certified Exemptions:

NONE

UseCd	Uts	UTp	UPrc	Cond	SzFctr	AdjVal	Note
1	9,400,000.00	S	13.5000	1.0000	1.0700	135,783	

5+1
251.40
257.40

This Warranty Deed

DA 3023 3145 PG 218

Made this 12th day of March A.D. 19 92
by Angela Frances Thigpen, f/k/a/ Angela Thigpen Harding,
an unmarried woman

hereinafter called the grantor, to
KENDALL G. WILDER

whose post office address is: **305 North 17th Avenue
Pensacola, FL 32501**

Grantees' SSN:
hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$ **251.40**
and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises,
releases, conveys and confirms unto the grantee, all that certain land situate in **Escambia**
County, Florida, viz:

**Lots 9 and 10, Block 53, NEW CITY TRACT, City of Pensacola,
Escambia County, Florida, according to the map of the City of
Pensacola copyrighted by Thomas C. Watson in 1906.**

**SUBJECT TO covenants, restrictions, easements of record and taxes
for the current year.**

This Deed is an absolute conveyance of title in effect as well as in form and is
not intended as a mortgage, trust conveyance or security of any kind. The consideration
therefore is full release of all debts, obligations, costs and charges heretofore
subsisting on account of and by the terms of that certain Mortgage recorded in
O. R. Book 2481, Page 754 between the aforementioned parties: This Conveyance
completely satisfying said obligation and terminating said Mortgage and all effect
thereof in every respect.

Parcel Identification Number: ...00-05-00-9025-090-053.....

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple;
that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants
the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is
free of all encumbrances except taxes accruing subsequent to December 31, 19 91

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above
written.

Signed, sealed and delivered in our presence:

Sara Matthews
Name: Sara Matthews

Angela Frances Thigpen LS
Name & Address: Angela Frances Thigpen

Marianne Mason
Name: Marianne Mason

LS
Name & Address:

DATE 3/25/92
Name: D.S. PD 5

LS
Name & Address:

DATE 3/25/92
Name: A. FLOWERS, COMPTROLLER

LS
Name & Address:

BY: [Signature]
Name: CERT. REG.

LS
Name & Address:

State of
County of

The foregoing instrument was acknowledged before me this 16th day of
by Angela Frances Thigpen f/k/a Angela Thigpen Harding

March, 1992

who is personally known to me or who has produced
and who did not take an oath.

Drivers Licenses

as identification

**PREPARED BY: Rhonda H. Sewell
RECORD & RETURN TO:
Lawyers Title Agency of North Florida, Inc.
55 South Baylen Street
Pensacola, Florida 32501
File No: 3A-39875**

Marianne Mason
Print Name: Marianne Mason
Notary Public
My Commission Expires: 4-9-93

March 5, 2020

Petition form signed by all property owners ABUTTING the portion of right of way to be vacated.

Neighbors in agreement with Vacation of Right of Way at 1500 Block E. Belmont Street

Kendall G. Wilder is seeking possession of 10' of the Right of Way on the South West corner of 16th avenue and E. Belmont Street.

Name	Address	Signature	Phone
Carol Wilber	1462 Central Hwy Gulf Breeze, FL 32563	Carol Wilber	850-698-0766
	301 N. 16 th Avenue Pensacola, FL 32501		

- (a) Residential design manufactured homes when proposed in the R-1AA zoning district subject to regulations in 62.
- (b) Bed and breakfast subject to regulations in section 12-2-55.
- (c) Childcare facilities subject to regulations in section 12-2-58.
- (d) Accessory office units subject to regulations in section 12-2-51.
- (D) *Development permitted.*
 - (a) Conventional subdivision subject to regulations in section 12-2-76.
 - (b) Special planned development subject to regulations in section 12-2-77.
- (E) *Regulations for development within the medium density residential land use district.* Table 12-2.2 and 12-2.3 describes requirements for the one-and two-family residential zoning districts.

TABLE 12-2.2
REGULATIONS FOR THE MEDIUM DENSITY RESIDENTIAL ZONING DISTRICTS

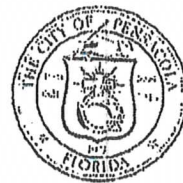
Standards	R-1AA			R-1A		
	Single Family Detached	Two- Family Attached (Duplex)	**Single Family Attached (Townhouses)	Single Family Detached	Two- Family Attached (Duplex)	**Single Family Attached (Townhouses)
Maximum Residential Gross Density	8.7 units per acre	11.6 units per acre	11.6 units per acre	12.4 units per acre	17.4 units per acre	17.4 units per acre
Minimum Lot Area	5,000 s.f.	7,500 s.f.	3,750 s.f.	3,500 s.f.	5,000 s.f.	2,500 s.f.
Lot Width at Minimum Building Setback Line	40 feet	60 feet	30 feet	30 feet	50 feet	25 feet
Minimum Lot Width at Street R-O-W Line	40 feet	50 feet	25 feet	30 feet	50 feet	25 feet
Minimum Yard Requirements *Front Yard Side Yard Rear Yard	(Minimum Building Setbacks) 30 feet 6 feet 30 feet			(Minimum Building Setbacks) 20 feet 5 feet 25 feet		
Off-Street Parking	1 space/unit		2 sp./unit	1 space/unit		2 sp./unit

Maximum Building Height	35 feet (Except as provided in <u>Sec. 12-2-39</u>)	35 feet (Except as provided in <u>Sec. 12-2-39</u>)
* The front yard depths in the R-1AA and R-1A districts shall not be less than the average depths of all front and street side yards located on either side of the block face, up to the minimum yard requirement; in case there are no other dwellings in the block, the front yard depths shall be no less than the footages noted.		
** Each single-family attached dwelling unit must be located on its own lot. If a development requires subdivision procedures it shall be subject to and must comply with subdivision regulations as set forth in Chapter 12-8.		
*** All future residential development on parcels changed to a Medium Density Residential (MDR) zoning district via the passage of Ord. No. 23-16, effective on August 18, 2016, shall be considered legal non-conforming and may utilize the R-1A zoning district standards applicable to lot width, lot area and setbacks.		

TABLE 12-2.3

Standards	R-1B		
	Single Family Detached	Two-Family Attached (Duplex)	**Single Family Attached (Townhouses)
Maximum Residential Gross Density	8.7 units per acre	11.6 units per acre	17.4 units per acre
Minimum Yard Requirements *Front Yard Side Yard Rear Yard	(Minimum Building Setbacks) 10 feet 5 feet 10 feet		
Off-Street Parking	1 space/unit		
Maximum Building Height	45 feet (Except as provided in <u>Sec. 12-2-39</u>)		

VACATION OF ALLEY OR STREET RIGHT OF WAY



Fee: \$2,000.00

Rehearing/Rescheduling Planning Board: \$250.00

Rehearing/Rescheduling City Council: \$500.00

Applicant Information:

Name: _____

Carol J. Ruben

Address: _____

1462 Central Parkway, Gulf Breeze, FL 32563

Phone: _____

850-698-0266

Fax: _____

Email: _____

Carol@innisfreehotels.com

Property Information:

Owner Name: _____

Carol J. Ruben

Location/Address: _____

301 N. 16th Avenue, Pensacola, FL 32501

Legal Description: Please attach a full legal description (from deed or survey)

Purpose of vacation of city right of way/comments:

to increase the property line

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

Signature of Applicant

Carol J. Ruben

Date

3/6/2020

(Owner of Property or Official Representative of Owner)

FOR OFFICE USE ONLY

District: _____

Date Received: _____

Case Number: _____

Date Postcards mailed: _____

Planning Board Date: _____

Recommendation: _____

Council Date: _____

Council Action: _____

CAROL RUBEN
1462 Central Parkway
Gulf Breeze, FL 32563

March 6, 2020

Re: 301 North 16th Avenue
Pensacola, Florida 32501
Account #140297000
Ref: #000S009025110053
Legal Description:
LT 11 BLK 53 NEW CITY TRACT OR 6322 P
1353 OR 8143 P 1492 CA 42

TO WHOM IT MAY CONCERN:

I, Carol Ruben, am the owner of the above referenced property. I would like to join Mr. Ken Wilder in his application in asking the City of Pensacola to vacating 10 ft of the easement along 16th Avenue and my property line.

Thank you in advance for your consideration and approval of the above.

Respectfully,



Carol Ruben

Recorded in Public Records 05/02/2008 at 04:37 PM OR Book 6322 Page 1353,
Instrument #2008033986, Ernie Lee Magaha Clerk of the Circuit Court Escambia
County, FL Recording \$10.00 Deed Stamps \$350.00

Prepared by and return to:
Stephens Law Firm, P.A.
4507 Furling Lane, Suite 210
Destin, FL 32541
850-837-7135
File Number: 2008-11

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 24th day of April, 2008 between Lisa R. Dempsey, a single woman, whose post office address is 301 N 16th Avenue, Pensacola, Florida 32501, grantor, and Carol F. Ruben and Robert M. Ruben, wife and husband whose post office address is 1462 Central Pkwy, Gulf Breeze, FL 32563, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Escambia County, Florida to-wit:

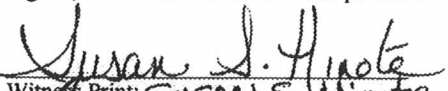
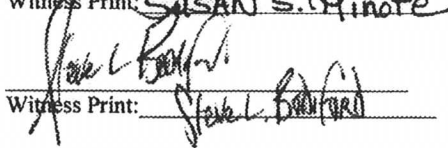
Lot 11, Block 53, of the New City Tract, according to Watson's Map in 1906 according to the Map of City of Pensacola, County of Escambia, Florida.

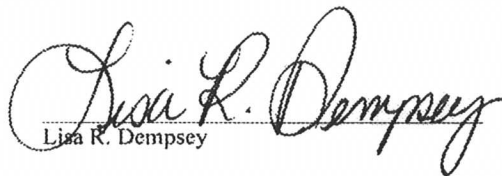
Parcel Identification Number: 000S009025110053

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

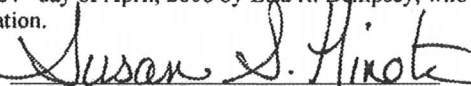
Signed, sealed and delivered in our presence:


Witness Print: SUSAN S. Hinoje

Witness Print: Jack L. Balford


Lisa R. Dempsey

State of Florida
County of Escambia

The foregoing instrument was sworn to and subscribed before me this 24th day of April, 2008 by Lisa R. Dempsey, who [] is personally known or [] has produced a driver's license as identification.


Notary Public

Susan S. Hinoje

Notary Public

State of Florida

Commission No. DD320722

Expires June 21, 2008

DoubleTime®

BUREAU of VITAL STATISTICS

CERTIFICATION OF DEATH

STATE FILE NUMBER: 2019111164

DATE ISSUED: JULY 16, 2019

DECEDENT INFORMATION

DATE FILED: JULY 16, 2019

NAME: ROBERT M RUBEN

DATE OF DEATH: JULY 6, 2019

SEX: MALE

AGE: 075 YEARS

DATE OF BIRTH: OCTOBER 3, 1943

SSN: ***-**-6322

BIRTHPLACE: PENSACOLA, FLORIDA, UNITED STATES

PLACE WHERE DEATH OCCURRED: DECEDENT'S HOME

FACILITY NAME OR STREET ADDRESS: 1462 CENTRAL PARKWAY

LOCATION OF DEATH: GULF BREEZE, SANTA ROSA COUNTY, 32563

RESIDENCE: 1462 CENTRAL PARKWAY, GULF BREEZE, FLORIDA 32563, UNITED STATES

COUNTY: SANTA ROSA

OCCUPATION, INDUSTRY: SALESMAN, REAL ESTATE

EDUCATION: ASSOCIATE DEGREE

EVER IN U.S. ARMED FORCES? YES

HISPANIC OR HAITIAN ORIGIN? NO, NOT OF HISPANIC/HAITIAN ORIGIN

RACE: WHITE

SURVIVING S

(NAME PRIOR TO

MARITAL ST

SURVIVING S

FATHER'S/P

MOTHER'S/P

INFORMANT

INFORMANT'S

RELATIONSH

INFORMANT'S

FUNERAL DIR

FUNERAL FAC

METHOD OF D

PLACE OF DIS

CERTIFIER IN

TYPE OF CERT

TIME OF DEAT

CERTIFIER'S N

CERTIFIER'S L

NAME OF ATTENDING PHYSICIAN (IF OTHER THAN CERTIFIER):

NOT ENTERED

IN INFORMATION

32563, UNITED STATES

CASE NUMBER: NOT APPLICABLE

JULY 15, 2019

The first five digits of the decedent's Social Security Number has been redacted pursuant to §119.071(5), Florida Statutes.

Kim Jones

, STATE REGISTRAR

REQ: 2020652877

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE.

WARNING:

THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH WATERMARKS OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARKS. THE DOCUMENT FACE CONTAINS A MULTICOLORED BACKGROUND, GOLD EMBOSSED SEAL, AND THERMOCHROMIC FL. THE BACK CONTAINS SPECIAL LINES WITH TEXT. THE DOCUMENT WILL NOT PRODUCE A COLOR COPY.

DH FORM 1946 (03-13)

CERTIFICATION OF VITAL RECORD



* 3 9 1 8 8 8 3 7 *

VOID IF ALTERED OR ERASED

VOID IF ALTERED OR ERASED

BUREAU of VITAL STATISTICS

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BIRTHPLACE: PENSACOLA, FLORIDA, UNITED STATES

PLACE WHERE DEATH OCCURRED: DECEDENT'S HOME

FACILITY NAME OR STREET ADDRESS: 1462 CENTRAL PARKWAY

LOCATION OF DEATH: GULF BREEZE, SANTA ROSA COUNTY, 32563

RESIDENCE: 1462 CENTRAL PARKWAY, GULF BREEZE, FLORIDA 32563, UNITED STATES

COUNTY: SANTA ROSA

OCCUPATION, INDUSTRY: SALESMAN, REAL ESTATE

EDUCATION: ASSOCIATE DEGREE

EVER IN U.S. ARMED FORCES? YES

HISPANIC OR HAITIAN ORIGIN? NO, NOT OF HISPANIC/HAITIAN ORIGIN

RACE: WHITE

SURVIVING SPOUSE / PARENT NAME INFORMATION

(NAME PRIOR TO FIRST MARRIAGE, IF APPLICABLE)

MARITAL STATUS: MARRIED

SURVIVING SPOUSE NAME: CAROL DEMPSEY

FATHER'S/PARENT'S NAME: ROBERT DANOR RUBEN

MOTHER'S/PARENT'S NAME: DOROTHY UDELL

INFORMANT, FUNERAL FACILITY AND PLACE OF DISPOSITION INFORMATION

INFORMANT'S NAME: CAROL RUBEN

RELATIONSHIP TO DECEDENT: WIFE

INFORMANT'S ADDRESS: 1462 CENTRAL PARKWAY, GULF BREEZE, FLORIDA 32563, UNITED STATES

FUNERAL DIRECTOR/LICENSE NUMBER: BRIAN MORRIS, F077911

FUNERAL FACILITY: HARPER-MORRIS MEMORIAL CHAPEL F040431

2276 AIRPORT BLVD, PENSACOLA, FLORIDA 32504

METHOD OF DISPOSITION: BURIAL

PLACE OF DISPOSITION: BAYVIEW MEMORIAL PARK
PENSACOLA, FLORIDA

CERTIFIER INFORMATION

TYPE OF CERTIFIER: CERTIFYING PHYSICIAN

MEDICAL EXAMINER CASE NUMBER: NOT APPLICABLE

TIME OF DEATH (24 HOUR): 0558

DATE CERTIFIED: JULY 15, 2019

CERTIFIER'S NAME: NICHOLAS DRAKE

CERTIFIER'S LICENSE NUMBER: ME135482

NAME OF ATTENDING PHYSICIAN (IF OTHER THAN CERTIFIER): NOT ENTERED

The first five digits of the decedent's Social Security Number has been redacted pursuant to §119.071(5), Florida Statutes.



, STATE REGISTRAR

REQ: 2020652877

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE.

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* 3 9 1 8 8 8 3 7 *

DH FORM 1946 (03-13)

CERTIFICATION OF VITAL RECORD



VOID IF ALTERED OR ERASED

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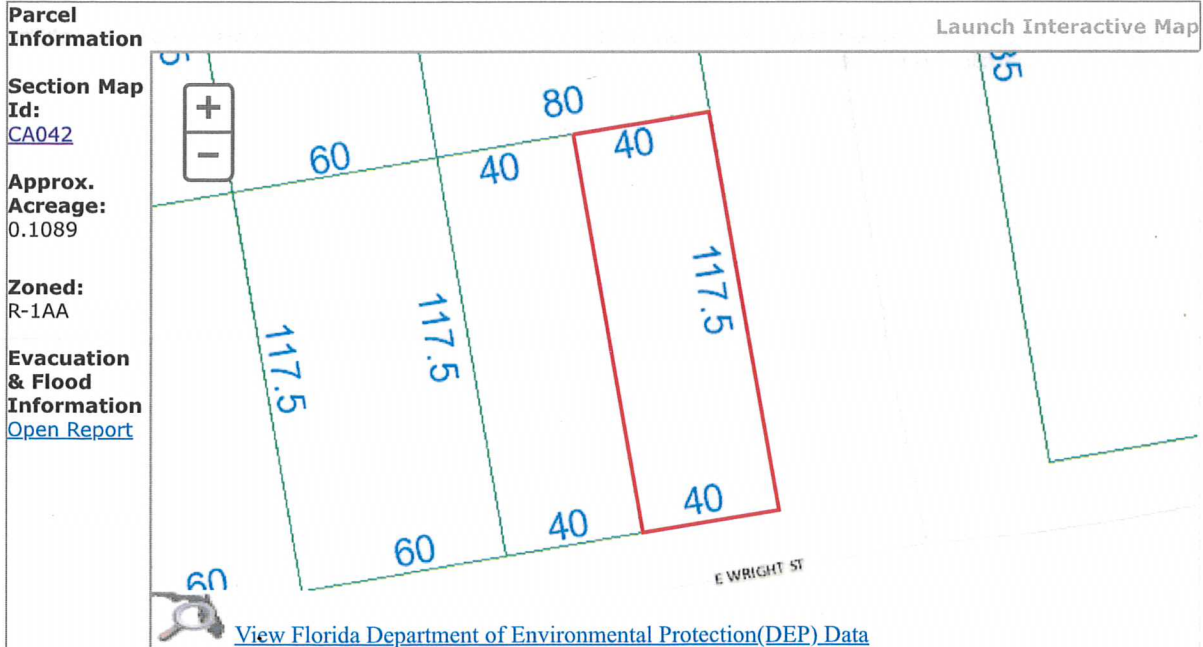


Source: Escambia County Property Appraiser

[Restore Full Version](#)

General Information		Assessments				
Reference:	000S009025110053	Year	Land	Imprv	Total	<u>Cap Val</u>
Account:	140297000	2019	\$15,510	\$60,937	\$76,447	\$76,447
Owners:	RUBEN CAROL F	2018	\$15,510	\$57,274	\$72,784	\$72,784
Mail:	1462 CENTRAL PKWY GULF BREEZE, FL 32563	2017	\$15,510	\$52,949	\$68,459	\$68,459
Situs:	301 N 16TH AVE 32501	<p align="center">Disclaimer</p> <hr/> <p align="center">Tax Estimator</p> <hr/> <p align="center">> File for New Homestead Exemption Online</p>				
Use Code:	SINGLE FAMILY RESID					
Taxing Authority:	PENSACOLA CITY LIMITS					
Tax Inquiry:	Open Tax Inquiry Window					
Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector						

Sales Data					2019 Certified Roll Exemptions	
Data					None	
Sale Date	Book	Page	Value	Type	Official Records (New Window)	Legal Description
08/09/2019	8143	1492	\$100	OT	View Instr	
04/24/2008	6322	1353	\$50,000	QC	View Instr	
02/2005	5580	1363	\$100	QC	View Instr	
05/1993	3792	448	\$100	QC	View Instr	
05/1993	3374	309	\$100	WD	View Instr	
04/1986	2203	587	\$100	QC	View Instr	Extra Features
Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller						METAL BUILDING



Buildings

Address:301 N 16TH AVE, Year Built: 1995, Effective Year: 1995

Structural Elements

DECOR/MILLWORK-AVERAGE

DWELLING UNITS-1

EXTERIOR WALL-BRICK-FACE/VENEER

FLOOR COVER-PINE/SOFTWOOD

FOUNDATION-WOOD/SUB FLOOR

HEAT/AIR-CENTRAL H/AC

INTERIOR WALL-DRYWALL-PLASTER

NO. PLUMBING FIXTURES-6

NO. STORIES-1

ROOF COVER-DIMEN/ARCH SHNG

ROOF FRAMING-GABLE

STORY HEIGHT-0

STRUCTURAL FRAME-WOOD FRAME

Areas - 1072 Total SF

BASE AREA - 1051

OPEN PORCH FIN - 12

OPEN PORCH UNF - 9

The floor plan diagram shows a rectangular building with a central area labeled 'BAS' in red. The perimeter is defined by blue lines with numerical dimensions. The top horizontal boundary is 30 units long. The left vertical boundary is 25 units long. The right vertical boundary is 25 units long. The bottom horizontal boundary is 14 units long. A small rectangular extension on the left side of the bottom boundary is 8 units wide and 6 units high, with a red 'OFF' label. A small rectangular extension on the top boundary is 3 units wide and 3 units high, with a red 'OFF' label. The total area is 1072 SF, with a base area of 1051 SF, an open porch finish of 12 SF, and an open porch unfinished of 9 SF.

Images

A photograph of a small, single-story house with a gabled roof and brick veneer. The house has a small front porch and is surrounded by a lawn and trees.

8/15/16

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

www.escpa.org/CAMA/Detail_a.aspx?s=000S009025110053

2/2

E Belmont St

N 16th Ave N 16th Ave

N 16th Ave



301 North 16th Avenue

N 16th Ave

Good



Map



ESCAMBIA COUNTY TAX COLLECTOR

General Notice - Litigation accounts are not considered delinquent and payments are not due. To see the range of accounts in litigation, click [here](#).

2019 Roll Details — Real Estate Account At 301 N 16TH AVE

Real Estate Account #14-0297-000

[Parcel details](#)

[Latest bill](#)

[View/Print full bill history](#)

[Print this page](#)

2019

2018

2017

2016

...

2008

PAID

PAID

PAID

PAID

PAID

[Apply for the 2020 Installment Payment Plan](#)

[Get Bills by Email](#)

PAID 2019-11-25

\$1,303.13

Receipt #EEX-19-

00364879

[Print Paid Bill](#)

Owner: RUBEN CAROL F
1462 CENTRAL PKWY
GULF BREEZE, FL 32563
Situs: 301 N 16TH AVE

Account number: 14-0297-000

Alternate Key: 7227

Millage code: 16

Millage rate: 17.3407

Escrow company: SUNTRUST BANK (CL-0011883)

95 METHODIST HILL DR.

ROCHESTER, NY 14623

Assessed value: 76,447

School assessed value: 76,447

Unimproved land value: 15,510



Location is not guaranteed to be accurate.

Property Appraiser

2019 Annual bill

[View](#)

Ad valorem: \$1,325.64

Non-ad valorem: \$31.79

Total Discountable: 1357.43

No Discount NAVA: 0.00

Total tax: \$1,357.43

Legal description

LT 11 BLK 53 NEW CITY TRACT OR 6322 P 1353 OR 8143 P 1492 CA 42

Location

Geo number: 000S009025110053

Range: 00

Township: 0S

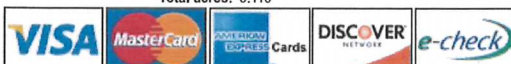
Section: 00

Block: 053

Lot: 110

Use code: 0100

Total acres: 0.110





Scott Lunsford, CFC • Escambia County Tax Collector

EscambiaTaxCollector.com

facebook.com/ECTaxCollector

twitter.com/escambiatc



SCAN TO PAY ONLINE

2019

REAL ESTATE

TAXES

Notice of Ad Valorem and Non-Ad Valorem Assessments

ACCOUNT NUMBER	MILLAGE CODE	ESCROW CODE	PROPERTY REFERENCE NUMBER
14-0297-000	16	CL-0011883	000S009025110053

RUBEN CAROL F
1462 CENTRAL PKWY
GULF BREEZE, FL 32563

PROPERTY ADDRESS:
301 N 16TH AVE

EXEMPTIONS:

AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.6165	76,447	0	76,447	505.81
PUBLIC SCHOOLS					
BY LOCAL BOARD	2.0990	76,447	0	76,447	160.46
BY STATE LAW	3.9440	76,447	0	76,447	301.51
PENSACOLA	4.2895	76,447	0	76,447	327.92
WATER MANAGEMENT	0.0327	76,447	0	76,447	2.50
M.S.T.U. LIBRARY	0.3590	76,447	0	76,447	27.44

TOTAL MILLAGE 17.3407

AD VALOREM TAXES \$1,325.64

LEGAL DESCRIPTION	NON-AD VALOREM ASSESSMENTS		
	TAXING AUTHORITY	RATE	AMOUNT
LT 11 BLK 53 NEW CITY TRACT OR 6322 P 1353 OR 8143 P 1492 CA 42	SW STORMWATER(CITY OF PENSACOLA)		31.79
	NON-AD VALOREM ASSESSMENTS		\$31.79

Pay online at EscambiaTaxCollector.com

Payments must be in U.S. funds drawn from a U.S. bank

COMBINED TAXES AND ASSESSMENTS \$1,357.43

If Paid By Please Pay	Nov 30, 2019 \$0.00				
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RETAIN FOR YOUR RECORDS

2019 REAL ESTATE TAXES

DETACH HERE AND RETURN THIS PORTION WITH YOUR PAYMENT

Make checks payable to:

Scott Lunsford, CFC
Escambia County Tax Collector

P.O. BOX 1312

PENSACOLA, FL 32591

Pay online at EscambiaTaxCollector.com

Payments in U.S. funds from a U.S. bank

PAY ONLY ONE AMOUNT

AMOUNT IF PAID BY Nov 30, 2019
0.00

AMOUNT IF PAID BY

AMOUNT IF PAID BY

AMOUNT IF PAID BY

AMOUNT IF PAID BY

DO NOT FOLD, STAPLE, OR MUTILATE

ACCOUNT NUMBER
14-0297-000
PROPERTY ADDRESS
301 N 16TH AVE

RUBEN CAROL F
1462 CENTRAL PKWY
GULF BREEZE, FL 32563

Paid 11/25/2019 Receipt # EEX-19-00364879 \$1,303.13

Paid By SUNTRUST BANK



City of Pensacola

Planning Board

Agenda

Tuesday, May 12, 2020, 2:00 PM

Council Chambers, 1st Floor

Quorum / Call to Order

Approval of Meeting Minutes

20-00200 MARCH 10, 2020 PLANNING BOARD MINUTES

Attachments: March 10 2020 Planning Board Minutes

Requests

20-00195 PENSACOLA ENERGY - REQUEST FOR DEMOLITION - 1515 E. HEINBURG STREET

Attachments: Pensacola Energy Demo Application

20-00191 FINAL PLAT APPROVAL - 117 EAST LA RUA STREET - CORT DE LA RUA

Attachments: Corte De La Rua Final Plat

20-00188 REQUEST FOR LICENSE TO USE RIGHT-OF-WAY - 1 SOUTH JEFFERSON STREET

Attachments: LTU Puppy Pit Application

20-00189 REQUEST FOR VACATION OF RIGHT-OF-WAY - 16TH AVENUE BETWEEN BELMONT AND WRIGHT STREETS

Attachments: 16th Ave Vacation of ROW Application

20-00206 REQUEST FOR ZONING MAP AND FUTURE LAND USE MAP AMENDMENT 1421 SONIA STREET

Attachments: 1421 Sonia St. Rezoning & FLU Application

20-00207 REQUEST FOR ZONING MAP AND FUTURE LAND USE MAP AMENDMENT FOR 1700 BLK LANSING DRIVE

Attachments: 1700 BLK Rezoning and FLUM Application

20-00216 MODIFICATIONS TO PLANNING BOARD SUBMITTAL DEADLINES
LDC AMENDMENTS - SEC. 12-2-4, VACATION OF STREET, ALLEYS,
12-12-7, LICENSE TO USE RIGHT OF WAY, SEC.12-13-2 VARIANCES,
AND SEC. 12-13-5, APPLICATION DEADLINES

Attachments: *Sec.12-12-4 Vacation of Streets Alleys.*
 Sec.12-12-7 License to Use Right of Way.
 Sec.12-13-2 Planning Board
 Sec.12-13-5 Application Deadlines

Open Forum

Discussion

20-00198 DISCUSSION ON PROPOSED AMENDMENT TO THE TREE
ORDINANCE

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 based.

ADA Statement

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 850-435-1670 (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.

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 #: 20-00200

Planning Board

5/12/2020

TO: Planning Board Members

FROM: Cynthia Cannon, AICP, Assistant Planning Director

DATE: 5/5/2020

SUBJECT:

March 10, 2020 Planning Board Minutes

BACKGROUND:

Click or tap here to enter text.



MINUTES OF THE PLANNING BOARD

March 10, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Powell

MEMBERS ABSENT: Vice Chairperson Kurt Larson, Board Member Sampson, Board Member Wiggins

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Transportation Planner-Complete Streets Ziarnek, Assistant City Attorney Lindsay, Assistant Airport Director for Finance Andrea Levitt, Intern Mendillo

OTHERS PRESENT: Brian Ditthardt, Ryan Ditthardt, Deborah York, Marla Backhaus, Mike Hamlin, Matthew Cushing, Fred Davis, John Fitzgerald, Ron Fitzgerald, Angela Bottesini

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from February 11, 2020.
- **New Business:**
 1. **Vacation of Right-of-Way Request – Pensacola International Airport**
 2. **Vacation of Right-of-Way Request – 500 Stanley Avenue**
 3. **Discussion on the Proposed Amendment to the Tree Ordinance**
- Open Forum
- Adjournment

Call to Order / Quorum Present

Chairperson Ritz called the meeting to order at 2:00 pm with a quorum present and explained the procedures of the Board meeting.

Approval of Meeting Minutes

Board Member Grundhoefer made a motion to approve the February 11, 2020 minutes, seconded by Board Member Murphy, and it carried unanimously.

New Business

Vacation of Right-of-Way Request – Pensacola International Airport

Assistant Planning Director Cannon presented to the Board and stated the request was to accommodate future airport development as part of a phased expansion. Assistant Airport Director Levitt advised the airport had been purchasing property since 2002 and with the airport expansion, they needed to vacate the roadways in order to build. Chairperson Ritz noted none of the utility providers had any concerns, and ECUA had requested they work with them; Ms. Levitt confirmed they had been working with ECUA to allow the required easements for their purposes. Board Member Grundhoefer asked about the residences, and Ms. Levitt explained the property was purchased and the structures demolished. She indicated there were mini warehouses on Douglas which would be relocated. She also stated the property had be rezoned to ARZ when it was annexed into the city limits.

Ms. Backhaus and Ms. York addressed the Board. Ms. York indicated when people left their homes, they had left their animals, and they had been feeding cats since November 2014. They were trying to capture the last few and wanted to know how this vacation affected them. Chairperson Ritz explained a fee simple property meant the owner lived on the property and possessed a deed. Right-of-way property is owned by citizens of the City of Pensacola. When there was a request to vacate a right-of-way, it meant that person requesting it asked for the right-of-way to be given to them to be added to their fee simple property. He explained you could not trespass on fee simple property without permission. Ms. Backhaus stated they were feeding the cats as close to the road as possible but had been approached by police officers. Chairperson Ritz suggested contacting the airport staff; he explained this right-of-way vacation would be decided at this meeting but would proceed to the Council. Board Member Murphy advised she had met with Airport Director Flynn on occasion and stated he worked on planting the wildflowers for bees on the airport property and suggested Councilwoman Myers could also be a contact for some direction.

With no other comments, Board Member Powell made a motion for approval, seconded by Board Member Murphy, and it carried unanimously.

Vacation of Right-of-Way Request – 500 Stanley Avenue

Assistant Planning Director Cannon stated Mr. Ditthardt had submitted a vacation of right-of-way which did include the required petitions signed by adjacent property owners. She noted that the petitions were required per the Land Development Code. Chairperson Ritz clarified this was a vacation of right-of-way request. Staff explained neighbors who were not responsive were not included within the request, and some chose not to vacate.

Brian Ditthardt addressed the Board and stated there was no purpose in the alleyway, and they had been working with staff to present the appropriate application. They had attempted to contact all property owners on the right-of-way, however, some were out of the country, but they had the signatures of those included in the request. The applicants were in agreement with the staff's presentation.

Mr. Davis who owns 2807 E. DeSoto, did receive the certified mail notification and had no problem with the request but did not sign the request due to his unique situation with a house already in the alleyway and beyond the 10' which would be given to the property owner. Chairperson Ritz stated he did not know how to address this situation but noted instances in the 1950s where individuals built structures across property lines. Staff clarified that Mr. Davis' property was not affected by this application.

Mr. Cushing, the owner of 2803 E. DeSoto, advised the cinderblock garage encroached 10' into the right-of-way alley and benefited him at this point to enclose it, but he had no

issues with the request. **With no other speakers, Board Member Murphy made a motion to approve, seconded by Board Member Grundhoefer, and it carried unanimously.** Chairperson Ritz explained the request would proceed to Council for the official decision.

Discussion on the Proposed Amendment to the Tree Ordinance

Ms. Murphy advised they had confirmed workshops with two University of Florida professors from the Department of Urban Forestry for April 20, 4 to 8 pm and April 21, 9 to 4pm, with the tentative location at Sanders Beach; all City and County staff are invited. She was hoping this would be a continued program with the two professors who had developed successful programs for Miami, Orlando, Gainesville and Tampa, with the idea being to not build an ordinance first and project backwards. The object would be to look at what was needed long term and then develop that into an ordinance. Chairperson Ritz reminded Board members to observe the Sunshine and not speak or sit together at these workshops.

Open Forum – Mike Hamlin with ECUA wanted to inform the Board on the insight of the utility organizations when evaluating right-of-way vacations. He explained there were three different cases they see: 1) Unopened right-of-way, something platted decades ago, where they usually don't have facilities and no easement; 2) Minimally opened right-of-way which has a short line and sometimes not in use with no easement retained; and 3) An active facility which draws concern, and even if they retain an easement, the property owners still want to use that property for parking, fences, and gates. In those instances, they try to accommodate the request as much as possible but must balance it with the other utility customers needing access for their equipment.

Adjournment – With no further business, Chairperson Ritz adjourned the meeting at 2:37 pm.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read 'Cynthia Cannon'.

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00195

Planning Board

5/12/2020

TO: Planning Board Members

FROM: Cynthia Cannon, AICP, Assistant Planning Director

DATE: 5/5/2020

SUBJECT:

Pensacola Energy - Request for Demolition - 1515 E. Heinburg Street

BACKGROUND:

Pensacola Energy has requested the demolition of a chain link fence and two small buildings (approximately 12' x 12') at their substation on 1515 E. Heinburg Street. This property is located in the Gateway Review District and therefore requires Planning Board approval. The existing Gulf Breeze meter set shown on the plans will be enclosed with a decorative wooden fence.

This request has been routed through the various City departments and utility providers and their comments are attached for your review.

**Planning Board Application
Request for Aesthetic Review**

Application Date: 4/9/2020

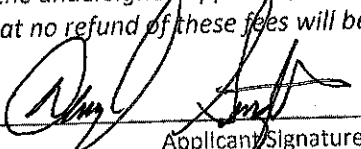
Applicant: Pensacola Energy (Darryl Singleton)
Applicant's Address: 1625 Atwood Drive, Pensacola FL 32503
Email: DSingleton@cityofpensacola.com Phone: 850-324-0113
Review District: District 4

** An application for aesthetic review shall be reviewed by a representative of the Planning Board once all materials have been submitted and it is deemed complete by the Secretary to the Board.*

Project specifics/description:

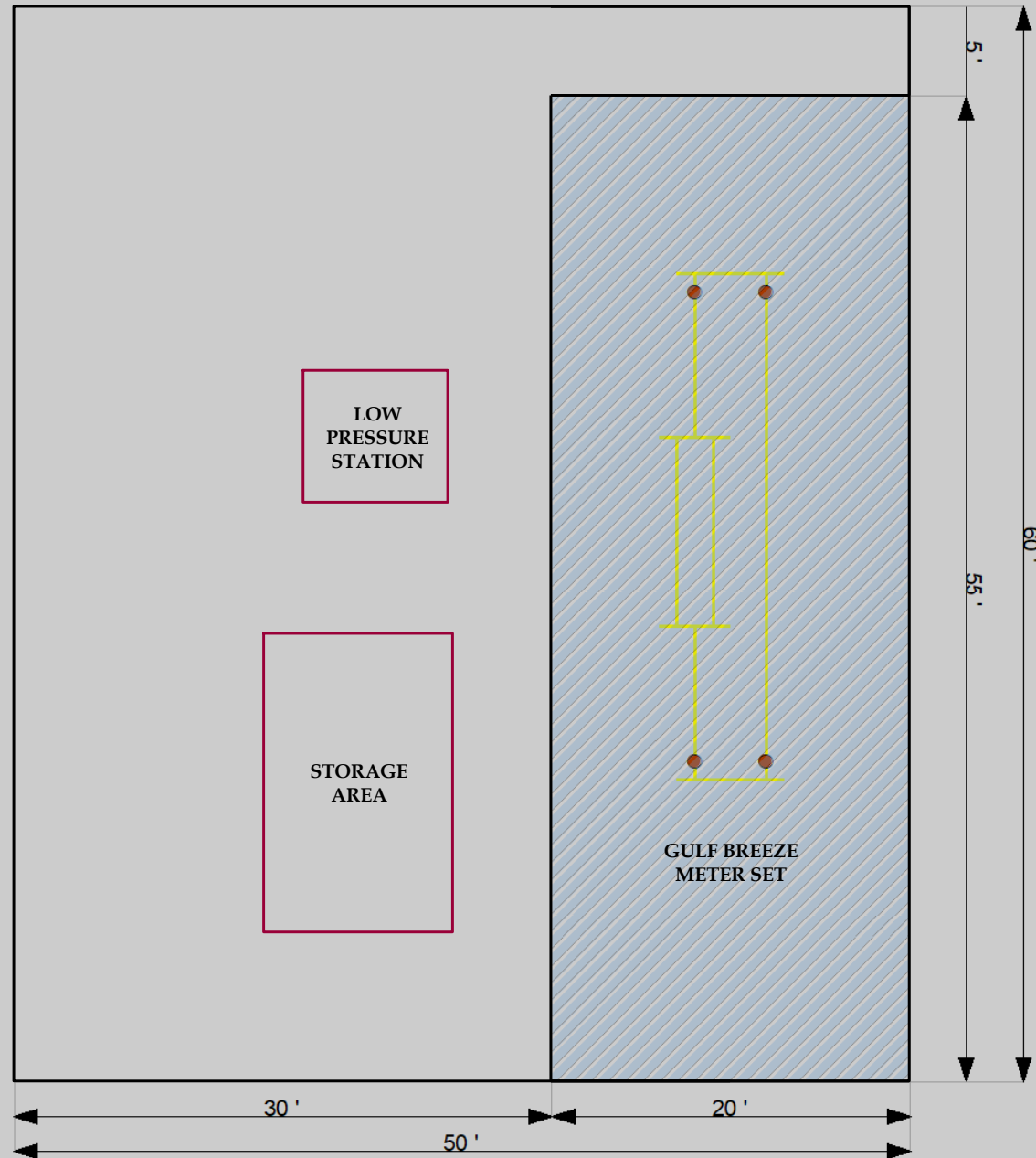
Pensacola Energy has completed its monumental low pressure system replacement project and
no longer needs the low pressure regulator station located at 1515 East Heinberg. We request
permission to have the low pressure regulator station and chain link fence removed. We will be
reducing our footprint to a 20' x 55' meter set that supplies natural gas to the City of Gulf Breeze.
The Gulf Breeze meter set will be enclosed in a decorative fence to better blend with the
aesthetics of the surrounding neighborhoods.

I, the undersigned applicant, understand that payment of these fees does not entitle me to approval and that no refund of these fees will be made.


Applicant Signature

4/9/2020

Date



*** ALL DIMENSIONS SHOWN ARE APPROXIMATE AND ARE USED FOR ILLUSTRATION AND REFERENCE ONLY. ***



Pensacola Energy Heinberg Station CURRENT AND PROPOSED LAY-OUT

Date: 4/9/2020





**CAUTION
GAS
PIPELINE**
PENNSYLVANIA
ENERGY SERVICES
OF PENNSYLVANIA
800-474-5300

DANGER
NO SMOKING
NO OPEN FLAMES



Department:	Comments:
FIRE	No comments.
PW/E	No comments.
Insp Svcs	No comments.
ESP	No comments.
ECUA	No comments.
GPW	No comments.
ATT	No comments.

Cynthia Cannon

From: Annie Bloxson
Sent: Monday, April 13, 2020 1:05 PM
To: Cynthia Cannon
Subject: RE: Pensacola Energy - Aesthetic Review - 1515 E. Heinberg St. Demolition

Good Afternoon,

I do not oppose to the demolition of the two buildings or the removal of the chain link fence at 1515 E. Heinberg Street.

Respectfully,

Annie Bloxson

Fire Marshal

Visit us at PensacolaFire.com

475 E. Strong St.

Pensacola, FL 32501

Office: 850.436.5200

abloxson@cityofpensacola.com



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

From: Cynthia Cannon <CCannon@cityofpensacola.com>

Sent: Monday, April 13, 2020 10:24 AM

To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T)

Cynthia Cannon

From: Jonathan Bilby
Sent: Monday, April 13, 2020 4:29 PM
To: Cynthia Cannon
Subject: RE: Pensacola Energy - Aesthetic Review - 1515 E. Heinberg St. Demolition

No comments or issues.

Jonathan Bilby, MCP, CFM
Inspection Services Director
Visit us at <http://cityofpensacola.com>
222 W Main St.
Pensacola, FL 32502
Office: 850.435.1748
Fax: 850.595.1464
jbilby@cityofpensacola.com



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From: Cynthia Cannon
Sent: Monday, April 13, 2020 10:24 AM
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Subject: Pensacola Energy - Aesthetic Review - 1515 E. Heinberg St. Demolition

Good Morning All,

Please review and comment on the attached request before the Planning Board for demolition of two small buildings which are located in the Gateway Review District at 1515 E. Heinberg St. Please provide comments **by close of business on Wednesday April 15, 2020.**

Thank you!

Cynthia Cannon, AICP

Cynthia Cannon

From: Andre Calaminus <andre.calaminus@ecua.fl.gov>
Sent: Tuesday, April 14, 2020 12:37 PM
To: Cynthia Cannon
Subject: [EXTERNAL] RE: Pensacola Energy - Aesthetic Review - 1515 E. Heinberg St. Demolition

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

Good afternoon Cynthia,

The demolition of the low pressure regulator station buildings and setting the meter in a decorative fence does not appear to have any impact on ECUA's operations, therefore, ECUA Engineering has no comment at this time.

Thanks,

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

P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: www.ecua.fl.gov |

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

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Monday, April 13, 2020 10:24 AM
To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>
Subject: Pensacola Energy - Aesthetic Review - 1515 E. Heinberg St. Demolition

****WARNING: This is an external email --- DO NOT CLICK links or attachments from unknown senders ****

Good Morning All,

Please review and comment on the attached request before the Planning Board for demolition of two small buildings which are located in the Gateway Review District at 1515 E. Heinberg St. Please provide comments **by close of business on Wednesday April 15, 2020.**

Thank you!

Cynthia Cannon, AICP

Assistant Planning Director

Visit us at <http://cityofpensacola.com>

222 W Main St.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00191

Planning Board

5/12/2020

TO: Planning Board Members

FROM: Cynthia Cannon, AICP, Assistant Planning Director

DATE: 5/5/2020

SUBJECT:

Final Plat Approval - 117 East La Rua Street - Cort de La Rua

BACKGROUND:

Clint Geci, Geci & Associates Engineering Inc., is requesting final plat approval for Cort de La Rua Subdivision located at 117 E. La Rua Street between N. Guillemard St. and N. Tarragona St.

The proposed preliminary site plan consists of five (5) lots all with 60' widths that meet the requirements of the C-3 zoning district and the CRA Urban Overlay District. The proposed development will include four (4) townhome lots and one common parcel.

- Per Sec. 12-2-76: Subdivision of 5 or more lots constitutes a major subdivision
- Setback requirements: 8" front, 5' side, 25' rear
- Building height max: 45'
- Lot coverage: 75% max
- There are no wetland areas, protected trees or heritage trees on the property

The combined preliminary/final plat has been routed through the various City departments and utility providers. The comments received to date have been provided within your packet.



GECI & ASSOCIATES, INC.

E N G I N E E R S

March 12th, 2020

“Hand Delivered”

Ms. Cynthia Cannon
Planning Department
City of Pensacola
222 W Main Street
Pensacola, Florida 32502

RE: **Corte de La Rua**
Final Plat Review
G&A Reference No. 32501

Dear Cynthia:

On behalf of aDoor Development LLC, we are submitting Corte de La Rua Final Plat for review. With this letter, please find the following items:

1. Eleven (11) copies of the Final Plat
2. One (1) copy of the Boundary & Topo Survey
3. One (1) copy of the Title Insurance Policy
4. One (1) check in the amount of \$750
5. One (1) CD containing all information listed above

If you need any additional information, please feel free to give us a call.

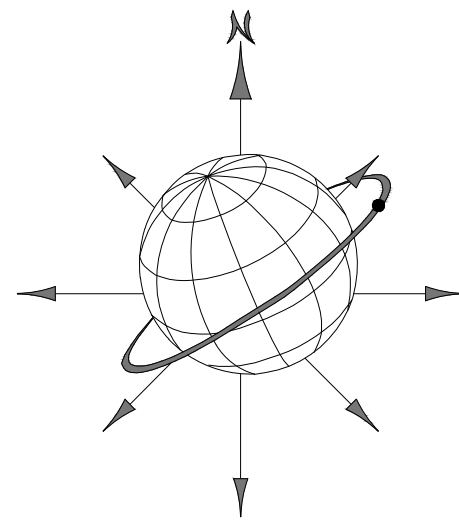
Sincerely,

GECI AND ASSOCIATES ENGINEERS, INC.

Clint Geci, PE
Vice President

Cc: Ms. Leslie Statler
Mr. Austin Tenpenny
Ms. Kacee Bidnick

**A 5 LOT TOWNHOME SUBDIVISION OF A PORTION OF EAST KING TRACT,
SECTION 19, TOWNSHIP 2 SOUTH, RANGE 30 WEST,
CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA
MARCH 2020**



JOSUA MILLER P.S.M.
SURVEYING SERVICES
REIGTON ROAD
PENSACOLA FLORIDA

ADOOR DEVELOPMENT,LLC
 10000 WYOMING BOULEVARD,SUITE 1000
 PENSACOLA,FLORIDA 32504
 (904) 487-1111

LINT GEORGE
 GEORGE ASSOCIATES ENGINEERS INC
 NORTH AVE
 PENSACOLA FLORIDA
 32501

☐ EARRINGS S O O N EREON ARE ASED ON T E FLORIDA STATE PLANE
☐ OORDINATE SYSTEM NORT ONE NORT AMERI AN DATUM OF
☐ NAD

THE MEASUREMENTS SHOWN HEREON WERE MADE TO UNITED STATES SURVEY FOOT AND WERE RECORDED IN DECIMAL OF FEET UNLESS OTHERWISE MARKED

SOURCES OF INFORMATION: BOUNDARY AND TOPOGRAPHIC SURVEY BY THE
SURVEYING SERVICES IN DATED MARCH 1961. TA: MAPS OF ESCAMILLA
COUNTY AERIAL MAP OF PENSACOLA BY THOMAS H. ATSON. COPYRIGHT 1961
AND PUBLIC RECORDS.

FIELD SURVEY PERFORMED ON MAR 01 000000

☐ THIS SURVEY DOES NOT DETERMINE OWNERSHIP

☐ THE SURVEYED PROPERTY IS LOCATED IN A "1" FLOOD ZONE.

ALL PLATTED UTILITY EASEMENTS AS SHOWN HEREON SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES IN ACCORDANCE WITH IT AND SUBJECT TO THE PROVISIONS OF SECTION 368.001, FLORIDA STATUTES.

THIS PLAT AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

TOTAL LOTS TO NAME LOTS ONE COMMON PARCEL

☐ THIS SITE IS IN THE GRA URBAN DESIGN OVERLAY AND SHALL CONFORM TO THE DEVELOPMENT STANDARDS SET FORTH IN TABLE 6000000

☐ THERE ARE NO WETLAND AREAS, PROTECTED TREES OR HERITAGE TREES ON THIS PROPERTY.

TO CONVERT GROUND DISTANCE TO GRID DISTANCES MULTIPLY GROUND DISTANCE BY AVERAGE COMBINED SCALE FACTOR

(IN FEET)
1 inch = 20 ft.

```

R R      RIGHT OF WAY
NAVD      NORTH AMERICAN VERTICAL DATUM OF 1988
OR R      OFFICIAL RECORDS
S L      BUILDING SETBACK LINE
P L      POINT OF INTERSECTION
L R      LICENSED BUSINESS
L S      LICENSED SURVEYOR
P R M      PERMANENT REFERENCE MONUMENT
      FOUND 1900 CONCRETE MONUMENT L 1000000 P R M
X          FOUND 1900 CEMENT COLT
@          FOUND 1900 ROSS CUT IN CONCRETE
$          FOUND 1900 CAPPED IRON ROD L 1000000
%          FOUND 1900 IRON PIPE
O          SET 1900 CAPPED IRON ROD L 1000000

```

REPRESENTATION OF THE LANDS SURVEYED. T-AT THE SURVEY WAS MADE UNDER MY RESPONSIBILITY AND SUPERVISION T-AT THIS PLAT COMPLIES WITH ALL THE PROVISIONS OF THE FLORIDA PLAT ACT CHAPTER SECTION T-AT THE FLORIDA STATUTES AS AMENDED FROM TIME TO TIME T-AT THE BOUNDARY INFORMATION ON THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO CHAPTER SECTION AND THE FLORIDA ADMINISTRATIVE CODE AND SECTION FLORIDA STATUTES AS AMENDED FROM TIME TO TIME T-AT PERMANENT REFERENCE MONUMENTS AND PERMANENT CONTROL POINTS HAVE BEEN PLACED AS REQUIRED BY THE LAND DEVELOPMENT CODE OF ESAMIA COUNTY FLORIDA AND T-AT SAID LAND HAS BEEN SUBDIVIDED AS SHOWN HEREON

SIGNED THIS _____ DAY OF _____

JOSUA MILLER
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA

SURVEYING SERVICES INC
REIGNTON ROAD
PENSACOLA FLORIDA
LICENSED BUSINESS

I, CLINT GEORGE EREY CERTIFY THAT I AM THE ENGINEER OF RECORD
FOR ROCK RIDGE. ALL PROPOSED ROADWAYS, DRAINAGE AND OTHER
IMPROVEMENTS ARE DESIGNED TO COMPLY WITH APPLICABLE FEDERAL,
STATE AND LOCAL DEVELOPMENT REQUIREMENTS.

☐ LINT GE ☐ P ☐ E ☐ SEAL
 PROFESSIONAL ENGINEER ☐ ☐ ☐ ☐ ☐
 STATE OF FLORIDA

REFERENC E NUMBERS S
 S
 S

PROPERTY ADDRESS EAST LA RUA STREET
 PENSACOLA:FLORIDA

SUBDIVISION AREA
 AREAS MORE OR LESS
 FLU

FRONT SET A K FEET
 REAR SET A K FEET
 SIDE SET A K AS NOTED

LOTS AND THE EAST FEET OF LOT AND THE EAST FEET OF LOTS AND IN BLOCK OF EAST KING TRAIL ELMONT NUMBERING CITY OF PENSAFLAIESAMIA COUNTYFLORIDAACORDING TO THE MAP OF SAID CITYOPYRIGHTED BY TOMAS ATSON IN MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCE AT THE **NORTH** **EST** **CORNER** OF **LOT** **K** **IN** **EAST KING TR** **TO** **ELMONT**
NUM **ERING** **ITY** **OF** **PENSA** **OLA** **ES** **AM** **IA** **OUNTY** **FLORIDA** **ACCORDING** **TO** **THE** **MAP** **OF**
SAID **ITY** **OPPRYING** **ED** **Y** **T** **OMAS** **ATSON** **IN** **1887** **THE** **GO** **NORTH** **DEGREES** **00**
MINUTES **00** **SE** **ONDS** **EAST** **ALONG** **THE** **SOUT** **RIG** **TO** **OF** **AY** **LINE** **OF** **EAST** **LAURA** **STREET**
TO **RIG** **TO** **OF** **AY** **A** **DISTAN** **CE** **OF** **000** **FEET** **TO** **THE** **POINT** **OF** **BEGINNING** **THE** **EN** **GO**
NORTH **DEGREES** **00** **MINUTES** **00** **SE** **ONDS** **EAST** **ALONG** **SAID** **SOUT** **RIG** **TO** **OF** **AY** **LINE** **A**
DISTAN **CE** **OF** **000** **FEET** **TO** **RIG** **TO** **OF** **AY** **LINE** **TO** **THE** **POINT** **OF** **POINT** **ON** **SOUT**
DEGREES **00** **MINUTES** **00** **SE** **ONDS** **EAST** **A** **DISTAN** **CE** **OF** **000** **FEET** **TO** **A** **POINT** **ON** **THE** **SOUT**
SOUT **LINE** **OF** **LOT** **IN** **SAID** **LOT** **K** **OF** **EAST KING TR** **THE** **EN** **GO** **SOUTH** **DEGREES** **00**
MINUTES **00** **SE** **ONDS** **EST** **A** **DISTAN** **CE** **OF** **000** **FEET** **TO** **A** **POINT** **ON** **THE** **EAST** **LINE** **OF**
LOT **IN** **SAID** **LOT** **K** **OF** **EAST KING TR** **THE** **EN** **GO** **SOUTH** **DEGREES** **00** **MINUTES** **00**
SE **ONDS** **EAST** **ALONG** **SAID** **EAST** **LINE** **OF** **SAID** **LOT** **A** **DISTAN** **CE** **OF** **000** **FEET** **TO** **THE**
SOUT **EAST** **CORNER** **OF** **SAID** **LOT** **THE** **EN** **GO** **SOUTH** **DEGREES** **00** **MINUTES** **00** **SE** **ONDS**
EST **ALONG** **THE** **SOUT** **LINE** **OF** **LOT** **AND** **ITS** **EASTERLY** **E** **TENSION** **A** **DISTAN** **CE** **OF**
000 **FEET** **TO** **A** **POINT** **ON** **THE** **SOUT** **LINE** **OF** **LOT** **IN** **SAID** **LOT** **K** **OF** **EAST KING TR** **THE** **EN** **GO**
NORTH **DEGREES** **00** **MINUTES** **00** **SE** **ONDS** **EST** **A** **DISTAN** **CE** **OF** **000** **FEET** **TO** **THE**
POINT **OF** **BEGINNING** **THE** **AVE** **OF** **DES** **RICH** **PAR** **EL** **CONTAINS** **A** **RES** **MORE** **OR**
LESS **00**

ALSO BEING THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 0000 AT PAGE 0000 OF THE PUBLIC RECORDS OF ESSEX COUNTY, FLORIDA

I, JAMAR L. WILKINS, CLERK OF THE CIRCUIT COURT OF ESCAMBA COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF THE PLAT ACT CHAPTER 173, SECTION 173.01 THROUGH 173.09 OF THE FLORIDA LEGISLATURE AS AMENDED FROM TIME TO TIME AND THE SAME WAS FILED FOR RECORD ON THE 11/01/2024 DAY OF NOVEMBER AND FILED IN PLAT BOOK 173, PAGE 173.01 AT PAGES 173.01 OF SAID COUNTY.

PAM ☐ILDERS SEAL
☐LKERK OF THE CIRCUIT COURT
 ES ☐AM ☐IA ☐OUNTY ☐FLORIDA

○ COMMISSIONERS OF ES:AM:IA COUNTY
 STATE OF FLORIDA
 I PA M ○ LE D S ○ L E R K OF T H E C I R C U I T C O U R T OF ES:AM:IA COUNTY:FLORIDA ○ E R E Y I C E R T I F Y T H E
 I T I N P L A I N T I F F P R E S E N T E D TO T H E B O A R D OF C O U N T Y C O M M I S S I O N E R S OF SA I D C O U N T Y AT T H E I R
 M E E T I N G H E L D ON T H E _____ DAY OF _____ AS A P P R O V E D F O R F I L I N G I N T H E
 C O U R T B O A R D AND C L E R K OF T H E C I R C U I T C O U R T ○ A S I N S T R U C T E D TO S O C E R T I F Y E R E O N

PAM CHILDERS
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY FLORIDA

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO FLORIDA STATUTES
CHAPTER 229 PART 1 PLATTING BY THE OFFICE OF THE COUNTY SURVEYOR OF ESCAMBAUA COUNTY, FLORIDA
ON THIS _____ DAY OF _____

DAVID GLAUF SMITH OF PENSACOLA SURVEYOR SEAL
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 10000

KNOX ALL MEN BY THESE PRESENTS THAT ADOOR DEVELOPMENT,LLC A FLORIDA CORPORATION AS OWNER AND DEVELOPER OF THE LAND DESCRIBED HEREIN AND PLATTED HEREON AS PORTE DE LA RUA "THE LAND" HEREBY DEDICATES TO THE PORTE DE LA RUA HOME OWNERS ASSOCIATION, PARCEL "A" AND REQUEST THE FILING OF THIS PLAT IN THE PUBLIC RECORDS OF ESCROW COUNTY, FLORIDA.

ADOR DEVELOPMENT,LLC
A FLORIDA CORPORATION

ITNESS

PRINTED NAME

JUSTIN G. ITKIN
ITS MANAGER

ITNESS

PRINTED NAME

COUNTY OF ESSEX
THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF
_____, 20____. _____ OF ADOR
DEVELOPMENT, LLC, A FLORIDA CORPORATION, PERSONALLY KNOWN TO ME OR PRESENTED A VALID
DRIVERS LICENSE AS IDENTIFICATION.

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXPIRES

I, DAVID TAYLOR, AS A MEMBER OF THE FLORIDA BAR AND ON BEHALF OF THE OWNER, HEREBY CERTIFY THAT I HAVE EXAMINED THE PLAT HEREON AND THE ACCOMPANYING DOCUMENTS AND HAVE FOUND THEM TO BE IN PROPER FORM AND TO MEET THE REQUIREMENTS OF THE FLORIDA PLAT ACT AND THE CITY OF PENSACOLA LAND DEVELOPMENT CODE CHAPTER ARTICLE

SIGNED THIS _____ DAY OF _____

DAVID TAYLOR
COMMENDENIA STREET
PENSACOLA FLORIDA

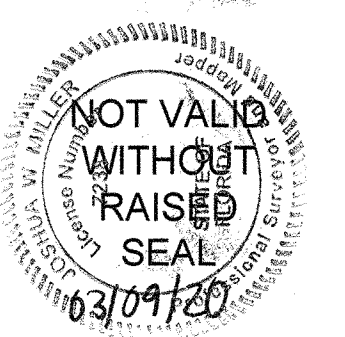
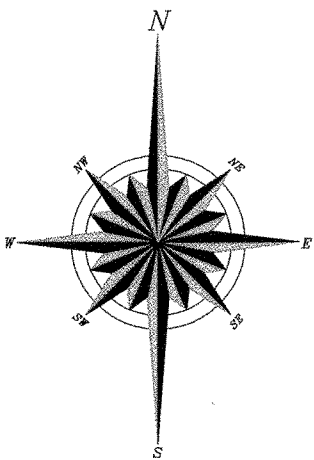
SHEET 1 OF 1

**COVENANTS & RESTRICTIONS RECORDED IN OFFICIAL
RECORDS BOOK _____, PAGE _____**

PLAT BOOK _____, PAGE _____



(F) FIELD MEASUREMENT
(P) PLAT MEASUREMENT
(D) PARENT TRACT DESCRIPTION MEASUREMENT
(OS) DESCRIPTION MEASUREMENT AS PER THIS SURVEY
(R) R/W WAY
NAD/88 NORTH AMERICAN VERTICAL DATUM OF 1988
O.R. OFFICIAL RECORDS
B.S.L. BUILDING SETBACK LINE
P.I. POINT OF INTERSECTION
L.B. LICENSED BUSINESS
L. LICENSED SURVEYOR
■ FOUND 4"x4" CONCRETE MONUMENT L.B. #7919
⊙ FOUND 1" HEX BOLT
✕ FOUND CROSS CUT IN CONCRETE
● FOUND 2" CAPPED IRON ROD L.B. #7073
● FOUND 1" IRON PIPE
● SET 2" CAPPED IRON ROD L.B. #7612

[illegible]

117, 119, 121 EAST LA RUA STREET
 PENSACOLA, FLORIDA 32503
 FOR
 ADOOR DEVELOPMENT LLC
 PENSACOLA, FLORIDA


360 Surveying Services, Inc.
Professional Land Surveyors
1801 Creighton Road~Pensacola, Florida 32504
Office: (850) 857-4400
Florida Licensed Business #7612



NOTES:

1. FIELD WORK FOR THIS SURVEY WAS COMPLETED ON 3-5-2019.
2. THE MEASUREMENTS SHOWN HEREON WERE MADE TO UNITED STATES SURVEY FOOT AND WERE RECORDED IN DECIMAL OF FEET UNLESS OTHERWISE MARKED.
3. ALL EASEMENTS AND RIGHTS-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HEREON. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. THE SURVEYOR HAS MADE NO SEARCH TO DETERMINE THE CURRENT BUILDING SET BACK REQUIREMENTS FOR THE SUBJECT PROPERTY BEYOND THE CURRENT SUBDIVISION PLAN OF RECORD, CONTACT THE LOCAL CITY/COUNTY LAND DEVELOPMENT CODE OFFICIAL FOR THE APPROPRIATE BUILDING SET BACK DISTANCES.
5. STATE AND FEDERAL COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED EITHER IN WHOLE OR IN PART, OR TO BE USED FOR ANY OTHER FINANCIAL TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT THE PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER.
6. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (NORTH ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83/2011).
7. FENCE LINES ARE EXAGGERATED FOR CLARITY.
8. ENCROACHMENTS ARE AS SHOWN.
9. THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88) BASED ON BENCHMARK 872 9840 BASIC (PID BG1730) HAVING A PUBLISHED ELEVATION OF 12.29 FEET.
10. THE PARCEL SHOWN HEREON IS A NEW PARCEL CREATED AT THE REQUEST OF THE CLIENT.

THE SURVEY SHOWN HEREON IS TRUE AND CORRECT AND IN COMPLIANCE WITH THE
STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL
SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052, FLORIDA
ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

 07/09/20

JOSHUA W. MILLER P.L.S. FLORIDA REGISTRATION NO. 7238



WESTCOR
LAND TITLE INSURANCE COMPANY

POLICY NO.
OP-25-FL1323-6598999

OWNER'S POLICY OF TITLE INSURANCE (with Florida Modifications)

ISSUED BY WESTCOR LAND TITLE INSURANCE COMPANY

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, Westcor Land Title Insurance Company, a South Carolina corporation (the "Company") insures, as of Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.

3. Unmarketable Title.

COVERED RISKS CONTINUED ON NEXT PAGE

In Witness Whereof, **WESTCOR LAND TITLE INSURANCE COMPANY**, has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory of the Company.

Issued By: FL1323 * 19094-73733

Beggs & Lane, RLLP

501 Commendancia Street
Pensacola, FL 32502

WESTCOR LAND TITLE INSURANCE COMPANY



By:

Mary O'Donnell

President

Attest:

[Signature]

Secretary

4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection
 if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
 - (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and

without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.

- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

- (a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.
- (b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any

CONDITIONS - CONTINUED

other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

- (c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- (a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.
- (b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Insurance. To pay

or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

- (b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.
 - (i) to pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or
 - (ii) to pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

- (a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of
 - (i) the Amount of Insurance; or
 - (ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.
- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
 - (i) the Amount of Insurance shall be increased by 10%, and
 - (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

- (a) If the Company establishes the Title, or removes the alleged defect, lien, or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.

- (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
- (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

- (a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

- (b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Unless prohibited by applicable law, arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association may be demanded if agreed to by both the Company and the Insured at the time of a controversy or claim. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, and service of the Company in connection with its issuance or the breach of a policy provision or other obligation.

Arbitration pursuant to this policy and under the Rules in effect on the date the demand for arbitration is made or, at the option of the Insured, the Rules in effect at Date of Policy shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the Land is located permit a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the Company upon request.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

- (a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.
- (b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim whether or not based on negligence shall be restricted to this policy.
- (c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.
- (d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

- (a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

- (b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at: 875 Concourse Parkway South, Suite 200, Maitland, FL 32751.

**OWNER'S POLICY OF
TITLE INSURANCE
(With Florida
Modifications)**

**WESTCOR
LAND TITLE
INSURANCE COMPANY**

**OWNER'S POLICY
OF
TITLE INSURANCE**

HOME OFFICE

875 Concourse Parkway South, Suite 200
Maitland, FL 32751
Telephone: (407) 629-5842

WESTCOR LAND TITLE INSURANCE COMPANY
ALTA 6-17-06 OWNER'S POLICY (With Florida Modifications)

SCHEDULE A

Name and Address of Title Insurance Company: **Westcor Land Title Insurance Company, 875 Concourse Parkway South, Suite 200, Maitland, Florida 32751, Phone No.: (407) 629-5842.**

State: Florida

County: Escambia

Address Reference: 117, 119 and 121 E. La Rua Street, Pensacola, Florida 32501

File Number: 19094-73733	Policy Number: OP-25-1323-6598999	Date of Policy: May 22, 2018 at 04:16 PM	Premium: \$1,005.00	Amount of Insurance: \$235,000.00
-----------------------------	--------------------------------------	---	------------------------	--------------------------------------

1. Name of Insured:

Adoor Development, LLC a Florida limited liability company

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

Warranty Deed dated May 22, 2018 and executed by A Bayou Chiropractic Center, P.A, a Florida corporation, to Adoor Development, LLC, a Florida limited liability company, as recorded on May 22, 2018 in Official Records Book 7903, Page 1799, of the Public Records of Escambia County, Florida.

4. The Land referred to in this policy is described as follows:

PARCEL 1:

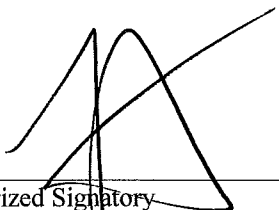
The East 6 feet of Lot 11 and the West 15 feet of Lot 12, Block 86, East King Tract, Belmont Numbering, City of Pensacola, according to the map of said city copyrighted by Thomas C. Watson in 1906, Escambia County, Florida.

PARCEL 2:

Lot 13 and the East 15 feet of Lot 12, Block 86, East King Tract, Belmont Numbering, City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL 3:

The West Thirty (30) feet of Lots Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), Block Eighty-Six (86), East King Tract, Belmont Numbering, according to the map of said city copyrighted by Thomas C. Watson in 1906, Escambia County, Florida.


Authorized Signatory

Issued By: FL1323 * 19094-73733
Beggs & Lane, RLLP
501 Commendancia Street
Pensacola, FL 32502

Note: This policy is of no force and effect unless Schedule A and Schedule B are attached together with any added pages incorporated by reference.

WESTCOR LAND TITLE INSURANCE COMPANY
ALTA 6-17-06 OWNER'S POLICY (With Florida Modifications)

SCHEDULE B

File #: 19094-73733

Policy #: OP-25-1323-6598999

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

Exceptions:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties in possession not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments on the Land of existing improvements located on the adjoining land.
4. Easements or claims of easements not shown by the Public Records.
5. Taxes or special assessments which are not shown as existing liens by the public records.
6. Taxes and assessments for the year 2018 and subsequent years, which are not yet due and payable.
7. Existing unrecorded leases and all right thereunder of the lessees and of any person claiming by, through or under lessees.
8. Any and all matters which would be disclosed by an accurate survey of the property.

***The following items, as listed above, are hereby deleted: 1, 2 and 4.**



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00188

Planning Board

5/12/2020

TO: Planning Board Members

FROM: Cynthia Cannon, AICP, Assistant Planning Director

DATE: 5/5/2020

SUBJECT:

Request for License to Use Right-of-Way - 1 South Jefferson Street

BACKGROUND:

The Downtown Improvement Board is requesting approval for a License to Use for a Puppy Pit Stop at the corner of Jefferson and Romano Streets. The request includes a raised planting bed and a small portion of a concrete seat wall.

This request has been routed through the various City departments and utility providers and those comments are attached for your review.

Department:	Comments:
FIRE	No objections.
PW/E	No objections.
Insp Svcs	No objections.
ESP	Pensacola Energy has a gas main within the R/W described in this LTU request. We would need to know more about the project and the potential impact in maintaining our gas line.
ECUA	Project will need to submit to ECUA Engineering for review and permitting of water and/or sewer. Please see the ECUA Engineering Manual - Procedures 2 and 3 for information regarding submittal and review processes (https://ecua.fl.gov/work-with-us/engineering-manuals-contacts).
GPW	No comments.
ATT	Please review the attached AT&T markups. AT&T does have facilities within the project scope. The markups are only approximate and the contractor would have to have our facilities located to determine if there is a conflict. Please contact me with any questions.

Cynthia Cannon

From: Annie Bloxson
Sent: Tuesday, March 24, 2020 1:14 PM
To: Cynthia Cannon
Subject: RE: LTU Request - 1 South Jefferson Street

Good Afternoon,

I do not oppose the LTU request for the puppy pit at 1 S. Jefferson Street.

Respectfully,

Annie Bloxson

Fire Marshal

Visit us at PensacolaFire.com

475 E. Strong St.

Pensacola, FL 32501

Office: 850.436.5200

abloxson@cityofpensacola.com



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

From: Cynthia Cannon <CCannon@cityofpensacola.com>

Sent: Tuesday, March 17, 2020 12:41 PM

To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>

Cynthia Cannon

From: Diane Moore
Sent: Tuesday, March 24, 2020 3:48 PM
To: Cynthia Cannon
Subject: RE: LTU Request - 1 South Jefferson Street

Cynthia,
Pensacola Energy has a gas main within the R/W described in this LTU request. We would need to know more about the project and the potential impact in maintaining our gas line.

Thanks,
Diane

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

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For Non-Emergency Citizen Requests, Dial 311 or visit Pensacola311.com

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

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Tuesday, March 17, 2020 12:41 PM
To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>
Cc: Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>
Subject: LTU Request - 1 South Jefferson Street

Good Afternoon All,

Cynthia Cannon

From: Andre Calaminus <andre.calaminus@ecua.fl.gov>
Sent: Thursday, March 19, 2020 8:15 AM
To: Cynthia Cannon
Subject: RE: LTU Request - 1 South Jefferson Street

Good morning Cynthia,

Project will need to submit to ECUA Engineering for review and permitting of water and/or sewer. Please see the ECUA Engineering Manual - Procedures 2 and 3 for information regarding submittal and review processes (<https://ecua.fl.gov/work-with-us/engineering-manuals-contacts>).

Thank you,

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

P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: www.ecua.fl.gov |

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

From: Cynthia Cannon <CCannon@cityofpensacola.com>

Sent: Tuesday, March 17, 2020 12:41 PM

To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>

Cc: Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>

Subject: LTU Request - 1 South Jefferson Street

****WARNING: This is an external email --- DO NOT CLICK links or attachments from unknown senders ****

Good Afternoon All,

Please review and comment on the attached request before the Planning Board for a License to Use application for a Puppy Pit Stop at 1 S. Jefferson Street. Please provide comments **by close of business on Friday March 27, 2020**.

Thank you!

Cynthia Cannon, AICP

Assistant Planning Director

Visit us at <http://cityofpensacola.com>

222 W Main St.

Cynthia Cannon

From: Simmons, Kellie <Kellie.Simmons@nexteraenergy.com>
Sent: Monday, April 13, 2020 11:49 AM
To: Cynthia Cannon
Cc: Gobert, Harolyn
Subject: [EXTERNAL] RE: LTU Request - 1 South Jefferson Street

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

Engineering replied that we have no objections.

Thank you,



Gulf Power

Kellie G. Simmons

Sr. Corporate Real Estate Representative

Office – (850) 444-6870

Cell - (850) 549-1134

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Thursday, April 9, 2020 12:50 PM
To: Simmons, Kellie <Kellie.Simmons@nexteraenergy.com>
Cc: Elsie Zhang <ezhang@jerrypate.com>
Subject: FW: LTU Request - 1 South Jefferson Street

Caution - External Email (ccannon@cityofpensacola.com)

[Report This Email](#) [Tips](#)

Kellie,

I don't recall getting a reply from you on this project. My apologies if you've already commented and somehow I missed them!

Thank you,

Cynthia Cannon, AICP

Assistant Planning Director

Visit us at <http://cityofpensacola.com>

222 W Main St.

Pensacola, FL 32502

Office: 850.435-1670

ccannon@cityofpensacola.com

Cynthia Cannon

From: ST PIERRE, ROB A <RS634Y@att.com>
Sent: Tuesday, March 17, 2020 3:06 PM
To: Cynthia Cannon
Subject: RE: LTU Request - 1 South Jefferson Street
Attachments: AT&T MARKUPS_LTU APPLICATION_Puppy Pit_Complete.pdf

Cynthia,

Please review the attached AT&T markups. AT&T does have facilities within the project scope. The markups are only approximate and the contractor would have to have our facilities located to determine if there is a conflict. Please contact me with any questions. I am currently working remotely and can be reached at 850-501-9161.

Thanks,

Rob St. Pierre
Manager, OSP Plng & Eng
Technology Operations

AT&T
605 W Garden St. Pensacola, FL 32502
o 850.436.1701 | rs634y@att.com

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Sent: Tuesday, March 17, 2020 12:41 PM

To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; FENNER, KARL L <kf5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; KENNINGTON, STEPHEN <sk1674@att.com>
Cc: Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>
Subject: LTU Request - 1 South Jefferson Street

Good Afternoon All,

Please review and comment on the attached request before the Planning Board for a License to Use application for a Puppy Pit Stop at 1 S. Jefferson Street. Please provide comments **by close of business on Friday March 27, 2020.**

Cynthia Cannon

From: Elsie Zhang <ezhang@jerrypate.com>
Sent: Wednesday, March 18, 2020 1:19 PM
To: ST PIERRE, ROB A; Cynthia Cannon
Cc: Lissa Dees
Subject: RE: LTU Request - 1 South Jefferson Street

Thank you Rob. I appreciate your help.

Cynthia, we will field locate the AT&T conduit and sleeve it in concrete footer if there is a conflict. Do we need to add the note on the plan and resubmit it to you? Or do we wait until we receive other comments?

Thank you,

Elsie Zhang, *RLA*
Landscape Architect / Design Associate



301 Schubert Drive | Pensacola, FL 32504
Office: 850-479-4653 Ext. 1230
Fax: 850-472-0381
www.jerrypatedesign.com

From: ST PIERRE, ROB A <RS634Y@att.com>
Sent: Wednesday, March 18, 2020 11:29 AM
To: Elsie Zhang <ezhang@jerrypate.com>
Subject: RE: LTU Request - 1 South Jefferson Street

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Elsie,

Yes, if there is a conflict protecting it with a concrete footer is fine.

Thanks,

Rob St. Pierre
Manager, OSP Plng & Eng
Technology Operations

AT&T

605 W Garden St. Pensacola, FL 32502

o 850.436.1701 | rs634y@att.com

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From: Elsie Zhang <ezhang@jerrypate.com>

Sent: Wednesday, March 18, 2020 11:24 AM

To: ST PIERRE, ROB A <RS634Y@att.com>

Cc: Lissa Dees <LissaD@downtownpensacola.com>

Subject: RE: LTU Request - 1 South Jefferson Street

Good morning Rob, this is Elsie Zhang with Jerry Pate Design. I just received the markup from AT&T with potential conduit conflict.

It seems most of the area where the conduit runs is only going to be painted on the existing concrete. The only possible conflict area is around the proposed circular concrete bench area. Do you think field locating the conduit and sleeving it in concrete footer if there is a conflict will be ideal for AT&T?

Please let us know your thoughts and we will add the notes on the plan document accordingly.

Thank you Rob,

Elsie Zhang, RLA

Landscape Architect / Design Associate



301 Schubert Drive | Pensacola, FL 32504

Office: 850-479-4653 Ext. 1230

Fax: 850-472-0381

www.jerrypatedesign.com

From: Steve Dana <SDana@jerrypate.com>

Sent: Wednesday, March 18, 2020 11:11 AM

To: Elsie Zhang <ezhang@jerrypate.com>

Subject: Re: LTU Request - 1 South Jefferson Street

I don't see ATT comments. Do you have them? I would think we could sleeve through the footer of the circular bench if a conflict. Maybe all we need now is a note on the plan. Please call Rob St Pierre at ATT to work through it. Thanks.

Sent from my iPhone

On Mar 18, 2020, at 10:58 AM, Elsie Zhang <ezhang@jerrypate.com> wrote:

Steve, we probably need the contractor to field locate the ATT conduits to see if there is conflict around the circular concrete bench area. Not sure how deep the conduit is located. Do you have an idea? Do we need to add a note on our plans and resubmit it to the city?

Elsie Zhang, *RLA*

Landscape Architect / Design Associate

<image001.png>

301 Schubert Drive | Pensacola, FL 32504

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Fax: 850-472-0381

www.jerrypatedesign.com

From: Lissa Dees <LissaD@downtownpensacola.com>

Sent: Wednesday, March 18, 2020 10:40 AM

To: Elsie Zhang <ezhang@jerrypate.com>; Steve Dana <SDana@jerrypate.com>

Subject: FW: LTU Request - 1 South Jefferson Street

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see the attached concerns from AT&T

Lissa Dees

Executive Director

<image002.png>

<image003.jpg>

<image004.jpg>

Pensacola Downtown Improvement Board

226 South Palafox Street, Suite 106

Pensacola, FL 32502

Phone 850.434.5371

[Take This Quick Survey to Let Us Know How We're Doing!](#)

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Tuesday, March 17, 2020 3:21 PM
To: Lissa Dees <LissaD@downtownpensacola.com>
Subject: FW: LTU Request - 1 South Jefferson Street

Hi Lissa,

Please see the attached review comments from AT&T. I'm sure if your consultant worked directly with Rob they could easily address their concerns.

Hope all is well with you!

Thank you,

Cynthia Cannon, AICP
Assistant Planning Director
Visit us at <http://cityofpensacola.com>
222 W Main St.
Pensacola, FL 32502
Office: 850.435-1670
ccannon@cityofpensacola.com

<image005.png>

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

From: ST PIERRE, ROB A <RS634Y@att.com>
Sent: Tuesday, March 17, 2020 3:06 PM
To: Cynthia Cannon <CCannon@cityofpensacola.com>
Subject: RE: LTU Request - 1 South Jefferson Street

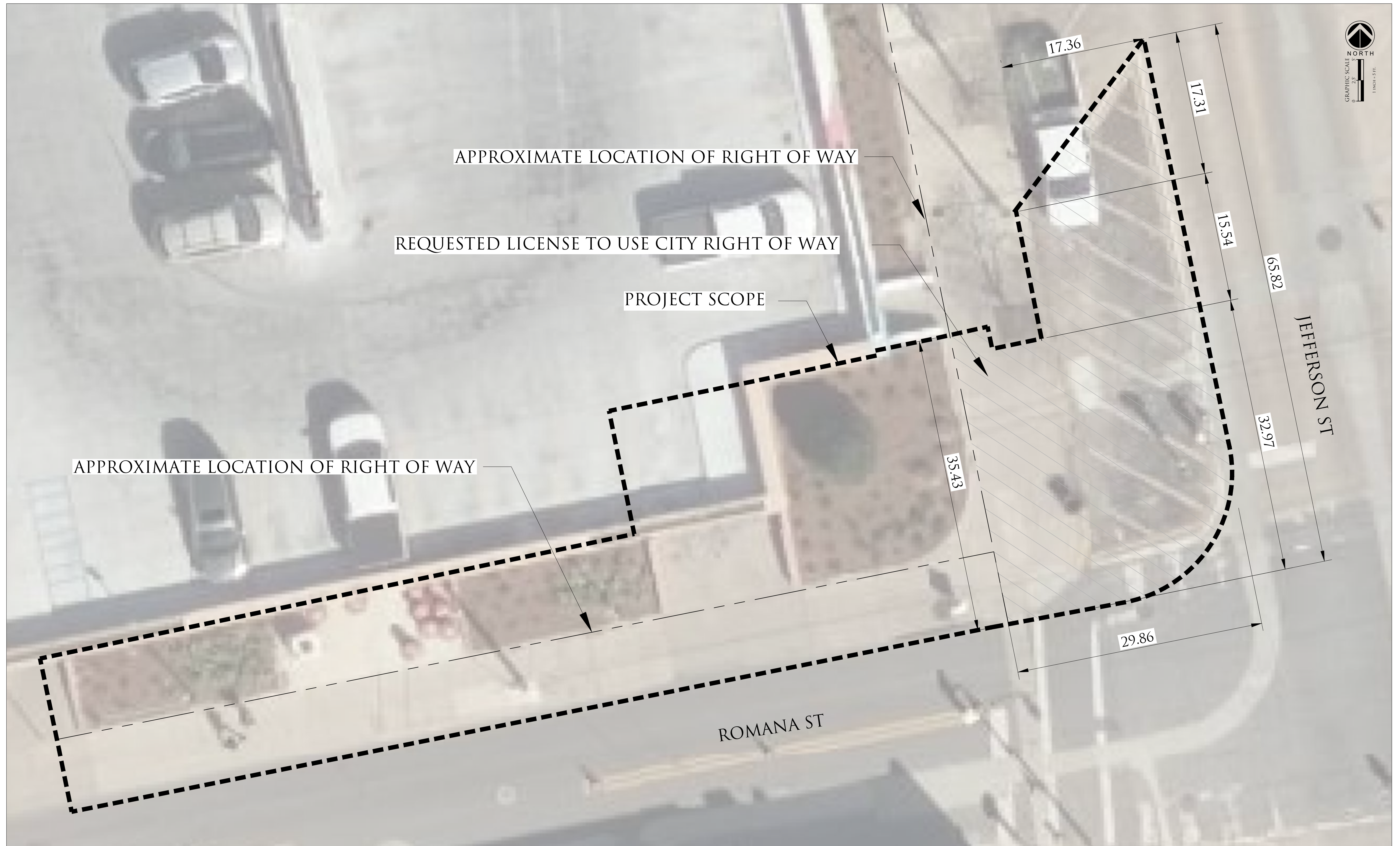
Cynthia,

Please review the attached AT&T markups. AT&T does have facilities within the project scope. The markups are only approximate and the contractor would have to have our facilities located to determine if there is a conflict. Please contact me with any questions. I am currently working remotely and can be reached at 850-501-9161.

Thanks,

Rob St. Pierre
Manager, OSP Plng & Eng
Technology Operations

AT&T



\\WDMyCloudMirror\GCE\ENGINEERING\GCE LLC\Projects\00000.02\Site Design\Jefferson Doggy Stop\3_19016_DIB Puppy Pit Stop_Hardscape - Standard\Pet Fountain_Utility Plan_certified.dwg, Feb 27, 2020 - 1:40:42PM, erica

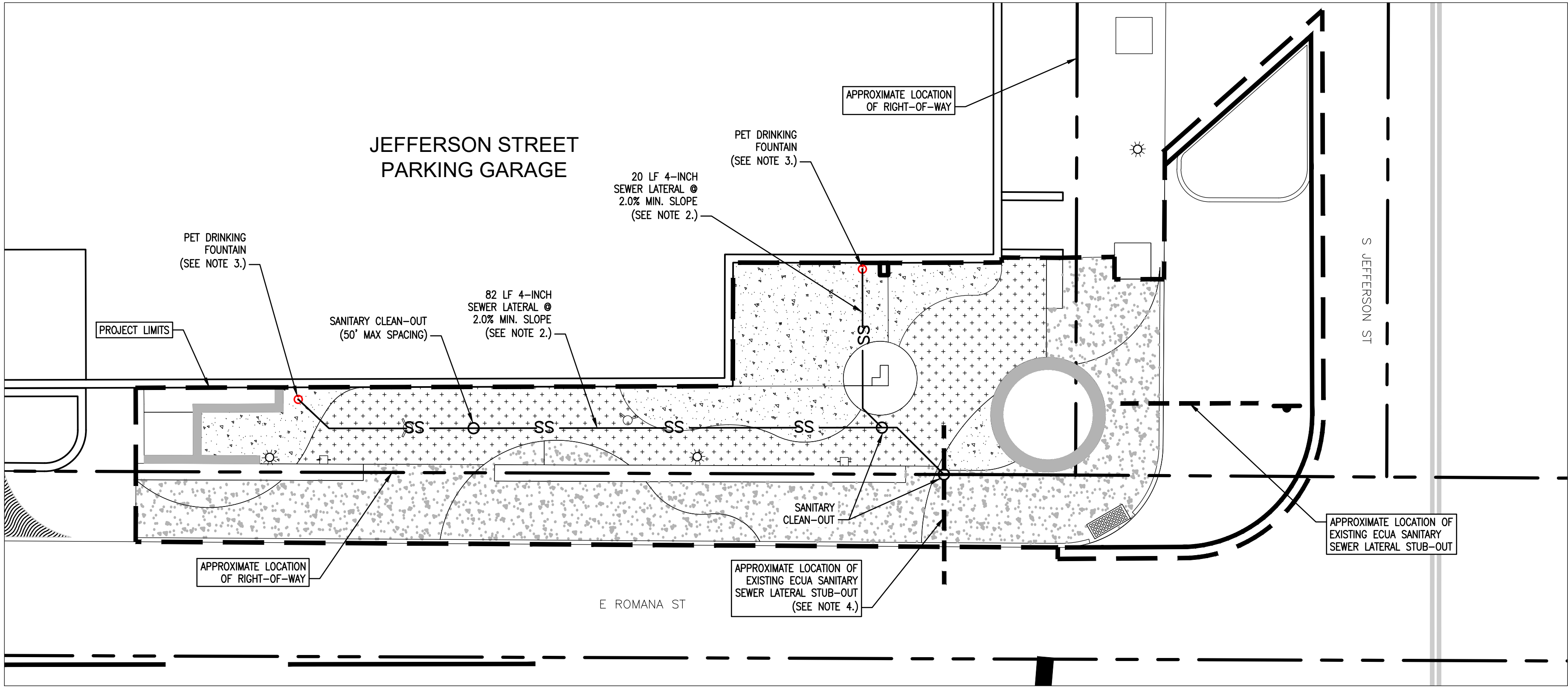
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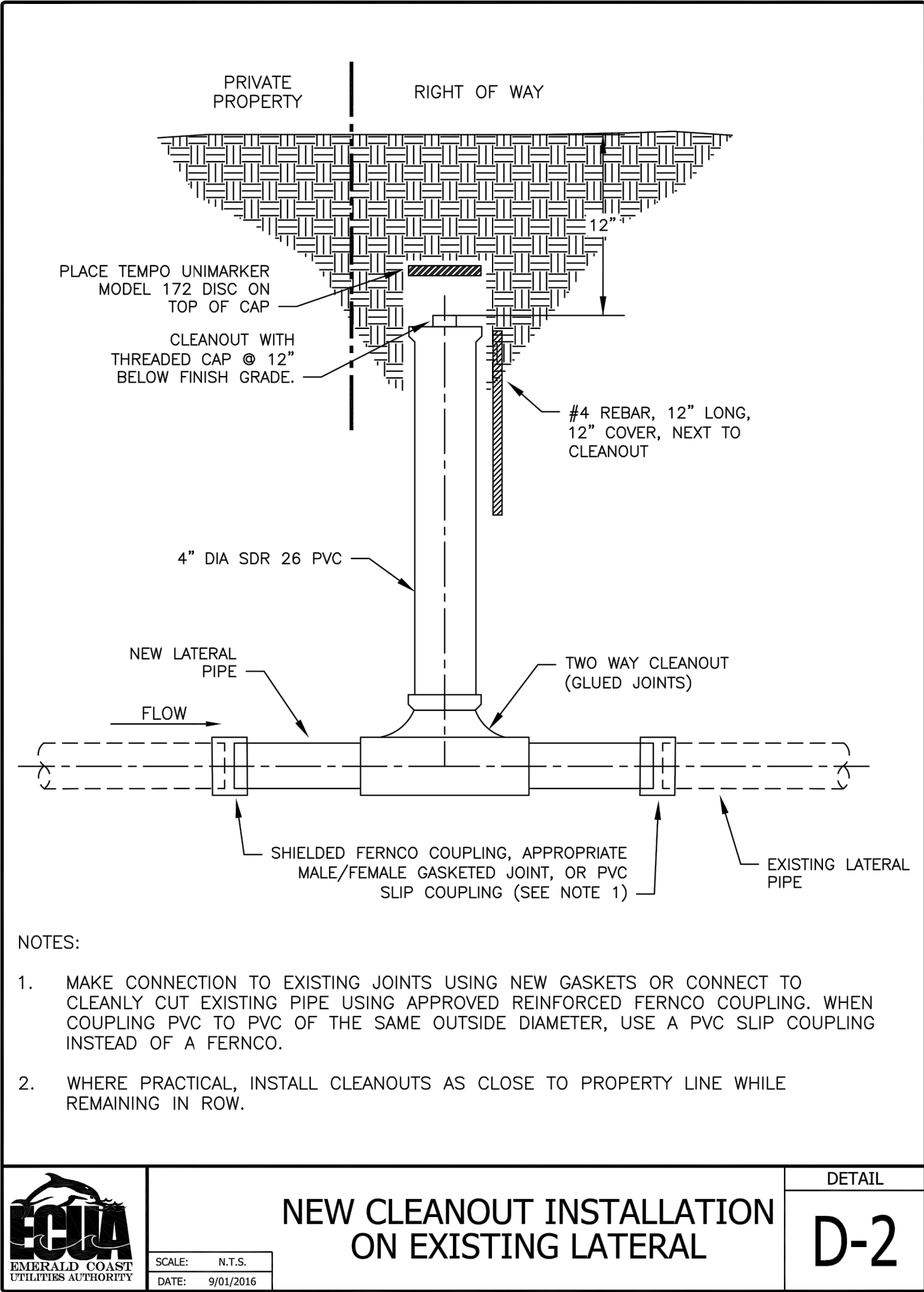
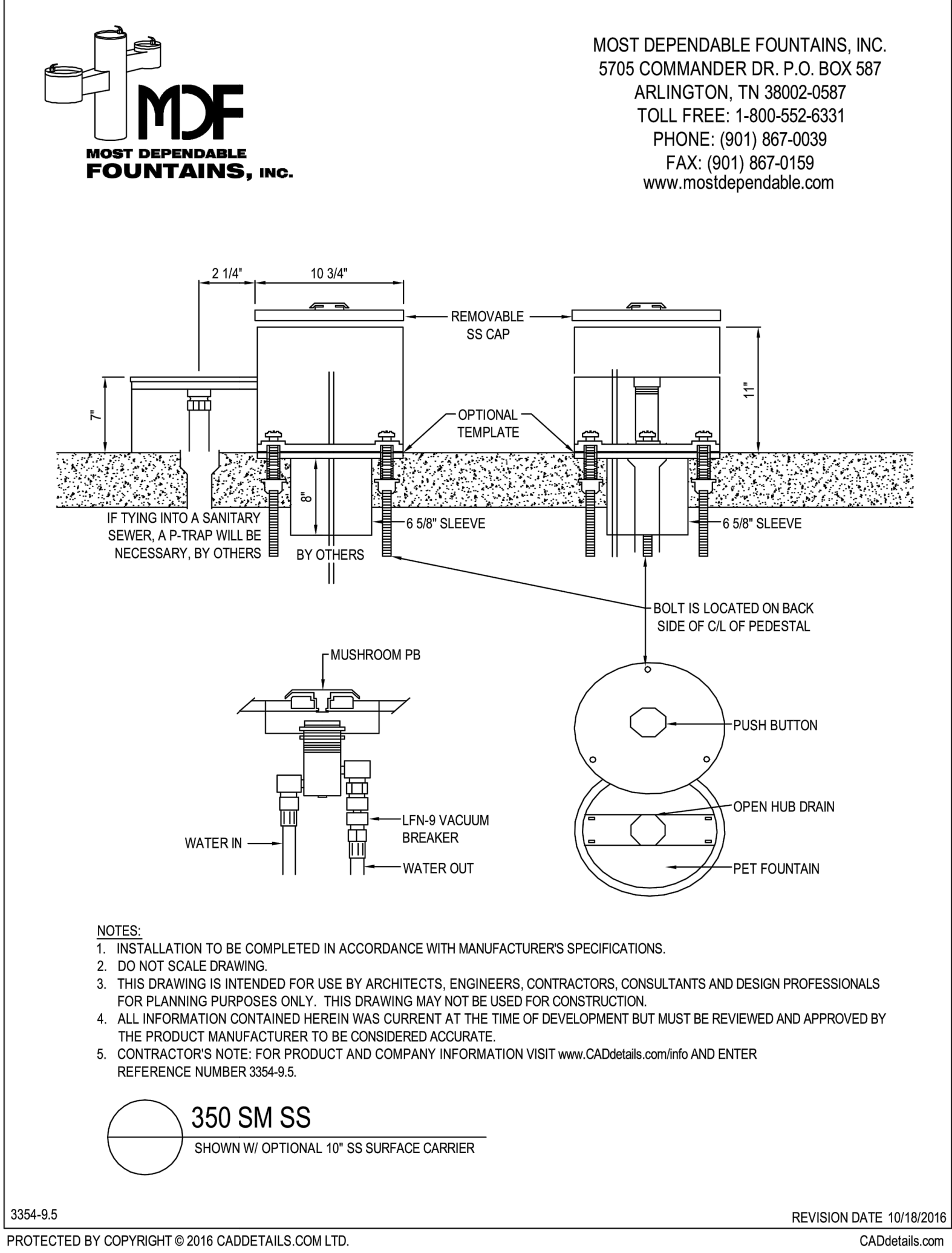
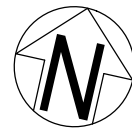
B

A



OVERALL UTILITY PLAN

SCALE: 1" = 40' 0 20' 40' 80'



ECUA Engineering Manual Reference Note*

*note shall be inserted in the upper right corner of title sheet
* applicable only to ECUA infrastructure to be constructed in public ROW or in utility easement; not to be applied to private water/sewer facilities on private property (see Building Code)

A. ECUA Engineering Manual Incorporated by Reference

The ECUA Engineering Manual, dated December 18, 2014, along with Update # 1 dated September 1, 2016 (hereinafter "Manual"), located at www.ecua.fl.gov, is hereby incorporated by reference into this Project's official contract documents as if fully set forth therein. It is the Contractor's responsibility to be knowledgeable of the Manual's contents and to construct the Project in accordance with the Manual. The Contractor shall provide its employees access to the Manual at all times, via Project site or office, via digital or paper format. In the event of a conflict between the Manual and Plans, Contractor shall consult Engineer of Record for proper resolution.

B. Additional Documents (to be completed by the Engineer of Record)

Does this Project have additional technical specifications or construction details that supplement and/or supersede the Manual listed above? ☐ YES ☐ NO. If yes, Contractor shall construct Project in accordance with said documents as listed and located below:

Document Name	Document Type		Location	
	Specifi- cation	Detail	Plans	Project Manual*
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Project Manuals used only with ECUA CIP Projects

C. Engineer of Record Responsibilities

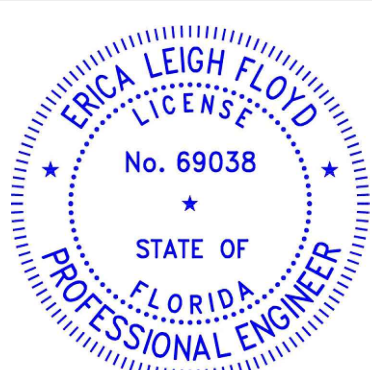
The Engineers of Record (EORs) that have affixed their seals and signatures on these plans warrant their portions of the plans have been designed in accordance with the Manual (unless otherwise directed by the ECUA Project Engineer). The EORs shall be knowledgeable of the Manual's contents and shall assume responsibility for its use on this Project.

LEGEND

	EXISTING CONCRETE
	NEW CONCRETE
	NEW ASTROTURF
	NEW SANITARY SEWER LATERAL

NOTES:

1. UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY ALL EXISTING LOCATIONS PRIOR TO START OF DEMOLITION OR CONSTRUCTION.
2. NEW SANITARY SEWER LATERAL CONSTRUCTION AND PLACEMENT SHALL BE IN ACCORDANCE WITH ECUA ENGINEERING MANUAL (SEE ECUA REFERENCE NOTE THIS SHEET).
3. CONTRACTOR TO CONNECT PET DRINKING FOUNTAIN DRAIN TO 4-INCH SEWER LATERAL IN ACCORDANCE WITH PLUMBING CODE.
4. CONTRACTOR SHALL VERIFY LOCATION OF EXISTING SANITARY SEWER STUB-OUT AND COORDINATE CONNECTION WITH ECUA INSPECTIONS.
5. CONNECTION TO EXISTING ECUA SANITARY SYSTEM SHALL BE MADE WITH ECUA INSPECTOR PRESENT. CONTRACTOR SHALL NOTIFY ECUA 72 HOURS PRIOR TO CONNECTION.



ERICA LEIGH FLOYD, P.E.
FL REG. ENGINEER # 69038

This item has been digitally signed and sealed by Erica Leigh Floyd, PE on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

GULF CIVIL ENGINEERING, LLC
Site/Civil Design Services

3298 Summit Boulevard, Suite 44
Pensacola, FL 32503
850.262.8941
FL Certificate of Auth. # 30082

gce

DOWNTOWN

IMPROVEMENT BOARD

JEFFERSON STREET
PUPPY PIT STOP

REVISION / ACTION TAKEN

APPR.

NO.

DATE

PROJECT NO: 00000.02

DATE: FEBRUARY 2020

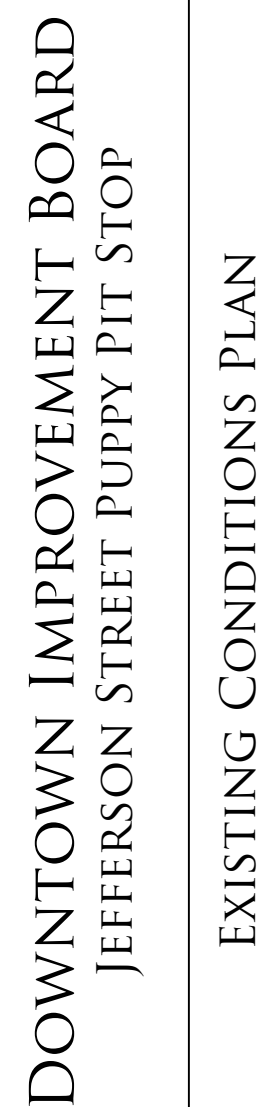
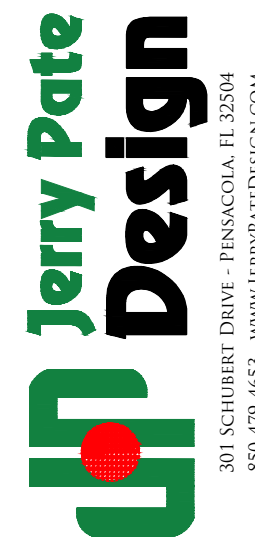
PROJECT MGR: E. FLOYD

SCALE:

UTILITY PLAN

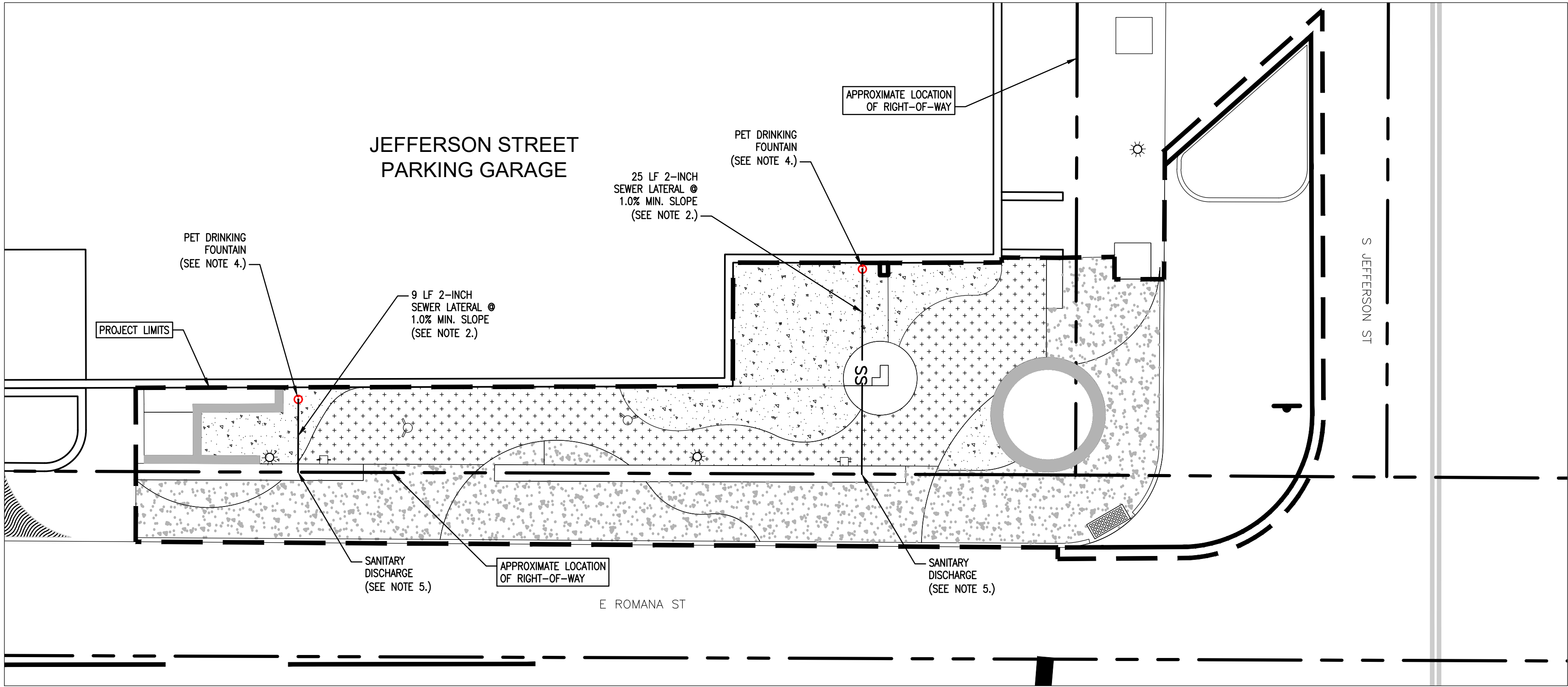
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FOR CONSTRUCTION

C-100

LS101

LS101

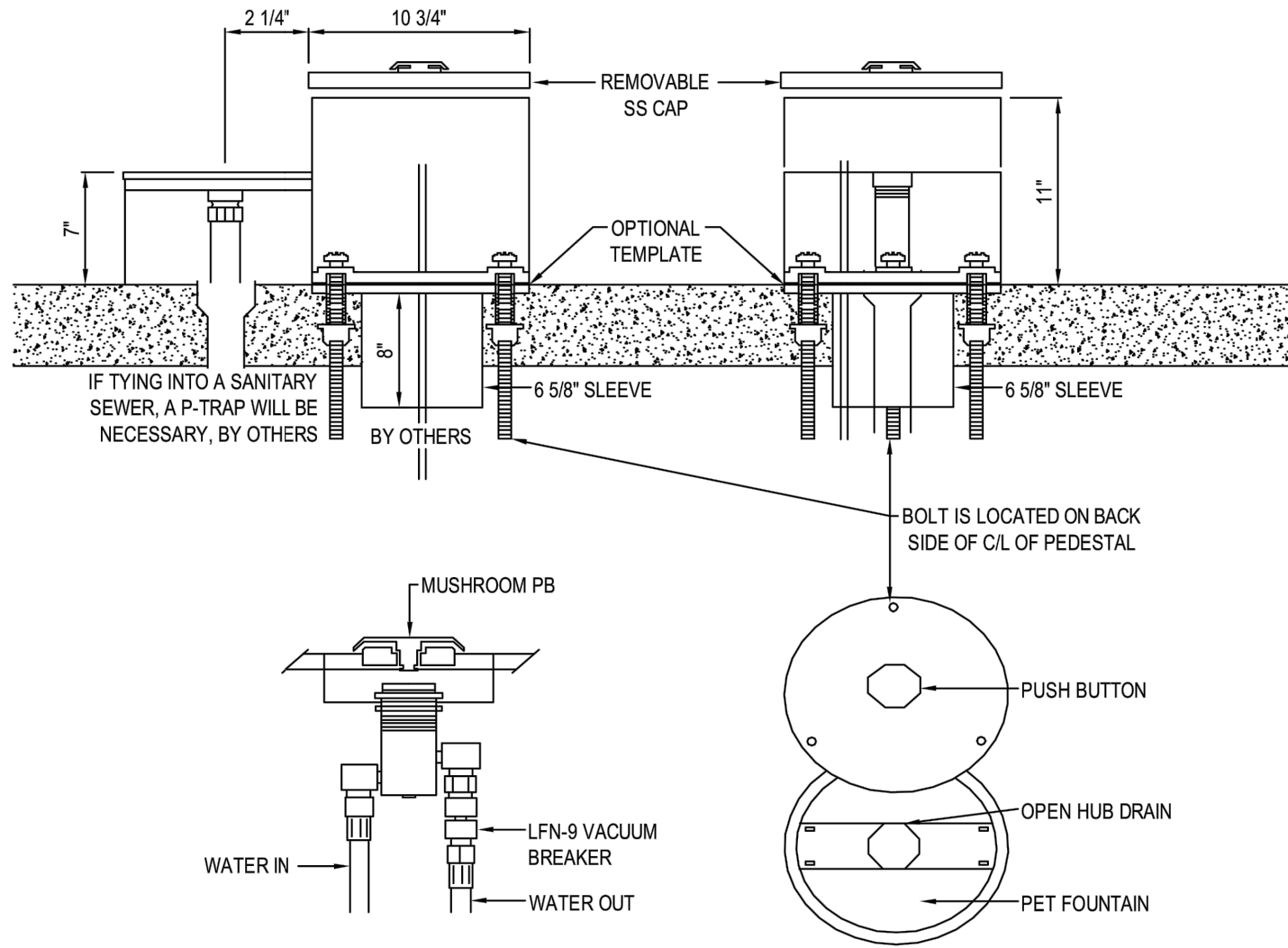
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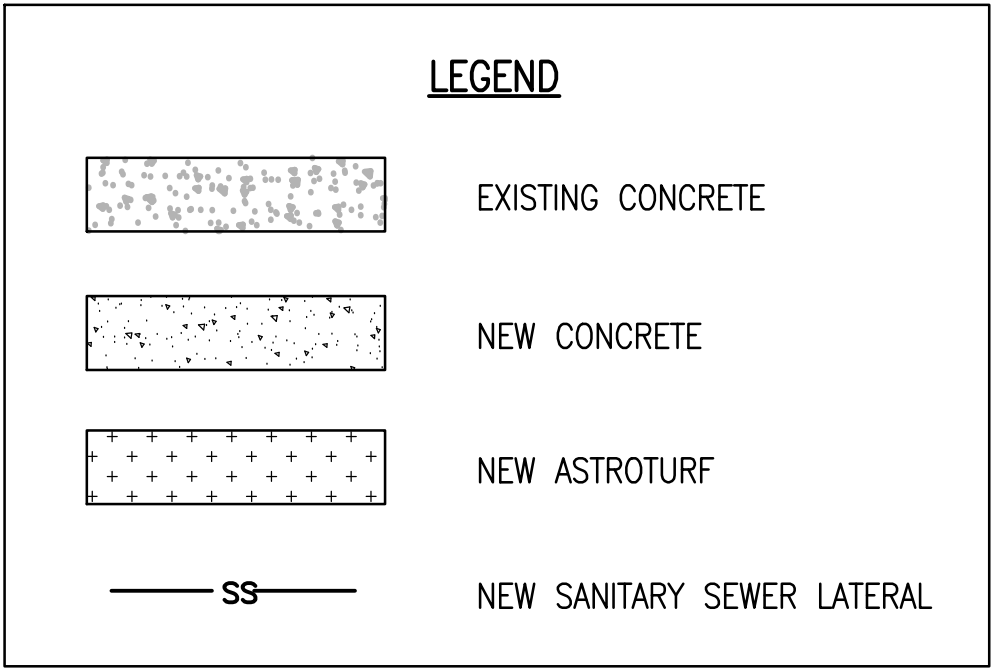
OVERALL UTILITY PLAN
SCALE: 1" = 40' 0 20' 40' 80'



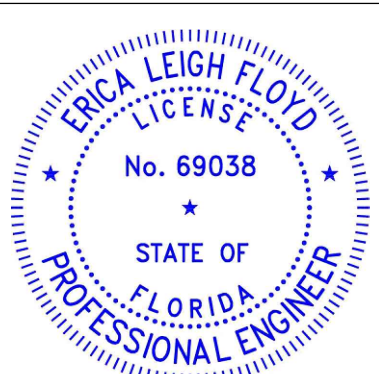
MOST DEPENDABLE FOUNTAINS, INC.
5705 COMMANDER DR. P.O. BOX 587
ARLINGTON, TN 38002-0587
TOLL FREE: 1-800-552-6331
PHONE: (901) 867-0039
FAX: (901) 867-0159
www.mostdependable.com



- NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
 2. DO NOT SCALE DRAWING.
 3. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
 4. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
 5. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADdetails.com/info AND ENTER REFERENCE NUMBER 3354-9.5.



- NOTES:
1. UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY ALL EXISTING LOCATIONS PRIOR TO START OF DEMOLITION OR CONSTRUCTION.
 2. NEW SANITARY SEWER LATERAL CONSTRUCTION AND PLACEMENT SHALL INCLUDE A MINIMUM 30-INCH COVER OVER PIPE AND INSTALLATION AT A MINIMUM 1.0% POSITIVE SLOPE TO DISCHARGE LOCATION.
 3. SANITARY SEWER PIPING SHALL BE ASTM D3034 DR 26 PIPE w/ GLUED JOINTS.
 4. CONTRACTOR TO CONNECT PET DRINKING FOUNTAIN DRAIN TO 2-INCH SEWER LATERAL IN ACCORDANCE WITH PLUMBING CODE (INCLUDING P-TRAP).
 5. DISCHARGE LOCATION SHALL BE DIRECT DISCHARGE WITH SUMP BOTTOM TO VEGETATED/PEA GRAVEL DEPRESSED LANDSCAPE AREA. SEE LANDSCAPE PLANS FOR SECTION VIEW AND DETAILS.



ERICA LEIGH FLOYD, P.E.
FL REG. ENGINEER # 69038

This item has been digitally signed and sealed by Erica Leigh Floyd, PE on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

DOWNTOWN
IMPROVEMENT BOARD
JEFFERSON STREET
PUPPY PIT STOP

NO.	DATE	APPR.	REVISION / ACTION TAKEN

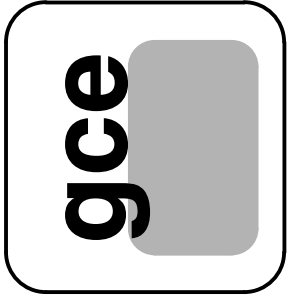
PROJECT NO: 00000.02
DATE: APRIL 2020
PROJECT MGR: E. FLOYD
SCALE:

UTILITY PLAN

RELEASED
FOR CONSTRUCTION

C-100

GULF CIVIL ENGINEERING, LLC
Site/Civil Design Services
3298 Summit Boulevard, Suite 44
Pensacola, FL 32503
850.262.8941
FL Certificate of Auth. # 30082



DIB JEFFERSON STREET PUPPY PIT STOP

LANDSCAPE IMPROVEMENTS PLAN

PROJECT LOCATION

1 S JEFFERSON ST (SOUTH GARAGE)

PENSACOLA, FL 32502



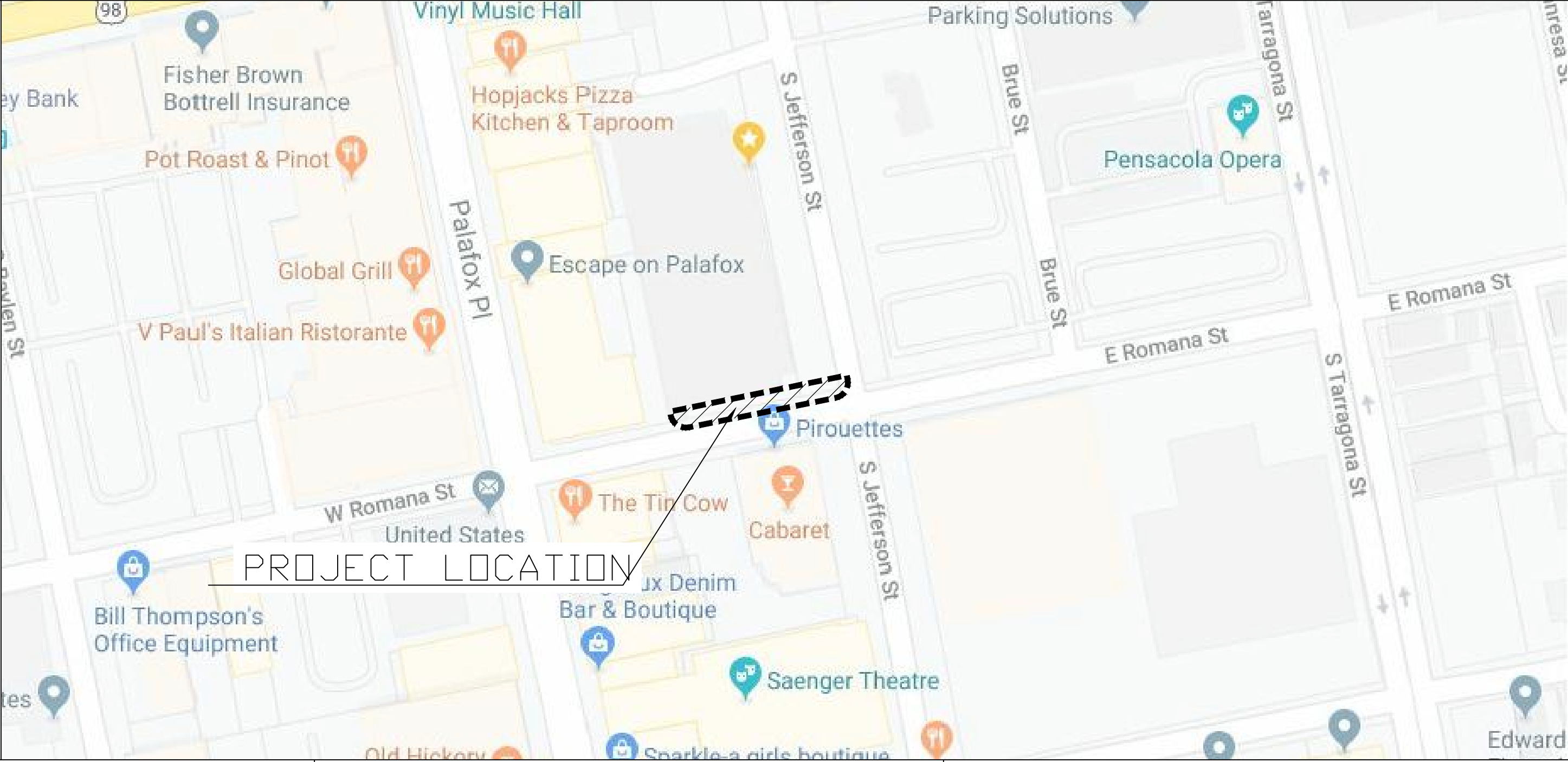
301 SCHUBERT DRIVE - PENSACOLA, FL 32504

850-479-4653 WWW.JERRYPATEDESIGN.COM

SHEET_INDEX

SHEET DESCRIPTION

- LS100 COVER PAGE
- LS101 EXISTING CONDITIONS PLAN
- LS201 DEMOLITION PLAN
- LS301 LAYOUT PLAN
- LS401 HARDSCAPE PLAN
- LS501 LANDSCAPE PLAN
- C100 UTILITY PLAN
- LS601 DETAILS
- LS602 DETAILS
- IR101 IRRIGATION PLAN
- IR201 IRRIGATION DETAILS



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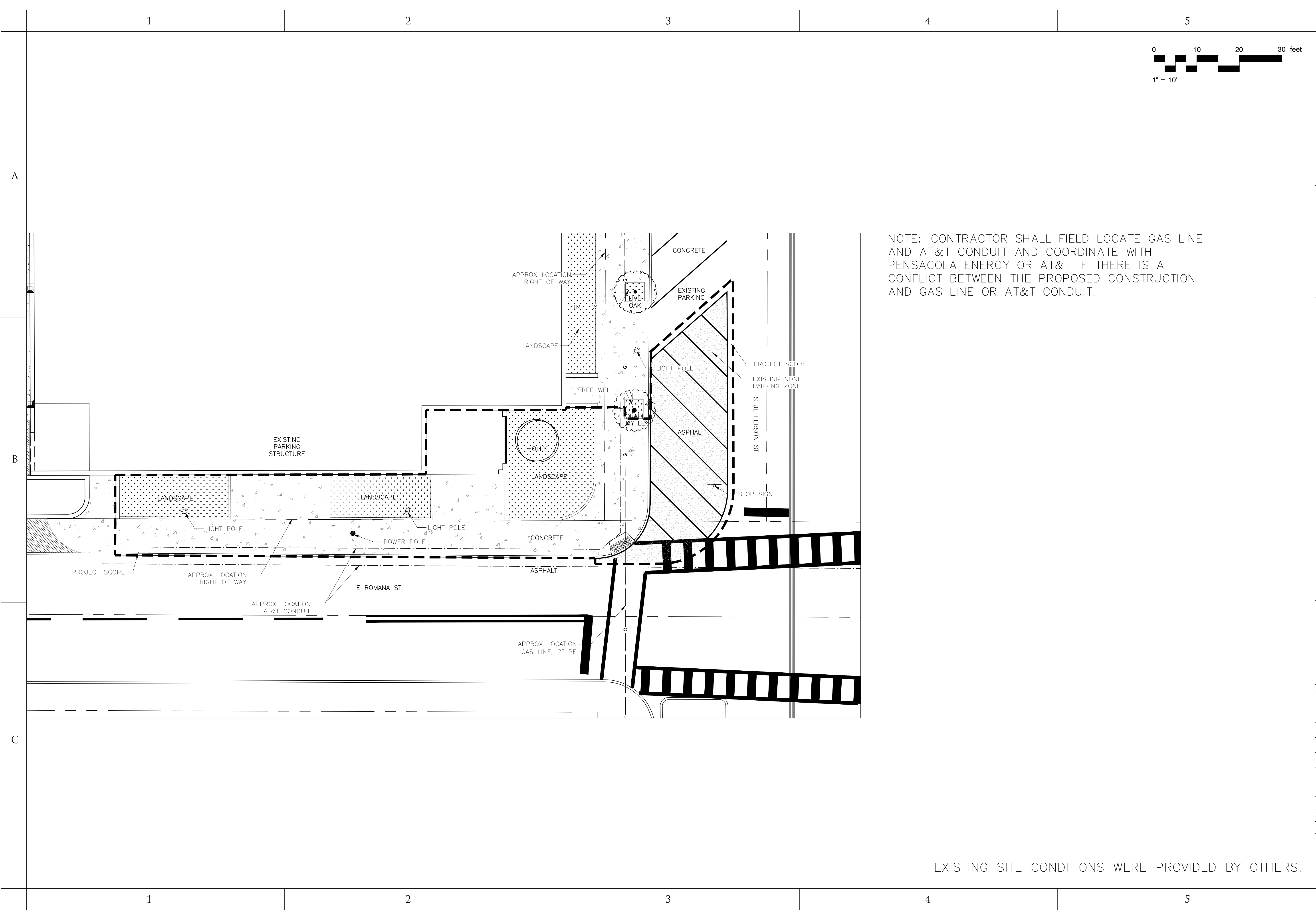
DOWNTOWN IMPROVEMENT BOARD

JEFFERSON STREET PUPPY PIT STOP

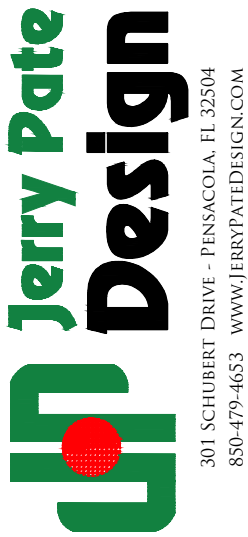
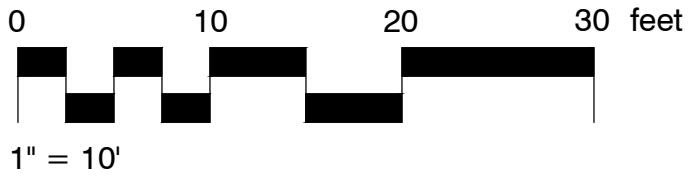
COVER PAGE

REV. #	DATE
PROJECT NUMBER:	19016
DATE:	4.9.2020
SHEET NO.:	

LS100



NOTE: CONTRACTOR SHALL FIELD LOCATE GAS LINE AND AT&T CONDUIT AND COORDINATE WITH PENSACOLA ENERGY OR AT&T IF THERE IS A CONFLICT BETWEEN THE PROPOSED CONSTRUCTION AND GAS LINE OR AT&T CONDUIT.



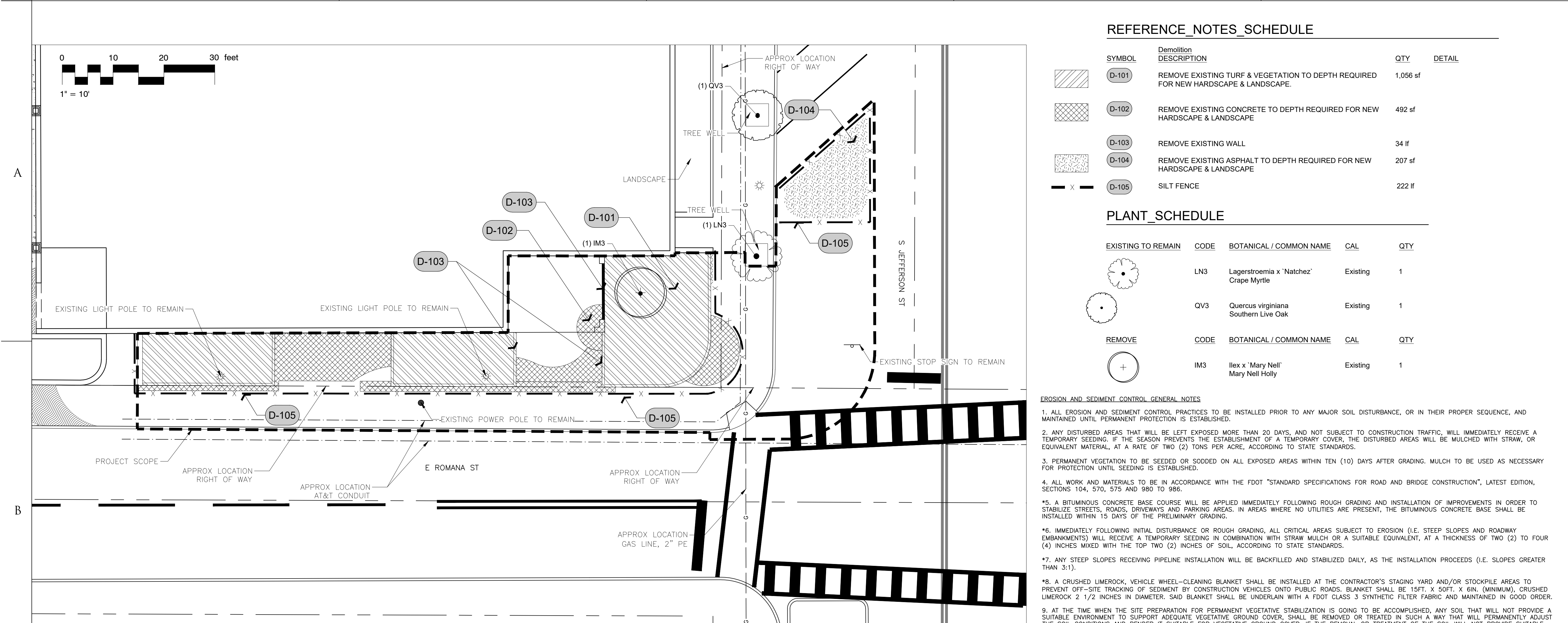
DOWNTOWN IMPROVEMENT BOARD
JEFFERSON STREET PUPPY PIT STOP
EXISTING CONDITIONS PLAN

REV. #	DATE
PROJECT NUMBER: 19016	
DATE: 4.9.2020	
SHEET NO.:	

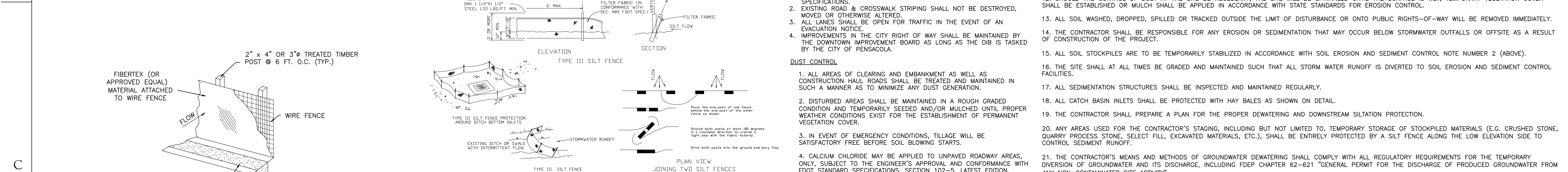
LS101

EXISTING SITE CONDITIONS WERE PROVIDED BY OTHERS.

ISSUE FOR PERMIT



NOTE: CONTRACTOR SHALL FIELD LOCATE GAS LINE AND AT&T CONDUIT AND COORDINATE WITH PENSACOLA ENERGY OR AT&T IF THERE IS A CONFLICT BETWEEN THE PROPOSED CONSTRUCTION AND GAS LINE OR AT&T CONDUIT.



- NOTES FOR SILT FENCES
1. Type III Silt Fence shall be used. Where used in ditches, the spacing for Type III Silt Fence shall be in accordance with Chart 1, Sheet 1, FDOT Design Standards Index No. 102, Latest Edition.
 2. Do not construct silt fences across permanent flowing watercourses.
 3. Where used as slope protection, Silt Fence is to be constructed on 0% longitudinal grade to avoid channelizing runoff along the length of the fence.
 4. Silt Fence to be paid for under the contract unit price for Staked Silt Fence, (LF).

GENERAL NOTES:

1. ALL CONSTRUCTION IN THE CITY RIGHT OF WAY SHALL BE IN ACCORDANCE WITH THE CITY OF PENSACOLA CODES AND SPECIFICATIONS.
2. EXISTING ROAD & CROSSWALK STRIPING SHALL NOT BE DESTROYED, MOVED OR OTHERWISE ALTERED.
3. ALL LANES SHALL BE OPEN FOR TRAFFIC IN THE EVENT OF AN EVACUATION NOTICE.
4. IMPROVEMENTS IN THE CITY RIGHT OF WAY SHALL BE MAINTAINED BY THE DOWNTOWN IMPROVEMENT BOARD AS LONG AS THE DIB IS TASKED BY THE CITY OF PENSACOLA.

DUST CONTROL

1. ALL AREAS OF CLEARING AND EMBANKMENT AS WELL AS CONSTRUCTION HAUL ROADS SHALL BE TREATED AND MAINTAINED IN SUCH A MANNER AS TO MINIMIZE ANY DUST GENERATION.
2. DISTURBED AREAS SHALL BE MAINTAINED IN A ROUGH GRADED CONDITION AND TEMPORARILY SEEDED AND/OR MULCHED UNTIL PROPER WEATHER CONDITIONS EXIST FOR THE ESTABLISHMENT OF PERMANENT VEGETATION COVER.
3. IN EVENT OF EMERGENCY CONDITIONS, TILLAGE WILL BE SATISFACTORY FREE BEFORE SOIL BLOWING STARTS.
4. CALCIUM CHLORIDE MAY BE APPLIED TO UNPAVED ROADWAY AREAS, ONLY, SUBJECT TO THE ENGINEER'S APPROVAL AND CONFORMANCE WITH FDOT STANDARD SPECIFICATIONS, SECTION 102-5, LATEST EDITION.

REFERENCE NOTES SCHEDULE				
SYMBOL	DEMOLITION DESCRIPTION	QTY	DETAIL	
(D-101)	REMOVE EXISTING TURF & VEGETATION TO DEPTH REQUIRED FOR NEW HARDSCAPE & LANDSCAPE.	1,056 sf		
(D-102)	REMOVE EXISTING CONCRETE TO DEPTH REQUIRED FOR NEW HARDSCAPE & LANDSCAPE	492 sf		
(D-103)	REMOVE EXISTING WALL	34 lf		
(D-104)	REMOVE EXISTING ASPHALT TO DEPTH REQUIRED FOR NEW HARDSCAPE & LANDSCAPE	207 sf		
(D-105)	SILT FENCE	222 lf		

PLANT SCHEDULE				
EXISTING TO REMAIN	CODE	BOTANICAL / COMMON NAME	CAL	QTY
	LN3	Lagerstroemia x 'Natchez' Crape Myrtle	Existing	1
	QV3	Quercus virginiana Southern Live Oak	Existing	1
REMOVE	CODE	BOTANICAL / COMMON NAME	CAL	QTY
	IM3	Ilex x 'Mary Nell' Mary Nell Holly	Existing	1

EROSION AND SEDIMENT CONTROL GENERAL NOTES

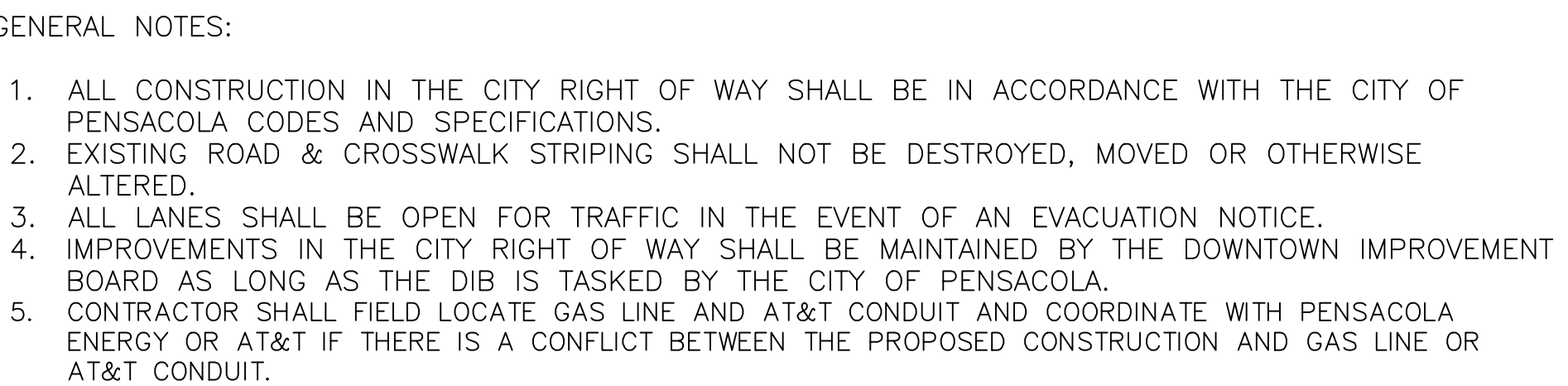
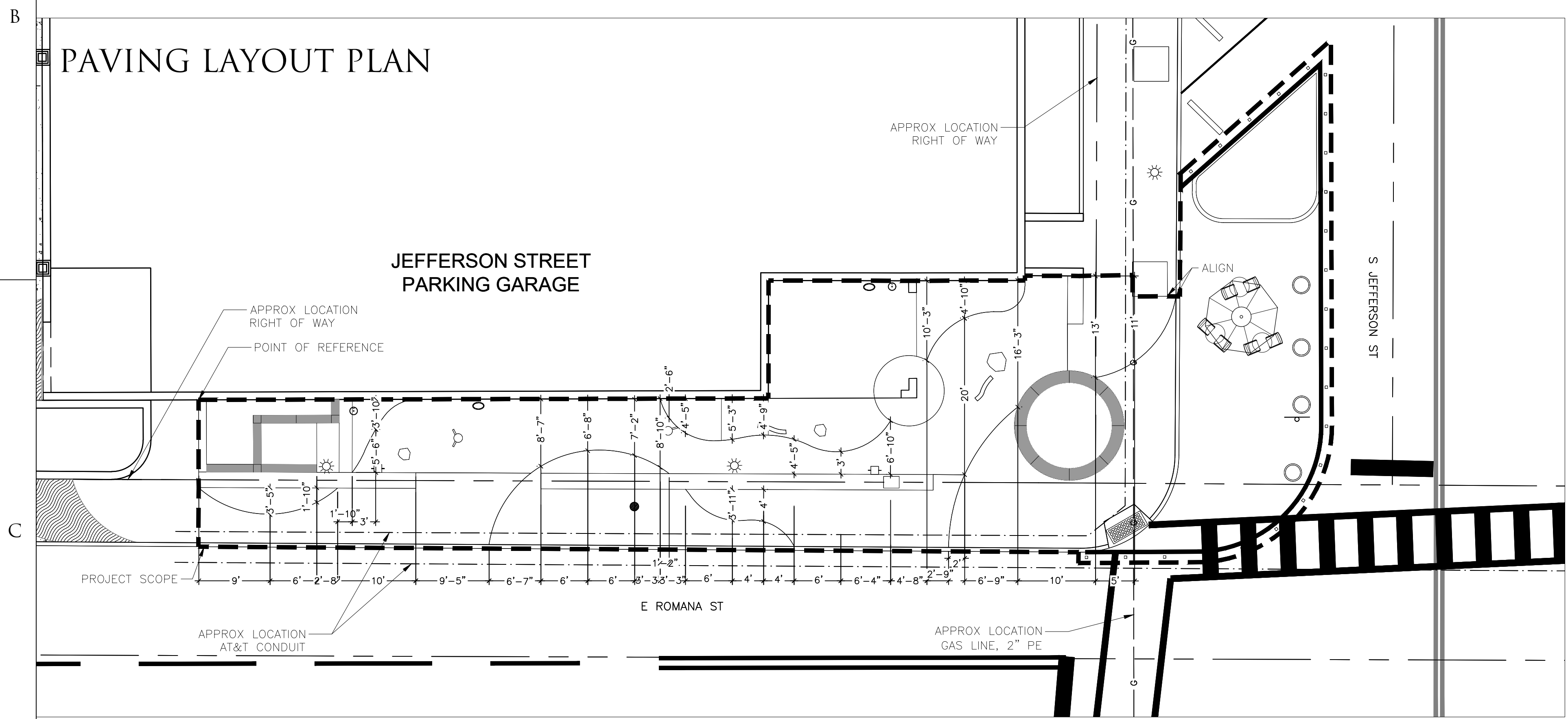
1. ALL EROSION AND SEDIMENT CONTROL PRACTICES TO BE INSTALLED PRIOR TO ANY MAJOR SOIL DISTURBANCE, OR IN THEIR PROPER SEQUENCE, AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED.
2. ANY DISTURBED AREAS THAT WILL BE LEFT EXPOSED MORE THAN 20 DAYS, AND NOT SUBJECT TO CONSTRUCTION TRAFFIC, WILL IMMEDIATELY RECEIVE A TEMPORARY SEEDING. IF THE SEASON PREVENTS THE ESTABLISHMENT OF A TEMPORARY COVER, THE DISTURBED AREAS WILL BE MULCHED WITH STRAW, OR EQUIVALENT MATERIAL, AT A RATE OF TWO (2) TONS PER ACRE, ACCORDING TO STATE STANDARDS.
3. PERMANENT VEGETATION TO BE SEED OR SODDED ON ALL EXPOSED AREAS WITHIN TEN (10) DAYS AFTER GRADING. MULCH TO BE USED AS NECESSARY FOR PROTECTION UNTIL SEEDING IS ESTABLISHED.
4. ALL WORK AND MATERIALS TO BE IN ACCORDANCE WITH THE FDOT "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION", LATEST EDITION, SECTIONS 104, 570, 575 AND 980 TO 986.
- *5. A BITUMINOUS CONCRETE BASE COURSE WILL BE APPLIED IMMEDIATELY FOLLOWING ROUGH GRADING AND INSTALLATION OF IMPROVEMENTS IN ORDER TO STABILIZE STREETS, ROADS, DRIVEWAYS AND PARKING AREAS. IN AREAS WHERE NO UTILITIES ARE PRESENT, THE BITUMINOUS CONCRETE BASE SHALL BE INSTALLED WITHIN 15 DAYS OF THE PRELIMINARY GRADING.
- *6. IMMEDIATELY FOLLOWING INITIAL DISTURBANCE OR ROUGH GRADING, ALL CRITICAL AREAS SUBJECT TO EROSION (I.E. STEEP SLOPES AND ROADWAY EMBANKMENTS) WILL RECEIVE A TEMPORARY SEEDING IN COMBINATION WITH STRAW MULCH OR A SUITABLE EQUIVALENT, AT A THICKNESS OF TWO (2) TO FOUR (4) INCHES MIXED WITH THE TOP TWO (2) INCHES OF SOIL, ACCORDING TO STATE STANDARDS.
- *7. ANY STEEP SLOPES RECEIVING PIPELINE INSTALLATION WILL BE BACKFILLED AND STABILIZED DAILY, AS THE INSTALLATION PROCEEDS (I.E. SLOPES GREATER THAN 3:1).
- *8. A CRUSHED LIMEROCK, VEHICLE WHEEL-CLEANING BLANKET SHALL BE INSTALLED AT THE CONTRACTOR'S STAGING YARD AND/OR STOCKPILE AREAS TO PREVENT OFF-SITE TRACKING OF SEDIMENT BY CONSTRUCTION VEHICLES ONTO PUBLIC ROADS. BLANKET SHALL BE 15FT. X 50FT. X 6IN. (MINIMUM), CRUSHED LIMEROCK 2 1/2 INCHES IN DIAMETER. SAID BLANKET SHALL BE UNDERLAIN WITH A FDOT CLASS 3 SYNTHETIC FILTER FABRIC AND MAINTAINED IN GOOD ORDER.
9. AT THE TIME WHEN THE SITE PREPARATION FOR PERMANENT VEGETATIVE STABILIZATION IS GOING TO BE ACCOMPLISHED, ANY SOIL THAT WILL NOT PROVIDE A SUITABLE ENVIRONMENT TO SUPPORT ADEQUATE VEGETATIVE GROUND COVER, SHALL BE REMOVED OR TREATED IN SUCH A WAY THAT WILL PERMANENTLY ADJUST THE SOIL CONDITIONS AND RENDER IT SUITABLE FOR VEGETATIVE GROUND COVER. IF THE REMOVAL OR TREATMENT OF THE SOIL WILL NOT PROVIDE SUITABLE CONDITIONS, NON-VEGETATIVE MEANS OF PERMANENT GROUND STABILIZATION WILL HAVE TO BE EMPLOYED.
- *10. CONDUIT OUTLET PROTECTION MUST BE INSTALLED AT ALL REQUIRED OUTFALLS PRIOR TO THE DRAINAGE SYSTEM BECOMING OPERATIONAL.
11. UNFILTERED DEWATERING IS NOT PERMITTED. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS DURING ALL DEWATERING OPERATIONS TO MINIMIZE SEDIMENT TRANSFER.
12. SHOULD THE CONTROL OF DUST AT THE SITE BE NECESSARY, THE SITE WILL BE SPRINKLED UNTIL THE SURFACE IS WET, TEMPORARY VEGETATION COVER SHALL BE ESTABLISHED OR MULCH SHALL BE APPLIED IN ACCORDANCE WITH STATE STANDARDS FOR EROSION CONTROL.
13. ALL SOIL WASHED, DROPPED, SPILLED OR TRACKED OUTSIDE THE LIMIT OF DISTURBANCE OR ONTO PUBLIC RIGHTS-OF-WAY WILL BE REMOVED IMMEDIATELY.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY EROSION OR SEDIMENTATION THAT MAY OCCUR BELOW STORMWATER OUTFALLS OR OFFSITE AS A RESULT OF CONSTRUCTION OF THE PROJECT.
15. ALL SOIL STOCKPILES ARE TO BE TEMPORARILY STABILIZED IN ACCORDANCE WITH SOIL EROSION AND SEDIMENT CONTROL NOTE NUMBER 2 (ABOVE).
16. THE SITE SHALL AT ALL TIMES BE GRADED AND MAINTAINED SUCH THAT ALL STORM WATER RUNOFF IS DIVERTED TO SOIL EROSION AND SEDIMENT CONTROL FACILITIES.
17. ALL SEDIMENTATION STRUCTURES SHALL BE INSPECTED AND MAINTAINED REGULARLY.
18. ALL CATCH BASIN INLETS SHALL BE PROTECTED WITH HAY BALES AS SHOWN ON DETAIL.
19. THE CONTRACTOR SHALL PREPARE A PLAN FOR THE PROPER DEWATERING AND DOWNSTREAM SILTATION PROTECTION.
20. ANY AREAS USED FOR THE CONTRACTOR'S STAGING, INCLUDING BUT NOT LIMITED TO, TEMPORARY STORAGE OF STOCKPILED MATERIALS (E.G. CRUSHED STONE, QUARRY PROCESS STONE, SELECT FILL, EXCAVATED MATERIALS, ETC.), SHALL BE ENTIRELY PROTECTED BY A SILT FENCE ALONG THE LOW ELEVATION SIDE TO CONTROL SEDIMENT RUNOFF.
21. THE CONTRACTOR'S MEANS AND METHODS OF GROUNDWATER DEWATERING SHALL COMPLY WITH ALL REGULATORY REQUIREMENTS FOR THE TEMPORARY DIVERSION OF GROUNDWATER AND ITS DISCHARGE, INCLUDING FDEP CHAPTER 62-621 "GENERAL PERMIT FOR THE DISCHARGE OF PRODUCED GROUNDWATER FROM ANY NON-CONTAMINATED SITE ACTIVITY".

- * WHERE APPLICABLE

PROPOSED SEQUENCE OF CONSTRUCTION

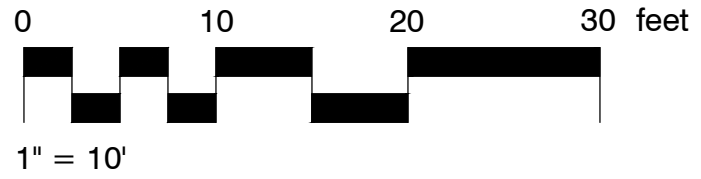
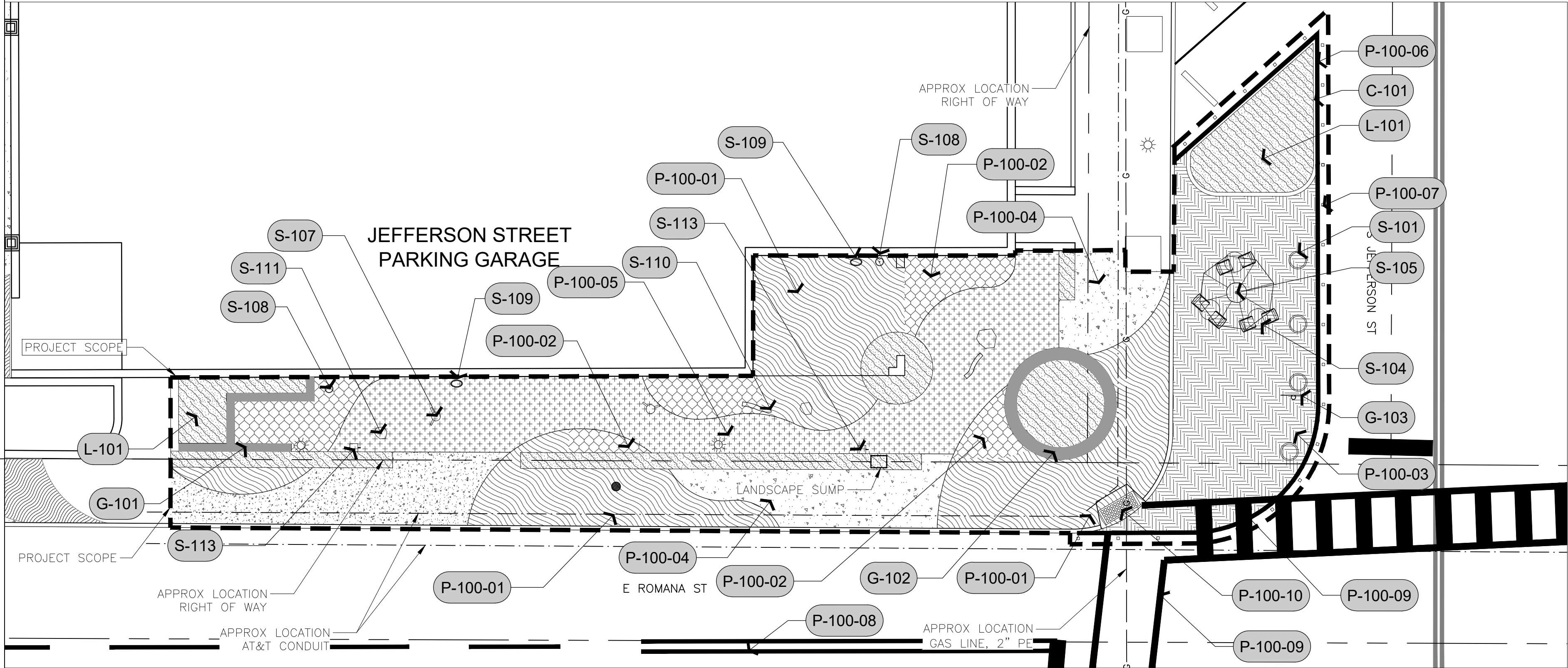
THE CONSTRUCTION SHOULD PROCEED IN THE FOLLOWING MANNER:

1. INSTALLATION OF ALL SEDIMENT AND EROSION CONTROL DEVICES THAT CAN BE PLACED PRIOR TO ANY MAJOR SOIL DISTURBANCES.
2. CLEAR AND REMOVE ALL EXISTING VEGETATION IN THOSE AREAS WHERE NECESSARY. ALL REMAINING VEGETATION TO BE PROPERLY PROTECTED AND TO REMAIN IN ITS NATURAL STATE. TOPSOIL IN AREAS TO BE DISTURBED TO BE STRIPPED TO A MINIMUM DEPTH OF SIX (6) INCHES AND STOCKPILED SEPERATELY FROM OTHER EXCAVATED SOIL(S)
3. IMMEDIATE INSTALLATION OF ALL REMAINING SEDIMENT AND EROSION CONTROL DEVICES.
4. INITIATE CONSTRUCTION.
5. UPON COMPLETION OF CONSTRUCTION ACTIVITIES, PROVIDE RESTORATION, FINE GRADE REMAINDER OF SITE, RESPREAD STOCKPILED TOPSOIL AND STABILIZE WITH PERMANENT VEGETATIVE COVER AND LANDSCAPING.
6. REMOVAL OF APPROPRIATE TEMPORARY SEDIMENT AND EROSION CONTROL DEVICES.



NOTE: ALL SITE FURNITURE AND AMENITIES EXACT LOCATION TO BE FIELD LAID OUT BY LANDSCAPE ARCHITECTS AND CONTRACTOR.

GROUND PLAN HARDSCAPE PLAN



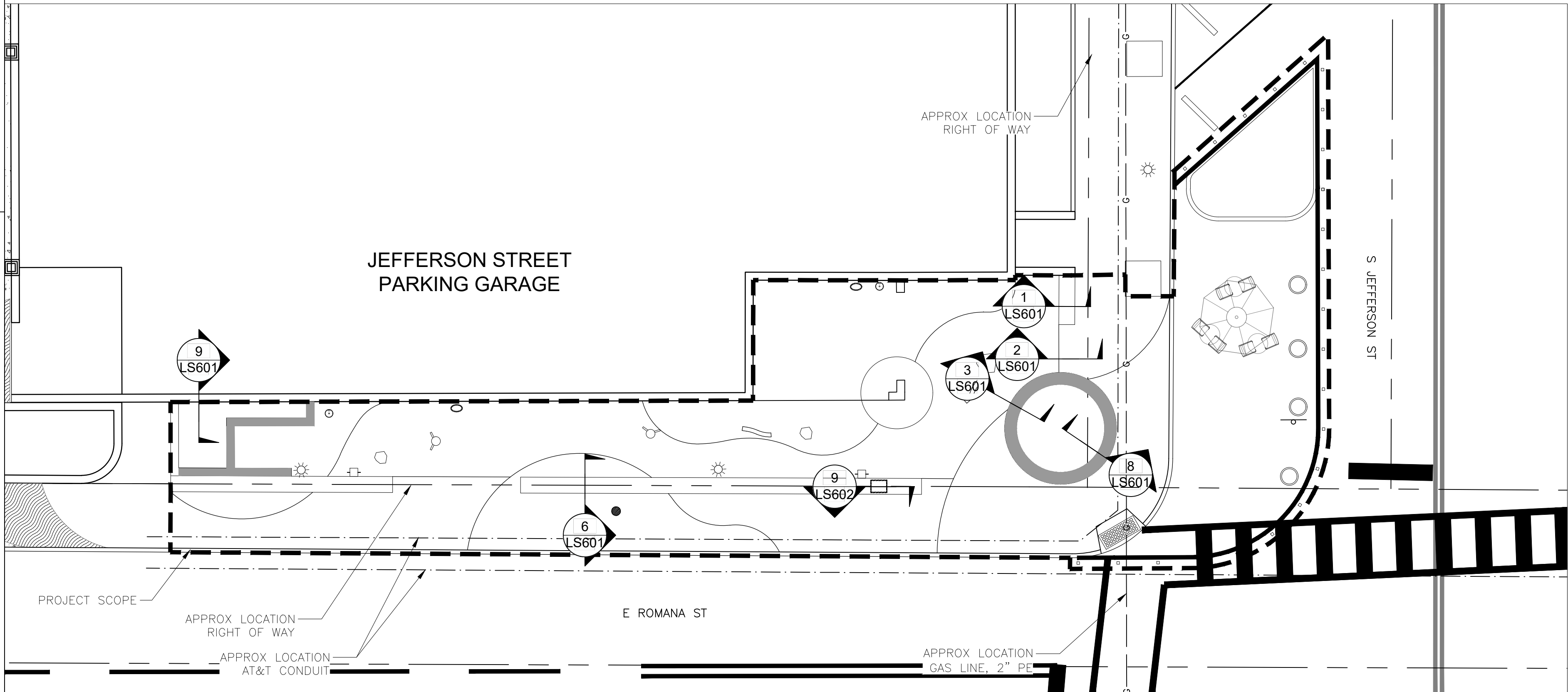
REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAIL
C-101	TYPE F CURB	57 lf	2/LS602
G-101	PROPOSED CONCRETE 12"D PLANTER WALL	33 lf	7/LS601
G-102	PROPOSED CONCRETE 18"D SEAT WALL	39 lf	7/LS601
G-103	EXISTING STOP SIGN SHALL REMAIN IN PLACE		
L-101	PROPOSED PLANTING BED	571 sf	
P-100-01	PROPOSED PEDESTRIAN PAINT ON EXISTING CONCRETE SIDEWALK - STREETBOND 120 BY GAE TERRA COTTA	977 sf	
P-100-02	PROPOSED PEDESTRIAN PAINT ON NEW CONCRETE SIDEWALK - STREETBOND 120 BY GAE TERRA COTTA	305 sf	4/LS601
P-100-03	PROPOSED PEDESTRIAN PAINT ON EXISTING ASPHALT - STREETBOND 120 BY GAF TERRA COTTA	757 sf	
P-100-04	EXISTING CONCRETE SIDEWALK TO REMAIN	587 sf	
P-100-05	ARTIFICIAL TURF - FOREVERLAWN K9GRASS	739 sf	1/LS601
P-100-06	6" WHITE THERMOPLASTIC STRIPING		
P-100-07	RAISED PAVEMENT MARKERS		
P-100-08	EXISTING ROAD STRIPING TO REMAIN		
P-100-09	EXISTING THERMOPLASTIC CROSSWALK TO REMAIN		
P-100-10	24X60 TRUNCATED DOMES TACTILE WARNING SURFACE INSTALLED IN ACCORDANCE WITH CITY OF PENSACOLA ENGINEERING AND MANUFACTURER SPECIFICATIONS.		
S-101	VERADEK BLACK COLOR ROUND PLANTER 27"D X 30"H OR APPROVED EQUAL, WITH SIX(6) REFLECTIVE MARKERS ON EACH PLANTER, SEE DETAIL ON LS601 FOR REFLECTIVE MARKERS LAYOUT	4	10/LS601
S-104	GRAND STEEL PATIO BISTRO SET - ONE FOLDABLE PATIO TABLE AND TWO CHAIRS - YELLOW COLOR, OR APPROVED EQUAL	3	
S-105	GALTECH 9' OCTAGONAL HARDWOOD PATIO MARKET UMBRELLA - LIGHT WOOD W/SUNBRELLA CANVAS NATURAL CANOPY, OR APPROVED EQUAL	1	
S-107	ULTRA SITE DOG FIRE HYDRANT - RED COLOR, OR APPROVED EQUAL	2	
S-108	MOST DEPENDABLE FOUNTAINS - PET DRINKING FOUNTAIN, 350 SMSS , BLUE COLOR, OR APPROVED EQUAL	2	1/LS602
S-109	ULTRA SITE DOG WASTE STATION, PBARK-490, BLUE, OR APPROVED EQUAL, ATTACH TO THE WALL, SEE DETAIL	2	3/LS602
S-110	LOG BALANCE BEAM, OR APPROVED EQUAL	2	
S-111	ROCKS, OR APPROVED EQUAL	2	
S-113	ULTRA SITE DOG LEASH CHECK, PBARK-480, BLUE, OR APPROVED EQUAL	2	11/LS601

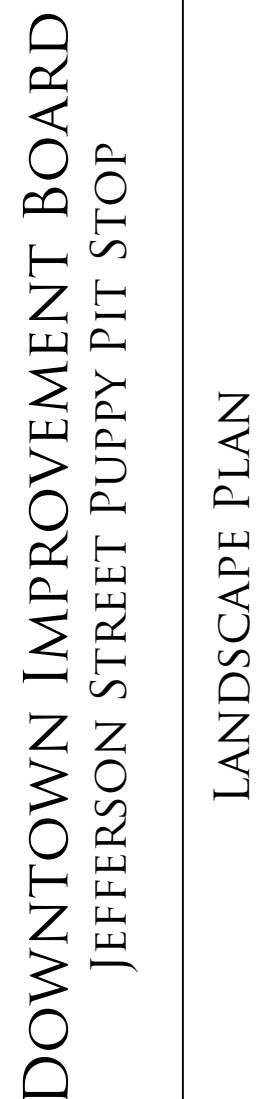
GENERAL NOTES:

- ALL CONSTRUCTION IN THE CITY RIGHT OF WAY SHALL BE IN ACCORDANCE WITH THE CITY OF PENSACOLA CODES AND SPECIFICATIONS.
- EXISTING ROAD & CROSSWALK STRIPING SHALL NOT BE DESTROYED, MOVED OR OTHERWISE ALTERED.
- ALL LANES SHALL BE OPEN FOR TRAFFIC IN THE EVENT OF AN EVACUATION NOTICE.
- CONTRACTOR SHALL FIELD LOCATE GAS LINE AND AT&T CONDUIT AND COORDINATE WITH PENSACOLA ENERGY OR AT&T IF THERE IS A CONFLICT BETWEEN THE PROPOSED CONSTRUCTION AND GAS LINE OR AT&T CONDUIT.
- ALL STRIPING SHALL BE THERMOPLASTIC.
- IMPROVEMENTS IN THE CITY RIGHT OF WAY SHALL BE MAINTAINED BY THE DOWNTOWN IMPROVEMENT BOARD AS LONG AS THE DIB IS TASKED BY THE CITY OF PENSACOLA.
- DETECTABLE WARNINGS SHALL COMPLY WITH LATEST FDOT DESIGN STANDARDS INDEX 522.
- RAISED PAVEMENT MARKERS SHALL COMPLY WITH LATEST FDOT STANDARD PLANS INDEX 706 & INDEX 711.
- ALL RAISED PAVEMENT MARKERS SHALL BE CLASS B DOUBLE SIDED REFLECTIVE & WHITE IN COLOR PER FDOT STANDARD PLANS INDEX 706.
- REFLECTIVE MARKERS:
 - ALL ROUND PLANTERS ON SIDEWALK BUMP-OUT ON JEFFERSON STREET SHALL CONTAIN (6) SIX REFLECTIVE MARKERS ATTACHED TO THE FACE OF THE PLANTERS WITH SCREWS. SEE DETAIL ON LS601.
 - REFLECTIVE MARKERS SHALL HAVE A REFLECTION COLOR OF RED.

AWNING & HARDSCAPE DETAIL CALL OUT



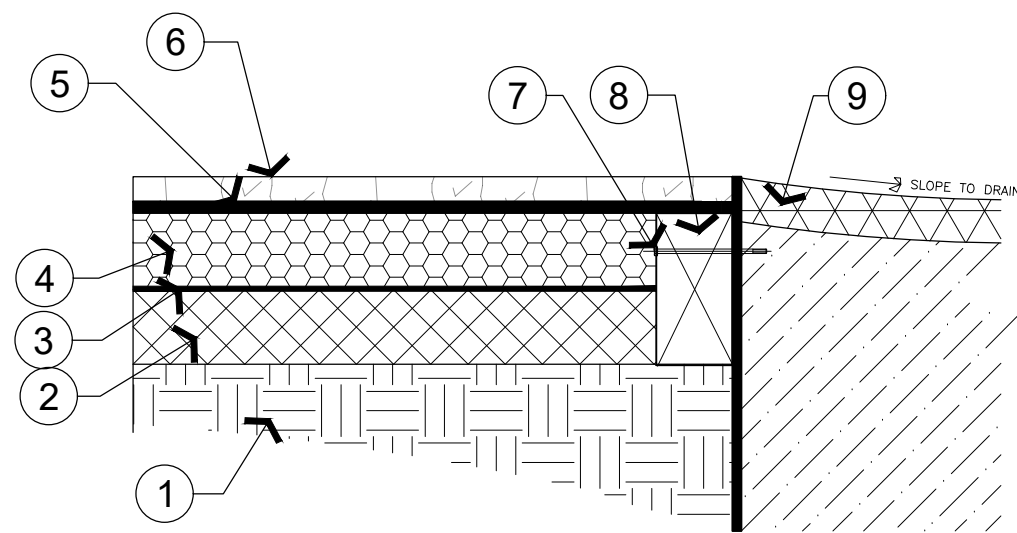
REV. #	DATE
PROJECT NUMBER:	19016
DATE:	4.9.2020
SHEET NO.:	



PLANT SCHEDULE PUPPY PIT STOP

- GENERAL NOTES:
1. ALL CONSTRUCTION IN THE CITY RIGHT OF WAY SHALL BE IN ACCORDANCE WITH THE CITY OF PENSACOLA CODES AND SPECIFICATIONS.
 2. EXISTING ROAD & CROSSWALK STRIPING SHALL NOT BE DESTROYED, MOVED OR OTHERWISE ALTERED.
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 4. IMPROVEMENTS IN THE CITY RIGHT OF WAY SHALL BE MAINTAINED BY THE DOWNTOWN IMPROVEMENT BOARD AS LONG AS THE DIB IS TASKED BY THE CITY OF PENSACOLA.
 5. CONTRACTOR SHALL FIELD LOCATE GAS LINE AND AT&T CONDUIT AND COORDINATE WITH PENSACOLA ENERGY OR AT&T IF THERE IS A CONFLICT BETWEEN THE PROPOSED CONSTRUCTION AND GAS LINE OR AT&T CONDUIT.

LS501



NOTE: ALL CONCRETE SHALL BE
3,000 PSI AT 28 DAYS

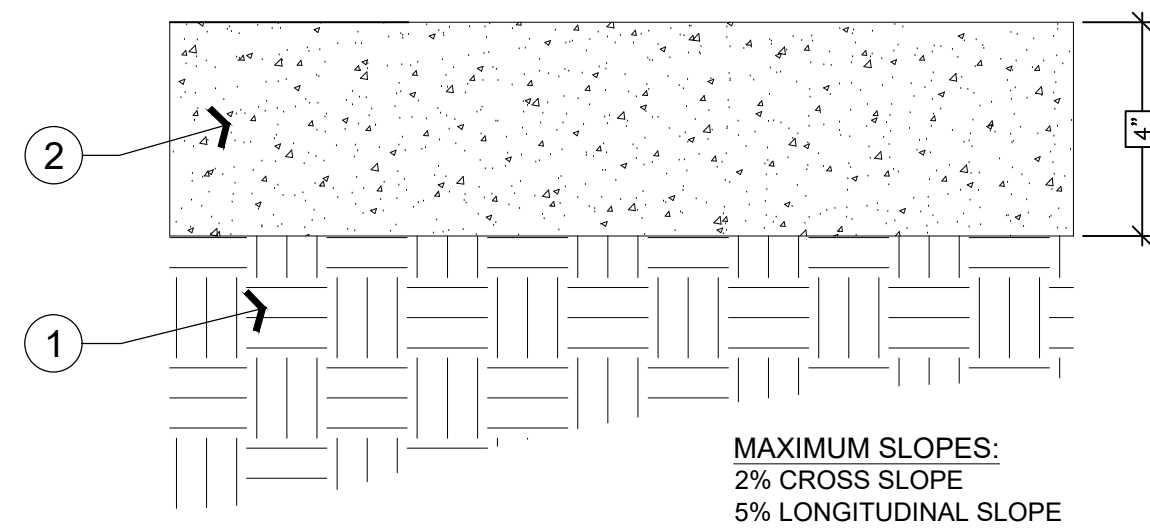


Diagram illustrating a section view of a concrete wall and floor assembly. The wall is shown on the left, and the floor slab is on the right. The wall is labeled "SEE CONCRETE WALL DETAIL". The floor slab is labeled "1/2\" THICK FELT EXPANSION JOINT WITH BREAKAWAY TAB, SEE CAULKED JOINT DETAIL". The floor slab is also labeled "FIN. SLAB AS OCCURS." and "14\" MIN. BELOW NATURAL GRADE.".

The diagram illustrates two types of joints in a concrete paving system. The top section shows a 'SAWCUT CONTROL JOINT' with a vertical sawcut line and a rebar (labeled 'R') passing through it. The bottom section shows an 'EXPANSION JOINT' with a vertical expansion joint line and a rebar (labeled 'R') passing through it. The concrete is shown in cross-section with aggregate and a subgrade. Labels include 'TYPICAL 1/4" TOOLED RADIUS-EDGE', 'CONCRETE PAVING PER LANDSCAPE PLANS', and '3/4" REDWOOD'.

NOTE: ALL NEW CONCRETE WHERE MEETS EXISTING SHALL BE
JOINTED BY EXPANSION JOINT PER LANDSCAPE DETAIL.

MOISTURE BARRIER

SEE INSET TO THE RIGHT

ARTIFICIAL TURF PROFILE

INFILL: PSF SILICA SAND, DEPTH PER
INFILM: MANUFACTURERS RECOMMENDATION

3-4" OF $\frac{1}{4}$ " MINUS COMPACTED
CRUSHED CONCRETE FINES

BACKING SYSTEM W/ PERFORATIONS

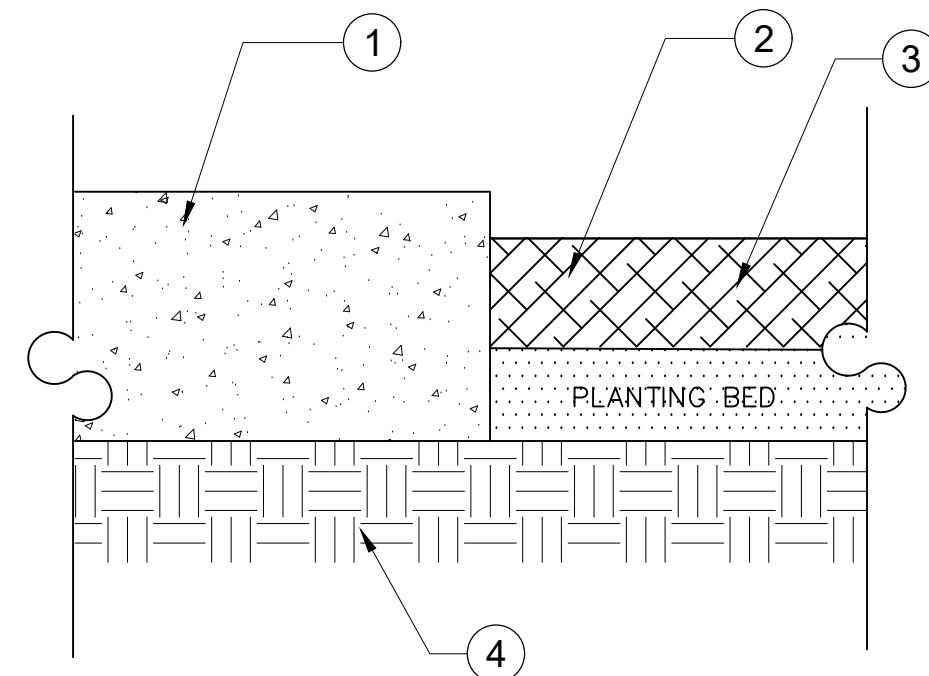
VARIES

SEE CONCRETE WALL DETAIL

LEVEL GRADED 2" 57 STONE

90% COMPACTED SANDY SOIL BASE

- ① CONCRETE FOR PEDESTRIAN AREA
- ② FINISHED GRADE AT LANDSCAPE 1" BELOW CONCRETE
- ③ MULCH
- ④ 95% COMPACTED SUBBASE



PLAN VIEW

120°

120°

1

2

3

ELEVATION

EQUAL

1

2

- 1 OBLONG ADHESIVE BACKED REFLECTORS IN BLUE. ATTACH IT TO THE FACE OF THE PLANTER WITH SCREWS.
- 2 TWO REFLECTIVE MARKERS SPACED EQUALLY VERTICALLY.
- 3 THREE GROUPS OF TWO REFLECTIVE MARKERS SPACED 120° HORIZONTALLY ON THE FACE OF THE ROUND PLANTER

STAINLESS STEEL NAIL 1" (PER MANUFACTURER'S SPECIFICATIONS)

2"x4" MOISTURE RESISTANT WOOD BLOCKING

STAINLESS STEEL TAPCON 3". (12" O.C.)

WALL HEIGHT AS PER PLAN.

VARIES, SEE PLAN

1" CHAMFER NOSES

#4 @ 12" EACH FACE

#4 + HOOK @ 16" EACH FACE

MOISTURE BARRIER

PER HARDSCAPE PLAN

3 #5 CONT.

14" MIN. BELOW NATURAL GRADE.

1'-0" CLR

6"

6"

1'-0"

NOTES:

1. PROVIDE WALL CONTROL JOINTS PER LAYOUT PLAN. 1" CHAMFER MATCH HORIZONTAL NOS. CHAMFER DIMENSION. LOCATIONS PER SITE LAYOUT PLANS.
2. CONCRETE SHALL BE 3,000 PSI @ 28 DAYS
3. REINFORCING ASTM A615-GR60; ACCORDING TO ACI-315 DETAILING
4. SEE LANDSCAPE PLAN FOR LOCATION AND CONFIGURATION.
5. CONCRETE SHALL BE SEALED WITH THOROCOA 200. COLOR. CONTRACTOR SHALL PROVIDE MOCK UP FOR APPROVAL. BY LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION.

Recommended surface mount
hardware: 3/8" x 3 1/2" Concrete
Expansion Anchor Bolts (NOT
INCLUDED)

5

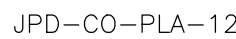


B



1

2

LS602



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00189

Planning Board

5/12/2020

TO: Planning Board Members

FROM: Cynthia Cannon, AICP, Assistant Planning Director

DATE: 5/5/2020

SUBJECT:

Request for Vacation of Right-of-Way - 16th Avenue between Belmont and Wright Streets

BACKGROUND:

The Planning Department received a request from Mr. Kendall Wilder for a Vacation of Right-of-Way for a 10' portion adjacent to 16th Avenue between Belmont and Wright Streets. The purpose is to allow the applicant to divide the lot in order to construct two single-family homes.

This request has been routed through the various City departments and utility providers and their comments are attached for your review.

Department:	Comments:
FIRE	No comments.
PW/E	No objections.
InspSvcs	No comments.
ESP	Pensacola Energy has gas facilities within the west R/W of 16 th Ave between Belmont and Wright St. The gas main does not appear to be in the 10' requested but I would need to have it located out in the field to verify.
ECUA	ECUA has an active water line on the east side of 16 th Ave, which is the other side of the street from the area requested to be vacated. The 10' vacation request does not appear to have an impact on ECUA's accessibility to operate and maintain that water line. Therefore, ECUA has no comments or objections to the right-of-way vacation request. ECUA will not require an easement over the area as outlined in the petition, should the City decide to vacate it.
GPW	Reviewed plans with the applicant's consultant and all concerns were addressed.
ATT	I reviewed this request and visited the property. AT&T has a telephone pole in the E Belmont ROW and the Guy Wire that supports the pole is in the 16 th Ave ROW. This Guy Wire is at 22' from edge of curb on 16th Ave. It is required to support the pole and poles North of it on 16th Ave. If the City reduces the 23' ROW by 10' the Utilities are left with a 13' ROW that is almost completely populated by a large Oak tree and root system. The pole supports the Gulf Power, Cox Communication. and AT&T Networks. I do not have a solution at this time. It would require a Design and associated cost to the property owner from all three Utilities mentioned above.

Cynthia Cannon

From: Derrik Owens
Sent: Tuesday, March 24, 2020 3:20 PM
To: Cynthia Cannon
Subject: RE:

PW&F has no objection to the subject request. Thanks

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Tuesday, March 24, 2020 1:32 PM
To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>
Subject:

Good Afternoon All,

Please review and comment on the attached request before the Planning Board for a Vacation of ROW application along 16th Avenue between Belmont and Wright Streets. Please provide comments **by close of business on Friday March 27, 2020**.

Thank you!

Cynthia Cannon, AICP

Assistant Planning Director

Visit us at <http://cityofpensacola.com>

222 W Main St.

Pensacola, FL 32502

Office: 850.435-1670

ccannon@cityofpensacola.com



FLORIDA'S FIRST & FUTURE

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Cynthia Cannon

From: Diane Moore
Sent: Tuesday, March 24, 2020 3:32 PM
To: Cynthia Cannon
Subject: RE:

Pensacola Energy has gas facilities within the west R/W of 16th Ave between Belmont and Wright St. The gas main does not appear to be in the 10' requested but I would need to have it located out in the field to verify.

Thanks,
Diane

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

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



For Non-Emergency Citizen Requests, Dial 311 or visit Pensacola311.com

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From: Cynthia Cannon <CCannon@cityofpensacola.com>

Sent: Tuesday, March 24, 2020 1:32 PM

To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>

Subject:

Good Afternoon All,

Please review and comment on the attached request before the Planning Board for a Vacation of ROW application along 16th Avenue between Belmont and Wright Streets. Please provide comments **by close of business on Friday March 27, 2020.**

Cynthia Cannon

From: Mark Norris <markn@rebol-battle.com>
Sent: Monday, March 30, 2020 4:35 PM
To: RS634Y@att.com
Cc: Cynthia Cannon
Subject: [EXTERNAL] FW: [EXTERNAL] FW: 16th Ave Vacation of ROW
Attachments: 16th Ave Vacation of ROW Application.pdf; Guy Wire.JPG; Large Oak.JPG

Hello Rob,

I am working for Mr. Wilder, one of the property owners requesting the vacation of the west 10' of 16th Avenue adjacent to and abutting their property.

If the City of Pensacola grants these property owners request for a vacation of a portion of the right-of-way, the City will require that the vacated portion (10' strip) is also an Easement for Utilities. The guy wire you write about below would fall into this 10' strip and be covered by the City of Pensacola's Easement. As far as I know, this issue has not come-up and the Owners are not expecting for the Utilities to be re-located.

Thank you,

Mark

Mark A. Norris P.S.M.
Rebol-Battle & Associates
Civil Engineers & Surveyors
2301 North 9th Avenue, Suite 300
Pensacola, Florida 32503
Ph: 850 438-0400
Fax: 850 438-0448

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Monday, March 30, 2020 12:46 PM
To: Mark Norris <markn@rebol-battle.com>
Subject: FW: [EXTERNAL] FW: 16th Ave Vacation of ROW

Mark,

See below and let me know if you plan on reaching out to him. I'm currently working from home and primarily doing Zoom meetings as needed.

Thank you!

Cynthia Cannon, AICP
Assistant Planning Director
Visit us at <http://cityofpensacola.com>

222 W Main St.
Pensacola, FL 32502
Office: 850.435-1670
ccannon@cityofpensacola.com



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From: ST PIERRE, ROB A <RS634Y@att.com>
Sent: Monday, March 30, 2020 11:40 AM
To: Cynthia Cannon <CCannon@cityofpensacola.com>
Subject: [EXTERNAL] FW: 16th Ave Vacation of ROW

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

Cynthia,

I am concerned about this Application. Big impact, would be willing to attend a meeting if necessary.

Thanks,

Rob St. Pierre
Manager, OSP Plng & Eng
Technology Operations

AT&T
605 W Garden St. Pensacola, FL 32502
o 850.436.1701 | rs634y@att.com

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From: ST PIERRE, ROB A
Sent: Friday, March 27, 2020 4:09 PM
To: 'AICP Cynthia Cannon (ccannon@cityofpensacola.com)' <ccannon@cityofpensacola.com>
Subject: 16th Ave Vacation of ROW

Cynthia,

I reviewed this request and visited the property. AT&T has a telephone pole in the E Belmont ROW and the Guy Wire that supports the pole is in the 16th Ave ROW.
This Guy Wire is at 22' from edge of curb on 16th Ave. It is required to support the pole and poles North of it on 16th Ave.
If the City reduces the 23' ROW by 10'

the Utilities are left with a 13' ROW that is almost completely populated by a large Oak tree and root system. The pole supports the Gulf Power, Cox Communication and AT&T Networks. I do not have a solution at this time. It would require a Design and associated cost to the property owner from all three Utilities mentioned above. Please contact me with any questions.

Thanks,

Rob St. Pierre
Manager, OSP Plng & Eng
Technology Operations

AT&T
605 W Garden St. Pensacola, FL 32502
o 850.436.1701 | rs634y@att.com

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From: FENNER, KARL L <kf5345@att.com>
Sent: Tuesday, March 24, 2020 2:42 PM
To: ST PIERRE, ROB A <RS634Y@att.com>
Cc: SAUERS, BRAD <bs5403@att.com>
Subject: FW:

Karl Fenner
Area Manager – OSP Plng and Eng
Access Construction & Engineering, AL/NWFL OSPC/E + SER PDT/SOC

AT&T – BellSouth Telecommunications, LLC
605 W Garden St, Pensacola, FL 32502
m 850-393-2318 | o 850.436.1485 | kf5345@att.com

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From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Tuesday, March 24, 2020 1:32 PM
To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay

Cynthia Cannon

From: Andre Calaminus <andre.calaminus@ecua.fl.gov>
Sent: Friday, March 27, 2020 2:23 PM
To: Cynthia Cannon
Subject: RE:

Good afternoon Cynthia,

ECUA has an active water line on the east side of 16th Ave, which is the other side of the street from the area requested to be vacated. The 10' vacation request does not appear to have an impact on ECUA's accessibility to operate and maintain that water line. Therefore, ECUA has no comments or objections to the right-of-way vacation request. ECUA will not require an easement over the area as outlined in the petition, should the City decide to vacate it.

Please let me know if there's anything else you need.

Thanks,

Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |
P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: www.ecua.fl.gov |
Phone: (850) 969-5822 | Fax: (850) 969-6511 |

From: Cynthia Cannon <CCannon@cityofpensacola.com>

Sent: Tuesday, March 24, 2020 1:32 PM

To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>

Subject:

****WARNING: This is an external email --- DO NOT CLICK links or attachments from unknown senders ****

Good Afternoon All,

Please review and comment on the attached request before the Planning Board for a Vacation of ROW application along 16th Avenue between Belmont and Wright Streets. Please provide comments **by close of business on Friday March 27, 2020.**

Thank you!

Cynthia Cannon, AICP
Assistant Planning Director

Cynthia Cannon

From: Simmons, Kellie <Kellie.Simmons@nexteraenergy.com>
Sent: Tuesday, March 24, 2020 3:54 PM
To: Cynthia Cannon
Subject: [EXTERNAL] FW: R/W Vacation
Attachments: 16th Ave Vacation of ROW Application.pdf

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

Cynthia:

Please see comments from engineering supervisor. I am working remotely at this time and all of my maps are not available to me. Please let me know if you have more detail for them.

Thank you,



Gulf Power

Kellie G. Simmons

Sr. Corporate Real Estate Representative

Office – (850) 444-6870

Cell - (850) 549-1134

From: Frizzell, Ryan <Ryan.Frizzell@nexteraenergy.com>
Sent: Tuesday, March 24, 2020 3:26 PM
To: Simmons, Kellie <Kellie.Simmons@nexteraenergy.com>
Cc: Gobert, Harolyn <Harolyn.Gobert@nexteraenergy.com>
Subject: FW: R/W Vacation

Kellie,

Looking at google street view, we have single phase primary that runs along the west side of N 16th Ave between E Belmont St and E Wright St. Without a survey to indicate exact location of our line in reference to the customer's property line, I cannot approve vacating the 10' alley way.

Ryan Frizzell
Engineering Supervisor
Power Delivery

Gulf Power
9220 Pine Forest Rd
Pensacola, FL 32534

850-429-2605 (Office)
850-398-1973 (Mobile)

Ryan.Frizzell@NextEraEnergy.com

VACATION OF ALLEY OR STREET RIGHT OF WAY

Fee: \$2,000.00

Rehearing/Rescheduling Planning \$250.00

Rehearing/Rescheduling City Council: \$500.00

Applicant Information:

Name: Kendall Glen Wilder

Address: 305 N 17th Avenue; Pensacola, FL 32501

Phone: 850-748-4211

Fax:

Email: 2kswilder@att.net

Property Information:

Owner Name: Kendall Glen Wilder

Location/Address: 1517 E. Belmont Street; Pensacola, FL 32501

Legal Description: Please attach a full legal description (from deed or survey)

Purpose of vacation of city right of way/comments:

See Attached

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

Kendall G. Wilder

3/5/2020

Signature of Applicant

Date

(Owner of Property or Official Representative or Owner)

FOR OFFICE USE ONLY

District: _____

Date Received: _____

Case Number: _____

Date Postcards mailed: _____

Planning Board Date: _____

Recommendation: _____

Council Date: _____

Council Action: _____



Purpose of Vacation of City Right of Way

Kendall G. Wilder is requesting the approval of the vacation of a 10 ft portion of 16th Avenue between Belmont and Wright streets correctly zoned R-1AA. The request is to attain the highest and best use of the property and to preserve and increase the property values in this area of East Hill. If granted, the additional 10 feet would allow the applicant to construct two single family detached structures instead of one single family detached structure. Approval would not affect traffic flow on 16th Avenue as it already terminates at Wright Street resulting in virtually no thru traffic. Applicant could find no future plans to widen 16th Avenue or Wright Street. The right of way on this segment of 16th Avenue is 70 feet wide with the 24 ft road width centered in the right of way. Homes would face Belmont Street. I would like to see two homes be built that would blend in to this beautiful property of oaks and Spanish moss.

Please find attached:

Escambia County Property Appraisers Parcel Sheet

Warranty Deed

Current Legal Description

Regulations for Medium Density Residential Districts

Approval of Abutting Property Owners



REBOL-BATTLE & ASSOCIATES

Civil Engineers and Surveyors
2301 N. North Avenue, Suite 300
Pensacola, Florida 32503
Telephone 850.438.0450 Fax 850.438.0448
EB 00009697 LB 7916

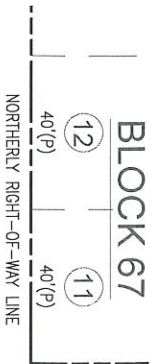
DESCRIPTION & SKETCH

PREPARED FOR: MS. CAROL RUBEN

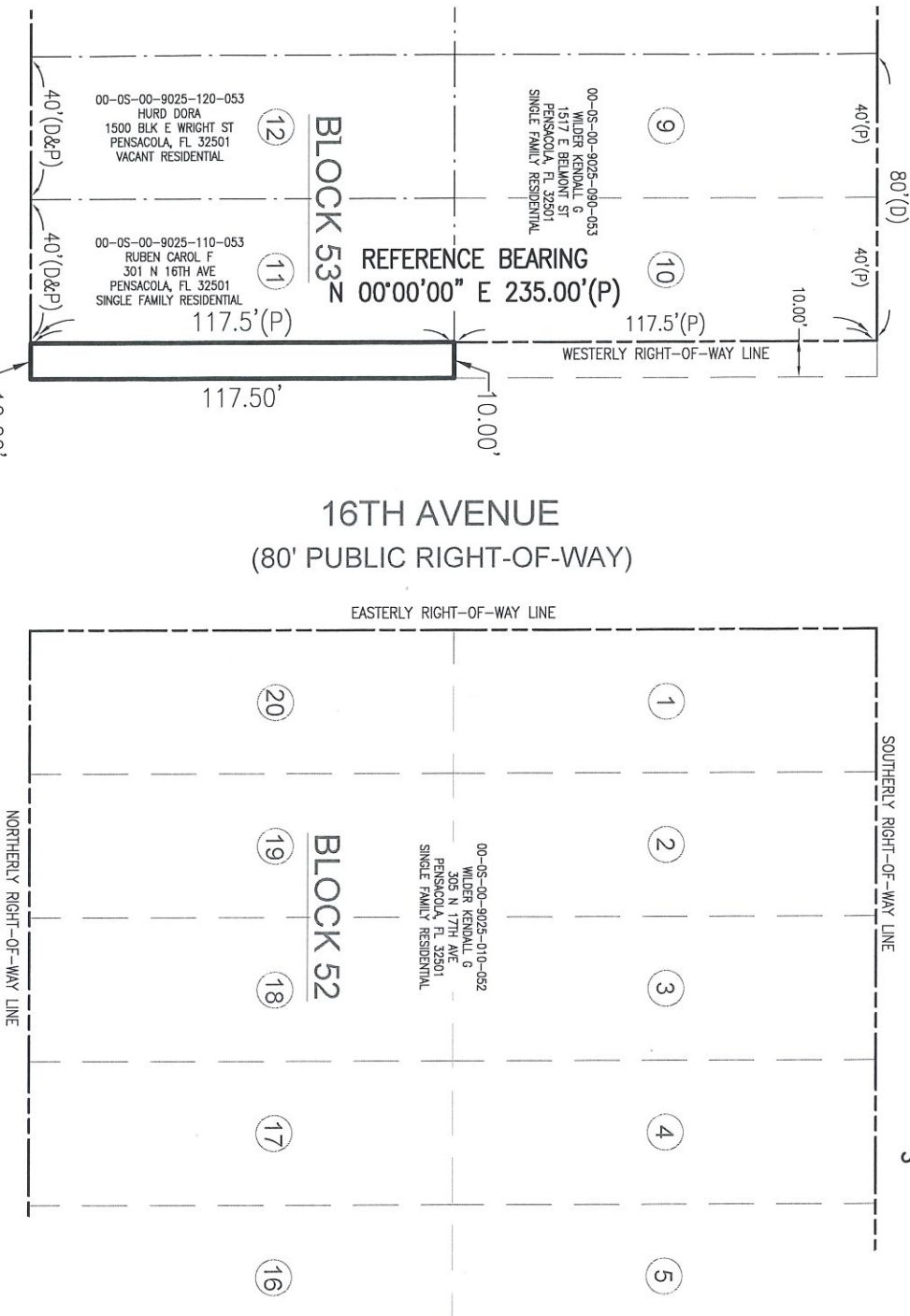
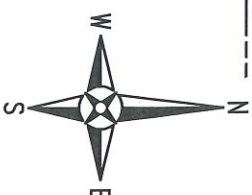
REQUESTED BY: MR. KENDALL WILDER

RUBEN PARCEL

PROJECT:	2020.051
FIELD SURVEY DATE:	N/A
SECTION:	8
TOWNSHIP:	2 SOUTH
RANGE:	30 WEST
COUNTY:	ESCAMBIA



BELMONT STREET
(70' PUBLIC RIGHT-OF-WAY)



DESCRIPTION: (as prepared by REBOL-BATTLE & ASSOCIATES)

A PORTION OF THE WESTERLY RIGHT-OF-WAY OF 16TH AVENUE BETWEEN BELMONT AND WRIGHT STREET DESCRIBED AS FOLLOWS:
THE WESTERLY 10.0 FEET 16TH AVENUE (80' R/W) ABUTTING LOT 11, BLOCK 53, OF THE NEW CITY TRACT, ACCORDING TO THE MAP OF THE CITY OF PENSACOLA COPYRIGHTED BY THOMAS C. WATSON IN 1906.

GENERAL NOTES:

- NORTH AND THE SURVEY DATUM SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF 16TH AVENUE (80' PUBLIC R/W). COPY OF MAP OF PENSACOLA FLORIDA, PUBLISHED BY THOMAS C. WATSON & CO., COPYRIGHTED IN 1906 AS RECORDED IN DEED BOOK 126, AT PAGE 400 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, AND DEEDS OF RECORD.
- IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBIA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 12033C0390, NO PANEL WAS PRINTED.
- THE SKETCH SHOWN HEREON WAS PREPARED FOR DESCRIPTIVE PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A FIELD SURVEY, AN ACCURATE FIELD SURVEY OF THE PARCEL(S) DESCRIBED HEREON MAY RESULT IN VARIATIONS IN BEARINGS AND/OR DISTANCES.
- THE SKETCH SHOWN HEREON IS SUBJECT TO DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
- THE SKETCH SHOWN HEREON IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
- MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN DECIMAL OF FEET.
- THIS DESCRIPTION AND SKETCH DOES NOT REFLECT, DETERMINE NOR GUARANTEE OWNERSHIP.

LEGEND:

- (1) DENOTES PLATTED LOT NUMBER
- (D) DENOTES DEED INFORMATION
- (P) DENOTES PLAT INFORMATION
- N/A DENOTES NOT APPLICABLE

ADDRESS: 301 NORTH 16TH AVENUE, PENSACOLA, FLORIDA 32501

REVISIONS	
NO.	DESCRIPTION

I HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 51-17.050, 51-17.051 AND 51-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK A. NORRIS
FLORIDA REGISTRATION NO. 62113
3/23/2020

CHECKED BY: MAN	SCALE: 1" = 50'
F.B. N/A Pg N/A	DRAWN BY: AC
SHEET: 1 OF 1	



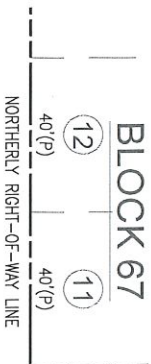
REBOL-BATTLE & ASSOCIATES

Civil Engineers and Surveyors
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Pensacola, Florida 32503
Telephone 850.438.0400 Fax 850.438.0448
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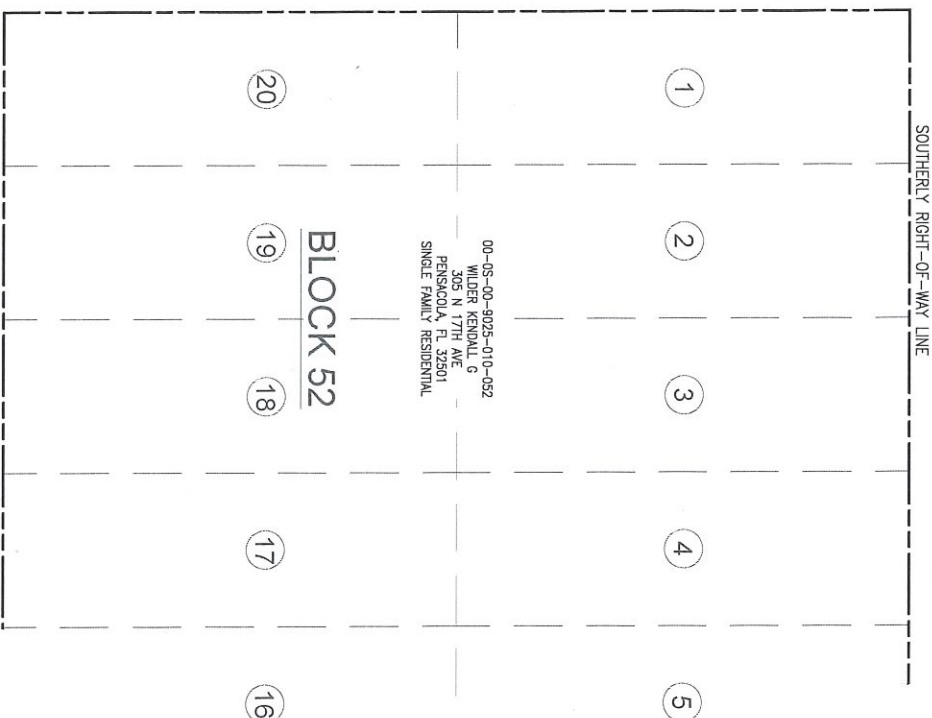
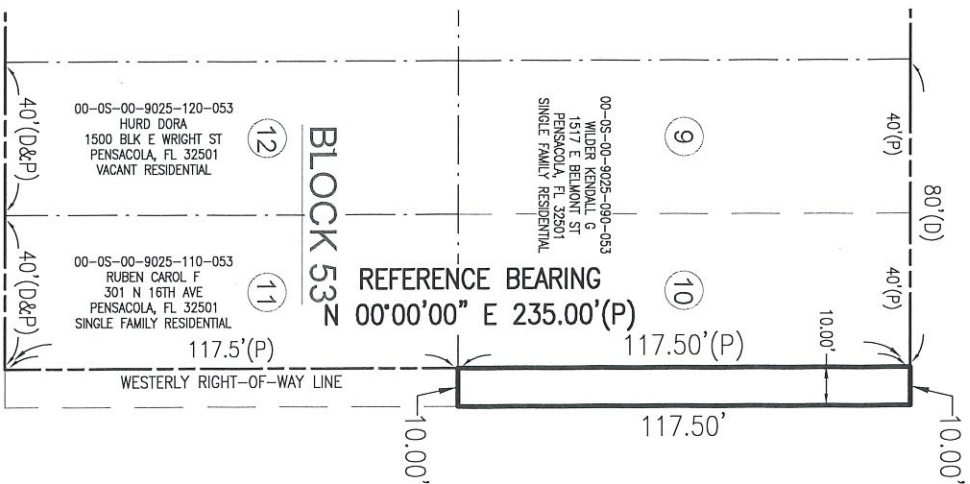
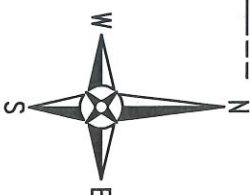
DESCRIPTION & SKETCH

PREPARED FOR: MR. KENDALL WILDER
REQUESTED BY: MR. KENDALL WILDER
WILDER PARCEL

PROJECT:	2020.051
FIELD SURVEY DATE:	N/A
SECTION:	8
TOWNSHIP:	2 SOUTH
RANGE:	30 WEST
COUNTY:	ESCAMBIA



BELMONT STREET
(70' PUBLIC RIGHT-OF-WAY)



WRIGHT STREET (100' PUBLIC RIGHT-OF-WAY)
(EXISTING RAILROAD)



DESCRIPTION: (AS PREPARED BY REBOL-BATTLE & ASSOCIATES)

A PORTION OF THE WESTERLY RIGHT-OF-WAY OF 16TH AVENUE BETWEEN BELMONT AND WRIGHT STREET DESCRIBED AS FOLLOWS:
THE WESTERLY 10.0 FEET OF 16TH AVENUE (80' R/W) ABUTTING LOT 10, BLOCK 53, OF THE NEW CITY TRACT, ACCORDING TO THE MAP OF THE CITY OF PENSACOLA COPYRIGHTED BY THOMAS C. WATSON IN 1906.

GENERAL NOTES:

- NORTH AND THE SURVEY DATUM SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WESTERLY RIGHT-OF-WAY(R/W) LINE OF 16TH AVENUE(80' PUBLIC R/W); COPY OF MAP OF PENSACOLA FLORIDA, PUBLISHED BY THOMAS C. WATSON & CO., COPYRIGHTED IN 1906 AS RECORDED IN DEED BOOK 126, AT PAGE 400 OF THE PUBLIC RECORDS OF ESCAMBA, COUNTY, FLORIDA; AND DEEDS OF RECORD.
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- THE SKETCH SHOWN HEREON IS SUBJECT TO DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
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LEGEND:

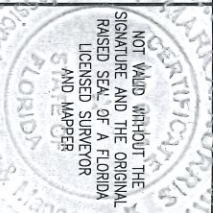
- (1) DENOTES PLATTED LOT NUMBER
- (D) DENOTES DEED INFORMATION
- (P) DENOTES PLAT INFORMATION
- N/A DENOTES NOT APPLICABLE

ADDRESS: 1517 E BELMONT STREET, PENSACOLA, FLORIDA 32501

NO.	BY	DESCRIPTION	DATE

I HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER SJ-17.050, SJ-17.051 AND SJ-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK A. NORRIS
3/23/2020



CHECKED BY:	MAN
SCALE:	1" = 50'
DATE:	3/23/2020
DRAWN BY:	AC
SHEET:	1 OF 1

Legal Description

Lots 9 and 10 Block 53, New City Tract, City of Pensacola, Escambia County, Florida, according to the map of the City of Pensacola copyrighted by Thomas C. Watson in 1906.

General Information Reference: 000S009025090053 Account: 140296500 Owners: WILDER KENDALL G Mail: 305 N 17TH AVE PENSACOLA, FL 32501 Situs: 1517 E BELMONT ST 32501 Use Code: SINGLE FAMILY RESID Taxing Authority: PENSACOLA CITY LIMITS Tax Inquiry: Open Tax Inquiry Window Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector	Assessments <table border="1"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2019</td> <td>\$135,783</td> <td>\$43,576</td> <td>\$179,359</td> <td>\$153,587</td> </tr> <tr> <td>2018</td> <td>\$135,783</td> <td>\$40,483</td> <td>\$176,266</td> <td>\$139,625</td> </tr> <tr> <td>2017</td> <td>\$134,664</td> <td>\$37,512</td> <td>\$172,176</td> <td>\$126,932</td> </tr> </tbody> </table> <p align="center"><u>Disclaimer</u></p> <p align="center"><u>Tax Estimator</u></p> <p align="center">> <u>File for New Homestead Exemption Online</u></p>	Year	Land	Imprv	Total	Cap Val	2019	\$135,783	\$43,576	\$179,359	\$153,587	2018	\$135,783	\$40,483	\$176,266	\$139,625	2017	\$134,664	\$37,512	\$172,176	\$126,932										
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Sale Date	Book	Page	Value	Type	Official Records (New Window)																										
03/1992	3145	218	\$41,900	WD	View Instr																										
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11/1987	2481	753	\$43,000	WD	View Instr																										
11/1979	1391	475	\$24,000	WD	View Instr																										
Parcel Information Section Map Id: CA042 Approx. Acreage: 0.2179 Zoned: R-1AA Evacuation & Flood Information Open Report	<p align="right">Launch Interactive Map</p> <p align="center">View Florida Department of Environmental Protection(DEP) Data</p>																														

Buildings	
Address: 1517 E BELMONT ST, Year Built: 1953, Effective Year: 1975	
Structural Elements	
DECOR/MILLWORK-AVERAGE DWELLING UNITS-1 EXTERIOR WALL-ASBESTOS SIDING FLOOR COVER-PINE/SOFTWOOD FOUNDATION-WOOD/NO SUB FLR HEAT/AIR-CENTRAL H/AC INTERIOR WALL-DRYWALL-PLASTER NO. PLUMBING FIXTURES-3 NO. STORIES-1 ROOF COVER-COMPOSITION SHG ROOF FRAMING-GABLE STORY HEIGHT-0 STRUCTURAL FRAME-WOOD FRAME	
Areas - 1172 Total SF BASE AREA - 948 SCRN PORCH UNF - 224	
Images	

8/31/16

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Reference: 000S009025090053

Account: 140296500

Situs: 1517 E BELMONT ST

Complex: NEW CITY TRACT

Owner: WILDER KENDALL G

Last Sale: 3/1992 \$41,900

Property Use: SINGLE FAMILY RESID

Approx. Acreage: 0.2179 ac

Zoned: R-1AA

Bldg. Count: 1

Act Yr Blt: 1953

Eff Yr Blt: 1975

Bld Cat: 3

Total Htd Area: 948 sf

Working Values:

Lnd - \$135,783

Imp - \$42,975

Tot - \$178,758

Certified Exemptions:

NONE

UseCd	Uts	UTp	UPrc	Cond	SzFctr	AdjVal	Note
1	9,400.0000	S	13.5000	1.0000	1.0700	135,783	

5+1
251.40
257.40

This Warranty Deed

DA 300 3145 PG 218

Made this 12th day of March A.D. 19 92
by Angela Frances Thigpen, f/k/a/ Angela Thigpen Harding,
an unmarried woman

hereinafter called the grantor, to
KENDALL G. WILDER

whose post office address is: **305 North 17th Avenue
Pensacola, FL 32501**

Grantees' SSN:
hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$ **251.40**
and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises,
releases, conveys and confirms unto the grantee, all that certain land situate in **Escambia**
County, Florida, viz:

**Lots 9 and 10, Block 53, NEW CITY TRACT, City of Pensacola,
Escambia County, Florida, according to the map of the City of
Pensacola copyrighted by Thomas C. Watson in 1906.**

**SUBJECT TO covenants, restrictions, easements of record and taxes
for the current year.**

This Deed is an absolute conveyance of title in effect as well as in form and is
not intended as a mortgage, trust conveyance or security of any kind. The consideration
therefore is full release of all debts, obligations, costs and charges heretofore
subsisting on account of and by the terms of that certain Mortgage recorded in
O. R. Book 2481, Page 754 between the aforementioned parties: This Conveyance
completely satisfying said obligation and terminating said Mortgage and all effect
thereof in every respect.

Parcel Identification Number: ...00-05-00-9025-090-053.....

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple;
that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants
the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is
free of all encumbrances except taxes accruing subsequent to December 31, 19 91

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above
written.

Signed, sealed and delivered in our presence:

Sara Matthews
Name: Sara Matthews

Angela Frances Thigpen LS
Name & Address: Angela Frances Thigpen

Marianne Mason
Name: Marianne Mason

LS
Name & Address:

D.S. PD 5 251.40
DATE 3/25/92

LS
Name & Address:

A. FLOWERS, COMPTROLLER
Name: A. FLOWERS, COMPTROLLER

LS
Name & Address:

BY: [Signature]
CERT. REG. [Signature]

LS
Name & Address:

State of
County of

The foregoing instrument was acknowledged before me this 16th day of
by Angela Frances Thigpen f/k/a Angela Thigpen Harding

March , 1992

who is personally known to me or who has produced
and who did not take an oath.

Drivers Licenses

as identification

PREPARED BY: Rhonda H. Sewell
RECORD & RETURN TO:
Lawyers Title Agency of North Florida, Inc.
55 South Baylen Street
Pensacola, Florida 32501
File No: 3A-39875

Marianne Mason
Print Name: Marianne Mason
Notary Public
My Commission Expires: 4-93

March 5, 2020

Petition form signed by all property owners ABUTTING the portion of right of way to be vacated.

Neighbors in agreement with Vacation of Right of Way at 1500 Block E. Belmont Street

Kendall G. Wilder is seeking possession of 10' of the Right of Way on the South West corner of 16th avenue and E. Belmont Street.

Name	Address	Signature	Phone
Carol Wilber	1462 Central Hwy Gulf Breeze, FL 32563	Carol Wilber	850-698-0766
	301 N. 16 th Avenue Pensacola, FL 32501		

- (a) Residential design manufactured homes when proposed in the R-1AA zoning district subject to regulations in 62.
- (b) Bed and breakfast subject to regulations in section 12-2-55.
- (c) Childcare facilities subject to regulations in section 12-2-58.
- (d) Accessory office units subject to regulations in section 12-2-51.
- (D) *Development permitted.*
 - (a) Conventional subdivision subject to regulations in section 12-2-76.
 - (b) Special planned development subject to regulations in section 12-2-77.
- (E) *Regulations for development within the medium density residential land use district.* Table 12-2.2 and 12-2.3 describes requirements for the one-and two-family residential zoning districts.

TABLE 12-2.2
REGULATIONS FOR THE MEDIUM DENSITY RESIDENTIAL ZONING DISTRICTS

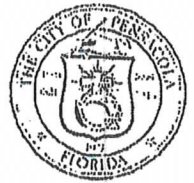
Standards	R-1AA			R-1A		
	Single Family Detached	Two- Family Attached (Duplex)	**Single Family Attached (Townhouses)	Single Family Detached	Two- Family Attached (Duplex)	**Single Family Attached (Townhouses)
Maximum Residential Gross Density	8.7 units per acre	11.6 units per acre	11.6 units per acre	12.4 units per acre	17.4 units per acre	17.4 units per acre
Minimum Lot Area	5,000 s.f.	7,500 s.f.	3,750 s.f.	3,500 s.f.	5,000 s.f.	2,500 s.f.
Lot Width at Minimum Building Setback Line	40 feet	60 feet	30 feet	30 feet	50 feet	25 feet
Minimum Lot Width at Street R-O-W Line	40 feet	50 feet	25 feet	30 feet	50 feet	25 feet
Minimum Yard Requirements *Front Yard Side Yard Rear Yard	(Minimum Building Setbacks) 30 feet 6 feet 30 feet			(Minimum Building Setbacks) 20 feet 5 feet 25 feet		
Off-Street Parking	1 space/unit		2 sp./unit	1 space/unit		2 sp./unit

Maximum Building Height	35 feet (Except as provided in <u>Sec. 12-2-39</u>)	35 feet (Except as provided in <u>Sec. 12-2-39</u>)
* The front yard depths in the R-1AA and R-1A districts shall not be less than the average depths of all front and street side yards located on either side of the block face, up to the minimum yard requirement; in case there are no other dwellings in the block, the front yard depths shall be no less than the footages noted.		
** Each single-family attached dwelling unit must be located on its own lot. If a development requires subdivision procedures it shall be subject to and must comply with subdivision regulations as set forth in Chapter 12-8.		
*** All future residential development on parcels changed to a Medium Density Residential (MDR) zoning district via the passage of Ord. No. 23-16, effective on August 18, 2016, shall be considered legal non-conforming and may utilize the R-1A zoning district standards applicable to lot width, lot area and setbacks.		

TABLE 12-2.3

Standards	R-1B		
	Single Family Detached	Two-Family Attached (Duplex)	**Single Family Attached (Townhouses)
Maximum Residential Gross Density	8.7 units per acre	11.6 units per acre	17.4 units per acre
Minimum Yard Requirements *Front Yard Side Yard Rear Yard	(Minimum Building Setbacks) 10 feet 5 feet 10 feet		
Off-Street Parking	1 space/unit		
Maximum Building Height	45 feet (Except as provided in <u>Sec. 12-2-39</u>)		

VACATION OF ALLEY OR STREET RIGHT OF WAY



Fee: \$2,000.00

Rehearing/Rescheduling Planning Board: \$250.00

Rehearing/Rescheduling City Council: \$500.00

Applicant Information:

Name: _____

Carol J. Ruben

Address: _____

1462 Central Parkway, Gulf Breeze, FL 32563

Phone: _____

850-698-0266

Fax: _____

Email: _____

Carol@innisfreehotels.com

Property Information:

Owner Name: _____

Carol J. Ruben

Location/Address: _____

301 N. 16th Avenue, Pensacola, FL 32501

Legal Description: Please attach a full legal description (from deed or survey)

Purpose of vacation of city right of way/comments:

to increase the property line

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

Signature of Applicant

(Owner of Property or Official Representative of Owner)

Date

3/6/2020

FOR OFFICE USE ONLY

District: _____

Date Received: _____

Case Number: _____

Date Postcards mailed: _____

Planning Board Date: _____

Recommendation: _____

Council Date: _____

Council Action: _____

CAROL RUBEN
1462 Central Parkway
Gulf Breeze, FL 32563

March 6, 2020

Re: 301 North 16th Avenue
Pensacola, Florida 32501
Account #140297000
Ref: #000S009025110053
Legal Description:
LT 11 BLK 53 NEW CITY TRACT OR 6322 P
1353 OR 8143 P 1492 CA 42

TO WHOM IT MAY CONCERN:

I, Carol Ruben, am the owner of the above referenced property. I would like to join Mr. Ken Wilder in his application in asking the City of Pensacola to vacating 10 ft of the easement along 16th Avenue and my property line.

Thank you in advance for your consideration and approval of the above.

Respectfully,



Carol Ruben

Recorded in Public Records 05/02/2008 at 04:37 PM OR Book 6322 Page 1353,
Instrument #2008033986, Ernie Lee Magaha Clerk of the Circuit Court Escambia
County, FL Recording \$10.00 Deed Stamps \$350.00

Prepared by and return to:
Stephens Law Firm, P.A.
4507 Furling Lane, Suite 210
Destin, FL 32541
850-837-7135
File Number: 2008-11

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 24th day of April, 2008 between Lisa R. Dempsey, a single woman, whose post office address is 301 N 16th Avenue, Pensacola, Florida 32501, grantor, and Carol F. Ruben and Robert M. Ruben, wife and husband whose post office address is 1462 Central Pkwy, Gulf Breeze, FL 32563, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Escambia County, Florida to-wit:

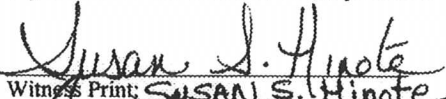
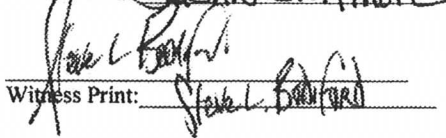
Lot 11, Block 53, of the New City Tract, according to Watson's Map in 1906 according to the Map of City of Pensacola, County of Escambia, Florida.

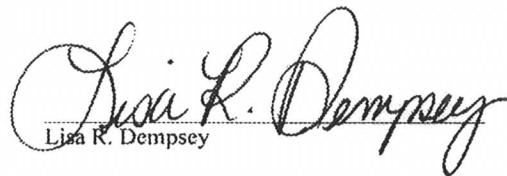
Parcel Identification Number: 000S009025110053

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

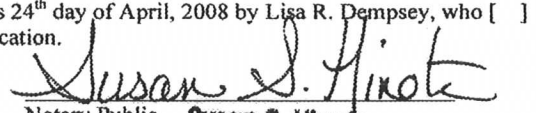
Signed, sealed and delivered in our presence:


Witness Print: SUSAN S. HINOJE

Witness Print: Jack L. Balford


Lisa R. Dempsey

State of Florida
County of Escambia

The foregoing instrument was sworn to and subscribed before me this 24th day of April, 2008 by Lisa R. Dempsey, who [] is personally known or [] has produced a driver's license as identification.


Notary Public **Susan S. Hinoje**
Notary Public
State of Florida
Commission No. DD320722
Expires June 21, 2008 DoubleTime®

BUREAU of VITAL STATISTICS

CERTIFICATION OF DEATH

STATE FILE NUMBER: 2019111164

DATE ISSUED: JULY 16, 2019

DECEDENT INFORMATION

DATE FILED: JULY 16, 2019

NAME: ROBERT M RUBEN

DATE OF DEATH: JULY 6, 2019

SEX: MALE

AGE: 075 YEARS

DATE OF BIRTH: OCTOBER 3, 1943

SSN: ***-**-6322

BIRTHPLACE: PENSACOLA, FLORIDA, UNITED STATES

PLACE WHERE DEATH OCCURRED: DECEDENT'S HOME

FACILITY NAME OR STREET ADDRESS: 1462 CENTRAL PARKWAY

LOCATION OF DEATH: GULF BREEZE, SANTA ROSA COUNTY, 32563

RESIDENCE: 1462 CENTRAL PARKWAY, GULF BREEZE, FLORIDA 32563, UNITED STATES

COUNTY: SANTA ROSA

OCCUPATION, INDUSTRY: SALESMAN, REAL ESTATE

EDUCATION: ASSOCIATE DEGREE

EVER IN U.S. ARMED FORCES? YES

HISPANIC OR HAITIAN ORIGIN? NO, NOT OF HISPANIC/HAITIAN ORIGIN

RACE: WHITE

SURVIVING S

(NAME PRIOR TO

MARITAL ST

SURVIVING S

FATHER'S/P

MOTHER'S/P

INFORMANT

INFORMANT'S

RELATIONSH

INFORMANT'S

FUNERAL DIR

FUNERAL FAC

METHOD OF D

PLACE OF DIS

CERTIFIER IN

TYPE OF CERT

TIME OF DEAT

CERTIFIER'S N

CERTIFIER'S L

NAME OF ATTENDING PHYSICIAN (IF OTHER THAN CERTIFIER):

NOT ENTERED

IN INFORMATION

32563, UNITED STATES

CASE NUMBER: NOT APPLICABLE

JULY 15, 2019

The first five digits of the decedent's Social Security Number has been redacted pursuant to §119.071(5), Florida Statutes.

Kim Jones

, STATE REGISTRAR

REQ: 2020652877

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE.

WARNING:

THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH WATERMARKS OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARKS. THE DOCUMENT FACE CONTAINS A MULTICOLORED BACKGROUND, GOLD EMBOSSED SEAL, AND THERMOCHROMIC FL. THE BACK CONTAINS SPECIAL LINES WITH TEXT. THE DOCUMENT WILL NOT PRODUCE A COLOR COPY.



* 3 9 1 8 8 8 3 7 *

DH FORM 1946 (03-13)

CERTIFICATION OF VITAL RECORD



VOID IF ALTERED OR ERASED

77

BUREAU of VITAL STATISTICS

CERTIFICATION OF DEATH

STATE FILE NUMBER: 2019111164

DATE ISSUED: JULY 16, 2019

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SSN: ***-**-6322

BIRTHPLACE: PENSACOLA, FLORIDA, UNITED STATES

PLACE WHERE DEATH OCCURRED: DECEDENT'S HOME

FACILITY NAME OR STREET ADDRESS: 1462 CENTRAL PARKWAY

LOCATION OF DEATH: GULF BREEZE, SANTA ROSA COUNTY, 32563

RESIDENCE: 1462 CENTRAL PARKWAY, GULF BREEZE, FLORIDA 32563, UNITED STATES

COUNTY: SANTA ROSA

OCCUPATION, INDUSTRY: SALESMAN, REAL ESTATE

EDUCATION: ASSOCIATE DEGREE

EVER IN U.S. ARMED FORCES? YES

HISPANIC OR HAITIAN ORIGIN? NO, NOT OF HISPANIC/HAITIAN ORIGIN

RACE: WHITE

SURVIVING SPOUSE / PARENT NAME INFORMATION

(NAME PRIOR TO FIRST MARRIAGE, IF APPLICABLE)

MARITAL STATUS: MARRIED

SURVIVING SPOUSE NAME: CAROL DEMPSEY

FATHER'S/PARENT'S NAME: ROBERT DANOR RUBEN

MOTHER'S/PARENT'S NAME: DOROTHY UDELL

INFORMANT, FUNERAL FACILITY AND PLACE OF DISPOSITION INFORMATION

INFORMANT'S NAME: CAROL RUBEN

RELATIONSHIP TO DECEDENT: WIFE

INFORMANT'S ADDRESS: 1462 CENTRAL PARKWAY, GULF BREEZE, FLORIDA 32563, UNITED STATES

FUNERAL DIRECTOR/LICENSE NUMBER: BRIAN MORRIS, F077911

FUNERAL FACILITY: HARPER-MORRIS MEMORIAL CHAPEL F040431

2276 AIRPORT BLVD, PENSACOLA, FLORIDA 32504

METHOD OF DISPOSITION: BURIAL

PLACE OF DISPOSITION: BAYVIEW MEMORIAL PARK
PENSACOLA, FLORIDA

CERTIFIER INFORMATION

TYPE OF CERTIFIER: CERTIFYING PHYSICIAN

MEDICAL EXAMINER CASE NUMBER: NOT APPLICABLE

TIME OF DEATH (24 HOUR): 0558

DATE CERTIFIED: JULY 15, 2019

CERTIFIER'S NAME: NICHOLAS DRAKE

CERTIFIER'S LICENSE NUMBER: ME135482

NAME OF ATTENDING PHYSICIAN (IF OTHER THAN CERTIFIER): NOT ENTERED

The first five digits of the decedent's Social Security Number has been redacted pursuant to §119.071(5), Florida Statutes.



, STATE REGISTRAR

REQ: 2020652877

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE.

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* 3 9 1 8 8 8 3 7 *

DH FORM 1946 (03-13)

CERTIFICATION OF VITAL RECORD

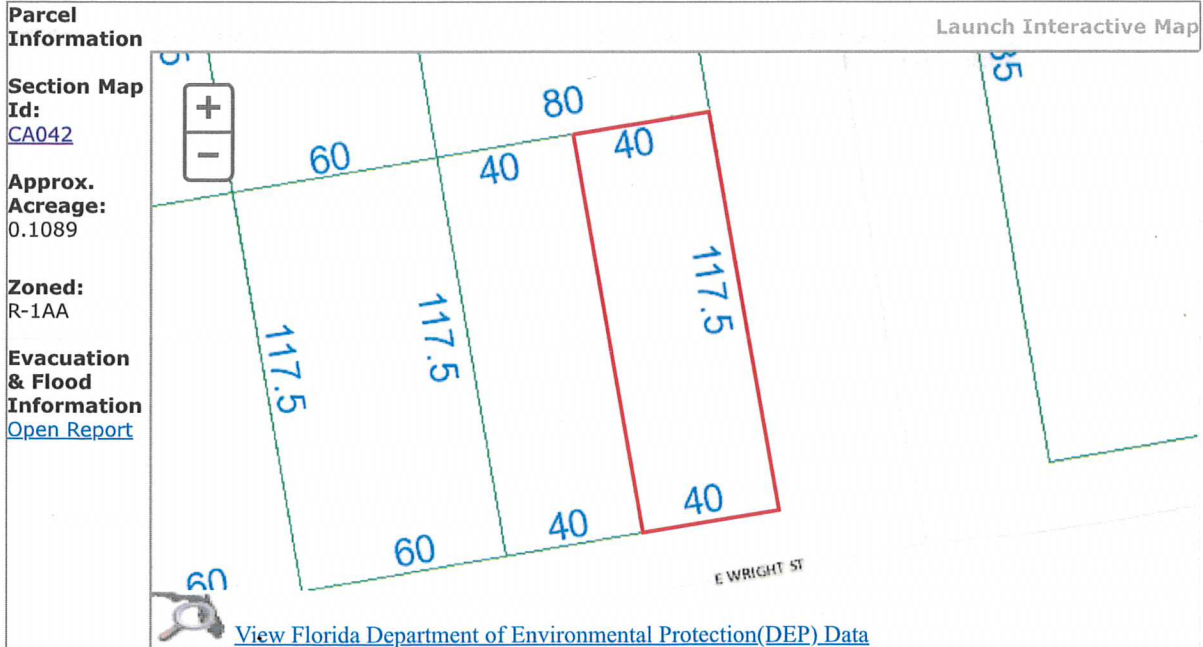


Source: Escambia County Property Appraiser

[Restore Full Version](#)

General Information		Assessments				
Reference:	000S009025110053	Year	Land	Imprv	Total	<u>Cap Val</u>
Account:	140297000	2019	\$15,510	\$60,937	\$76,447	\$76,447
Owners:	RUBEN CAROL F	2018	\$15,510	\$57,274	\$72,784	\$72,784
Mail:	1462 CENTRAL PKWY GULF BREEZE, FL 32563	2017	\$15,510	\$52,949	\$68,459	\$68,459
Situs:	301 N 16TH AVE 32501	<p align="center">Disclaimer</p> <hr/> <p align="center">Tax Estimator</p> <hr/> <p align="center">> File for New Homestead Exemption Online</p>				
Use Code:	SINGLE FAMILY RESID					
Taxing Authority:	PENSACOLA CITY LIMITS					
Tax Inquiry:	Open Tax Inquiry Window					
Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector						

Sales Data						2019 Certified Roll Exemptions
Data						None
Sale Date	Book	Page	Value	Type	Official Records (New Window)	Legal Description
08/09/2019	8143	1492	\$100	OT	View Instr	
04/24/2008	6322	1353	\$50,000	QC	View Instr	
02/2005	5580	1363	\$100	QC	View Instr	
05/1993	3792	448	\$100	QC	View Instr	
05/1993	3374	309	\$100	WD	View Instr	
04/1986	2203	587	\$100	QC	View Instr	
Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller						Extra Features METAL BUILDING



Buildings

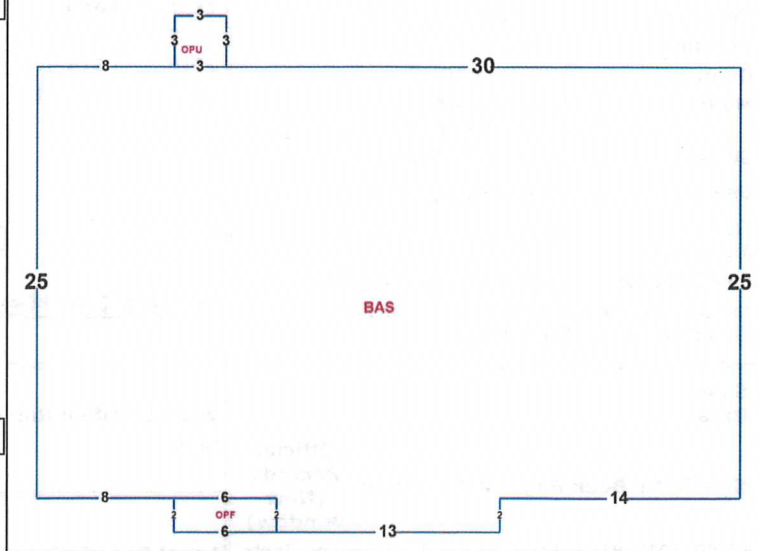
Address: 301 N 16TH AVE, Year Built: 1995, Effective Year: 1995

Structural Elements

DECOR/MILLWORK-AVERAGE
DWELLING UNITS-1
EXTERIOR WALL-BRICK-FACE/VENEER
FLOOR COVER-PINE/SOFTWOOD
FOUNDATION-WOOD/SUB FLOOR
HEAT/AIR-CENTRAL H/AC
INTERIOR WALL-DRYWALL-PLASTER
NO. PLUMBING FIXTURES-6
NO. STORIES-1
ROOF COVER-DIMEN/ARCH SHNG
ROOF FRAMING-GABLE
STORY HEIGHT-0
STRUCTURAL FRAME-WOOD FRAME

Areas - 1072 Total SF

BASE AREA - 1051
OPEN PORCH FIN - 12
OPEN PORCH UNF - 9

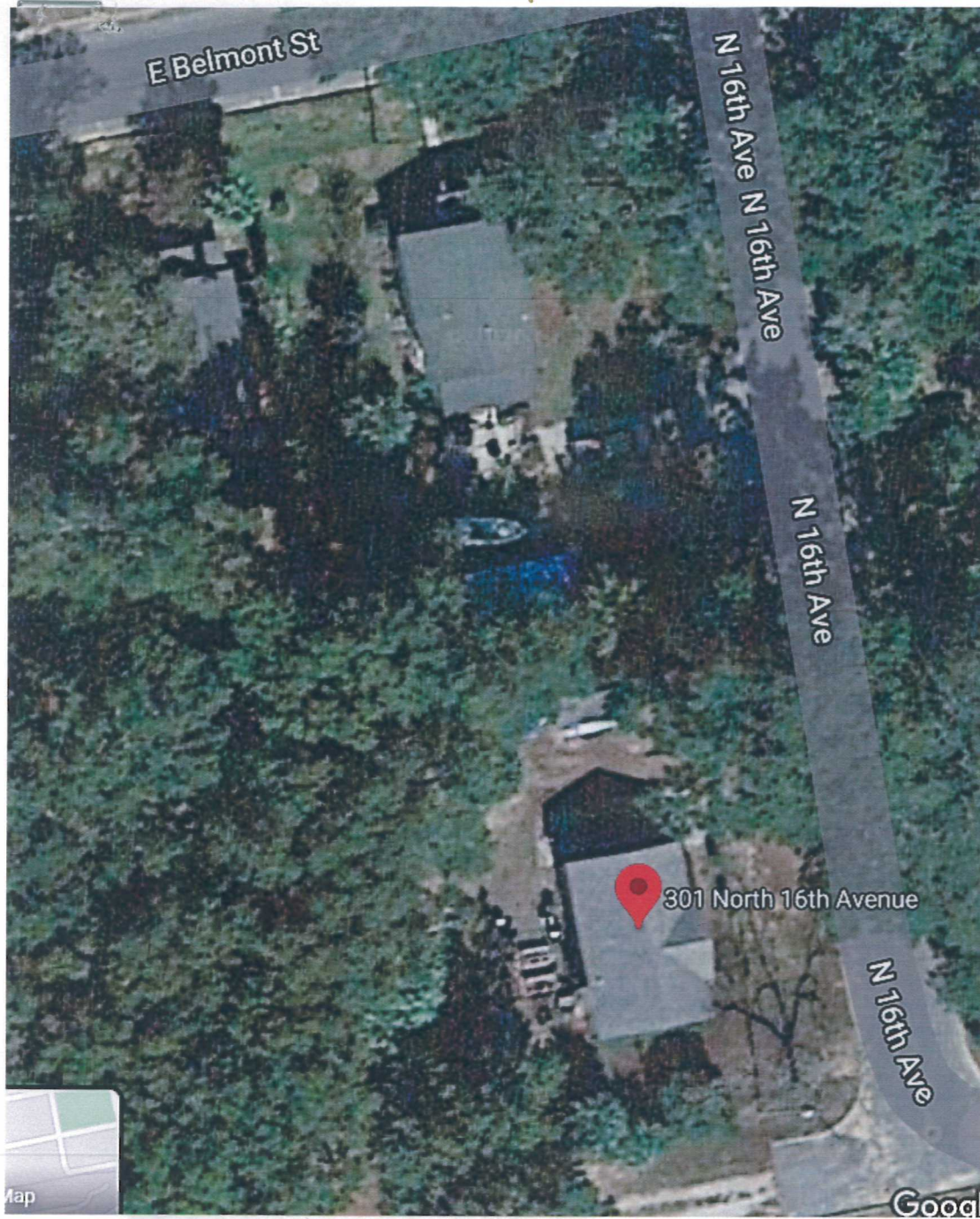


Images



8/15/16

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.





ESCAMBIA COUNTY TAX COLLECTOR

General Notice - Litigation accounts are not considered delinquent and payments are not due. To see the range of accounts in litigation, click [here](#).

2019 Roll Details — Real Estate Account At 301 N 16TH AVE

Real Estate Account #14-0297-000

[Parcel details](#)[Latest bill](#)[View/Print full bill history](#)[Print this page](#)

2019

2018

2017

2016

...

2008

PAID

PAID

PAID

PAID

PAID

[Apply for the 2020 Installment Payment Plan](#)
[Get Bills by Email](#)
PAID 2019-11-25

\$1,303.13

Receipt #EEX-19-

00364879

[Print Paid Bill](#)

Owner: RUBEN CAROL F
1462 CENTRAL PKWY
GULF BREEZE, FL 32563
Situs: 301 N 16TH AVE

Account number: 14-0297-000

Alternate Key: 7227

Millage code: 16

Millage rate: 17.3407

Escrow company: SUNTRUST BANK (CL-0011883)

95 METHODIST HILL DR.
ROCHESTER, NY 14623

Assessed value: 76,447

School assessed value: 76,447

Unimproved land value: 15,510



Map data ©2020 Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency

Location is not guaranteed to be accurate.

Property Appraiser

2019 Annual bill

[View](#)

Ad valorem: \$1,325.64

Non-ad valorem: \$31.79

Total Discountable: 1357.43

No Discount NAVA: 0.00

Total tax: \$1,357.43

Legal description

LT 11 BLK 53 NEW CITY TRACT OR 6322 P 1353 OR 8143 P 1492 CA 42

Location

Geo number: 000S009025110053

Range: 00

Township: 0S

Section: 00

Block: 053

Lot: 110

Use code: 0100

Total acres: 0.110





Scott Lunsford, CFC • Escambia County Tax Collector

EscambiaTaxCollector.com

facebook.com/ECTaxCollector

twitter.com/escambiatc



SCAN TO PAY ONLINE

2019

REAL ESTATE

TAXES

Notice of Ad Valorem and Non-Ad Valorem Assessments

ACCOUNT NUMBER	MILLAGE CODE	ESCROW CODE	PROPERTY REFERENCE NUMBER
14-0297-000	16	CL-0011883	000S009025110053

RUBEN CAROL F
1462 CENTRAL PKWY
GULF BREEZE, FL 32563

PROPERTY ADDRESS:
301 N 16TH AVE

EXEMPTIONS:

AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.6165	76,447	0	76,447	505.81
PUBLIC SCHOOLS					
BY LOCAL BOARD	2.0990	76,447	0	76,447	160.46
BY STATE LAW	3.9440	76,447	0	76,447	301.51
PENSACOLA	4.2895	76,447	0	76,447	327.92
WATER MANAGEMENT	0.0327	76,447	0	76,447	2.50
M.S.T.U. LIBRARY	0.3590	76,447	0	76,447	27.44

TOTAL MILLAGE 17.3407

AD VALOREM TAXES \$1,325.64

LEGAL DESCRIPTION	NON-AD VALOREM ASSESSMENTS		
	TAXING AUTHORITY	RATE	AMOUNT
LT 11 BLK 53 NEW CITY TRACT OR 6322 P 1353 OR 8143 P 1492 CA 42	SW STORMWATER(CITY OF PENSACOLA)		31.79
	NON-AD VALOREM ASSESSMENTS		\$31.79

Pay online at EscambiaTaxCollector.com

Payments must be in U.S. funds drawn from a U.S. bank

COMBINED TAXES AND ASSESSMENTS \$1,357.43

If Paid By Please Pay	Nov 30, 2019 \$0.00				
--------------------------	------------------------	--	--	--	--

RETAIN FOR YOUR RECORDS

2019 REAL ESTATE TAXES

DETACH HERE AND RETURN THIS PORTION WITH YOUR PAYMENT

Make checks payable to:

Scott Lunsford, CFC
Escambia County Tax Collector

P.O. BOX 1312

PENSACOLA, FL 32591

Pay online at EscambiaTaxCollector.com

Payments in U.S. funds from a U.S. bank

PAY ONLY ONE AMOUNT

AMOUNT IF PAID BY Nov 30, 2019
0.00

AMOUNT IF PAID BY

AMOUNT IF PAID BY

AMOUNT IF PAID BY

AMOUNT IF PAID BY

DO NOT FOLD, STAPLE, OR MUTILATE

ACCOUNT NUMBER
14-0297-000
PROPERTY ADDRESS
301 N 16TH AVE

RUBEN CAROL F
1462 CENTRAL PKWY
GULF BREEZE, FL 32563

Paid 11/25/2019 Receipt # EEX-19-00364879 \$1,303.13

Paid By SUNTRUST BANK



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00206

Planning Board

5/12/2020

TO: Planning Board Members

FROM: Cynthia Cannon, AICP, Assistant Planning Director

DATE: 5/5/2020

SUBJECT:

Request for Zoning Map and Future Land Use Map Amendment 1421 Sonia Street

BACKGROUND:

Joe Meeks is requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 1421 Sonia Street and identified by parcel number 00-0S-00-9080-012-201. The property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO, Conservation. The applicant is proposing to amend the zoning district to R-1AA, Residential Zoning District and the FLUM to MDR, Medium Density Residential which is consistent with the surrounding neighborhood.

Existing Zoning	Proposed Zoning	Existing FLUM	Proposed FLUM	Lot Size
R-2B & CO	R-1AA	HDR & CO	MDR	.52

- R-2B (existing zoning). The R-2B zoning district is established to provide for the efficient use of land for multifamily residential development. As a buffer between low and medium density residential developments and commercial, industrial, major transportation arteries, or other uses that are not compatible with a low-density residential environment, the R-2B zoning district shall encourage the establishment and maintenance of a suitable residential environment for high-density housing. The zoning regulations are intended to provide for development criteria to maintain a high standard of quality in development of multifamily housing.
- CO (existing zoning) The conservation land use district is established to preserve open space as necessary for protecting water resources, preserving scenic areas, preserving historic sites, 84

providing parklands and wilderness reserves, conserving endemic vegetation, preventing flood damage and soil erosion.

- R-1AA (proposed zoning) The low density residential land use district is established for the purpose of providing and preserving areas of single-family, low intensity development at a maximum density of four and eight-tenths (4.8) dwelling units per acre in areas deemed suitable because of compatibility with existing development and/or the environmental character of the areas.
- HDR (existing FLUM) 35 or fewer residential dwelling units per acre allowed pursuant to lot coverage, landscape area, parking and recreational area development requirements provided in the adopted Land Development Code.
- CO (existing FLUM) The Conservation Land Use District is established to preserve open space as necessary for protecting water resources, preserving scenic areas, preserving historic sites, providing parklands and wilderness reserves, conserving endemic vegetation, preventing flood damage and soil erosion. This future land use category shall apply to environmentally sensitive areas identified on the Future Land Use Map and protected from development pursuant to site plan review.
- MDR (proposed FLUM) 18 or fewer residential dwelling units per acre.

The existing split zoning is the result of actions made by the current property owners in their efforts for post-Ivan redevelopment. The intent was to reestablish the non-conforming multi-family residential development destroyed by Hurricane Ivan. The owners requested a change from the *previous* R-1AA to the current R-2B. The Conservation easement on the east side served to “cut off the eastern migration of the R-2B zoning” and ensure the R-2B would not extend beyond the subject property. City Council approved the requests in Ord 23-09 and Ord 22-09.

Mr. Meeks’ intent in seeking this request is to allow for the continued use of the property as a single-family residence without the potential restrictions of the Conservation zoning district. The existing single-family residence is bisected by the zoning district. As such, questions arise as to the scope of work which can be performed on the portion of the residence located within the Conservation district. Although the Ordinance has a provision to administratively shift a zoning line when it bisects a parcel, the applicant, as well as the lender and title companies involved with the pending property transaction, prefer to have the entire existing structure located wholly within the residential zoning district. With this application, the original R-1AA would be re-instated across the entire subject area as presented.

This request has been routed through the various City departments and utility providers. Those comments are attached for your review.

Department:	Comments:
FIRE	No objections.
PW/E	No objections.
InspSvcs	No objections.
ESP	No objections.
ECUA	No objections.
GPW	No comments.
ATT	No objections.

Cynthia Cannon

From: Annie Bloxson
Sent: Wednesday, April 8, 2020 3:02 PM
To: Cynthia Cannon
Subject: RE: Rezoning - 1421 Sonia Street

Good Afternoon,

I do not oppose the rezoning of 1421 Sonia Street.

Respectfully,

Annie Bloxson

Fire Marshal

Visit us at PensacolaFire.com

475 E. Strong St.

Pensacola, FL 32501

Office: 850.436.5200

abloxson@cityofpensacola.com



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

From: Cynthia Cannon <CCannon@cityofpensacola.com>

Sent: Wednesday, April 8, 2020 2:40 PM

To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T)

Cynthia Cannon

From: Derrik Owens
Sent: Wednesday, April 8, 2020 4:02 PM
To: Cynthia Cannon
Subject: RE: Rezoning - 1421 Sonia Street

PW&F has no objection to the subject request...

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Wednesday, April 8, 2020 2:40 PM
To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>
Subject: Rezoning - 1421 Sonia Street

Good Afternoon All,

Please review and comment on the attached request before the Planning Board for a rezoning at 1421 Sonia Street. Please provide comments **by close of business on Wednesday, April 15 2020.**

Thank you!

Cynthia Cannon, AICP

Assistant Planning Director

Visit us at <http://cityofpensacola.com>

222 W Main St.

Pensacola, FL 32502

Office: 850.435-1670

ccannon@cityofpensacola.com



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

Cynthia Cannon

From: Diane Moore
Sent: Wednesday, April 15, 2020 8:21 AM
To: Cynthia Cannon
Subject: RE: Rezoning - 1421 Sonia Street

Pensacola Energy has no comment on the rezoning request.

Thanks,
Diane

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

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



For Non-Emergency Citizen Requests, Dial 311 or visit Pensacola311.com

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From: Cynthia Cannon <CCannon@cityofpensacola.com>

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Subject: Rezoning - 1421 Sonia Street

Good Afternoon All,

Please review and comment on the attached request before the Planning Board for a rezoning at 1421 Sonia Street. Please provide comments **by close of business on Wednesday, April 15 2020**.

Cynthia Cannon

From: Andre Calaminus <andre.calaminus@ecua.fl.gov>
Sent: Friday, April 10, 2020 10:09 AM
To: Cynthia Cannon
Subject: [EXTERNAL] RE: Rezoning - 1421 Sonia Street

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

Good morning Cynthia,

The rezoning of the subject parcel from R-2B and CO to R-1AA does not appear to have any impact on ECUA's operations, therefore, ECUA Engineering has no comment at this time.

Thank you,

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

P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: www.ecua.fl.gov |

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

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Wednesday, April 8, 2020 2:40 PM
To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>
Subject: Rezoning - 1421 Sonia Street

****WARNING: This is an external email --- DO NOT CLICK links or attachments from unknown senders ****

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Thank you!

Cynthia Cannon, AICP

Assistant Planning Director

Visit us at <http://cityofpensacola.com>

222 W Main St.

Pensacola, FL 32502

Cynthia Cannon

From: SAUERS, BRAD <bs5403@att.com>
Sent: Wednesday, April 8, 2020 3:02 PM
To: Cynthia Cannon
Subject: [EXTERNAL] FW: Rezoning - 1421 Sonia Street
Attachments: 1421 Sonia St. rezoning application Combined.pdf

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

AT&T has no objection to the rezoning.

Brad Sauers

Manager – OSP PIng and Eng
Technology Operations

AT&T – Bellsouth Telecommunications, LLC

605 W Garden St, Pensacola, FL 32502
o 850.436.1495 bs5403@att.com

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From: FENNER, KARL L <kf5345@att.com>
Sent: Wednesday, April 8, 2020 2:48 PM
To: SAUERS, BRAD <bs5403@att.com>
Subject: FW: Rezoning - 1421 Sonia Street

Karl Fenner

Area Manager – OSP PIng and Eng
Access Construction & Engineering, AL/NWFL OSP/E + SER PDT/SOC

AT&T – BellSouth Telecommunications, LLC

605 W Garden St, Pensacola, FL 32502
m 850-393-2318 | o 850.436.1485 | kf5345@att.com

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Sent: Wednesday, April 8, 2020 2:40 PM
To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin

REZONING

Please check application type:



Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment



(< 10 acres)

\$3,500.00

\$250.00

\$750.00



(≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00



Applicant Information:

Name: JOE MEEKS Date: 3/6/2020

Address: 7874 BELLAH RD. PENSACOLA, 32526

Phone: 850-572-2694 Fax: _____ Email: MEEKS2222@AOL.COM

Property Information:

Owner Name: BAYSHORE BOYZZ, LLC Phone: 850-712-8844

Location/Address: 1421 SONIA ST. PENSACOLA, 32502

Parcel ID: 00-05-00-9080-012-201 Acres/Square Feet: _____

Zoning Classification: Existing R-2B, CO Proposed R-1AA

Future Land Use Classification: Existing HDR, CO Proposed MDR

Reason Rezoning Requested: APPLICANT/BUYER INTENDS TO OCCUPY THE PROPERTY AS SINGLE FAMILY ONLY AND RENOVATE THE EXISTING STRUCTURE OR DEMO AND BUILD NEW AND REQUEST R-1AA ZONING AND THE CHANGE FROM R-2B AND CO ZONING

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13th day of March, 2020

Applicant Signature

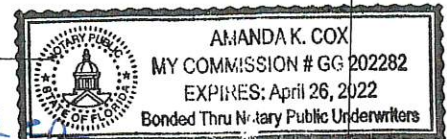
JOE MEEKS

Applicant Name (Print)

Owner Signature

Robert B Switzer

Owner Name (Print)



Sworn to and subscribed to before me this 13 day of March, 2020

Name: Kimberly Gordon Commission Expires: 2/15/2022

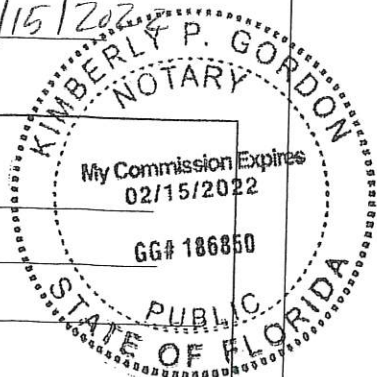
FOR OFFICE USE ONLY

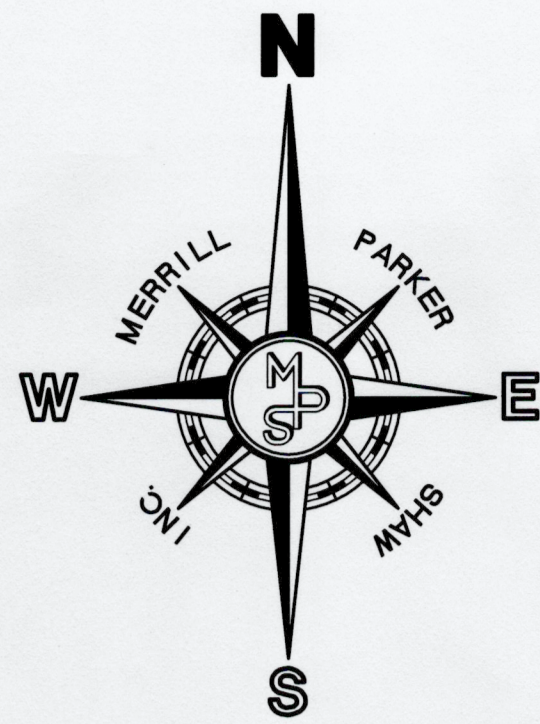
Council District: _____ Date Received: _____ Case Number: _____

Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____

Committee Date: _____ Council Date: _____ Council Action: _____

Second Reading: _____ Ordinance Number: _____

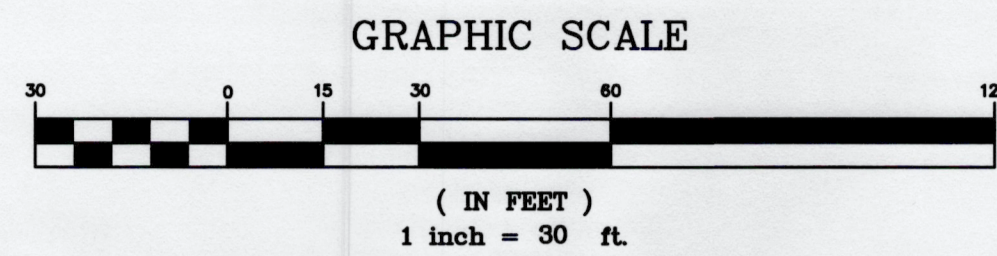




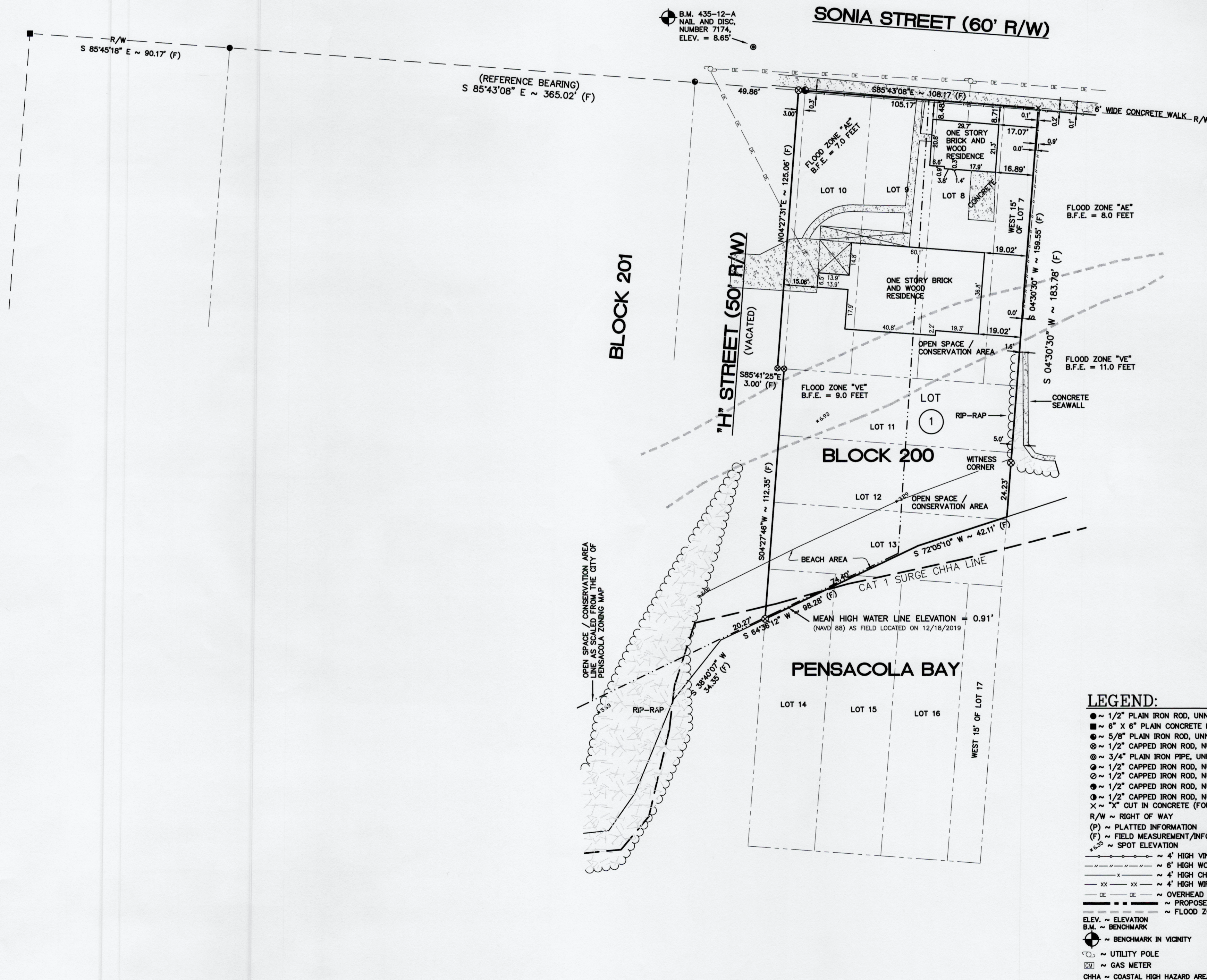
BOUNDARY AND TIDAL WATER SURVEY

A PORTION OF BLOCK 200 AND 201, MAXENT TRACT, CITY OF PENSACOLA,
ESCAMBIA COUNTY, FLORIDA.

ADDRESS: 1421 SONIA STREET



VICINITY MAP
SCALE: 1" = 1000'



DESCRIPTION: PREPARED BY MERRILL PARKER SHAW, INC.

ALL OF LOTS 8-16, BLOCK 200, LYING NORTH OF PENSACOLA BAY; AND THE WEST 15 FEET OF LOTS 7 AND 17, BLOCK 200, LYING NORTH OF PENSACOLA BAY. AND ALSO THE EAST 3.0 FEET OF VACATED "H" STREET, LYING SOUTH OF SONIA STREET AND ADJACENT TO LOT 10, BLOCK 200, ALL BEING IN "MAXENT TRACT", CITY OF PENSACOLA, FLORIDA, COPYRIGHTED BY THOMAS C. WATSON, IN 1906.

SURVEYOR'S NOTES:

- 1.) THE NORTH ARROW AND FIELD BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE BEARING OF S 85°43'08" E ALONG THE SOUTH RIGHT OF WAY LINE OF SONIA STREET (60' R/W) AND BEING ON THE FLORIDA STATE PLANE COORDINATE SYSTEM NORTH ZONE, LAMBERT PROJECTION, RELATIVE TO NAD 83 (2011), USING THE TRIMBLE VRSNOW G.P.S. NETWORK.
- 2.) SOURCE OF INFORMATION: DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
- 3.) NO TITLE SEARCH WAS PERFORMED BY OR FURNISHED TO MERRILL PARKER SHAW, INC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, RIGHT-OF-WAYS, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENTAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY.
- 4.) ONLY THE ABOVE GROUND VISIBLE ENCROACHMENTS AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, UNLESS OTHERWISE NOTED.
- 5.) THE DIMENSIONS OF THE BUILDINGS (IF ANY) AS SHOWN HEREON ARE ALONG THE OUTSIDE FACE OF THE BUILDINGS AND DO NOT INCLUDE THE EAVES OVERHANG OR THE FOOTINGS OF THE FOUNDATIONS.
- 6.) THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP.
- 7.) THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN HEREON WERE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS.
- 8.) FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.
- 9.) THE ELEVATIONS AS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988, USING THE TRIMBLE VRSNOW G.P.S. NETWORK.
- 10.) THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON HAS BEEN ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NUMBER 3415.
- 11.) THE MEAN HIGH WATER LINE SURVEY COMPLIES WITH WITH CHAPTER 177, PART II, FLORIDA STATUTES.
- 12.) THE FLOOD ZONE INFORMATION AS SHOWN HEREON IS BASED ON THE F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER: 12033C0390G, EFFECTIVE DATE: 09/29/2006.

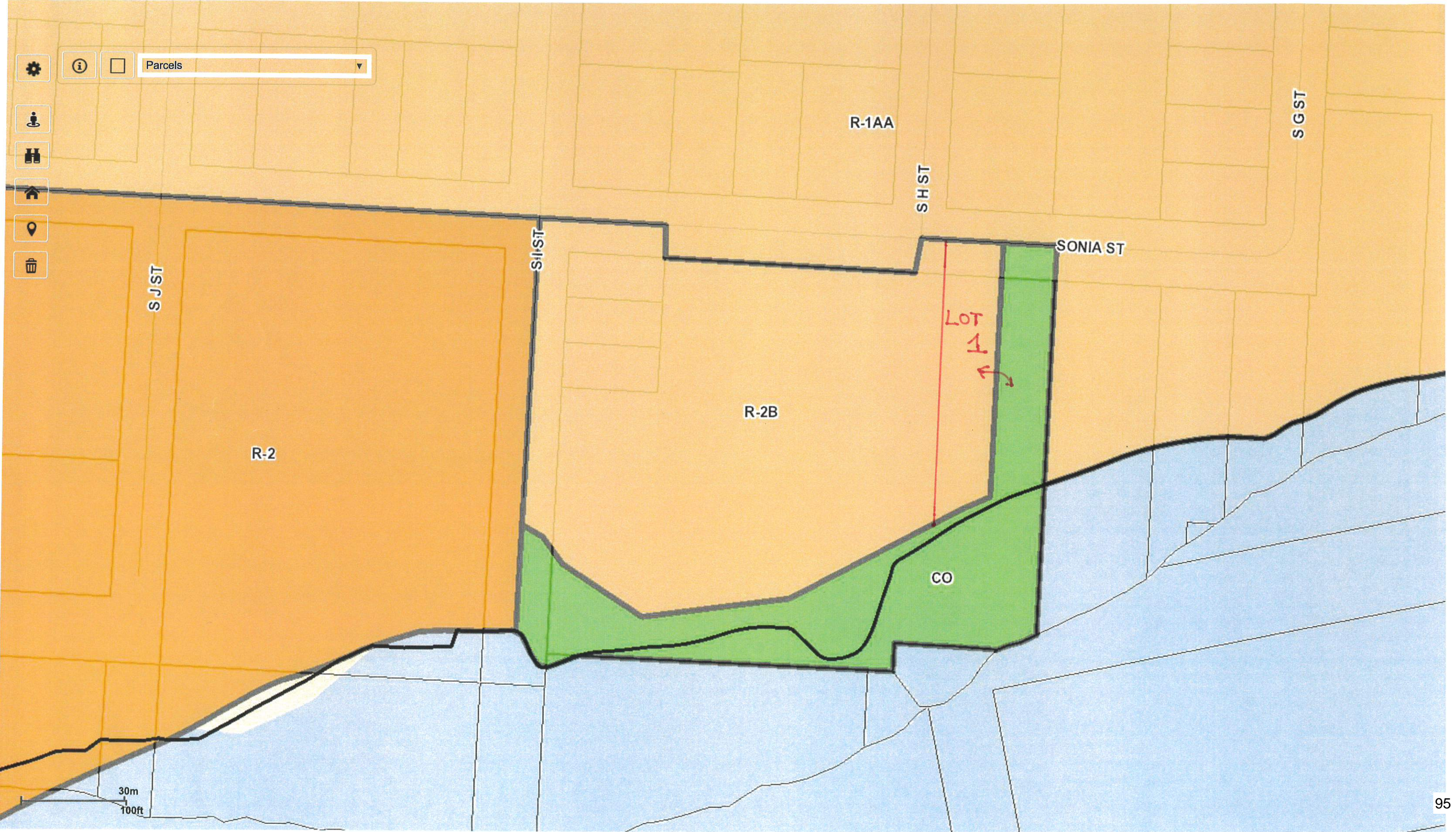
LEGEND:

- ~ 1/2" PLAIN IRON ROD, UNNUMBERED (FOUND)
- ~ 6" X 6" PLAIN CONCRETE MONUMENT (FOUND)
- ~ 5/8" PLAIN IRON ROD, UNNUMBERED (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBER 7174 (SET)
- ⊙ ~ 3/4" PLAIN IRON PIPE, UNNUMBERED (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBER 5641 (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBER 5791 (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBER 4655 (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBER 3774 (FOUND)
- X ~ "X" CUT IN CONCRETE (FOUND)
- R/W ~ RIGHT OF WAY
- (P) ~ PLATTED INFORMATION
- (F) ~ FIELD MEASUREMENT/INFORMATION
- ~ SPOT ELEVATION
- ~ 4" HIGH VINYL FENCE
- ~ 6" HIGH WOOD BOARD FENCE
- ~ 4" HIGH CHAIN LINK FENCE
- XX ~ 4" HIGH WIRE FENCE
- ~ OVERHEAD UTILITY LINES
- ~ PROPOSED LOT LINE
- ~ FLOOD ZONE LINE
- ELEV. ~ ELEVATION
- B.M. ~ BENCHMARK
- ~ BENCHMARK IN VICINITY
- ~ UTILITY POLE
- ~ GAS METER
- CHHA ~ COASTAL HIGH HAZARD AREA

MERRILL PARKER SHAW, INC.
4928 N. DAVIS HIGHWAY, PENSACOLA, FL. 32503

E. Wayne Parker 3/12/20
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683 CORPORATE NUMBER 7174
STATE OF FLORIDA

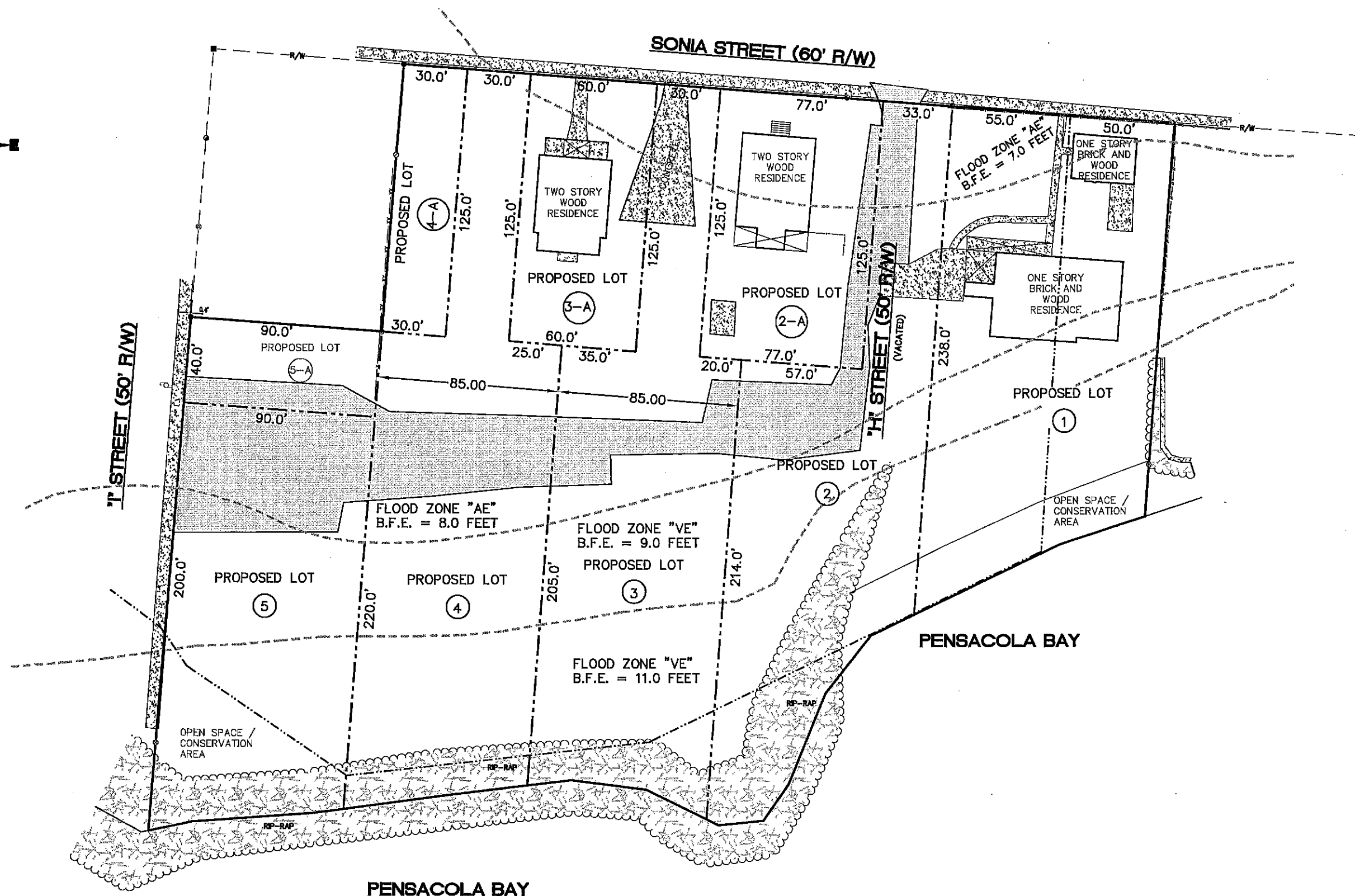
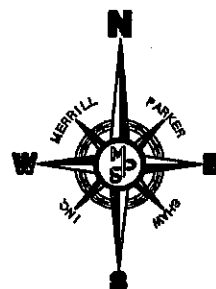
MERRILL PARKER SHAW, INC.		REVISIONS:	
4928 N. DAVIS HWY. PENSACOLA, FL. 32503 FLORIDA CORPORATION NUMBER 7174	PH: (850) 475-4923 FAX: (850) 475-4924	NO.	DATE
DATE: 03/12/20		APPR.	
FIELD DATE: 12/18/19			
SCALE: 1" = 30'		CHECKED: EWP	
DRAWN: TSS			
FIELD BOOK: 435, PAGE 12			
BOUNDARY SURVEY			
A PORTION OF BLOCK 200 AND 201, MAXENT TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA.			
ADDRESS: 1421 SONIA STREET			
PREPARED FOR: BILLY LOVELACE			
REQUESTED BY: BILLY LOVELACE			
JOB NO. 20-12315-1	SHEET 1 OF 1		





PARCEL EXHIBIT

JANUARY 23, 2020



SCALE: 1"=100'



MERRILL PARKER SHAW, INC.







4928 N. DAVIS HWY.
PENSACOLA, FL 32503

PROFESSIONAL LAND SURVEYING SERVICES
FLORIDA CORPORATION NUMBER 7174

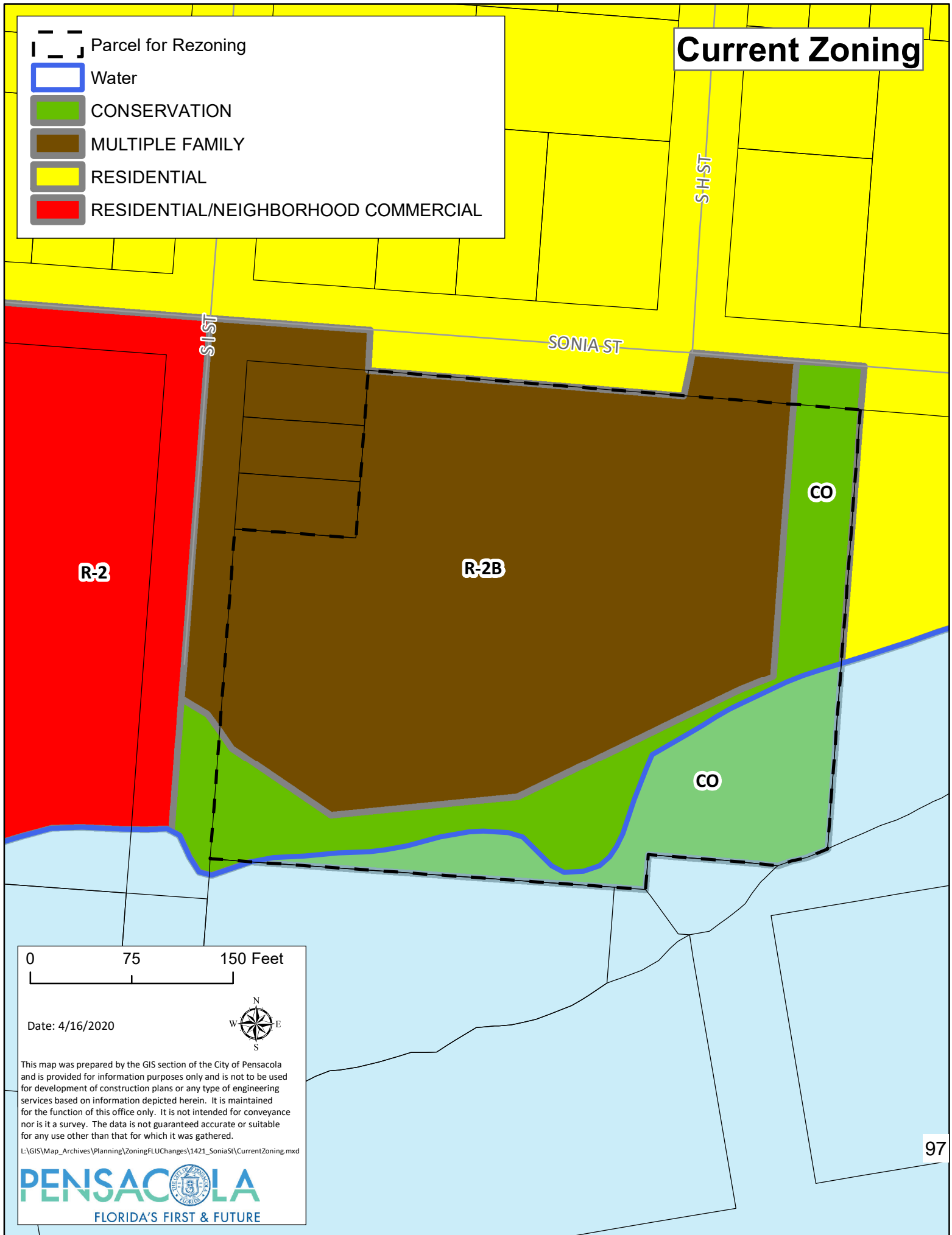
PH: (850) 478-4923
FAX: (850) 478-4924



JOB NUMBER: 19-12050-S-1

-  Parcel for Rezoning
-  Water
-  CONSERVATION
-  MULTIPLE FAMILY
-  RESIDENTIAL
-  RESIDENTIAL/NEIGHBORHOOD COMMERCIAL

Current Zoning



0 75 150 Feet







Date: 4/16/2020

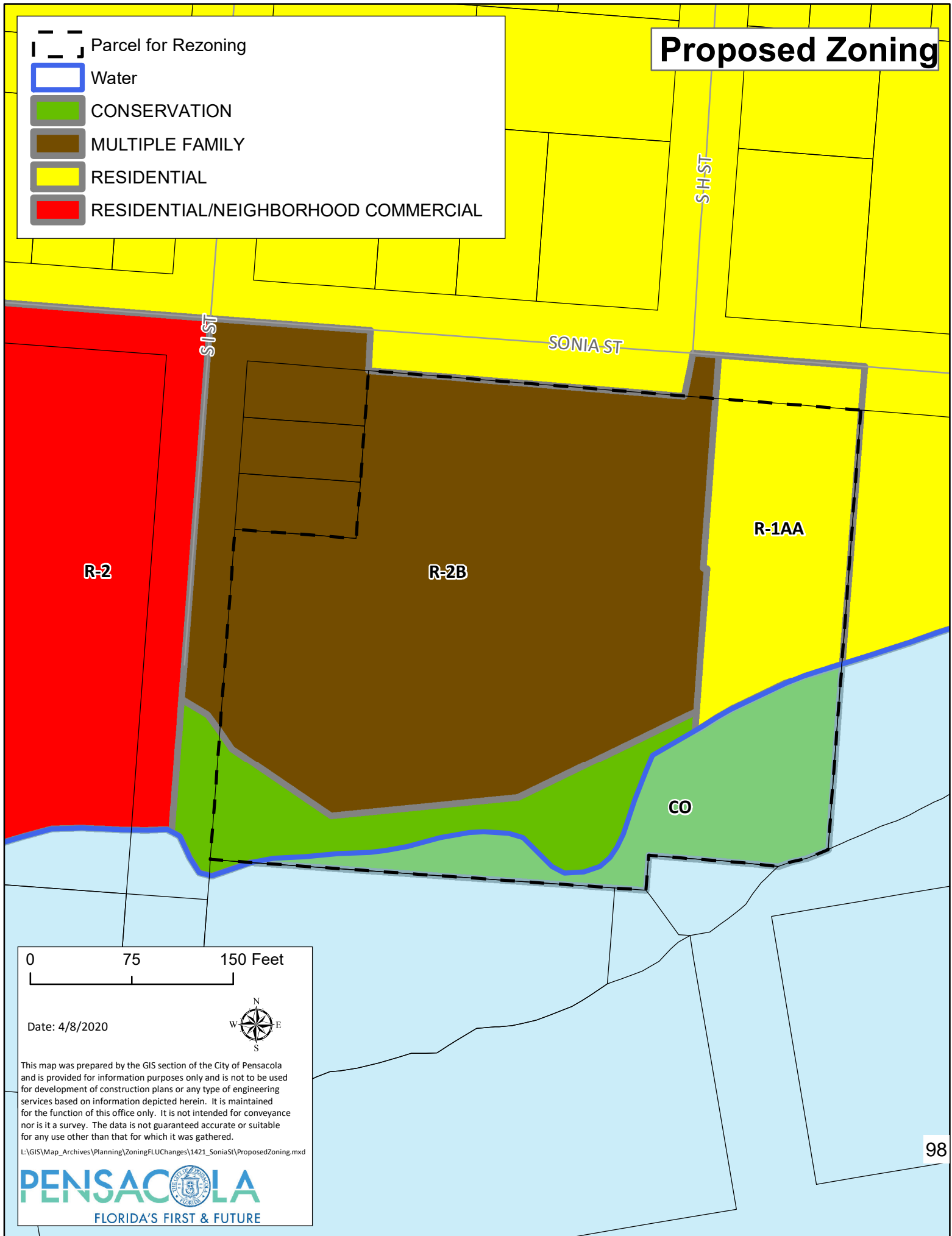


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Proposed Zoning

-  Parcel for Rezoning
-  Water
-  CONSERVATION
-  MULTIPLE FAMILY
-  RESIDENTIAL
-  RESIDENTIAL/NEIGHBORHOOD COMMERCIAL



0 75 150 Feet







Date: 4/8/2020

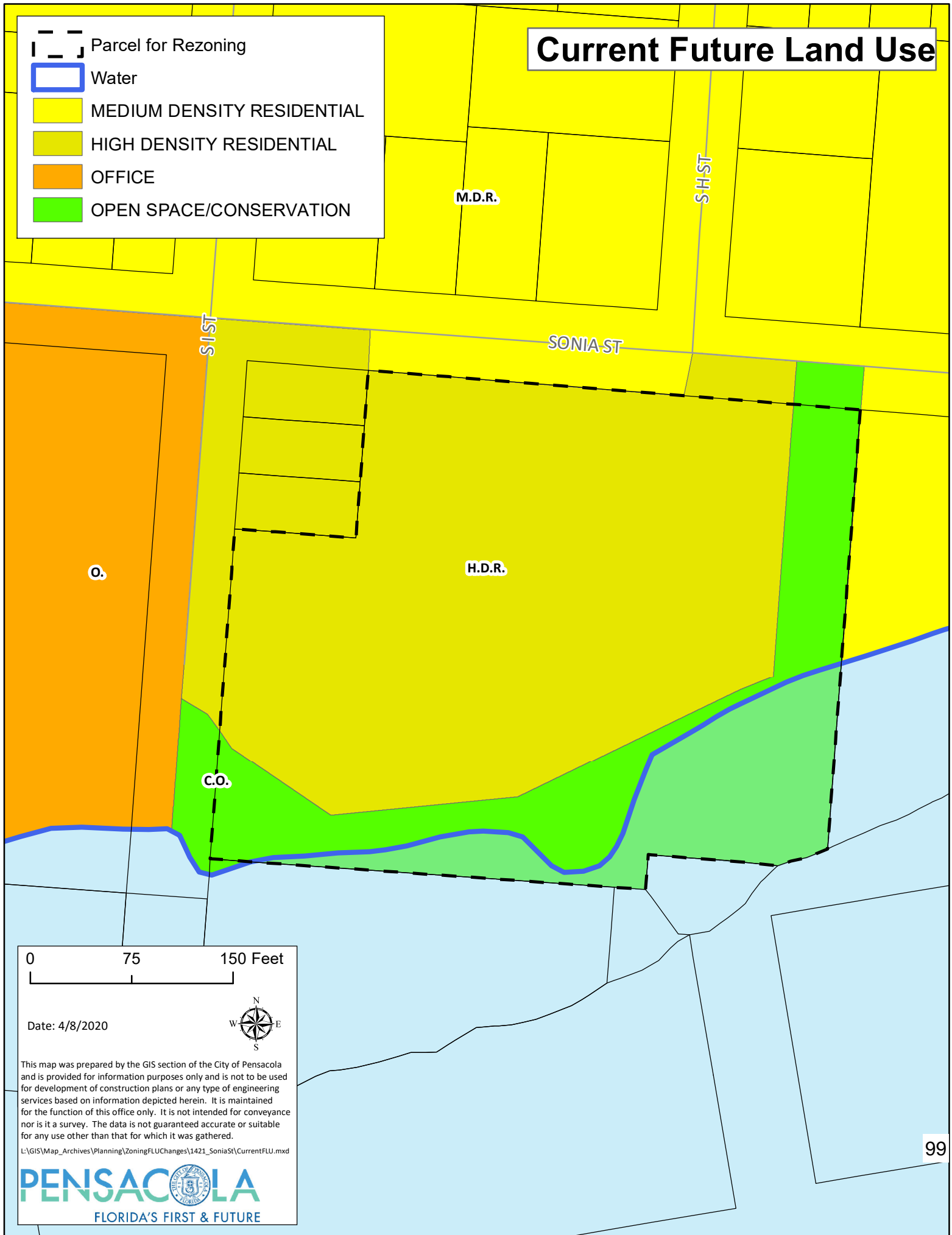


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Current Future Land Use

-  Parcel for Rezoning
-  Water
-  MEDIUM DENSITY RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  OFFICE
-  OPEN SPACE/CONSERVATION



0 75 150 Feet


Date: 4/8/2020





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Proposed Future Land Use


 Parcel for Rezoning

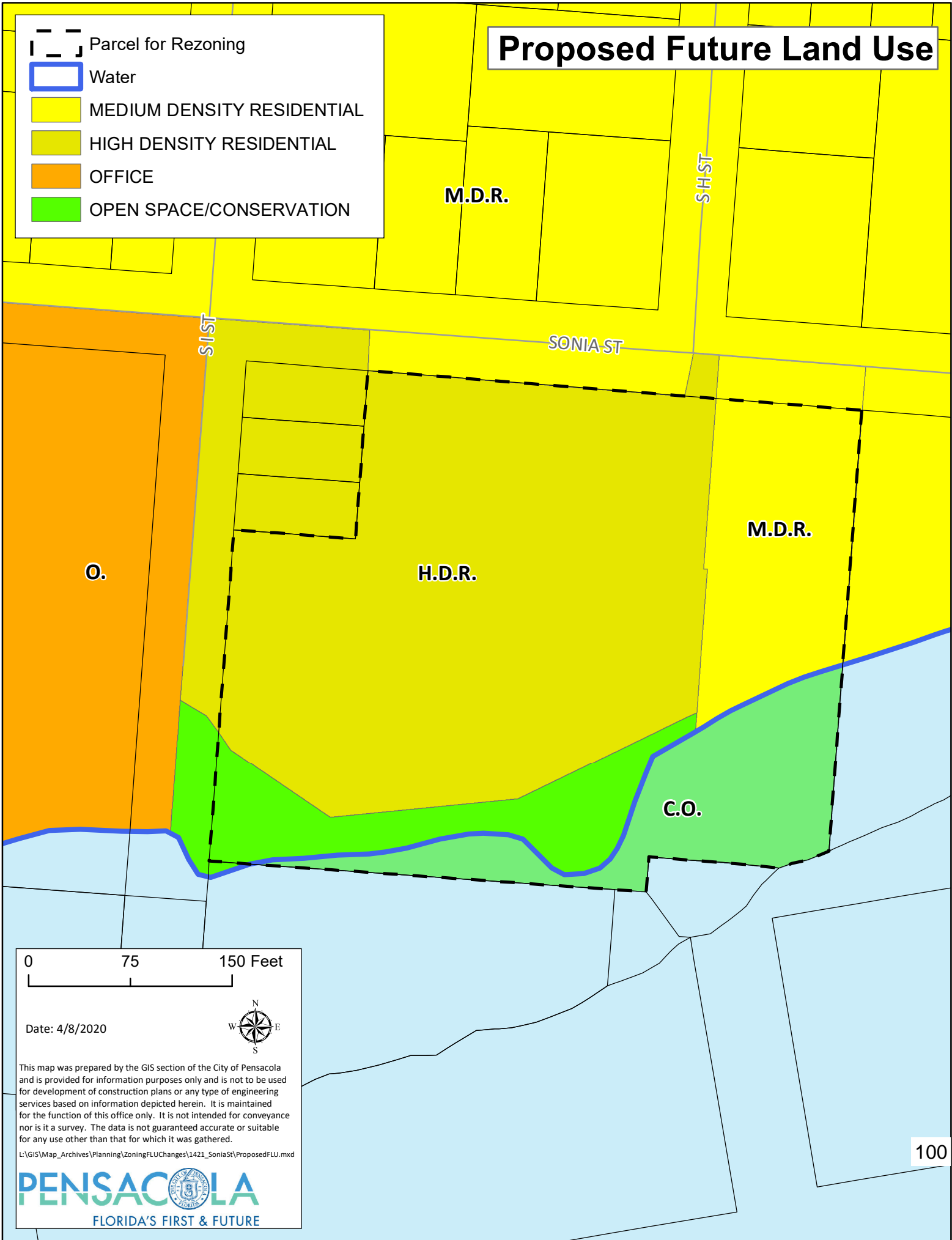
 Water

 MEDIUM DENSITY RESIDENTIAL

 HIGH DENSITY RESIDENTIAL

 OFFICE

 OPEN SPACE/CONSERVATION



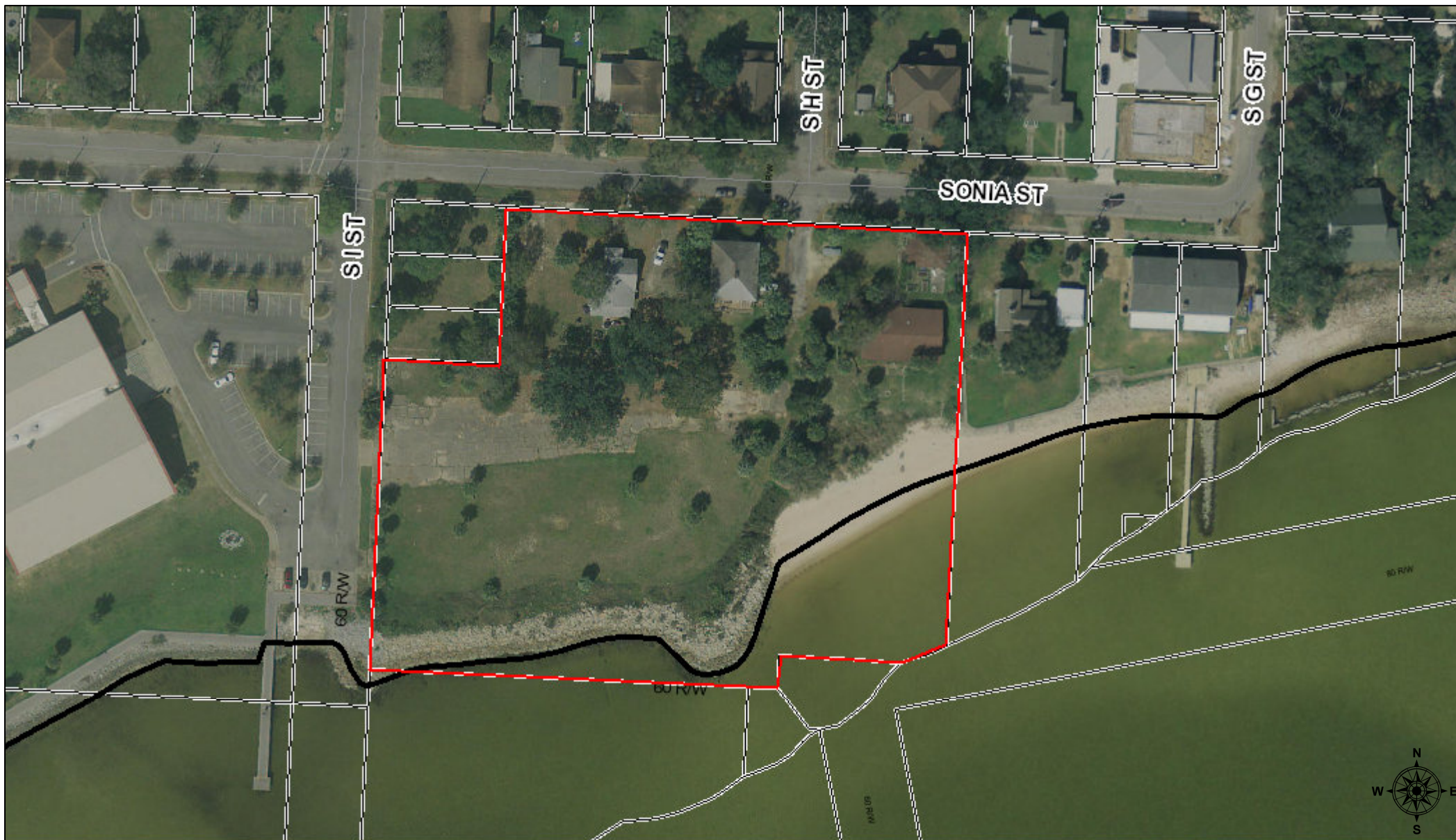
0 75 150 Feet

Date: 4/8/2020

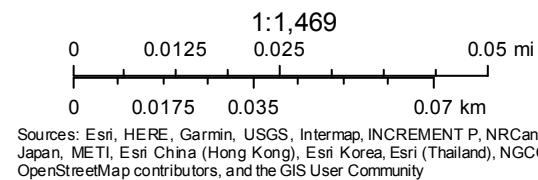


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April 23, 2020





City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00207

Planning Board

5/12/2020

TO: Planning Board Members

FROM: Cynthia Cannon, AICP, Assistant Planning Director

DATE: 5/5/2020

SUBJECT:

Request for Zoning Map and Future Land Use Map Amendment for 1700 BLK Lansing Drive

BACKGROUND:

Susan Todaro and Carol Todd are requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 1700 BLK Lansing Drive and identified by parcel number 31-0S-30-1901-062-003. The property is currently zoned R-1AA, Residential Zoning District and the existing Future Land Use (FLU) designation is MDR, Medium Density Residential. The applicant is proposing to amend the zoning district to C-3, Commercial Zoning District and the FLU to Commercial.

Existing Zoning	Proposed Zoning	Existing FLUM	Proposed FLUM	Lot Size
R-1AA	C-3	MDR	Commercial	.71

- R-1AA (existing zoning) The low density residential land use district is established for the purpose of providing and preserving areas of single-family, low intensity development at a maximum density of four and eight-tenths (4.8) dwelling units per acre in areas deemed suitable because of compatibility with existing development and/or the environmental character of the areas.
- C-3 (proposed zoning). The C-1 zoning district's regulations are intended to provide for conveniently supplying the immediate needs of the community where the types of services rendered and the commodities sold are those which are needed frequently. The C-1 zoning district is intended to provide a transitional buffer between mixed-use neighborhood commercial areas and more intense commercial zoning. The downtown and retail commercial (C-2A and C-2) zoning districts' regulations are intended to provide for major commercial areas intended primarily for retail sales and service establishments oriented to a general

102

community and/or regional market. The C-3 wholesale and light industry zoning district's regulations are intended to provide for general commercial services, wholesale distribution, storage and light fabrication.

- MDR (existing FLU) 18 or fewer residential dwelling units per acre.
- Commercial (proposed FLU) The Commercial Land Use District is established for the purpose of providing areas of commercial development ranging from compact shopping areas to limited industrial/high intensity commercial uses. Conventional residential use is allowed as well as residential uses on upper floors above ground floor commercial or office uses and in other types of mixed-use development.

This request has been routed through the various City departments and utility providers. Those comments are attached for your review.

Department:	Comments:
FIRE	No objections.
PW/E	No objections.
Insp Svcs	No objections.
ESP	No objections.
ECUA	No objections.
GPW	No comments.
ATT	No objections.

Cynthia Cannon

From: Annie Bloxson
Sent: Tuesday, March 24, 2020 2:59 PM
To: Cynthia Cannon
Subject: RE: Rezoning - 1700 BLK Lansing

Good Afternoon,

I do not oppose to rezoning the 1700 BLK of Lansing.

Respectfully,

Annie Bloxson

Fire Marshal

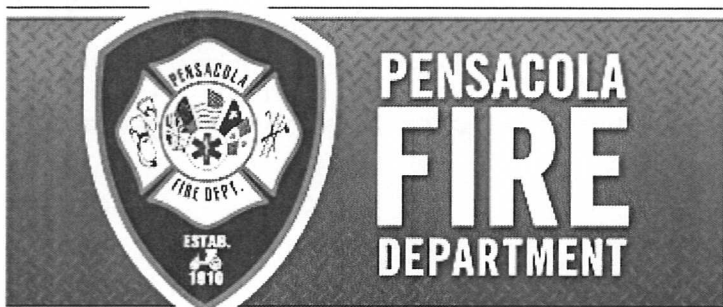
Visit us at PensacolaFire.com

475 E. Strong St.

Pensacola, FL 32501

Office: 850.436.5200

abloxson@cityofpensacola.com



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

From: Cynthia Cannon <CCannon@cityofpensacola.com>

Sent: Tuesday, March 17, 2020 12:51 PM

To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>

Cynthia Cannon

From: Derrik Owens
Sent: Wednesday, April 1, 2020 2:24 PM
To: Cynthia Cannon
Subject: RE: Rezoning - 1700 BLK Lansing

PW&F has no objection to the request....

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Wednesday, April 1, 2020 2:09 PM
To: Derrik Owens <DOwens@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>
Subject: FW: Rezoning - 1700 BLK Lansing

Any comments?

Cynthia Cannon, AICP
Assistant Planning Director
Visit us at <http://cityofpensacola.com>
222 W Main St.
Pensacola, FL 32502
Office: 850.435-1670
ccannon@cityofpensacola.com



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Cc: Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>
Subject: Rezoning - 1700 BLK Lansing

Cynthia Cannon

From: Jonathan Bilby
Sent: Wednesday, April 1, 2020 3:39 PM
To: Cynthia Cannon; Derrik Owens
Subject: RE: Rezoning - 1700 BLK Lansing

No issues.

From: Cynthia Cannon
Sent: Wednesday, April 1, 2020 2:09 PM
To: Derrik Owens <DOwens@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>
Subject: FW: Rezoning - 1700 BLK Lansing

Any comments?

Cynthia Cannon, AICP
Assistant Planning Director
Visit us at <http://cityofpensacola.com>
222 W Main St.
Pensacola, FL 32502
Office: 850.435-1670
ccannon@cityofpensacola.com



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Cc: Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>
Subject: Rezoning - 1700 BLK Lansing

Cynthia Cannon

From: Diane Moore
Sent: Wednesday, March 25, 2020 4:00 PM
To: Cynthia Cannon
Subject: RE: Rezoning - 1700 BLK Lansing

Pensacola Energy has no comments on the rezoning request for the 1700 block of Lansing.

Thanks,
Diane

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

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



For Non-Emergency Citizen Requests, Dial 311 or visit Pensacola311.com

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Cc: Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>
Subject: Rezoning - 1700 BLK Lansing

Good Afternoon All,

Please review and comment on the attached request before the Planning Board for a rezoning at 1700 BLK Lansing Drive. Please provide comments **by close of business on Friday March 27, 2020.**

108

Cynthia Cannon

From: Andre Calaminus <andre.calaminus@ecua.fl.gov>
Sent: Wednesday, March 18, 2020 1:40 PM
To: Cynthia Cannon
Subject: RE: Rezoning - 1700 BLK Lansing

Cynthia,

The rezoning of the subject parcel to match the adjacent parcels does not appear to have any impact on ECUA's operations, therefore, ECUA Engineering has no comment at this time.

Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |
P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: www.ecua.fl.gov |
Phone: (850) 969-5822 | Fax: (850) 969-6511 |

From: Cynthia Cannon <CCannon@cityofpensacola.com>
Sent: Tuesday, March 17, 2020 12:51 PM
To: Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Heather Lindsay <HLindsay@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>
Cc: Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>
Subject: Rezoning - 1700 BLK Lansing

****WARNING: This is an external email --- DO NOT CLICK links or attachments from unknown senders ****

Good Afternoon All,

Please review and comment on the attached request before the Planning Board for a rezoning at 1700 BLK Lansing Drive. Please provide comments **by close of business on Friday March 27, 2020.**

Thank you!

Cynthia Cannon, AICP

Assistant Planning Director

Visit us at <http://cityofpensacola.com>

222 W Main St.

Pensacola, FL 32502

Office: 850.435-1670

Cynthia Cannon

From: SAUERS, BRAD <bs5403@att.com>
Sent: Tuesday, March 17, 2020 1:56 PM
To: Cynthia Cannon
Subject: [EXTERNAL] FW: Rezoning - 1700 BLK Lansing
Attachments: 1700 BLK Rezoning_Todaro.pdf

THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT

AT&T has no objection or otherwise relevant comment with regard to this matter.

Brad Sauers
Manager – OSP Plng and Eng
Technology Operations

AT&T – Bellsouth Telecommunications, LLC
605 W Garden St, Pensacola, FL 32502
o 850.436.1495 bs5403@att.com

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From: FENNER, KARL L <kf5345@att.com>
Sent: Tuesday, March 17, 2020 1:03 PM
To: SAUERS, BRAD <bs5403@att.com>
Subject: FW: Rezoning - 1700 BLK Lansing

Brad,
FYI.

Karl Fenner
Area Manager – OSP Plng and Eng
Access Construction & Engineering, AL/NWFL OSPCE + SER PDT/SOC

AT&T – BellSouth Telecommunications, LLC
605 W Garden St, Pensacola, FL 32502
m 850-393-2318 | o 850.436.1485 | kf5345@att.com

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REZONING

Please check application type:



Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment



(< 10 acres)

\$3,500.00

\$250.00

\$750.00



(≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: SWAN Todaro & Carol Todd Date: 2/13/20

Address: 4400 Bayou Blvd Ste 18A Pensacola FL 32503

Phone: 850-380-6160 Fax: 850-476-7899 Email: STODARO@AOL.COM

Property Information:

Owner Name: Susan Todaro & Carol Todd Phone: 850-380-6160

Location/Address: 1700 BLK 1700 Lansing Dr. Pensacola FL 32504

Parcel ID: 311 530 190 062 003 Acres/Square Feet: 0.7128

Zoning Classification: Existing R1-AA Proposed C3

Future Land Use Classification: Existing MDR Proposed C3 C

Reason Rezoning Requested: TO MATCH adjoining property.

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13 day of February, 2020.

Applicant Signature: Susan Todaro Owner Signature: Carol Todd

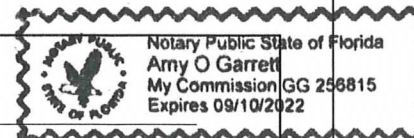
Applicant Name (Print): Susan Todaro Owner Name (Print): Carol Todd

Notary for
Carol Todd
attached
JF JAL

Sworn to and subscribed to before me this 13 day of February, 2020 by Susan Todaro
Name: Amy O. Garrett Commission Expires: 09/10/2022 FLDL-T20074754 9130

FOR OFFICE USE ONLY

Council District: _____ Date Received: _____ Case Number: _____
Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____
Committee Date: _____ Council Date: _____ Council Action: _____
Second Reading: _____ Ordinance Number: _____



STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was executed and acknowledged by Carol Todd before me by means of ✓
Physical Presence or _____ Online Notarization on 2-13-2020, by .

Personally known ✓
or Produced Identification _____
Type of Identification Produced _____

Kathryn G. Wilson
Notary Public

Print Name:

My Commission Expires:

Kathryn G. Wilson

Notary Public

State of Florida

Commission No. FF965338

Commission Expires: March 21, 2020



REZONING

Please check application type:

☐ Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment

☒ (< 10 acres)

\$3,500.00

\$250.00

\$750.00

☐ (≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: SWAN Todaro & Carol Todd Date: 2/13/20

Address: 4400 Bayou Blvd Ste 18A Pensacola FL 32503

Phone: 850-380-6160 Fax: 850-476-7899 Email: STODARO@AOL.COM

Property Information:

Owner Name: Susan Todaro & Carol Todd Phone: 850-380-6160

Location/Address: 1765 Lansing dr. Pensacola FL 32504

Parcel ID: 3115301901015003 Acres/Square Feet: 0.7255

Zoning Classification: Existing R1-AA Proposed C3

Future Land Use Classification: Existing MDR Proposed CB C

Reason Rezoning Requested: TO MATCH adjoining property.

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13 day of February, 2020.

Applicant Signature

Susan Todaro

Applicant Name (Print)

Owner Signature

Carol Todd

Owner Name (Print)

Notary for Carol Todd attached
[Signature]

Sworn to and subscribed to before me this 13th day of February, 2020 By Susan Todaro
Name: Amy O. Garrett Commission Expires: 09/10/2022
FL DL T 360-797-54-713-0

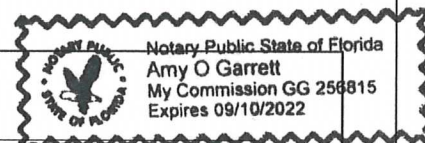
FOR OFFICE USE ONLY

Council District: _____ Date Received: _____ Case Number: _____

Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____

Committee Date: _____ Council Date: _____ Council Action: _____

Second Reading: _____ Ordinance Number: _____



STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was executed and acknowledged by Carol Todd before me by means of ☒ Physical Presence or ☐ Online Notarization on 2-13-2020, by .

Personally known ☒
or Produced Identification ☐
Type of Identification Produced ☐



Notary Public

Print Name:

My Commission Expires:

Kathryn G. Wilson
Notary Public
State of Florida
Commission No. FF965338
Commission Expires: March 21, 2020

OR BK 4960 PG 1429
Escambia County, Florida
INSTRUMENT 2002-999241

DEED DOC STAMPS PD # ESC/CI \$1330.00
08/23/02 ERNIE LEE WARDEN, CLERK

This Document Prepared By:

✓ Philip A. Bates, P.A.
Post Office Box 1423
Pensacola, Florida 32596-1423

Parcel ID Number:

Grantee TIN: _____

WARRANTY DEED (Statutory Form-Section 689.02, F.S.)

This Indenture, Made this 16th day of August, 2002, between MIRANKA FOUNTAIN, a married woman, GRANTOR, whose address is 2324 Windstone Drive, and SUSAN TODARO, an unmarried woman AND CAROL TODD, an unmarried woman, whose addresses are 2021 E. Cervantes Street and 6052 Chapman Circle, Pensacola, State of Florida, Grantee,

WITNESSETH, That said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to said Grantee, as tenants in common and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Escambia County, Florida, to wit:

See Exhibit A attached hereto

THE ABOVE DESCRIBED PROPERTY IS NOT THE CONSTITUTIONAL
HOMESTEAD OF MIRANKA FOUNTAIN.

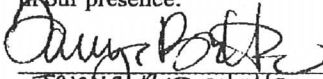
Subject to zoning and other requirements imposed by governmental authorities; restrictions and matters appearing on the plat, if there is a recorded plat, or otherwise common to the subdivision, if the property is located within a subdivision; valid easements and mineral reservations of record affecting the property, if any, which are not hereby reimposed; and taxes for the current and subsequent years.

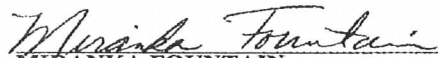
Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

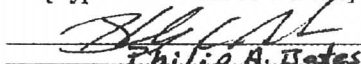
"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:


Tanya C. Bramlette
[Type/Print Name of Witness]

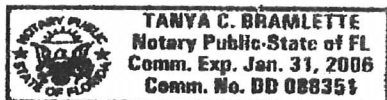
 (SEAL)
MIRANKA FOUNTAIN


Philip A. Bates
[Type/Print Name of Witness]


STATE OF FLORIDA

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 16th day of , August 2002, by Miranka Fountain, a married woman who () is personally known to me or who (✓) has produced FL Drivers License as identification and () did () did not take an oath.



(NOTARIAL SEAL)



(Print/Type Name)
NOTARY PUBLIC
Commission Number: _____
My Commission Expires: _____

OR BK 4960 PG1430
Escambia County, Florida
INSTRUMENT 2002-999241

RCD Aug 23, 2002 01:30 pm
Escambia County, Florida

Exhibit A

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2002-999241

Parcel 1

That portion of Lot 3 of Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commencing at a concrete monument at the Southeast corner of said Lot 3 at the point of intersection of the center line of two roads at right angles to each other, thence North 50 feet to the North right of way line of a 100 foot wide road; thence West 243 feet to the point of beginning; thence continue West with said right of way line 105 feet; thence North at right angles 301 feet; thence East at right angles 105 feet; thence South at right angles 301 feet to the point of beginning, (Being the West 105 feet of the East 348 feet of the South 351 feet of aforesaid Lot 3, saving and reserving the South 50 feet for a public road right of way.)

also described as:

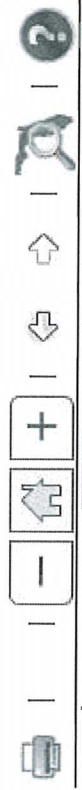
South 301 feet of West 105 feet of East 158 7/10 Feet of Lot F, Block 3, ABB S/D, Plat Book 1, Page 82 as described in O.R. Book 260 at page 546 and O.R. Book 274, Page 334, Escambia County, Florida.

Parcel 2

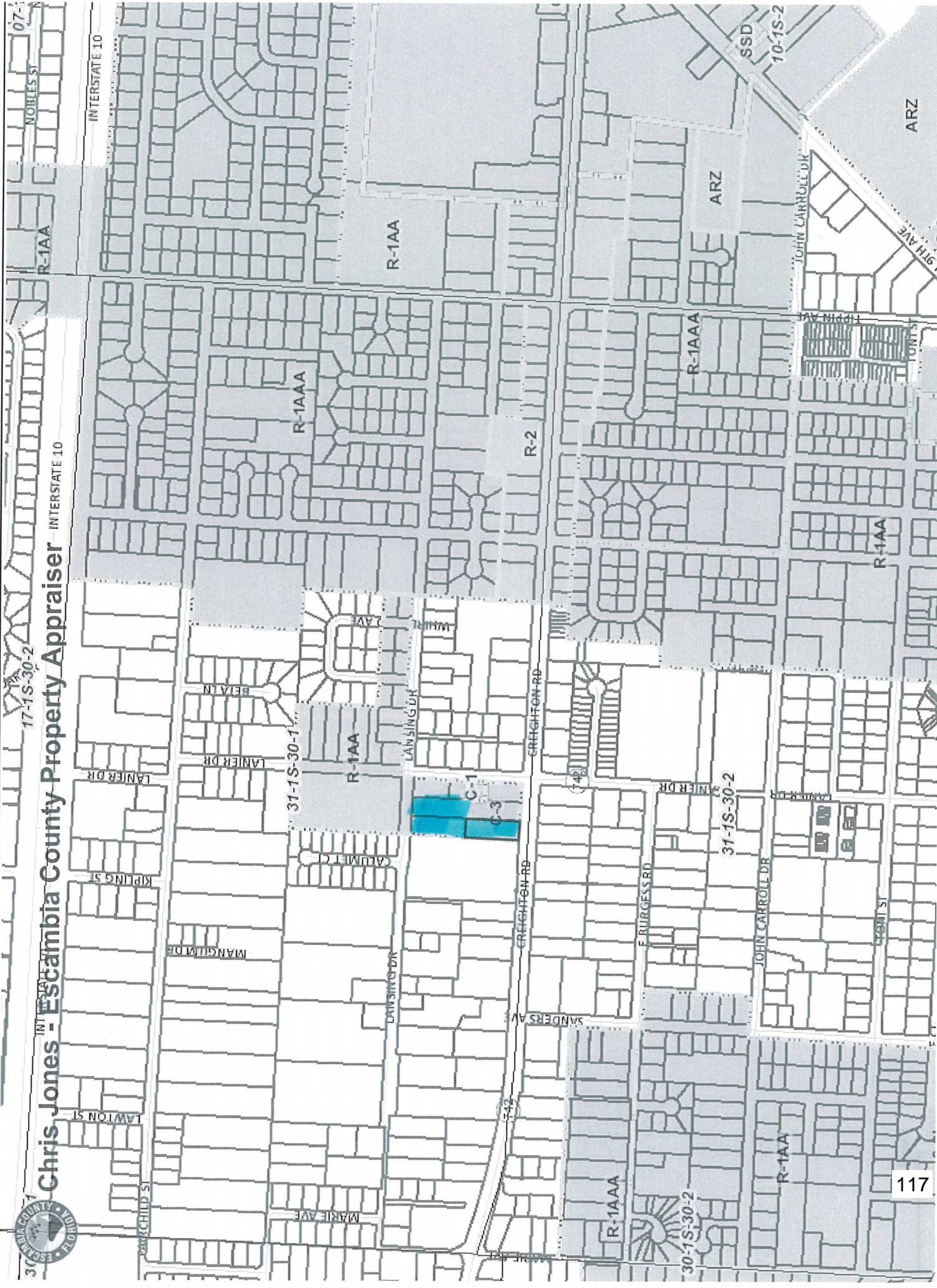
That portion of Lot 3, Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commencing at concrete monument at the Southeast corner of said Lot 3, at the point of intersection of the center line of two roads at right angles to each other, thence North 50 feet to the North right-of-way line of a 100 ft. wide road, thence West with said right-of-way line 243 feet, thence North at right angles 301 feet to point of beginning, thence West at right angles 105 feet, thence North at right angles 301 feet, thence East at right angles 105 feet, thence South 301 feet at right angles to point of beginning, being the North 301 feet of the West 105 feet of the East 348 feet of the South 652 feet of aforesaid Lot 3.

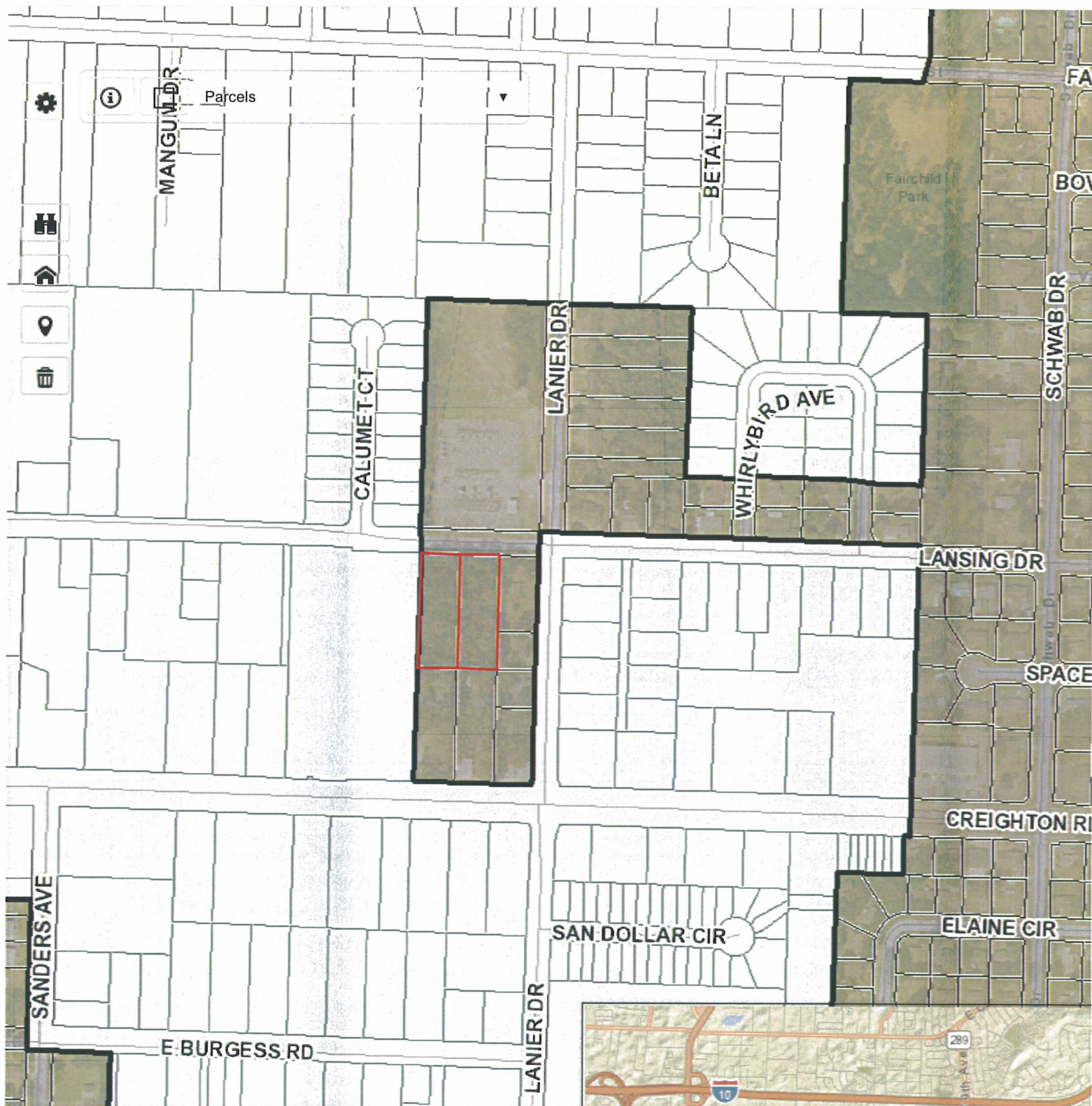
That portion of Lot 3, Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: commencing at a concrete monument at the Southeast corner of said Lot 3 at the point of intersection of the center lines of two roads at right angles to each other; thence North 50 feet to the North right of way line of a 100 feet wide road, thence West 138 feet to a point; thence continue West with said right of way 105 feet, thence North at right angles 602 feet to the point of beginning of this description; thence East at right angles 105 feet; thence South at right angles 300 feet; thence West at right angles 105 feet; thence North at right angles 300 feet to the point of beginning of this description, the same being the North 300 feet of the West 105 feet of the East 243 feet of the South 652 feet of aforesaid Lot 3.

RECORDED AS RECEIVED

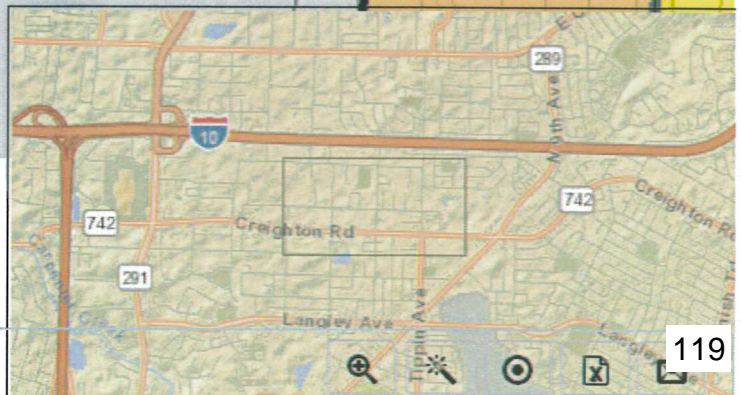
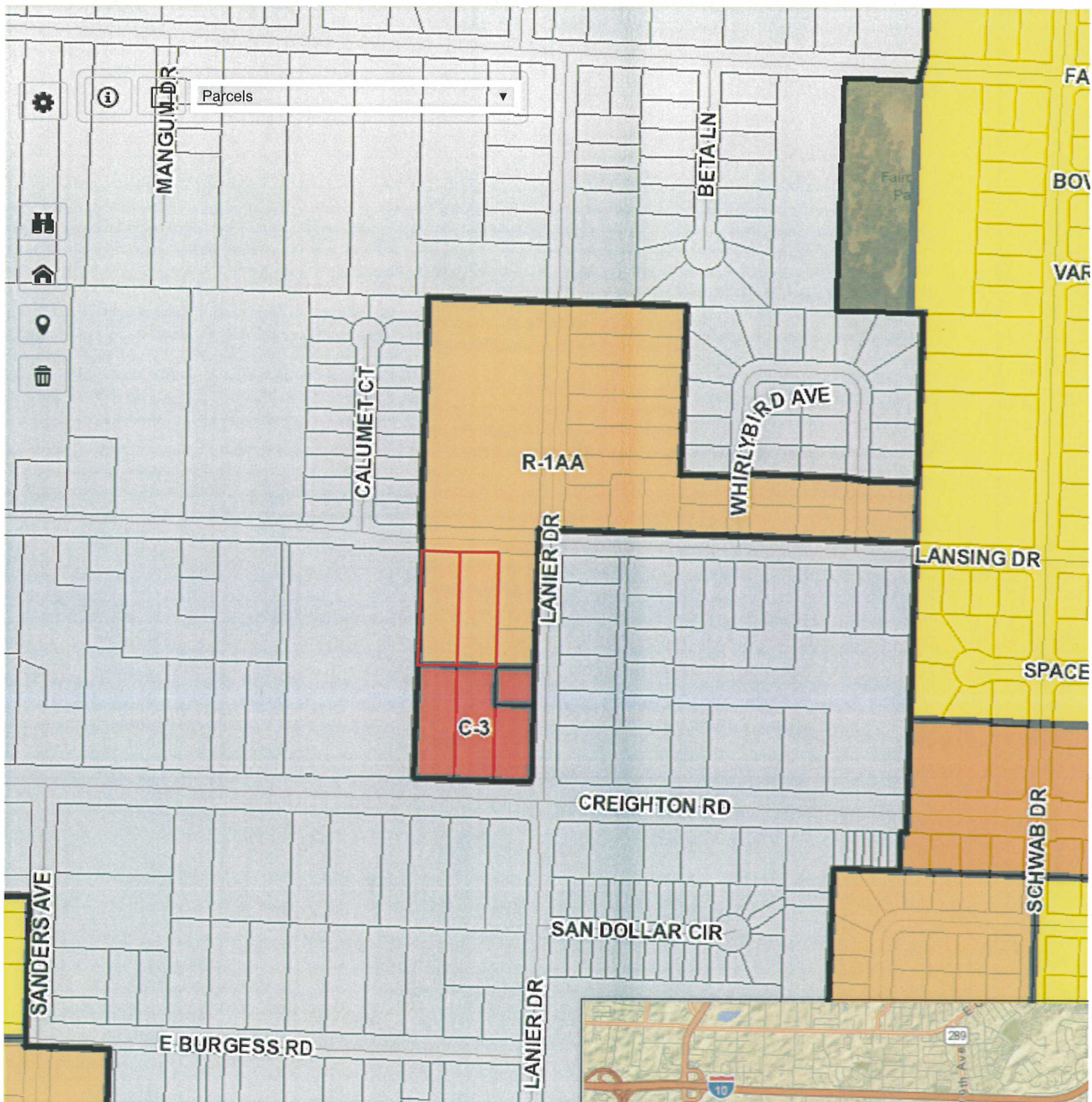


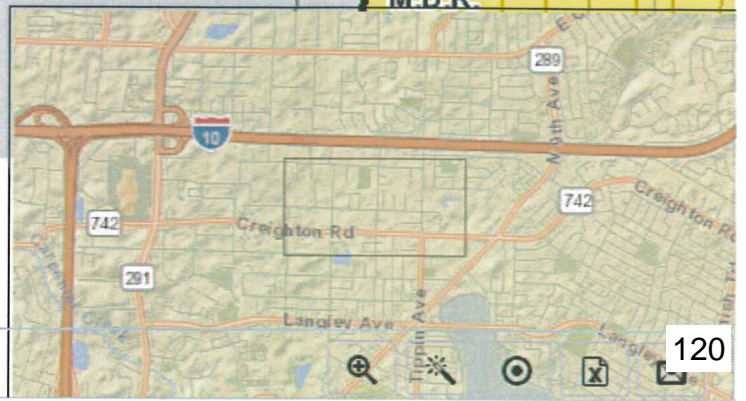
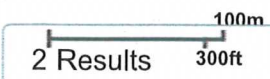
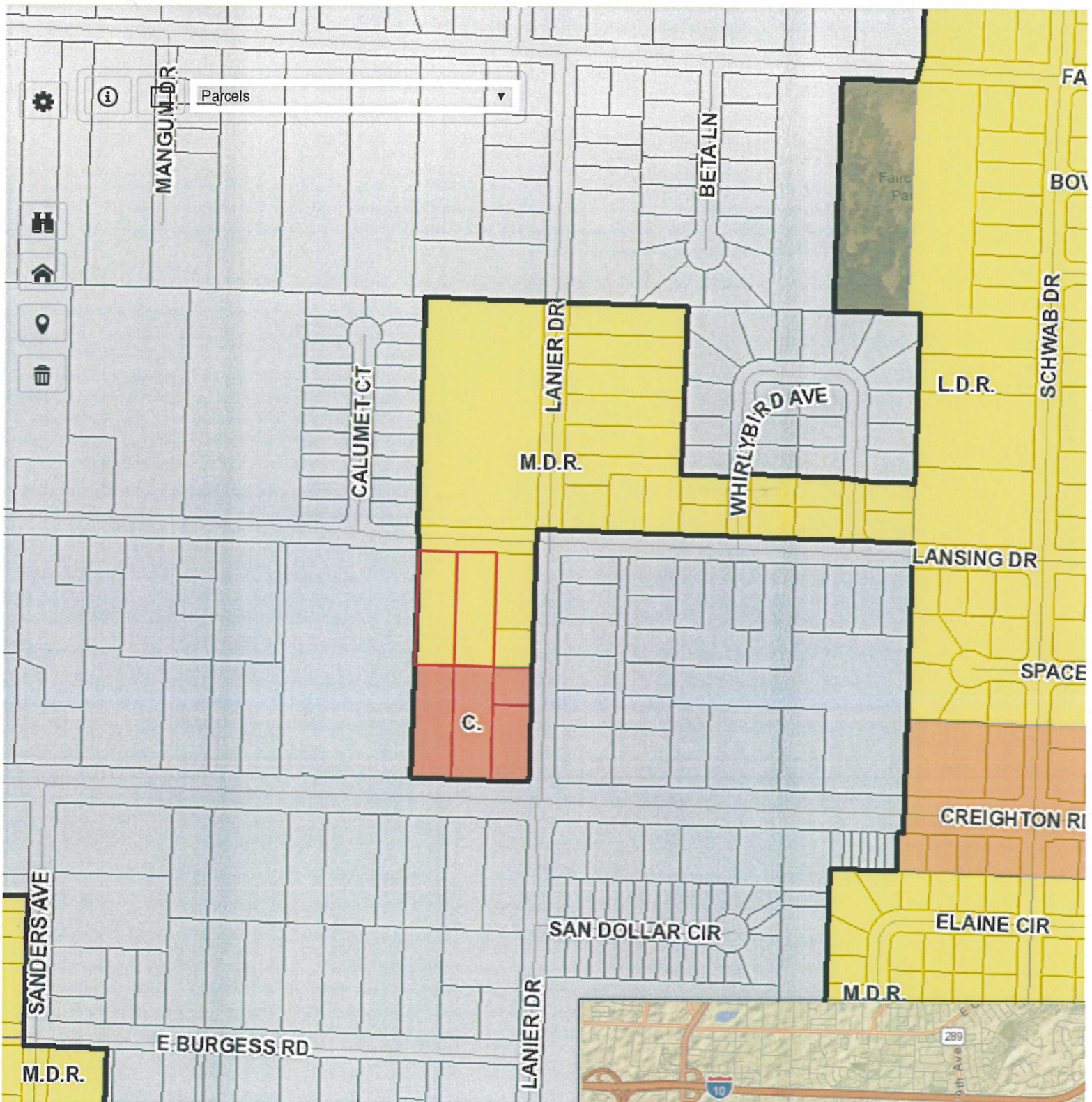
Chris Jones - Escambia County Property Appraiser





2 Results 100m 300ft





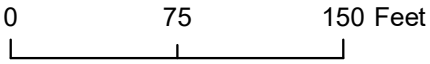
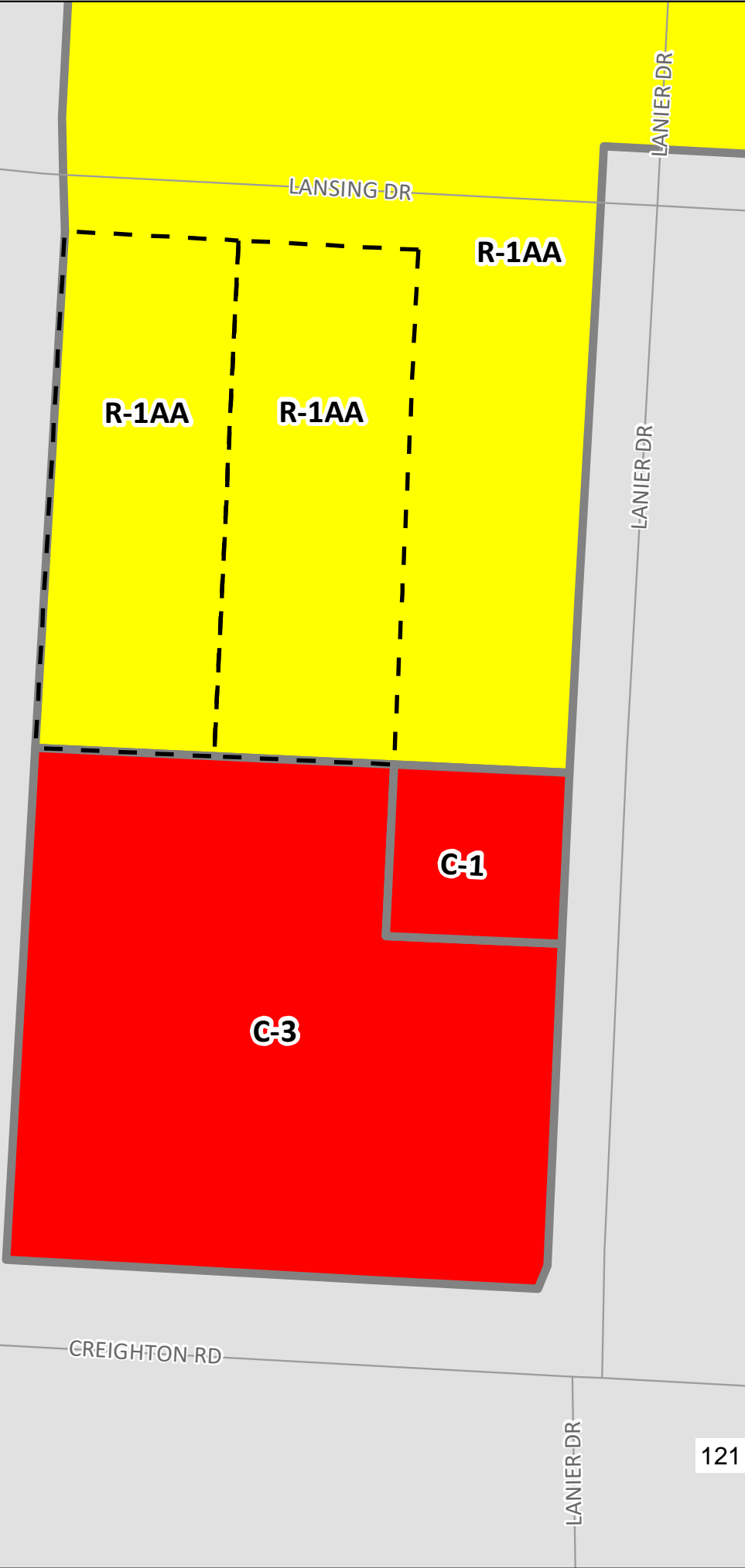
Parcels for Rezoning

COMMERCIAL

RESIDENTIAL

Escambia County

Current Zoning







Date: 3/31/2020

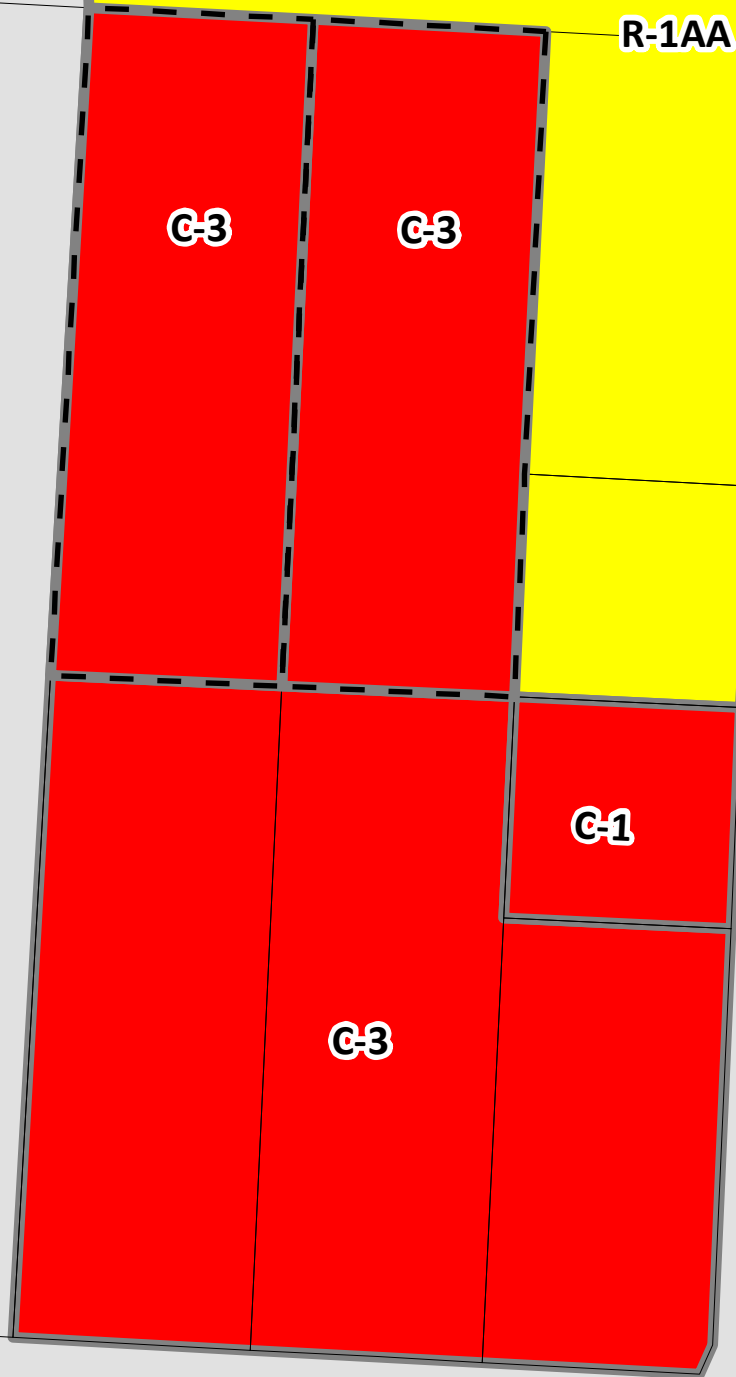


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-  Parcels for Rezoning
-  COMMERCIAL
-  RESIDENTIAL
-  Escambia County

Proposed Zoning



0 75 150 Feet

Date: 3/31/2020



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Parcels for Rezoning



Escambia County

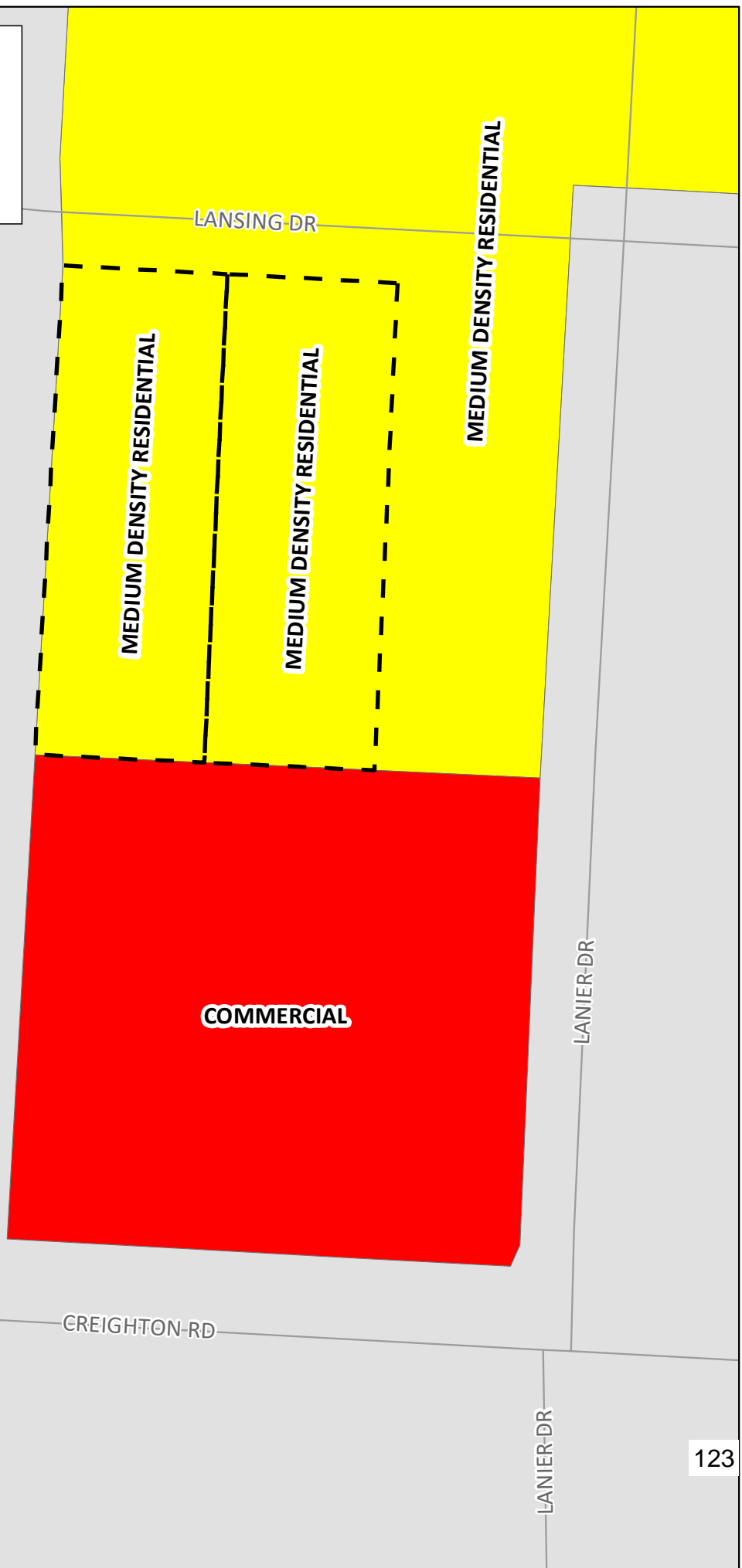


MEDIUM DENSITY RESIDENTIAL



COMMERCIAL

Current Future Land Use



0 80 160 Feet

Date: 3/31/2020



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Parcels for Rezoning



Escambia County



MEDIUM DENSITY RESIDENTIAL



COMMERCIAL

Proposed Future Land Use

0 75 150 Feet

Date: 3/31/2020



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LANSING DR

MEDIUM DENSITY RESIDENTIAL

COMMERCIAL

COMMERCIAL

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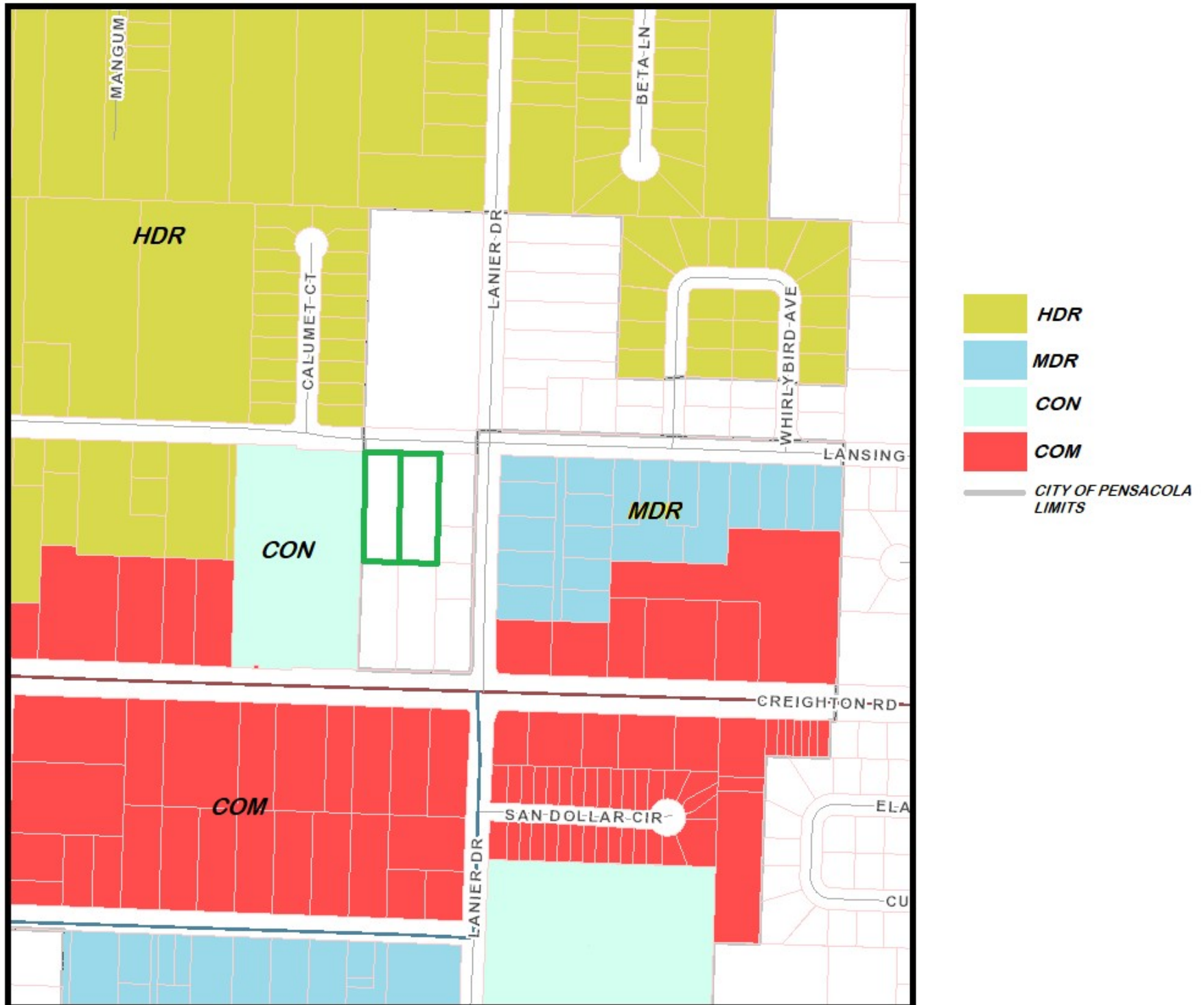
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LANIER DR





LANIER DR

LANIER DR

ESCAMBIA COUNTY ZONING



Escambia County FLU

-  MU-U
-  Parcels for Rezoning
-  MEDIUM DENSITY RESIDENTIAL
-  COMMERCIAL

Current Future Land Use

MU-U

MEDIUM DENSITY RESIDENTIAL

MEDIUM DENSITY RESIDENTIAL

MEDIUM DENSITY RESIDENTIAL

LANSING DR

COMMERCIAL

LANIER-DR

MU-U

0 80 160 Feet

Date: 4/16/2020



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

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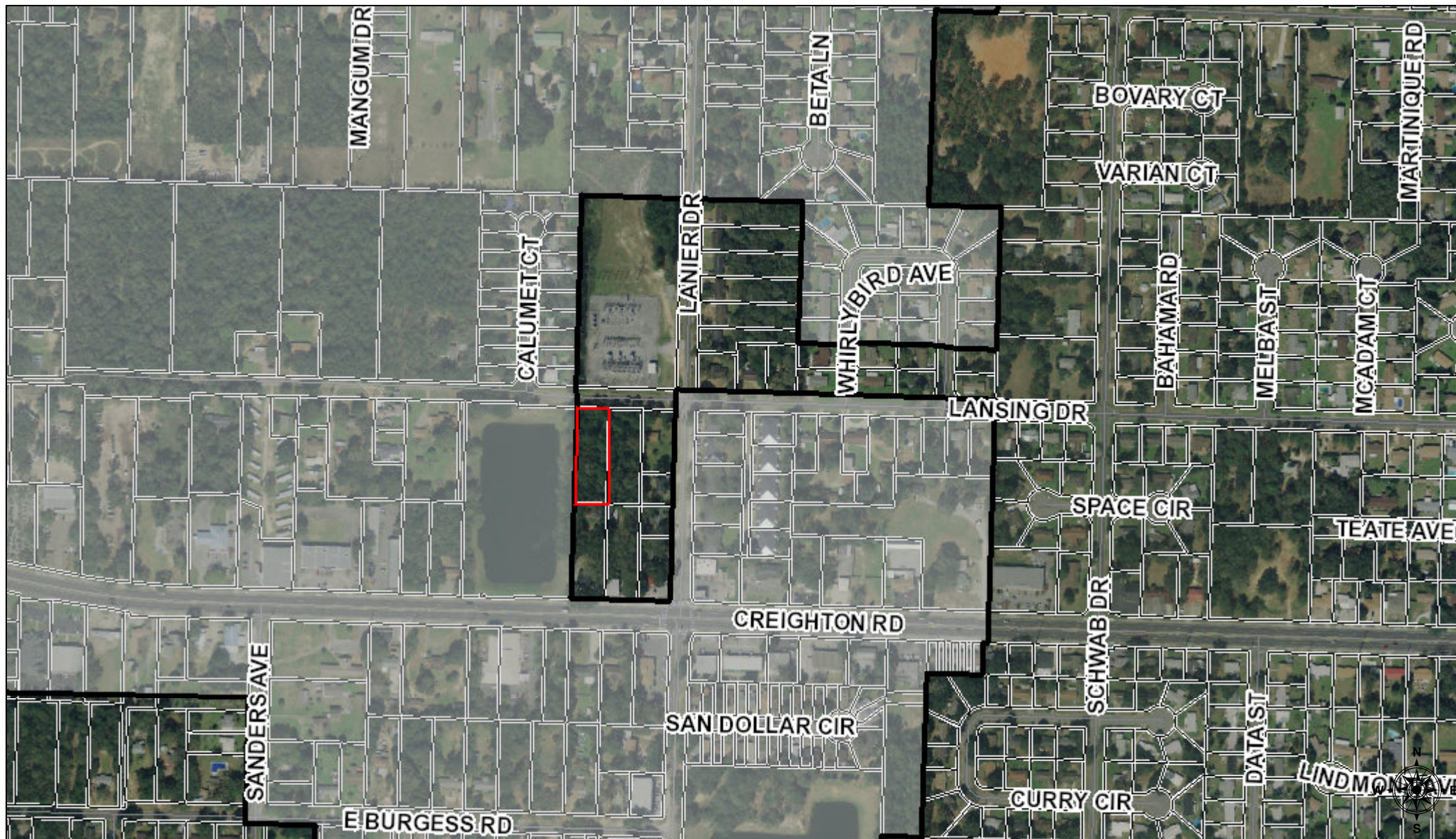
GREIGHTON-RD

LANIER-DR

126

MU-U

GoMaps



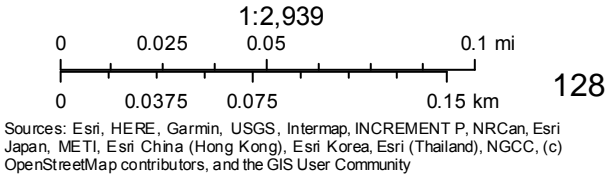
April 23, 2020

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Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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April 23, 2020





City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00216

Planning Board

5/12/2020

TO: Planning Board Members

FROM: Cynthia Cannon, AICP, Assistant Planning Director

DATE: 5/5/2020

SUBJECT:

Modifications to Planning Board Submittal Deadlines LDC Amendments - Sec. 12-2-4, Vacation of Street, Alleys, 12-12-7, License to Use Right of Way, Sec.12-13-2 Variances, and Sec. 12-13-5, Application Deadlines

BACKGROUND:

City staff received a request to amend the twenty-one (21) day deadline for Planning Board applications to a thirty (30) day deadline in the following sections: Sec.12-2-4, Vacation of Street, Alleys, 12-12-7, License to Use Right of Way, Sec.12-13-2 Variances, and Sec. 12-13-5, Application Deadlines. This change will be consistent with the thirty (30) day deadline currently in place for rezonings, subdivisions, and site plan applications.

The twenty-one (21) day deadline does not provide adequate review time for both our external and internal reviewing agencies. Additionally, this can result in applicants not receiving pertinent comments in a timely fashion which can place them at a disadvantage during a Planning Board meeting.

This request has been routed through the various City departments and utility providers and their comments are attached for your review.

Sec. 12-12-4. - Vacation of streets, alleys.

This section is established to provide for the vacation of streets, alleys or other public rights-of-way by official action of the city council.

- (A) *Application.* An application for vacation of streets, alleys or other public right-of-way shall be filed with the planning department and shall include the reason for vacation and a legal description of the property to be vacated. Application for an alley vacation shall be in petition form signed by all property owners abutting the portion of the alley to be vacated. If all property owners do not sign the petition requesting such alley vacation, city staff shall determine the portion of the alley to be vacated.
- (1) An application for vacation of streets, alleys or other public right-of-way must be submitted to the planning department at least ~~twenty-one (21)~~ thirty (30) days prior to the regularly scheduled meeting of the planning board.
 - (2) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
 - (3) No application shall be considered complete until all of the following have been submitted:
 - (a) The application shall be submitted on a form provided by the board secretary.
 - (b) Each application shall be accompanied by the following information and such other information as may be reasonably requested to support the application:
 1. Accurate site plan drawn to scale;
 2. A legal description of the property proposed to be vacated;
 3. Proof of ownership of the adjacent property, including a copy of the deed and a title opinion, title insurance policy, or other form of proof acceptable to the city attorney;
 4. Reason for vacation request;
 5. Petition form signed by all property owners abutting the portion of the right-of-way or alley to be vacated.
 - (c) The applicant 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.
 - (d) Any party may appear in person, by agent, or by attorney.
 - (e) Any application may be withdrawn prior to action of the planning board or city council at the discretion of the applicant initiating the request upon written notice to the board secretary.
- (B) *Planning board review and recommendation.* The planning department will distribute copies of the request to vacate to the appropriate city departments and public agencies for review and comment: Said departments shall submit written recommendations of approval, disapproval or suggested revisions, and reasons therefore, to the city planning department. The planning board shall review the vacation request and make a recommendation to the city council at a regularly scheduled planning board meeting. When a request for vacation of a right of way adjacent to a street or alley is made, the vacation shall be limited to a minimum of no less than ten (10) feet from the existing back-of-curb. Any existing sidewalk on a right of way must be maintained or rebuilt by an owner granted such a vacation in order to preserve ADA accessibility to the public.
- (1) Public notice for vacation of streets, alleys.

- (a) A sign shall be prominently posted on the property to which the application pertains at least seven (7) days prior to the scheduled board meeting.
 - (b) The planning department shall notify property owners within a three hundred-[foot] radius, as identified by the current county tax roll maps, of the property proposed for vacation with a public notice by post card at least five (5) days prior to the board meeting. The public notice shall state the date, time and place of the board meeting.
- (C) *City council review and action.* The planning board recommendation shall be forwarded to the city council for review and action.
 - (1) *Notice and hearing.* The city council shall set a date for a public hearing to be conducted during a regularly scheduled city council meeting. Planning staff shall post a sign specifying the date and time of the public hearing at least seven (7) days prior to the hearing. A public notice shall be published in a local newspaper of general distribution stating the time, place and purpose of the hearing at least ten (10) days prior to the public hearing. The planning department shall notify property owners by certified mail, as identified by the current county tax roll, at least fifteen (15) days prior to the city council public hearing.
 - (a) In case of an alley vacation request all adjacent owners shall be notified.
 - (b) In the case of a street vacation request, all property owners within three hundred (300) feet of the request shall be notified.
 - (2) *Action.* The city council shall approve, approve with modifications, or deny the vacation request at the council public hearing. If the request is approved by the council, an ordinance will be drawn and read two (2) times following the public hearing, at which time the vacation becomes effective. When a request for vacation of a right of way adjacent to a street or alley is made, the vacation shall be limited to a minimum of no less than ten (10) feet from the existing back-of-curb. Any existing sidewalk on a right of way must be maintained or rebuilt by an owner granted such a vacation in order to preserve ADA accessibility to the public.
- (D) *Easements retained.* If the city council determines that any portion of a public street or right-of-way is used or in the reasonably foreseeable future will be needed for public utilities, the street may be vacated only upon the condition that appropriate easements be reserved for such public utilities.
- (E) *Zoning of vacated property.* Whenever any street, alley or other public right-of-way is vacated, the district use and area regulations governing the property abutting upon each side of such street, alley or public right-of-way shall be automatically extended to the center of such vacation and all area included within the vacation shall thereafter be subject to all appropriate regulations of the extended use districts.
- (F) *Ownership of property.* Whenever any street, alley or public right-of-way is vacated, ownership of said property conferred by such action shall extend from the right-of-way line to the center of said property, unless otherwise specified.

(Ord. No. 6-93, § 26, 3-25-93; Ord. No. 44-94, § 7, 10-13-94; Ord. No. 15-00, § 8, 3-23-00; Ord. No. 12-09, § 3, 4-9-09; Ord. No. 01-19, § 1, 2-14-19)

Sec. 12-12-7. - License to use right-of-way.

(A) *Application.*

- (1) An application for license to use right-of-way must be submitted to the planning department at least ~~twenty-one (21)~~ thirty (30) days prior to the regularly scheduled meeting of the planning board.
- (2) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
- (3) No application shall be considered complete until all of the following have been submitted:
 - (a) The application shall be submitted on a form provided by the board secretary.
 - (b) Each application shall be accompanied by the following information and such other information as may be reasonably requested to support the application:
 1. Accurate site plan drawn to scale;
 2. Reason for license to use request;
- (4) The applicant 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.
- (5) Any party may appear in person, by agent, or by attorney.
- (6) Any application may be withdrawn prior to action of the planning board or city council at the discretion of the applicant initiating the request upon written notice to the board secretary.

(B) *Planning board review and recommendation.* The community development department will distribute copies of the request for a license to use right-of-way to the appropriate city departments and public agencies for review and comment. Said departments shall submit written recommendations of approval, disapproval or suggested revisions, and reasons therefore, to the community development department. The planning board shall review the license to use right-of-way request and make a recommendation to the city council.

(1) *Public notice for license to use right-of-way.*

- (a) The community development department shall notify addresses within a three hundred-foot radius, as identified by the current Escambia County tax roll maps, of the right-of-way proposed to be licensed with a public notice by post card at least five (5) days prior to the board meeting. The public notice shall state the date, time and place of the board meeting.

(C) *City council review and action.* The planning board recommendation shall be forwarded to the city council for review and action.

- (1) *Notice and hearing.* The community development department shall notify addresses within a three hundred-foot radius, as identified by the current Escambia County tax roll maps, of the right-of-way proposed to be licensed with a public notice by post card at least five (5) days prior to the council meeting. The public notice shall state the date, time and place of the council meeting.
- (2) *Action.* The city council shall approve, approve with modifications, or deny the license to use right-of-way request. If the request is approved by city council, a license to use agreement will be drawn, at which time the license becomes effective upon execution by the applicant and the city and payment by the applicant of any required fee.

(D) *Approval of outdoor seating areas.* Outdoor seating areas shall be approved by the city via an annual permit, and must comply with the following outdoor seating area standards and regulations.

- (1) *Outdoor seating area standards and regulations City of Pensacola.* The issuance of an outdoor seating area permit is a privilege granted by the City of Pensacola. The City of Pensacola

requires compliance with all rules and regulations outlined or referenced in this set of standards as well as respect for the community in which the establishment is located. The City of Pensacola will monitor and enforce the proper operation of outdoor seating areas and is empowered to issue citations for ordinance or rule and regulation violations.

- (a) An outdoor seating area permit is valid from the date of issuance for one (1) year.
- (b) Outdoor seating areas shall not operate earlier or later than the hours of operation of the licensed establishment.
- (c) All establishments offering an outdoor seating area and their employees shall be subject to and comply with all applicable requirements and standards for a retail food establishment.
 - (1) Patrons must wear shoes and shirts at all times.
 - (2) All outdoor seating areas must have an opening for ingress and egress at all times.
 - (3) All outdoor seating areas must adhere to the size, design, and any other specifications approved by the city at all times. Strict adherence to required design standards as set forth herein is mandatory.
 - (4) Strict adherence to hours of operation, approved layout of all components of the outdoor seating area, clear space for pedestrians and required landscaping is mandatory.
- (d) Where the city has installed a permanent structure such as a parking meter, planter, light pole or other device, the permittee of the outdoor seating area shall make accommodation for the required clearance for pedestrian passage. All establishments granted a license to use permit, shall remain in compliance with approved design standards. Permittees of outdoor seating areas shall be mindful of the rights of pedestrians traveling past their outdoor seating area at all times during the operation of the outdoor seating area. Complaints regarding outdoor seating areas will be investigated by the city, and violations of the ordinance or the rules and regulations promulgated will result in citations being issued to the permittee and/or revocation of permittee's outdoor seating area permit. Permittee shall be required to fully abide by all federal, state, and local laws, rules and regulations applicable to the operation of an outdoor seating area in the City of Pensacola.
- (e) All areas within and surrounding the outdoor seating area must be maintained in a clean, neat and sanitary condition and shall be policed routinely by permittee to ensure removal of all wrappings, litter, debris, spills, and food therefrom. Permittee shall be responsible for sanitary cleaning of the sidewalk between pressure washing scheduled by the City of Pensacola or its designated agent.
- (f) Establishments permitted to have outdoor seating areas offering amplified and/or live music must control and limit the ambient noise in conformance with the City of Pensacola noise ordinance. Any projection of music within or upon any part of the license-to-use area shall be done in such a way as to direct the sound transmission towards the face and interior of the permittee's building and away from the street and adjoining businesses.
- (g) All tables, chairs, plants, planters, and any other items of the outdoor seating area, hereinafter defined as outdoor seating area elements, shall be approved as part of the permit approval process as set forth in the Ordinance regulating outdoor seating areas.
- (h) The approved outdoor seating area plan shall be displayed inside the establishment in a prominent and conspicuous location clearly visible to permittee, his or her employees and all of the public so that the approved location of outdoor seating area elements is evident. Permittee and his or her employees are responsible for immediately returning outdoor seating area elements to their approved locations if they are moved by patrons or become otherwise dislocated.

- (i) A portion of the annual outdoor seating area permit fee will be used to periodically pressure wash, steam clean, or sanitary clean the sidewalk areas used for outdoor seating and adjacent rights-of-way. The City of Pensacola or its designated agent may contract for such services, but such service in no way exempts the permittee from maintaining the cleanliness and upkeep of the sidewalk. The permittee will be expected to cooperate with periodic appropriate washing and cleaning by removing outdoor seating area elements with notice for cleaning.
 - (j) The city will inspect all outdoor seating areas after permits have been issued, and also enforce outdoor seating area permit standards. Any violations of the provisions of these rules and regulations, or any deviation from approved plans or willful omissions of the application may result in citations being issued to the operator and/or revocation of permittee's outdoor seating area permit.
 - (k) Any permittee or his or her employees, agents or contractors who violate or resist enforcement of any provision of the outdoor seating area ordinance and/or these rules and regulations may be subject to immediate permit revocation by the city. Any expenses incurred for restoration or repair of the public right-of-way to its original condition, reasonable wear and tear excepted, shall be the responsibility of the permittee.
 - (l) The outdoor seating area permit may be terminated by the city without cause and for any reason by giving ninety (90) days prior written notice to permittee. In the event that the permittee receives notice from the city of termination of the outdoor seating area permit, the city shall not be liable for any claim from permittee, its legal representatives, successors or assigns arising out of the termination. The permittee may also terminate the outdoor seating area permit by giving written notice of its intention to do so to the city, removing any outdoor seating area elements, and restoring the sidewalk to its original condition, reasonable wear and tear excepted. When the city has acknowledged in writing its satisfaction therewith, this permit shall be terminated, and the city and permittee shall have no further obligation arising hereunder.
 - (m) Permittee shall be required to maintain a current City of Pensacola business license.
- (2) *Design standards outdoor seating areas.* In order to remain consistent with the City of Pensacola's objective of developing attractive outdoor dining spaces, including the furniture, objects, structures and décor associated therewith, in as much that applicants desiring to use public space for semiprivate use are enhancing the private interests of their enterprise as well that of the city, the following design standards shall apply to establishments seeking permission to erect outdoor seating areas throughout the City of Pensacola.
- (a) *Space and clearances.*
 - (1) The area designated for the outdoor seating area shall be considered an extension of the permittee's establishment; therefore, the location of the outdoor seating area must be directly in front of the permittee's establishment.
 - (2) An outdoor seating area is required to maintain a clear unimpeded pedestrian path of six (6) feet minimum at all times that is free from any permanent or semi-permanent structure or other impediment. In areas of higher pedestrian traffic or other activity, or in conditions that suggest the need for additional clearance, a clear pedestrian path greater than six (6) feet may be required. This area shall also be free of any obstructions such as trees, parking meters, utility poles and the like in order to allow adequate pedestrian movement.
 - (3) Outdoor seating areas shall not interfere with any utilities or other facilities such as telephone poles, fire hydrants, signs, parking meters, mailboxes, or benches located on the sidewalk or public right-of-way.
 - (4) The outdoor seating area shall maintain clear distances for maneuvering around entrances or exits. The outdoor dining area shall be accessible to disabled patrons

and employees, and buildings adjacent to these areas shall maintain building egress as defined by the state and federal accessibility standards.

- (5) When an outdoor seating area is located at a street corner or adjacent to an alley or driveway, visual clear-zone requirements shall be maintained and specified through the permit review process. This requirement may be modified at the discretion of the city in locations where unusual circumstances exist and where public safety could be jeopardized.
- (b) *Furniture, objects, structures and décor.* Tables, chairs, umbrellas, awnings, barriers and any other object associated with an outdoor seating area ("outdoor seating area elements") shall be of quality design, materials and workmanship both to ensure the safety and convenience of users and to enhance the visual and aesthetic quality of the urban environment. All outdoor seating area elements shall be reviewed by the city and as a part of the outdoor seating area permitting process. In reviewing outdoor seating area elements, the city shall consider the character and appropriateness of design including but not limited to scale, texture, materials, color and the relation of the outdoor seating area elements to the adjacent establishments, to features of structures in the immediate surroundings, as well as to the streetscape and adjacent neighborhood(s), if applicable.

Tables and chairs for sidewalk dining shall be placed in the area designated for sidewalk dining only. Appropriate density of tables and chairs is to be reviewed by the city and may be affected by specific conditions of the location. Table sizes should be kept to a minimum so as not cause crowding, a disturbance or a nuisance.

Permanent structures in outdoor seating areas are not permitted. All furniture, umbrellas or other outdoor seating area elements shall not be attached permanently to the sidewalk or public right-of-way. The permittee shall be responsible for the restoration of the sidewalk or public right-of-way if any damage is caused as a result of the issuance of the outdoor seating area permit.

- (c) *Overhead structures.* Umbrellas and any type of temporary overhead structure may be utilized if approved by the City of Pensacola as part of the outdoor seating area permitting process. The use of overhead structures over the outdoor dining areas and removable umbrellas may be permitted provided they do not interfere with street trees. No portion of the umbrella shall be less than six (6) feet above the sidewalk. Umbrellas and any type of overhead structure shall be designed to be secure during windy conditions and shall be weather resistant.

Awnings, either permanent or temporary, may be utilized if approved by the city and the appropriate review board, if applicable, through a separate license to use the right-of-way approval process. Awnings shall have no support posts located within the public right-of-way, and no portion of an awning shall be less than eight (8) feet above the sidewalk. A building permit must be obtained prior to the installation of an awning and is subject to all applicable code sections of the Code of the City of Pensacola.

- (d) *Signage.* Aside from properly permitted sandwich boards, signs advertising sale of goods or services at an outdoor seating area shall be prohibited. This prohibition includes but is not limited to banners, writing, or signs as part of the furniture or on umbrellas, pamphlets, podiums, or any other outdoor seating area element containing a sign or advertisement. Menus shall be restricted to a maximum size not to exceed nine (9) inches wide and twelve (12) inches long and shall be secured to tabletops or designed in order to prevent debris. If the outdoor seating area is licensed for alcohol consumption through the Department of Business and Professional Regulation Division of Alcoholic Beverages and Tobacco, a sign posted in a visible location is required at every outdoor seating area stating, "It is unlawful to consume alcoholic beverages not purchased at permittee's establishment or its outdoor seating area or to remove alcoholic beverages from the licensed outdoor seating area."

- (e) *Lighting.* Lighting for outdoor seating areas may be utilized if approved by the city as a part of the outdoor seating area permitting process. Any such lighting shall complement the existing building and outdoor seating area design and shall not cause a glare to passing pedestrians or vehicles. Temporary electrical wires shall not be permitted to access the outdoor seating area. Possible lighting sources include tabletop candles or low wattage battery operated fixtures. Additional lighting may be attached to the permittee's establishment provided permittee obtains all necessary approvals for such lighting from the city and any applicable review boards.
- (f) *Outdoor heaters.* Outdoor heaters may be utilized upon the approval by the city as a part of the outdoor seating area permitting process.
- (g) *Vending machines, carts prohibited.* No vending machines, carts, or objects for the sale of goods shall be permitted in an outdoor seating area
- (h) *Service and use.* All services provided to patrons of an outdoor seating area and all patron activity (i.e., sitting, dining, waiting, etc.) shall occur within the designated outdoor seating area, and shall not impinge on the required clear distance for pedestrian passage at any time.

No alcoholic beverages may be stored or mixed in the outdoor seating area. Equipment necessary for the dispensing of any other items should be reported as part of the operation of the outdoor seating area and is subject to review.

The permittee must provide supervision of the outdoor seating area to ensure the conduct of patrons and operations of the area are in compliance with this ordinance at all times.

- (i) *Insurance required.* Each permittee of an outdoor seating area permit shall furnish a certificate of insurance evidencing commercial general liability insurance with limits of not less than one million dollars (\$1,000,000.00) in the aggregate combined single limit, for bodily injury, personal injury and property damage liability. The insurance shall provide for thirty (30) days prior written notice to be given to the City of Pensacola if coverage is substantially changed, canceled, or nonrenewed. The city will give permittee at least ninety (90) days prior written notice of any increase in the required limits of liability. The permittee will agree to have in force, by the end of such ninety (90) day period, the newly required limits of liability.

The City of Pensacola shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of an outdoor seating area; and the permittee shall indemnify, defend and hold the city harmless from any loss that results directly or indirectly from the permit issuance or the operation of the outdoor seating area.

Each permittee shall maintain the insurance coverage required under this section during the permit period. The certificate(s) of insurance shall be presented to the City of Pensacola prior to the issuance of a permit under this section. Failure of the permittee to maintain the insurance required by this section shall result in the revocation of the outdoor seating area permit.

In order to receive a permit for an outdoor seating area on a public right-of-way, the applicant must demonstrate that the provisions of these guidelines will be met. Documentation demonstrating that the provisions of this guideline will be complied with must accompany the application in order to receive a permit. An outdoor seating area permit will not be issued to a permittee until after the City of Pensacola has conducted a site inspection of the approved outdoor seating area and all outdoor seating area elements placed therein to ensure that the outdoor seating area and all outdoor seating area elements are in compliance with the approved permit and that the permittee is in compliance with all other requirements of the permit.

- (j) *Indemnification.* Permittee shall indemnify and hold harmless the city from any and all liability, claims, demands, damages, expenses, fees, fines, penalties, expenses (including attorney's fees and costs), suits, proceedings, actions or causes of action, of every kind and nature whatsoever, arising out of or occurring in connection with the occupancy and/or use of the permitted area by permittee, its successors, assigns, officers, employees, servants, agents, contractors, or invitees, of whatsoever description, or resulting from any breach, default, non-performance, or violation of any of permittee's obligations. The permittee shall at his or her own expense defend any and all actions, suits, or proceedings which may be brought against the city or in which the city may be impleaded with others in any such action or proceeding arising out of the use or occupancy of the outdoor seating area. This paragraph shall survive the termination of this permit.
 - (k) *Transferability.* A permit to allow an outdoor seating area is not transferable from one owner or ownership group to another due to a sale or transfer of the property or business. Each new ownership entity shall be required to apply for a permit to allow outdoor seating as set forth in the ordinances of the City of Pensacola and its standards and regulations for outdoor seating.
 - (l) *Application.* Applications for a permit to have outdoor seating shall be made jointly by the property owner and the business owner for the respective property that is seeking an extension of its business premises.
- (E) *Approval of minor encroachments.* Minor encroachments into the right-of-way may be approved administratively if the conditions of this section are met. Minor encroachments allowed under this section include, but are not limited to, awnings, driveways, and out-swinging doors.
- (1) *Design standards and regulations.* The request shall be reviewed to ensure the minor encroachment does not pose any safety concerns, that a six-foot wide pedestrian path is maintained, and that the minor encroachment does not interfere with any utilities or facilities within the right-of-way.
 - a. For out-swinging doors, the permittee must demonstrate a physical barrier has been provided to prevent the door from swinging into anyone within the public right-of-way.
 - b. Awnings that project over the right-of-way but do not require support columns in the right-of-way may be considered a minor encroachment.
 - c. The building official or city engineer will determine the boundaries of the minor encroachment area.
 - d. Failure to maintain the minor encroachment area may result in citations being issued.
 - (2) *Insurance required.* Each permittee of a minor encroachment area permit shall furnish a certificate of insurance evidencing commercial general liability insurance with limits of not less than one million dollars (\$1,000,000.00) in the aggregate combined single limit, for bodily injury, personal injury and property damage liability. The insurance shall provide for thirty (30) days prior written notice to be given to the City of Pensacola if coverage is substantially changed, canceled, or nonrenewed. The city will give permittee at least ninety (90) days prior written notice of any increase in the required limits of liability. The permittee will agree to have in force, by the end of such ninety-day period, the newly required limits of liability. The City of Pensacola shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a minor encroachment area; and the permittee shall indemnify, defend and hold the city harmless from any loss that results directly or indirectly from the permit issuance or the operation of the minor encroachment area. Each permittee shall maintain the insurance coverage required under this section during the permit period. The certificate(s) of insurance shall be presented to the City of Pensacola prior to the issuance of a permit under this section. Failure of the permittee to maintain the insurance required by this section shall result in the revocation of the minor encroachment area permit.
 - (3) *Transferability.* A permit for a minor encroachment area is transferable from one owner or ownership group to another due to a sale or transfer of the property or business so long as the

new owner provides the City of Pensacola a new proof of insurance for the minor encroachment area.

- (4) *Indemnification.* Permittee shall indemnify and hold harmless the city from any and all liability, claims, demands, damages, expenses, fees, fines, penalties, expenses (including attorney's fees and costs), suits, proceedings, actions or causes of action, of every kind and nature whatsoever, arising out of or occurring in connection with the occupancy and/or use of the permitted area by permittee, its successors, assigns, officers, employees, servants, agents, contractors, or invitees, of whatsoever description, or resulting from any breach, default, non-performance, or violation of any of permittee's obligations. The permittee shall at his or her own expense defend any and all actions, suits, or proceedings which may be brought against the city or in which the city may be impleaded with others in any such action or proceeding arising out of the use or occupancy of the minor encroachment area. This paragraph shall survive the termination of this permit.
- (5) *Application.* Applications for minor encroachments shall be made jointly by the property owner and the business owner for the respective property that is seeking an extension of its business premises.

Minor encroachments shall be reviewed by the building official or his designee prior to the issuance of building permits. For minor driveway encroachments, the city engineer or his designee shall review the request prior to the issuance of a permit.

If the request is denied or if it is determined that the encroachment is major and therefore administrative approval is not allowed, the permittee may either withdraw the request or may submit a request for a License-to-Use pursuant to section 12-12-7(A)—(C).

(Ord. No. 15-00, § 9, 3-23-00; Ord. No. 12-09, § 3, 4-9-09; Ord. No. 16-10, § 226, 9-9-10; Ord. No. 26-12, § 1, 12-13-12; Ord. No. 06-14, § 1, 2-27-14)

Sec. 12-13-2. - Planning board.

The planning board is hereby established.

- (A) *Membership.* The planning board shall consist of seven (7) members appointed by the city council. One (1) appointee shall be a licensed Florida Architect. No member shall be a paid employee or elected official of the city.
- (B) *Term of office; removal from office; vacancies.* Members of the planning board shall serve for terms of two (2) years or thereafter until their successors are appointed. Any member of the board may be removed from office during the two-year term for just cause by the city council upon written charges and after public hearing. Any vacancy occurring during the unexpired term of office of any member shall be filled by the city council for the remainder of the term. Such vacancy shall be filled within thirty (30) days after the vacancy occurs.
- (C) *Officers; employees; technical assistance.* The board shall elect a chairman and a vice-chairman from among its members and shall appoint as secretary a person of skill and experience in city planning who may be an officer or employee of the city. The board may create and fill such other offices as it may determine to be necessary for the conduct of its duties. Terms of all such offices shall be for one (1) year, with eligibility for reelection. The city engineer shall serve as chief engineer for the planning board. The board shall be authorized to call upon any branch of the city government at any time for information and advice which in the opinion of the board will ensure efficiency of its work.
- (D) *Rules of procedure, meetings and records.* The board shall adopt rules of procedure for the transaction of its business, and shall keep a record of its resolutions, transactions, findings and determinations. The board shall hold regular meetings once a month, and special meetings at such times as the board may determine or at the call of the chairman thereof, or the city planner for the consideration of business before the board. All regular and special meetings of the board shall be open to the public. A written record of the proceedings of the board shall be kept showing its actions on each question considered, and filed in the office of the secretary of the board. Any matter referred to the board shall be acted upon by the board within forty-five (45) days of the date of reference, unless a longer or shorter period is specified.
- (E) *Vote required.* Four (4) members of the board shall constitute a quorum, and the affirmative vote of majority of the quorum shall be necessary for any action thereof.
- (F) *Authority and duties of the planning board.* The planning board shall have the following authority and duties:
 - (a) To advise the city council concerning the preparation, adoption and amendment of the Comprehensive Plan;
 - (b) To review and recommend to the city council ordinances designed to promote orderly development as set forth in the Comprehensive Plan;
 - (c) To hear applications and submit recommendations to the city council on the following land use matters:
 1. Proposed zoning change of any specifically designated property;
 2. Proposed amendments to the overall zoning ordinance;
 3. Proposed subdivision plats;
 4. Proposed street/alley vacation.
 - (d) To initiate studies on the location, condition and adequacy of specific facilities of the area. These may include, but are not limited to, studies on housing, commercial and industrial facilities, parks, schools, public buildings, public and private utilities, traffic, transportation and parking;

- (e) To schedule and conduct public meetings and hearings pertaining to land development as required in other sections of the code.
- (f) To grant zoning variances from the land development regulations of the Waterfront Redevelopment District, under the conditions and safeguards provided in subsection 12-12-2(A)(2).
 - (1) *Conditions for granting a zoning variance.* In order to authorize any zoning variance from the terms of this title, the board must find in addition to the conditions specified in subsection 12-12-2(A)(2):
 - (a) That the variance granted will not detract from the architectural integrity of the development and of its surroundings;
 - (b) That the grant of the variance will be in harmony with general intent and purpose of this title and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - (c) That the decision of the planning board is quasi-judicial in nature and is final subject to judicial review in accordance with subsection 12-13-2(F)(f)(4). Hearings on variance applications under section 12-13-2(F)(f) shall be conducted as a quasi-judicial hearing in accordance with the requirements of law.
 - (2) *Hearing of variance applications.*
 - (1) *Application procedure.*
 - (a) An application for a variance must be submitted to planning services at least ~~twenty-one (21)~~ thirty (30) days prior to the regularly scheduled meeting of the planning board.
 - (b) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
 - (c) Any party may appear in person, by agent, or by attorney.
 - (d) Any application may be withdrawn prior to action of the planning board at the discretion of the applicant initiating the request upon written notice to the board secretary.
 - (2) *Application submission requirements.* No application shall be considered complete until all of the following have been submitted:
 - (a) The application shall be submitted on a form provided by the board secretary.
 - (b) The application shall be accompanied by an accurate site plan drawn to scale and such other information as may be reasonably requested to support the application.
 - (c) The applicant 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.
 - (3) *Public notice for variance.*
 - (a) A sign shall be prominently posted on the property to which the application pertains at least ten (10) days prior to the scheduled board meeting.
 - (b) Notice of the request(s) for variances shall be published by public notice advertised in a newspaper of general daily circulation published in the county at least ten (10) days prior to the scheduled board meeting.
 - (c) Planning services shall notify addresses within a three hundred-foot radius, as identified by the current Escambia County tax roll maps, of the property proposed for a variance with a public notice by post card, and appropriate homeowners

association, at least ten (10) days prior to the board meeting. The public notice shall state the date, time and place of the board meeting.

The agenda will be mailed to the board members and applicants and other interested parties. The applicant or their authorized agent shall appear at the meeting in order for the request to be considered by the board.

- (4) *Judicial review of decision of planning board.* Any person or persons, jointly or severally, aggrieved by any quasi-judicial decision of the planning board on an application for a variance under section 12-13-2(F)(f), or the city, upon approval by the city council, may apply to the circuit court of the First Judicial Circuit of Florida within thirty (30) days after rendition of the decision by the planning board. Review in the circuit court shall be by petition for writ of certiorari or such other procedure as may be authorized by law.

(Ord. No. 34-99, § 5, 9-9-99; Ord. No. 16-10, § 227, 9-9-10; Ord. No. 06-16, § 3, 2-11-16)

Sec. 12-13-5. - Application deadlines.

Application Deadlines

Hearing Board	Application Type	Deadline (calendar days prior to meeting date)
Architectural Review Board	All applications to ARB	21 (or 3 weeks)
Gateway Review Board	All applications to GRB	21 (or 3 weeks) 30
Zoning Board of Adjustment	All applications to ZBA	21 (or 3 weeks)
Planning Board		
	Conditional Use, License to Use Right-of-Way, & Vacation of Right-of-Way	21 (or 3 weeks) 30
	Rezoning (conventional, comp plan/FLUM amendment)	30
	Site Plan Approval (preliminary, final, preliminary/final, & nonresidential parking in a residential zone)	30
	Special Planned Development (preliminary, final & preliminary/final)	30
	Subdivisions (preliminary, final, & minor subdivisions)	30
<u>Monthly Board Meeting Schedule:</u>		
Architectural Review Board - 3rd Thursday		
Gateway Review Board - 2nd Tuesday		

Planning Board - 2nd Tuesday		
Zoning Board of Adjustment - 3rd Wednesday		
*Subject to change. Contact community development department to verify meeting and deadline dates.		

(Ord. No. 12-09, § 5, 4-9-09)



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00198

Planning Board

5/12/2020

FOR DISCUSSION

TO: Planning Board Members

FROM: Cynthia Cannon, AICP, Assistant Planning Director

DATE: 5/12/2020

SUBJECT:

Discussion on Proposed Amendment to the Tree Ordinance

BACKGROUND:

Continue discussion on the public engagement process regarding the proposed amendments to the Tree Ordinance.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00233

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PUBLIC HEARING: ZONING MAP AND FUTURE LAND USE MAP AMENDMENT - 1421 SONIA STREET

RECOMMENDATION:

That City Council conduct a Public Hearing on June 11, 2020, to consider the request to amend the Zoning Map and Future Land Use Map for 1421 Sonia Street.

HEARING REQUIRED: Public

SUMMARY:

The City has received a request from Joe Meeks to amend the City's Zoning Map and Future Land Use Map for the property located at 1421 Sonia Street. The property is currently split zoned with R2 -B, Multiple Family Zoning District, and CO, Conservation Zoning District. The existing Future Land Use Map (FLUM) designation is also split with HDR, High-Density Residential, and CO, Conservation. The applicant is proposing to amend the zoning district to R-1AA, Residential Zoning District, and the FLUM to MDR, Medium Density Residential.

The existing split zoning is the result of actions made by the current property owners in their efforts for post-Ivan redevelopment. The intent was to reestablish the non-conforming multi-family residential development destroyed by Hurricane Ivan. The owners requested a change from the previous R-1AA to the current R-2B. The Conservation zoning was established on the east side of the property to "cut off the eastern migration of the R-2B zoning" and ensure the R-2B would not extend beyond the subject property. City Council approved the requests in Ord 23-09 and Ord 22-09.

Mr. Meeks' intent in seeking this request is to allow for the continued use of the property as a single-family residence without the potential restrictions of the Conservation Zoning District. The zoning district bisects the existing single-family residence. As such, questions arise as to the scope of work that can be performed on the portion of the residence located within the Conservation District. With this application, the original R-1AA would be re-instated across the entire subject area, as presented.

On May 12, 2020, the Planning Board recommended approval of the request with a 4:1 vote with board member Kurt Larsen dissenting.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/18/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator
Sherry Morris, AICP, Planning Services Director

ATTACHMENTS:

- 1) Planning Board Rezoning Application
- 2) Planning Board Minutes May 12 2020 DRAFT
- 3) Future Land Use Map May 2020
- 4) Zoning Map May 2020
- 5) Proposed Ordinance No. 23-20
- 6) Proposed Ordinance No. 24-20

PRESENTATION: No

REZONING

Please check application type:



Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment



(< 10 acres)

\$3,500.00

\$250.00

\$750.00



(≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00



Applicant Information:

Name: JOE MEEKS Date: 3/6/2020

Address: 7874 BELLAH RD. PENSACOLA, 32526

Phone: 850-572-2694 Fax: _____ Email: MEEKS2222@AOL.COM

Property Information:

Owner Name: BAYSHORE BOYZZ, LLC Phone: 850-712-8844

Location/Address: 1421 SONIA ST. PENSACOLA, 32502

Parcel ID: 00-05-00-9080-012-201 Acres/Square Feet: _____

Zoning Classification: Existing R-2B, CO Proposed R-1AA

Future Land Use Classification: Existing HDR, CO Proposed MDR

Reason Rezoning Requested: APPLICANT/BUYER INTENDS TO OCCUPY THE PROPERTY AS SINGLE FAMILY ONLY AND RENOVATE THE EXISTING STRUCTURE OR DEMO AND BUILD NEW AND REQUEST R-1AA ZONING AND THE CHANGE FROM R-2B AND CO ZONING

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13th day of March, 2020

Applicant Signature

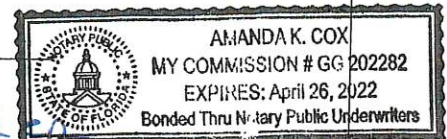
JOE MEEKS

Applicant Name (Print)

Owner Signature

Robert B Switzer

Owner Name (Print)



Sworn to and subscribed to before me this 13 day of March, 2020

Name: Kimberly Gordon Commission Expires: 2/15/2022

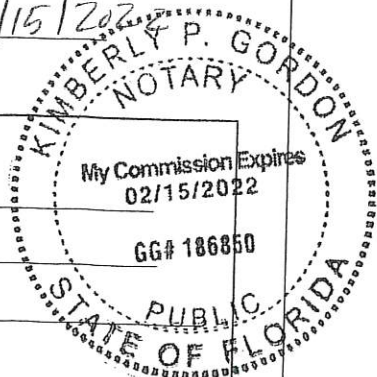
FOR OFFICE USE ONLY

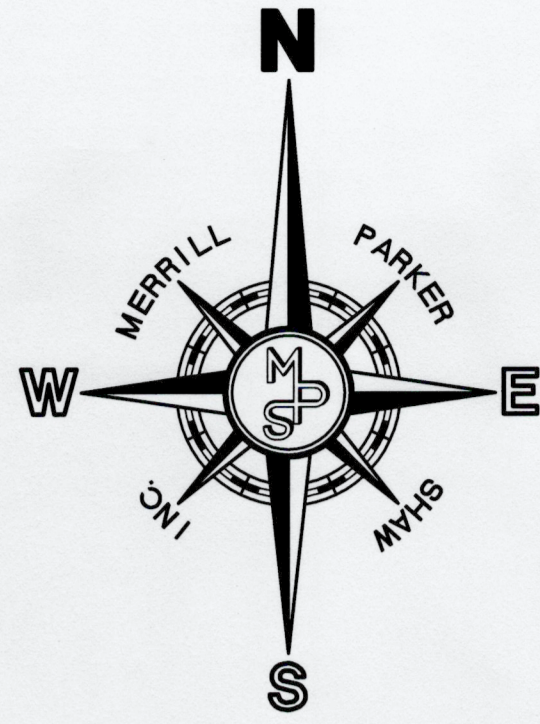
Council District: _____ Date Received: _____ Case Number: _____

Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____

Committee Date: _____ Council Date: _____ Council Action: _____

Second Reading: _____ Ordinance Number: _____

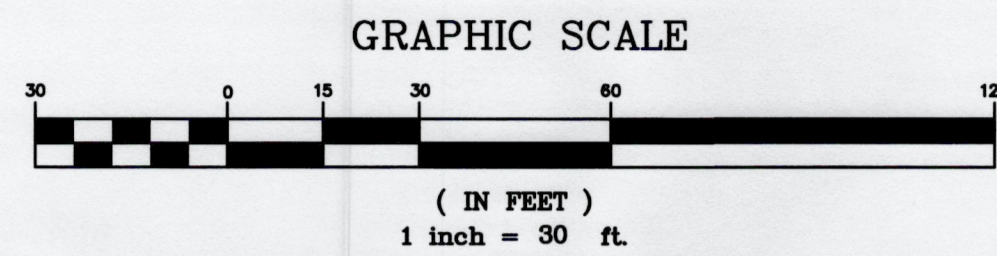




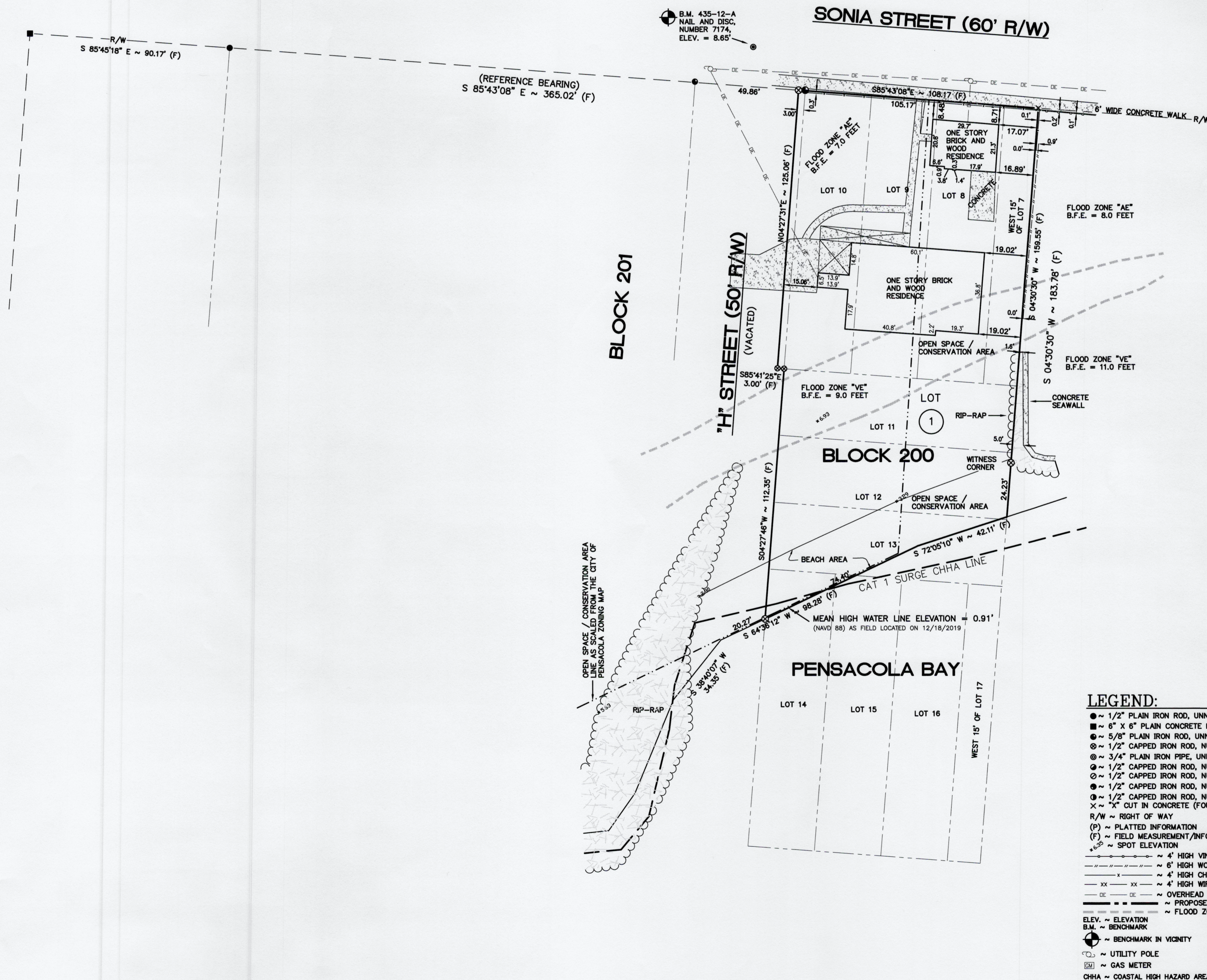
BOUNDARY AND TIDAL WATER SURVEY

A PORTION OF BLOCK 200 AND 201, MAXENT TRACT, CITY OF PENSACOLA,
ESCAMBIA COUNTY, FLORIDA.

ADDRESS: 1421 SONIA STREET



VICINITY MAP
SCALE: 1" = 1000'



DESCRIPTION: PREPARED BY MERRILL PARKER SHAW, INC.

ALL OF LOTS 8-16, BLOCK 200, LYING NORTH OF PENSACOLA BAY; AND THE WEST 15 FEET OF LOTS 7 AND 17, BLOCK 200, LYING NORTH OF PENSACOLA BAY. AND ALSO THE EAST 3.0 FEET OF VACATED "H" STREET, LYING SOUTH OF SONIA STREET AND ADJACENT TO LOT 10, BLOCK 200, ALL BEING IN "MAXENT TRACT", CITY OF PENSACOLA, FLORIDA, COPYRIGHTED BY THOMAS C. WATSON, IN 1906.

SURVEYOR'S NOTES:

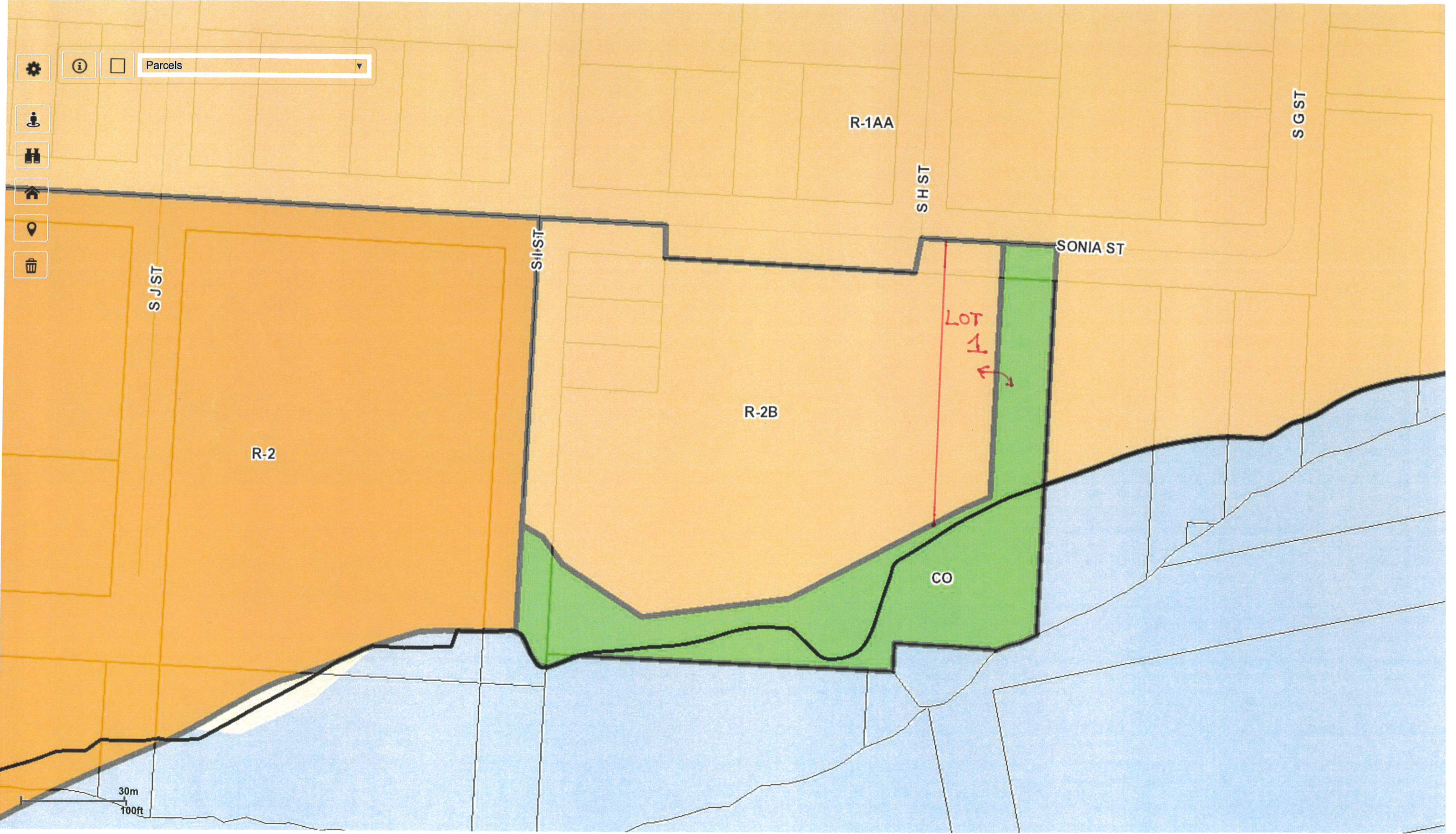
- 1.) THE NORTH ARROW AND FIELD BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE BEARING OF S 85°43'08" E ALONG THE SOUTH RIGHT OF WAY LINE OF SONIA STREET (60' R/W) AND BEING ON THE FLORIDA STATE PLANE COORDINATE SYSTEM NORTH ZONE, LAMBERT PROJECTION, RELATIVE TO NAD 83 (2011), USING THE TRIMBLE VRSNOW G.P.S. NETWORK.
- 2.) SOURCE OF INFORMATION: DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
- 3.) NO TITLE SEARCH WAS PERFORMED BY OR FURNISHED TO MERRILL PARKER SHAW, INC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, RIGHT-OF-WAYS, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENTAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY.
- 4.) ONLY THE ABOVE GROUND VISIBLE ENCROACHMENTS AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, UNLESS OTHERWISE NOTED.
- 5.) THE DIMENSIONS OF THE BUILDINGS (IF ANY) AS SHOWN HEREON ARE ALONG THE OUTSIDE FACE OF THE BUILDINGS AND DO NOT INCLUDE THE EAVES OVERHANG OR THE FOOTINGS OF THE FOUNDATIONS.
- 6.) THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP.
- 7.) THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN HEREON WERE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS.
- 8.) FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.
- 9.) THE ELEVATIONS AS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988, USING THE TRIMBLE VRSNOW G.P.S. NETWORK.
- 10.) THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON HAS BEEN ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NUMBER 3415.
- 11.) THE MEAN HIGH WATER LINE SURVEY COMPLIES WITH WITH CHAPTER 177, PART II, FLORIDA STATUTES.
- 12.) THE FLOOD ZONE INFORMATION AS SHOWN HEREON IS BASED ON THE F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER: 12033C0390G, EFFECTIVE DATE: 09/29/2006.

THE SURVEY SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN THE STATE OF FLORIDA, ACCORDING TO FLORIDA ADMINISTRATIVE CODE, CHAPTER 5J-17.050, CHAPTER 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

MERRILL PARKER SHAW, INC.
4928 N. DAVIS HIGHWAY, PENSACOLA, FL. 32503

E. Wayne Parker 3/12/20
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683 CORPORATE NUMBER 7174
STATE OF FLORIDA

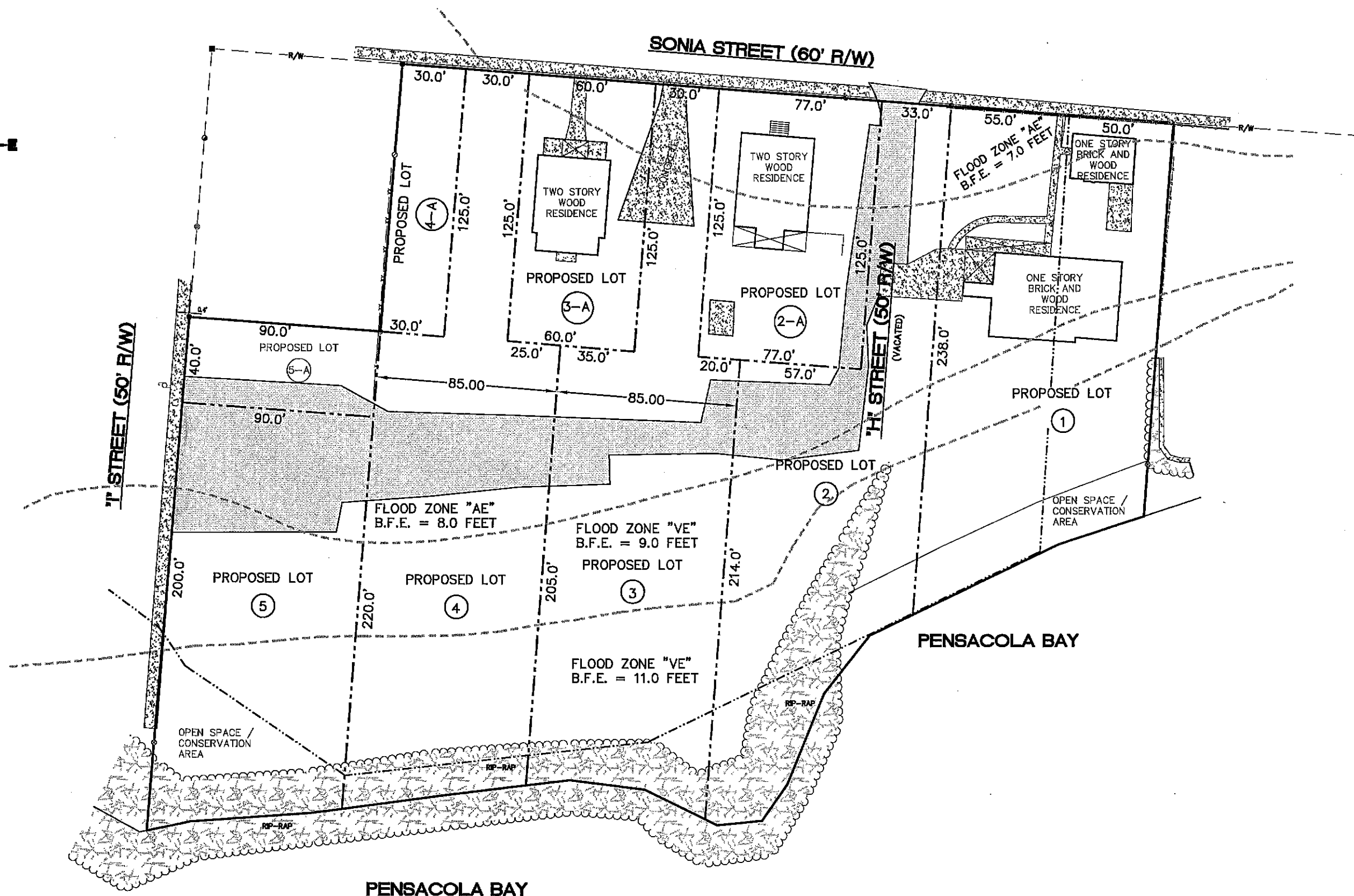
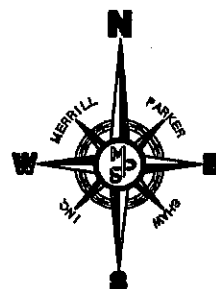
COPYRIGHT © 2019 BY MERRILL PARKER SHAW, INC.			
NO.	DATE	APPR.	REVISIONS:
NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER			
MERRILL PARKER SHAW, INC. 4928 N. DAVIS HWY. PENSACOLA, FL. 32503 FLORIDA CORPORATION NUMBER 7174 PH: (850) 475-4923 FAX: (850) 475-4924			
SCALE: 1" = 30'	DRAWN: TSS	CHECKED: EWP	DATE: 03/12/20
FIELD DATE: 12/18/19		FIELD BOOK: 435, PAGE 12	
BOUNDARY SURVEY A PORTION OF BLOCK 200 AND 201, MAXENT TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA. ADDRESS: 1421 SONIA STREET			
PREPARED FOR: BILLY LOVELACE REQUESTED BY: BILLY LOVELACE			
JOB NO. 20-12315-1	SHEET 1 OF 1		





PARCEL EXHIBIT

JANUARY 23, 2020



SCALE: 1"=100'



MERRILL PARKER SHAW, INC.

4928 N. DAVIS HWY. PENSACOLA, FL 32503
PH: (850) 478-4923 FAX: (850) 478-4924
PROFESSIONAL LAND SURVEYING SERVICES
FLORIDA CORPORATION NUMBER 7174



JOB NUMBER: 19-12050-S-1



MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, Rebol-Battle, the applicant's consultant, explained there was no intention of subdividing the lot but to build another structure for

rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr. Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved by the City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance







Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

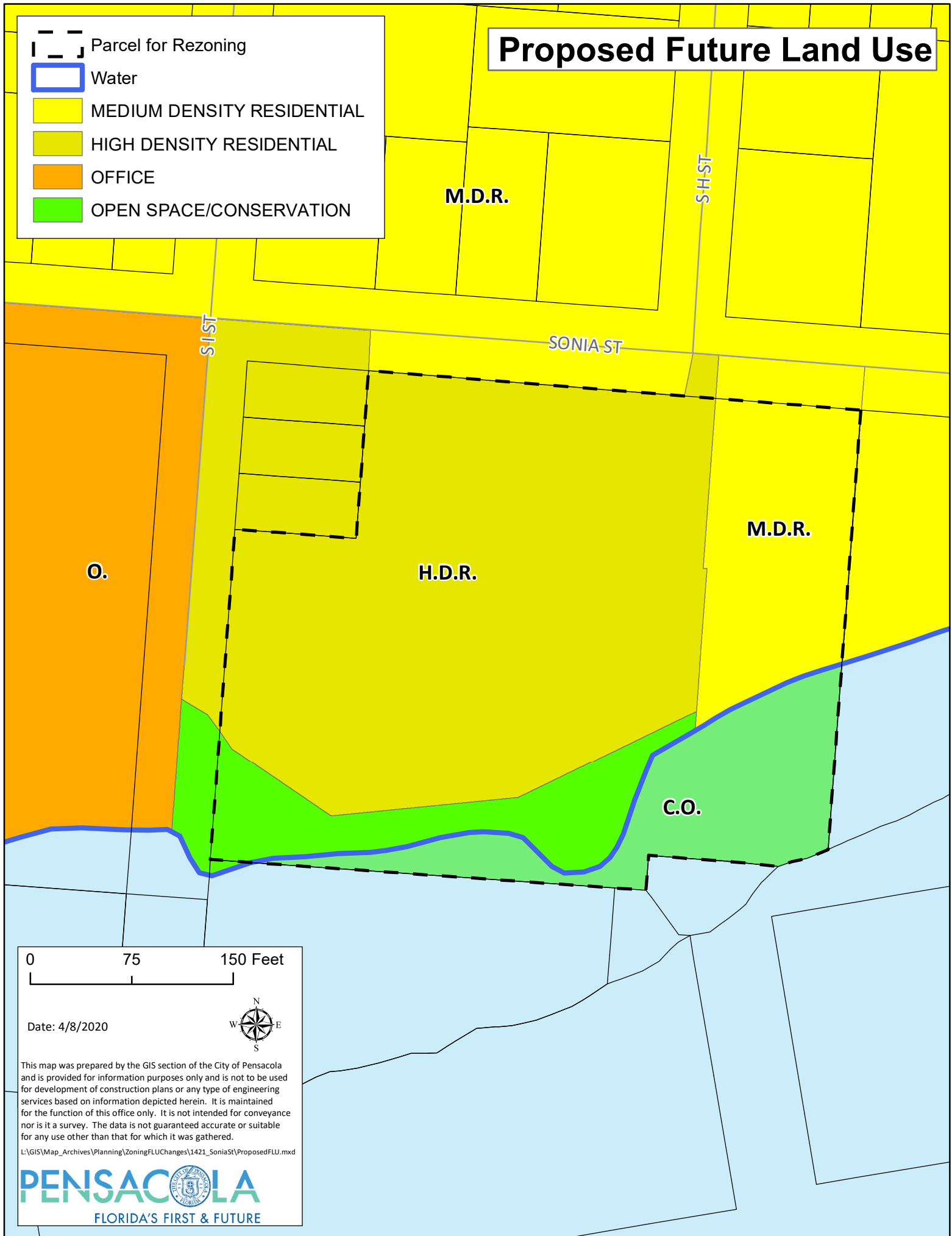
Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board

Proposed Future Land Use

-  Parcel for Rezoning
-  Water
-  MEDIUM DENSITY RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  OFFICE
-  OPEN SPACE/CONSERVATION



0 75 150 Feet







Date: 4/8/2020

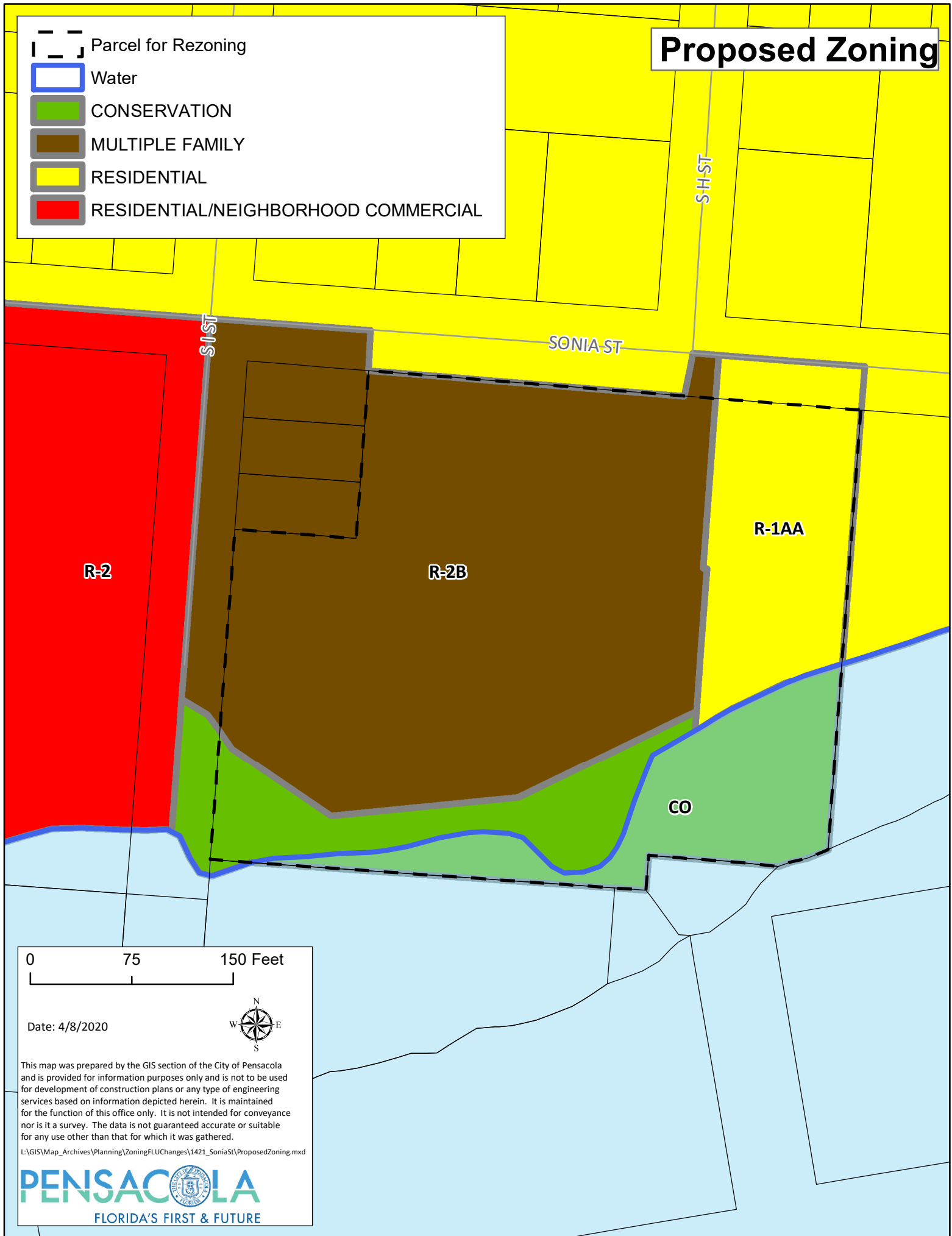


This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

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Proposed Zoning

-  Parcel for Rezoning
-  Water
-  CONSERVATION
-  MULTIPLE FAMILY
-  RESIDENTIAL
-  RESIDENTIAL/NEIGHBORHOOD COMMERCIAL



0 75 150 Feet

Date: 4/8/2020



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

L:\GIS\Map_Archives\Planning\ZoningFLUChanges\1421_SoniaSt\ProposedZoning.mxd

PROPOSED
ORDINANCE NO. 23-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN
AND FUTURE LAND USE MAP OF THE CITY OF
PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY;
REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council desires to affect an amendment to a portion of
the Future Land Use element of the Comprehensive Plan; and

WHEREAS, said amendment is consistent with the other portions of the
Future Land Use Element and all other applicable elements of the Comprehensive Plan, as
amended; and

WHEREAS, said amendment will affirmatively contribute to the health, safety
and general welfare of the citizens of the City of Pensacola; and

WHEREAS, the City Council has followed all of the procedures set forth in
§§163.3184 and 163.3187, Fla. Stat., and all other applicable provisions of law and local
procedures with relation to amendment to the Future Land Use Element of the
Comprehensive Plan; and

WHEREAS, proper public notice was provided and appropriate public hearing
was held pursuant to the provisions referred to hereinabove as to the following amendment
to the Comprehensive Plan and Future Land Use map of the City of Pensacola; NOW,
THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Comprehensive Plan and Future Land Use Map of the
City of Pensacola, and all notations, references and information shown thereon as it relates
to the following described real property in the City of Pensacola, Florida, to-wit:

ALL OF LOTS 8-16, BLOCK 200, LYING NORTH OF PENSACOLA BAY, AND THE
WEST 15 FEET OF LOTS 7 AND 17, BLOCK 200, LYING NORTH OF PENSACOLA BAY,
AND ALSO THE EAST 3.0 FEET OF VACATED "H" STREET, LYING SOUTH OF SONIA
STREET AND ADJACENT TO LOT 10, BLOCK 200, ALL BEING IN "MAXENT TRACT",
CITY OF PENSACOLA, FLORIDA, COPYRIGHTED BY THOMAS C. WATSON, IN 1906.

the same is hereby changed to MDR (Medium Density Residential) Future Land Use District, fully as if all of the said real property had been originally included in City of Pensacola MDR (Medium Density Residential) Future Land Use District.

SECTION 2. The City Council shall by subsequently adopted ordinance change the zoning classification and zoning map for the subject property to a permissible zoning classification, as determined by the discretion of the City Council, which is consistent with the future land use classification adopted by this ordinance. Pending the adoption of such a rezoning ordinance, no development of the subject property shall be permitted which is inconsistent with the future land use classification adopted by this ordinance.

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

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

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

Adopted: _____

Approved: _____

President of City Council

Attest:

City Clerk

PROPOSED
ORDINANCE NO. 24-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

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

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

WHEREAS, a proposed amended zoning classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on June 11, 2020 concerning the following proposed zoning classification affecting the property described therein; and

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

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

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

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

ALL OF LOTS 8-16, BLOCK 200, LYING NORTH OF PENSACOLA BAY; AND THE WEST 15 FEET OF LOTS 7 AND 17, BLOCK 200, LYING NORTH OF PENSACOLA BAY, AND ALSO THE EAST 3.0 FEET OF VACATED "H" STREET, LYING SOUTH OF SONIA STREET AND ADJACENT TO LOT 10, BLOCK 200, ALL BEING IN "MAXENT TRACT", CITY OF PENSACOLA, FLORIDA, COPYRIGHTED BY THOMAS C. WATSON, IN 1906

is hereby changed in its entirety to R-1AA (One and Two Family Residential) Zoning District.

SECTION 2. If any word, phrase, clause, paragraph, section, or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

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

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

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 23-20

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 23-20 - REQUEST FOR FUTURE LAND USE AMENDMENT - 1421 SONIA STREET

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 23-20 on first reading:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: Public

SUMMARY:

The City has received a request from Joe Meeks to amend the City's Zoning Map and Future Land Use Map for the property located at 1421 Sonia Street. The property is currently split zoned with R2 -B, Multiple Family Zoning District, and CO, Conservation Zoning District. The existing Future Land Use Map (FLUM) designation is also split with HDR, High-Density Residential, and CO, Conservation. The applicant is proposing to amend the zoning district to R-1AA, Residential Zoning District, and the FLUM to MDR, Medium Density Residential.

The existing split zoning is the result of actions made by the current property owners in their efforts for post-Ivan redevelopment. The intent was to reestablish the non-conforming multi-family residential development destroyed by Hurricane Ivan. The owners requested a change from the previous R-1AA to the current R-2B. The Conservation zoning was established on the east side of the property to "cut off the eastern migration of the R-2B zoning" and ensure the R-2B would not extend beyond the subject property. City Council approved the requests in Ord 23-09 and Ord 22-09.

Mr. Meeks' intent in seeking this request is to allow for the continued use of the property as a single-family residence without the potential restrictions of the Conservation Zoning District. The zoning district bisects the existing single-family residence. As such, questions arise as to the scope of work that can be performed on the portion of the residence located within the Conservation District. With this application, the original R-1AA would be re-instated across the entire subject area, as presented.

On May 12, 2020, the Planning Board recommended approval of the request with a 4:1 vote with board member Kurt Larsen dissenting.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/18/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator
Sherry H. Morris, Planning Services Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 23-20
- 2) Planning Board Rezoning Application
- 3) Planning Board Minutes May 12 2020 DRAFT
- 4) Future Land Use Map May 2020

PRESENTATION: No

PROPOSED
ORDINANCE NO. 23-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN
AND FUTURE LAND USE MAP OF THE CITY OF
PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY;
REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council desires to affect an amendment to a portion of
the Future Land Use element of the Comprehensive Plan; and

WHEREAS, said amendment is consistent with the other portions of the
Future Land Use Element and all other applicable elements of the Comprehensive Plan, as
amended; and

WHEREAS, said amendment will affirmatively contribute to the health, safety
and general welfare of the citizens of the City of Pensacola; and

WHEREAS, the City Council has followed all of the procedures set forth in
§§163.3184 and 163.3187, Fla. Stat., and all other applicable provisions of law and local
procedures with relation to amendment to the Future Land Use Element of the
Comprehensive Plan; and

WHEREAS, proper public notice was provided and appropriate public hearing
was held pursuant to the provisions referred to hereinabove as to the following amendment
to the Comprehensive Plan and Future Land Use map of the City of Pensacola; NOW,
THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Comprehensive Plan and Future Land Use Map of the
City of Pensacola, and all notations, references and information shown thereon as it relates
to the following described real property in the City of Pensacola, Florida, to-wit:

ALL OF LOTS 8-16, BLOCK 200, LYING NORTH OF PENSACOLA BAY, AND THE
WEST 15 FEET OF LOTS 7 AND 17, BLOCK 200, LYING NORTH OF PENSACOLA BAY,
AND ALSO THE EAST 3.0 FEET OF VACATED "H" STREET, LYING SOUTH OF SONIA
STREET AND ADJACENT TO LOT 10, BLOCK 200, ALL BEING IN "MAXENT TRACT",
CITY OF PENSACOLA, FLORIDA, COPYRIGHTED BY THOMAS C. WATSON, IN 1906.

the same is hereby changed to MDR (Medium Density Residential) Future Land Use District, fully as if all of the said real property had been originally included in City of Pensacola MDR (Medium Density Residential) Future Land Use District.

SECTION 2. The City Council shall by subsequently adopted ordinance change the zoning classification and zoning map for the subject property to a permissible zoning classification, as determined by the discretion of the City Council, which is consistent with the future land use classification adopted by this ordinance. Pending the adoption of such a rezoning ordinance, no development of the subject property shall be permitted which is inconsistent with the future land use classification adopted by this ordinance.

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

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

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

Adopted: _____

Approved: _____

President of City Council

Attest:

City Clerk

REZONING

Please check application type:



Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment

☐ (< 10 acres)

\$3,500.00

\$250.00

\$750.00

☐ (≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00



Applicant Information:

Name: JOE MEEKS Date: 3/6/2020

Address: 7874 BELLAH RD. PENSACOLA, 32526

Phone: 850-572-2694 Fax: _____ Email: MEEKS2222@AOL.COM

Property Information:

Owner Name: BAYSHORE BOYZZ, LLC Phone: 850-712-8844

Location/Address: 1421 SONIA ST. PENSACOLA, 32502

Parcel ID: 00-05-00-9080-012-201 Acres/Square Feet: _____

Zoning Classification: Existing R-2B, CO Proposed R-1AA

Future Land Use Classification: Existing HDR, CO Proposed MDR

Reason Rezoning Requested: APPLICANT/BUYER INTENDS TO OCCUPY THE PROPERTY AS SINGLE FAMILY ONLY AND RENOVATE THE EXISTING STRUCTURE OR DEMO AND BUILD NEW AND REQUEST R-1AA ZONING AND THE CHANGE FROM R-2B AND CO ZONING

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13th day of March, 2020

Applicant Signature

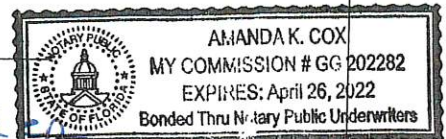
JOE MEEKS

Applicant Name (Print)

Owner Signature

Robert B Switzer

Owner Name (Print)



Sworn to and subscribed to before me this 13 day of March, 2020

Name: Kimberly Gordon Commission Expires: 2/15/2022

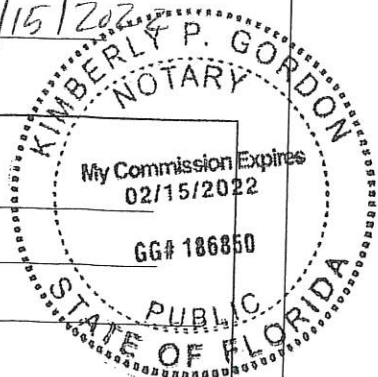
FOR OFFICE USE ONLY

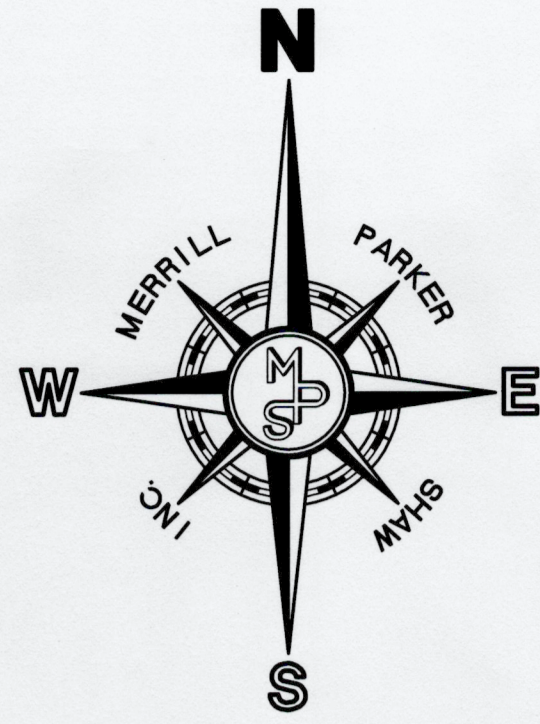
Council District: _____ Date Received: _____ Case Number: _____

Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____

Committee Date: _____ Council Date: _____ Council Action: _____

Second Reading: _____ Ordinance Number: _____

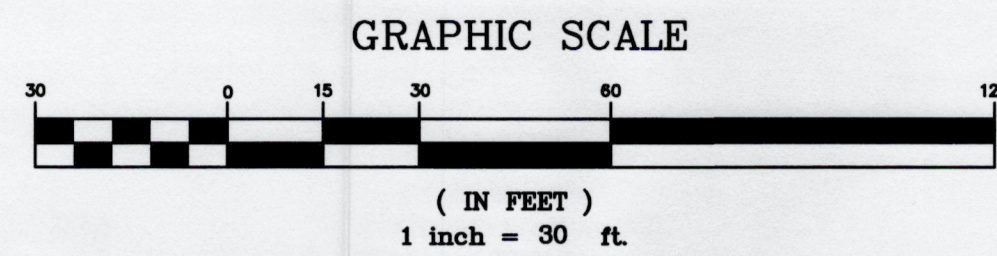




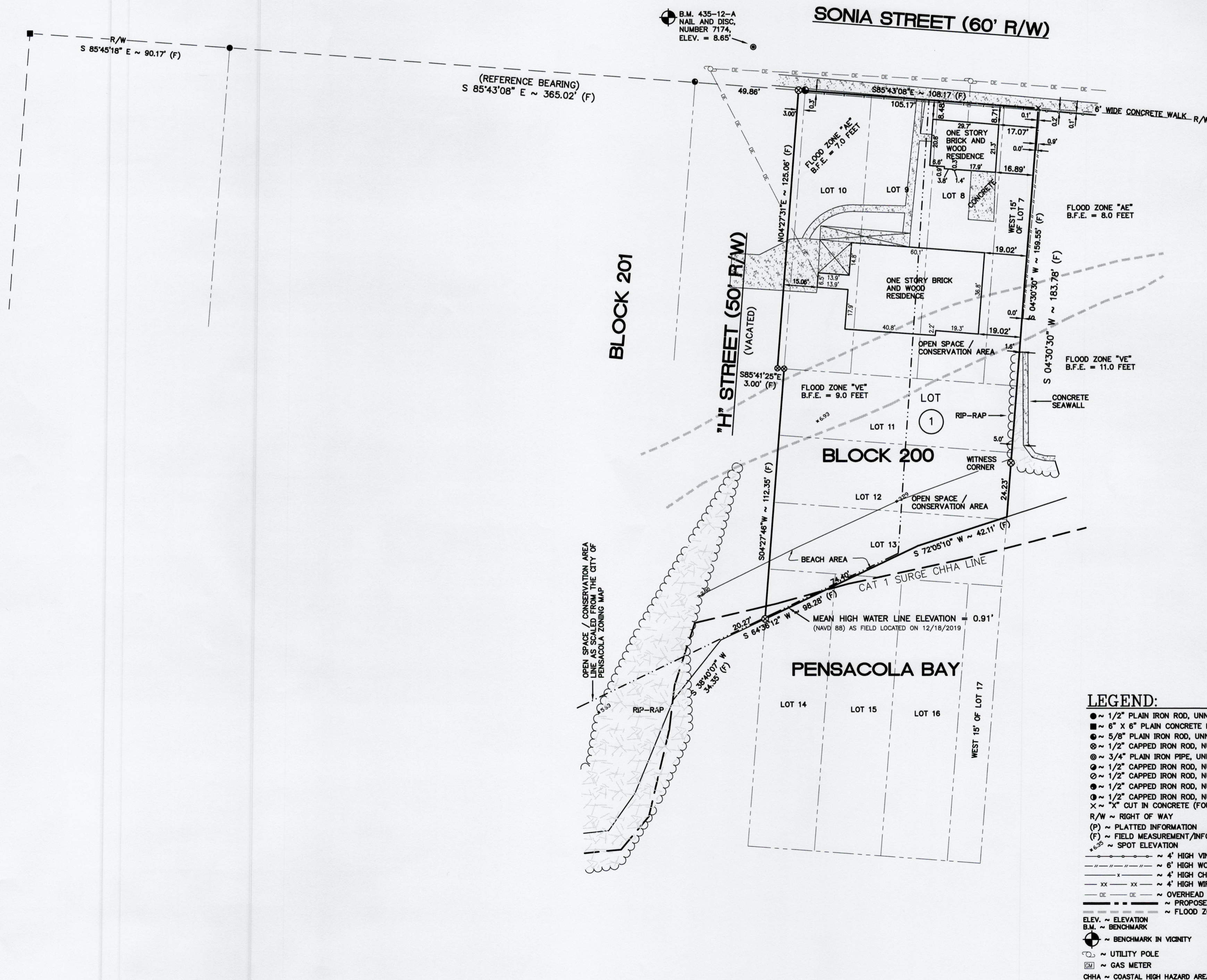
BOUNDARY AND TIDAL WATER SURVEY

A PORTION OF BLOCK 200 AND 201, MAXENT TRACT, CITY OF PENSACOLA,
ESCAMBIA COUNTY, FLORIDA.

ADDRESS: 1421 SONIA STREET



VICINITY MAP
SCALE: 1" = 1000'



DESCRIPTION: PREPARED BY MERRILL PARKER SHAW, INC.

ALL OF LOTS 8-16, BLOCK 200, LYING NORTH OF PENSACOLA BAY; AND THE WEST 15 FEET OF LOTS 7 AND 17, BLOCK 200, LYING NORTH OF PENSACOLA BAY. AND ALSO THE EAST 3.0 FEET OF VACATED "H" STREET, LYING SOUTH OF SONIA STREET AND ADJACENT TO LOT 10, BLOCK 200, ALL BEING IN "MAXENT TRACT", CITY OF PENSACOLA, FLORIDA, COPYRIGHTED BY THOMAS C. WATSON, IN 1906.

SURVEYOR'S NOTES:

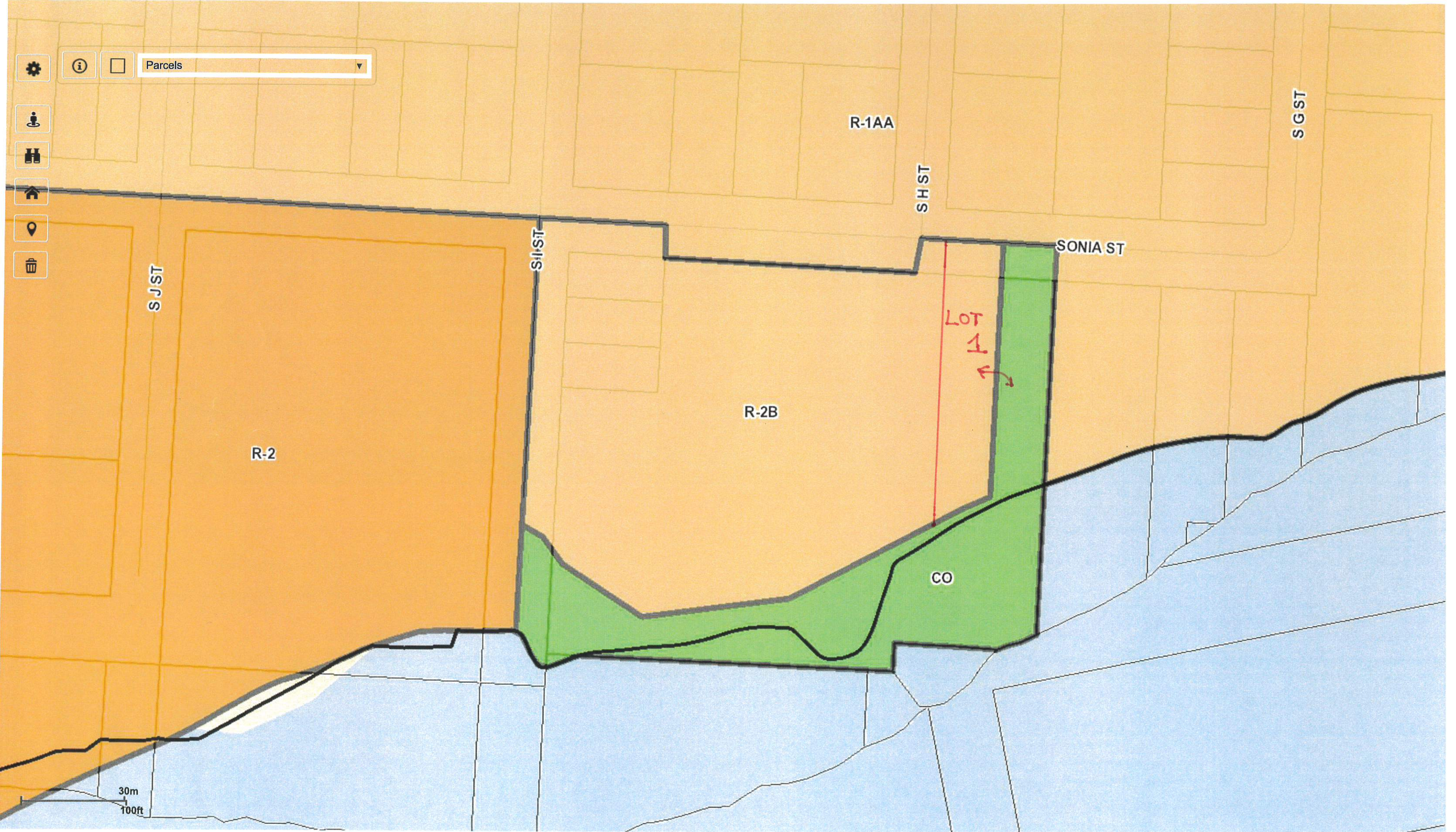
- 1.) THE NORTH ARROW AND FIELD BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE BEARING OF S 85°43'08" E ALONG THE SOUTH RIGHT OF WAY LINE OF SONIA STREET (60' R/W) AND BEING ON THE FLORIDA STATE PLANE COORDINATE SYSTEM NORTH ZONE, LAMBERT PROJECTION, RELATIVE TO NAD 83 (2011), USING THE TRIMBLE VRSNOW G.P.S. NETWORK.
- 2.) SOURCE OF INFORMATION: DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
- 3.) NO TITLE SEARCH WAS PERFORMED BY OR FURNISHED TO MERRILL PARKER SHAW, INC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, RIGHT-OF-WAYS, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENTAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY.
- 4.) ONLY THE ABOVE GROUND VISIBLE ENCROACHMENTS AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, UNLESS OTHERWISE NOTED.
- 5.) THE DIMENSIONS OF THE BUILDINGS (IF ANY) AS SHOWN HEREON ARE ALONG THE OUTSIDE FACE OF THE BUILDINGS AND DO NOT INCLUDE THE EAVES OVERHANG OR THE FOOTINGS OF THE FOUNDATIONS.
- 6.) THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP.
- 7.) THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN HEREON WERE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS.
- 8.) FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.
- 9.) THE ELEVATIONS AS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988, USING THE TRIMBLE VRSNOW G.P.S. NETWORK.
- 10.) THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON HAS BEEN ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NUMBER 3415.
- 11.) THE MEAN HIGH WATER LINE SURVEY COMPLIES WITH WITH CHAPTER 177, PART II, FLORIDA STATUTES.
- 12.) THE FLOOD ZONE INFORMATION AS SHOWN HEREON IS BASED ON THE F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER: 12033C0390G, EFFECTIVE DATE: 09/29/2006.

THE SURVEY SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN THE STATE OF FLORIDA, ACCORDING TO FLORIDA ADMINISTRATIVE CODE, CHAPTER 5J-17.050, CHAPTER 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

MERRILL PARKER SHAW, INC.
4928 N. DAVIS HIGHWAY, PENSACOLA, FL. 32503

E. Wayne Parker 3/12/20
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683 CORPORATE NUMBER 7174
STATE OF FLORIDA

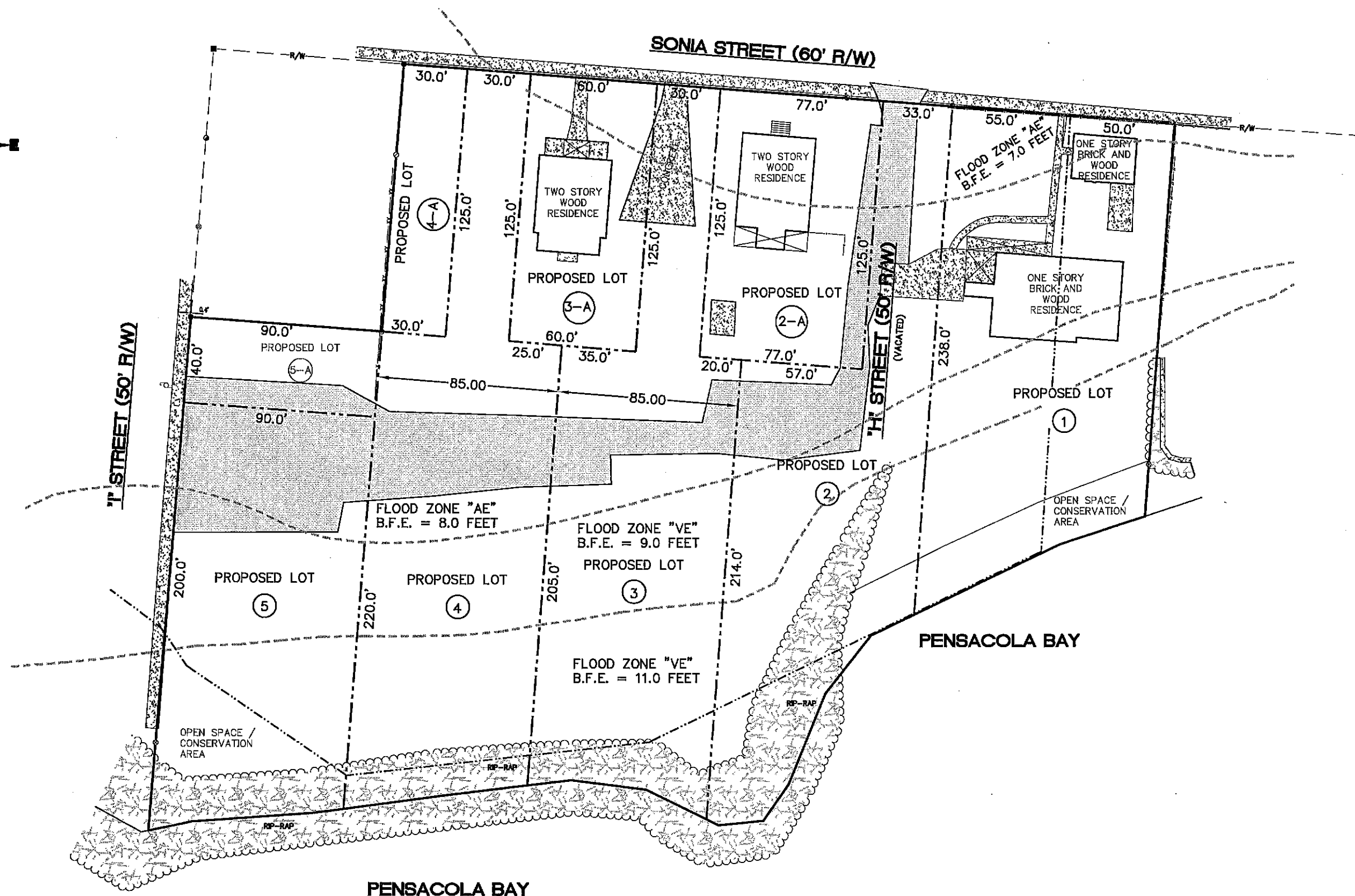
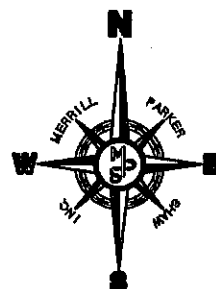
MERRILL PARKER SHAW, INC.		REVISIONS:	
4928 N. DAVIS HWY. PENSACOLA, FL. 32503 FLORIDA CORPORATION NUMBER 7174		NO. DATE APPR.	
NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER		DATE	
DATE: 03/12/20		FIELD BOOK: 435, PAGE 12	
SCALE: 1" = 30'		CHECKED: EWP	
DRAWN: TSS		FIELD DATE: 12/18/19	
BOUNDARY SURVEY		PREPARED FOR: BILLY LOVELACE	
A PORTION OF BLOCK 200 AND 201, MAXENT TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA. ADDRESS: 1421 SONIA STREET		REQUESTED BY: BILLY LOVELACE	
JOB NO. 20-12315-1	SHEET 1 OF 1		





PARCEL EXHIBIT

JANUARY 23, 2020



SCALE: 1"=100'



MERRILL PARKER SHAW, INC.

4928 N. DAVIS HWY.
PENSACOLA, FL 32503

PROFESSIONAL LAND SURVEYING SERVICES
FLORIDA CORPORATION NUMBER 7174

PH: (850) 478-4923
FAX: (850) 478-4924



JOB NUMBER: 19-12050-S-1



MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, Rebol-Battle, the applicant's consultant, explained there was no intention of subdividing the lot but to build another structure for

rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr. Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved by the City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance







Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

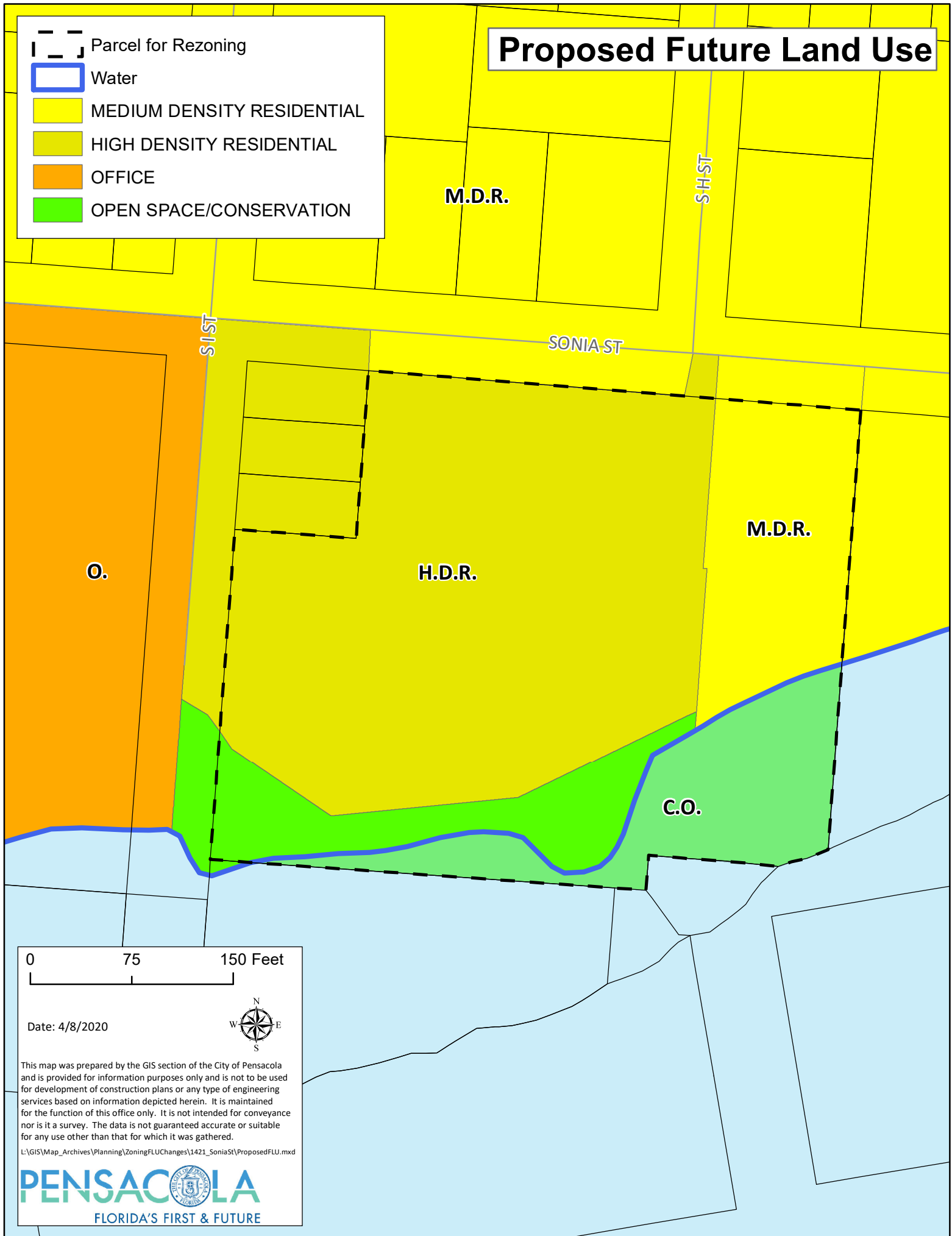
Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board

Proposed Future Land Use

-  Parcel for Rezoning
-  Water
-  MEDIUM DENSITY RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  OFFICE
-  OPEN SPACE/CONSERVATION



0 75 150 Feet

Date: 4/8/2020



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

L:\GIS\Map_Archives\Planning\ZoningFLUChanges\1421_SoniaSt\ProposedFLU.mxd



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 24-20

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 24-20 - REQUEST FOR ZONING MAP AMENDMENT - 1421 SONIA STREET

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 24-20 on first reading:

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

HEARING REQUIRED: Public

SUMMARY:

The City has received a request from Joe Meeks to amend the City's Zoning Map and Future Land Use Map for the property located at 1421 Sonia Street. The property is currently split zoned with R2 -B, Multiple Family Zoning District, and CO, Conservation Zoning District. The existing Future Land Use Map (FLUM) designation is also split with HDR, High-Density Residential, and CO, Conservation. The applicant is proposing to amend the zoning district to R-1AA, Residential Zoning District, and the FLUM to MDR, Medium Density Residential.

The existing split zoning is the result of actions made by the current property owners in their efforts for post-Ivan redevelopment. The intent was to reestablish the non-conforming multi-family residential development destroyed by Hurricane Ivan. The owners requested a change from the previous R-1AA to the current R-2B. The Conservation zoning was established on the east side of the property to "cut off the eastern migration of the R-2B zoning" and ensure the R-2B would not extend beyond the subject property. City Council approved the requests in Ord 23-09 and Ord 22-09.

Mr. Meeks' intent in seeking this request is to allow for the continued use of the property as a single-family residence without the potential restrictions of the Conservation Zoning District. The zoning district bisects the existing single-family residence. As such, questions arise as to the scope of work that can be performed on the portion of the residence located within the Conservation District. With

this application, the original R-1AA would be re-instated across the entire subject area, as presented.

On May 12, 2020, the Planning Board recommended approval of the request with a 4:1 vote with board member Kurt Larsen dissenting.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/18/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator
Sherry H. Morris, AICP, Planning Services Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 24-20
- 2) Planning Board Rezoning Application
- 3) Planning Board Minutes May 12 2020 DRAFT
- 4) Zoning Map May 2020

PRESENTATION: No

PROPOSED
ORDINANCE NO. 24-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

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

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

WHEREAS, a proposed amended zoning classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on June 11, 2020 concerning the following proposed zoning classification affecting the property described therein; and

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

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

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

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

ALL OF LOTS 8-16, BLOCK 200, LYING NORTH OF PENSACOLA BAY; AND THE WEST 15 FEET OF LOTS 7 AND 17, BLOCK 200, LYING NORTH OF PENSACOLA BAY, AND ALSO THE EAST 3.0 FEET OF VACATED "H" STREET, LYING SOUTH OF SONIA STREET AND ADJACENT TO LOT 10, BLOCK 200, ALL BEING IN "MAXENT TRACT", CITY OF PENSACOLA, FLORIDA, COPYRIGHTED BY THOMAS C. WATSON, IN 1906

is hereby changed in its entirety to R-1AA (One and Two Family Residential) Zoning

District.

SECTION 2. If any word, phrase, clause, paragraph, section, or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

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

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

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk

REZONING

Please check application type:



Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment

☐ (< 10 acres)

\$3,500.00

\$250.00

\$750.00

☐ (≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00



Applicant Information:

Name: JOE MEEKS Date: 3/6/2020

Address: 7874 BELLAH RD. PENSACOLA, 32526

Phone: 850-572-2694 Fax: _____ Email: MEEKS2222@AOL.COM

Property Information:

Owner Name: BAYSHORE BOYZZ, LLC Phone: 850-712-8844

Location/Address: 1421 SONIA ST. PENSACOLA, 32502

Parcel ID: 00-05-00-9080-012-201 Acres/Square Feet: _____

Zoning Classification: Existing R-2B, CO Proposed R-1AA

Future Land Use Classification: Existing HDR, CO Proposed MDR

Reason Rezoning Requested: APPLICANT/BUYER INTENDS TO OCCUPY THE PROPERTY AS SINGLE FAMILY ONLY AND RENOVATE THE EXISTING STRUCTURE OR DEMO AND BUILD NEW AND REQUEST R-1AA ZONING AND THE CHANGE FROM R-2B AND CO ZONING

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13th day of March, 2020

Applicant Signature

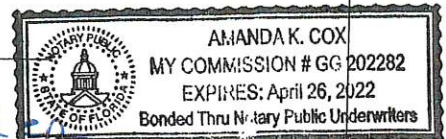
JOE MEEKS

Applicant Name (Print)

Owner Signature

Robert B Switzer

Owner Name (Print)



Sworn to and subscribed to before me this 13 day of March, 2020

Name: Kimberly Gordon Commission Expires: 2/15/2022

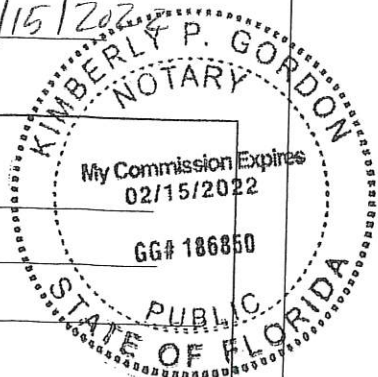
FOR OFFICE USE ONLY

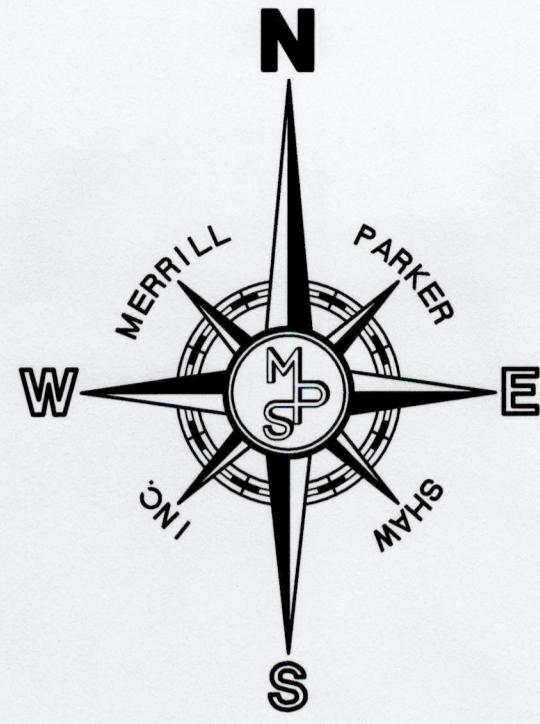
Council District: _____ Date Received: _____ Case Number: _____

Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____

Committee Date: _____ Council Date: _____ Council Action: _____

Second Reading: _____ Ordinance Number: _____

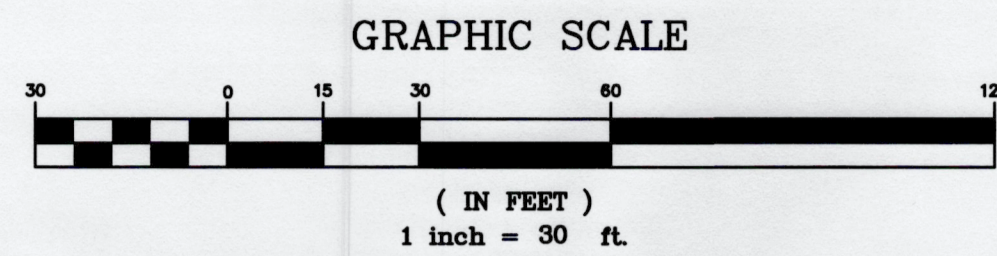




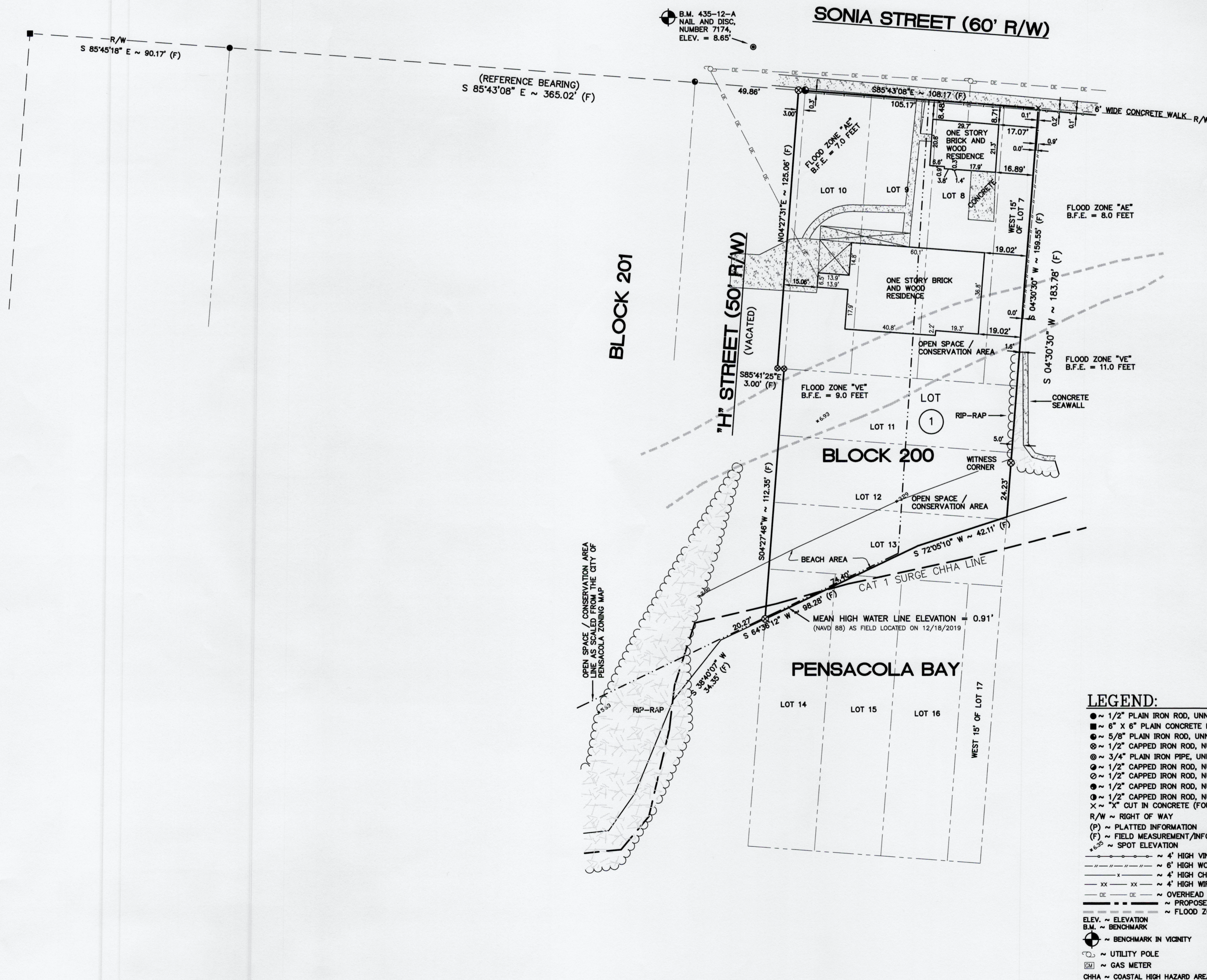
BOUNDARY AND TIDAL WATER SURVEY

A PORTION OF BLOCK 200 AND 201, MAXENT TRACT, CITY OF PENSACOLA,
ESCAMBIA COUNTY, FLORIDA.

ADDRESS: 1421 SONIA STREET



VICINITY MAP
SCALE: 1" = 1000'



DESCRIPTION: PREPARED BY MERRILL PARKER SHAW, INC.

ALL OF LOTS 8-16, BLOCK 200, LYING NORTH OF PENSACOLA BAY; AND THE WEST 15 FEET OF LOTS 7 AND 17, BLOCK 200, LYING NORTH OF PENSACOLA BAY. AND ALSO THE EAST 3.0 FEET OF VACATED "H" STREET, LYING SOUTH OF SONIA STREET AND ADJACENT TO LOT 10, BLOCK 200, ALL BEING IN "MAXENT TRACT", CITY OF PENSACOLA, FLORIDA, COPYRIGHTED BY THOMAS C. WATSON, IN 1906.

SURVEYOR'S NOTES:

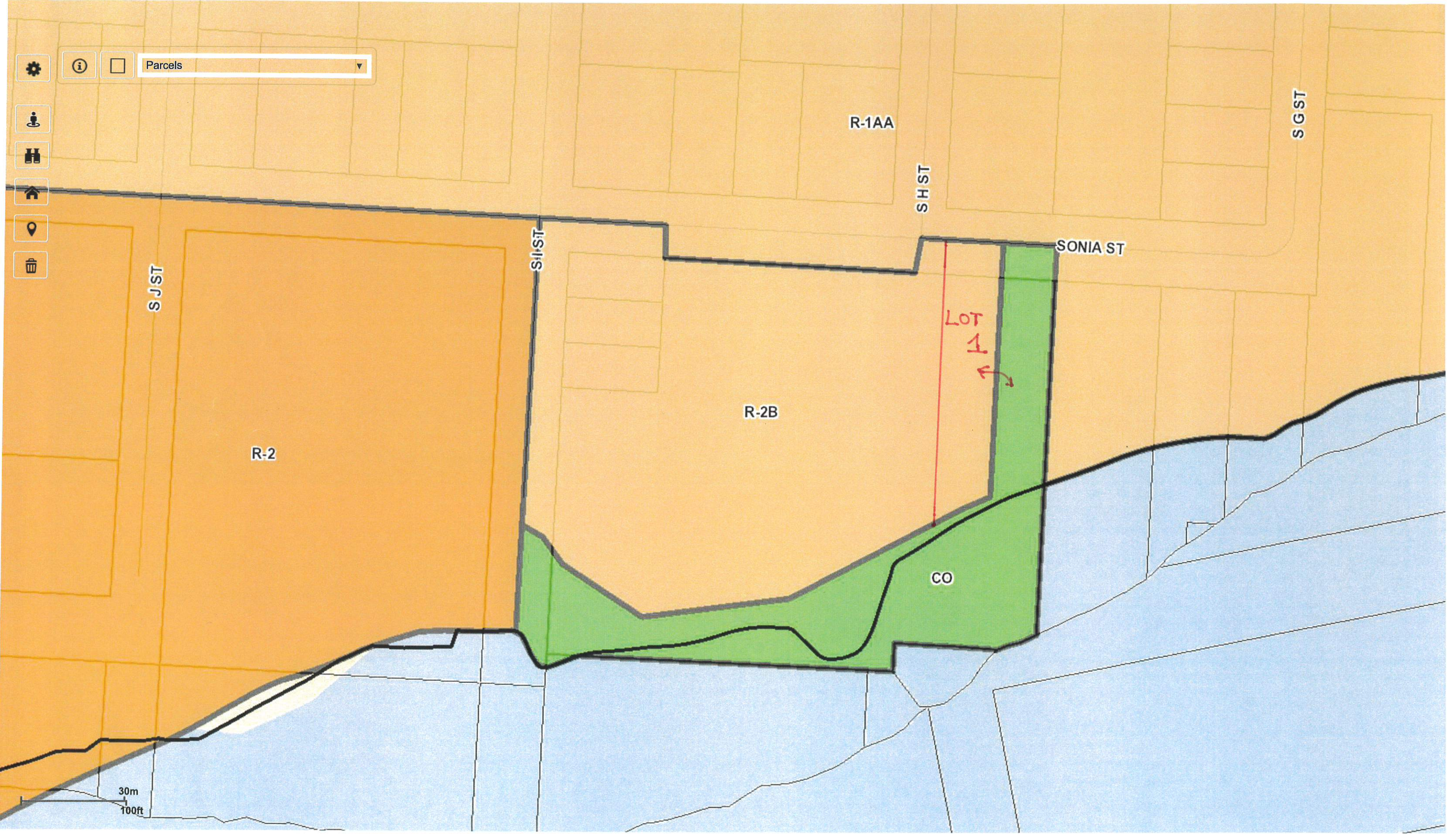
- 1.) THE NORTH ARROW AND FIELD BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE BEARING OF S 85°43'08" E ALONG THE SOUTH RIGHT OF WAY LINE OF SONIA STREET (60' R/W) AND BEING ON THE FLORIDA STATE PLANE COORDINATE SYSTEM NORTH ZONE, LAMBERT PROJECTION, RELATIVE TO NAD 83 (2011), USING THE TRIMBLE VRSNOW G.P.S. NETWORK.
- 2.) SOURCE OF INFORMATION: DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
- 3.) NO TITLE SEARCH WAS PERFORMED BY OR FURNISHED TO MERRILL PARKER SHAW, INC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, RIGHT-OF-WAYS, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENTAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY.
- 4.) ONLY THE ABOVE GROUND VISIBLE ENCROACHMENTS AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, UNLESS OTHERWISE NOTED.
- 5.) THE DIMENSIONS OF THE BUILDINGS (IF ANY) AS SHOWN HEREON ARE ALONG THE OUTSIDE FACE OF THE BUILDINGS AND DO NOT INCLUDE THE EAVES OVERHANG OR THE FOOTINGS OF THE FOUNDATIONS.
- 6.) THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP.
- 7.) THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN HEREON WERE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS.
- 8.) FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.
- 9.) THE ELEVATIONS AS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988, USING THE TRIMBLE VRSNOW G.P.S. NETWORK.
- 10.) THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON HAS BEEN ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NUMBER 3415.
- 11.) THE MEAN HIGH WATER LINE SURVEY COMPLIES WITH WITH CHAPTER 177, PART II, FLORIDA STATUTES.
- 12.) THE FLOOD ZONE INFORMATION AS SHOWN HEREON IS BASED ON THE F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER: 12033C0390G, EFFECTIVE DATE: 09/29/2006.

THE SURVEY SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN THE STATE OF FLORIDA, ACCORDING TO FLORIDA ADMINISTRATIVE CODE, CHAPTER 5J-17.050, CHAPTER 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

MERRILL PARKER SHAW, INC.
4928 N. DAVIS HIGHWAY, PENSACOLA, FL. 32503

E. Wayne Parker 3/12/20
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683 CORPORATE NUMBER 7174
STATE OF FLORIDA

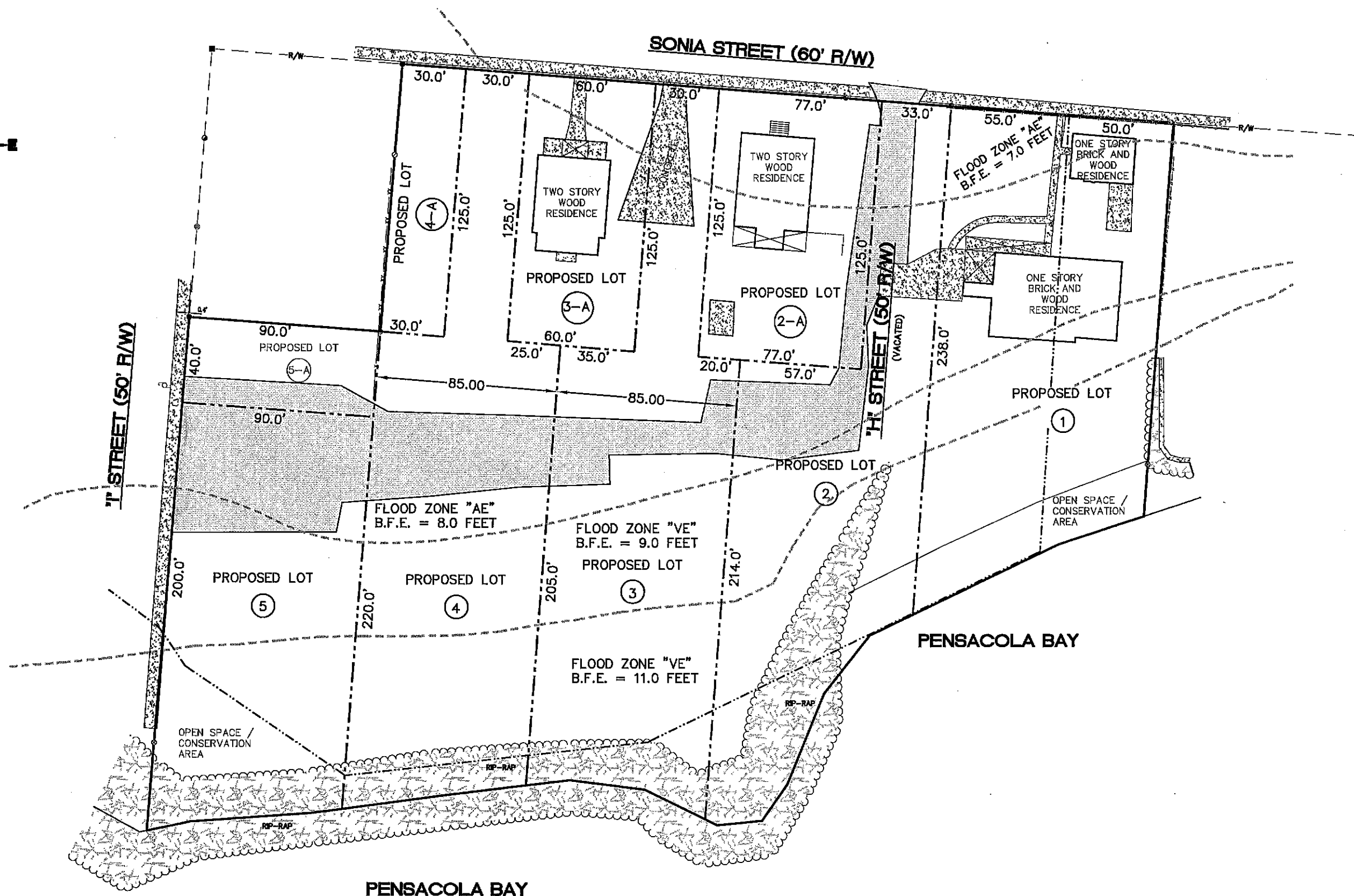
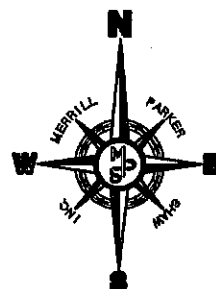
COPYRIGHT © 2019 BY MERRILL PARKER SHAW, INC.			
NO.	DATE	APPR.	REVISIONS:
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BOUNDARY SURVEY A PORTION OF BLOCK 200 AND 201, MAXENT TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA. ADDRESS: 1421 SONIA STREET			
PREPARED FOR: BILLY LOVELACE REQUESTED BY: BILLY LOVELACE			
JOB NO. 20-12315-1	SHEET 1 OF 1		





PARCEL EXHIBIT

JANUARY 23, 2020



SCALE: 1"=100'



MERRILL PARKER SHAW, INC.

4928 N. DAVIS HWY. PENSACOLA, FL 32503
PH: (850) 478-4923 FAX: (850) 478-4924
PROFESSIONAL LAND SURVEYING SERVICES
FLORIDA CORPORATION NUMBER 7174



JOB NUMBER: 19-12050-S-1



MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

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- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

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New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, Rebol-Battle, the applicant's consultant, explained there was no intention of subdividing the lot but to build another structure for

rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr. Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved by the City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance







Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

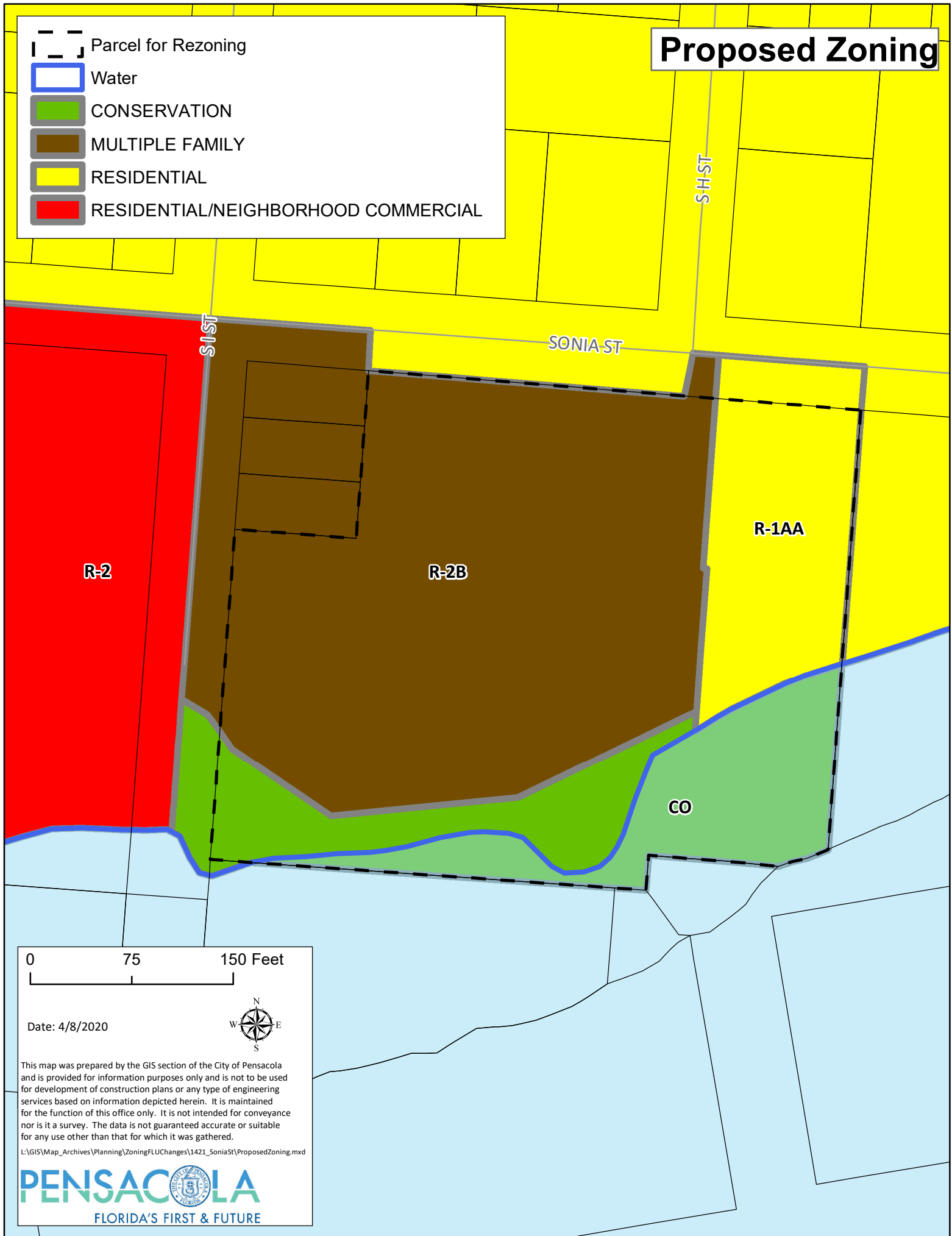
Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board

Proposed Zoning

-  Parcel for Rezoning
-  Water
-  CONSERVATION
-  MULTIPLE FAMILY
-  RESIDENTIAL
-  RESIDENTIAL/NEIGHBORHOOD COMMERCIAL



0 75 150 Feet

Date: 4/8/2020



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

L:\GIS\Map_Archives\Planning\ZoningFLUChanges\1421_SoniaSt\ProposedZoning.mxd



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00239

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PUBLIC HEARING: ZONING MAP AND FUTURE LAND USE MAP AMENDMENT - 1700 BLK LANSING DRIVE

RECOMMENDATION:

That City Council conduct a Public Hearing on June 11, 2020, to consider the request to amend the Zoning Map and Future Land Use Map for property located in the 1700 BLK Lansing Drive.

HEARING REQUIRED: Public

SUMMARY:

Susan Todaro and Carol Todd are requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for property located in the 1700 BLK Lansing Drive. The property is currently zoned R-1AA, One and Two Family Residential Zoning District, and the existing FLUM designation is MDR, Medium Density Residential.

The applicant is proposing to amend the zoning district to C-1, Retail Commercial Zoning District and the FLUM to Commercial. This will be consistent with the adjacent parcels abutting Creighton Road, which are zoned C-3 and have a Commercial FLUM designation.

On May 12, 2020, the Planning Board unanimously recommended approval of amending the zoning district to C-1, instead of the applicant's original request of C-3, in order to ensure more compatibility with the surrounding neighborhood. The applicant accepted the recommendation of Planning Board and amended their request accordingly.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/19/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Kerrith Fiddler, Deputy City Administrator - Community Development

Sherry Morris, AICP, Planning Services Director

ATTACHMENTS:

- 1) Planning Board Rezoning Application
- 2) Planning Board Minutes May 12 2020 DRAFT
- 3) Future Land Use Map May 2020
- 4) Zoning Map May 2020
- 5) Proposed Ordinance No. 25-20
- 6) Proposed Ordinance No. 26-20

PRESENTATION: No



REZONING

Please check application type:



Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment



(< 10 acres)

\$3,500.00

\$250.00

\$750.00



(≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: SWAN Todaro & Carol Todd Date: 2/13/20

Address: 4400 Bayou Blvd Ste 18A Pensacola FL 32503

Phone: 850-380-6160 Fax: 850-476-7899 Email: STODARO@AOL.COM

Property Information:

Owner Name: Susan Todaro & Carol Todd Phone: 850-380-6160

Location/Address: 1700 BLK 1700 Lansing Dr. Pensacola FL 32504

Parcel ID: 311 530 190 062 003 Acres/Square Feet: 0.7128

Zoning Classification: Existing R1-AA Proposed C3

Future Land Use Classification: Existing MDR Proposed C3 C

Reason Rezoning Requested: TO MATCH ADJOINING PROPERTY.

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13 day of February, 2020.

Applicant Signature: Susan Todaro Owner Signature: Carol Todd

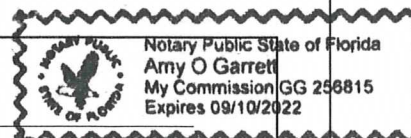
Applicant Name (Print): Susan Todaro Owner Name (Print): Carol Todd

Notary for
Carol Todd
attached
JF JAL

Sworn to and subscribed to before me this 13 day of February, 2020 by Susan Todaro
Name: Amy O. Garrett Commission Expires: 09/10/2022 FLDL-T20074754 9130

FOR OFFICE USE ONLY

Council District: _____ Date Received: _____ Case Number: _____
Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____
Committee Date: _____ Council Date: _____ Council Action: _____
Second Reading: _____ Ordinance Number: _____



STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was executed and acknowledged by Carol Todd before me by means of ✓
Physical Presence or _____ Online Notarization on 2-13-2020, by .

Personally known ✓
or Produced Identification _____
Type of Identification Produced _____

Kathryn G. Wilson
Notary Public

Print Name:

My Commission Expires:

Kathryn G. Wilson

Notary Public

State of Florida

Commission No. FF965338

Commission Expires: March 21, 2020



REZONING

Please check application type:

☐ Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment

☒ (< 10 acres)

\$3,500.00

\$250.00

\$750.00

☐ (≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: SWAN Todaro & Carol Todd Date: 2/13/20

Address: 4400 Bayou Blvd Ste 18A Pensacola FL 32503

Phone: 850-380-6160 Fax: 850-476-7899 Email: STODARO@AOL.COM

Property Information:

Owner Name: Susan Todaro & Carol Todd Phone: 850-380-6160

Location/Address: 1765 Lansing dr. Pensacola FL 32504

Parcel ID: 3115301901015003 Acres/Square Feet: 0.7255

Zoning Classification: Existing R1-AA Proposed C3

Future Land Use Classification: Existing MDR Proposed CB C

Reason Rezoning Requested: TO MATCH adjoining property.

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13 day of February, 2020.

Applicant Signature

Susan Todaro

Applicant Name (Print)

Owner Signature

Carol Todd

Owner Name (Print)

Notary for Carol Todd attached
[Signature]

Sworn to and subscribed to before me this 13th day of February, 2020 By Susan Todaro
Name: Amy O. Garrett Commission Expires: 09/10/2022
FL DL T 360-797-54-713-0

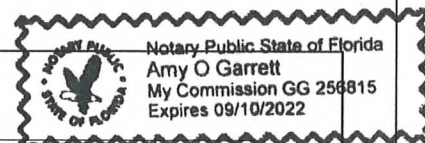
FOR OFFICE USE ONLY

Council District: _____ Date Received: _____ Case Number: _____

Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____

Committee Date: _____ Council Date: _____ Council Action: _____

Second Reading: _____ Ordinance Number: _____



STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was executed and acknowledged by Carol Todd before me by means of ☒ Physical Presence or ☐ Online Notarization on 2-13-2020, by .

Personally known ☒
or Produced Identification ☐
Type of Identification Produced ☐



Notary Public

Print Name:

My Commission Expires:

Kathryn G. Wilson
Notary Public
State of Florida
Commission No. FF965338
Commission Expires: March 21, 2020

OR BK 4960 PG 1429
Escambia County, Florida
INSTRUMENT 2002-999241

DEED DOC STAMPS PD # ESC/CI \$1330.00
08/23/02 ERNIE LEE WARDEN, CLERK

This Document Prepared By:

✓ Philip A. Bates, P.A.
Post Office Box 1423
Pensacola, Florida 32596-1423

Parcel ID Number:

Grantee TIN: _____

WARRANTY DEED (Statutory Form-Section 689.02, F.S.)

This Indenture, Made this 16th day of August, 2002, between MIRANKA FOUNTAIN, a married woman, GRANTOR, whose address is 2324 Windstone Drive, and SUSAN TODARO, an unmarried woman AND CAROL TODD, an unmarried woman, whose addresses are 2021 E. Cervantes Street and 6052 Chapman Circle, Pensacola, State of Florida, Grantee,

WITNESSETH, That said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to said Grantee, as tenants in common and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Escambia County, Florida, to wit:

See Exhibit A attached hereto

THE ABOVE DESCRIBED PROPERTY IS NOT THE CONSTITUTIONAL
HOMESTEAD OF MIRANKA FOUNTAIN.

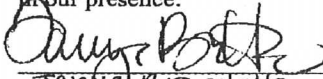
Subject to zoning and other requirements imposed by governmental authorities; restrictions and matters appearing on the plat, if there is a recorded plat, or otherwise common to the subdivision, if the property is located within a subdivision; valid easements and mineral reservations of record affecting the property, if any, which are not hereby reimposed; and taxes for the current and subsequent years.

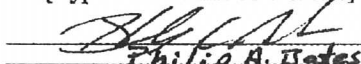
Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:


Tanya C. Bramlette
[Type/Print Name of Witness]

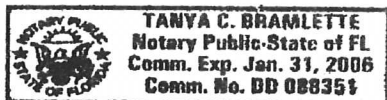

Philip A. Bates
[Type/Print Name of Witness]


MIRANKA FOUNTAIN (SEAL)


STATE OF FLORIDA

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 16th day of , August 2002, by Miranka Fountain, a married woman who () is personally known to me or who (✓) has produced FL Drivers License as identification and () did () did not take an oath.



(NOTARIAL SEAL)



(Print/Type Name)
NOTARY PUBLIC
Commission Number: _____
My Commission Expires: _____

OR BK 4960 PG1430
Escambia County, Florida
INSTRUMENT 2002-999241

RCD Aug 23, 2002 01:30 pm
Escambia County, Florida

Exhibit A

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2002-999241

Parcel 1

That portion of Lot 3 of Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commencing at a concrete monument at the Southeast corner of said Lot 3 at the point of intersection of the center line of two roads at right angles to each other, thence North 50 feet to the North right of way line of a 100 foot wide road; thence West 243 feet to the point of beginning; thence continue West with said right of way line 105 feet; thence North at right angles 301 feet; thence East at right angles 105 feet; thence South at right angles 301 feet to the point of beginning, (Being the West 105 feet of the East 348 feet of the South 351 feet of aforesaid Lot 3, saving and reserving the South 50 feet for a public road right of way.)

also described as:

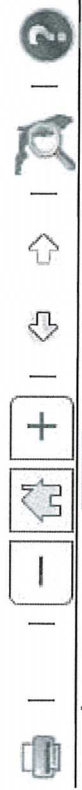
South 301 feet of West 105 feet of East 158 7/10 Feet of Lot F, Block 3, ABB S/D, Plat Book 1, Page 82 as described in O.R. Book 260 at page 546 and O.R. Book 274, Page 334, Escambia County, Florida.

Parcel 2

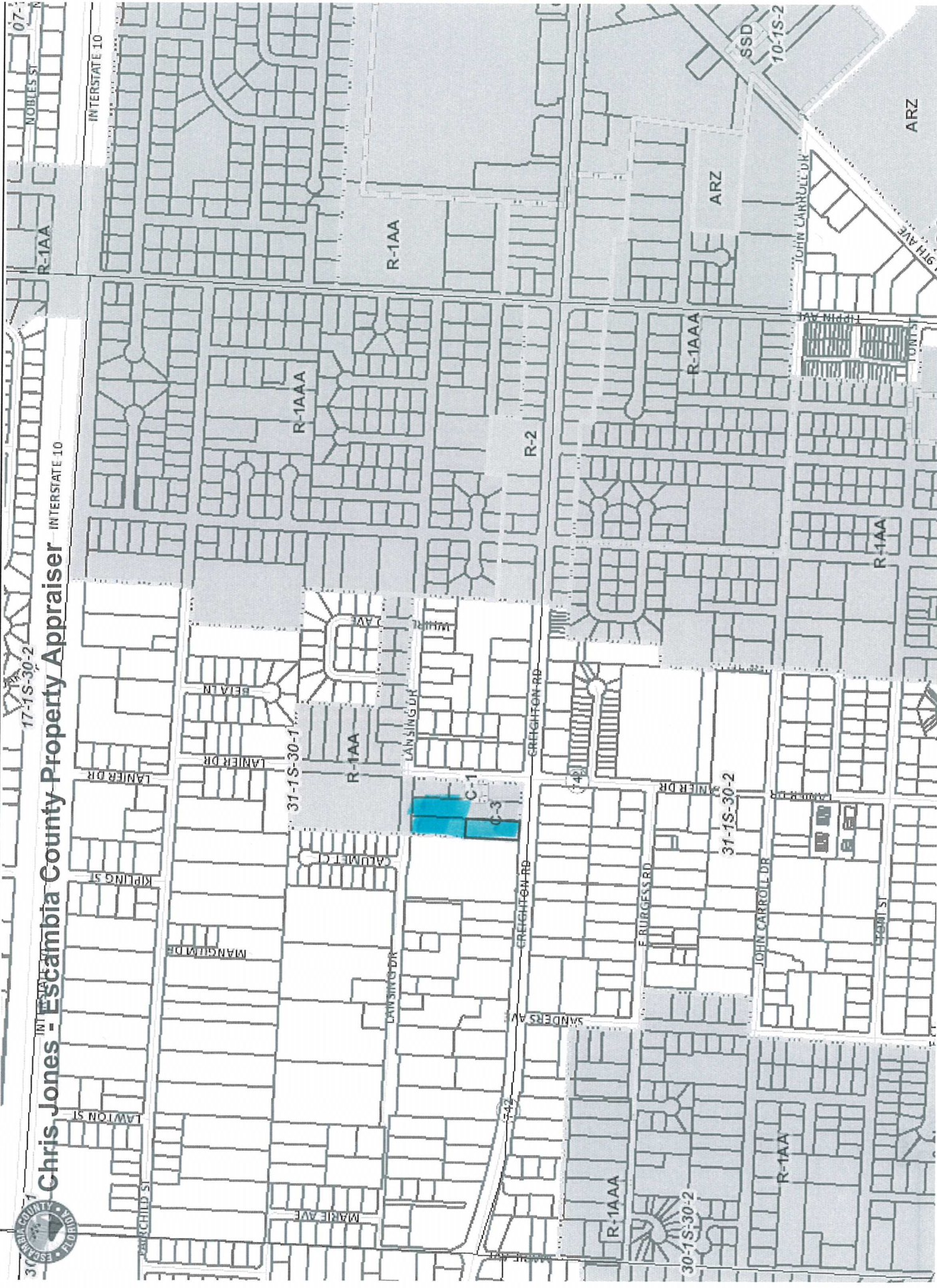
That portion of Lot 3, Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commencing at concrete monument at the Southeast corner of said Lot 3, at the point of intersection of the center line of two roads at right angles to each other, thence North 50 feet to the North right-of-way line of a 100 ft. wide road, thence West with said right-of-way line 243 feet, thence North at right angles 301 feet to point of beginning, thence West at right angles 105 feet, thence North at right angles 301 feet, thence East at right angles 105 feet, thence South 301 feet at right angles to point of beginning, being the North 301 feet of the West 105 feet of the East 348 feet of the South 652 feet of aforesaid Lot 3. PARCEL "B"

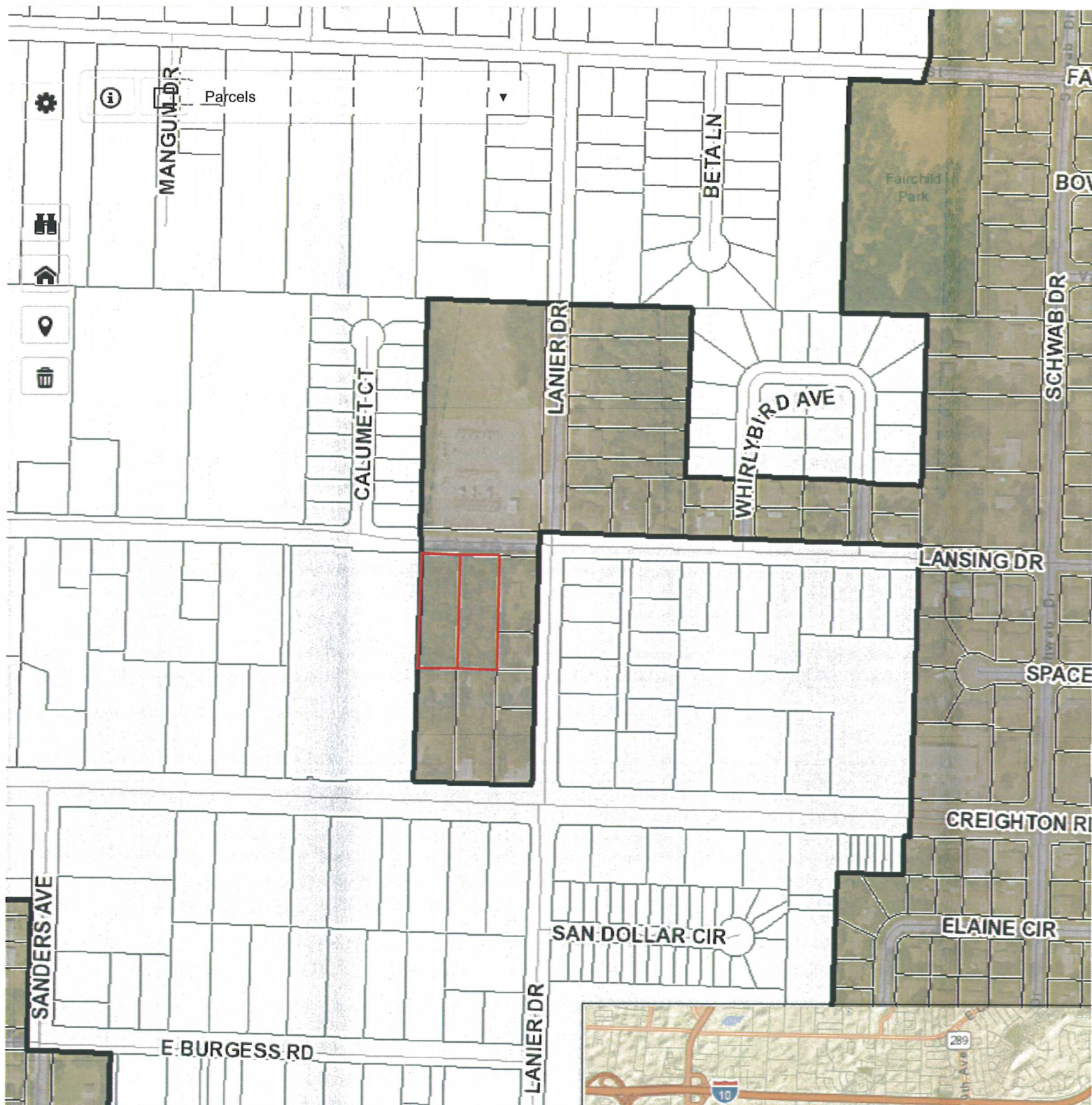
That portion of Lot 3, Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: commencing at a concrete monument at the Southeast corner of said Lot 3 at the point of intersection of the center lines of two roads at right angles to each other; thence North 50 feet to the North right of way line of a 100 feet wide road, thence West 138 feet to a point; thence continue West with said right of way 105 feet, thence North at right angles 602 feet to the point of beginning of this description; thence East at right angles 105 feet; thence South at right angles 300 feet; thence West at right angles 105 feet; thence North at right angles 300 feet to the point of beginning of this description, the same being the North 300 feet of the West 105 feet of the East 243 feet of the South 652 feet of aforesaid Lot 3.

RECORDED AS RECEIVED

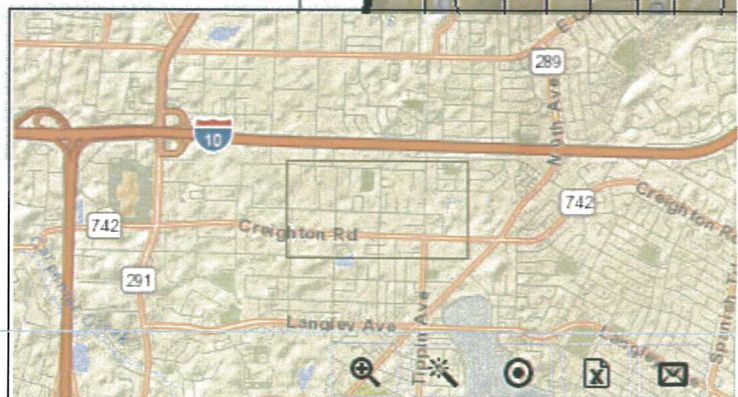


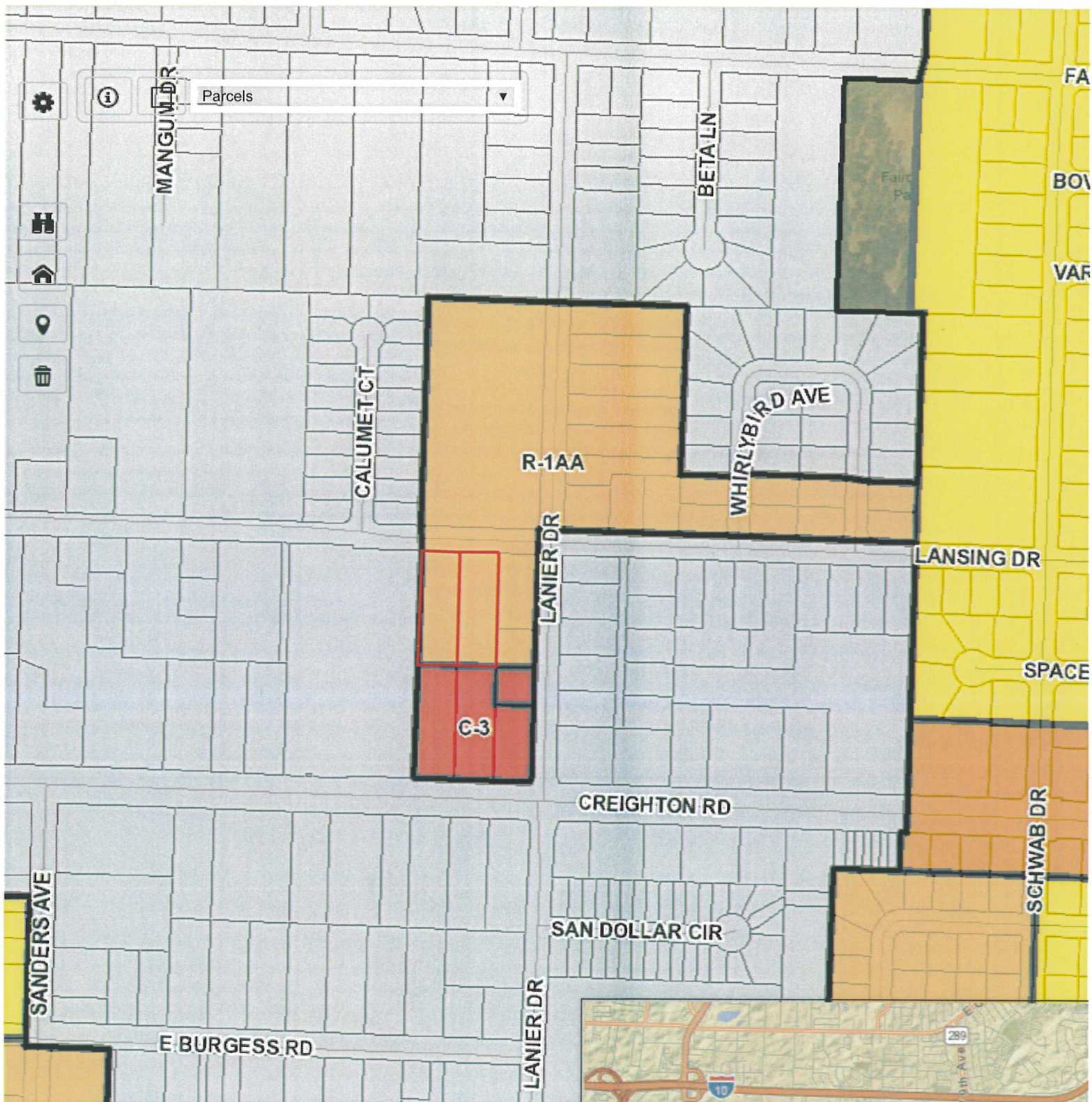
Chris Jones - Escambia County Property Appraiser



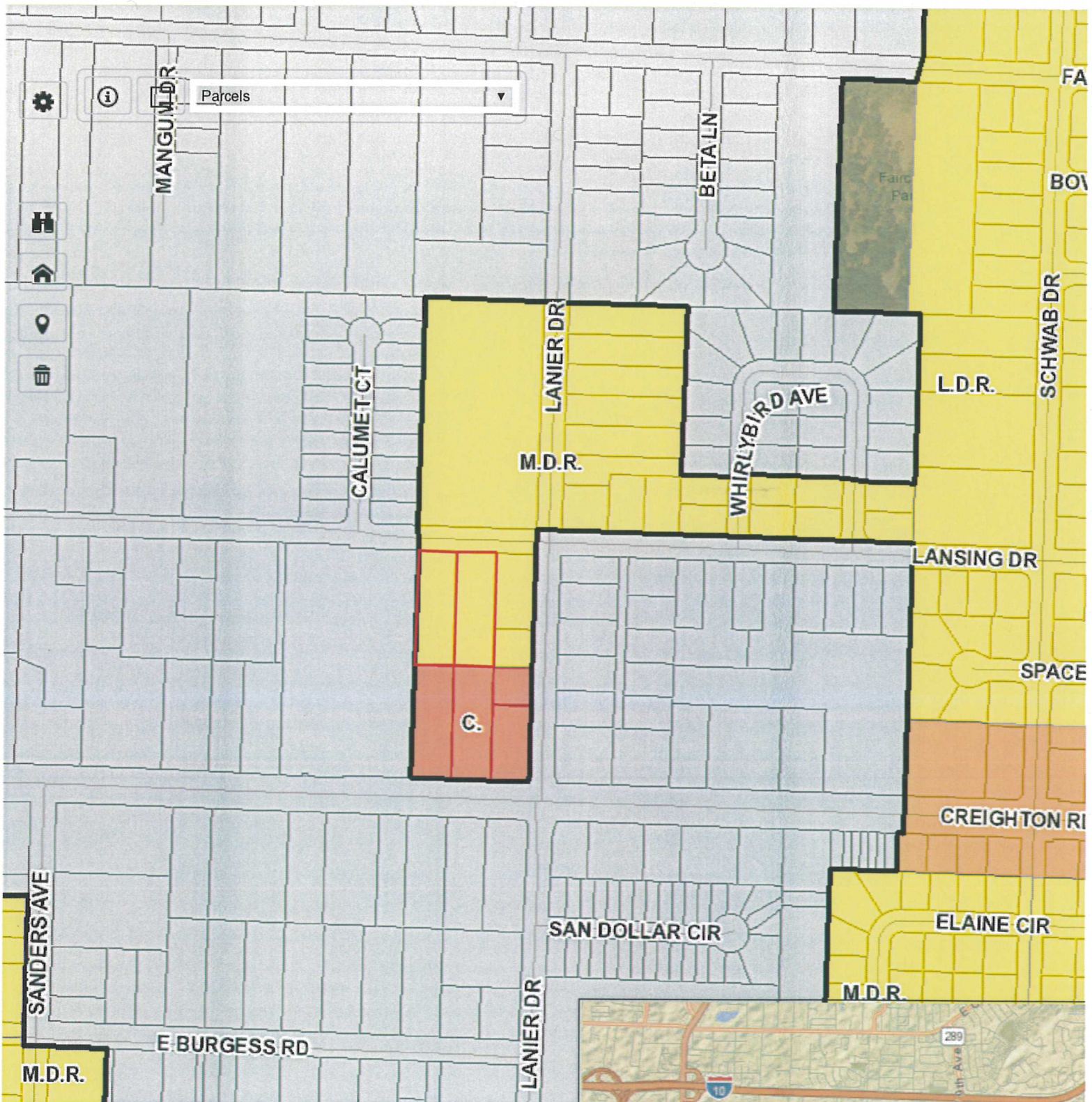


100m
300ft
2 Results

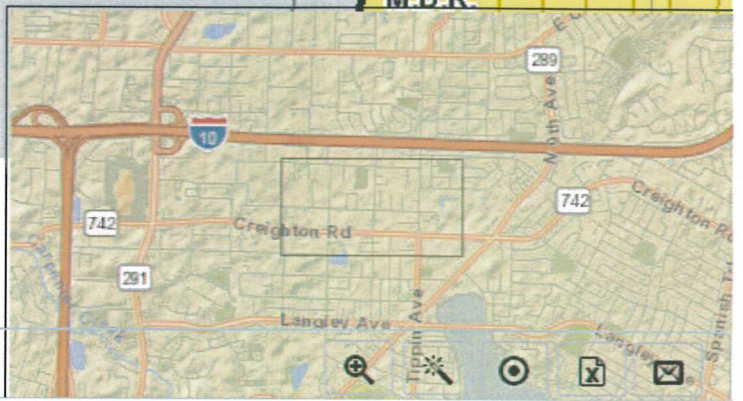




2 Results 100m 300ft



2 Results





MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

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Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance

Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board



Parcels for Rezoning



Escambia County



MEDIUM DENSITY RESIDENTIAL



COMMERCIAL

Proposed Future Land Use

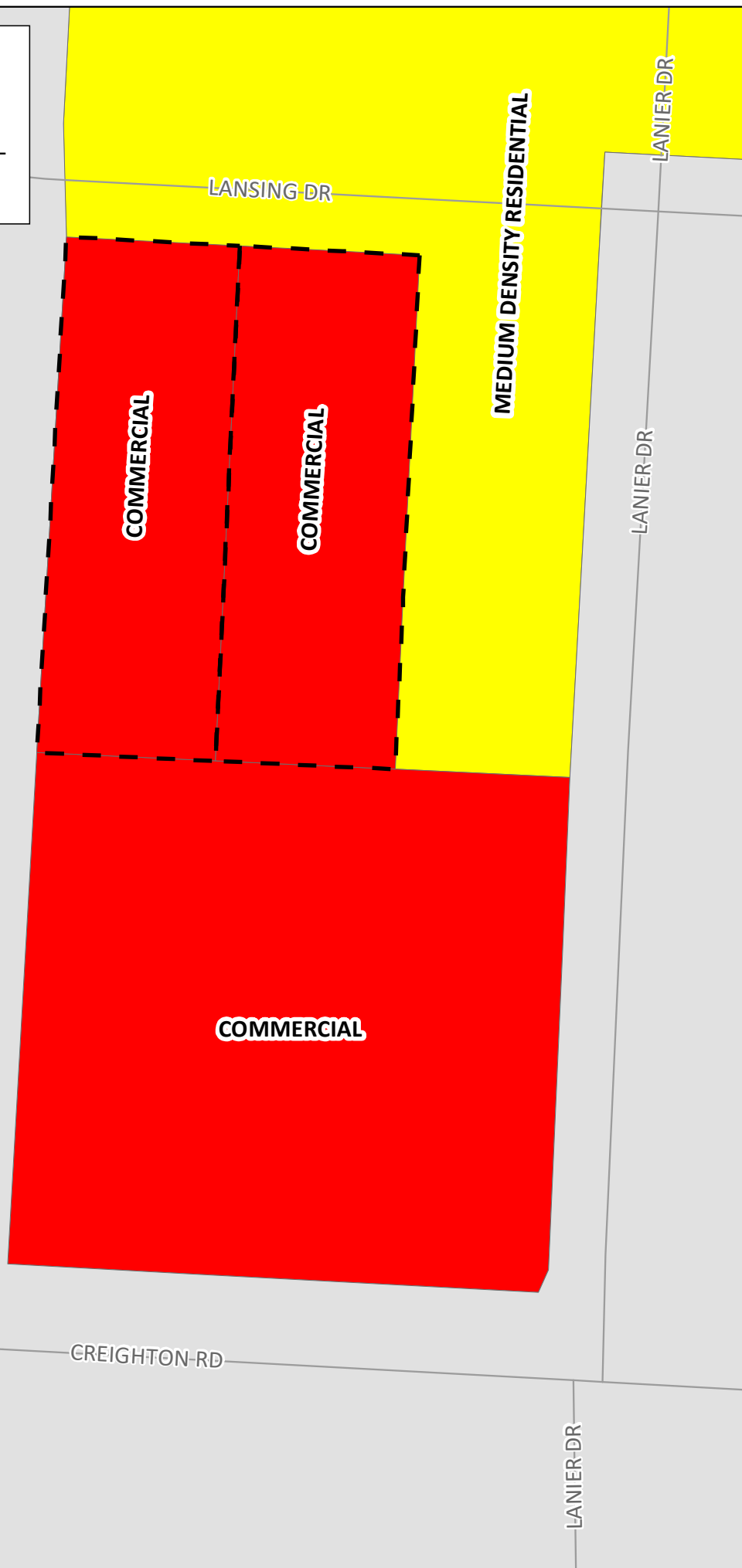
0 75 150 Feet

Date: 3/31/2020



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

L:\GIS\Map_Archives\Planning\ZoningFLUChanges\LansingDr\ProposedFLU.mxd



Parcels for Rezoning

COMMERCIAL

RESIDENTIAL

Escambia County

Proposed Zoning

0

75

150 Feet

Date: 3/31/2020

N

E

S

W

This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

L:\GIS\Map_Archives\Planning\ZoningFLUChanges\LansingDr\ProposedZoning.mxd

PENSACOLA

FLORIDA'S FIRST & FUTURE

The map displays a series of parcels along Lansing Dr and Creighton Rd. The parcels are colored red for commercial (C-3, C-1) and yellow for residential (R-1AA). The map includes a legend, a scale bar, a north arrow, and a disclaimer.

Legend:

- Parcels for Rezoning (dashed line)
- COMMERCIAL (red)
- RESIDENTIAL (yellow)
- Escambia County (gray)

Proposed Zoning:

- C-3 (Commercial)
- C-1 (Commercial)
- R-1AA (Residential)

Streets:

- LANSING DR
- LANIER DR
- CREIGHTON RD

Scale: 0, 75, 150 Feet

Date: 3/31/2020

Disclaimer: This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Source: L:\GIS\Map_Archives\Planning\ZoningFLUChanges\LansingDr\ProposedZoning.mxd

PENSACOLA
FLORIDA'S FIRST & FUTURE

PROPOSED
ORDINANCE NO. 25-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN
AND FUTURE LAND USE MAP OF THE CITY OF
PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY;
REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council desires to effect an amendment to a portion of
the Future Land Use element of the Comprehensive Plan; and

WHEREAS, said amendment is consistent with the other portions of the
Future Land Use Element and all other applicable elements of the Comprehensive Plan, as
amended; and

WHEREAS, said amendment will affirmatively contribute to the health, safety
and general welfare of the citizens of the City of Pensacola; and

WHEREAS, the City Council has followed all of the procedures set forth in
§§163.3184 and 163.3187, Fla. Stat., and all other applicable provisions of law and local
procedures with relation to amendment to the Future Land Use Element of the
Comprehensive Plan; and

WHEREAS, proper public notice was provided and appropriate public hearing
was held pursuant to the provisions referred to hereinabove as to the following amendment
to the Comprehensive Plan and Future Land Use map of the City of Pensacola; NOW,
THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Comprehensive Plan and Future Land Use Map of the
City of Pensacola, and all notations, references and information shown thereon as it relates
to the following described real property in the City of Pensacola, Florida, to-wit:

Parcel 1

THAT PORTION OF LOT 3 OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST,
ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT A
CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3 AT THE
POINT OF INTERSECTION OF THE CENTER LINE OF TWO ROADS AT RIGHT

ANGLES TO EACH OTHER, THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FOOT WIDE ROAD; THENCE WEST 243 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WEST WITH SAID RIGHT-OF-WAY LINE 105 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET; THENCE EAST AT RIGHT ANGLES 105 FEET; THENCE SOUTH AT RIGHT ANGLES 301 FEET TO THE POINT OF BEGINNING, (BEING THE WEST 105 FEET OF THE EAST 348 FEET OF THE SOUTH 351 FEET OF AFORESAID LOT 3, SAVING AND RESERVING THE SOUTH 50 FEET, FOR A PUBLIC ROAD RIGHT-OF-WAY.)

ALSO DESCRIBED AS:

SOUTH 301 FEET OF WEST 105 FEET OF EAST 158 7/10 FEET OF LOT F, BLOCK 3, ABB S/D, PLAT BOOK 1, PAGE 82 AS DESCRIBED IN O.R. BOOK 260 AT PAGE 546, AND O.R. BOOK 274, PAGE 334, ESCAMBIA COUNTY, FLORIDA.

Parcel 2

THAT PORTION OF LOT 3, SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3, AT THE POINT OF INTERSECTION OF THE CENTER LINE OF TWO ROADS AT RIGHT ANGLES TO EACH OTHER; THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FT. WIDE ROAD; THENCE WEST WITH SAID RIGHT-OF-WAY LINE 243 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET TO POINT OF BEGINNING; THENCE WEST AT RIGHT ANGLES 105 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET; THENCE EAST AT RIGHT ANGLES 105 FEET; THENCE SOUTH 301 FEET AT RIGHT ANGLES TO POINT OF BEGINNING, BEING THE NORTH 301 FEET OF THE WEST 105 FEET OF THE EAST 348 FEET OF THE SOUTH 652 FEET OF AFORESAID LOT 3.

Parcel "B"

THAT PORTION OF LOT 3, SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT A CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3 AT THE POINT OF INTERSECTION OF THE CENTER LINES OF TWO ROADS AT RIGHT ANGLES TO EACH OTHER; THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FEET WIDE ROAD; THENCE WEST 138 FEET TO A POINT; THENCE CONTINUE WEST WITH SAID RIGHT-OF-WAY 105 FEET; THENCE NORTH AT RIGHT ANGLES 602 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE EAST AT RIGHT ANGLES 105 FEET; THENCE SOUTH AT RIGHT ANGLES 300 FEET; THENCE WEST AT RIGHT ANGLES 105 FEET; THENCE NORTH AT RIGHT ANGLES 300 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THE SAME BEING THE NORTH 300 FEET OF THE WEST 105 FEET OF THE EAST 243 FEET OF THE SOUTH 652 FEET OF AFORESAID LOT 3.

the same is hereby changed to C (Commercial) Future Land Use District, fully as if all of the said real property had been originally included in City of Pensacola C (Commercial)

Future Land Use District.

SECTION 2. The City Council shall by subsequently adopted ordinance change the zoning classification and zoning map for the subject property to a permissible zoning classification, as determined by the discretion of the City Council, which is consistent with the future land use classification adopted by this ordinance. Pending the adoption of such a rezoning ordinance, no development of the subject property shall be permitted which is inconsistent with the future land use classification adopted by this ordinance.

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

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

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

Adopted: _____

Approved: _____

President of City Council

Attest:

City Clerk

PROPOSED
ORDINANCE NO. 26-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

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

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

WHEREAS, a proposed amended zoning classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on June 11, 2020 concerning the following proposed zoning classification affecting the property described therein; and

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

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

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

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

Parcel 1

THAT PORTION OF LOT 3 OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT A CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3 AT THE POINT OF INTERSECTION OF THE CENTER LINE OF TWO ROADS AT RIGHT ANGLES TO EACH OTHER, THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FOOT WIDE ROAD; THENCE WEST 243 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WEST WITH SAID RIGHT-OF-WAY LINE 105 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET; THENCE EAST AT RIGHT ANGLES

105 FEET; THENCE SOUTH AT RIGHT ANGLES 301 FEET TO THE POINT OF BEGINNING, (BEING THE WEST 105 FEET OF THE EAST 348 FEET OF THE SOUTH 351 FEET OF AFORESAID LOT 3, SAVING AND RESERVING THE SOUTH 50 FEET, FOR A PUBLIC ROAD RIGHT-OF-WAY.)

ALSO DESCRIBED AS:

SOUTH 301 FEET OF WEST 105 FEET OF EAST 158 7/10 FEET OF LOT F, BLOCK 3, ABB S/D, PLAT BOOK 1, PAGE 82 AS DESCRIBED IN O.R. BOOK 260 AT PAGE 546, AND O.R. BOOK 274, PAGE 334, ESCAMBIA COUNTY, FLORIDA.

Parcel 2

THAT PORTION OF LOT 3, SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3, AT THE POINT OF INTERSECTION OF THE CENTER LINE OF TWO ROADS AT RIGHT ANGLES TO EACH OTHER; THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FT. WIDE ROAD; THENCE WEST WITH SAID RIGHT-OF-WAY LINE 243 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET TO POINT OF BEGINNING; THENCE WEST AT RIGHT ANGLES 105 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET; THENCE EAST AT RIGHT ANGLES 105 FEET; THENCE SOUTH 301 FEET AT RIGHT ANGLES TO POINT OF BEGINNING, BEING THE NORTH 301 FEET OF THE WEST 105 FEET OF THE EAST 348 FEET OF THE SOUTH 652 FEET OF AFORESAID LOT 3.

Parcel "B"

THAT PORTION OF LOT 3, SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT A CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3 AT THE POINT OF INTERSECTION OF THE CENTER LINES OF TWO ROADS AT RIGHT ANGLES TO EACH OTHER; THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FEET WIDE ROAD; THENCE WEST 138 FEET TO A POINT; THENCE CONTINUE WEST WITH SAID RIGHT-OF-WAY 105 FEET; THENCE NORTH AT RIGHT ANGLES 602 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE EAST AT RIGHT ANGLES 105 FEET; THENCE SOUTH AT RIGHT ANGLES 300 FEET; THENCE WEST AT RIGHT ANGLES 105 FEET; THENCE NORTH AT RIGHT ANGLES 300 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THE SAME BEING THE NORTH 300 FEET OF THE WEST 105 FEET OF THE EAST 243 FEET OF THE SOUTH 652 FEET OF AFORESAID LOT 3.

is hereby changed in its entirety to C-1 (Retail Commercial) Zoning District.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

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

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

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 25-20

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 25-20 - REQUEST FOR FUTURE LAND USE MAP AMENDMENT - 1700 BLK LANSING DRIVE

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 25-20 on first reading:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: Public

SUMMARY:

Susan Todaro and Carol Todd are requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 1700 BLK Lansing Drive. The property is currently zoned R-1AA, One and Two Family Residential Zoning District, and the existing FLUM designation is MDR, Medium Density Residential.

The applicant is proposing to amend the zoning district to C-1, Retail Commercial Zoning District and the FLUM to Commercial. This will be consistent with the adjacent parcels abutting Creighton Road, which are zoned C-3 and have a Commercial FLUM designation.

On May 12, 2020, the Planning Board unanimously recommended approval of amending the zoning district to C-1, instead of the applicant's original request of C-3, in order to ensure more compatibility with the surrounding neighborhood. The applicant accepted the recommendation of Planning Board and amended their request accordingly

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/19/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator - Community Development
Sherry H. Morris, Planning Services Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 25-20
- 2) Planning Board Rezoning Application
- 3) Planning Board Minutes May 12 2020 DRAFT
- 4) Future Land Use Map May 2020

PRESENTATION: No

PROPOSED
ORDINANCE NO. 25-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN
AND FUTURE LAND USE MAP OF THE CITY OF
PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY;
REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council desires to effect an amendment to a portion of
the Future Land Use element of the Comprehensive Plan; and

WHEREAS, said amendment is consistent with the other portions of the
Future Land Use Element and all other applicable elements of the Comprehensive Plan, as
amended; and

WHEREAS, said amendment will affirmatively contribute to the health, safety
and general welfare of the citizens of the City of Pensacola; and

WHEREAS, the City Council has followed all of the procedures set forth in
§§163.3184 and 163.3187, Fla. Stat., and all other applicable provisions of law and local
procedures with relation to amendment to the Future Land Use Element of the
Comprehensive Plan; and

WHEREAS, proper public notice was provided and appropriate public hearing
was held pursuant to the provisions referred to hereinabove as to the following amendment
to the Comprehensive Plan and Future Land Use map of the City of Pensacola; NOW,
THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Comprehensive Plan and Future Land Use Map of the
City of Pensacola, and all notations, references and information shown thereon as it relates
to the following described real property in the City of Pensacola, Florida, to-wit:

Parcel 1

THAT PORTION OF LOT 3 OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST,
ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT A
CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3 AT THE
POINT OF INTERSECTION OF THE CENTER LINE OF TWO ROADS AT RIGHT

ANGLES TO EACH OTHER, THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FOOT WIDE ROAD; THENCE WEST 243 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WEST WITH SAID RIGHT-OF-WAY LINE 105 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET; THENCE EAST AT RIGHT ANGLES 105 FEET; THENCE SOUTH AT RIGHT ANGLES 301 FEET TO THE POINT OF BEGINNING, (BEING THE WEST 105 FEET OF THE EAST 348 FEET OF THE SOUTH 351 FEET OF AFORESAID LOT 3, SAVING AND RESERVING THE SOUTH 50 FEET, FOR A PUBLIC ROAD RIGHT-OF-WAY.)

ALSO DESCRIBED AS:

SOUTH 301 FEET OF WEST 105 FEET OF EAST 158 7/10 FEET OF LOT F, BLOCK 3, ABB S/D, PLAT BOOK 1, PAGE 82 AS DESCRIBED IN O.R. BOOK 260 AT PAGE 546, AND O.R. BOOK 274, PAGE 334, ESCAMBIA COUNTY, FLORIDA.

Parcel 2

THAT PORTION OF LOT 3, SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3, AT THE POINT OF INTERSECTION OF THE CENTER LINE OF TWO ROADS AT RIGHT ANGLES TO EACH OTHER; THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FT. WIDE ROAD; THENCE WEST WITH SAID RIGHT-OF-WAY LINE 243 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET TO POINT OF BEGINNING; THENCE WEST AT RIGHT ANGLES 105 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET; THENCE EAST AT RIGHT ANGLES 105 FEET; THENCE SOUTH 301 FEET AT RIGHT ANGLES TO POINT OF BEGINNING, BEING THE NORTH 301 FEET OF THE WEST 105 FEET OF THE EAST 348 FEET OF THE SOUTH 652 FEET OF AFORESAID LOT 3.

Parcel "B"

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the same is hereby changed to C (Commercial) Future Land Use District, fully as if all of the said real property had been originally included in City of Pensacola C (Commercial)

Future Land Use District.

SECTION 2. The City Council shall by subsequently adopted ordinance change the zoning classification and zoning map for the subject property to a permissible zoning classification, as determined by the discretion of the City Council, which is consistent with the future land use classification adopted by this ordinance. Pending the adoption of such a rezoning ordinance, no development of the subject property shall be permitted which is inconsistent with the future land use classification adopted by this ordinance.

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

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

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

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk



REZONING

Please check application type:



Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment



(< 10 acres)

\$3,500.00

\$250.00

\$750.00



(≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: SWAN Todaro & Carol Todd Date: 2/13/20

Address: 4400 Bayou Blvd Ste 18A Pensacola FL 32503

Phone: 850-380-6160 Fax: 850-476-7899 Email: STODARO@AOL.COM

Property Information:

Owner Name: Susan Todaro & Carol Todd Phone: 850-380-6160

Location/Address: 1700 BLK 1700 Lansing Dr. Pensacola FL 32504

Parcel ID: 311 530 190 062 003 Acres/Square Feet: 0.7128

Zoning Classification: Existing R1-AA Proposed C3

Future Land Use Classification: Existing MDR Proposed C3 C

Reason Rezoning Requested: TO MATCH adjoining property.

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13 day of February, 2020.

Applicant Signature: Susan Todaro Owner Signature: Carol Todd

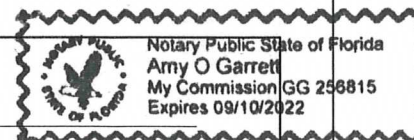
Applicant Name (Print): Susan Todaro Owner Name (Print): Carol Todd

Notary for
Carol Todd
attached
JF JAL

Sworn to and subscribed to before me this 13 day of February, 2020 by Susan Todaro
Name: Amy O. Garrett Commission Expires: 09/10/2022 FLDL-T20074754 9130

FOR OFFICE USE ONLY

Council District: _____ Date Received: _____ Case Number: _____
Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____
Committee Date: _____ Council Date: _____ Council Action: _____
Second Reading: _____ Ordinance Number: _____



STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was executed and acknowledged by Carol Todd before me by means of ✓
Physical Presence or _____ Online Notarization on 2-13-2020, by .

Personally known ✓
or Produced Identification _____
Type of Identification Produced _____

Kathryn G. Wilson
Notary Public

Print Name:

My Commission Expires:

Kathryn G. Wilson

Notary Public

State of Florida

Commission No. FF965338

Commission Expires: March 21, 2020



REZONING

Please check application type:

☐ Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment

☒ (< 10 acres)

\$3,500.00

\$250.00

\$750.00

☐ (≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: SWAN Todaro & Carol Todd Date: 2/13/20

Address: 4400 Bayou Blvd Ste 18A Pensacola FL 32503

Phone: 850-380-6160 Fax: 850-476-7899 Email: STODARO@AOL.COM

Property Information:

Owner Name: Susan Todaro & Carol Todd Phone: 850-380-6160

Location/Address: 1765 Lansing dr. Pensacola FL 32504

Parcel ID: 31.530-190-1015003 Acres/Square Feet: 0.7255

Zoning Classification: Existing R1-AA Proposed C3

Future Land Use Classification: Existing MDR Proposed CB C

Reason Rezoning Requested: TO MATCH adjoining property.

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13 day of February, 2020.

Applicant Signature x Carol Todd

Applicant Name (Print) Susan Todaro

Owner Signature x Carol Todd

Owner Name (Print) Carol Todd

Notary for Carol Todd attached
[Signature]

Sworn to and subscribed to before me this 13th day of February, 2020 By Susan Todaro
Name: Amy O. Garrett Commission Expires: 09/10/2022
FL DL T 360-797-54-713-0

FOR OFFICE USE ONLY

Council District: _____ Date Received: _____ Case Number: _____
Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____
Committee Date: _____ Council Date: _____ Council Action: _____
Second Reading: _____ Ordinance Number: _____



STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was executed and acknowledged by Carol Todd before me by means of ☒ Physical Presence or ☐ Online Notarization on 2-13-2020, by .

Personally known ☒
or Produced Identification ☐
Type of Identification Produced ☐



Notary Public

Print Name:

My Commission Expires:

Kathryn G. Wilson
Notary Public
State of Florida
Commission No. FF965338
Commission Expires: March 21, 2020

OR BK 4960 PG 1429
Escambia County, Florida
INSTRUMENT 2002-999241

DEED DOC STAMPS PD # ESC/CL \$1330.00
08/23/02 ERNIE LEE WARDEN, CLERK

This Document Prepared By:

✓ Philip A. Bates, P.A.
Post Office Box 1423
Pensacola, Florida 32596-1423

Parcel ID Number:

Grantee TIN: _____

WARRANTY DEED (Statutory Form-Section 689.02, F.S.)

This Indenture, Made this 16th day of August, 2002, between MIRANKA FOUNTAIN, a married woman, GRANTOR, whose address is 2324 Windstone Drive, and SUSAN TODARO, an unmarried woman AND CAROL TODD, an unmarried woman, whose addresses are 2021 E. Cervantes Street and 6052 Chapman Circle, Pensacola, State of Florida, Grantee,

WITNESSETH, That said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to said Grantee, as tenants in common and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Escambia County, Florida, to wit:

See Exhibit A attached hereto

THE ABOVE DESCRIBED PROPERTY IS NOT THE CONSTITUTIONAL
HOMESTEAD OF MIRANKA FOUNTAIN.

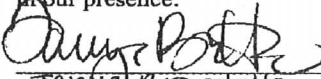
Subject to zoning and other requirements imposed by governmental authorities; restrictions and matters appearing on the plat, if there is a recorded plat, or otherwise common to the subdivision, if the property is located within a subdivision; valid easements and mineral reservations of record affecting the property, if any, which are not hereby reimposed; and taxes for the current and subsequent years.

Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

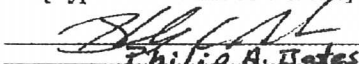
"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:


Tanya C. Bramlette
[Type/Print Name of Witness]

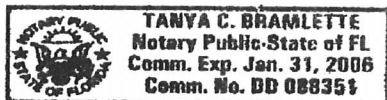
 (SEAL)
MIRANKA FOUNTAIN


Philip A. Bates
[Type/Print Name of Witness]


STATE OF FLORIDA

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 16th day of , August 2002, by Miranka Fountain, a married woman who () is personally known to me or who (✓) has produced FL Drivers License as identification and () did () did not take an oath.



(NOTARIAL SEAL)



(Print/Type Name)
NOTARY PUBLIC
Commission Number: _____
My Commission Expires: _____

OR BK 4960 PG1430
Escambia County, Florida
INSTRUMENT 2002-999241

RCD Aug 23, 2002 01:30 pm
Escambia County, Florida

Exhibit A

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2002-999241

Parcel 1

That portion of Lot 3 of Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commencing at a concrete monument at the Southeast corner of said Lot 3 at the point of intersection of the center line of two roads at right angles to each other, thence North 50 feet to the North right of way line of a 100 foot wide road; thence West 243 feet to the point of beginning; thence continue West with said right of way line 105 feet; thence North at right angles 301 feet; thence East at right angles 105 feet; thence South at right angles 301 feet to the point of beginning, (Being the West 105 feet of the East 348 feet of the South 351 feet of aforesaid Lot 3, saving and reserving the South 50 feet for a public road right of way.)

also described as:

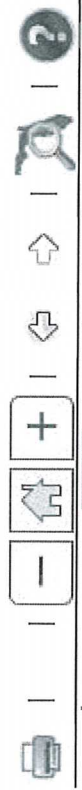
South 301 feet of West 105 feet of East 158 7/10 Feet of Lot F, Block 3, ABB S/D, Plat Book 1, Page 82 as described in O.R. Book 260 at page 546 and O.R. Book 274, Page 334, Escambia County, Florida.

Parcel 2

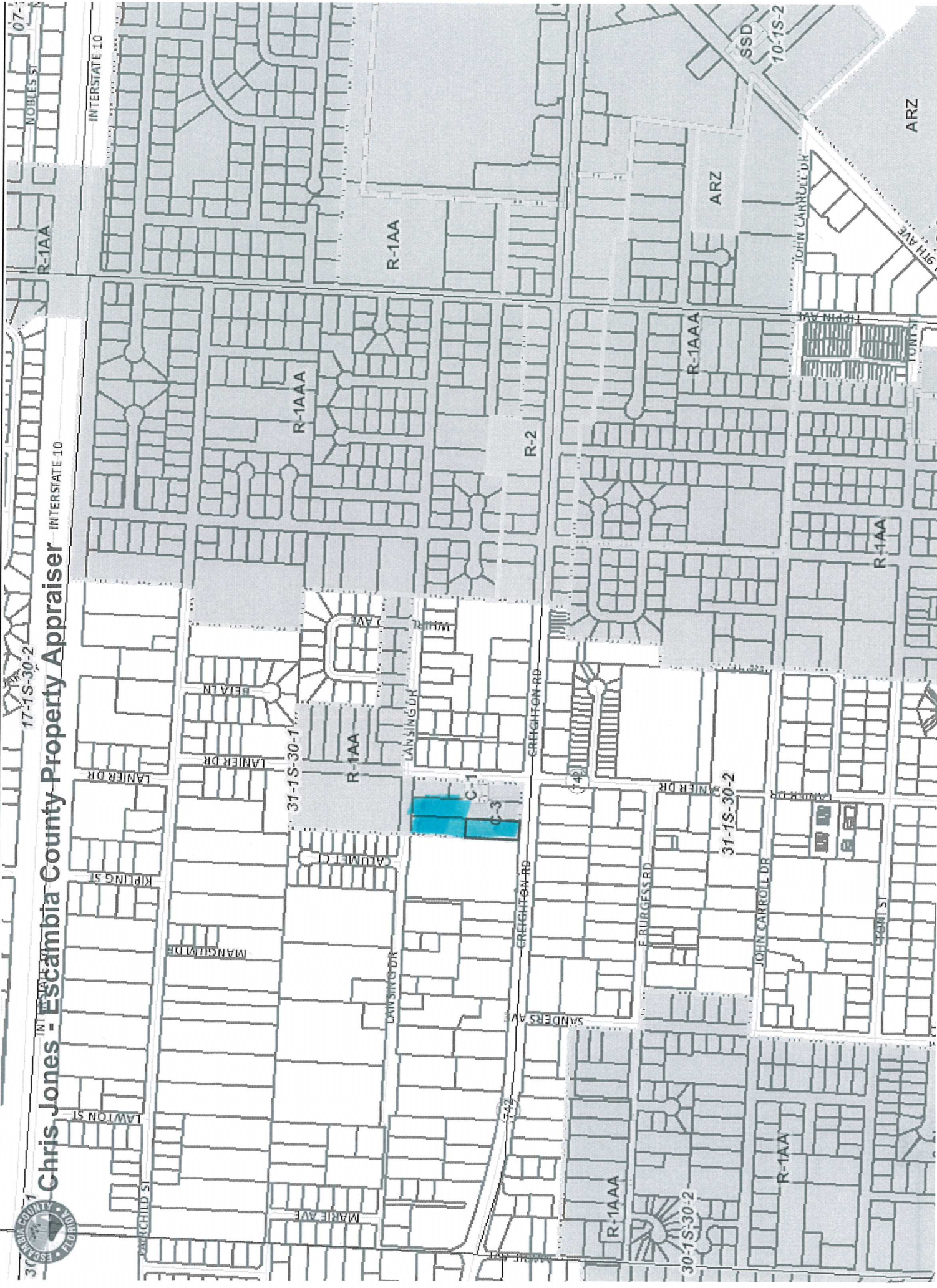
That portion of Lot 3, Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commencing at concrete monument at the Southeast corner of said Lot 3, at the point of intersection of the center line of two roads at right angles to each other, thence North 50 feet to the North right-of-way line of a 100 ft. wide road, thence West with said right-of-way line 243 feet, thence North at right angles 301 feet to point of beginning, thence West at right angles 105 feet, thence North at right angles 301 feet, thence East at right angles 105 feet, thence South 301 feet at right angles to point of beginning, being the North 301 feet of the West 105 feet of the East 348 feet of the South 652 feet of aforesaid Lot 3. PARCEL "B"

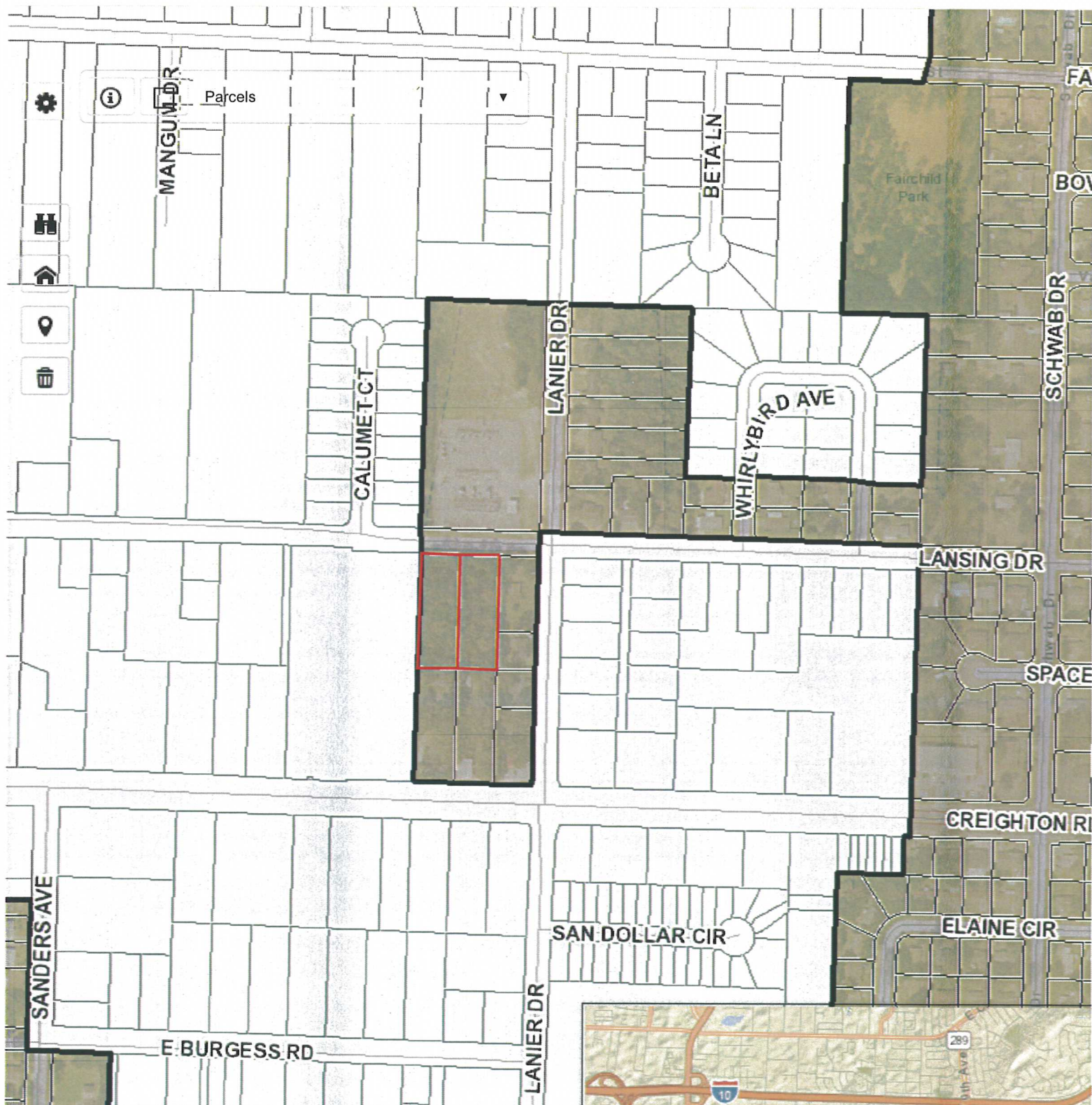
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RECORDED AS RECEIVED

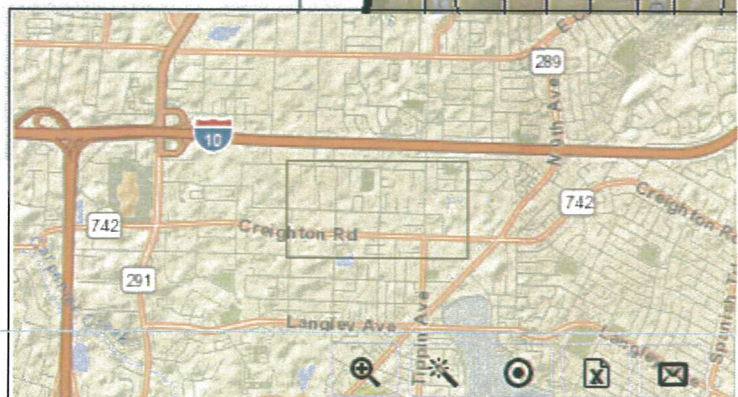


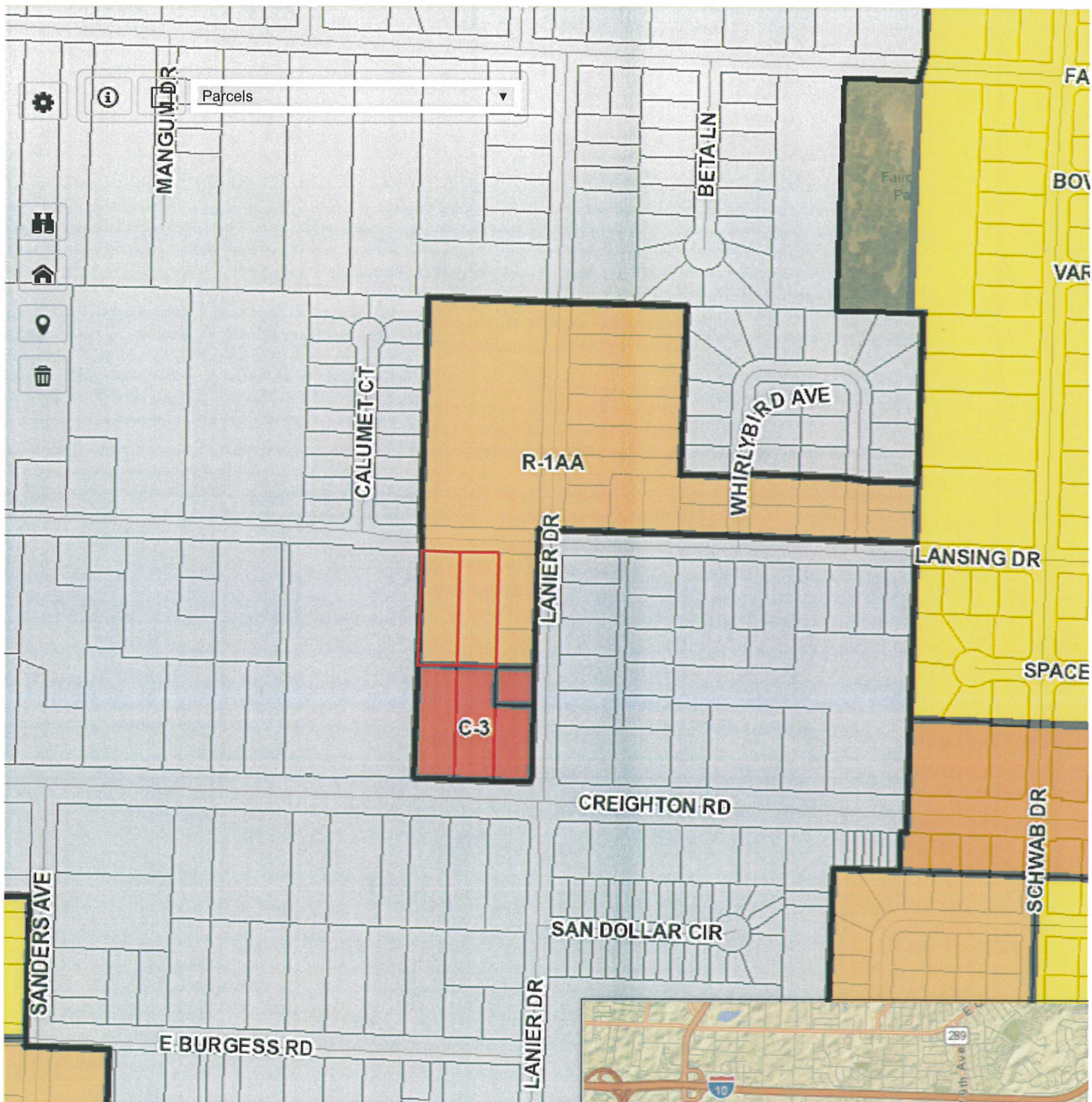
Chris Jones - Escambia County Property Appraiser



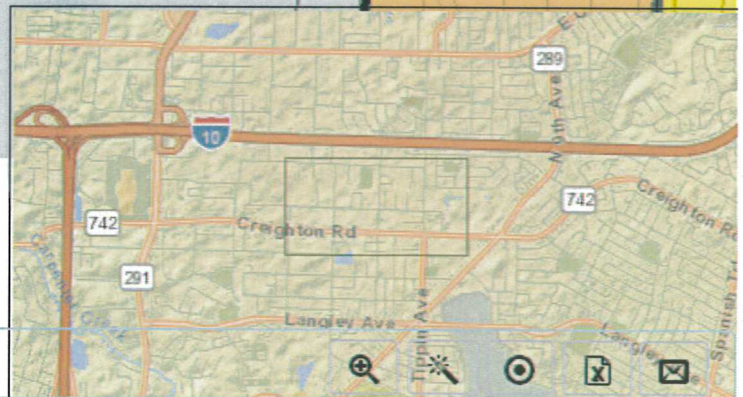


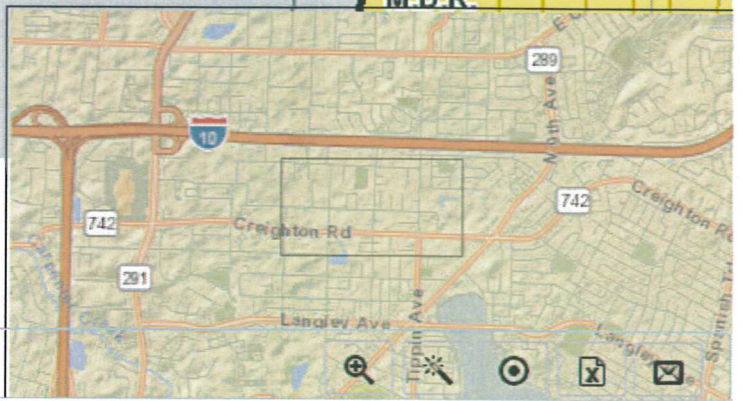
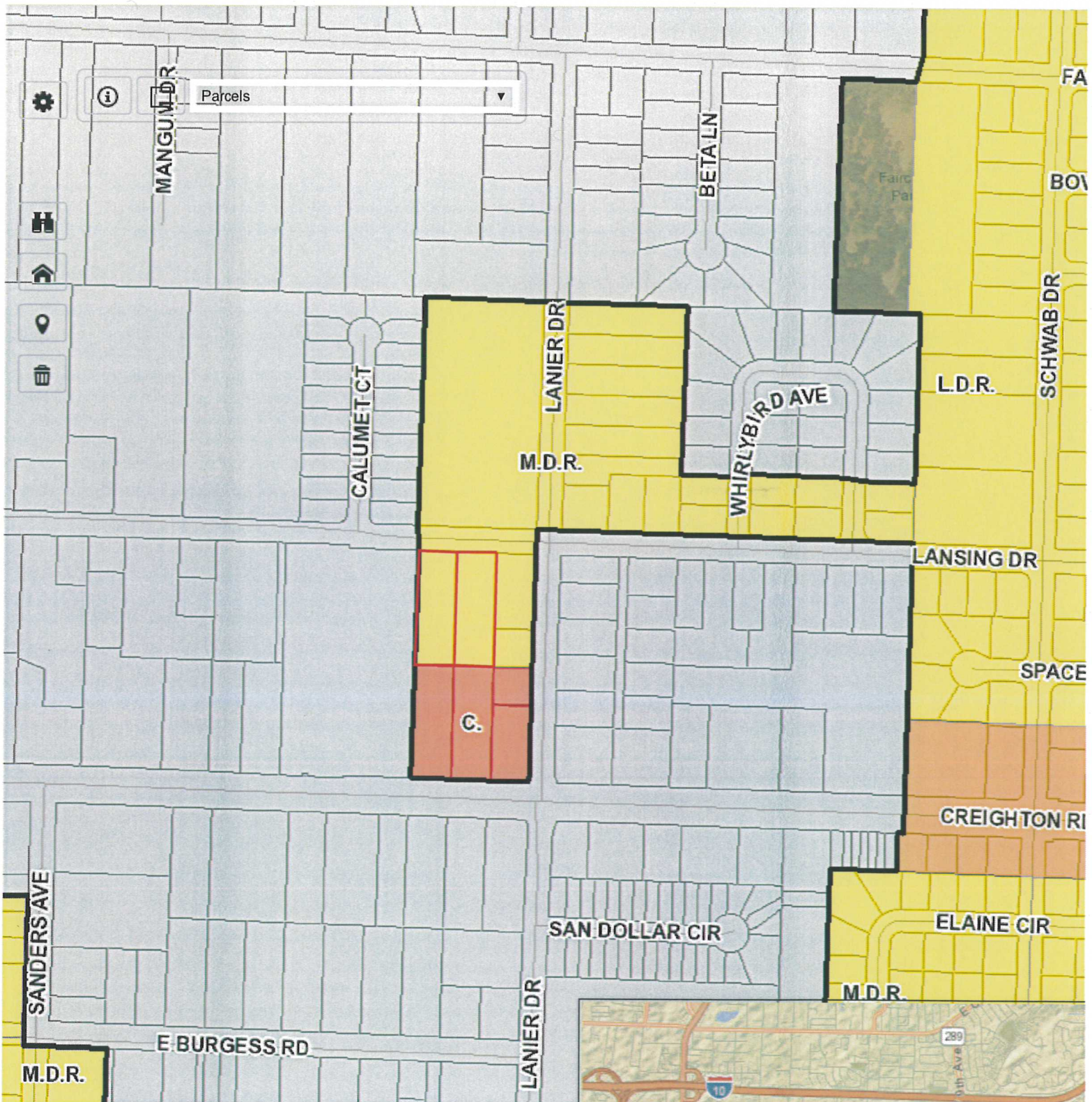
2 Results 100m 300ft





100m
300ft
2 Results







MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, Rebol-Battle, the applicant's consultant, explained there was no intention of subdividing the lot but to build another structure for

rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr. Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved by the City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance

Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board



Parcels for Rezoning



Escambia County



MEDIUM DENSITY RESIDENTIAL



COMMERCIAL

Proposed Future Land Use

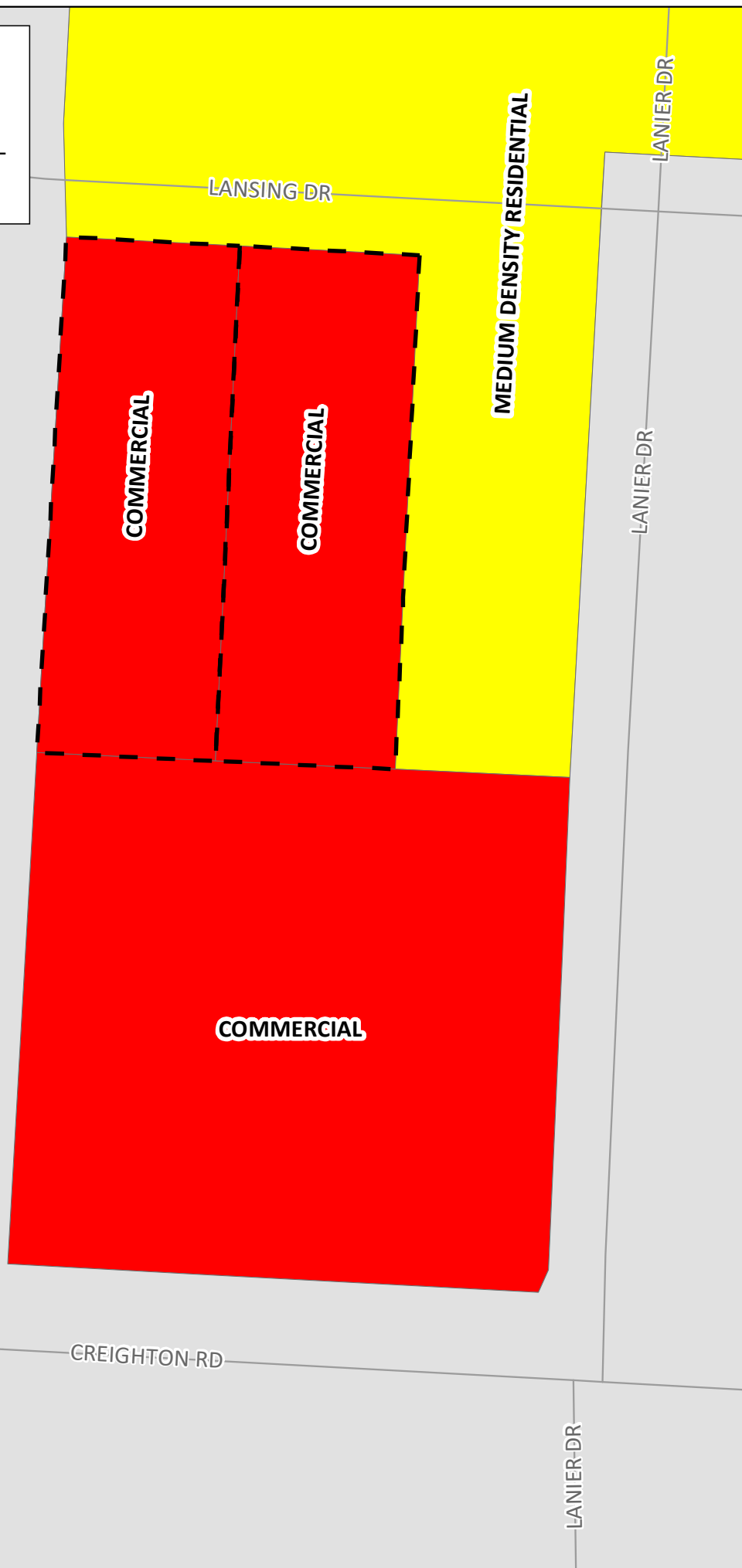
0 75 150 Feet

Date: 3/31/2020



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

L:\GIS\Map_Archives\Planning\ZoningFLUChanges\LansingDr\ProposedFLU.mxd





City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 26-20

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 26-20 - REQUEST FOR ZONING MAP AMENDMENT - 1700 BLK LANSING DRIVE

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 26-20 on first reading:

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

HEARING REQUIRED: Public

SUMMARY:

Susan Todaro and Carol Todd are requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 1700 BLK Lansing Drive. The property is currently zoned R-1AA, One and Two Family Residential Zoning District, and the existing FLUM designation is MDR, Medium Density Residential.

The applicant is proposing to amend the zoning district to C-1, Retail Commercial Zoning District and the FLUM to Commercial. This will be consistent with the adjacent parcels abutting Creighton Road, which are zoned C-3 and have a Commercial FLUM designation.

On May 12, 2020, the Planning Board unanimously recommended approval of amending the zoning district to C-1, instead of the applicant's original request of C-3, in order to ensure more compatibility with the surrounding neighborhood. The applicant accepted the recommendation of Planning Board and amended their request accordingly

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/19/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator - Community Development
Sherry H. Morris, AICP, Planning Services Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 26-20
- 2) Planning Board Rezoning Application
- 3) Planning Board Minutes May 12 2020 DRAFT
- 4) Zoning Map May 2020

PRESENTATION: No

PROPOSED
ORDINANCE NO. 26-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

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

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

WHEREAS, a proposed amended zoning classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on June 11, 2020 concerning the following proposed zoning classification affecting the property described therein; and

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

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

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

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

Parcel 1

THAT PORTION OF LOT 3 OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT A CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3 AT THE POINT OF INTERSECTION OF THE CENTER LINE OF TWO ROADS AT RIGHT ANGLES TO EACH OTHER, THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FOOT WIDE ROAD; THENCE WEST 243 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WEST WITH SAID RIGHT-OF-WAY LINE 105 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET; THENCE EAST AT RIGHT ANGLES

105 FEET; THENCE SOUTH AT RIGHT ANGLES 301 FEET TO THE POINT OF BEGINNING, (BEING THE WEST 105 FEET OF THE EAST 348 FEET OF THE SOUTH 351 FEET OF AFORESAID LOT 3, SAVING AND RESERVING THE SOUTH 50 FEET, FOR A PUBLIC ROAD RIGHT-OF-WAY.)

ALSO DESCRIBED AS:

SOUTH 301 FEET OF WEST 105 FEET OF EAST 158 7/10 FEET OF LOT F, BLOCK 3, ABB S/D, PLAT BOOK 1, PAGE 82 AS DESCRIBED IN O.R. BOOK 260 AT PAGE 546, AND O.R. BOOK 274, PAGE 334, ESCAMBIA COUNTY, FLORIDA.

Parcel 2

THAT PORTION OF LOT 3, SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3, AT THE POINT OF INTERSECTION OF THE CENTER LINE OF TWO ROADS AT RIGHT ANGLES TO EACH OTHER; THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FT. WIDE ROAD; THENCE WEST WITH SAID RIGHT-OF-WAY LINE 243 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET TO POINT OF BEGINNING; THENCE WEST AT RIGHT ANGLES 105 FEET; THENCE NORTH AT RIGHT ANGLES 301 FEET; THENCE EAST AT RIGHT ANGLES 105 FEET; THENCE SOUTH 301 FEET AT RIGHT ANGLES TO POINT OF BEGINNING, BEING THE NORTH 301 FEET OF THE WEST 105 FEET OF THE EAST 348 FEET OF THE SOUTH 652 FEET OF AFORESAID LOT 3.

Parcel "B"

THAT PORTION OF LOT 3, SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT A CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID LOT 3 AT THE POINT OF INTERSECTION OF THE CENTER LINES OF TWO ROADS AT RIGHT ANGLES TO EACH OTHER; THENCE NORTH 50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 100 FEET WIDE ROAD; THENCE WEST 138 FEET TO A POINT; THENCE CONTINUE WEST WITH SAID RIGHT-OF-WAY 105 FEET; THENCE NORTH AT RIGHT ANGLES 602 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE EAST AT RIGHT ANGLES 105 FEET; THENCE SOUTH AT RIGHT ANGLES 300 FEET; THENCE WEST AT RIGHT ANGLES 105 FEET; THENCE NORTH AT RIGHT ANGLES 300 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THE SAME BEING THE NORTH 300 FEET OF THE WEST 105 FEET OF THE EAST 243 FEET OF THE SOUTH 652 FEET OF AFORESAID LOT 3.

is hereby changed in its entirety to C-1 (Retail Commercial) Zoning District.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

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

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

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk



REZONING

Please check application type:



Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment



(< 10 acres)

\$3,500.00

\$250.00

\$750.00



(≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: SWAN Todaro & Carol Todd Date: 2/13/20

Address: 4400 Bayou Blvd Ste 18A Pensacola FL 32503

Phone: 850-380-6160 Fax: 850-476-7899 Email: STODARO@AOL.COM

Property Information:

Owner Name: Susan Todaro & Carol Todd Phone: 850-380-6160

Location/Address: 1700 BLK 1700 Lansing Dr. Pensacola FL 32504

Parcel ID: 311 530 190 062 003 Acres/Square Feet: 0.7128

Zoning Classification: Existing R1-AA Proposed C3

Future Land Use Classification: Existing MDR Proposed C3 C

Reason Rezoning Requested: TO MATCH ADJOINING PROPERTY.

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13 day of February, 2020.

Applicant Signature: Susan Todaro Owner Signature: Carol Todd

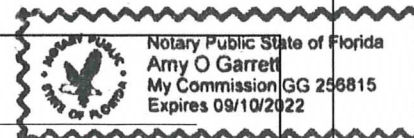
Applicant Name (Print): Susan Todaro Owner Name (Print): Carol Todd

Notary for
Carol Todd
attached
JF JAL

Sworn to and subscribed to before me this 13 day of February, 2020 by Susan Todaro
Name: Amy O. Garrett Commission Expires: 09/10/2022 FLDL-T20074754 9130

FOR OFFICE USE ONLY

Council District: _____ Date Received: _____ Case Number: _____
Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____
Committee Date: _____ Council Date: _____ Council Action: _____
Second Reading: _____ Ordinance Number: _____



STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was executed and acknowledged by Carol Todd before me by means of ✓
Physical Presence or _____ Online Notarization on 2-13-2020, by .

Personally known ✓
or Produced Identification _____
Type of Identification Produced _____

Kathryn G. Wilson
Notary Public

Print Name:

My Commission Expires:

Kathryn G. Wilson

Notary Public

State of Florida

Commission No. FF965338

Commission Expires: March 21, 2020



REZONING

Please check application type:

☐ Conventional Rezoning

Application Fee: \$2,500.00

Rehearing/Rescheduling (Planning Board): \$250.00

Rehearing/Rescheduling (City Council): \$750.00

Comprehensive Plan / FLUM Amendment

☒ (< 10 acres)

\$3,500.00

\$250.00

\$750.00

☐ (≥ 10 acres)

\$3,500.00

\$250.00

\$1,000.00

Applicant Information:

Name: SWAN Todaro & Carol Todd Date: 2/13/20

Address: 4400 Bayou Blvd Ste 18A Pensacola FL 32503

Phone: 850-380-6160 Fax: 850-476-7899 Email: STODARO@AOL.COM

Property Information:

Owner Name: Susan Todaro & Carol Todd Phone: 850-380-6160

Location/Address: 1765 Lansing dr. Pensacola FL 32504

Parcel ID: 31.530-190-1015003 Acres/Square Feet: 0.7255

Zoning Classification: Existing R1-AA Proposed C3

Future Land Use Classification: Existing MDR Proposed CB C

Reason Rezoning Requested: TO MATCH adjoining property.

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

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 13 day of February, 2020.

Applicant Signature

Susan Todaro

Applicant Name (Print)

Owner Signature

Carol Todd

Owner Name (Print)

Notary for Carol Todd attached
[Signature]

Sworn to and subscribed to before me this 13th day of February, 2020 By Susan Todaro
Name: Amy O. Garrett Commission Expires: 09/10/2022
FL DL T 360-797-54-713-0

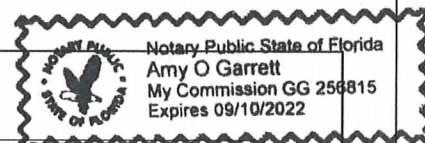
FOR OFFICE USE ONLY

Council District: _____ Date Received: _____ Case Number: _____

Date Postcards mailed: _____ Planning Board Date: _____ Recommendation: _____

Committee Date: _____ Council Date: _____ Council Action: _____

Second Reading: _____ Ordinance Number: _____



STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was executed and acknowledged by Carol Todd before me by means of ☒ Physical Presence or ☐ Online Notarization on 2-13-2020, by .

Personally known ☒
or Produced Identification ☐
Type of Identification Produced ☐



Notary Public

Print Name:

My Commission Expires:

Kathryn G. Wilson
Notary Public
State of Florida
Commission No. FF965338
Commission Expires: March 21, 2020

OR BK 4960 PG 1429
Escambia County, Florida
INSTRUMENT 2002-999241

DEED DOC STAMPS PD # ESC/CL \$1330.00
08/23/02 ERNIE LEE WARDEN, CLERK

This Document Prepared By:

✓ Philip A. Bates, P.A.
Post Office Box 1423
Pensacola, Florida 32596-1423

Parcel ID Number:

Grantee TIN: _____

WARRANTY DEED (Statutory Form-Section 689.02, F.S.)

This Indenture, Made this 16th day of August, 2002, between MIRANKA FOUNTAIN, a married woman, GRANTOR, whose address is 2324 Windstone Drive, and SUSAN TODARO, an unmarried woman AND CAROL TODD, an unmarried woman, whose addresses are 2021 E. Cervantes Street and 6052 Chapman Circle, Pensacola, State of Florida, Grantee,

WITNESSETH, That said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to said Grantee, as tenants in common and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Escambia County, Florida, to wit:

See Exhibit A attached hereto

THE ABOVE DESCRIBED PROPERTY IS NOT THE CONSTITUTIONAL
HOMESTEAD OF MIRANKA FOUNTAIN.

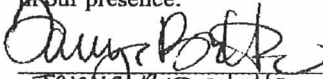
Subject to zoning and other requirements imposed by governmental authorities; restrictions and matters appearing on the plat, if there is a recorded plat, or otherwise common to the subdivision, if the property is located within a subdivision; valid easements and mineral reservations of record affecting the property, if any, which are not hereby reimposed; and taxes for the current and subsequent years.

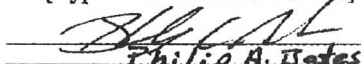
Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:


Tanya C. Bramlette
[Type/Print Name of Witness]

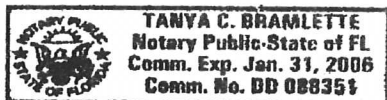

Philip A. Bates
[Type/Print Name of Witness]


MIRANKA FOUNTAIN (SEAL)


STATE OF FLORIDA

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 16th day of , August 2002, by Miranka Fountain, a married woman who () is personally known to me or who (✓) has produced FL Drivers License as identification and () did () did not take an oath.



(NOTARIAL SEAL)



(Print/Type Name)
NOTARY PUBLIC
Commission Number: _____
My Commission Expires: _____

OR BK 4960 PG1430
Escambia County, Florida
INSTRUMENT 2002-999241

RCD Aug 23, 2002 01:30 pm
Escambia County, Florida

Exhibit A

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2002-999241

Parcel 1

That portion of Lot 3 of Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commencing at a concrete monument at the Southeast corner of said Lot 3 at the point of intersection of the center line of two roads at right angles to each other, thence North 50 feet to the North right of way line of a 100 foot wide road; thence West 243 feet to the point of beginning; thence continue West with said right of way line 105 feet; thence North at right angles 301 feet; thence East at right angles 105 feet; thence South at right angles 301 feet to the point of beginning, (Being the West 105 feet of the East 348 feet of the South 351 feet of aforesaid Lot 3, saving and reserving the South 50 feet for a public road right of way.)

also described as:

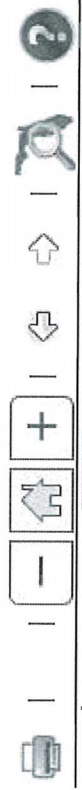
South 301 feet of West 105 feet of East 158 7/10 Feet of Lot F, Block 3, ABB S/D, Plat Book 1, Page 82 as described in O.R. Book 260 at page 546 and O.R. Book 274, Page 334, Escambia County, Florida.

Parcel 2

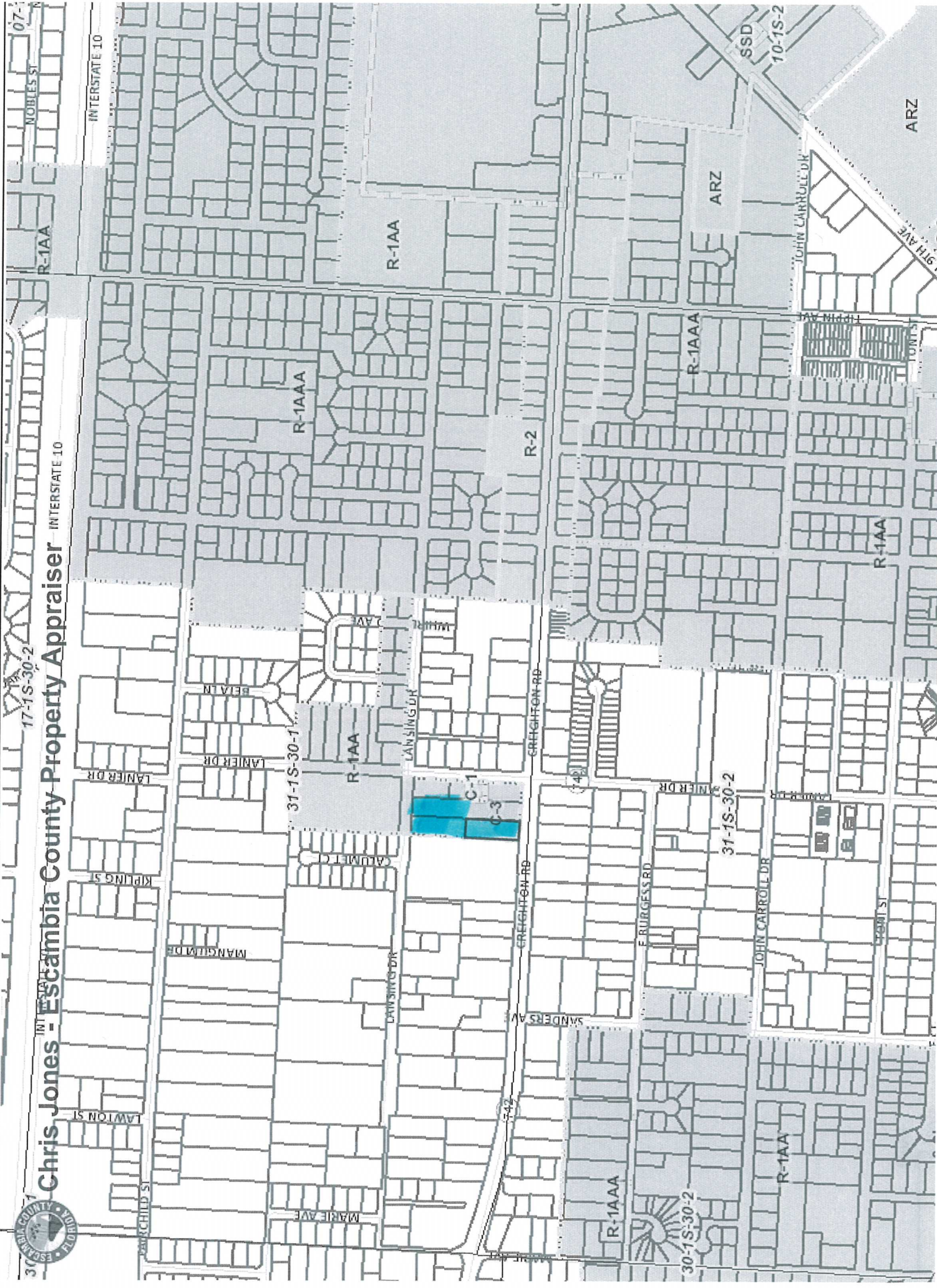
That portion of Lot 3, Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commencing at concrete monument at the Southeast corner of said Lot 3, at the point of intersection of the center line of two roads at right angles to each other, thence North 50 feet to the North right-of-way line of a 100 ft. wide road, thence West with said right-of-way line 243 feet, thence North at right angles 301 feet to point of beginning, thence West at right angles 105 feet, thence North at right angles 301 feet, thence East at right angles 105 feet, thence South 301 feet at right angles to point of beginning, being the North 301 feet of the West 105 feet of the East 348 feet of the South 652 feet of aforesaid Lot 3. PARCEL "B"

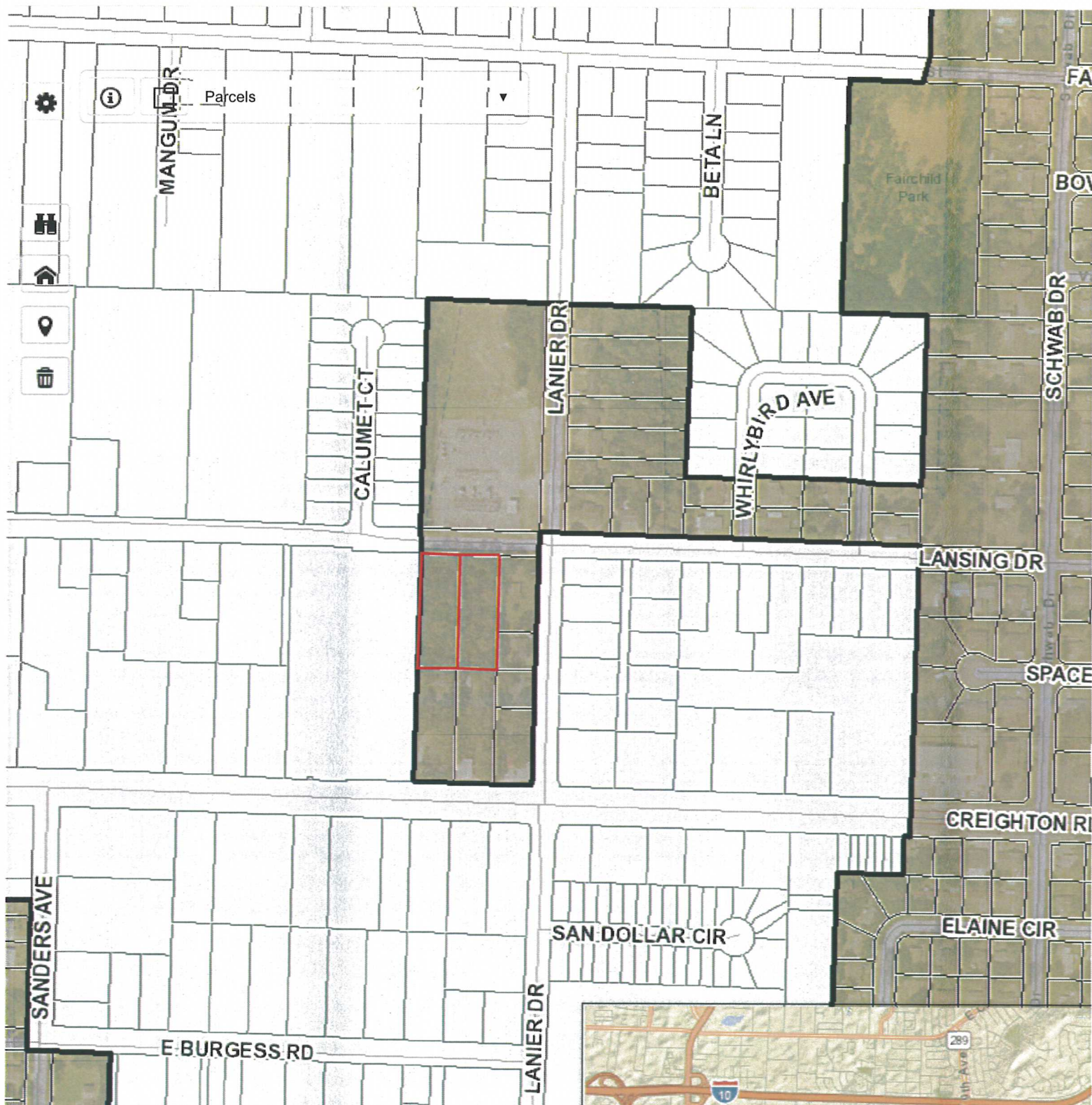
That portion of Lot 3, Section 31, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: commencing at a concrete monument at the Southeast corner of said Lot 3 at the point of intersection of the center lines of two roads at right angles to each other; thence North 50 feet to the North right of way line of a 100 feet wide road, thence West 138 feet to a point; thence continue West with said right of way 105 feet, thence North at right angles 602 feet to the point of beginning of this description; thence East at right angles 105 feet; thence South at right angles 300 feet; thence West at right angles 105 feet; thence North at right angles 300 feet to the point of beginning of this description, the same being the North 300 feet of the West 105 feet of the East 243 feet of the South 652 feet of aforesaid Lot 3.

RECORDED AS RECEIVED

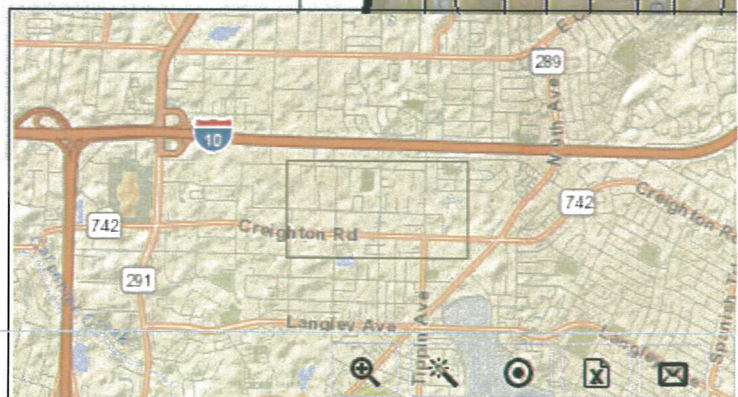


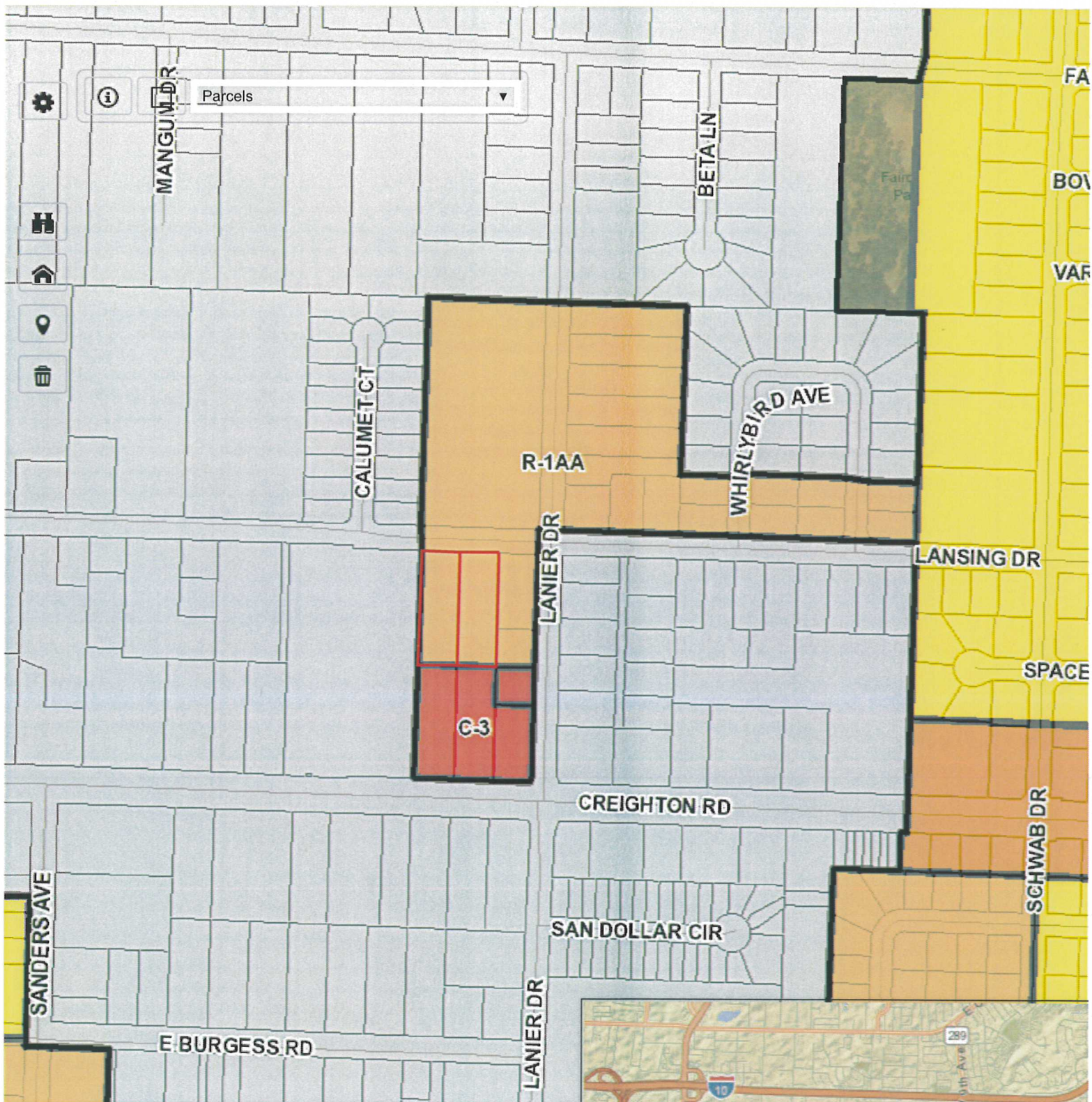
Chris Jones - Escambia County Property Appraiser



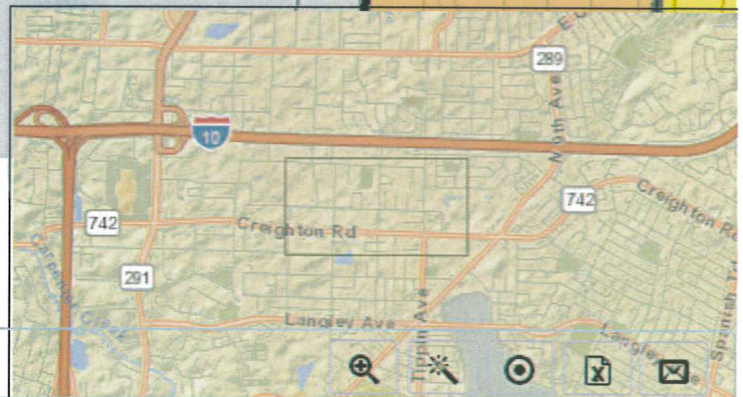


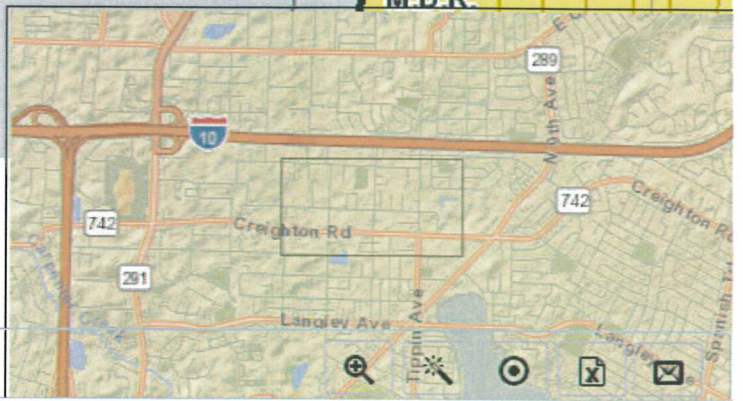
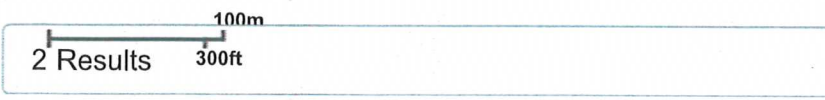
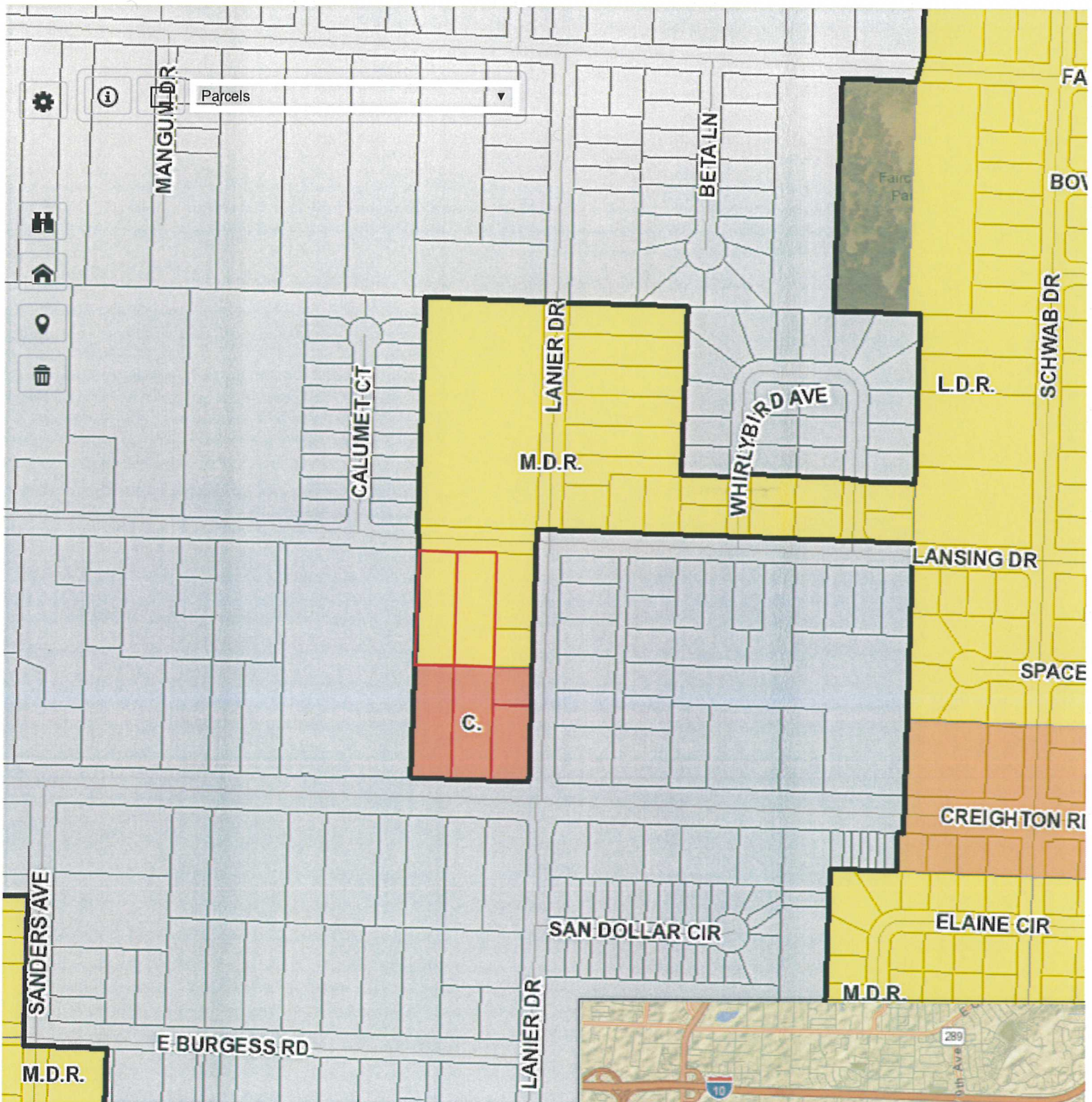
2 Results 100m 300ft





2 Results 100m 300ft







MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, Rebol-Battle, the applicant's consultant, explained there was no intention of subdividing the lot but to build another structure for

rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr. Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved by the City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None





Discussion on the Proposed Amendment to the Tree Ordinance

Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

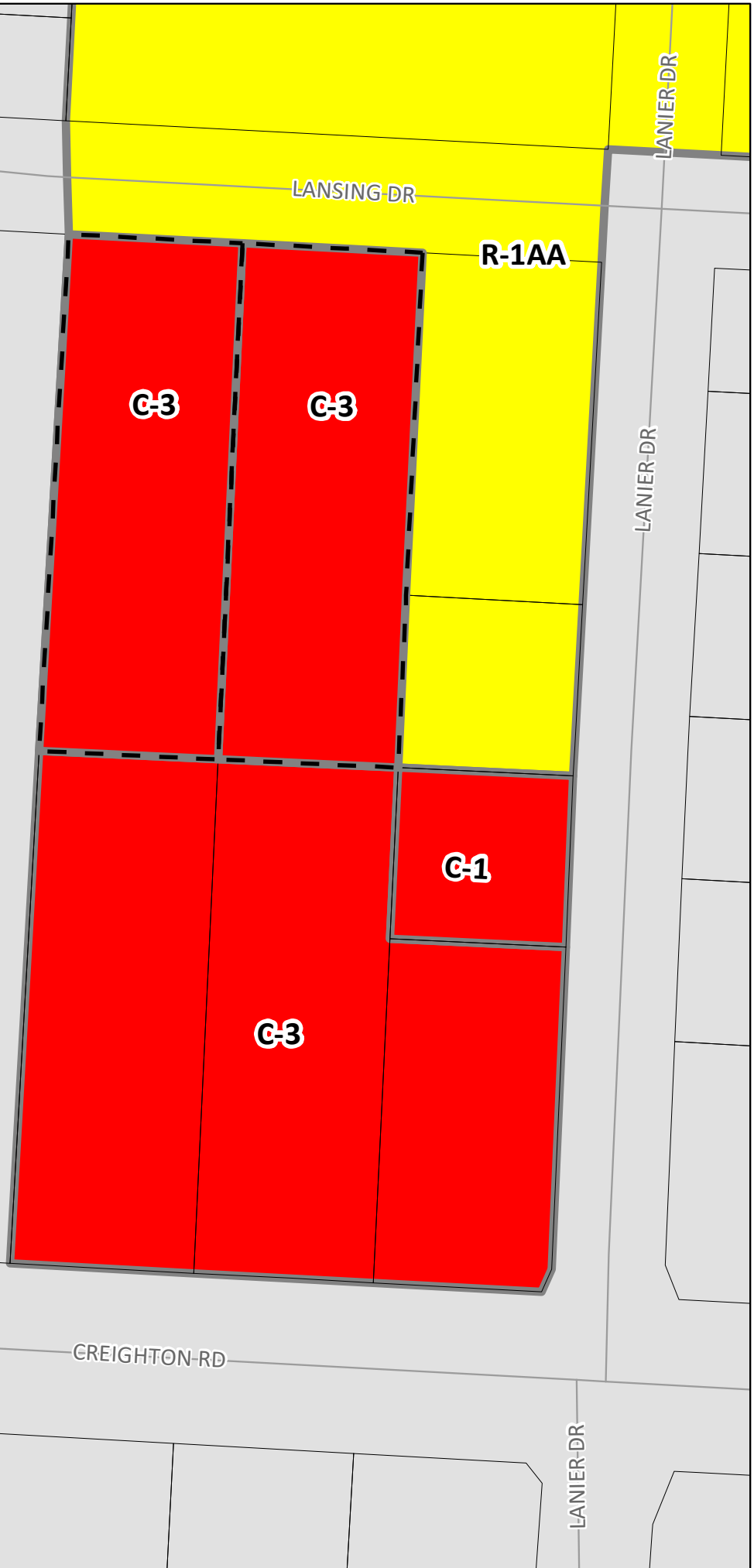
Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board

-  Parcels for Rezoning
-  COMMERCIAL
-  RESIDENTIAL
-  Escambia County

Proposed Zoning



0 75 150 Feet

Date: 3/31/2020



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

L:\GIS\Map_Archives\Planning\ZoningFLUChanges\LansingDr\ProposedZoning.mxd



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00240

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PUBLIC HEARING: PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - CITY CODE SECTION 12-2-4, VACATION OF STREETS, ALLEYS, SECTION 12-12-7, LICENSE TO USE RIGHT OF WAY, SECTION 12-13-2 VARIANCES, AND SECTION 12-13-5, APPLICATION DEADLINES

RECOMMENDATION:

That City Council conduct a Public Hearing on June 11, 2020, to consider a proposed amendment to the Land Development Code, to request that Planning Board applications be submitted thirty (30) days prior to a Planning Board meeting.

HEARING REQUIRED: Public

SUMMARY:

City staff received a request to amend the twenty-one (21) day deadline for Planning Board applications to a thirty (30) day deadline in the following sections: Sec.12-2-4, Vacation of Street, Alleys, 12-12-7, License to Use Right of Way, Sec.12-13-2 Variances, and Sec. 12-13-5, Application Deadlines. This change will be consistent with the thirty (30) day deadline currently in place for rezonings, subdivisions, and site plan applications.

The twenty-one (21) day deadline does not provide adequate review time for both our external and internal reviewing agencies. Additionally, this can result in applicants not receiving pertinent comments in a timely fashion, which can place them at a disadvantage during a Planning Board meeting.

On May 12, 2020, the City of Pensacola Planning Board voted unanimously to recommend approval of this request.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/18/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Kerrith Fiddler, Deputy City Administrator - Community Development

Sherry Morris, AICP, Planning Services Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 27-20
- 2) Planning Board Minutes May 12 2020 DRAFT

PRESENTATION: No

PROPOSED
ORDINANCE NO. 27-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PENSACOLA, FLORIDA, SECTION 12-12-4 VACATION OF STREETS, ALLEYS AND SECTION 12-12-7 LICENSE TO USE RIGHT-OF-WAY BY EXTENDING DEADLINE TO APPLY; AMENDING SECTION 12-13-2 PLANNING BOARD TO REFLECT THIRTY DAY DEADLINE; AMENDING SECTION 12-13-5 APPLICATION DEADLINES TO REFLECT THIRTY DAY DEADLINE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-12-4(A)(1) of the Code of the City of Pensacola, Florida is hereby amended to read:

Sec. 12-12-4. – Vacation of Streets, Alleys.

This section is established to provide for the vacation of streets, alleys or other public rights-of-way by official action of the city council.

(A) *Application.* An application for vacation of streets, alleys or other public right-of-way shall be filed with the planning department and shall include the reason for vacation and a legal description of the property to be vacated. Application for an alley vacation shall be in petition form signed by all property owners abutting the portion of the alley to be vacated. If all property owners do not sign the petition requesting such alley vacation, city staff shall determine the portion of the alley to be vacated.

- (1) An application for vacation of streets, alleys or other public right-of-way must be submitted to the planning department at least ~~twenty-one (21)~~ thirty (30) days prior to the regularly scheduled meeting of the planning board.
- (2) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
- (3) No application shall be considered complete until all of the following have been submitted:
 - (a) The application shall be submitted on a form provided by the board secretary.

- (b) Each application shall be accompanied by the following information and such other information as may be reasonably requested to support the application:
 - 1. Accurate site plan drawn to scale;
 - 2. A legal description of the property proposed to be vacated;
 - 3. Proof of ownership of the adjacent property, including a copy of the deed and a title opinion, title insurance policy, or other form of proof acceptable to the city attorney;
 - 4. Reason for vacation request;
 - 5. Petition form signed by all property owners abutting the portion of the right-of-way or alley to be vacated.
- (c) The applicant 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.
- (d) Any party may appear in person, by agent, or by attorney.
- (e) Any application may be withdrawn prior to action of the planning board or city council at the discretion of the applicant initiating the request upon written notice to the board secretary.

SECTION 2. Section 12-12-7(A)(1) of the Code of Ordinances of the City of Pensacola is hereby amended to read:

Sec. 12-12-7. – License to Use Right-of-Way.

A) *Application.*

- (1) An application for license to use right-of-way must be submitted to the planning department at least ~~twenty-one (21)~~ thirty (30) days prior to the regularly scheduled meeting of the planning board.
- (2) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
- (3) No application shall be considered complete until all of the following have been submitted:
 - (a) The application shall be submitted on a form provided by the board secretary.
 - (b) Each application shall be accompanied by the following information and such other information as may be reasonably requested to support the application:
 - 1. Accurate site plan drawn to scale;
 - 2. Reason for license to use request;

- (4) The applicant 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.
- (5) Any party may appear in person, by agent, or by attorney.
- (6) Any application may be withdrawn prior to action of the planning board or city council at the discretion of the applicant initiating the request upon written notice to the board secretary.

SECTION 3. Section 12-13-2 (F)(f)(2)(1)(a) of the Code of Ordinances of the City of Pensacola is hereby amended to read:

Sec. 12-13-2. – Planning Board.

The planning board is hereby established.

- (A) *Membership.* The planning board shall consist of seven (7) members appointed by the city council. One (1) appointee shall be a licensed Florida Architect. No member shall be a paid employee or elected official of the city.
- (B) *Term of office; removal from office; vacancies.* Members of the planning board shall serve for terms of two (2) years or thereafter until their successors are appointed. Any member of the board may be removed from office during the two-year term for just cause by the city council upon written charges and after public hearing. Any vacancy occurring during the unexpired term of office of any member shall be filled by the city council for the remainder of the term. Such vacancy shall be filled within thirty (30) days after the vacancy occurs.
- (C) *Officers; employees; technical assistance.* The board shall elect a chairman and a vice-chairman from among its members and shall appoint as secretary a person of skill and experience in city planning who may be an officer or employee of the city. The board may create and fill such other offices as it may determine to be necessary for the conduct of its duties. Terms of all such offices shall be for one (1) year, with eligibility for reelection. The city engineer shall serve as chief engineer for the planning board. The board shall be authorized to call upon any branch of the city government at any time for information and advice which in the opinion of the board will ensure efficiency of its work.
- (D) *Rules of procedure, meetings and records.* The board shall adopt rules of procedure for the transaction of its business, and shall keep a record of its resolutions, transactions, findings and determinations. The board shall hold regular meetings once a month, and special meetings at such times as the board may determine or at the call of the chairman thereof, or the city planner for the consideration of business before the board.

All regular and special meetings of the board shall be open to the public. A written record of the proceedings of the board shall be kept showing its actions on each question considered, and filed in the office of the secretary of the board. Any matter referred to the board shall be acted upon by the board within forty-five (45) days of the date of reference, unless a longer or shorter period is specified.

- (E) *Vote required.* Four (4) members of the board shall constitute a quorum, and the affirmative vote of majority of the quorum shall be necessary for any action thereof.
- (F) *Authority and duties of the planning board.* The planning board shall have the following authority and duties:
 - (a) To advise the city council concerning the preparation, adoption and amendment of the Comprehensive Plan;
 - (b) To review and recommend to the city council ordinances designed to promote orderly development as set forth in the Comprehensive Plan;
 - (c) To hear applications and submit recommendations to the city council on the following land use matters:
 - 1. Proposed zoning change of any specifically designated property;
 - 2. Proposed amendments to the overall zoning ordinance;
 - 3. Proposed subdivision plats;
 - 4. Proposed street/alley vacation.
 - (d) To initiate studies on the location, condition and adequacy of specific facilities of the area. These may include, but are not limited to, studies on housing, commercial and industrial facilities, parks, schools, public buildings, public and private utilities, traffic, transportation and parking;
 - (e) To schedule and conduct public meetings and hearings pertaining to land development as required in other sections of the code.
 - (f) To grant zoning variances from the land development regulations of the Waterfront Redevelopment District, under the conditions and safeguards provided in subsection 12-12-2(A)(2).
 - (1) *Conditions for granting a zoning variance.* In order to authorize any zoning variance from the terms of this title, the board must find in addition to the conditions specified in subsection 12-12-2(A)(2):
 - (a) That the variance granted will not detract from the architectural integrity of the development and of its surroundings;

- (b) That the grant of the variance will be in harmony with general intent and purpose of this title and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- (c) That the decision of the planning board is quasi-judicial in nature and is final subject to judicial review in accordance with subsection 12-13-2(F)(f)(4). Hearings on variance applications under section 12-13-2(F)(f) shall be conducted as a quasi-judicial hearing in accordance with the requirements of law.

(2) *Hearing of variance applications.*

(1) *Application procedure.*

- (a) An application for a variance must be submitted to planning services at least ~~twenty-one (21)~~ thirty (30) days prior to the regularly scheduled meeting of the planning board.
- (b) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
- (c) Any party may appear in person, by agent, or by attorney.
- (d) Any application may be withdrawn prior to action of the planning board at the discretion of the applicant initiating the request upon written notice to the board secretary.

(2) *Application submission requirements.* No application shall be considered complete until all of the following have been submitted:

- (a) The application shall be submitted on a form provided by the board secretary.
- (b) The application shall be accompanied by an accurate site plan drawn to scale and such other information as may be reasonably requested to support the application.
- (c) The applicant 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.

(3) *Public notice for variance.*

- (a) A sign shall be prominently posted on the property to which the application pertains at least ten (10) days prior to the scheduled board meeting.

- (b) Notice of the request(s) for variances shall be published by public notice advertised in a newspaper of general daily circulation published in the county at least ten (10) days prior to the scheduled board meeting.
- (c) Planning services shall notify addresses within a three hundred-foot radius, as identified by the current Escambia County tax roll maps, of the property proposed for a variance with a public notice by post card, and appropriate homeowners association, at least ten (10) days prior to the board meeting. The public notice shall state the date, time and place of the board meeting.

The agenda will be mailed to the board members and applicants and other interested parties. The applicant or their authorized agent shall appear at the meeting in order for the request to be considered by the board.

- (4) *Judicial review of decision of planning board.* Any person or persons, jointly or severally, aggrieved by any quasi-judicial decision of the planning board on an application for a variance under section 12-13-2(F)(f), or the city, upon approval by the city council, may apply to the circuit court of the First Judicial Circuit of Florida within thirty (30) days after rendition of the decision by the planning board. Review in the circuit court shall be by petition for writ of certiorari or such other procedure as may be authorized by law.

SECTION 4. Section 12-13-5 of the Code of Ordinances of the City of Pensacola is hereby amended to read:

Sec. 12-13-5. – Application Deadlines.

Application Deadlines

Hearing Board	Application Type	Deadline (calendar days prior to meeting date)
Architectural Review Board	All applications to ARB	21 (or 3 weeks)
Gateway Review Board	All applications to GRB	21 (or 3 weeks)

Zoning Board of Adjustment	All applications to ZBA	21 (or 3 weeks)
Planning Board		
	Conditional Use, License to Use Right-of-Way, & Vacation of Right-of-Way	21 (or 3 weeks) <u>30</u>
	Rezoning (conventional, comp plan/FLUM amendment)	30
	Site Plan Approval (preliminary, final, preliminary/final, & nonresidential parking in a residential zone)	30
	Special Planned Development (preliminary, final & preliminary/final)	30
	Subdivisions (preliminary, final, & minor subdivisions)	30
<u>Monthly Board Meeting Schedule:</u>		
Architectural Review Board - 3rd Thursday		
Gateway Review Board - 2nd Tuesday		
Planning Board - 2nd Tuesday		
Zoning Board of Adjustment - 3rd Wednesday		
*Subject to change. Contact community development <u>planning services</u> department to verify meeting and deadline dates.		

SECTION 5. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk



MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, Rebol-Battle, the applicant's consultant, explained there was no intention of subdividing the lot but to build another structure for

rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr. Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved by the City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance

Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 27-20

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 27-20 - PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - CITY CODE SECTION 12-2-4, VACATION OF STREETS, ALLEYS, SECTION 12-12-7, LICENSE TO USE RIGHT OF WAY, SECTION 12-13-2 VARIANCES, AND SECTION 12-13-5, APPLICATION DEADLINES

RECOMMENDATION:

That City Council approve Proposed Ordinance No. 27-20 on first reading.

AN ORDINANCE AMENDING SECTION 12-2-4, VACATION OF STREETS, ALLEYS, SECTION 12-12-7, LICENSE TO USE RIGHT OF WAY, SECTION 12-13-2 VARIANCES, AND SECTION 12-13-5, APPLICATION DEADLINES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: Public

SUMMARY:

City staff received a request to amend the twenty-one (21) day deadline for Planning Board applications to a thirty (30) day deadline in the following sections: Sec.12-2-4, Vacation of Street, Alleys, 12-12-7, License to Use Right of Way, Sec.12-13-2 Variances, and Sec. 12-13-5, Application Deadlines. This change will be consistent with the thirty (30) day deadline currently in place for rezonings, subdivisions, and site plan applications.

The twenty-one (21) day deadline does not provide adequate review time for both our external and internal reviewing agencies. Additionally, this can result in applicants not receiving pertinent comments in a timely fashion, which can place them at a disadvantage during a Planning Board meeting.

On May 12, 2020, the City of Pensacola Planning Board voted unanimously to recommend approval of this request.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/18/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Kerrith Fiddler, Deputy City Administrator - Community Development

Sherry Morris, AICP, Planning Services Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 27-20
- 2) Planning Board Minutes May 12 2020 DRAFT

PRESENTATION: No

PROPOSED
ORDINANCE NO. 27-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PENSACOLA, FLORIDA, SECTION 12-12-4 VACATION OF STREETS, ALLEYS AND SECTION 12-12-7 LICENSE TO USE RIGHT-OF-WAY BY EXTENDING DEADLINE TO APPLY; AMENDING SECTION 12-13-2 PLANNING BOARD TO REFLECT THIRTY DAY DEADLINE; AMENDING SECTION 12-13-5 APPLICATION DEADLINES TO REFLECT THIRTY DAY DEADLINE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-12-4(A)(1) of the Code of the City of Pensacola, Florida is hereby amended to read:

Sec. 12-12-4. – Vacation of Streets, Alleys.

This section is established to provide for the vacation of streets, alleys or other public rights-of-way by official action of the city council.

(A) *Application.* An application for vacation of streets, alleys or other public right-of-way shall be filed with the planning department and shall include the reason for vacation and a legal description of the property to be vacated. Application for an alley vacation shall be in petition form signed by all property owners abutting the portion of the alley to be vacated. If all property owners do not sign the petition requesting such alley vacation, city staff shall determine the portion of the alley to be vacated.

- (1) An application for vacation of streets, alleys or other public right-of-way must be submitted to the planning department at least ~~twenty-one (21)~~ thirty (30) days prior to the regularly scheduled meeting of the planning board.
- (2) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
- (3) No application shall be considered complete until all of the following have been submitted:
 - (a) The application shall be submitted on a form provided by the board secretary.

- (b) Each application shall be accompanied by the following information and such other information as may be reasonably requested to support the application:
 - 1. Accurate site plan drawn to scale;
 - 2. A legal description of the property proposed to be vacated;
 - 3. Proof of ownership of the adjacent property, including a copy of the deed and a title opinion, title insurance policy, or other form of proof acceptable to the city attorney;
 - 4. Reason for vacation request;
 - 5. Petition form signed by all property owners abutting the portion of the right-of-way or alley to be vacated.
- (c) The applicant 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.
- (d) Any party may appear in person, by agent, or by attorney.
- (e) Any application may be withdrawn prior to action of the planning board or city council at the discretion of the applicant initiating the request upon written notice to the board secretary.

SECTION 2. Section 12-12-7(A)(1) of the Code of Ordinances of the City of Pensacola is hereby amended to read:

Sec. 12-12-7. – License to Use Right-of-Way.

A) *Application.*

- (1) An application for license to use right-of-way must be submitted to the planning department at least ~~twenty-one (21)~~ thirty (30) days prior to the regularly scheduled meeting of the planning board.
- (2) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
- (3) No application shall be considered complete until all of the following have been submitted:
 - (a) The application shall be submitted on a form provided by the board secretary.
 - (b) Each application shall be accompanied by the following information and such other information as may be reasonably requested to support the application:
 - 1. Accurate site plan drawn to scale;
 - 2. Reason for license to use request;

- (4) The applicant 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.
- (5) Any party may appear in person, by agent, or by attorney.
- (6) Any application may be withdrawn prior to action of the planning board or city council at the discretion of the applicant initiating the request upon written notice to the board secretary.

SECTION 3. Section 12-13-2 (F)(f)(2)(1)(a) of the Code of Ordinances of the City of Pensacola is hereby amended to read:

Sec. 12-13-2. – Planning Board.

The planning board is hereby established.

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- (B) *Term of office; removal from office; vacancies.* Members of the planning board shall serve for terms of two (2) years or thereafter until their successors are appointed. Any member of the board may be removed from office during the two-year term for just cause by the city council upon written charges and after public hearing. Any vacancy occurring during the unexpired term of office of any member shall be filled by the city council for the remainder of the term. Such vacancy shall be filled within thirty (30) days after the vacancy occurs.
- (C) *Officers; employees; technical assistance.* The board shall elect a chairman and a vice-chairman from among its members and shall appoint as secretary a person of skill and experience in city planning who may be an officer or employee of the city. The board may create and fill such other offices as it may determine to be necessary for the conduct of its duties. Terms of all such offices shall be for one (1) year, with eligibility for reelection. The city engineer shall serve as chief engineer for the planning board. The board shall be authorized to call upon any branch of the city government at any time for information and advice which in the opinion of the board will ensure efficiency of its work.
- (D) *Rules of procedure, meetings and records.* The board shall adopt rules of procedure for the transaction of its business, and shall keep a record of its resolutions, transactions, findings and determinations. The board shall hold regular meetings once a month, and special meetings at such times as the board may determine or at the call of the chairman thereof, or the city planner for the consideration of business before the board.

All regular and special meetings of the board shall be open to the public. A written record of the proceedings of the board shall be kept showing its actions on each question considered, and filed in the office of the secretary of the board. Any matter referred to the board shall be acted upon by the board within forty-five (45) days of the date of reference, unless a longer or shorter period is specified.

- (E) *Vote required.* Four (4) members of the board shall constitute a quorum, and the affirmative vote of majority of the quorum shall be necessary for any action thereof.
- (F) *Authority and duties of the planning board.* The planning board shall have the following authority and duties:
 - (a) To advise the city council concerning the preparation, adoption and amendment of the Comprehensive Plan;
 - (b) To review and recommend to the city council ordinances designed to promote orderly development as set forth in the Comprehensive Plan;
 - (c) To hear applications and submit recommendations to the city council on the following land use matters:
 - 1. Proposed zoning change of any specifically designated property;
 - 2. Proposed amendments to the overall zoning ordinance;
 - 3. Proposed subdivision plats;
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 - (d) To initiate studies on the location, condition and adequacy of specific facilities of the area. These may include, but are not limited to, studies on housing, commercial and industrial facilities, parks, schools, public buildings, public and private utilities, traffic, transportation and parking;
 - (e) To schedule and conduct public meetings and hearings pertaining to land development as required in other sections of the code.
 - (f) To grant zoning variances from the land development regulations of the Waterfront Redevelopment District, under the conditions and safeguards provided in subsection 12-12-2(A)(2).
 - (1) *Conditions for granting a zoning variance.* In order to authorize any zoning variance from the terms of this title, the board must find in addition to the conditions specified in subsection 12-12-2(A)(2):
 - (a) That the variance granted will not detract from the architectural integrity of the development and of its surroundings;

- (b) That the grant of the variance will be in harmony with general intent and purpose of this title and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- (c) That the decision of the planning board is quasi-judicial in nature and is final subject to judicial review in accordance with subsection 12-13-2(F)(f)(4). Hearings on variance applications under section 12-13-2(F)(f) shall be conducted as a quasi-judicial hearing in accordance with the requirements of law.

(2) *Hearing of variance applications.*

(1) *Application procedure.*

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(3) *Public notice for variance.*

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- (b) Notice of the request(s) for variances shall be published by public notice advertised in a newspaper of general daily circulation published in the county at least ten (10) days prior to the scheduled board meeting.
- (c) Planning services shall notify addresses within a three hundred-foot radius, as identified by the current Escambia County tax roll maps, of the property proposed for a variance with a public notice by post card, and appropriate homeowners association, at least ten (10) days prior to the board meeting. The public notice shall state the date, time and place of the board meeting.

The agenda will be mailed to the board members and applicants and other interested parties. The applicant or their authorized agent shall appear at the meeting in order for the request to be considered by the board.

- (4) *Judicial review of decision of planning board.* Any person or persons, jointly or severally, aggrieved by any quasi-judicial decision of the planning board on an application for a variance under section 12-13-2(F)(f), or the city, upon approval by the city council, may apply to the circuit court of the First Judicial Circuit of Florida within thirty (30) days after rendition of the decision by the planning board. Review in the circuit court shall be by petition for writ of certiorari or such other procedure as may be authorized by law.

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Planning Board		
	Conditional Use, License to Use Right-of-Way, & Vacation of Right-of-Way	21 (or 3 weeks) <u>30</u>
	Rezoning (conventional, comp plan/FLUM amendment)	30
	Site Plan Approval (preliminary, final, preliminary/final, & nonresidential parking in a residential zone)	30
	Special Planned Development (preliminary, final & preliminary/final)	30
	Subdivisions (preliminary, final, & minor subdivisions)	30
<u>Monthly Board Meeting Schedule:</u>		
Architectural Review Board - 3rd Thursday		
Gateway Review Board - 2nd Tuesday		
Planning Board - 2nd Tuesday		
Zoning Board of Adjustment - 3rd Wednesday		
*Subject to change. Contact community development <u>planning services</u> department to verify meeting and deadline dates.		

SECTION 5. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk



MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, Rebol-Battle, the applicant's consultant, explained there was no intention of subdividing the lot but to build another structure for

rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr. Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved by the City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance

Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00232

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - CORTE DE LA RUA

RECOMMENDATION:

That City Council conduct a quasi-judicial hearing on June 11, 2020, to consider approval of the Final Subdivision Plat, Corte De La Rua.

HEARING REQUIRED: Quasi-Judicial

SUMMARY:

GECI and Associates, INC., is requesting Final Subdivision Plat approval for a new residential subdivision, Corte de La Rua, located at 117 East La Rua Street. The development includes a total of five (5) lots, four (4) of which are townhome lots, and one (1) common parcel.

On May 12, 2020, the Planning Board unanimously recommended approval of the request.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/18/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator
Sherry Morris, AICP, Planning Services Director

ATTACHMENTS:

- 1) Corte de La Rua Final Plat Application
- 2) Planning Board Minutes May 12 2020 DRAFT

PRESENTATION: No



GECI & ASSOCIATES, INC.
E N G I N E E R S

March 12th, 2020

“Hand Delivered”

Ms. Cynthia Cannon
Planning Department
City of Pensacola
222 W Main Street
Pensacola, Florida 32502

RE: **Corte de La Rua**
Final Plat Review
G&A Reference No. 32501

Dear Cynthia:

On behalf of aDoor Development LLC, we are submitting Corte de La Rua Final Plat for review. With this letter, please find the following items:

1. Eleven (11) copies of the Final Plat
2. One (1) copy of the Boundary & Topo Survey
3. One (1) copy of the Title Insurance Policy
4. One (1) check in the amount of \$750
5. One (1) CD containing all information listed above

If you need any additional information, please feel free to give us a call.

Sincerely,

GECI AND ASSOCIATES ENGINEERS, INC.

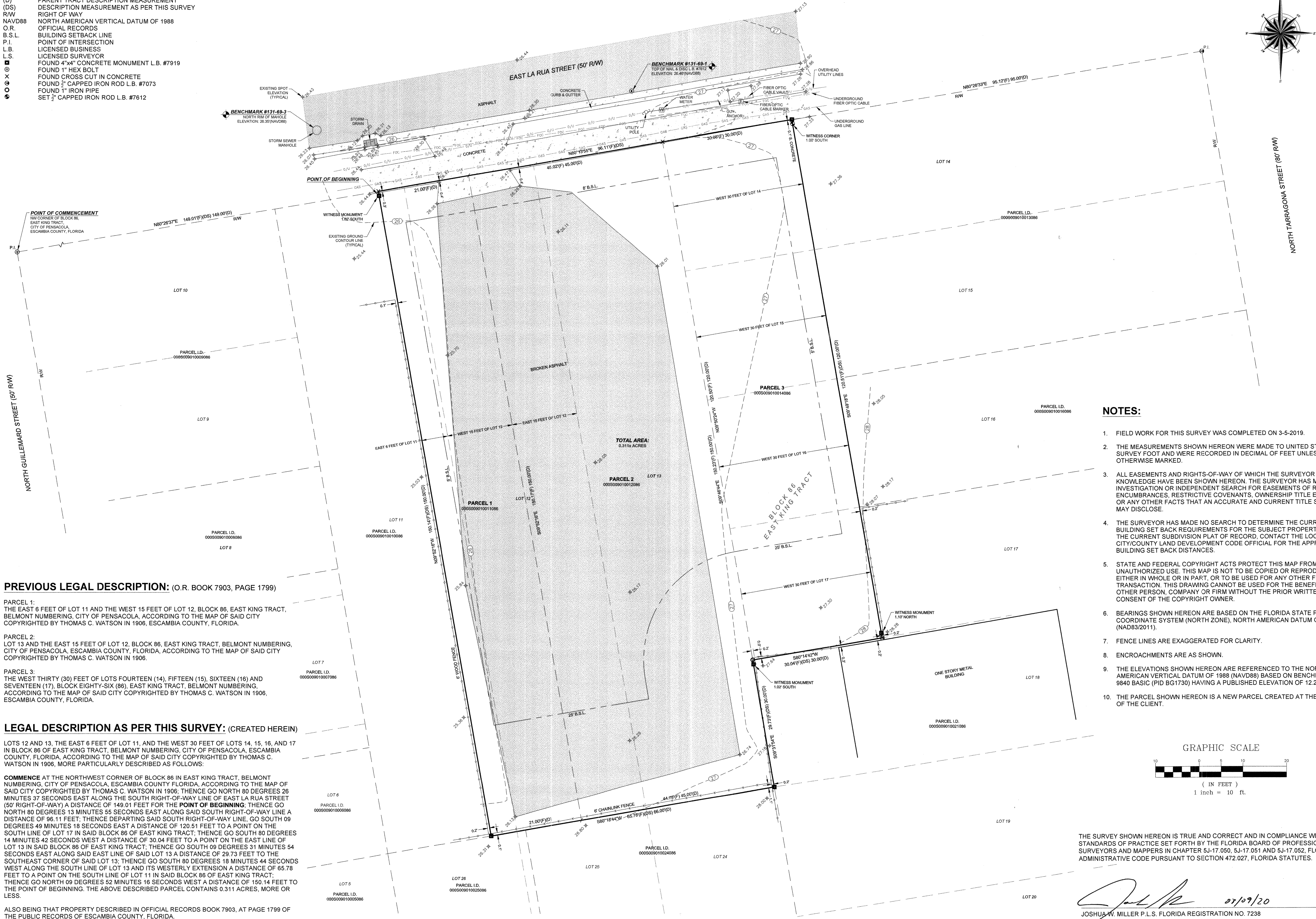
A handwritten signature in blue ink, appearing to read 'Clint Geci', is written over the company name.

Clint Geci, PE
Vice President

Cc: Ms. Leslie Statler
Mr. Austin Tenpenny
Ms. Kacee Bidnick

LEGEND

- (F) FIELD MEASUREMENT
(P) PLAT MEASUREMENT
(D) PARENT TRACT DESCRIPTION MEASUREMENT
(DS) DESCRIPTION MEASUREMENT AS PER THIS SURVEY
R/W RIGHT OF WAY
NAVD88 NORTH AMERICAN VERTICAL DATUM OF 1988
O.R. OFFICIAL RECORDS
B.S.L. BUILDING SETBACK LINE
P.I. POINT OF INTERSECTION
L.B. LICENSED BUSINESS
L.S. LICENSED SURVEYOR
FOUND 4"x4" CONCRETE MONUMENT L.B. #7919
FOUND 1" HEX BOLT
FOUND CROSS CUT IN CONCRETE
FOUND 3" CAPPED IRON ROD L.B. #7073
FOUND 1" IRON PIPE
SET 1/2" CAPPED IRON ROD L.B. #7612



PREVIOUS LEGAL DESCRIPTION: (O.R. BOOK 7903, PAGE 1799)

PARCEL 1:
THE EAST 6 FEET OF LOT 11 AND THE WEST 15 FEET OF LOT 12, BLOCK 86, EAST KING TRACT, BELMONT NUMBERING, CITY OF PENSACOLA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906, ESCAMBA COUNTY, FLORIDA.

PARCEL 2:
LOT 13 AND THE EAST 15 FEET OF LOT 12, BLOCK 86, EAST KING TRACT, BELMONT NUMBERING, CITY OF PENSACOLA, ESCAMBA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

PARCEL 3:
THE WEST THIRTY (30) FEET OF LOTS FOURTEEN (14), FIFTEEN (15), SIXTEEN (16) AND SEVENTEEN (17), BLOCK EIGHTY-SIX (86), EAST KING TRACT, BELMONT NUMBERING, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906, ESCAMBA COUNTY, FLORIDA.

LEGAL DESCRIPTION AS PER THIS SURVEY: (CREATED HEREIN)

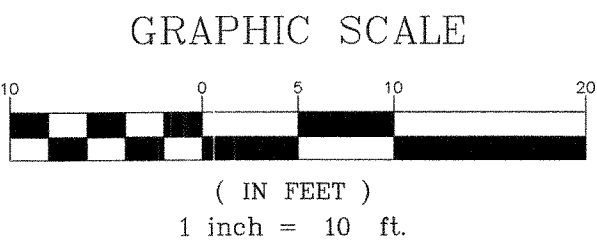
LOTS 12 AND 13, THE EAST 6 FEET OF LOT 11, AND THE WEST 30 FEET OF LOTS 14, 15, 16, AND 17 IN BLOCK 86 OF EAST KING TRACT, BELMONT NUMBERING, CITY OF PENSACOLA, ESCAMBA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF BLOCK 86 IN EAST KING TRACT, BELMONT NUMBERING, CITY OF PENSACOLA, ESCAMBA COUNTY FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906; THENCE GO NORTH 80 DEGREES 26 MINUTES 37 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF EAST LA RUA STREET (50' RIGHT-OF-WAY) A DISTANCE OF 149.01 FEET FOR THE POINT OF BEGINNING; THENCE GO NORTH 80 DEGREES 13 MINUTES 55 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 96.11 FEET; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, GO SOUTH 09 DEGREES 49 MINUTES 18 SECONDS EAST A DISTANCE OF 120.51 FEET TO A POINT ON THE SOUTH LINE OF LOT 17 IN SAID BLOCK 86 OF EAST KING TRACT; THENCE GO SOUTH 80 DEGREES 14 MINUTES 42 SECONDS WEST A DISTANCE OF 30.04 FEET TO A POINT ON THE EAST LINE OF LOT 13 IN SAID BLOCK 86 OF EAST KING TRACT; THENCE GO SOUTH 09 DEGREES 31 MINUTES 54 SECONDS EAST ALONG SAID EAST LINE OF SAID LOT 13 A DISTANCE OF 29.73 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13; THENCE GO SOUTH 80 DEGREES 18 MINUTES 44 SECONDS WEST ALONG THE SOUTH LINE OF LOT 13 AND ITS WESTERLY EXTENSION A DISTANCE OF 65.78 FEET TO A POINT ON THE SOUTH LINE OF LOT 11 IN SAID BLOCK 86 OF EAST KING TRACT; THENCE GO NORTH 09 DEGREES 52 MINUTES 16 SECONDS WEST A DISTANCE OF 150.14 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL CONTAINS 0.311 ACRES, MORE OR LESS.

ALSO BEING THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 7903, AT PAGE 1799 OF THE PUBLIC RECORDS OF ESCAMBA COUNTY, FLORIDA.

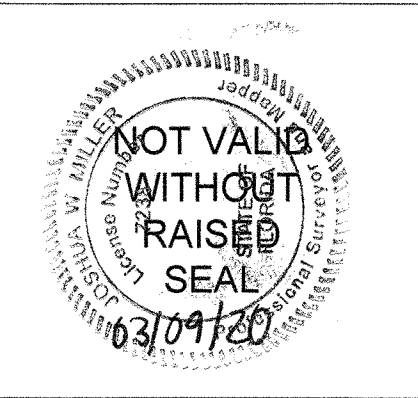
NOTES:

1. FIELD WORK FOR THIS SURVEY WAS COMPLETED ON 3-5-2019.
2. THE MEASUREMENTS SHOWN HEREON WERE MADE TO UNITED STATES SURVEY FOOT AND WERE RECORDED IN DECIMAL OF FEET UNLESS OTHERWISE MARKED.
3. ALL EASEMENTS AND RIGHTS-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HEREON. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. THE SURVEYOR HAS MADE NO SEARCH TO DETERMINE THE CURRENT BUILDING SET BACK REQUIREMENTS FOR THE SUBJECT PROPERTY BEYOND THE CURRENT SUBDIVISION PLAT OF RECORD, CONTACT THE LOCAL CITY/COUNTY LAND DEVELOPMENT CODE OFFICIAL FOR THE APPROPRIATE BUILDING SET BACK DISTANCES.
5. STATE AND FEDERAL COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED EITHER IN WHOLE OR IN PART, OR TO BE USED FOR ANY OTHER FINANCIAL TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT THE PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER.
6. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (NORTH ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83/2011).
7. FENCE LINES ARE EXAGGERATED FOR CLARITY.
8. ENCROACHMENTS ARE AS SHOWN.
9. THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) BASED ON BENCHMARK 872 9840 BASIC (PID BG1730) HAVING A PUBLISHED ELEVATION OF 12.29 FEET.
10. THE PARCEL SHOWN HEREON IS A NEW PARCEL CREATED AT THE REQUEST OF THE CLIENT.



THE SURVEY SHOWN HEREON IS TRUE AND CORRECT AND IN COMPLIANCE WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Joshua W. Miller
JOSHUA W. MILLER P.L.S. FLORIDA REGISTRATION NO. 7238



NO	DESCRIPTION	REVISIONS	BY	DATE

TITLE BOUNDARY AND TOPOGRAPHIC SURVEY			
117, 119, 121 EAST LA RUA STREET PENSACOLA, FLORIDA 32503			
FOR ADOOR DEVELOPMENT LLC PENSACOLA, FLORIDA			
DWG. NO.	DWN. BY	CHK. BY	JOB NO.
1 OF 1			2002094
			DATE
			MARCH 2020

360 Surveying Services, Inc.
Professional Land Surveyors
1801 Creighton Road - Pensacola, Florida 32504
Office: (850) 857-4400
Florida Licensed Business #7612





WESTCOR
LAND TITLE INSURANCE COMPANY

POLICY NO.
OP-25-FL1323-6598999

OWNER'S POLICY OF TITLE INSURANCE
(with Florida Modifications)

ISSUED BY
WESTCOR LAND TITLE INSURANCE COMPANY

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, Westcor Land Title Insurance Company, a South Carolina corporation (the "Company") insures, as of Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.

3. Unmarketable Title.

COVERED RISKS CONTINUED ON NEXT PAGE

In Witness Whereof, **WESTCOR LAND TITLE INSURANCE COMPANY**, has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory of the Company.

Issued By: FL1323 * 19094-73733

Beggs & Lane, RLLP

501 Commendancia Street
Pensacola, FL 32502

WESTCOR LAND TITLE INSURANCE COMPANY



By:

Mary O'Donnell
President

Attest:

[Signature]
Secretary

4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection
 if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
 - (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and

without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.

- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

- (a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.
- (b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any

CONDITIONS - CONTINUED

other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

- (c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- (a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.
- (b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Insurance. To pay

or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

- (b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.
 - (i) to pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or
 - (ii) to pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

- (a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of
 - (i) the Amount of Insurance; or
 - (ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.
- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
 - (i) the Amount of Insurance shall be increased by 10%, and
 - (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

- (a) If the Company establishes the Title, or removes the alleged defect, lien, or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.

- (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
- (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

- (a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

- (b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Unless prohibited by applicable law, arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association may be demanded if agreed to by both the Company and the Insured at the time of a controversy or claim. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, and service of the Company in connection with its issuance or the breach of a policy provision or other obligation.

Arbitration pursuant to this policy and under the Rules in effect on the date the demand for arbitration is made or, at the option of the Insured, the Rules in effect at Date of Policy shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the Land is located permit a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the Company upon request.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

- (a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.
- (b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim whether or not based on negligence shall be restricted to this policy.
- (c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.
- (d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

- (a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

- (b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at: 875 Concourse Parkway South, Suite 200, Maitland, FL 32751.

**OWNER'S POLICY OF
TITLE INSURANCE
(With Florida
Modifications)**

**WESTCOR
LAND TITLE
INSURANCE COMPANY**

**OWNER'S POLICY
OF
TITLE INSURANCE**

HOME OFFICE

875 Concourse Parkway South, Suite 200
Maitland, FL 32751
Telephone: (407) 629-5842

WESTCOR LAND TITLE INSURANCE COMPANY
ALTA 6-17-06 OWNER'S POLICY (With Florida Modifications)

SCHEDULE A

Name and Address of Title Insurance Company: **Westcor Land Title Insurance Company, 875 Concourse Parkway South, Suite 200, Maitland, Florida 32751, Phone No.: (407) 629-5842.**

State: Florida

County: Escambia

Address Reference: 117, 119 and 121 E. La Rua Street, Pensacola, Florida 32501

File Number:	Policy Number:	Date of Policy:	Premium:	Amount of Insurance:
19094-73733	OP-25-1323-6598999	May 22, 2018 at 04:16 PM	\$1,005.00	\$235,000.00

1. Name of Insured:

Adoor Development, LLC a Florida limited liability company

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

Warranty Deed dated May 22, 2018 and executed by A Bayou Chiropractic Center, P.A, a Florida corporation, to Adoor Development, LLC, a Florida limited liability company, as recorded on May 22, 2018 in Official Records Book 7903, Page 1799, of the Public Records of Escambia County, Florida.

4. The Land referred to in this policy is described as follows:

PARCEL 1:

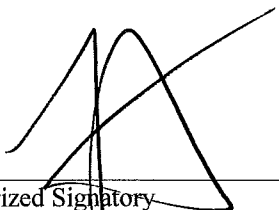
The East 6 feet of Lot 11 and the West 15 feet of Lot 12, Block 86, East King Tract, Belmont Numbering, City of Pensacola, according to the map of said city copyrighted by Thomas C. Watson in 1906, Escambia County, Florida.

PARCEL 2:

Lot 13 and the East 15 feet of Lot 12, Block 86, East King Tract, Belmont Numbering, City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL 3:

The West Thirty (30) feet of Lots Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), Block Eighty-Six (86), East King Tract, Belmont Numbering, according to the map of said city copyrighted by Thomas C. Watson in 1906, Escambia County, Florida.


Authorized Signatory

Issued By: FL1323 * 19094-73733
Beggs & Lane, RLLP
501 Commendancia Street
Pensacola, FL 32502

Note: This policy is of no force and effect unless Schedule A and Schedule B are attached together with any added pages incorporated by reference.

WESTCOR LAND TITLE INSURANCE COMPANY
ALTA 6-17-06 OWNER'S POLICY (With Florida Modifications)

SCHEDULE B

File #: 19094-73733

Policy #: OP-25-1323-6598999

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

Exceptions:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties in possession not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments on the Land of existing improvements located on the adjoining land.
4. Easements or claims of easements not shown by the Public Records.
5. Taxes or special assessments which are not shown as existing liens by the public records.
6. Taxes and assessments for the year 2018 and subsequent years, which are not yet due and payable.
7. Existing unrecorded leases and all right thereunder of the lessees and of any person claiming by, through or under lessees.
8. Any and all matters which would be disclosed by an accurate survey of the property.

***The following items, as listed above, are hereby deleted: 1, 2 and 4.**



MINUTES OF THE PLANNING BOARD

May 12, 2020

MEMBERS PRESENT: Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Murphy, Board Member Wiggins

MEMBERS VIRTUAL: Vice Chairperson Larson, Board Member Sampson

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Assistant Planning Director Cannon, Senior Planner Statler, Assistant City Attorney Lindsay, Historic Preservation Planner Harding, Assistant IT Manager Nichols

OTHERS PRESENT: None

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from March 10, 2020.
- **New Business:**
 1. **Demo – GRD Pensacola Energy – Demolition 1515 E. Heinburg Street**
 2. **Final Plat Review - Corta de La Rua**
 3. **License To Use Request – 1 South Jefferson Street**
 4. **Vacation of Right-of-Way Request – 16th Avenue**
 5. **Rezoning – Sonia Avenue**
 6. **Rezoning – 1700 BLK Lansing**
 7. **LDC PB Deadline Amendment**
- Open Forum
- Discussion on the Proposed Amendment to the Tree Ordinance
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes

Board Member Murphy made a motion to approve the March 10, 2020 minutes, seconded by Board Member Sampson, and it carried unanimously.

New Business

Demo-GRD Pensacola Energy - 1515 E. Heinburg Street

Chairperson Ritz advised this was a request to demolish two under-utilized buildings on the applicant's property. Assistant Planning Director Cannon presented to the Board and explained the property was in the Gateway Review District which prompted the need for Planning Board approval. She stated a decorative fence would be placed around the remaining water meter structures.

Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson, and it carried unanimously.

Final Plat Review – Corta de La Rua

Chairperson Ritz noted the discussion of this item had been around it being an appropriate and beneficial use to the neighborhood; it was noted the preliminary plat approval was unanimous.

Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins, and it carried unanimously.

License to Use Request – 1 South Jefferson Street

Chairperson Ritz explained this request was for the Puppy Pit application, and as a pedestrian who passed this area frequently, he felt it was a much needed area for downtown and would be a welcomed addition. Assistant Planning Director Cannon stated this item went before the Architectural Review Board who unanimously approved it. **Board Member Wiggins made a motion to approve, seconded by Vice Chairperson Larson.** Board Member Murphy questioned who would maintain the dog park. Staff explained that it would be maintained by the Downtown Improvement Board (DIB). Board Member Murphy asked about ADA compliance, and Chairperson Ritz explained the Board was not approving construction documents; Building Inspections would be responsible for review for compliance; this Board was addressing the License to Use contract. Elsie Zhang with the Jerry Pate Company stated the DIB would maintain these projects through a maintenance agreement with the City. Lissa Deese, Executive Director of the DIB, explained the DIB would maintain the right-of-way on these projects. She also indicated there would be a waste station, a dog water fountain and signage informing the public of their locations. She also explained the DIB was not using City tax dollars, but the funds were coming from the ad valorem within the DIB to pay for the park and the maintenance. Ad valorem monies would be used for street ambassadors who would see that the puppy park was properly maintained.

The motion then carried unanimously.

Vacation of Right-of-Way Request – 16th Avenue

Chairperson Ritz advised the comments from the utility providers had been addressed. Assistant Planning Director Cannon stated the applicant had demolished a home in order to allow for the creation of two lots. Mark Norris, Rebol-Battle, the applicant's consultant, explained there was no intention of subdividing the lot but to build another structure for

rental purposes. Board Member Wiggins asked if this was one or two city lots, and Mr. Norris stated it was one city lot. Chairperson Ritz reminded the Board this was a vacation of right-of-way which would mean the property would be given over to the property owner if approved by the City Council. Councilwoman Meyers was informed the applicant wanted to vacate 10' adjacent to their property and parallel to 16th Avenue. Mr. Norris clarified the applicants were looking for the west 10' of the right-of-way of 16th Avenue to be vacated, which would leave 70' of right-of-way. The City of Pensacola would retain the utility easement which had already been cleared for this vacation; 16th Avenue would not be closed. **Board Member Wiggins made a motion to approve, seconded by Board Member Sampson, and it carried unanimously.**

Rezoning – Sonia Avenue

This property is currently split zoned with R2-B, Multiple Family Zoning District and CO, Conservation Zoning District and the existing Future Land Use Map (FLUM) designation is HDR, High Density Residential and CO. Chairperson Ritz explained the applicant is proposing to amend the zoning district to R-1AA, Single Family Residential so that the bank would be appeased in the financing for their purchase. **Board Member Wiggins made a motion to approve, seconded by Board Member Murphy.** Vice Chairperson Larson asked about the conservation area. Assistant Planning Director Cannon advised that the conservation area was meant to be a preventive measure when it was a higher density zoning district; when it was the apartment complex, the conservation area was placed as a buffer zone to not allow the HDR to migrate over into the neighborhood. Senior Planner Statler explained the existing single family residence was bisected by the Conservation Zoning District and the current R2-B which placed repairs and extensions to that building in question, and the bank was uncomfortable with the existing building being bisected by those zoning districts. They preferred the zoning be designated R-1AA as it used to be. She explained the conservation strip at the bottom of the property was recently altered by Council to a date certain with the Coastal High Hazard Area and should not be impacted by the rezoning. It was noted the ability to use the waterfront would not be affected. **The motion then carried 4 to 1 with Vice Chairperson Larson dissenting.**

Rezoning – 1700 BLK Lansing

Chairperson Ritz stated he had concerns with the C-3 request. He pointed out the property across the street was county. Board Member Murphy advised she knows Ms. Todaro who has tried to sell the property as residential, but because of the substation, she was not able to do so. Board Member Murphy explained she felt there would be no problem with a C-1 or C-2 designation, but a C-3 might be too extreme. Chairperson Ritz explained a C-1 or C-2 could be offered. Assistant Planning Director Cannon advised Councilwoman Meyers preferred C-1 designation. Chairperson Ritz explained the Board's decision would proceed to Council for consideration. **Vice Chairperson Larson made a motion to approve C-1 zoning, seconded by Board Member Sampson, and it carried unanimously.**

(Board Member Grundhoefer arrived.)

LDC PB Deadline Amendment Chairperson Ritz explained the suggestion was to move all deadlines one month out. Assistant Planning Director Cannon stated that this would better accommodate external reviewing agencies, i.e., Gulf Power, AT&T, and ECUA, by allowing them more time to review and comment. It would also place all items on the same track

as subdivisions and rezonings. **Vice Chairperson Larson made a motion to approve, seconded by Board Member Wiggins.** Chairperson Ritz personally believed 30 days consistent with all applications would give other entities time to adequately address their concerns and would be beneficial to the citizens. **The motion then carried unanimously.**

Board Member Murphy received a text message from Ms. Todaro (1770 BLK Lansing rezoning). Staff advised Ms. Todaro would have been called if the Board had questions. Assistant City Attorney Lindsay advised this Board was a recommending body for this item and was not obligated to change its motion. The applicant would have an opportunity to discuss with Council since they were the body making the determination. Ms. Todaro explained to the Board that the front of property is C-3, and it needs to be the same zoning in order to sell. Chairperson Ritz explained the Board weighs the pros and cons and what is best for the City and was not there to help sell the property. **The Board offered a C-1 which would proceed to Council for consideration. He felt if the Board revoted for a C-3, it would fail; the vote stands.** C-1 designation was explained to the applicant and that she could accomplish what she wanted with C-1.

Open Forum – None

Discussion on the Proposed Amendment to the Tree Ordinance

Board Member Murphy addressed the Board and explained she was waiting for professors at the University of Florida on conducting virtual meetings, but they felt they would not get the needed public participation. She advised they were still willing to come to Pensacola for three days for meetings to get citizens engaged and talk with the Board. Board Member Wiggins advised the State passed legislation in June 2019 which restricts municipalities from being able to put in tree ordinances. Board Member Murphy advised the University representatives had developed major tree and landscape ordinances for Miami, Tampa, Jacksonville and Orlando. It was noted that staff would forward this communication to Board Member Murphy. Chairperson Ritz clarified the Board could not suggest legislation that would conflict with something the State had set as a rule of law or ordinance. It was determined that Board Member Wiggins will send the letter to staff for distribution.

Adjournment – With no further business, Chairperson Ritz thanked the Board for its patience with the change in methods of physical and virtual participation and adjourned the meeting at 3:10 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 14-20

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 14-20 - ADOPTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S MODEL FOR FLORIDA-FRIENDLY USE OF FERTILIZER

RECOMMENDATION:

That the City Council approve Proposed Ordinance No. 14-20 on first reading.

AN ORDINANCE CREATING CHAPTER 7-12 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, REGULATING TO THE COMMERCIAL APPLICATION OF FERTILIZER FOR THE PROTECTION OF LOCAL WATER BODIES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

As a result of impairment to the City of Pensacola's surface waters caused by excessive nutrients, or, as a result of increasing levels of nitrogen in the surface and/or groundwater within the aquifers or springs within the boundaries of the City of Pensacola, the City of Pensacola City Council has determined that the use of fertilizers on lands within City of Pensacola limits creates a risk to contributing to adverse effects on surface and/or groundwater. Accordingly, the City of Pensacola City Council finds that management measures contained in the most recent edition of the Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008, may be required by this ordinance.

PRIOR ACTION:

None

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

2/6/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Kerrith Fiddler, Deputy City Administrator - Community Development

L. Derrik Owens, P.E., Director of Public Works and Facilities/City Engineer

ATTACHMENTS:

- 1) Proposed Ordinance No. 14-20

PRESENTATION: No

PROPOSED
ORDINANCE NO. 14-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE CREATING CHAPTER 7-12 OF THE
CODE OF THE CITY OF PENSACOLA, FLORIDA,
REGULATING COMMERCIAL APPLICATION OF
FERTILIZER FOR THE PROTECTION OF LOCAL WATER
BODIES; PROVIDING FOR SEVERABILITY; REPEALING
CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Environmental Protection (FDEP) has classified a specific water body in the City of Pensacola as “impaired” as a result of the presence of excessive nutrients and further that the City has identified resource protection overlay districts in its Code; and

WHEREAS, because of this FDEP classification, on January 1, 2012, FDEP issued its Escambia County Municipal Separate Storm Sewer Permit No. FLS 000019 (“MS4 Permit”) to governmental entities operating within the incorporated and unincorporated areas of Escambia County, Florida, including the City of Pensacola, a municipality located within Escambia County; and

WHEREAS, Section 403.9337, Florida Statutes requires the City of Pensacola to adopt the Model Ordinance for Florida-Friendly Use of Fertilizer on Urban Landscapes published by FDEP; and

WHEREAS, the City of Pensacola finds that adopting the model ordinance will help protect the quality of surface water and groundwater resources in the City of Pensacola, and will accordingly advance the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 7-12-2 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-2. Use of Fertilizer on Urban Landscapes.

(a) Legislative Findings.

As a result of impairment to the City of Pensacola’s surface waters caused by excessive nutrients, or, as a result of increasing levels of nitrogen in the surface

and/or groundwater within the aquifers or springs within the boundaries of the City of Pensacola, the City of Pensacola City Council has determined that the use of fertilizers on lands within City of Pensacola limits creates a risk to contributing to adverse effects on surface and/or groundwater. Accordingly, the City of Pensacola City Council finds that management measures contained in the most recent edition of the Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008, may be required by this ordinance.

(b) Purpose and Intent.

This ordinance regulates the proper use of fertilizers by any applicator; requires proper training of Commercial and Industrial Fertilizer Applicators; establishes training and licensing requirements; establishes a Prohibited Application Period; and specifies allowable fertilizer application rates and methods, fertilizer-free zones, low maintenance zones, and exemptions. The ordinance requires the use of Best Management Practices which provide specific management guidelines to minimize negative secondary and cumulative environmental effects associated with the misuse of fertilizers. These secondary and cumulative effects have been observed in and on City of Pensacola's natural and constructed stormwater conveyances, rivers, creeks, canals, springs, estuaries, and other water bodies. Collectively, these water bodies are an asset critical to the environmental, recreational, cultural, and economic well-being of the residents of the City of Pensacola and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, will help improve and maintain water and habitat quality.

(c) Definitions.

For this section 7-12, the following terms shall have the meanings set forth in herein unless the context clearly indicates otherwise.

"Administrator" means the City Administrator, or an administrative official of the City of Pensacola government designated by the City Administrator to administer and enforce the provisions of this Article.

"Application" or "Apply" means the actual physical deposit of fertilizer to turf or landscape plants.

"Applicator" means any person who applies fertilizer on turf and/or landscape plants in the City of Pensacola.

"Best management practices" means turf and landscape practices or combination of practices based on research, field-testing, and expert review,

determined to be the most effective and practicable on-location means, including economic and technological consideration, for improving water quality, conserving water supplies, and protecting natural resources.

“City of Pensacola Approved Best Management Practices Training Program” means the Florida Department of Environmental Protection’s recommended training program approved pursuant to Section 403.9338, Florida Statutes, or any more stringent requirements set forth in this section that includes the most current version of the Florida Department of Environmental Protection’s Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008, as revised, and approved by the City of Pensacola Administrator.

“Code Enforcement Officer, Official, or Inspector” means any designated employee or agent of the City of Pensacola whose duty it is to enforce codes and ordinances enacted by the City.

“Commercial fertilizer applicator,” except as provided in § 482.1562(9), Florida Statutes, means any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employer of the applicator.

“Fertilize,” “Fertilizing,” or “Fertilization” means the act of applying fertilizer to turf, specialized turf, or landscape plants.

“Fertilizer” means any substance or mixture of substances that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides corrective measures to the soil.

“Guaranteed Analysis” means the percentage of plant nutrients or measures of neutralizing capability claimed to be present in a fertilizer.

“Institutional Applicator” means any person, other than a private, non-commercial or a commercial applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf and/or landscape plants. Institutional applicators shall include, but shall not be limited to, owners, managers, or employees of public lands, schools, parks, religious institutions, utilities, industrial or business sites, and any residential properties maintained in condominium and/or common ownership.

“Landscape Plant” means any native or exotic tree, shrub, or groundcover (excluding turf).

“Low Maintenance Zone” means an area a minimum of ten feet wide adjacent to water courses which is planted and managed in order to minimize the need for fertilization, watering, mowing, etc.

“Person” means any natural person, business, corporation, limited liability company, partnership, limited partnership, association, club, organization, and/or any group of people acting as an organized entity.

“Prohibited Application Period” means the time period during which a flood watch, flood warning, tropical storm watch, tropical storm warning, hurricane watch, or hurricane warning is in effect for any portion of the City of Pensacola, issued by the National Weather Service, or if rainfall greater than 2 inches in a 24-hour period is likely.

“Saturated Soil” means a soil in which the voids are filled with water. Saturation does not require flow. For the purposes of this article, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.

“Slow Release,” “Controlled Release,” “Timed Release,” “Slowly-Available,” or “Water-Insoluble Nitrogen” means nitrogen in a form which delays the availability for plant uptake and use after application, or which extends its availability to the plant longer than a reference rapid or quick release product.

“Turf,” “Sod,” or “Lawn” means a piece of grass-covered soil held together by the roots of the grass.

“Urban landscape” means pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or horticultural plants. For the purposes of this section, agriculture has the same meaning as in Section 570.02, Florida Statutes.

SECTION 2. Section 7-12-2 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-1. Timing of Fertilizer Application. No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period, or to saturated soils.

SECTION 3. Section 7-12-3 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-3. Fertilizer Free Zones. Fertilizer shall not be applied within ten (10) feet of any pond, stream, watercourse, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340, Florida

Administrative Code) or from the top of a seawall, unless a deflector shield, drop spreader, or liquid applicator with a visible and sharply-defined edge is used, in which case a minimum of three (3) feet shall be maintained. If more stringent City of Pensacola Code regulations apply, this provision does not relieve the requirement to adhere to the more stringent regulations. Newly planted turf and/or landscape plants may be fertilized in this Zone only for a sixty (60) day period beginning thirty (30) days after planting if needed to allow the plants to become well-established. Caution shall be used to prevent direct deposition of nutrients into the water.

SECTION 4. Section 7-12-4 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-4. Low Maintenance Zones. A ten (10) foot low maintenance zone is required from any pond, stream, water course, lake, wetland, or from the top of a seawall. A swale/berm system is required to be installed at the landward edge of this low maintenance zone to capture and filter runoff. No mowed or cut vegetative material may be deposited or left remaining in this zone or deposited in the water. Care should be taken to prevent the over-spray of aquatic weed products in this zone.

SECTION 5. Section 7-12-5 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-5. Fertilizer Content and Application Rates.

- (a) Fertilizers applied to turf within the City of Pensacola city limits shall be applied in accordance with requirements and directions provided by Rule 5E-1.003(2), Florida Administrative Code, Labeling Requirements for Urban Turf Fertilizers.
- (b) Fertilizer containing nitrogen or phosphorus shall not be applied before seeding or sodding a site, and shall not be applied for the first thirty (30) days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc.), or in accordance with the Stormwater Pollution Prevention Plan for that site.
- (c) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in subsection 42-408(1) for turf, or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.

SECTION 6. Section 7-12-6 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-6. Application Practices.

- (a) Spreader deflector shields are required when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from impervious surfaces, fertilizer-free zones, and water bodies, including wetlands.
- (b) Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces.
- (c) Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent possible.
- (d) Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site or returned to the original or other appropriate container.
- (e) In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

SECTION 7. Section 7-12-7 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-7. Management of Grass Clippings and Vegetative Matter. In no case shall grass clippings, vegetative material, and/or vegetative debris be washed, swept, or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadways. Any material that is accidentally so deposited shall be immediately removed to the maximum extent possible.

SECTION 8. Section 7-12-8 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-8. Exemptions. The provisions set forth above in this Ordinance shall not apply to:

- (a) bona fide farm operations as defined in the Florida Right to Farm Act, Section 823.14, Florida Statutes;
- (b) other properties not subject to or covered under the Florida Right to Farm Act that have pastures used for grazing livestock;
- (c) any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.

SECTION 9. Section 7-12-9 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-9. Training.

- (a) All commercial and institutional applicators of fertilizer within the City of Pensacola city limits shall abide by and successfully complete the six-hour training program in the Florida-friendly Best Management Practices for Protection of Water Resources by the Green Industries that is offered by the Florida Department of Environmental Protection through the University of Florida Extension "Florida-Friendly Landscapes" program, or an approved equivalent program.
- (b) Private, non-commercial applicators are encouraged to follow the recommendations of the University of Florida IFAS Florida Yards and Neighborhoods program when applying fertilizers.

SECTION 10. Section 7-12-10 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-10. Licensing of Commercial Fertilizer Applicators.

- (a) Commercial Fertilizer Applicators within the City Limits of the City of Pensacola shall abide by and successfully complete training and continuing education requirements in the Florida-friendly Best Management Practices for Protection of Water Resources by the Green Industries that is offered by the Florida Department of Environmental Protection through the University of Florida Extension "Florida-Friendly Landscapes" program, or an approved equivalent program, prior to obtaining a license to do business in the City for any category of occupation which may apply any fertilizer to turf and/or landscape plants. Commercial Fertilizer Applicators shall provide proof of completion of the program to the Director of Public Works and Facilities or his designee at within thirty days of the effective date of this ordinance.
- (b) All Commercial Fertilizer Applicators within the City of Pensacola city limits shall have, and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consume Services as a Commercial Fertilizer Applicator per Rule 5E-14.117(18), Florida Administrative Code.
- (c) All businesses applying fertilizer to turf and/or landscape plants (including, but not limited to, residential lawns, golf courses, commercial properties, and multi-family and condominium properties) must ensure that at least one employee has a Florida-friendly Best Management Practices for Protection of Water Resources by the Green Industries training certificate prior to the business owner obtaining a business license. Owners of any business

regulated by this section which may apply any fertilizer to turf and/or landscape plants shall provide proof of completion of the program to the Director of Public Works and Facilities or his designee.

SECTION 11. Section 7-12-11 of the Code of the City of Pensacola, Florida, is hereby created to read:

Section 7-12-11 Enforcement.

(a) The provisions of this section shall be enforced pursuant to the provisions of sections 13-1-1 through 13-1-12; 13-2-1 through 13-2-4 and section 1-1-8.

(b) Funds generated by penalties imposed under this section shall be used by the City of Pensacola for the administration and enforcement of Section 403.9337, Florida Statutes, and this section of the City Code, and to further water conservation and nonpoint pollution prevention activities.

SECTION 12. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 13. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 14. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 2020-14

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT: SUPPLEMENTAL BUDGET RESOLUTION NO. 2020-14 - CARES ACT ADDITIONAL HOUSING CHOICE VOUCHER (HCV) ADMINISTRATIVE FUNDING

RECOMMENDATION:

That the City Council adopt Supplemental Budget Resolution No. 2020-14.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE

HEARING REQUIRED: No Hearing Required

SUMMARY:

The Housing Department was notified that it was awarded additional administrative fee funding under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The CARES Act appropriates supplemental administrative fee funding to the U.S. Department of Housing and Urban Development (HUD) for disbursement to public housing agencies, so they can maintain normal operations and take other necessary actions during the period that programs are impacted by coronavirus. The funds may be used to prevent, prepare for, and respond to coronavirus. On May 7, 2020, HUD disbursed the supplemental administrative fee to the City of Pensacola in addition to the monthly allocation for the administration of the HCV program.

Under the CARES Act, this supplemental administrative fee funding may be used only for two purposes: (1) any currently eligible HCV administrative costs during the period that the program is impacted by coronavirus; and (2) new coronavirus-related activities, including activities to support or maintain the health and safety of assisted individuals and families, and costs related to the retention and support of participating owners. Eligible HCV administrative costs include necessary upgrades to information technology or computer systems to enhance telework capacities and pay for PHA staff to carry-out HCV Program responsibilities. The CARES Act further provides that administrative fees appropriated under HUD's FY2020 Appropriations Act (P.L. 116-94) for the regular HCV program may also be used for new corona virus-related activities. The period of availability for these funds is the duration of the calendar year 2020, unless this period is subsequently extended by HUD. If any of these funds are not expended during the period of availability, the remaining funds must be remitted to HUD.

PRIOR ACTION:

None

FUNDING:

Budget: \$ 261,580

Actual: \$ 261,580

FINANCIAL IMPACT:

Adoption of the Supplemental Budget Resolution will provide additional funding in the amount of \$261,580.00 to prevent, prepare for, and respond to coronavirus, including for the Housing Department to maintain normal operations and take other necessary actions during the period the program is impacted by coronavirus.

CITY ATTORNEY REVIEW: Yes

6/1/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Kerrith Fiddler, Deputy City Administrator - Community Development
Marcie Whitaker, Housing Director

ATTACHMENTS:

- 1) Supplemental Budget Resolution No. 2020-14
- 2) Supplemental Budget Explanation No. 2020-14

PRESENTATION: No

**RESOLUTION
NO. 2020-14**

A RESOLUTION
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE
FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

A. SECTION 8 HOUSING FUND

As Reads:	Federal Grants	18,150,400
Amended		
To Read:	Federal Grants	18,411,980
To:	Grants and Aids	261,580

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

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

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk

THE CITY OF PENSACOLA**MAY 2020 - SUPPLEMENTAL BUDGET RESOLUTION - CARES ACT FUNDING - RES NO. 2020-14**

FUND	AMOUNT	DESCRIPTION
A. SECTION 8 HOUSING FUND		
Estimated Revenues		
Federal Grants	261,580	Increase estimated revenue from Federal Grants
Total Revenues	<u>261,580</u>	
Appropriations		
Grants and Aids	<u>261,580</u>	Appropriate funding for Grants and Aids
Total Appropriations	<u>261,580</u>	



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 2020-15

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

SUPPLEMENT BUDGET RESOLUTION NO. 2020-15 - PENSACOLA INTERNATIONAL AIRPORT - CARES ACT GRANT NO. 3-12-0063-045-2020

RECOMMENDATION:

That City Council approve Supplemental Budget Resolution No. 2020-15.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE

HEARING REQUIRED: No Hearing Required

SUMMARY:

The operation of the Pensacola International Airport is funded through the fees assessed to the various users of the facility. The airlines, rental car concessionaires, terminal concessionaires, airfield tenants, and other tenants all remit payments designed to offset the overall facility's ongoing maintenance and operating expenses.

The bulk of the annual revenue is generated through the passenger activity occurring at the main terminal building. Parking, rental car activity, food and beverage, news and gifts, and other terminal non-airline tenants make up approximately 88% of all non-airline revenue. The airlines themselves, through their agreements, allow the Airport to maintain full financial self-sufficiency.

The COVID-19 health emergency has significantly impacted air transportation worldwide. At Pensacola International Airport, passenger traffic for the month of April was down over 93% from last year. Year-to date, passenger activity is down over 18%. With reduced passenger activity, significantly less revenue is being generated. To account for reduced revenue projections, Pensacola International Airport has instituted cost reduction efforts in both the current fiscal year, FY'20, and next fiscal year, FY'21. Projects are being delayed, and certain services are being reduced.

The Federal Government, under the CARES Act, has provided economic support to all U.S. airports. Each airport has been allocated funding to help offset the decline in revenues as a result of the

diminished activity from COVID-19. This funding may be used over a period of four (4) years for any lawful airport purpose and is designed to maintain safe and efficient airport operations. Funds are provided on a reimbursable basis. As airports incur and pay for expenses, they can request reimbursement under their individual grant.

The Pensacola International Airport has been awarded up to \$11,081,566 under the CARES Act. In the absence of these funds, the Airport would be required to adjust the fees charged to the airlines significantly. CARES Act funds will be used in FY'20, FY'21, and possibly FY'22 to assist in reimbursing maintenance and operating expenses, which will aid in keeping the fees charged to the airlines at reasonable levels.

PRIOR ACTION:

5/28/20 - City Council approved and authorized the Mayor to execute the acceptance of the CARES Act Grant 3-12-0063-045-2020 in the amount of \$11,081,566.

FUNDING:

N/A

FINANCIAL IMPACT:

Adoption of the Supplemental Budget Resolution will provide additional funding in the amount of \$11,081,566 to assist in reimbursing maintenance and operating expenses.

CITY ATTORNEY REVIEW: Yes

5/29/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Richard Barker, Jr., Deputy City Administrator - Administration and Finance
Daniel Flynn, Airport Director

ATTACHMENTS:

- 1) Supplemental Budget Resolution No. 2020-15
- 2) Supplemental Budget Explanation No. 2020-15

PRESENTATION: No

**RESOLUTION
NO. 2020-15**

A RESOLUTION
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE
FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

A. AIRPORT FUND

As Reads:	Federal Grants	24,019,020
Amended		
To Read:	Federal Grants	35,100,586
As Reads:	Operating Expenses	15,710,067
Amended		
To Read:	Operating Expenses	26,791,633

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

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

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk

THE CITY OF PENSACOLA**JUNE 2020 - SUPPLEMENTAL BUDGET RESOLUTION - AIRPORT CARES ACT GRANT - RES NO. 2020-15**

FUND	AMOUNT	DESCRIPTION
AIRPORT FUND		
Estimated Revenues		
Federal Grants	11,081,566	Increase estimated revenue from Federal Grants
Total Revenues	<u>11,081,566</u>	
Appropriations		
Operating Expenses	<u>11,081,566</u>	Increase appropriation for Capital Outlay
Total Appropriations	<u>11,081,566</u>	



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 29-20

City Council

6/11/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 29-20 - PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - REPEALING AND REPLACING SECTION 12-4-6 AND AMENDING SECTION 12-14-1- PERTAINING TO TEMPORARY SIGNS.

RECOMMENDATION:

That City Council adopt Proposed Ordinance No. 29-20 on second reading.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PENSACOLA, FLORIDA, TITLE XII LAND DEVELOPMENT CODE, CHAPTER 12-4 REGULATING SIGNS; REPEALING AND REPLACING SECTION 12-4-6 TEMPORARY SIGNS TO CONFORM TO THE REQUIREMENTS OF LAW AND PROVIDING FOR ENFORCEMENT; AMENDING SECTION 12-14-1 DEFINITIONS ENUMERATED; AMENDING DEFINITION OF TEMPORARY SIGNS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: Public

SUMMARY:

The Mayor requests action be taken on an item reviewed by the Planning Board in 2018. An ordinance drafted by the former Building Official, Bill Weeks, was proposed for approval by the Planning Board in 2018, but the only action taken was a workshop to invite further public input. The Planning Department, Code Enforcement, Inspections, and the City Attorney's office have reviewed the input, and the proposed ordinance and a suggested revision are also submitted by the City Attorney with a recommendation for action to update the Code of Ordinances of the City of Pensacola for compliance with United States Supreme Court precedent. The Planning Board's review, including the original proposed ordinance and minutes from a meeting and workshop, are attached for review by the City Council for the history on this item. It is requested that Council review both the version reviewed by the Planning Board in 2018 as well as the updated version and approve updating Section 12-4-6. Please note, this ordinance is not intended to apply to handheld signs. Although this portion of the Land Development Code is designated as being enforced by the Building Official, staff consensus has been reached that this ordinance will be implemented by Code Enforcement. The penalty provision in the updated draft is recommended by Legal. Code Enforcement will focus on education efforts to teach compliance during 2020 as this will be new. Please note some feedback from Planning Board review reflected a desire to allow signs in the right-

of-way. City staff do not recommend permitting temporary signs in the right-of-way.

PRIOR ACTION:

May 28, 2020 - The City Council held a public hearing regarding Proposed Ordinance No. 29-20 and voted to approve Proposed Ordinance No. 29-20 on first reading.

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

5/15/2020

STAFF CONTACT:

Keith Wilkins, City Administrator

Richard Barker, Jr., Deputy City Administrator - Administration & Enterprise

John Pittman, Director of Sanitation Services and Fleet Management

Steve Richards, Code Enforcement Administrator

ATTACHMENTS:

- 1) Proposed Ordinance No. 29-20
- 2) Planning Board Minutes May 2018
- 3) Planning Board Workshop Minutes June 2018
- 4) Proposed Ordinance Draft Reviewed by Planning Board

PRESENTATION: No

PROPOSED
ORDINANCE NO. 29-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PENSACOLA, FLORIDA, TITLE XII LAND DEVELOPMENT CODE, CHAPTER 12-4 REGULATING SIGNS; REPEALING AND REPLACING SECTION 12-4-6 TEMPORARY SIGNS TO CONFORM TO THE REQUIREMENTS OF LAW AND PROVIDING FOR ENFORCEMENT; AMENDING SECTION 12-14-1 DEFINITIONS ENUMERATED; AMENDING DEFINITION OF TEMPORARY SIGNS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pensacola finds and determines that it is appropriate to update and revise its Land Development Code relative to temporary signage to be in conformity with the judicial requirements of law;

WHEREAS, the City of Pensacola finds and determines that in meeting the purposes and goals established in this recital, it is appropriate to regulate temporary signs, as set forth in Section 12-4-6;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-4-6 of the Code of the City of Pensacola, Florida, is hereby repealed and replaced to read as follows:

~~Sec. 12-4-6. Temporary signs~~

~~The following temporary signs are allowed without a permit, unless otherwise required below:~~

- ~~(A) Signs advertising the sale, lease or rental of real estate. Non-illuminated signs advertising the sale, lease or rental of the real estate (including buildings) on which the sign is located provided such signs meet the following conditions:~~
- ~~(a) Such signs shall not exceed six (6) square feet in surface area within R-1AAAAA, R-1AAAA, R-1AAA, R-1AA, R-1A, R-ZL zones.~~
 - ~~(b) Real estate in all other zones except the special districts identified in section 12-4-6 may be advertised by a sign not to exceed thirty two (32) square feet.~~
 - ~~(c) Such signs shall be removed immediately upon closing.~~

- ~~(d) Such signs shall be no closer than seven (7) feet to the curb or edge of the pavement of the road.~~
- ~~(B) Construction site identification signs. Non-illuminated construction site identification sign identifying the project, the owner or developer, architect, engineer, contractor, subcontractors, and funding sources, and may contain related information provided such signs meet the following conditions:~~
- ~~(a) One sign per street frontage of the site may be erected and the sign(s) shall not exceed fifty (50) square feet in area.~~
- ~~(b) All such signs shall be removed within five (5) days after the completion of construction.~~
- ~~(c) Such signs shall be no closer than seven (7) feet to the curb or edge of the pavement of the road.~~
- ~~(C) Holiday displays. Displays, including lighting, erected in connection with the observance of official holidays. Such displays shall be removed within five (5) days following the holidays.~~
- ~~(D) Political signs which meet the following requirements:~~
- ~~(a) The maximum size of any political sign erected in the city shall be sixteen (16) square feet.~~
- ~~(b) All political signs shall be supported by posts or uprights furnished by the installer of said sign and in no case will signs be supported by power poles, telephone poles, fence or fence posts, trees or any other structure not furnished specifically for the particular sign.~~
- ~~(c) All political signs shall be located only on private property except as provided herein. This applies to all public property located within the city limits.~~
- ~~(d) Political signs are allowed on public right-of-way adjacent to occupied homes or businesses with the consent of the occupant, but no closer than three (3) feet to the curb or edge of the road. Provided, however, a political sign shall not be allowed on any public right-of-way unless the person whose candidacy is advertised thereby shall first agree in writing to indemnify, defend and save harmless the city from and against any and all claims for property damage or bodily injury, including death, arising out of or in connection with the presence of such political sign advertising his candidacy in any public right-of-way.~~
- ~~(e) Political signs shall not be installed in any required visibility triangle, as described in section 12-2-35, where the sign will obstruct the view of the motorist at an intersection.~~
- ~~(f) No political sign shall be placed on a vacant lot or on a lot with a uninhabited primary structure unless a letter from the property owner is on file with the inspection division indicating that permission has been granted.~~
- ~~(g) All political signs installed in the city shall be removed within ninety (90) days of installation or within five (5) working days of the time a candidate is elected or eliminated from the race, whichever occurs first.~~
- ~~(h) Any political sign not in compliance with this subsection shall be removed by the candidate within twenty-four (24) hours of notification or the sign shall be~~

~~removed by the city at the direction of the mayor. When signs are removed by the city, the candidate's name and number of signs collected will be recorded against the specific complaint. Candidates shall pay a service charge of two dollars (\$2.00) for each sign removed by the city before the election and fifteen dollars (\$15.00) for each sign removed after the election for which the candidacy is advertised.~~

~~(i) For the purposes of this subsection, a political sign is a sign which promotes or endorses the nomination or election of a candidate for political office.~~

~~(E) *Portable signs.* One portable sign, limited to two (2) sign faces back to back and not exceeding thirty-two (32) square feet each, shall be permitted at any location, except in residential districts and where prohibited otherwise in this title, provided that the display of such sign not exceed a period of seven (7) calendar days within any six-month period. The sign owner is required to obtain a permit for portable signs.~~

~~(F) *Garage sale signs* which meet the following requirements:~~

~~(a) No more than two (2) signs advertising such garage sale shall be permitted.~~

~~(b) Such signs shall be located only on the premises of the applicant upon which the sale is conducted or on the street right-of-way immediately adjacent to the premises.~~

~~(c) Such signs shall be no more than two (2) feet by two (2) feet in size.~~

~~(G) *Temporary banners* indicating that a special event, i.e., public or community event, such as a fair, carnival, festival or similar activity is to take place with the following conditions:~~

~~(a) Such banner shall be erected no sooner than two (2) weeks before the event.~~

~~(b) Such banner must be removed no later than three (3) calendar days after the event.~~

~~(c) Banners extending over street rights-of-way require approval of the city manager.~~

~~(H) *Architectural signs.* Permanent banners, murals and other decorative features of buildings which are determined to be architectural in nature and approved by the appropriate review board shall be allowed on buildings in the gateway review district, the governmental center district, the Palafox historic business district, the waterfront redevelopment district, the West East Hill preservation district, the South Palafox business district, the Pensacola historic district, and the North Hill preservation district. Such architectural features which also serve the purpose of informing the public about the building or events therein may be changed periodically provided they remain in compliance with the design approved by the appropriate review board.~~

~~(I) *Other temporary signs.* Temporary signs not covered in the foregoing categories, so long as such signs are allowed within the district, meet the following restrictions, and a permit has been granted by the city manager or his designee:~~

~~(a) Not more than one (1) such sign may be located on any lot.~~

~~(b) No such sign may exceed thirty-two (32) square feet in surface area, unless prior approval is granted by the mayor or his designee.~~

- ~~(c) Such sign may not be displayed for longer than fourteen (14) consecutive days, prior to the activity or event.~~
- ~~(d) All sign locations must have the prior approval of the mayor or his designee.~~
- ~~(e) If a sign is located within the public right-of-way, a certificate of insurance acceptable to the city shall be provided.~~

Sec. 12-4-6. – Temporary signs; enforcement

(A) Temporary signs shall meet the criteria and limitations set forth in Table 1, shown below:

TABLE 1. CRITERIA AND LIMITATIONS FOR TEMPORARY SIGNS

<u>Property Use</u>	<u>Residential</u>	<u>All Other</u>
<u>Maximum number of temporary signs per parcel</u>	<u>4</u>	<u>4</u>
<u>Maximum sign size (area) for a temporary sign ¹</u>	<u>4 sq. ft.</u>	<u>16 sq. ft.</u>
<u>Maximum sign height for a temporary freestanding sign ²</u>	<u>6 ft.</u>	<u>6 ft.</u>
<u>Maximum sign height for a temporary attached sign</u>	<u>15 ft.</u>	<u>15 ft.</u>
<u>Minimum sign setback required to be maintained by a temporary freestanding sign from any property line ³</u>	<u>5 ft.</u>	<u>5 ft.</u>
<u>Maximum aggregate surface area allocated for all temporary signs on a parcel ⁴</u>	<u>16 sq. ft.</u>	<u>64 sq. ft.</u>
<u>Whether temporary sign is allowed on public property or public right-of-way</u>	<u>No</u>	<u>No</u>
<u>Whether temporary sign is allowed within a sight visibility triangle</u>	<u>No</u>	<u>No</u>
<u>Whether direct illumination of surface of a temporary sign is allowed</u>	<u>No</u>	<u>No</u>
<u>Duration allowed after event ends</u>	<u>14 calendar days</u>	<u>14 calendar days</u>

¹ The square footage limitation is per side for a back-to-back sign. For example, a four square foot limitation means that there is a limit of four square feet of surface area per side of a back-to-back sign, and an aggregate limit of eight square feet is allowed if the sign is a back-to-back temporary sign.

² Not applicable to flags displayed on flagpoles.

³ Minimum sign setbacks do not apply to attached signs. All temporary signs are prohibited on public property and from public rights-of-way.

⁴ There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The maximum aggregate surface area allowed is subject to circumstances that may reduce the maximum aggregate surface area allowable on some parcels.

(B) Signs found to be in violation of Section 12-4-6 will be removed. Further, violation of this ordinance shall be punished by fine to be paid by any person recovering the removed sign as provided by Section 1-1-8, Code of Ordinances of the City of Pensacola.

SECTION 2. Section 12-14-1 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 12-14-1. – Definitions enumerated.

As used in this title and unless the context clearly indicates otherwise:

. . .

Sign means any device, display or structure, or part thereof, which advertises, identifies, displays, directs or attracts attention to an object, person, institution, organization, business, product, service, event or location by the use of words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

Sign, abandoned. A sign which advertises a business that is no longer licensed, no longer has a certificate of occupancy, or is no longer doing business at that location.

Sign, accessory. Sign which directs attention to a profession, business, commodity, service, entertainment or other activity conducted, sold or offered on the premises.

Sign, advertising display area. The advertisement display surface area as measured from the outside edge of the sign or the sign frame, whichever is greater, excluding the area of the supporting structures provided that the supporting structures are not used for advertising purposes and are of an area equal to or less than the permitted sign area.

Sign, attached or wall sign. Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any building or supported by such wall or building and which displays only one advertising surface.

Sign, freestanding. A sign which is supported by one or more columns, uprights, or braces in or upon the ground and is not attached to a building.

Sign, nonaccessory. A sign which directs attention to a business, profession, commodity, service, entertainment or other activity conducted, sold or offered off the premises.

~~*Sign, political.*~~

Sign, portable. A sign or advertising device designed to be temporary in nature and movable including those mounted on a trailer-type vehicle, with or without wheels. A-frame signs, balloon signs and all other similar type signs not permanently attached to the ground or a building.

Sign, real estate.

~~*Sign, temporary.* A sign intended to advertise community or civic projects, construction projects, property for sale, lease or rent, or special events on a temporary basis for a designated period of time. Signs that are erected for a period of time not to exceed one (1) year, excluding signs that are handheld or continuously attended.~~

Sign, tri-faced nonaccessory. A sign composed of sections which rotate to display a series of advertisements, each advertisement being displayed for at least five (5) seconds continuously without movement and the movement of the sections between displays being not more than two (2) seconds.

. . .

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

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

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

Passed: _____

Approved: _____
President of City Council

Attest:

City Clerk



PLANNING SERVICES

THE UPSIDE *of* FLORIDA

MINUTES OF THE PLANNING BOARD

May 8, 2018

MEMBERS PRESENT: Chairman Paul Ritz, Nathan Monk, Nina Campbell, Kurt Larson, Jared Moore, Danny Grundhoefer, Victor Jordan

MEMBERS ABSENT: None

STAFF PRESENT: Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner, Steve Richards, Code Enforcement Officer, Rusty Wells, Assistant City Attorney, Lysia Bowling, City Attorney, Don Kraher, Council Executive, Robyn Tice, Clerk's Office

OTHERS PRESENT: John McFarland, Diane Mack

AGENDA:

- Quorum/Call to Order
- Swearing in of New Board Member – Mr. Victor Jordan
- Approval of Meeting Minutes from April 10, 2018
- New Business:
 1. Request for Site Plan Approval for 5057 N. 9th Avenue – Publix
 2. Consider Amendment to LDC Chapter 12-10 Floodplain Management
 3. Consider Amendment to LDC Section 12-2-6 Residential/Office Land Use District & LDC Section 12-2-8 Commercial Land Use District.
 4. Consider Amendment to LDC Section 12-4-6 Temporary Signs and LDC Chapter 12-14 Definitions.
- Open Forum
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:01 pm with a quorum present.

Swearing in of New Board Member – Mr. Victor Jordan was sworn in by the Clerk's Office.

Approval of Meeting Minutes

Mr. Larson made a motion to approve the April 10, 2018 minutes, seconded by Ms. Campbell, and it carried unanimously.

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New Business

Request for Site Plan Approval for 5057 N. 9th Avenue - Publix

John McFarland, Jacobs Engineering, has submitted an application for aesthetic approval for exterior modifications to the property located at 5057 N. 9th Avenue.

This property is located within the North 9th Avenue Corridor Management Overlay District and is subject to the review provisions as outlined in Section 12-2-24. The improvements proposed include a canopy roof structure at existing supermarket entrance to provide protection from the elements for both patrons approaching and an exterior shopping cart stack area.

Mr. McFarland presented to the Board. Chairman Ritz advised the canopy fit the character of the supermarket. Ms. Campbell explained it was appropriate with the structure, and there was a need for it. Mr. Jordan observed the treatment was for one door and asked why the treatment was not appropriate for the second entrance. Mr. McFarland advised that so many of the stores have vestibules for cart storage; the thought here would be to protect shopping carts and combining it with an entrance canopy. He advised the company treated entrances differently. Mr. Larson asked if this design was standard, and Mr. McFarland advised he had not seen this one before. He stated they had a plan to place bollards in front of two existing ramps. Mr. Monk wanted clarification as to why this project was before the Board, and Chairman Ritz explained that with the 9th Avenue Corridor Overlay, projects would now come before this Board for aesthetic approval. Mr. McFarland stated the base would be split face concrete block which has a textured finish. Mr. Monk explained he preferred anything over textured cinderblock. Chairman Ritz suggested specifying some type of brick with a color to match the building in the motion, and stated the project would return for an abbreviated review by the Chairman for verification. **Mr. Monk made a motion that a tan colored brick be used as the product in place of split-face concrete block to return in an abbreviated review. It was seconded by Mr. Grundhoefer.** Mr. McFarland explained there might not have been a lot of thought put into the cultured stone. Mr. Monk explained the size of the cinderblock versus the size of the brick implies value and time. Ms. Campbell noted the textured surface on the right side and asked if there were any other options. Mr. McFarland stated they were trying to use the existing colors of the building, and there were several products which looked like cultured stone. Mr. Grundhoefer pointed out everything being discussed was foreign to the existing materials, with the desire being something durable and more elegant. He was agreeable with the brick since it would be attainable and compatible to the existing materials. **The motion then carried unanimously.**

Consider Amendment to LDC Chapter 12-10 Floodplain Management

Mr. Bill Weeks, Chief Building Official, is requesting consideration of a Land Development Code Amendment to Chapter 12-10 – Floodplain Management. This amendment is a mandate directly from the State of Florida Division of Emergency Management and will enable the City to remain compliant with the Community Rating System (CRS). By maintaining the City's CRS rating, our citizens are able to enjoy discounts on their flood insurance premiums. The attached proposed language will completely replace the existing Chapter 12-10 and would satisfy the requirements of the state.

Mr. Weeks explained that currently there are over 300 communities in the National Flood Insurance Program (NFIP) for the State of Florida with different floodplain ordinances. Participation in the program to reduce future floodplain risks makes federal flood insurance available against flood losses. Action was required by our community to repeal and replace local floodplain management regulations. Chairman Ritz offered that coming into compliance with this ordinance would be a positive direction and would bring Pensacola into compliance. Mr. Larson pointed out as being a responder who inspects facilities after an

event, if the ordinance was not approved as submitted, we would not be eligible for the lower income families to obtain the grant monies available and would hinder rebuilding. Mr. Monk agreed it was something the Board needed to do. Mr. Weeks advised that currently Pensacola was a Class 7 community with a 15% designation and by adopting this ordinance, we could become a Class 6 more easily which would give an additional 5% discount. **Mr. Jordan made a motion to approve, seconded by Ms. Campbell. The motion then carried unanimously.**

Consider Amendment to LDC Section 12-2-6 Residential/Office Land Use District & LDC Section 12-2-8 Commercial Land Use District.

On April 12, 2018, City Council referred to this Board for review and recommendation an Amendment to Land Development Code Section 12-2-6 Residential/Office Land Use District and 12-2-8 Commercial Land Use District. This proposed amendment would require all permitted uses requesting a drive through component to be subject to LDC Section 12-2-78 – Conditional Use Permits. If approval is recommended, staff will make the appropriate changes in each section of the code under each zoning district due to the cumulative nature of our code. The amendment would include all businesses that have a drive through component such as banks, pharmacies, dry cleaners, and restaurants. Chairman Ritz explained this amendment covered the entire city limits. Ms. Deese confirmed every drive-thru would come before this Board and the City Council for approval. Mr. Monk did not understand the motivation since we have more and more small local businesses with a drive-thru and did not see any reason to add another element to become an impediment to small businesses and a nuisance to big corporations. Mr. Grundhoefer explained if a person wanted to place a drive-thru next to a residential zone because it would be allowed, might not be an appropriate situation. The Board would look favorably on an establishment such as Taco Bell if it was not adjacent to residential, and the Board could actually review for aesthetic appeal. Ms. Campbell advised she would actually support this amendment.

Mr. Andrew Landis Power stated you could have the best of both worlds if you specified if they were in so many feet of a residential area, they would come before the Board. Ms. Deese advised there was a \$2000 filing fee for a Conditional Use Permit application. Mr. Monk thought of young entrepreneurs having a small coffee shop or dry cleaner enduring a \$2,000 filing fee when they could be denied while corporations would have no problem. This might cause the make or break of small businesses. Ms. Campbell offered if \$2,000 would make or break them, they didn't need to go into business. Mr. Monk explained the small business might not even choose to apply. **Ms. Campbell made a motion to accept the amendment as presented, seconded by Mr. Grundhoefer. The motion was denied 4 to 3, with Mr. Monk, Mr. Larson, Chairman Ritz, and Mr. Moore dissenting.**

Consider Amendment to LDC Section 12-4-6 Temporary Signs and LDC Chapter 12-14 Definitions.

In June 2015, the United States Supreme Court issued a decision in *Reed v. Town of Gilbert, Ariz.*, - U.S., 135 S. Ct. 2218 (2015) which clarified that temporary signs must be regulated in a content-neutral manner. This ruling impacted sign codes across the country, including the City of Pensacola's, because temporary signs are typically regulated by sign message. The Land Development Code currently provides specific regulations for temporary signs including real estate, political, construction, holiday displays, portable, garage sale, temporary banners, architectural or other temporary signs. These regulations are content-based and must be revised. Mr. Derek Cosson's comments have also been provided to the Board.

Chairman Ritz advised there was visual clutter with temporary signs especially during election times and agreed with Mr. Cosson's comments on the placement distance. He explained he lives on a road with a very large right-of-way, and if he went to the property line and stepped back 5 feet, he would

be quite a distance from the road and not visible. With that in mind, he preferred a shorter distance from the property line. Ms. Deese clarified the new ordinance would consist of a table with the maximum sign heights and square footage and four footnotes. Mr. Monk noted the decision from the Supreme Court and the desire of the City to conform, but he was still waiting on an answer regarding panhandling, and he was not in a rush to push this through especially in an election season. Mr. Jordan confirmed temporary signs could be up for one year or three days after the event takes place. City Attorney Bolin advised the Board needed to find a method to regulate temporary signs on a content-neutral basis. She pointed out the document was examined very carefully by Code Enforcement and Inspections to contain what was best for our community. This was the approach many cities were taking to revise the ordinances. Mr. Monk asked if the content-neutral approach would be limited to signs which were placed on metal brackets and placed in the ground or ones held by human beings. Ms. Bolin explained they would look at the definition of a sign in the Code which would not lend to a sign held by a human being. She directed the Board to page 5 for the language "Signs which are erected for a period of time not to exceed one (1) year." Per the Board's request, Ms. Deese read the definition of a sign from the current Land Development Code Section 12-14-1 *"Sign means any device, display or structure or a part thereof, which advertises, identifies, displays, directs or attracts attention to an object, person, institution, organization, business, product, service, event or location by the use of words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images."* Chairman Ritz emphasized the Board was not evaluating the content of the sign.

Diane Mack addressed the Board and stated they had been given a can of worms; what is before the Board is bad law, and what has happened is bad law making. She had read the Supreme Court decision word for word but noted that decision was delivered three years ago, and asked the Board not to rush into it. She explained the Council should be asked if they wanted to totally eliminate any kind of sign in the right-of-way which is a policy issue. She advised the Board needed to hear from Code Enforcement what would be workable and efficient enforcement. She recommended the Board conduct a workshop for fact finding with realtors, politicians and non-profit organizations. Mr. Jordan asked how the ordinance came before the Board, and Ms. Bolin advised they had drafted the ordinance for Council. Ms. Deese clarified that from time to time there were Code amendments from specific departments. This request was from a combination of departments including the City Attorney's Office, Code Enforcement and Building Inspections. **Mr. Monk made a motion for a workshop sometime after November 6, which was not a motion to approve but to workshop this particular ordinance with those agencies mentioned. It was seconded by Mr. Jordan.** Ms. Deese clarified that Planning staff does not deal with this particular Code section and noted it would not be appropriate to comment.

Steve Richards of Code Enforcement stated the constitutionality of the ordinance was questioned and brought to Administration who found there were some problems. The revised ordinance was more concise than the original one, and he explained he could get the information on who brought this ordinance forward. Chairman Ritz asked if often there were issues with improperly placed signs. Mr. Richards advised they worked with two ordinances dealing with temporary signs; this one identified political signs and the placement and length of time. He stated they worked all angles, and the ordinance was basically invalid, and they could not enforce it. Ms. Bolin stated they had anticipated that since the decision came down they would need to amend the Code, and Mr. Wells and Ms. Morris

worked on the redraft of the Code which is pending for Council approval. Chairman Ritz clarified the Board was acting on the revision of the ordinance and was it right for Pensacola. If the motion was approved, it would not go to City Council. Ms. Deese explained staff would notify Council staff on the Board's recommendation. The time limits state Planning Board has 45 days to make a decision unless a longer or shorter period is specified. Mr. Larson liked the idea of examining the distances of the property lines. Since the process required time, Chairman Ritz suggested the review process begin before November 6. Mr. Grundhoefer explained there were no dramatic changes in the ordinance, with the biggest element being allowing signs on the right-of-way, and he was embarrassed at the amount of existing signage on the right-of-ways. He explained one of the tasks of the Board was to protect the beauty of the city for its citizens. Mr. Richards advised the problem would only get worse.

Ms. Mack again addressed the Board and stated the fact the Supreme Court handed down its decision did not invalidate the current ordinance. Mr. Monk failed to see the sense of urgency on signage with \$15 fines, when real human beings have been arrested repeatedly for doing basic human functions without any answer; the sudden need for this change did not make sense. Mr. Jordan asked if Enforcement had been told to not enforce the ordinance, and Mr. Richards stated they were instructed by the City Administrator to hold off on enforcement of this particular ordinance and forward it to the Legal Department. Ms. Bolin explained that the current ordinance was valid until it was either changed by Council or challenged in court, however, they anticipated that Council could go forward with an ordinance without going through the Planning Board. It was a decision of Administration not to enforce, since it was anticipated that there would be new language. Chairman Ritz agreed the Board had set dates further down the calendar to allow interested parties to be involved. Mr. Wells advised he had worked on the ordinance, and the reason for the ordinance coming before the Board was the provision in the LDC that states the Council itself cannot amend the LDC without first bringing the issue before the Planning Board for its recommendation. He also stated the Council was probably not aware this document was with the Board today. Through the process of recodification, he noted many sections were amended which conflicted with what the signage should be. The City Administrator had asked the City Attorney to look at the political sign issue and come up with a proposed alternative to meet the criteria, and because the political sign was one of several issues in the temporary sign code section, she chose to provide an ordinance which dealt with all temporary signage. This ordinance was patterned after many cities in Florida. He explained putting off a decision until after the elections was a good decision, but it would not be a solution Mr. Richards could use without some direction from the City Administrator.

Mr. Monk said it sounded like someone who was running for office brought up the situation. Mr. Moore pointed out we all get angry about lawsuits for misspent tax dollars and asked about the timeline for a workshop. Ms. Deese explained it would be the same as a regular meeting with the normal advertisements, but no quorum was required since action would not be taken. Whatever consensus was found by the Board would be presented at a regularly scheduled Board meeting as an agenda item. Mr. Monk pointed out if the workshop was before the election, anyone who was running for office would have to address this issue, and he did not feel signs were the number one issue facing Pensacola. Passing it as is and if you had \$100,000 in your campaign fund, you could place political signs on every property your friend owns; it would be the "wild wild west" for political signs except they would not be in right-of-ways. Mr. Grundhoefer suggested the Board should act sooner

than November. Chairman Ritz explained if the process began in August and followed a specific timeline, it could take until after November to complete.

Ms. Bolin advised they had consulted with Code Enforcement, and it was correct legally based on what other communities were doing; it was content neutral, and as indicated, a revision was in the works, but the ordinance needed to be amended. Chairman Ritz asked for the earliest date available for the workshop. Ms. Deese confirmed that part of the process was looking at the Escambia County ordinance which had recently been amended, and this could serve as an example to consider. Ms. Deese explained that she would contact members in the next day or so for each member's availability for a workshop. Ms. Bolin advised she would work with Ms. Deese and obtain input from Ms. Mack and other key people and provide other examples of ordinances for the Board.

Mr. Monk amended his motion to have a workshop prior to the July 2018 Board meeting, seconded by Mr. Jordan, and it carried unanimously. Ms. Deese clarified that the Board was tasked to provide Council with a recommendation, and with postponing in favor of a workshop, the Board was withholding a recommendation, but she would still notify through Council staff the Board's decision and to make them aware that the issue would eventually come to Council.

Open Forum – None

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 4:08 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
Secretary to the Board



PLANNING SERVICES

THE UPSIDE *of* FLORIDA

MINUTES OF THE PLANNING BOARD

June 26, 2018

MEMBERS PRESENT: Chairman Paul Ritz, Nathan Monk, Kurt Larson, Jared Moore, Danny Grundhoefer, Victor Jordan

MEMBERS ABSENT: Nina Campbell

STAFF PRESENT: Brandi Deese, Assistant Planning Services Administrator, Leslie Statler, Planner, Steve Richards, Code Enforcement, William Weeks, Building Official

OTHERS PRESENT: Don Kraher, Council Executive, Diane Mack, Derek Cosson, Drew Buchanan

AGENDA:

- Call to Order
- Discussion of Amendment to Land Development Code Section 12-4-6 – Temporary Signs
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:03 pm with a quorum present.

Discussion of Amendment to Land Development Code Section 12-4-6 – Temporary Signs

Chairman Ritz explained to the audience that no decision making would occur at this meeting, but the Board would ask for input from the public on temporary signs. He indicated because of the political season, he had seen an explosion of signage for rallies and meetings, with some being cleared out afterwards. He then asked for audience input.

Ms. Mack provided the Board with some suggestions and was mostly concerned with what would be most enforceable, thinking of the needs of the political candidates and realtors as well. She argued against attached signs since aesthetics matter in the city and did not think we needed signs plastered on walls, fences, lampposts, or any permanent fixture. In the case of downtown Pensacola, she advised using a plastic planter with the political signage. Chairman Ritz pointed out her building was up to the sidewalk, and suggested someone on the second floor would use the window which might be less effective. Ms. Mack advised that was a decision the Board would need to make on how cluttered they wanted the city to be. Regarding specificity for the sign size, she suggested using something where Code Enforcement could see at a glance for enforcement without having to measure. Regarding real estate for sale signs needing more than the maximum length of time, perhaps they could be issued a permit for a definite period of time. She also suggested that whatever the City decided should coordinate with HOA covenants. Regarding banners, the Board could specify locations for a permitted banner for a specified time.

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Chairman Ritz pointed out if he was a politician, he might want the larger 4x4 signs which are more noticeable.

Mr. Monk stated he had made a records request, but had not received the information. He pointed out there were several large political races going on which would make changes to the community. He advised the City had a robust ordinance which gave very specific and finite rules for Code Enforcement to execute, and now this version is essentially a strike-thru. Location becomes an ambiguous situation with different zoning districts and scenarios. If approved, he understood it to mean any politician who had the funds to do so could install signage in all sorts of places where they were previously not allowed. He understood the Supreme Court ruling and the necessity to comply with it, but there had been other Supreme Court rulings that we have not been so quick to follow through with. He wanted compliance and for Code Enforcement to be able to execute what they need to, but the timing of revising the ordinance within a political season concerned him.

Mr. Grundhoefer disagreed because he believed the goal was to get rid of the content and make it content neutral and did not feel it had any impact on the political scene. He felt the city would benefit because it would be getting more restrictive with where the signs could be placed; politicians could no longer place their signs in the right-of-way which would contribute to the beauty of the city. Mr. Monk asked who could be fined, and Chairman Ritz asked if the ordinance was approved by Council, what the enforcement process would be. Mr. Richards advised they tried to be proactive – if they saw it, they would enforce it. If it was in the right-of-way where the property owner had not given permission, they would contact the property owner. If it was in the yard and oversized or not on the proper signpost, they would contact the property owner since they gave permission. He stated the present ordinance gives permission to collect signs and dispose of them. Chairman Ritz appreciated that the revisions neutralized the message content and removed signage from the right-of-ways, and he was more inclined to do something like this for the aesthetic benefit. Mr. Monk felt the discussion was brought about by political signage, and Mr. Grundhoefer was looking at it from a broad sense that the city was trying to clean up the clutter on the right-of-ways.

Chairman Ritz agreed that it was the visually cluttered signage for various purposes that was undesirable. He pointed out it would be interesting when a body of elected officials had to decide this issue since they were the ones who were those politicians who might live and die by being able to place political signs as they saw fit. He referenced Ms. Mack's suggestion regarding permits. Mr. Larson pointed out the slow down reminder signage for speed control in various neighborhoods. Mr. Richards explained his division removed garage sale signs from right-of-ways since the signage should be placed on the property of the garage sale. Mr. Grundhoefer suggested that getting the permission of the neighbor for a garage sale should also apply to real estate or political signage. Chairman Ritz agreed working with the neighborhood was a good thing. Mr. Monk felt this would only hurt small politicians, small businesses and minorities; persons with resources and power would continue to do what they do.

Mr. Jordan asked if the Board made a change in the ordinance, what impact would it have on Code Enforcement. Mr. Richards advised he currently had three field officers who enforce the LDC, illegal dumping, and abandoned cars. He stated a change in the ordinance would make them busy at first regarding right-of-ways, but they would place that as a priority. He explained they would distribute the new ordinance and educate first before issuing fines. Regarding sign spinners, Chairman Ritz explained in looking at the text, temporary signage cannot be attached to a building. Mr. Monk addressed religious groups standing in the right-of-ways with their signage expressing their opinions. Mr. Grundhoefer suggested this ordinance would not prohibit that and perhaps it should read "temporary signs are attached signs." If someone carried a sign, it would not be attached; perhaps banners and flags, etc., should be listed in the language.

Mr. Monk suggested the ability to express one's written opinion or who they support religiously, politically or in business is a fundamental constitutional right, and he did not feel right about just striking the language and was nervous about the why and how.

Mr. Grundhoefer stated Escambia County included language describing what an air-activated sign was, but he did not know if the ordinance needed to go into that much detail, but it could identify those as included in the temporary signs. However, he still did not want signage in the right-of-way. Chairman Ritz agreed if the signage was on private or a business property, this would be acceptable. Mr. Monk brought up someone selling goods in the right-of-ways and that this change was being brought forward for political reasons and who would actually benefit from the political signs instead of looking at all those who would be hurt as a result. He felt the Board needed time to walk through this and take the time to look at the new yoga shop, the taco stands and small businesses and remember that the city had encouraged new businesses, but now it would not be letting them advertise. He was thinking of businesses on 12th Avenue where they were trying to build up to the next Seville Square type foot traffic.

Chairman Ritz asked if there was a staff timeline on moving this item forward. Ms. Deese stated it had been considered and would not be on the July meeting agenda due to notification requirements. It would be placed on the August Planning Board agenda at the very earliest. Chairman Ritz pointed out the present timeline would not impact the current election season. Ms. Deese advised another consideration would be the 45-day rule in the LDC which applies to Planning Board, and even though the Board was not making a decision today, it should specify its intentions. Chairman Ritz was thankful for Ms. Mack and wanted to get more input from others especially in the workshop sessions which could offer other suggestions in support or opposition. He emphasized the changes would move the current clutter from the right-of-ways and force people to find a place on private property for their signage.

Mr. Jordan asked if the City Attorney had given a date for this adjustment, and Ms. Deese indicated she had not given a target date. Mr. Grundhoefer pointed out what made this worse was because the Board now knows about it, and if it didn't act, someone could sue and win. Mr. Richards advised they do enforcement but always contact people and give them a reasonable amount of time to concur using discretion and common sense. Chairman Ritz appreciated the fact they were removing clutter from the right-of-ways onto property. He pointed out the Board could direct staff to include verbiage for August specifically addressing people holding signs. Mr. Grundhoefer emphasized this requirement was not trying to clean up a city but trying to make the content neutral to prevent parties from suing. However, it was an opportunity to beautify the city. Mr. Jordan stated he would not even address people holding signage. Mr. Richards stated in their process, they would receive a complaint and then would have to make a determination regarding the ordinance violation. **Chairman Ritz again felt staff should look into handheld signage from a legalistic side as well as how it is handled in other jurisdictions to accommodate Code Enforcement.**

Mr. Weeks pointed out there was not enough staff to monitor permits for temporary signage; permanent signage is permitted. He referred to temporary signage per parcel and felt it did not need to address people standing on a street corner holding a sign. As an example, he used protest signs on the right-of-ways being permitted; those would be First Amendment rights. Mr. Monk suggested the Board was making a ruling for the city regardless of who comes into power. Mr. Weeks advised in being a long-time resident of East Hill, this issue also affects him. Chairman Ritz suggested the changes took the vagueness out of the ordinance. Mr. Richards advised they issued notices of violations; sometimes it was verbal and people took action immediately. For the "We Buy Houses" signage, he stated he had an officer call stating he was interested in selling his house and met those people at one of the houses and issued a ticket. Sometimes they picked up the signs and called the individuals to explain the ordinance.

Mr. Monk asked if there was a compromise regarding the right-of-ways which could be content neutral. Mr. Richards advised the biggest learning curve would be no signage in the right-of-ways. Mr. Jordan asked Ms. Mack if she had reviewed the Escambia County ordinance, and she stated she had done so briefly but would wait until the August meeting to explain some of her objections. She also advised with the current ordinance, political signs adjacent to private property call for the owner's permission. Mr. Grundhoefer pointed out this revision would address that. Chairman Ritz stressed if there was any other specific language on the hand held signage, he would appreciate that information. **Ms. Deese confirmed the Board wanted a legal determination on a person holding a sign regardless of the message, what others have done, and what is legal; what city was able to make the least number of changes to comply with the court ruling; and is there some compromise that is content neutral that still allows signage within the right-of-ways.** Chairman Ritz advised if the Board confirmed the ordinance in August, it would proceed to Council in September, with a second reading in October. Ms. Deese advised there was probably not enough time for advertising since the August Planning Board date is later than usual. The ordinance would most likely go before the Council in October with a second reading in November and would not affect the current election cycle. Chairman Ritz indicated if the ordinance moved forward from Council, 2019 would present a new learning curve for signage within the city.

Since there were no applications to consider, Ms. Deese informed the Board there would be no July meeting.

Adjournment – With no further business, Chairman Ritz adjourned the workshop meeting at 3:35 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
Secretary to the Board



PLANNING SERVICES

THE UPSIDE *of* FLORIDA

MEMORANDUM

TO: Planning Board Members
FROM: Brandi Deese, Assistant Planning Services Administrator
DATE: April 30, 2018
SUBJECT: Proposed Amendment to LDC Chapter 12-4-6 – Temporary Signs

In June 2015, the United States Supreme Court issued a decision in *Reed v. Town of Gilbert, Ariz.*, - U.S., 135 S. Ct. 2218 (2015) which clarified that temporary signs must be regulated in a content-neutral manner. This ruling impacted sign codes across the country, including the City of Pensacola's, because temporary signs are typically regulated by sign message. The Land Development Code currently provides specific regulations for temporary signs including real estate, political, construction, holiday displays, portable, garage sale, temporary banners, architectural or other temporary signs. These regulations are content-based and must be revised.

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

222 West Main Street Pensacola, FL 32502 / T: 850.435.1670 / F: 850.595.1143 / www.cityofpensacola.com

**PROPOSED
ORDINANCE NO. _____**

ORDINANCE NO. _____

**AN ORDINANCE
TO BE ENTITLED:**

**AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA
AMENDING SECTION 12-4-6 OF THE CODE OF THE CITY
OF PENSACOLA, FLORIDA; AMENDING REGULATION OF
TEMPORARY SIGNS IN THE LAND DEVELOPMENT CODE
TO CONFORM REGULATION TO THE REQUIREMENTS
OF LAW; CREATING SECTION 12-4-6 (a) PROVIDING FOR
REMOVAL OF SIGNS IN VIOLATION; AMENDING
SECTION 12-14-1 TO AMEND THE DEFINITION OF
TEMPORARY SIGNS; PROVIDING FOR SEVERABILITY;
REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Pensacola finds and determines that it is appropriate to update and revise its Land Development Code relative to temporary signage to be in conformity with the judicial requirements of law;

WHEREAS, the City of Pensacola finds and determines that in meeting the purposes and goals established in this recital, it is appropriate to regulate temporary signs, as set forth in Section 12-4-6;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PENSACOLA,
FLORIDA:**

SECTION 1. Section 12-4-6 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 12-4-6. – Temporary signs

Temporary signs shall meet the criteria and limitations set forth in Table 1, shown below:

TABLE 1. CRITERIA AND LIMITATIONS FOR TEMPORARY SIGNS

<u>Property Use</u>	<u>Residential</u>	<u>All Other</u>
<u>Maximum number of temporary signs per parcel</u>	<u>4</u>	<u>4</u>

- ~~(c) Such signs shall be removed immediately upon closing.~~
- ~~(d) Such signs shall be no closer than seven (7) feet to the curb or edge of the pavement of the road.~~
- ~~(B) Construction site identification signs.~~ Non-illuminated construction site identification sign identifying the project, the owner or developer, architect, engineer, contractor, subcontractors, and funding sources, and may contain related information provided such signs meet the following conditions:
 - ~~(a) One sign per street frontage of the site may be erected and the sign(s) shall not exceed fifty (50) square feet in area.~~
 - ~~(b) All such signs shall be removed within five (5) days after the completion of construction.~~
 - ~~(c) Such signs shall be no closer than seven (7) feet to the curb or edge of the pavement of the road.~~
- ~~(C) Holiday displays.~~ Displays, including lighting, erected in connection with the observance of official holidays. Such displays shall be removed within five (5) days following the holidays.
- ~~(D) Political signs which meet the following requirements:~~
 - ~~(a) The maximum size of any political sign erected in the city shall be sixteen (16) square feet.~~
 - ~~(b) All political signs shall be supported by posts or uprights furnished by the installer of said sign and in no case will signs be supported by power poles, telephone poles, fence or fence posts, trees or any other structure not furnished specifically for the particular sign.~~
 - ~~(c) All political signs shall be located only on private property except as provided herein. This applies to all public property located within the city limits.~~
 - ~~(d) Political signs are allowed on public right-of-way adjacent to occupied homes or businesses with the consent of the occupant, but no closer than three (3) feet to the curb or edge of the road. Provided, however, a political sign shall not be allowed on any public right-of-way unless the person whose candidacy is advertised thereby shall first agree in writing to indemnify, defend and save harmless the city from and against any and all claims for property damage or bodily injury, including death, arising out of or in connection with the presence of such political sign advertising his candidacy in any public right-of-way.~~
 - ~~(e) Political signs shall not be installed in any required visibility triangle, as described in section 12-2-35, where the sign will obstruct the view of the motorist at an intersection.~~
 - ~~(f) No political sign shall be placed on a vacant lot or on a lot with a uninhabited primary structure unless a letter from the property owner is on file with the inspection division indicating that permission has been granted.~~
 - ~~(g) All political signs installed in the city shall be removed within ninety (90) days of installation or within five (5) working days of the time a candidate is elected or eliminated from the race, whichever occurs first.~~
 - ~~(h) Any political sign not in compliance with this subsection shall be removed by the candidate within twenty four (24) hours of notification or the sign shall be removed by the city at the direction of the mayor. When signs are removed by the city, the candidate's name and number of signs collected will be recorded against the specific complaint. Candidates shall pay a service charge of two dollars (\$2.00) for each sign removed by the city before the~~

~~election and fifteen dollars (\$15.00) for each sign removed after the election for which the candidacy is advertised.~~

- ~~(i) For the purposes of this subsection, a political sign is a sign which promotes or endorses the nomination or election of a candidate for political office.~~
- ~~(E) *Portable signs.* One portable sign, limited to two (2) sign faces back to back and not exceeding thirty two (32) square feet each, shall be permitted at any location, except in residential districts and where prohibited otherwise in this title, provided that the display of such sign not exceed a period of seven (7) calendar days within any six month period. The sign owner is required to obtain a permit for portable signs.~~
- ~~(F) *Garage sale signs* which meet the following requirements:~~
 - ~~(a) No more than two (2) signs advertising such garage sale shall be permitted.~~
 - ~~(b) Such signs shall be located only on the premises of the applicant upon which the sale is conducted or on the street right of way immediately adjacent to the premises.~~
 - ~~(c) Such signs shall be no more than two (2) feet by two (2) feet in size.~~
- ~~(G) *Temporary banners* indicating that a special event, i.e., public or community event, such as a fair, carnival, festival or similar activity is to take place with the following conditions:~~
 - ~~(a) Such banner shall be erected no sooner than two (2) weeks before the event.~~
 - ~~(b) Such banner must be removed no later than three (3) calendar days after the event.~~
 - ~~(c) Banners extending over street rights of way require approval of the city manager.~~
- ~~(H) *Architectural signs.* Permanent banners, murals and other decorative features of buildings which are determined to be architectural in nature and approved by the appropriate review board shall be allowed on buildings in the gateway review district, the governmental center district, the Palafox historic business district, the waterfront redevelopment district, the West East Hill preservation district, the South Palafox business district, the Pensacola historic district, and the North Hill preservation district. Such architectural features which also serve the purpose of informing the public about the building or events therein may be changed periodically provided they remain in compliance with the design approved by the appropriate review board.~~
- ~~(I) *Other temporary signs.* Temporary signs not covered in the foregoing categories, so long as such signs are allowed within the district, meet the following restrictions, and a permit has been granted by the city manager or his designee:~~
 - ~~(a) Not more than one (1) such sign may be located on any lot.~~
 - ~~(b) No such sign may exceed thirty two (32) square feet in surface area, unless prior approval is granted by the mayor or his designee.~~
 - ~~(c) Such sign may not be displayed for longer than fourteen (14) consecutive days, prior to the activity or event.~~
 - ~~(d) All sign locations must have the prior approval of the mayor or his designee.~~
 - ~~(e) If a sign is located within the public right of way, a certificate of insurance acceptable to the city shall be provided.~~

SECTION 2. Section 12-4-6 (a) of the Code of the City of Pensacola, Florida, is hereby created to read as follows:

Sec. 12-4-6 (a). – Enforcement.

Signs found to be in violation of Section 12-4-6 will be removed.

SECTION 3. Section 12-14-1 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 12-14-1. – Definitions enumerated.

As used in this title and unless the context clearly indicates otherwise:

. . .

~~Sign, political.~~

. . .

~~Sign, temporary. A sign intended to advertise community or civic projects, construction projects, property for sale, lease or rent, or special events on a temporary basis for a designated period of time.~~ Signs which are erected for a period of time not to exceed one (1) year.

SECTION 4. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: _____

Approved: _____
President of City Council

Attest:

City Clerk

Legal in form and valid as drawn:

City Attorney



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 20-00297

City Council

6/11/2020

DISCUSSION ITEM

FROM: City Council President Jewel Cannada-Wynn

SUBJECT:

BOARDS HANDBOOK

SUMMARY:

This handbook is designed to provide a standardized operating procedure for all of our Boards, Commissions and Authorities, unless otherwise dictated by State Law - like our Pension Boards.

A Standardized Rules and Procedures for each board are being developed currently with the handbook as the guidance.

This item seeks to discuss the handbook, ensure that all items the Council wants are included and/or excluded prior to bringing forward for Council approval.

PRIOR ACTION:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

1) Board Handbook (1)

PRESENTATION: No

Handbook for Appointed Boards, Commissions & Authorities



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INTRODUCTION

The City Council appoints members to the City's Boards, Commission and Authorities. These bodies have functions from being advisory in nature to quasi-judicial in form. Each has its own function, role and responsibility that must be maintained for efficient and effective operations. Remaining focused on the roles, responsibilities and reporting tract helps to ensure that each Board, Commission or Authority is functioning in accordance with Council directives, City code and the City Charter.

All City of Pensacola Boards, Commissions, Authorities and Task Forces (hereinafter referred to a "Board") serve at the pleasure of the City Council. Each of these entities was created for a different reason and has defined relationships and responsibilities. Each appointed body has a specific scope of authority as provided by City Ordinance, State Statute or Council action. These bodies do not set policy, but rather serve as Council representatives for their specific discipline, serving as a citizen sounding board where appropriate.

DEFINITIONS

Quasi-Judicial – When a governmental body (such as the Planning Board or Architectural Review Board) applies law to a particular set of facts or circumstances to reach a decision, the decision is "quasi-judicial" because the governmental body is taking an action similar to that taken by a judge. "Quasi" means nearly, almost, or like. Traditionally, "court like" procedures of government have come to be known as "quasi-judicial" because they are like those procedures used by courts.

Quadi-Judicial proceedings -- Among other things, Boards functioning in a quasi-judicial capacity are responsible for taking action to approve or deny certain types of site plans or other requests as required by City Code, as well as making recommendations to the City Council on Zoning map amendments. These actions involve the application of law to a certain set of circumstances.

The Florida Supreme Court recognized that decision of local government that apply law to specific circumstances such as zoning changes are judicial in nature. The Supreme Court decided these "quasi-judicial" decision should be made in proceedings conducted with most of the same protections available to those persons who are presenting a case in court. These protections include the right to have all witnesses testify under oath, the right of opposing sides to ask questions of each other's witnesses, and the right of each side to hear everything said to the decision maker.

Boards – Boards serve in an advisory and/or investigatory capacity to the City Council. They can also function in a quasi-judicial capacity. Boards are usually standing bodies, involved with ongoing subject areas.

Commissions -- Commission may have administrative, quasi-judicial or advisory powers based on the enabling ordinance or council action. Commissions are standing or permanent bodies, involved with ongoing subject areas.

Committees – Committees are usually temporary bodies organized according to specific goal's accomplishment. Committees usually act in an advisory and/or investigatory capacity.

Task Force -- Task Forces are specific bodies designed to aid in accomplishing a specific goal, policy, or project. Task Forces are not usually standing bodies, unless the nature of the subject area dictates otherwise.

BOARD, COMMISSION AND AUTHORITY APPOINTMENT INFORMATION

Important information a citizen would need to know regarding appointment to a Board, Commission, Authority or Task Force:

- (a) All appointments require formal action of the City Council.
- (b) Terms of office for individual Boards will be set forth in the enabling legislation or council action.
- (c) The City Clerk's Office will send out notices for openings for Boards. Incumbent members will be required to file an application of interest to the City Clerk, prospective new members will need to file an application of interest and will be required to be nominated by a City Council member.

** Please note – a request by an incumbent to remain on a board is not a guarantee of reappointment, that determination is solely at the discretion of the City Council

- (d) The size of any Board will be set forth within the enabling legislation or council action.
- (e) City Boards will reflect, to the greatest extent possible, diversity in makeup.
- (f) Where the City Code or Council action is silent to residency, individuals appointed to Boards must reside within the city limits of Pensacola; excepting those specialty positions set forth in the enabling legislation or council action.

APPLICATION

The City Clerk's office maintains a file of all interested citizens for boards. An interested citizen should complete an application of interest and submit it to the City Clerk. As vacancies arise, notice will be provided to the City Council and general public. An applicant meeting all the qualifications and who, where required have been nominated by a member of the City Council, will be presented to the City Council as a body. To be appointed an applicant must receive a majority vote of the existing membership of City Council. Applications can be accessed via the City of Pensacola website at www.cityofpensacola.com, under the City Government – Boards & Commission tab. Or by contacting the City Clerk's Office:

City Clerk's Office
222 W. Main St.
Pensacola, FL 32502
(850) 435-1606

BOARDS, COMMISSIONS, AND AUTHORITY'S LISTING

Architectural Review Board

Description The Architectural Review Board approves or disapproves plans for buildings to be erected, renovated, or razed which are located, or to be located, within the historic districts, preservation districts, and the Governmental Center District.

Membership Seven members, appointed by the City Council. Two (2) members are nominated by West Florida Historic Preservation, Inc., each of whom shall be a resident of the City of Pensacola; one (1) member shall be either a member of the City Planning Board, or a resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District; two (2) members shall be registered architects, each of whom shall be a City resident; one (1) member who is a resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District; and one (1) member who is a property or business owner in the Palafox Historic Business District or the Governmental Center District.

Term of Office Two years

Code Enforcement Authority

Description Louis F. Ray, Jr. is the Special Magistrate Judge for the City of Pensacola's Code Enforcement Authority.

Construction Board of Adjustment & Appeals

Description The Construction Board of Adjustment and Appeals reviews and grants or denies applications for variances and waivers of all technical codes, including the building code, the plumbing code, the gas code, the mechanical code, the electrical code, the minimum housing code, the unsafe building abatement code, and the swimming pool code; however, not the life safety and fire prevention codes. Serves as the regulation and discipline board for holders of City plumbing and gas certificates of competency. Reviews the appeals of the interpretation of the Building Official in regards to technical codes.

Membership Seven members and two alternates, appointed by the City Council. The board shall be comprised as follows: one (1) registered architect, one (1) registered professional engineer, one (1) general or building contractor, one (1) electrical contractor, one (1) plumbing and gas contractor, one (1) mechanical contractor and one (1) member at large from the public. Alternates shall be one (1) member at large from

the construction industry and one (1) member at large from the public. Board members are not required to be City residents

Term of Office Three years (alternates serve two-year terms)

Eastside Redevelopment Board

Description The Eastside Redevelopment Board was established pursuant to the requirements of Florida Statute 163.2517 (2)(a)(b) regarding a community participation process that provides for the ongoing involvement of stakeholder groups in urban infill and redevelopment areas. (Ord. #09-13 adopted 3/14/13)

Membership The Eastside Redevelopment Board shall consist of five (5) members: Two (2) homeowners and one (1) owner of a business located within the Eastside Neighborhood TIF District area appointed by the City Council; one (1) representative of the Eastside Neighborhood Improvement Association designated by the association; and one (1) member of City Council.

Term of Office Three years

Environmental Advisory Board

Description The Environmental Advisory Board may review and make recommendations to the City Council and Mayor on environmental policy issues as follows:

- (1) Proposed ordinances and codes of an environmental nature.
- (2) Proposed changes to existing environmental ordinances and codes.
- (3) Other environmental matters affecting the city referred to the Board by the City Council and Mayor.
- (4) Other environmental matters affecting the City that are initiated by the Board and approved by the City Council and/or Mayor.

Membership The Board shall be composed of nine (9) members appointed by the City Council: Five (5) members who are employed or retired environmental professionals, or members of local environmental organizations or businesses with an interest in City environmental issues. To the extent practicable, members will be residents or property owners of the City. Four (4) at-large members who are residents or property owners of the City.

Term of Office Two years

Fire Pension Board of Trustees

Description The Board of Trustees for the Firemen's Relief and Pension Fund oversees the administration of the Firemen's Pension Plan and investment of Pension Funds.

Membership Five members; two (2) appointed by the City Council; two (2) elected by firefighters; and one (1) appointed by other four members.

Term of Office Two years

Fire Prevention Board of Appeals

Description The Fire Prevention Board of Appeals was established by Council ordinance as a Board of Appeals to review grievance regarding the decisions of the Fire Marshal.

Membership Five members and two alternates, appointed by the City Council. Members shall have expertise in building construction and fire safety standards. No more than one member or alternate shall be engaged in the same business profession, or line of endeavor.

Term of Office Three years

General Pension Board of Trustees

Description The General Pension Board of Trustees oversees administration of the General Pension Plan and investment of Pension Funds.

Membership Six members; three (3) are appointed by City Council and one (1) by the Council President. The remaining two (2) members are elected by employees participating in the general pension plan.

Term of Office Six years (Council appointees); Two years (Employee representatives); The Council President's appointee serves at the Council President's pleasure.

International Relations Advisory Board

Description The International Relations Advisory Board serves as a clearing house for the City with its six sister cities, international communities and organizations. The IRAB will assist elected officials and staff to coordinate contracts with international guests,

coordinate official dignitary visits with foreign offices of protocol, promote positive community relations with international trade, economic and community development through educational and cultural exchanges and serve as official ambassadors for the City with foreign dignitaries and other official international visitors.

Membership Five members, appointed by the City Council. Members are not required to be City residents.

Term of Office Two years

Parks & Recreation Board

Description The Parks and Recreation Board shall advise and make recommendations to the City Council and shall advise the Mayor's office via the Director of Parks and Recreation on matters concerning the establishment, maintenance and operation of parks and recreation within the city. The board shall provide input on master plan updates and improvements, and policy development for the use of recreational facilities.

Membership Nine members, appointed by the City Council.

Term of Office Three years

Planning Board

Description The Board advises the City Council concerning the preparation, adoption, and amendment of the Comprehensive Plan; reviews and recommends to Council ordinances designed to promote orderly development as set forth in the Comprehensive Plan; hears applications and submits recommendations to Council on the following land use matters: proposed zoning changes, proposed amendments to zoning ordinance, proposed subdivision plats and proposed street/alley vacations. Board initiates studies on the location, condition, and adequacy of specific facilities of the area, i.e., housing, parks, public buildings. Board schedules and conducts public meetings and hearings pertaining to land development and hears variance requests within the Gateway Redevelopment District and the Waterfront Redevelopment District.

Membership Seven members, appointed by the City Council.

Term of Office Two years

Police Pension Board of Trustees

Description The Board of Trustees of the Police Officer's Retirement Fund oversees the administration of the Police Pension Plan and investment of Pension Funds.

Membership Five members; two (2) appointed by City Council; two (2) elected by police officers; one (1) appointed by other four members.

Term of Office Two years

Urban Core Redevelopment Board

Description The Urban Core Redevelopment Board was established pursuant to the requirements of Florida Statute 163.2517 (2)(a)(b) regarding a community participation process that provides for the ongoing involvement of stakeholder groups in urban infill and redevelopment areas.

Membership The Urban Core Redevelopment Board shall consist of members appointed by the City Council. One member shall be a member of City Council. The following areas shall each have a member representing it on the Board: Belmont DeVilliers Area (one seat); Central Business Area (one seat); East Hill Area (one seat); Gateway Area (one seat); Historic District – Aragon Area (one seat); Long Hollow Area (one seat); North Hill Area (one seat); Old East Hill Area (one seat); Tanyard Area (one seat); Waterfront Area (one seat). Members appointed to these seats shall be residents or owners or operators of businesses located within the Urban Core CRA neighborhood in which they represent. No member shall be a paid employee of the City. No Area may be represented by more than one member at a time; should no eligible person be identified to serve for a particular Area, then that seat shall remain empty until such time as an eligible person is appointed to serve.

Term of Office Three years

Westside Redevelopment Board

Description The Westside Redevelopment Board was established pursuant to the requirements of Florida Statute 163.2517 (2)(a)(b) regarding a community participation process that provides for the ongoing involvement of stakeholder groups in urban infill and redevelopment areas. (Ord. #33-14 adopted 9/11/14)

Membership The Westside Redevelopment Board consists of seven (7) members: Six (6) members who are redevelopment area residents, members of area neighborhood associations, or owners or operators of businesses located in the redevelopment area; and one (1) member of City Council.

Term of Office Three years

Zoning Board of Adjustment

Description The Zoning Board of Adjustments reviews and grants or denies applications for variances, waivers, and special exceptions to the Land Development Code. The Board hears and decides on appeals when it is alleged that there is error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the Land Development Code.

Membership Nine members, appointed by the City Council. Members must be residents or freeholders of the City.

Term of Office Three years

GENERAL OPERATING PROCEDURES

Selection of a Chairperson

The Chairperson (Chair) of any board is crucial to efficiently run meetings. Boards will select their chair and vice-chair on an annual basis. A nomination of a board member will be made with the affirmative vote of the majority of the existing membership necessary for approval. The same process will be followed for the selection of a vice-chair. **Selection of Chair and Vice-Chair will take place at the meeting immediately following the seating of a new board.** (not sure exactly how to word this, trying to get some uniformity on when the Chair and Vice Chair is selected....thought about

everyone doing it in say, April – but I think it depends on when terms are up and when new members are seated)

Powers of the Chairperson

The chair is responsible for conducting the meeting and acting as liaison between staff and the board. The chair also has the power to limit discussion during the meeting to the main issue under consideration and to end debate when it ceases to be productive. The presiding officer has the right to make and second motions, participate in debate and vote on all matters before the board. Robert's Rules of Order will be used as a guide for parliamentary procedures by all boards.

Attendance

At the beginning of each meeting, roll call shall be taken and absences noted. In order to be an effective board, regular attendance by the members is expected. The following governs attendance at meetings:

- (a) When a member has been absent for three (3) or more meetings within a six (6) month period (for boards meeting monthly) or two (2) meetings within a twelve (12) month period (for boards meeting quarterly), that information shall be communicated with the Council Executive by the Board Chair. The Council Executive will contact the board member to ensure their status and desire to remain on the board has not changed and to ascertain the reasons for the absences. This information will be relayed to City Council who may, at their discretion, treat such absences as the member's resignation.
- (b) Resignations shall be submitted, in writing, to the City Clerk and Council Executive. Resignations shall be effective when submitted or on the date requested by the board member to become effective. Upon notice of vacancy, the City Clerk will follow the normal process for filling a vacancy.

Voting and Quorum

A majority of the existing membership as designated by Ordinance or Council Action shall constitute a quorum for the transaction of business. For each board meeting, the determination of a quorum should follow immediately after the roll call. If there is not a quorum present, the Chairman can call the meeting to order, announce the absence of a quorum and share information without formal action, pending the establishment of a quorum or adjourn the meeting.

For an item to pass, it must obtain the affirmative vote of the majority of the existing membership of the board. In accordance with guidance from the Attorney General's Office, if a board member is present (within the building) and no conflict of interest exists, the board member must cast a vote on items coming before them.

Vote results should be announced and recorded in a way that reflects the vote of those present. For example, if 5 board members are present on a 7-member board, the results should reflect that the item passes 5-0 with two members absent. It should not be reflected as the item passes unanimously, as not all members were present. If all members are present and an item passes 7-0, then a unanimous result is appropriate.

PUBLIC INPUT AND PARTICIPATION

All meetings of Boards must be open to the public. There is, however, no obligation under the Sunshine laws, that a Board is required to permit public input at any meeting, excepting that boards that are quasi-judicial in nature must provide an opportunity for participation in the process by an aggrieved or adversely affected party. However, it is the desire of City Council that public input be allowed and encouraged during all Board meetings, to include an Open Forum opportunity.

RULES AND PROCEDURES

Each board will have a set of rules and procedures which have been approved by the City Council, these rules and procedures will supersede any existing rules, guidelines or bylaws. Any proposed amendments to the rules and procedures must be approved by the City Council before becoming effective.

CODE OF ETHICS

All board members shall be subject to the Code of Ethics established and incorporated by Chapter 2-6 of the Code of Ordinances of the City, as amended from time to time, and as authorized by the Charter of the City and contemplated by Sec. 2-6-3 of the Code of Ordinances. Further, board members shall be provided with annual ethics and Sunshine Law training by a member of Council staff or the City Attorney's Office.

REMOVAL OF BOARD MEMBERS

Removal of board members shall be in accordance with Florida Statute Sec. 112.501 and/or the policy and procedures set forth by the City Council.

PENSACOLA IN THE SUNSHINE

Florida's Government in the Sunshine Law provides a right of access to governmental proceedings at both the state and local levels. The law is equally applicable to elected

and appointed Boards and has been applied to any gathering of two (2) or more members of the same Board to discuss some matter which will foreseeably come before that Board for action. There are three basic requirements of §286.011, Florida Statutes:

1. Meetings of public Boards and Commissions must be open to the public;
2. Reasonable notice of such meetings must be given; and
3. Minutes of the meeting must be taken.

The law applies to elected and appointed Boards of any government agency in the state of Florida. It equally binds advisory boards whose powers are limited to making recommendations to a public agency and which possess no authority to bind that agency.

Even though an Advisory Board must submit their recommendations for review by an elected body it does not exempt them from the provisions of this law.

Meetings are defined as any gathering whether formal or casual of two (2) or more members of the same Board to discuss some matter on which foreseeable action will be taken by the public board. This rule extends to telephone conversations and e-mail communication, and even instant messaging conversations, whether on person or public devices. This can extend further to a casual lunch between two (2) members of a Board – if they discuss some issue that the appointed body to which they belong, that lunch becomes a public meeting and is subject to all the provisions of the Sunshine Law.

While this may seem very restrictive, it is not the case. Appointed members of Boards must remain aware of with whom they are communicating and what is being discussed. The safest course of action is to avoid discussion about matters that will come before the advisory body, with other members of the body, except when attending a meeting of that body. Should questions arise about this law, contact staff with your concern.

CONFLICT OF INTEREST

Generally, a conflict of interest exists when a board member influences a decision of the board that will (or has the potential to) materially affect the individual's financial interest. Questions involving conflicts of interest are each unique unto themselves, and each potential conflict must be considered individually in order for proper legal guidance to be given. Any Board member who has a question concerning a possible conflict of interest may contact the City Attorney's Office or a private attorney, and should do so immediately.

DEFINITIONS

Breach of public trust –

A violation of a provision of the State Constitution or Florida Statutes which establishes a standard of ethical conduct, a disclosure requirement, or a prohibition applicable to public officers or employees in order to avoid conflicts between public duties and private interests.

Business Associate –

Any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venture, co-owner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

Conflict or conflict of interest –

A situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

Material interest—

A direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity. For the purposes of this act, indirect ownership does not include ownership by a spouse or minor child.

Public Officer –

Any person elected or appointed to hold office in any agency, including an advisory body.

Relative –

Means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, or wife.

Section 112.3143(3)(a), Florida Statute, prohibits a county, municipal or other local public officer from voting on any measure which inures to his or her special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal or parent organization or subsidiary of a corporate principal, other than a public agency, by who he or she is retained; or which the officer knows would inure to the special private gain or loss of a relative or business associate of the officer. An exception exists for a commissioner of a community redevelopment agency created or designated pursuant to Sec. 163.356 F.F. or Sec 163.357 F. S. or an officer of an independent special tax district elected on a one-acre, one-vote basis. Section 112.3143(3) (b), F.S.

Florida law requires that all persons appointed to boards disclose any financial interests they have by filing disclosure forms and must abstain from participating in any matters

before their board that may have an impact on their financial interest. In effect, if a board member does business with a person or business coming before the board, it is essential for that member to not participate in the proceedings, or the individual will be in violation of the law. In addition, members of boards are required to abstain from voting when a conflict of interest is involved. This means that they may not vote on any matter which may have an impact on themselves, a family member, or someone who retains their services.

When an individual abstains from voting, a voting conflict form 8B provided by the City, must be completed and returned within 14 days after the vote occurs. This form must be attached to the official minutes of the meeting.

If you believe you have a possible conflict of interest in any matter before your advisory body, contact the City Attorney's officer or City Clerk's office before taking any official action on the matter where the conflict may exist.

STEPS TO RESOLVE A CONFLICT OF INTEREST

Notwithstanding the provision of Sec. 112.3143, Florida Statutes, or subsequent superseding legislation, a board member required to abstain from a vote by Florida law shall make his or her disclosure at the commencement of the discussion of the conflicted item and shall not participate in the discussion. The board member must complete a FORM 8B and submit it to the City Clerk's Office within 15 days of the abstention. The requirement for board members to vote, minus a required abstention, shall be consistent with Attorney General's opinions regarding this matter.

Who Must File Form 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, committee or task force. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:
--

1. You must complete and file Form 8B (before making any attempt to influence the decision) with the person responsible for recording the minutes or the meeting, who will incorporate the form in the minutes.
2. A copy of the form must be provided immediately to the other members.
3. The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:
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- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete Form 8B and file it within 14 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

EXPECTATIONS FOR BOARD MEMBERS

Citizen input on City programs and services are vital to ensuring their relevance, efficiency and effectiveness to the community. Using citizen Boards on various issues is an important way for the City Council and City of Pensacola administration to receive and consider citizen input.

Serving on a City of Pensacola Board is always challenging and rewarding. The information given below should help board members understand some of the expectations the City of Pensacola has for them in their respective roles.

1. Every member has a valuable contribution to make and each member should respect and consider each other's input in a particular subject. Boards are expected and encouraged to respect the diversity of opinions of each member.
2. Members are expected to seek out and consider input from citizens interested in an issue or parties impacted by actions of the body prior to making a final determination on an issue.
3. Boards represent the City of Pensacola and the Pensacola City Council, in their appointed roles. All members are expected to conduct themselves in a manner that demonstrates **respect, integrity, teamwork, and competence**.
4. Members should periodically take the time to set realistic and achievable goals and allow enough time to do a good job on each issue.
5. Board members are asked to regularly attend all meetings. Members should notify staff prior to the meeting about potential absences.
6. All persons involved in Boards should treat each other with fairness and respect. Interactions between Board members and City staff not meeting this standard should be brought to the attention of the Council Executive.
7. Board members are expected to stay within the guidelines and roles set forth for their particular board.

EXPECTATIONS FOR BOARD CHAIRPERSONS

Chairpersons of Boards have several important responsibilities, which are essential to the effectiveness of the respective group. These responsibilities include:

1. Conduct meetings in an efficient manner, focusing on the issues relevant to the functions and mission.
2. Regulate and facilitate discussion among board members to ensure that all viewpoints are represented. Give each member the opportunity to express ideas and/or concerns on issues that are being considered by the Board.

3. Provide an opportunity for the public to be heard both during the open forum portion of the meeting and prior to a vote being taken on any given item.
4. Ensure compliance with the “Government in the Sunshine” laws.
5. Ensure compliance with appropriate rules and procedures.
6. Assist in orienting new board members about the function, role and mission of the board.
7. Assist in mediating conflicts or disputes between members during meetings.
8. Serve as primary contact with staff.

OTHER MEETING GUIDELINES WHEN DISCUSSING ISSUES

1. When an item or topic is first introduced or a main motion is made, allow all question for information purposes to be asked before opening to debate.
2. Discourage the repetition of arguments. Attempt to call on people who have not yet spoken before those who have already spoken. Discourage dialogues that start up between two individuals in debate. Members are not recognized to speak but through the Chairperson.
3. If debate carries on too long, impose time limits on speakers.

MEETING PROCEDURE

It is important that all organizations have underlying organizational structure and procedures. Robert's Rules of Order will be a guide for all boards. The guidelines below provide guidance for members and the general public. Some City boards currently use a similar format that is given below. This list has been created to provide a framework for board procedures:

The following three (3) points are always in order:

1. **Point of Order:** a question about process, or objection and suggestion of alternative process. May include a request for the facilitator to rule on process. Can only be called by a Board member.
2. **Point of Information:** a request for information on a specific question, either about process or about the content of a motion. This is not a way to get the floor to say something you think people should know.
3. **Point of Personal Privilege:** a comment addressing a person need – a direct response to a comment defaming one's character, a plea to open the windows, etc.

MOTIONS

All motions must be seconded and are adopted by a majority vote of the existing membership of the board. All motions may be debated unless otherwise noted. Motions are in order of precedence: motions may be made only if no motion of equal or higher precedence is on the floor (i.e. don't do a number 5 (move to end debate) when the body is discussing a number 4 (move to suspend rules)).

1. **Motion to Adjourn:** not debatable; goes to immediate majority vote. If all business has concluded, the Chairperson may adjourn the meeting without a motion.
2. **Motion to Recess:** not debatable. May be for a specific time.
3. **Motion to Appeal the Facilitator's Decision:** Not debatable; goes to immediate vote and allows the body to overrule a decision made by the chair.
4. **Motion to Suspend the Rules:** suspends formal process for dealing with a specific question. Debatable; requires simple majority vote.

5. **Motion to End Debate and Vote or Call the Question:** applies only to the motion on the floor. Not debatable; requires simple majority vote.
6. **Motion to Extend Debate:** can be general, or for a specific time or number of speakers. Not debatable.
7. **Motion to Amend:** must be voted for by a majority to be considered and by a simple majority to be passes: If amendment is accepted as “friendly” by the proposer of the amendment then many bodies will allow it to be accepted without formal vote; this is a way of including a consensus-building process into procedure without endless debate over amendments to amendments. Strictly speaking, however, once the main motion is made it is the property of the body to amend.
8. **Main Motion:** what it is you’re debating and amending.
9. **Voice Vote:** The form of voting on a motion by which the Chairperson asks those in favor to respond to the motion in question by saying “aye” and then asks those opposed to the motion to say “no.” If the “ayes” have the majority, the Chairperson will state that the motion has passed. If the prevailing side is negative, the Chairperson will state that the motion has failed. The vote should be announced and recorded according to the number of members present. (I.e. If 5 members of a 7-member board are present and a motion passes 5-0, the vote should be recorded as passing 5-0 with two (2) absent).
10. **Roll Call Vote:** The form of voting on a motion by which the Chairperson request staff to conduct a vote by calling the roll. Each member answers as their name is called and staff records their vote. An entry must b e made in the minutes of each member and how they voted. This method of voting is very time consuming and is not normally used.

HELPFUL LINKS

City of Pensacola website, calendar, forms, information:

www.Cityofpensacola.com

Code of Ordinances and Land Development Code:

www.municode.com

State of Florida Ethics

www.ethics.state.fl.us

