



MINUTES OF THE PLANNING BOARD

August 10, 2021

MEMBERS PRESENT: Chairperson Paul Ritz, Vice Chairperson Larson, Board Member Grundhoefer, Board Member Powell, Board Member Van Hoose, Board Member Villegas

MEMBERS ABSENT: Board Member Sampson

STAFF PRESENT: Assistant Planning Director Cannon, Historic Preservation Planner Harding, Assistant City Clerk Tice, Assistant City Attorney Lindsay, Senior Planner Statler, Capital Improvements Forte, Network Engineer Johnston, Help Desk Technician Russo

STAFF VIRTUAL: Planning Director Morris

OTHERS PRESENT: Jack & Cheri Sparks, Michelle MacNeil, Laurie Flynn Tankersley, Dickie & Jo Heckler, Clint Geci, Kevin Hagen

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from July 13, 2021.
- **New Business:**
- 525 Aragon Street – Aesthetic Review – Gateway Review District
- Request for License to Use Right-of-Way - 1154 North 12th Avenue
- Request to Recommend a New Zoning District and Future Land Use Category for the Voluntary Annexation of One (1) Parcel Owned by AMR at Pensacola, Inc.
- Amendment to the Land Development Code (LDC) Allowing Density Transfer
- Open Forum
- Discussion
- Adjournment

Call to Order / Quorum Present

Chairperson Ritz called the meeting to order at 2:15 pm with a quorum present. Assistant City Clerk Tice swore in Board members Van Hoose, Villegas, Ritz, Larson and Grundhoefer. Board Member Larson nominated Board Member Ritz for Chairperson, seconded by Board Member Grundhoefer, and it carried 5 to 0; Board Member Grundhoefer nominated Board Member Larson for Vice Chairperson, seconded by Board Member Van Hoose, and it carried 5 to 0.

Chairperson Ritz explained the procedures of the Board meeting including requirements for audience participation.

Approval of Meeting Minutes - Board Member Larson made a motion to approve the July 13, 2021 minutes, seconded by Board Member Grundhoefer, and it carried 5 to 0.

New Business -

3. 525 Aragon Street – Aesthetic Review – Gateway Review District

Michelle MacNeil, Architect, is requesting approval for a new 2-story single-family residence with a detached garage and courtyard located at 525 Aragon Street. The structure provides a front and rear balcony as well as a pergola and patio/pool area between the residence and the detached garage. The Aragon Architectural Review Board approval letter was furnished to the Board. Staff clarified that Aragon was located within the Gateway Review District (GRD) and therefore reviewed by this Board.

Ms. MacNeil presented to the Board and explained this was a side-yard house in Aragon, and the client was hoping to build a principal building toward the front of the site and an outbuilding in the rear. Chairperson Ritz noted the comments from Mr. Crawford supporting the project and had nothing to add except that it was an aesthetically pleasing house. **Board Member Grundhoefer agreed and made a motion to approve, seconded by Board Member Larson, and it carried 5 to 0.**

4. Request for License to Use Right-of-Way – 1154 North 12th Avenue

(Board Member Powell was sworn in and joined the Board.)

Dickie Heckler is requesting approval for a License to Use (LTU) for eleven additional parking spaces within the Right-of-Way at 1154 North 12th Avenue. The additional parking being requested is in conjunction with a proposed new restaurant and includes an easement for a future City sidewalk.

Chairperson Ritz clarified the LTU would actually be on Brainerd Street. Mr. Geci presented to the Board and stated the previous use was a salon, but the current owner was converting the site to a restaurant which triggered an LTU for parking. They proposed gravel parking and addressed concerns of the Engineering Department. Chairperson Ritz explained that the applicants were requesting to use the LTU exclusively for their benefit to say they were their parking spaces, and they could control them, however, the City would still own the property. He pointed out other LTUs within that area and he had no issues with the LTU on Brainerd. He explained the Board's purview was to weigh the merits of an LTU on this parcel and not get in to the details of their site plans or parking count for this project and this meeting. He explained the City had been hesitant to have any LTU on the 12th Avenue thoroughfare.

Board Member Van Hoose verified that the LTU would change the parking lot from grass to gravel with wheel stops. Mr. Geci advised the change was to make it a more permanent parking area. Chairperson Ritz advised this item was in a C-1 zone as opposed to residential. Mr. Geci stated anything new that they proposed would require a permanent surface, and it was requested to be gravel. He stated if they could keep it as grass, they would entertain that, but Engineering had requested it be gravel. Chairperson Ritz stated anything allowed by the City for that size parking lot would be allowed since the Board could not change the LDC for parking lot design. Staff advised the Board was giving the applicant a recommendation for permission to go forward and apply to use this land since

it was City right-of-way. A recommendation could include working with Engineering for some alternative other than gravel alone. Assistant City Attorney Lindsay stated the Board's recommendations were welcome and could be considered. Staff advised Section 12.4.3(2)(b) stated parking lots with ten or less parking spaces may be surfaced with alternative surface materials which included crushed stone, gravel, or other suitable materials. Chairperson Ritz advised the Board's recommendation would be forwarded to Council to accept, reject, or modify. Mr. Geci indicated the Engineering comments involved delineating the parking slots with treated timbers. Staff advised Engineering was making sure the easement was properly recorded for pedestrian ingress, egress and conveyed to the City – there was an easement on this in case the City desired to have a sidewalk in the future. Board Member Villegas did not have a problem with the gravel but was concerned with extra gravel and areas having water runoff. Chairperson Ritz stated when going for construction permits, that issue would be reviewed by City staff since this Board did not review stormwater issues. Mr. Geci explained the stormwater threshold had been reviewed, and they were below the threshold for impervious surface.

Ms. Sparks, owner of the property next door, advised her building was formerly doctors' offices. She now has five clinicians and mental health counselors who see clients in this building. She was concerned when the effect of COVID goes away, crowded parking will return with the new project becoming a restaurant. She asked if she was allowed designated parking in front of her business and how many tables and staff would there be in the new business. Chairperson Ritz offered that the parking along 12th Avenue does not have LTUs, and she could not place signs along 12th Avenue. The number of tables in the restaurant belonged in the permitting process in determining tables to parking spaces. The Board's purview was to determine if the LTU was appropriate for Brainerd Street. Since her business had no parking, she relied on City right-of-way parking, and it was in a neighborhood where that occurred frequently. Staff clarified that since the parking spaces on 12th Avenue were adjacent to the applicants property, they would be allowed to count those spaces toward the required parking requirement, and the LTU was necessary to meet the LDC parking requirements. The LTU spaces could be controlled, but they would not be able to claim the 12th Avenue spaces for their use only.

Mr. Sparks asked about speaking to this item after the meeting, and Chairperson Ritz stated the only time this Board would discuss this item was during this meeting. The Board would make a recommendation, and the item would proceed to Council for consideration.

Mr. Heckler, co-owner of the 1154 property, stated the City indicated they had to pave, rock, or shell the LTU parking area as well as insure it; they were happy to comply and appreciated the opportunity to be in East Hill.

Board Member Grundhoefer made a motion to approve the LTU with the recommendation to Council that they work with City Engineering to allow for grass parking in lieu of gravel. Chairperson Ritz clarified the motion was to approve the LTU with the direction to ask the City Engineering staff to look into allowing grass in place of the gravel parking. Staff advised the previously stated Section 12.4.3(2)(b) referred to parking lots. Chairperson Ritz indicated the way the City applied this section, if the LTU were approved, it would become a parking lot. **The motion was seconded by Board Member Powell and carried 6 to 0.**

5. Request to Recommend a New Zoning District and Future Land Use Category for the Voluntary Annexation of One (1) Parcel owned by AMR at Pensacola, Inc.

AMR at Pensacola, Inc. officially requested Annexation into the City of Pensacola on June 1, 2021. The requested parcel is located on the southeast corner of the intersection of West Blount Street with North Pace Boulevard which is in an unincorporated portion of Escambia County. The proposed area for annexation is on the west border of the City and is referred to as “AMR Annexation Area.”

The AMR Annexation Area is contiguous to the City and encompasses approximately forty-four-hundredths (0.44) acres. Staff advised the request was simultaneously going before Council for 2nd reading, and the zoning and future land use goal was to be as compatible with the surrounding area as possible (the City area). R-2 zoning regulations Section 12-3-6 – Residential/office land use district, were read to the Board.

Chairperson Ritz stated he believed the intent was to build tiny homes for affordable housing on this site. It was determined this item would go as a recommendation to Council.

Mr. Hagen, President of the Board of Directors for AMR at Pensacola, Inc., advised they were gifted this property from Baptist Hospital, and their intent was to build eight (8) tiny homes. The R-2 designation made sense and worked with their plans. He advised with the annexation zoning established, they would be ready to proceed after the 2nd reading from Council. Staff confirmed the Board was solely approving the zoning district, and annexation was proceeding in Council; after annexation was complete and zoning in place, the applicants were set to move forward with their site planning. The Board’s focus was on the compatibility of the surrounding zoning which was R-2 and office. Planning Director Morris clarified that the City’s LDC already allows for tiny homes not by a specific reference but through our cumulative zoning and density allowances. Inspections submitted the appendix to the Building Code and Council approved it. That allows for tiny homes under the Building Code. State Statute requires that we bring annexed property under the City zoning or future land use districts.

Board Member Van Hoose wanted to make clear that the Board was voting to determine zoning for land currently in the county. Assistant City Attorney Lindsay advised the Board was making a recommendation of a zoning designation for land that is to be annexed; Council would make the final determination.

Board Member Grundhoefer recommended R-2 as appropriate zoning, seconded by Board Member Larson, and it carried 6 to 0.

6. Amendment to the Land Development Code (LDC) – Allowing Density Transfer

Staff stated the Board approved Amendments to the Comprehensive Plan to provide for density transfers between parcels as an additional means to provide flexibility within areas where redevelopment and/or affordable housing was desirable. Per Objective FLU 1.8 and 1.8.3, density transfers shall be a direct transfer of unutilized density from a donor site to a receiving site, subject to the City’s land development and density transfer regulations. A draft of what was approved in July 2019 was given to the Board. When changes are made to the Comprehensive Plan which sets the vision for the City, those changes are reviewed by the Department of Economic Opportunity (DEO) for the State. At that time, the DEO had asked for more specifics in the Comprehensive Plan amendments; the LDC amendments mirror what was approved in the Comprehensive Plan. In order to implement the FLU in the Comprehensive Plan, you must also update the LDC. Chairperson Ritz explained that a landowner might have a parcel that might be undesirable, and they want to take the available residential units on that property and transfer them to a piece of property which may be more desirable – the donor piece gives

up its units to the receiver piece. The Board had approved the Comprehensive Plan language and was now including that language into the LDC to become codified. Board Member Grundhoefer questioned the recent Density Bonus only going before the Building and Inspections Department. Assistant Planning Director Cannon explained that was because of the green building design which was approved by that department. The language states that “all density bonuses and density transfers shall be approved by the City Planning Board.” Appeals would proceed to the Council. Green Building Design proceeds to the Building and Inspections Department. Board Member Villegas inquired about the process for the sites to transfer. Staff advised it there were 35 dwelling units per acre, you can get a 10% density transfer which would add 3.5 more units if you demonstrate you have superior site design. The goal is to incentivize someone to come forward with a high-quality product. It would also promote a more compact and better design. Chairperson Ritz indicated the City was primarily built out, but there might be places people felt were underutilized and should have that density elsewhere. He explained that Council has asked that the Board itemize the rationale for approval or disapproval of these transfers. This applies to Medium Density Residential and greater and does not take away from the Low Density Residential. Board Member Grundhoefer pointed out the language stated approved for superior buildings and site design and preservation of archaeology and environmentally sensitive lands – listing all of the above criteria.

Vice Chairperson Larson made a motion to approve, second by Board Member Grundhoefer, and it carried 6 to 0.

Open Forum -

Discussion – Vice Chairperson Larson welcomed the new members and was glad to see such a diverse group serving on the Board.

Adjournment - With no further business, Chairperson Ritz thanked the Board and adjourned the meeting at 3:20 pm.

Respectfully Submitted,

Cynthia Cannon, AICP
Assistant Planning Director
Secretary to the Board