



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 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