



City of Pensacola

Planning Board

Agenda

City of Pensacola
222 W. Main Street
Pensacola, FL 32502

January 9, 2024, 2:00 PM

Hagler-Mason, 2nd Floor

The meeting can be watched via live stream at cityofpensacola.com/video.

CALL TO ORDER / QUORUM

APPROVAL OF MINUTES

1. 24-2 PLANNING BOARD MEETING MINUTES FROM DECEMBER 12, 2023

Recommendation:

Sponsors:

Attachments: Planning Board Minutes December 12, 2023

REQUESTS

2. 24-3 REQUEST FOR PRELIMINARY PLAT APPROVAL – GADSDEN & 7TH AVENUE SUBDIVISION, ZONING DISTRICT OEHC-1

Attachments: Gadsden & 7th Ave_Images
Gadsden & 7th Ave Subdivision_Application and
Materials_1.2.2024
Review Comments_Gadsden & 7th
Sec._12_3_10(3).___Historic_and_preservation_land_use_district.
(4)
Sec._12_3_105.___Conventional_subdivision. (2)
Sec._12_7_3.___Procedure_for_subdivision_approval. (4)

3. 24-5 PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE – CRA PARKING REDUCTIONS FOR SPECIFIC LAND USES

Attachments: Sec._12_4_1._Off_street_parking_spaces_requirements_Amendment
s
Resolution 13-84
Resolution 55-80
Planning Board Minutes August 8 2023 (002)

OPEN FORUM**DISCUSSION ITEMS**

4. 24-31 STAFF UPDATE ON THE LAND DEVELOPMENT CODE ASSESSMENT
BY INSPIRE PLACEMAKING COLLECTIVE.

Recommendation:

Sponsors:

Attachments: None

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 850-435-1666) 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.



MINUTES OF THE PLANNING BOARD

December 12, 2023

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

MEMBERS ABSENT: Chairperson Ritz, Board Member Sampson

STAFF PRESENT: Planning & Zoning Manager Cannon, Assistant Planning &
Zoning Manager Harding, Assistant City Attorney Lindsay,
Help Desk Technician Russo, Parking Manager Dees,
Executive Assistant Chwastyk

STAFF VIRTUAL: Development Services Director Morris

OTHERS PRESENT: Jonathan Green, Mark Whitney

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from November 14, 2023
- **New Business:**
- Site Plan and Aesthetic Review Application – 70 Gathering Green West – Gateway Redevelopment District-1
- Request for Final Plat Approval – Terraces at Tarragona
- Open Forum
- Discussion
- Adjournment

Call to Order / Quorum Present

Vice Chairperson Larson called the meeting to order at 2:00 pm with a quorum present and explained the procedures of the Board meeting, including requirements for audience participation.

Approval of Meeting Minutes – Board Member Villegas made a motion to approve the November 14, 2023, minutes, seconded by Board Member Powell, and it carried 4:0.

New Business –

Aesthetic Review Application – 70 Gathering Green West – Gateway Redevelopment District – 1, Aragon Subdivision

Assistant Planning & Zoning Manager, Harding introduced the item, Mark Whitney, Whitney Architecture, is requesting site plan and aesthetic approval for a new single-family residence in the Aragon subdivision. The building is a corner lot in the Small Cottages V design group and will have smooth Hardi siding and a shingle roof, PGT vinyl windows, and wood doors. Approval has been received from the Aragon Architectural Review Board. Mark Whitney, architect, and applicant, presented to the board. It was clarified that the Aragon ARB approved the project and Board Member Grundhoefer asked questions on their specific comments. All comments had been addressed prior to the Planning Board meeting. All colors had also been approved. All staff comments had also been addressed. Board Member Grundhoefer thought it was a handsome design.

Board Member Powell made the motion to approve as presented. The motion was seconded by Board Member Villegas, and it carried 4-0.

Request for Final Plat Review Application – Terraces at Tarragona – Site Specific Development

Assistant Planning & Zoning Manager, Harding introduced the item. McKim & Creed is requesting final plat approval for the Terraces at Tarragona subdivision located at 120 S. Tarragona Street. This property is located in a Site-Specific Development (SSD) zoning district, along with the Pensacola Historic District, the Palafox Historic Business District, and the Dense Business Area. One (1) parcel will be subdivided into six (6) lots to accommodate single-family attached residences. The property area is 0.33 acres. The maximum density is 35 dwellings. The setback requirements include: front setback of 2', rear setback of 20', north side yard setback of 5' and south side yard setback of 2'. The preliminary plat was approved in August 2022. This request has been routed through the various City departments and utility providers. Assistant Planning and Zoning Division Manager Harding provided an overview of site-specific developments and provided some background information on this specific development. In 2006, there was a major revision to the site-specific development which required, and was granted, ARB and City Council approval, showing six attached townhomes on individual parcels. The 2006 approved plans show that the development would accommodate front-entry parking along Tarragona Street. While front-entry parking might not normally be approved by ARB in the historic districts, this has site-specific development zoning, so not all historic district standards are applied, and there is precedence with the development to the north and due to the 2006 approval. In 2022, ARB approved current plans, upholding the form, massing, and general development layout of the 2006 approval. Presently, there are several on-street parking spaces along Tarragona and directly in front of the proposed subdivision, and the applicant has been in contact with Parking Services. Since subdivision plats only concern the division of land, Planning Board's review is limited to within the property boundaries and as a technical review.

Jonathan Green presented to the board and reported that the only change from the preliminary plat was an added +/- 2' strip of land once owned by the County on the north end, slightly increasing the northern parcel, but not impacting the size of the other proposed lots nor the proposed buildings. It was clarified that the proposed construction has been approved by ARB, and that any changes would require further review. Board Member Grundhoefer expressed concerns that people may park in the right of way, and

staff commented that parking was not permitted on sidewalks, Code Enforcement would respond to any complaints of violation.

Board Member Van Hoose arrived.

Since the site is nearly 100% paved, there were no further stormwater retention requirements. Right of way work would include curb cuts and any proposed improvements would be constructed to city standards and maintained by the property owner, but that it would remain public right of way.

Vice Chairperson Larson stated that for Planning Board's purposes, they are reviewing the division of one parcel into to 6 parcels.

Board Member Villegas made the motion to approve. The motion was seconded by Board Member Powell, and it carried 5-0.

Open Forum – Planning and Zoning Manager Cannon provided an update on the LDC assessment by Inspire Placemaking Collective. Planning Board requested an on-going discussion item for continual updates and staff agreed. Staff also provided an update on items going to Council for review, such as the LDC amendment providing building height bonuses and review of a subdivision plat.

Discussion Items – None.

Adjournment – With no further business, the Board adjourned at 2:35 p.m.

Respectfully Submitted,



Gregg Harding, RPA
Assistant Planning & Zoning Manager
Secretary of the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 24-3

Planning Board

1/9/2024

ACTION ITEM

SUBJECT:

Request for Preliminary Plat Approval – Gadsden & 7th Avenue Subdivision, Zoning District OEHC-1

SUMMARY:

Rebol-Battle & Associates is requesting preliminary plat approval for the Gadsden and 7th Avenue Subdivision. These properties are located within the OEHC-1 zoning district of which three (3) parcels will be subdivided into five (5) lots to accommodate five (5) single-family detached residences.

- Property area: 0.37 acres
- Maximum Density: 35 dwelling units per acre
- Setback requirements: There shall be a 5-foot side yard setback, but no front or rear yard setbacks, unless this chapter requires a larger yard or buffer yard.

This application has been routed through the various City departments and utility providers. The comments received to date have been provided within your packet.

RECOMMENDED CODE SECTIONS

[Sec. 12-3-10\(3\). Old East Hill preservation district](#)

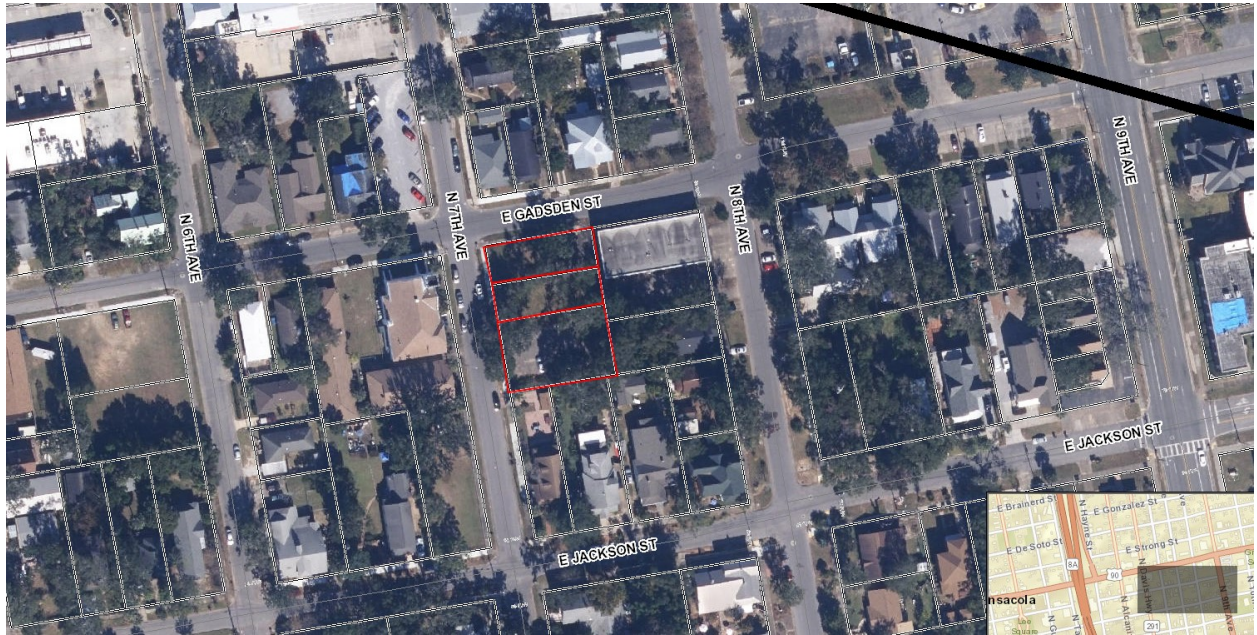
[Sec. 12-3-105. Conventional subdivision](#)

[Sec. 12-7-3 Procedure for subdivision approval](#)

ATTACHMENTS:

1. Gadsden & 7th Ave_Images
2. Gadsden & 7th Ave Subdivision_Application and Materials_1.2.2024
3. Review Comments_Gadsden & 7th
4. Sec._12_3_10(3).__Historic_and_preservation_land_use_district. (4)
5. Sec._12_3_105.__Conventional_subdivision. (2)
6. Sec._12_7_3.__Procedure_for_subdivision_approval. (4)

Gadsden & 7th Avenue Preliminary Subdivision Plat



SUBDIVISION PLAT

☒ **Preliminary Plat**

Fee: \$1,000.00 + \$25/lot

☐ **Final Plat**

Fee: \$1,500.00 + \$25/lot

1. Applicable Parks/Open Space Fees are due prior to recording the Final Plat;
2. Resubmittal: 1/2 the initial fee;
3. Rescheduling of Planning Board/City Council: \$250.00

Applicant Information	Owner Information (If Different from Applicant)
Name: <u>Rebol-Battle & Associates, LLC</u> Address: <u>2301 N 9th Avenue, Suite 300, Pensacola, FL 32503</u> Phone: <u>850-438-0400</u> Email: <u>jasonr@rebol-battle.com</u>	Name: <u>Nikki Nash</u> Address: <u>120 E Main Street, Pensacola, FL 32502</u> Phone: <u>850-429-8640</u> Email: <u>nikkinash@gmail.com</u>

Property Information

Location Address: 622 N 7th Avenue

Subdivision Name: Gadsden & 7th Ave. Subdivision

Parcel ID #: 0 0 - 0 S - 0 0 - 9 0 2 0 - 0 6 5 - 0 1 2 ; 070-012; 080-012

of EXISTING Parcels to be Subdivided: 3 # of PROPOSED Lots: 5 Total Acreage: 0.37

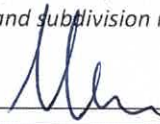
Type of Subdivision: ☒ Residential ☐ Non-Residential/Commercial

Legal Description: Attached a full legal description from deed or survey

Will a Variance from the Subdivision Regulations be requested for the project (Sec. 12-7-7)? ☐ YES ☒ NO

If YES, Please specify the exact Variance requested: _____

I, the undersigned applicant, understand that payment of these fees does not entitle me to approval of this plat and that no refund of these fees will be made. Also, I understand that any resubmissions based upon non-compliance with the City subdivision and/or development requirements will result in one-half (1/2) the initial application fee. I have reviewed a copy of the applicable zoning and subdivision requirements and understand that I must be present on the date of the Planning Board meeting.

Signature of Owner:  Date: 12/5/23

For Office Use Only		
Zoning: _____	FLUM: _____	Council District: _____
Date Received: _____	Case Number: _____	
Application Fee: _____	Receipt #: _____	
Open Space Requirement (acres or \$): _____	Receipt #: _____	
Planning Board date: Prelim: _____ FINAL: _____	Recommendation: _____	
City Council date: _____	Council Action: _____	
Recording Date: _____	Map BK/PG: _____	

Planning Services

222 W. Main Street, Pensacola, Florida 32502

(850) 435-1670

Email: PlanningApplications@CityOfPensacola.com

Mail to: P.O. Box 12910 * Pensacola, Florida 32521

SUBDIVISION PLAT

Sec. 12-7-6. Sites for public use.

- (a) *School sites.* The planning board may, where necessary, require reservation of suitable sites for schools; and further, which sites shall be made available to the county school board for their refusal or acceptance. If accepted by the school board, it shall be reserved for future purchase by the school board from the date of acceptance for a period of one year.
- (b) *Sites for park and recreation or open space.* Each subdivision plat shall be reviewed by the planning and leisure services departments in order to assess the following: park and recreational or open space needs for the recreation service area within which the subdivision is located and for the city as a whole; and characteristics of the land to be subdivided for its capability to fulfill park, recreation or open space needs. Based on this review the city staff shall recommend one of the following options:
 - (1) *Dedication of land for park, recreation or open space needs.* The subdivider or owner shall dedicate to the city for park and recreation or open space purposes at least five percent of the gross area of the residential subdivision. In no case shall the aggregate acreage donated be less than one-quarter acre.
 - (2) *Payment of money to an escrow account for park, recreation or open space needs in lieu of dedication of land.* The subdivider or owner shall pay unto the city such sum of money equal in value to five percent of the gross area of the subdivision thereof, which sum shall be held in escrow and used by the city for the purpose of acquiring parks and developing playgrounds and shall be used for these purposes and no others. The aforementioned value shall be the value of the land subdivided without improvements and shall be determined jointly by the mayor and the subdivider. If the mayor and subdivider cannot agree on a land value, then the land value shall be established by arbitration. The mayor shall appoint a professional land appraiser, the subdivider shall appoint a professional land appraiser, and these two shall appoint a third.
- (c) *Public streets.* All streets delineated on all plats submitted to the city council shall be dedicated to all public uses including the use thereof by public utilities, unless otherwise specified herein.

(Code 1986, § 12-8-6; Ord. No. 9-96, § 14, 1-25-1996; Ord. No. 16-10, § 223, 9-9-2010)

Open Space Requirements (*only applicable to residential subdivision*)

Sec. 12-7-6 requires (a) the dedication of 5% of the gross area for open space purposes, or (b) a fee in lieu of land dedication. Please calculate and check the preferred method of meeting the requirement:

(a) Total Land Area: 0.37 acres

5% for land dedication: N/A acres

(may NOT equal less than 1/4 acre)

(b) Value of Land \$ 568,800
(per Escambia County Property Appraiser)

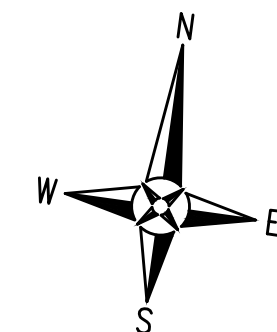
Fee in lieu of land dedication (5% of land value) \$ 28,440

(Check payable to the City of Pensacola. Due after plat approval, prior to receiving signatures)

AND DEVELOPER

PROFESSIONAL SURVEYOR AND MAPPER
MARK A. NORRIS, P.S.M. No. 6211
REBOL-BATTLE & ASSOCIATES, LLC
2301 NORTH NINTH AVE., SUITE 300
PENSACOLA, FL 32503

A RE-SUBDIVISION OF LOT 4 AND THE WEST HALF OF LOT 5, BLOCK 12, OF THE EAST KING TRACT , BEING IN SECTION 19, TOWNSHIP 2 SOUTH, RANGE 30 WEST, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA
DECEMBER 2023



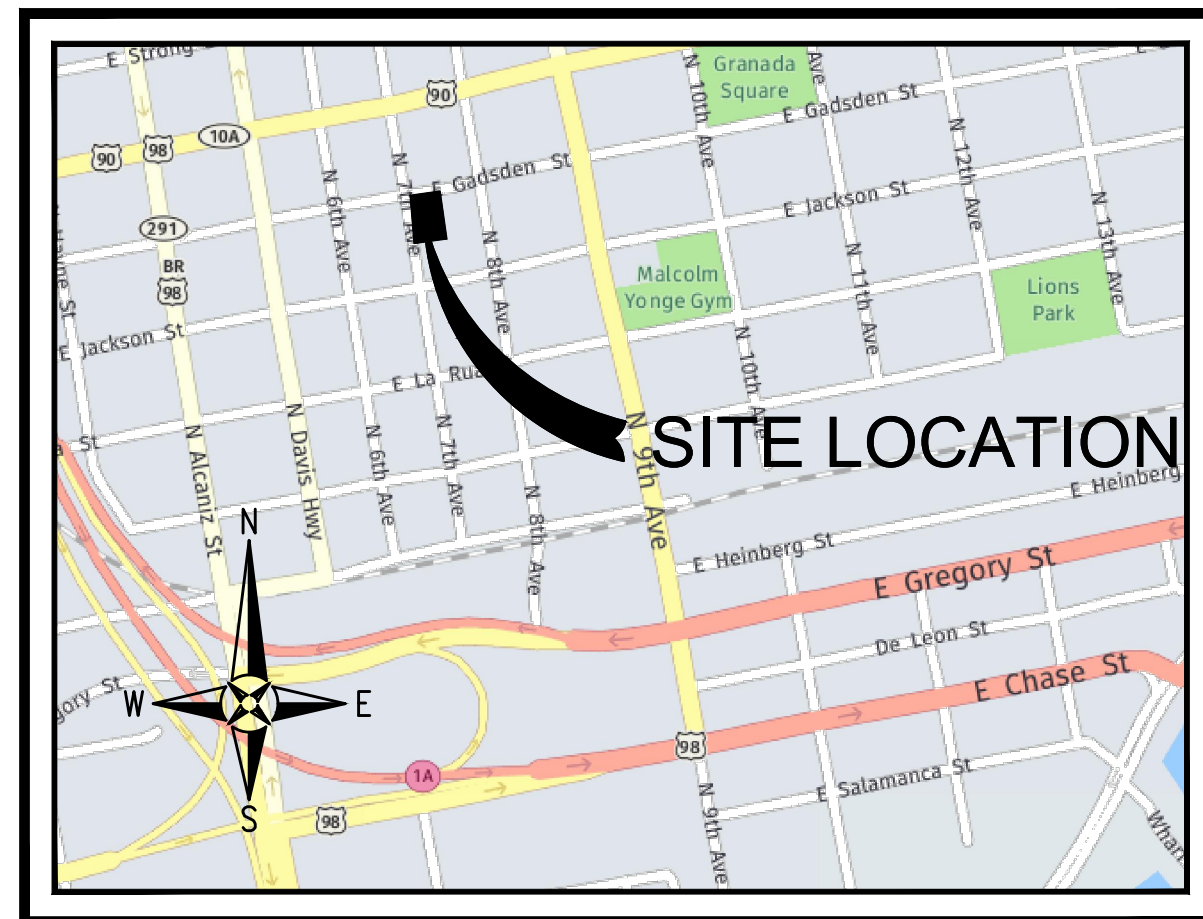
HORIZONTAL SCALE
(IN FEET)
1 INCH = 10 FT. (24"x36")

①	FOUND 1" DIA IRON PIPE (NO IDENTIFICATION)
○	FOUND 1/2" DIA IRON PIPE (NO IDENTIFICATION)
○	FOUND 1/2" DIA IRON ROD (NO IDENTIFICATION)
✕	FOUND "X" CHISELED INTO CONCRETE
⊙	FOUND 1/2" DIA CAPPED IRON PIPE (No. 6112)
⊙	FOUND 1/2" DIA CAPPED IRON ROD (No. 0475)
⊙	FOUND 1/2" DIA CAPPED IRON ROD (No. 0475)
⊙	FOUND 1/2" DIA CAPPED IRON ROD "KJM"
⬇	SET BENCHMARK
⊖	DENOTES GUY WIRE ANCHOR
⊖	DENOTES SANITARY SEWER MANHOLE
⊖	DENOTES SINGLE SUPPORT SIGN
⊖	DENOTES PROPOSED FLUSH HYDRANT
⊖	DENOTES PROPOSED WATER VALVE AND TEE
⊖	DENOTES EXISTING WATER VALVE
⊖	DENOTES WOOD UTILITY POLE
⊖	DENOTES UTILITY SPOT LOCATION
—	DENOTES CHAIN LINK FENCE
//	DENOTES WOOD PANEL FENCE
—OH—	DENOTES OVERHEAD UTILITIES
—	DENOTES BURIED GAS LINE
—FOC—	DENOTES BURIED FIBER OPTIC CABLE
—D—	DENOTES BURIED GRAVITY SEWER LINE
—4"W—	DENOTES PROPOSED 4" DIA WATER MAIN
—6"W—	DENOTES EXISTING 6" DIA WATER LINE
—1.5"W—	DENOTES EXISTING 1.5" DIA WATER LINE
+ 6.00'	DENOTES SPOT LOCATION
—100—	DENOTES ELEVATION CONTOUR LINE AT ONE FOOT INTERVALS
BM	DENOTES BENCHMARK
B/C	DENOTES BACK OF CURB
BSL	DENOTES BUILDING SETBACK LINE
DIA	DENOTES DIAMETER
ECUA	DENOTES EMERALD COAST UTILITY AUTHORITY
EOP	DENOTES EDGE OF PAVEMENT
(F)	DENOTES FIELD INFORMATION
FFE	DENOTES FINISHED FLOOR ELEVATION
(P)	DENOTES PLAT INFORMATION
(PS)	DENOTES PREVIOUS SURVEY INFORMATION
TYP	DENOTES TYPICAL

SITE INFORMATION	
PROPERTY ZONING:	DEHC-C-1
PROPERTY REFERENCE ID'S	00-05-00-9020-065-012 00-05-00-9020-070-012 00-05-00-9020-080-012
PROPERTY AREA:	0.37± ACRES
FLOOD MAP & ZONE:	ZONE "X", 12033C03906, DATED 09-29-06
REQUIRED BUILDING SETBACKS:	FRONT YARD - 5 FEET SIDE YARD - 5 FEET REAR YARD - 15 FEET
DENSITY:	35 DU PER ACRE
MAX. BUILDING HEIGHT:	2-STORIES IN HEIGHT WITH A USABLE ATTIC, NOT TO EXCEED 35 FEET, EXCEPT THAT 2 FEET MAY BE ADDED TO THE HEIGHT OF A BUILDING FOR EACH FOOT THE BUILDING IS SETBACK FROM THE BUILDING SETBACK OR PROPERTY LINE TO A MAXIMUM HEIGHT OF 45' WITH APPROVAL OF THE ARCHITECTURAL REVIEW BOARD
No. OF PROPOSED LOTS:	5
TYPICAL PROPOSED LOT SIZE:	0.08 ACRES
MAX. LOT COVERAGE	THE MAXIMUM COMBINED AREA OF ALL PRINCIPAL AND ACCESSORY BUILDINGS SHALL NOT EXCEED 50% OF THE SQUARE FOOTAGE OF THE LOT

GENERAL NOTES:

1. NORTH AND THE SURVEY DATUM SHOWN HEREON IS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (FLORIDA NORTH ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83) (2011)-(EPOCH 2010.000000) HAVING A BEARING OF NORTH 08°11'02" WEST ALONG THE WEST PROPERTY LINE OF THE SUBJECT PROPERTY AND WERE DERIVED UTILIZING A GLOBAL POSITIONING SYSTEM (GPS) TOPCON HIR II GEODETIC DUAL FREQUENCY RECEIVER. THE RECEIVER WAS UTILIZED IN A REAL-TIME KINEMATIC (RTK) MODE UTILIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION FLORIDA PERMANENT REFERENCE NETWORK (FPRN), FLORIDA GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) REFERENCE STATION NETWORK. PREVIOUS BOUNDARY SURVEY PREPARED BY KJM LAND PLANNING, LLC, DRAWING NUMBER 17-17307, SIGNED-REVISED 8/11/2017; COPY OF PREVIOUS BOUNDARY AND TOPOGRAPHIC SURVEY OF THE SUBJECT PROPERTY BY REBOL-BATTLE & ASSOCIATES, DATED 04/24/2018; MAP OF PENSCOLA FLA, PUBLISHED BY THOS. C. WATSON & CO., COPYRIGHTED IN 1906 AS RECORDED IN DEED BOOK 126, AT PAGE 400 OF THE PUBLIC RECORDS OF ESCAMBA, COUNTY, FLORIDA; DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
2. A TITLE SEARCH WAS PERFORMED BY CHICAGO TITLE INSURANCE COMPANY, POLICY NO. 7230609-21213208, ORDER NO. 6325532, WITH AN EFFECTIVE DATE OF AUGUST 14, 2017 AT 12:56 PM, AND PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY.
3. 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 CITY OF PENSCOLA, FLORIDA, COMMUNITY PANEL NUMBER 12033C0309G, EFFECTIVE DATE OF SEPTEMBER 29, 2006.
4. THERE SHALL BE A 5'-00" FOOT SIDE YARD SETBACK, BUT NO FRONT OR REAR YARD SETBACKS SUBJECT TO THE FOLLOWING: (1) WHERE AN BUFFER YARD IS REQUIRED BY THE LAND DEVELOPMENT CODE, OR (2) WHERE AN EASEMENT EXISTS. IN SUCH CASE, THE SETBACK SHALL RUN CONCURRENT WITH THE EASEMENT.
5. FRONT YARD DEPTHS IN THE OLD EAST LIFT PRESERVATION ZONING DISTRICT SHALL NOT BE LESS THAN THE AVERAGE DEPTHS OF ALL OF THE FRONT YARDS FACING THE STREET ON THE BLOCK, UP TO THE MINIMUM YARD REQUIREMENTS; IN CASE THERE ARE NO OTHER DWELLINGS, THE FRONT YARD DEPTHS SHALL BE NO LESS THAN THE FOOTAGE NOTED.
6. ELEVATIONS AS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAD83) AND ARE REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) VERTICAL CONTROL NETWORK BENCH MARK NUMBER 48--09--0209 HAVING A PUBLISHED ELEVATION OF 60.00 FEET.
7. GRAPHIC SYMBOLISM FOR FEATURES SUCH AS MONUMENTATION, FENCES, TREES, TREE LINES, UTILITIES, ETCETERA MAY BE EXAGGERATED IN SIZE FOR CLARITY PURPOSES. DIMENSIONS TO EXAGGERATED FEATURES WILL SUPERSEDE SCALED MEASUREMENTS.
8. VISIBLE UTILITIES AS SHOWN HEREON ARE BASED ON THE SHOWN HEREON. SUBSURFACE UTILITY LINES WERE LOCATED AND ARE SHOWN AS PER THE RESPECTIVE UTILITY COMPANIES' SPOTTING (PAINTED SPOTS AND FLAGGED LINES). THE FOLLOWING SUNSHINE ONE CALL TICKETS WERE ISSUED FOR THIS PROJECT: 240711107, 240711021, 240711149
9. THE DEVELOPERS INTEND TO UTILIZE THE EXISTING, APPROVED PARCELS AS RESIDENTIAL LOTS. CURRENTLY NO ADDITIONAL PARCELS OR EASEMENTS ARE ANTICIPATED.
11. ALL ROADS AND RIGHT-OF-WAYS SHOWN ON THIS PLAN ARE PUBLIC AND ARE SUBJECT TO MAINTENANCE BY THE CITY OF PENSCOLA.
12. MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN DECIMAL OF FEET.
13. THE STRUCTURE DIMENSIONS DO NOT INCLUDE THE EAVE OVERHANG OR FOUNDATION FOOTINGS, UNLESS OTHERWISE NOTED.
14. ALL DEVELOPMENT SHALL BE SUBJECT TO AN AESTHETIC REVIEW BY THE CITY'S ARCHITECTURAL REVIEW BOARD (ARB).
15. VISIBLE IMPROVEMENTS AND ENCROACHMENTS ARE AS SHOWN HEREON.



VICINITY MAP
NOT TO SCALE

SIGNED _____
LESLIE D. ODOM, P.S.M. No. 6520

BY: MARK A. NORRIS
FLORIDA REGISTRATION No. 6211

DATE _____

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT THIS PLAT IS
A TRUE AND CORRECT REPRESENTATION
OF THE LAND DESCRIBED HEREON,
THAT SAID LAND HAS BEEN SUBDIVIDED
AS INDICATED, THAT THE SURVEY DATA
COMPLIES WITH ALL REQUIREMENTS OF
THE PLAT ACT CHAPTER
177.011-177.151 FLORIDA STATUTES.

MARK A. NORRIS, PROFESSIONAL
SURVEYOR AND MAPPER, STATE
OF FLORIDA REGISTRATION NO.
LS 6211, LB 7916. THIS ITEM HAS
BEEN DIGITALLY SIGNED AND
SEALED BY MARK A. NORRIS,
PSM, ON 12/21/2023. PRINTED
COPIES OF THIS DOCUMENT ARE
NOT CONSIDERED SIGNED AND
SEALED AND THE SIGNATURE
MUST BE VERIFIED ON ANY
ELECTRONIC COPIES.

Department:	Comments:
Planning	All previous comments have been addressed.
FIRE	No issues or concerns.
PW/E	Applicants will be required to remove and replace all the driveways/apron from 7th Avenue.
Surveyor	All survey comments have been addressed.
Inspection Svcs	No issues or concerns.
Pensacola Energy	No issues or concerns.
ECUA	Please let the developer/EOR know that this project will need to submit to ECUA Engineering for review and permitting of water and/or sewer. More information can be found in the ECUA Engineering Manual - Procedures 2 and 3 regarding submittal and review processes (https://ecua.fl.gov/work-with-us/engineering-manuals-contacts). Water and sewer utility maps can be obtained by speaking with a representative in the ECUA Map Room at 850-969-3311. From what I can tell, this project previously applied with ECUA in 2017 with no movement since then. It is considered dead. Rebol-Battle is familiar with ECUA's process. Please disregard if they have recently re-applied.
FPL	No issues or concerns.
ATT	No issues or concerns.
CRA	No issues or concerns.
Parking	No issues or concerns.

Sec. 12-3-10. Historic and preservation land use district.

(3) *Old East Hill preservation zoning districts: OEHR-2, OEHC-1, OEHC-2 and OEHC-3.*

- a. *Purpose.* The Old East Hill preservation zoning districts are established to preserve the existing residential and commercial development pattern and distinctive architectural character of the structures within the district. The regulations are intended to preserve, through the restoration of existing buildings and construction of compatible new buildings, the scale of the existing structures and the diversity of original architectural styles.
- b. *Character of the district.* The Old East Hill neighborhood was developed over a 50-year period, from 1870 to the 1920's. The architecture of the district is primarily vernacular, but there are also a few properties that display influences of the major architectural styles of the time, such as Craftsman, Mission and Queen Anne styles.
- c. *Boundaries and zoning classifications.* The boundaries of the Old East Hill preservation district shall be identified as per a map and legal description, and the zoning classifications of properties within the district shall be identified as per a map, filed in the office of the city clerk.
- d. *Uses permitted.*
 1. *OEHR-2, residential/office district.*
 - i. Single-family detached dwellings.
 - ii. Single-family attached (townhouse or quadraplex type construction) and detached zero-lot-line dwellings. Development must comply with the minimum standards established for the R-ZL zoning district in section 12-3-5(1).
 - iii. Two-family attached dwellings (duplex).
 - iv. Multiple-family attached dwellings (three or more dwelling units).
 - v. Community residential homes licensed by the state department of health and rehabilitative services with seven to 14 residents providing that it is not to be located within 1,200 feet of another such home in a multifamily district, and that the home is not within 500 feet of a single-family zoning district. If it is proposed to be within 1,200 feet of another such home in a multifamily district and/or within 500 feet of a single-family zoning district it shall be permitted with city council approval after public notification of property owners in a 500-foot radius
 - vi. Home occupations subject to regulations in subsection (1)c.1.iv of this section.
 - vii. Bed and breakfast subject to regulations in section 12-3-84.
 - viii. Boarding and lodging houses.
 - ix. Office buildings.
 - x. Studios.
 - xi. Municipally owned or operated parks or playgrounds.
 - xii. Public schools and educational institutions having a curriculum the same as ordinarily given in public schools and colleges subject to regulations in section 12-3-94.

-
- xiii. Libraries, community centers and buildings used exclusively by the federal, state, regional, county and city government for public purposes subject to regulations in section 12-3-90.
 - xiv. Churches, Sunday school buildings and parish houses subject to regulations in section 12-3-86.
 - xv. Minor structures for the following utilities: unoccupied gas, water and sewer substations or pumpstations, electrical substations and telephone substations subject to regulations in section 12-3-88.
 - xvi. Accessory structures, buildings and uses customarily incidental to the above uses subject to regulations in section 12-3-55, except that the following shall apply:
 - (a) Accessory structures shall not exceed one-story in height for a maximum height of 25 feet in order for the accessory structure to match the style, roof pitch, or other design features of the main residential structure.
 - (b) The wall of an accessory structure shall not be located any closer than six feet to the wall of the main residential structure.
 - xvii. Family day care homes licensed by the state department of children and family services as defined in state statutes.

2. *OEHC-1, neighborhood commercial district.*

- i. Any use permitted in the OEHR-2 district.
- ii. Child care facilities subject to regulations in section 12-3-87.
- iii. Nursing homes, rest homes, convalescent homes.
- iv. Parking lots.
- v. The following uses, retail only, with no outside storage or work permitted, except as provided herein:
 - (a) Food and drugstore.
 - (b) Personal service shops.
 - (c) Clothing and fabric stores.
 - (d) Home furnishing, hardware and appliance stores.
 - (e) Craft and specialty shops.
 - (f) Banks.
 - (g) Bakeries.
 - (h) Secondhand stores.
 - (i) Floral shops.
 - (j) Martial arts studios.
 - (k) Outdoor sales of trees, shrubs, plants and related landscaping materials as an accessory to indoor retail sales uses permitted by this section, provided that the area is enclosed within a fence attached to the rear or

side of the main building, and provided that the outdoor area does not exceed 20 percent of the total area of the main building.

- (l) Restaurants.
- (m) Mortuary and funeral parlors.
- (n) Pet shops with all uses inside the principal building.
- (o) Printing firms.
- (p) Business schools.
- (q) Upholstery shops.

- vi. Conditional uses permitted: animal hospitals, veterinary clinics and pet resorts with fully enclosed kennels and no outside runs. Outside exercise areas permitted only if supervised and limited to five or fewer animals.

3. *OEHC-2, retail commercial district.*

- i. Any use permitted in the OEHC-1 district.
- ii. Open air sales of trees, plants and shrubs. The business shall include a permanent sales or office building (including restrooms) on the site.
- iii. Hospitals, clinics.
- iv. Private clubs and lodges, except those operated as commercial enterprises.
- v. Electric motor repair and rebuilding.
- vi. Appliance repair shop.
- vii. Garages for the repair and overhauling of automobiles.
- viii. Sign shop.
- ix. Photo shop.
- x. Plumbing and electrical shop.
- xi. Pest extermination services.

4. *OEHC-3, commercial district.*

- i. Any use permitted in the OEHC-2 district.
- ii. Dive shop.
- iii. Fitness center.
- iv. Theater, except for drive-in.
- v. Taverns, lounges, nightclubs, cocktail bars.

e. *Procedure for review of plans.*

- 1. *Plan submission.* Every application for a building permit to erect, construct, demolish, renovate or alter an exterior of a building or sign, located or to be located in the Old East Hill preservation district, shall be accompanied with plans as necessary to describe the scope of the proposed work pursuant to subsections (1)d.3 through 5 of this section.
- 2. *Review and approval.* All such plans shall be subject to review and approval by the architectural review board established in section 12-12-3. The board shall adopt written

rules and procedures for abbreviated review for minor repairs and minor deviations in projects already approved by the board. This process may authorize the board to designate one of its members to undertake such abbreviated review by the entire board; provided, however, such abbreviated review process shall require review by the staff of West Florida Historic Preservation, Inc. If agreement cannot be reached as it pertains to such request for abbreviated review by the board designee and West Florida Historic Preservation, Inc. staff, then the matter will be referred to the entire board for a decision.

3. *Decisions.*

- i. General consideration. The board shall consider plans for existing buildings based on its classification as contributing, non-contributing or modern infill as depicted on the map entitled "Old East Hill Preservation District" adopted herein, and shall review these plans based on regulations described herein for each of these building classifications. In its review of plans for both existing buildings and new construction, the board shall consider exterior design and appearance of the building, including the front, sides, rear and roof; materials and textures; plot plans or site layout, including features such as walls, walks, terraces, off-street paved areas, plantings, accessory buildings, signs and other appurtenances; and relation of the building to immediate surroundings and to the district in which it is located or to be located. The term "exterior" shall be deemed to include all of the outer surfaces of the building and exterior site work, and is not restricted to those exteriors visible from a public street or place. The board shall consider requests for design materials, alterations or additions, construction methods or any other elements regulated herein, which do not meet the regulations as established in this subsection, when documentary proof in the form of photographs, property surveys, indication of structural foundations, drawings, descriptive essays and similar evidence can be provided. The board shall not consider interior design or plan. The board shall not exercise any control over land use or construction standards such as are controlled by this chapter.
- ii. Rules governing decisions. Before approving the plans for any proposed building located or to be located in a district, the board shall find:
 - (a) In the case of a proposed alteration or addition to an existing building, that such alteration or addition will not impair the architectural or historic value of the building.
 - (b) In the case of a proposed new building, that such building will not, in itself or by reason of its location on the site, impair the architectural or historic value of buildings on adjacent sites or in the immediate vicinity. No plans for new building will be approved if that building will be injurious to the general visual character of the district in which it is to be located considering visual compatibility standards such as height, proportion, shape, scale, style and materials.
- iii. No provision of this section shall be interpreted to prevent the restoration or reconstruction of any historic building or feature (as listed by West Florida Historic Preservation, Inc.) in its original style, dimensions or position on its original structural foundation.
- iv. No provision of this section shall be interpreted to require a property owner to make modifications, repairs or improvements to property when the owner

does not otherwise intend to make any modifications, repairs or improvements to the property, unless required elsewhere in this Code.

- f. *Regulations and guidelines for any development within the Old East Hill preservation district.* These regulations and guidelines are intended to address the design and construction of elements common to any development within the Old East Hill preservation district which requires review and approval by the architectural review board. Regulations and guidelines that relate specifically to new construction and/or structural rehabilitation and repair to existing buildings, applicable to building heights, setbacks, architectural elements and construction types, are established in subsections (3)f through h of this section.
1. *Off-street parking.* Design of, and paving materials for, parking lots, spaces and driveways shall be subject to approval of the architectural review board. For all parking lots, a solid wall, fence or compact hedge not less than three feet high shall be erected along the lot lines when automobiles or parking lots are visible from the street or from an adjacent residential lot.
 - i. OEHR-2 district. All nonresidential development shall comply with off-street parking requirements established in chapter 12-4.
 - ii. OEHC-1, OEHC-2 and OEHC-3 districts. All nonresidential development shall comply with off-street parking requirements established in chapter 12-4. The required parking may be provided off-site by the owner/developer as specified in section 12-4-1(4).
 2. *Landscape.* Landscape area requirements and landscape requirements for parking lots within the OEHR-2, OEHC-1 and OEHC-2 districts shall comply with regulations established in section 12-6-3 for the R-2, C-1 and C-2 zoning districts.
 3. *Signs.* Refer to sections 12-5-2 and 12-5-3 for general sign standards and criteria and for a description of sign area calculations. The location, design and materials of all accessory signs, historical markers and other signs of general public interest shall be subject to the review and approval of the architectural review board. Only the following signs shall be permitted in the Old East Hill preservation district:
 - i. *Temporary accessory signs.*
 - (a) One non-illuminated sign advertising the sale, lease or rental of the lot or building, said sign not exceeding six square feet of area.
 - (b) One non-illuminated sign not more than 50 square feet in area in connection with new construction work, and displayed only during such time as the actual construction work is in progress.
 - ii. *Permanent accessory signs.*
 - (a) North 9th Avenue, Wright Street, Alcaniz Street and Davis Street. For churches, schools, apartment buildings, boarding or lodging houses, libraries, community centers, commercial buildings (including office and retail buildings) or historic sites serving as identification and/or bulletin boards, one freestanding or projecting sign and one attached wall sign or combination of wall signs placed on the front or one side of the building not to exceed 50 square feet in area. The signs may be painted on the building, mounted to the face of the wall of the building, hung from a bracket that is mounted to a wall of a building, hung from other ornamental elements on the building, or may be freestanding. Signs

projecting from a building or extending over public property shall maintain a clear height of nine feet, six inches above the public property and shall not exceed a height of 12 feet. Freestanding signs shall not exceed a height of 12 feet.

- (b) All other streets in the district. One sign per lot per street frontage for churches, schools, apartment buildings, boarding or lodging houses, libraries, community centers, commercial buildings (including office and retail buildings) or historic sites serving as identification and/or bulletin boards not to exceed 12 square feet in area and eight feet in height; provided, however, that signs projecting from a building or extending over public property shall maintain a clear height of nine feet six inches above the public property and shall not exceed a height of 12 feet six inches. The sign may be mounted to the face of the wall of the building, hung from a bracket that is mounted to a wall of a building, hung from other ornamental elements on the building, or may be freestanding. The sign may be illuminated provided that the source of light is not visible beyond the property line of the lot on which the sign is located.
 - (c) One non-illuminated nameplate designating the name of the occupant of the property; the nameplate shall not be larger than three square feet and shall be attached to the dwelling. This section shall be applicable to occupants and home occupations.
 - (d) Municipal or state installed directional signs, historical markers and other signs of a general public interest when approved by the board.
- 4. *Fences.* All developments in the Old East Hill preservation zoning districts shall comply with fence regulations as established in section 12-3-63. Fences are subject to approval by the architectural review board. Approved materials will include but not necessarily be limited to wood, brick, stone or wrought iron. No concrete block or barbed wire fences will be permitted. Chain-link fences shall be permitted in side and rear yard only.
- 5. *Additional regulations.* In addition to the regulations established above in subsections (1)f.1 through 4 of this section, any permitted use within the Old East Hill preservation district where alcoholic beverages are ordinarily sold is subject to the requirements of chapter 7-4.
- g. *Restoration, rehabilitation, alterations or additions to existing contributing structures in the Old East Hill preservation district.*
 - 1. The Secretary of the Interior's standards for rehabilitation, codified at 37 CFR 67, and the related guidelines for rehabilitating historic buildings shall form the basis for rehabilitation of existing contributing buildings. The proper building elements should be used in combinations that are appropriate for use together on the same building. Documented building materials, types, styles and construction methods shall be duplicated when making repairs, alterations and/or additions to contributing structures. Any variance from the original materials, styles, etc., shall be approved only if circumstances unique to each project are found to warrant such variances.
 - 2. The regulations established in subsection (3)f of this section, relating to streetscape elements, shall apply to contributing structures. Regulations established in Table 12-3.10 shall apply to alterations and additions to contributing structures.
- h. *Renovation, alterations and additions to non-contributing and modern infill structures within the Old East Hill preservation district.*

1. Many of the existing structures within the district do not meet the criteria established for contributing structures, even though they may be similar in style to the historic structures, and some structures are modern in style with no relation to the historic structures. All of these buildings shall be recognized as products of their own time. The regulations established in subsection (3)f of this section, relating to streetscape elements, shall apply to non-contributing and modern infill structures. Regulations established in Table 12-3.10 shall apply to alterations and additions to existing non-contributing structures.
2. In review of these structures the board may make recommendations as to the use of particular building elements that will improve both the appearance of the individual structure, its relationship with surrounding structures and the overall district character.
 - i. *Regulations for new construction in the Old East Hill preservation district.* New construction shall be built in a manner that is complementary to the overall character of the district in height, proportion, shape, scale, style and building materials. The regulations established in subsection (3)f of this section, relating to streetscape elements, shall apply to new construction. Table 12-3.10 describes height, area and yard requirements for new construction in the Old East Hill preservation district.
 - j. *Demolition of structures within the Old East Hill preservation district.* The demolition provisions established in subsections (1)i through k of this section, applicable to contributing and non-contributing structures within the historic district, shall apply in the preservation district.

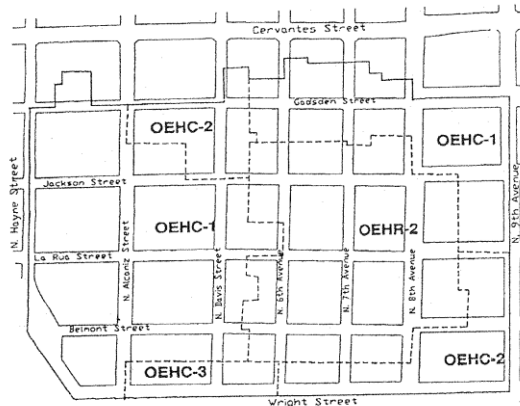
TABLE 12-3.10. REGULATIONS FOR OLD EAST
HILL PRESERVATION
ZONING DISTRICTS

Standards	OEHR-2	OEHC-1	OEHC-2	OEHC-3
Minimum Yard Requirement (Minimum Building Setbacks) Front Yard Side Yard Rear Side	*15 feet 5 feet 15 feet	There shall be a 5-foot side yard setback, but no front or rear yard setbacks, unless this chapter requires a larger yard or buffer yard.		None
Minimum Lot Area For Residential Uses				
Single-family Detached Residential Duplex Residential Multifamily Residential	3,500 s.f. 5,000 s.f. 9,000 s.f.	None		
Minimum Lot Width at Street Row Line	30 feet	None		

Minimum Lot Width at Building Setback Line	30 feet	None	
Maximum Lot Coverage	N/A	The maximum combined area of all principal and accessory buildings shall not exceed 50% of the square footage of the lot.	None
Maximum Building Height (except as provided in section 12-3-62)	Residential buildings shall not exceed two stories in height, with a usable attic. No building shall exceed 35 feet in height, except that three feet may be added to the height of the building for each foot the building is set back from the building setback or property lines to a maximum height of 45' with approval of the architectural review board.		
Minimum Floor Area For Multifamily Developments	600 square feet per dwelling unit		
*Front yard depths in the Old East Hill preservation zoning district shall not be less than the average depths of all of the front yards facing the street on the block, up to the minimum yard requirement; in case there are no other dwellings, the front yard depth shall be no less than the footage noted.			

(Code 1986, § 12-2-10; Ord. No. 6-93, §§ 7, 8, 3-25-1993; Ord. No. 17-93, § 1, 6-10-1993; Ord. No. 29-93, §§ 7—12, 11-18-1993; Ord. No. 32-93, §§ 1, 2, 12-16-1993; Ord. No. 3-94, §§ 5, 6, 1-13-1994; Ord. No. 11-94, § 2, 4-14-1994; Ord. No. 9-96, §§ 5—8, 1-25-1996; Ord. No. 35-97, §§ 1—3, 10-23-1997; Ord. No. 40-99, §§ 6—9, 10-14-1999; Ord. No. 44-99, § 1, 11-18-1999; Ord. No. 13-00, § 1, 3-9-2000; Ord. No. 50-00, §§ 1, 2, 10-26-2000; Ord. No. 2-01, §§ 1—3, 1-11-2001; Ord. No. 6-02, § 2, 1-24-2002; Ord. No. 22-02, § 1, 9-26-2002; Ord. No. 13-06, §§ 5—9, 4-27-2006; Ord. No. 03-09, § 1, 1-8-2009; Ord. No. 16-10, §§ 198, 199, 9-9-2010; Ord. No. 05-17, § 1, 3-9-2017; Ord. No. 11-18, § 1, 9-13-2018; Ord. No. 24-21, § 1, 10-28-2021)

OLD EAST HILL PRESERVATION DISTRICT



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(Supp. No. 3)

Sec. 12-3-105. Conventional subdivision.

- (a) *Purpose.* The conventional subdivision requirements are intended to provide for the division of a parcel of land into two or more parcels for development or redevelopment, when the development or redevelopment complies with all zoning regulations for the zoning district in which it is located.
- (b) *Location and permitted uses.* Conventional subdivision development is permitted within any zoning district for any land use permitted within the zoning district.
- (c) *Minimum size of development.* There are no minimum size requirements for a conventional subdivision development. Subdivision of four or less lots constitute a minor subdivision; five or more constitute a major subdivision.
- (d) *Requirements.* All lots in a conventional subdivision must comply with width and area requirements for the zoning district. Chapter 12-7 describes the platting and review requirements for a conventional subdivision.

(Code 1986, § 12-2-76)

Sec. 12-7-3. Procedure for subdivision approval.

(a) *Procedure for subdivision requiring a plat.*

(1) *Approval of preliminary plat by the planning board.*

- a. Any person desiring to divide land into three or more lots shall first file with the planning services department an application and a preliminary plat of the subdivision prepared in accordance with the requirements of section 12-7-8 and F.S. § 472.027.
- b. Accompanying the application and preliminary plat shall be a general location sketch map showing the relationship of the proposed subdivision to existing community facilities that serve or influence it. On such sketch map shall show, the main traffic arteries, shopping centers, schools, parks, and playgrounds within one quarter of a mile.
- c. Where the preliminary plat submitted covers only a part of the total contiguous property under the subdivider's ownership, a sketch of the prospective future street system of the unsubdivided part shall be required if not shown on a previously approved conceptual plan or plans for the entire property. The street system of the unplatted portion shall be planned to coordinate and connect with the street system of the platted portion.
- d. A master drainage plan at a scale not smaller than one inch equals 200 feet, shall be provided. The master drainage plan shall be for the entire property and shall be reviewed by the city engineer in relation to the entire drainage basin. It is the specific intent of this requirement that rights-of-way and easements of all drainage improvements, including, but not limited to, retention ponds, ditches, culverts, channels, and the like required for the drainage of the site for both on-site and off-site improvements, shall be provided for in the master drainage plan. Instruments shall be submitted fully executed in sufficient form for recording for all off-site drainage rights-of-way and easements not included on the final plat. These instruments shall be submitted with the final plat for recordation.
- e. The preliminary plat shall be submitted to the planning services department at least 30 calendar days prior to the meeting at which it is to be considered.
- f. Prior to the examination of the preliminary plat, the planning board shall be furnished with reports from the city engineer, the city traffic engineer, Pensacola Energy, Emerald Coast Utilities Authority, fire department, and the secretary to the planning board to the effect that said plat does or does not conform to the comprehensive plan, the provisions of this chapter, and with sound principles and practices of planning and engineering and with such other items that may affect the health, safety and welfare of the people.
- g. When, after examination, the planning board finds as fact that the aforementioned requirements have been met, the preliminary plat may be approved; however, such approval shall not constitute an approval of the final plat. If the preliminary plat is rejected, the planning board shall provide the applicant in writing a detailed list of reasons for rejection. The applicant shall resubmit revised documents to the planning services department with a review fee to obtain approval according to the process in this chapter.

(2) *Approval of final plat by the planning board and city council.*

- a. The final plat shall conform substantially to the preliminary plat. The applicant shall submit only that portion of the approved preliminary plat that he or she proposes to record and develop. Such portion shall conform to all requirements of this chapter. Such final plat shall be submitted within one year (365 days) of the date of the approval of the preliminary plat. If more than one year has elapsed since the approval of the preliminary plat, the applicant must resubmit to the

planning services department a new application, new application fee, and revised documentation to begin the process in this chapter.

- b. The final plat and release for construction plans shall be submitted to the planning services department at least 30 calendar days prior to the meeting of the planning board at which it is to be considered. Before granting final approval of the plat, the planning board shall receive reports from the secretary to the planning board, the city engineer, the city traffic engineer, Pensacola Energy, Emerald Coast Utilities Authority and the fire department.
- c. After approval by the planning board, the final plat shall be transmitted to the city council for approval. Approval of the plat shall be granted by the city council upon its finding that all the requirements of this chapter have been met.

(b) *Procedure for division of land requiring a boundary survey.*

- (1) A division of land into no more than two lots fronting on an existing public street, or an access easement not involving any new street or road, or the extension of governmental facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision of this Code or the comprehensive plan, may be reviewed and approved by the city engineer and planning services department.

(2) *Submission requirements.*

- a. Any person desiring to divide land into no more than two lots shall first submit a metes and bounds description and a boundary survey (equal to that required by F.S. § 472.027, pertaining to the Standards of Practice for surveys) to the planning services department. The boundary survey shall depict all information required by sections 12-7-8(1) through (11).
- b. If an access easement is required for the subdivision, this document shall be attached to the boundary survey.
- c. Prior to development of residential properties, the owner or owner's agent shall provide a proposed lot grading and erosion control plan. The plan shall be to scale and must demonstrate that the flow of stormwater surface drainage from the development is diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. The grading plan should clearly exhibit that the proposed development neither creates nor exacerbates flooding on any adjacent properties. Commercial properties shall fall under the subdivision language of the Land Development Code and comply with all stormwater drainage requirements set forth therein.
- d. The planning services department shall notify the applicant of the approval or disapproval of the metes and bounds description or the boundary survey within ten working days from submission.
- e. If the metes and bounds description or the boundary survey is rejected, the planning services department shall provide the applicant, in writing, a detailed list of the reasons for the rejection.
- f. The applicant shall resubmit revised documents to the planning services department with a review fee and begin the process set forth at section 12-7-3(b) of this chapter.

(3) *Final approval.*

- a. After the survey has been approved by city staff one copy of the survey shall be filed with the planning services department. In addition, one copy each of any applicable recorded access easements shall be filed with the planning services department.
- b. No building permit shall be issued until the survey has been approved by city staff and any accompanying documentation has been filed in accordance with section 12-7-3(b)(3)a.

(Code 1986, § 12-8-3; Ord. No. 35-92, § 2, 10-22-1992; Ord. No. 21-93, § 5, 8-16-1993; Ord. No. 9-96, § 13, 1-25-1996; Ord. No. 12-09, § 2, 4-9-2009; Ord. No. 29-21, § 4, 12-16-2021)



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 24-5

Planning Board

1/9/2024

ACTION ITEM

SUBJECT:

Proposed Amendment to the Land Development Code – CRA parking reductions for specific land uses

SUMMARY:

The Mayor's Office is requesting an amendment to Sec. 12-4-1 of the Land Development Code to expand optional parking reductions for specific land uses in the CRA Urban Core to the Westside and Eastside CRA districts.

Currently, Sec. 12-4-1(4)a.7. provides parking reductions which, "shall apply only to the community redevelopment agency's boundaries, as defined in Resolution No. 13-84." During research, staff identified two errors. First, while the CRA parking reductions are specific to on-site parking, the ordinance section is incorrectly located in Sec. 12-4-1(4) which provides requirements for off-site parking. Second, resolution No. 13-84 does not pertain to CRA districts, but rather the date, maturity, schedule, interest rates, interest dates, amount of capitalized interest, redemption provisions, bond registrar, and paying agent for redevelopment revenue bonds. Staff believes it should reference Resolution No. 55-80, a resolution providing for the creation of the Pensacola Community Redevelopment Agency, and that the original intent was to provide parking reductions for all CRA districts.

This amendment was discussed at the August 2023 Planning Board meeting and a copy of those minutes are included.

RECOMMENDED CODE SECTIONS

[Sec. 12-4-1. – Off-street parking spaces requirements](#)

ATTACHMENTS:

1. Sec_12_4_1_Off_street_parking_spaces_requirements_Amendments
2. Resolution 13-84
3. Resolution 55-80
4. Planning Board Minutes August 8 2023 (002)

Sec. 12-4-1. Off-street parking spaces requirements.

Off-street parking is required in all zoning districts, except as provided below. The following off-street parking is required by this chapter:

- (1) *General provisions.*
 - a. Area calculations based on gross square footage.
 - b. Where the required number of parking spaces results in a fraction, the number of spaces required shall be construed to be the next whole number.
 - c. Where parking spaces are required based on number of employees or students/clients, the number of employees must reflect the largest shift and the number of students/clients must reflect the maximum capacity allowed.
 - d. For multiple land use developments, additional parking spaces will be required for each different land use and/or accessory use.
 - e. Handicapped parking spaces are required as a percentage of total required parking spaces for all developments other than single-family, duplex or zero-lot-line residential.
 - f. With respect to any parking lot that is required to be paved, the number of parking spaces required may be reduced by one, if the developer provides a bicycle rack or similar device that offers a secure parking area for at least five bicycles.
 - g. Neither off-street parking in the city right-of-way nor creation of a parking space in the right-of-way shall be permitted without obtaining a license-to-use to do so.
 - h. The number of off-street parking spaces provided for buildings constructed prior to October 13, 1994, shall be deemed in compliance with the requirements of this Code, for as long as the same land use is maintained within the same building footprint. Effective October 13, 1994, off-street parking requirements set forth in subsection (2) of this section shall be required for the following development or redevelopment activities except as specifically exempted in subsections (1)j. through l. of this section:
 1. New construction.
 2. Construction of an addition to an existing building. Whenever a building is enlarged or increased in floor area, number of dwelling units, seating capacity, intensity, density or in any manner so as to create a need for a greater number of parking spaces than currently existing, such additional spaces must be provided in accordance with subsection (2) of this section. The required number of additional parking spaces must be provided concurrently with the building enlargement. In the event that additional parking spaces are required, and the resulting number of spaces required for the whole building (existing and new) exceeds ten spaces, the entire parking lot shall comply with the provisions of section 12-4-3.
 3. A change in land use in an existing building or portion of a building. Whenever a land use is changed to another land use requiring a greater number of parking spaces than that existing, such additional spaces must be provided in accordance with subsection (2) of this section. The required number of additional parking spaces must be provided concurrently with the change in land use. In the event that additional parking spaces are required as a result of a change in land use for buildings constructed prior to October 13, 1994, the entire number of required parking spaces for the new land use must be provided in accordance with subsection (2) of this section. In the event that additional parking spaces

are required, and the resulting number of spaces required for the new land use exceeds ten spaces, the entire parking lot shall comply with the provisions of section 12-4-3.

- i. Except as provided in subsections (4) and (5) of this section, all required parking spaces must be located on the same lot or parcel with the building or use served or on an adjacent lot or parcel owned or leased by the same owner of the building site for which the parking is required. If the required parking is provided on an adjacent property separated from the common boundary by a street, appropriate measures shall be undertaken to provide pedestrian safety. Such measures include, but are not limited to, pedestrian crosswalk, pedestrian crossing with automated traffic control, pedestrian overpass, and underground pedestrian tunnel.
- j. Off-street parking is not required in the HC-1 and HC-2 districts (see section 12-3-10(1)e.7.iii).
- k. Off-street parking is not required in the dense business area for residential land uses.
- l. New construction of buildings within the South Palafox business district that do not exceed 40 feet in height, or the renovation or change in land use of existing buildings that do not exceed 40 feet in height are exempt from the off-street parking requirements (see also section 12-3-13(4)f).
- m. New construction of buildings within the C-2A district that do not exceed 40 feet in height and 5,000 square feet in total floor area, or the renovation or change in land use of existing buildings that do not exceed 40 feet in height and 5,000 square feet in total floor area are exempt from the off-street parking requirements.

(2) *Parking requirements for specific land uses.* The following list of requirements shall apply for any land use that is permitted or that is granted a conditional use within any zoning district.

Amusement center	1 space/250 s.f.
Art gallery	1 space/500 s.f.
Auditorium	1 space/50 s.f. of assembly area
Bank	1 space/300 s.f.
Barbershop/beauty parlor	2 spaces/chair
Bed and breakfast	1 space for owner/manager plus 1 space/ sleeping room
Billiard hall	2 spaces/table
Boarding house	1 space for owner/manager plus 1 space/ sleeping room
Bowling alley	3 spaces/lane plus spaces required for accessory uses
Car wash	
Full-service	2 spaces/washing stall
Self-service	2 stacking spaces and 1 drying space per wash stall
Child care facility	1 space/300 s.f.
Church	1 space/4 fixed seats
Note: On-street parking within 500 feet of the building, except in residential districts, may be used towards fulfilling this requirement.	
Cocktail bar	1 space/75 s.f.
Community center	1 space/300 s.f.
Community residential home	1 space/2 beds

Convenience store	1 space/200 s.f. plus accessory uses
Dormitory/fraternity/sorority residence	1 space/2 beds
Dry-cleaning shop	1 space/500 s.f.
Funeral parlor/mortuary	1 space/200 s.f.
Game room	1 space/250 s.f.
Garage, repair	1 space/200 s.f.
Gas station	1 space/200 s.f.
Greenhouse	1 space/1,000 s.f. of lot area
Group home	1 space/2 beds
Gymnasium	1 space/50 s.f. of assembly area
Health spa	1 space/200 s.f.
Hospital	1.5 spaces/bed
Hotel	1 space/room
Industrial	1 space/500 s.f.
Kennel	1 space/1,000 s.f.
Laundromat	1 space/2 washing machines
Library	1 space/250 s.f.
Note: on-street parking within 500 feet of the building, except in residential districts, may be used toward this requirement.	
Lodging house	1 space for owner/manager plus 1 space/sleeping room
Manufacturing	1 space/500 s.f.
Marina	1 space/4 boat slips
Miniature golf course	1 space/hole
Mini-warehouse	4 spaces/1,000 s.f. of office
Motel	1 space/room
Museum	1 space/300 s.f.
Nightclub	1 space/75 s.f.
Nursery	1 space/1,000 s.f. of lot area
Nursing home	1 space/2 beds
Office	
General office	1 space/300 s.f.
Accessory office unit	1 space/300 s.f.
Government office	1 space/500 s.f.
Note: On-street parking within 500 feet of the building, except in residential districts, may be used towards this requirement for non-employee parking only. In any event, one off-street parking space shall be required for each employee in the building.	
Medical/dental office	1 space/200 s.f.
Open air market	1 space/300 s.f.
Printing or publishing firm	1 space/300 s.f.
Private club	1 space/100 s.f.
Racquetball club	1 space/court
Radio or television station	1 space/300 s.f.

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Repair shop	1 space/300 s.f.
Residential	
Single-family, duplex and accessory residential unit	1 space/unit (public street) 2 spaces/unit (private street)
Multifamily, townhouse, manufactured home unit	1 space/unit
Rest home	1 space/2 beds
Restaurant	
Drive-in only	1 space/100 s.f.
Drive-through only	1 space/100 s.f.
Sit-down only	1 space/100 s.f. (including outdoor dining areas)
Combination drive-through/sit-down	1 space/100 s.f. (including outdoor dining and/or activity areas)
Retail sales/rental	
Boat	1 space/500 s.f.
Carpet	1 space/500 s.f.
Furniture	1 space/500 s.f.
Garment	1 space/300 s.f.
General	1 space/300 s.f.
Grocery store	1 space/300 s.f.
Hardware	1 space/500 s.f.
Home improvement	1 space/500 s.f.
Lumber and building materials	1 space/600 s.f.
Machinery and equipment	1 space/600 s.f.
School	
Business or trade	1 space/2 employees plus 1 space/200 s.f.
High school, college or junior college	1 space/2 employees plus 1 space/10 students
Kindergarten, elementary and middle/junior high school	1 space/2 employees plus 1 space/classroom
Self-service storage facility	4 spaces/1,000 s.f. of office plus 1 space/employee
Shopping center	1 space/300 s.f.
Skating rink	1 space/5 rated patron capacity
Stadium	1 space/5 seats
Studio	1 space/300 s.f.
Tavern	1 space/75 s.f.
Tennis club	1 space/court
Theater	1 space/6 seats
Vehicle sales/rental	1 space/400 s.f. sales area
Veterinary clinic or hospital	1 space/300 s.f.
Video arcade	1 space/300 s.f.
Warehousing	1 space/2,000 s.f.
Wholesale establishment	1 space/1,000 s.f.

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- (3) *All other uses.* Any use not covered by this chapter shall require one parking space for each 300 square feet of gross floor area in the building.
- (4) *Off-site parking.* The off-street parking requirements set forth in subsection (2) of this section may be provided off-site through a shared parking facility or leased parking facility.
- a. Off-site parking may be provided as specified below:
1. Shared use parking facility shared by uses that have different principal operating hours. The schedule of operation of all such land uses shall provide that none of the uses sharing the facilities normally require off-street parking facilities at the same time as other uses sharing them. The total number of required off-street parking spaces shall be determined by the combined peak hour parking requirement for all uses sharing the facility.
 2. Off-site parking spaces that are leased on an annual basis from a private owner or public agency.
 3. Off-site parking spaces located on a site owned and controlled by the owner/developer of the building site for which the off-street parking is required.
 4. When a portion or all of the required off-street parking is provided pursuant to one of the options specified above in subsections (4)a through c of this section a written agreement shall be drawn in a form satisfactory to the city attorney and executed by all parties concerned assuring the continued availability of the off-site parking facilities for the use they are intended to serve. Such written agreement shall be required as a prerequisite for the approval of a building permit for the new development or redevelopment proposed for which the parking is required. Such written agreement shall be reviewed annually as a condition for renewal of a business license required in chapter 7-2. If a written agreement securing the number of parking spaces is not provided as part of the annual business license certification, the license may be revoked by the city unless the required off-street parking is otherwise provided.
 5. When a portion or all of the required off-street parking is provided pursuant to one of the options specified above in subsections (4)a through c of this section a sign directing business patrons to the off-street parking shall be required and shall be placed in a clearly visible location in accordance with the provisions of section 12-5-4(g)(3).
 6. Off-site parking provided for businesses within the Brownsville Business Core must be located within the city limits.
 7. ~~Downtown Pensacola parking reductions described in Table 12.3-1 shall apply only to the community redevelopment agency's boundaries, as defined in Resolution No. 13-84.~~

~~TABLE 12.3-1. DOWNTOWN PENSACOLA CRA
PARKING REDUCTIONS~~

Educational	25%
Lodging	35%
Office	30%
Eating/drinking establishments	100%
Indoor amusement	40%
Services	50%
College	50%

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Places of worship	50%
Indoor recreation	50%
Apparel/furniture	50%
Retail < 5,000 s.f.	60%
Community services	75%
Single family and multifamily	Only 1 space/unit required

- b. Approval of off-site parking will be based upon consideration of the following factors:
 1. The location of the business and the proposed off-site parking;
 2. The number of off-site parking spaces proposed;
 3. Intended users of the proposed off-site parking (i.e. employees, patrons or both);
 4. The distance of the proposed off-site parking measured along the shortest legal pedestrian route (i.e. along public sidewalks, crosswalks) from the nearest lot line of the building site for which the off-site parking is proposed to the nearest lot line of the off-site parking;
 5. Pedestrian safety;
 6. Nature of the business proposing the off-site parking;
 7. Potential conflicts/overlaps in any off-site shared parking arrangement;
 8. Recommendation of city attorney regarding the form of the written agreement specified in subsection (4)a.4 of this section.
- (5) The number of required parking spaces for the geographic areas and zoning districts identified in subsection (4) of this section may be reduced by the number of on-street parking spaces provided in accordance with the following criteria:
 - a. The on-street parking space must be located between the extended property lines of the property requesting the reduction. If a parking space straddles two properties owned by different property owners each property may count the space towards the required parking. Where the right-of-way contains a median and parking is provided along the median, the property owner requesting the reduction may include those spaces provided they are located between the extended property lines and the centerline of the median.
 - b. The on-street parking spaces must remain open for use by the public.
- (6) New construction, additions to existing buildings and changes in land use of existing buildings within the dense business area resulting in an increase of parking requirements may comply with the parking requirements through an in-lieu payment approved by the city council.
 - a. All funds collected through the in-lieu payment process shall be utilized for the express purpose of parking capital improvement projects within the dense business area.
 - b. The in-lieu payment will be calculated by the mayor and approved by the city council in accordance with the following formula:

In-lieu parking payment = (total spaces required to meet code - on-site spaces - approved off-site spaces - approved on-street parking spaces) × (in-lieu fee)

The in-lieu fee shall be based upon the cost of construction for parking spaces considering such factors as land acquisition, design fees, engineering, financing, construction, inspection, and other relevant factors.

(7) Parking reductions for specific land uses. Parking reductions described in Table 12.4-1 shall apply to all established community redevelopment areas, also known as Tax Incremental Financing (TIF) districts.

TABLE 12.4-1. PENSACOLA CRA
PARKING REDUCTIONS

<u>Educational</u>	<u>25%</u>
<u>Lodging</u>	<u>35%</u>
<u>Office</u>	<u>30%</u>
<u>Eating/drinking establishments</u>	<u>100%</u>
<u>Indoor amusement</u>	<u>40%</u>
<u>Services</u>	<u>50%</u>
<u>College</u>	<u>50%</u>
<u>Places of worship</u>	<u>50%</u>
<u>Indoor recreation</u>	<u>50%</u>
<u>Apparel/furniture</u>	<u>50%</u>
<u>Retail < 5,000 s.f.</u>	<u>60%</u>
<u>Community services</u>	<u>75%</u>
<u>Single-family and multifamily</u>	<u>Only 1 space/unit required</u>

(Code 1986, § 12-3-1; Ord. No. 6-93, § 21, 3-25-1993; Ord. No. 29-93, § 26, 11-18-1993; Ord. No. 44-94, § 6, 10-13-1994; Ord. No. 33-95, § 9, 8-10-1995; Ord. No. 8-99, § 7, 2-11-1999; Ord. No. 44-99, § 3, 11-18-1999; Ord. No. 6-02, § 2, 1-24-2002; Ord. No. 05-06, § 1, 2-9-2006; Ord. No. 16-10, § 212, 9-9-2010; Ord. No. 39-13, § 1, 11-14-2013; Ord. No. 12-14, § 1, 3-27-2014; Ord. No. 29-21, § 2, 12-16-2021)

RESOLUTION NO. 13-84

A RESOLUTION FIXING THE DATE, MATURITY SCHEDULE, INTEREST RATES, INTEREST PAYMENT DATES, AMOUNT OF CAPITALIZED INTEREST, REDEMPTION PROVISIONS, BOND REGISTRAR AND PAYING AGENT FOR \$2,145,000 REDEVELOPMENT REVENUE BONDS, SERIES 1984, OF THE CITY OF PENSACOLA, FLORIDA; AWARDING THE BONDS AT NEGOTIATED SALE TO THE PURCHASER; APPROVING THE OFFICIAL STATEMENT FOR THE BONDS; CANCELLING AUTHORIZATION FOR THE ISSUANCE OF THE BALANCE OF THE BONDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a resolution (hereinafter called "Resolution") of the City Council (hereinafter called "Governing Body") of the City of Pensacola, Florida (hereinafter called "Issuer"), duly adopted on March 13, 1984, authorized the issuance of not exceeding \$4,000,000 Redevelopment Revenue Bonds, Series 1984 (hereinafter called "Bonds"), to provide for the acquisition and construction of certain redevelopment projects in the urban core area of the Issuer; and

WHEREAS, prior to adoption of this resolution, significant changes have occurred in the municipal bond market regarding interest rates on long term municipal bonds, which are favorable to the Issuer; and

WHEREAS, based upon all available information and advice from the staff of the Issuer, the Governing Body has determined that it is in the best interest of the Issuer to respond to these favorable market conditions without undue delay; and

WHEREAS, there is insufficient time to respond to these favorable market conditions by offering the Bonds for public sale; and

WHEREAS, the complex character of the Bonds and the security therefor require lengthy and detailed structuring which could be unreasonably restricted by the lack of flexibility at public sale; and

WHEREAS, a negotiated sale of these Bonds will result in the most favorable bond financing plan and is in the best interest of the Issuer; and

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WHEREAS, there has been filed with the Issuer, prior to adoption of this resolution, the disclosure statement required by Section 218.385(6), Florida Statutes, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the 20 "Bond-Buyer" Average Yield Index (hereinafter called "Index") published immediately prior to the first day of the month during which this resolution was adopted was 9.80%; and

WHEREAS, 150 basis points above the Index is 11.30%, which rate is the statutory interest rate limit (hereinafter called "Interest Rate Limit") applicable to the Bonds; and

WHEREAS, Arch W. Roberts & Co. (hereinafter called "Purchaser"), has, by written proposal, offered to purchase \$2,145,000 aggregate principal amount of the Bonds at the price of \$2,0³⁰~~80~~,³⁰~~80~~, plus accrued interest to the date of delivery, at the interest rates set forth below, resulting in an average net interest cost rate less than the Interest Cost Rate Limit; and

WHEREAS, the Governing Body deems it necessary and desirable at this time to fix the date, maturity schedule, interest rates, interest payment dates, amount of capitalized interest, redemption provisions, bond registrar and paying agent for the Bonds; to award the Bonds at negotiated sale to the Purchaser; to approve the official statement for the Bonds; and to cancel authorization for the issuance of the balance of the Bonds; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. REMAINING FISCAL DETAILS FOR BONDS. The date, maturity schedule, interest rates, interest payment dates, amount of capitalized interest and redemption provisions for the Bonds shall be as set forth below.

The Bonds shall be dated April 1, 1984, and shall bear interest payable semiannually on April 1 and October 1 of each year, beginning October 1, 1984.

\$205,000 aggregate principal amount of the Bonds shall bear interest at the rates per annum and mature on April 1 in the years and amounts as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>INTEREST RATE</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>INTEREST RATE</u>
1987	\$15,000	8.00%	1992	\$25,000	9.25%
1988	20,000	8.25	1993	25,000	9.50
1989	20,000	8.50	1994	30,000	9.75
1990	20,000	8.75	1995	30,000	10.00
1991	20,000	9.00			

\$1,940,000 aggregate principal amount of the Bonds shall be issued as term bonds and shall mature on April 1, 2014, and bear interest at the rate of 10.75% per annum. Amortization installments are hereby established for such Bonds due April 1, 2014, and such Bonds due April 1, 2014, as will be selected by lot, shall be deemed to be due on April 1 in the years and amounts as follows:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1996	\$35,000	2005	\$ 90,000
1997	40,000	2006	95,000
1998	45,000	2007	110,000
1999	45,000	2008	120,000
2000	50,000	2009	130,000
2001	60,000	2010	145,000
2002	65,000	2011	160,000
2003	70,000	2012	180,000
2004	80,000	2013	200,000
		2014	220,000

Principal amounts of the Bonds maturing April 1, 2014, to be selected by lot, which shall be equal to the following mandatory amortization installments:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1996	\$35,000	2005	\$ 90,000
1997	40,000	2006	95,000
1998	45,000	2007	110,000
1999	45,000	2008	120,000
2000	50,000	2009	130,000
2001	60,000	2010	145,000
2002	65,000	2011	160,000
2003	70,000	2012	180,000
2004	80,000	2013	200,000
		2014	220,000

shall be redeemed on April 1 in such years prior to their maturity (except the installment maturing in the year 2014) by operation of the Term Bond Amortization Fund, created and established by the Resolution, at the price of the principal

amount thereof plus accrued interest to the date of prior redemption, or be purchased in the open market at a price not to exceed such redemption price.

The Bonds maturing in the years 1987 to 1994, both inclusive, are not subject to redemption prior to their respective stated dates of maturity. The Bonds maturing in the year 1995 and thereafter shall, at the option of the Issuer, be redeemable other than by operation of the Term Bond Amortization Fund, in whole at any time on or after April 1, 1994, or in part, in inverse order of maturity and by lot within a single maturity, on April 1, 1994, or on any interest payment date thereafter, at a price of par and accrued interest, plus the following premiums expressed as percentages of the par value thereof, if redeemed at the following times:

<u>Redemption Periods</u>	<u>Redemption Premiums</u>
April 1, 1994, through March 31, 1995	3%
April 1, 1995, through March 31, 1996	2 1/2
April 1, 1996, through March 31, 1997	2
April 1, 1997, through March 31, 1998	1 1/2
April 1, 1998, through March 31, 1999	1
April 1, 1999, through March 31, 2000	1/2
April 1, 2000, and thereafter	0

From the proceeds of the sale of the Bonds, the Issuer shall capitalize interest on such Bonds for a period of 2 years beginning on the date of the Bonds.

SECTION 2. BOND REGISTRAR AND PAYING AGENT. The bond registrar and paying agent for the Bonds shall be Florida National Bank, Pensacola, Florida.

SECTION 3. AWARD OF BONDS. \$2,145,000 aggregate principal amount of the Bonds are hereby awarded and sold to the Purchaser at the price of \$2,0^{32 30}~~00~~,~~00~~0, plus accrued interest to the date of delivery, bearing interest as stated above, and upon the remaining terms and conditions of the proposed purchase contract attached hereto as Exhibit B.

SECTION 4. APPROVAL OF OFFICIAL STATEMENT. The form and dissemination of the preliminary Official Statement, dated March 19, 1984, with respect to and in connection with the

marketing of the Bonds are hereby approved. The proper officers and/or employees of the Issuer are hereby directed to cause the final Official Statement for the Bonds to be prepared in substantially the form of the preliminary Official Statement, with such changes and additions as may be suggested from time to time by the proper officers and/or employees of the Issuer.

SECTION 5. CANCELLATION OF BALANCE OF BONDS. The authorization for the issuance of the \$1,855,000 balance of the Bonds is hereby cancelled and rescinded.

SECTION 6. NECESSARY ACTION. The proper officers of the Issuer are hereby designated agents of the Issuer in connection with the issuance of the Bonds, and are authorized and empowered, individually or collectively, to take all action and steps and to execute and deliver on behalf of the Issuer any and all instruments, documents or contracts, including the purchase contract for the Bonds in substantially the form attached hereto and the Official Statement for the Bonds described in Section 4 of this resolution, which are required by the Resolution and/or are necessary and desirable in connection with the execution and delivery of the Bonds, and which are not inconsistent with this resolution and any other action relating to the Bonds.

SECTION 7. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

Passed: March 22, 1984

Approved:

Michael T. Bass
Mayor

Attest:

Pauline Johns
City Clerk

Legal in form and valid if
adopted:

Sam J. Luten
City Attorney

PROOF OF PUBLICATION

ON FILE

IN THE

CITY CLERK'S OFFICE

RESOLUTION NO.
A RESOLUTION FIXING THE DATE, MATURITY
SCHEDULE, INTEREST RATES, INTEREST PAYMENT
DATES, AMOUNT OF CAPITALIZED INTEREST,
REDEMPTION PROVISIONS, BOND REGISTRAR
AND PAYING AGENT FOR \$2,145,000 REDEVELOP-
MENT REVENUE BONDS, SERIES 1984, OF THE
CITY OF PENSACOLA, FLORIDA; AWARDING THE
BONDS AT NEGOTIATED SALE TO THE PURCHASER;
APPROVING THE OFFICIAL STATEMENT FOR THE
BONDS; CANCELLING AUTHORIZATION FOR THE
ISSUANCE. OF THE BALANCE OF THE BONDS;
AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a resolution (hereinafter called "Resolution")
of the City Council (hereinafter called "Governing Body") of the
City of Pensacola, Florida (hereinafter called "Issuer"), duly
adopted on March 13, 1984, authorized the issuance of not
exceeding \$4,000,000 Redevelopment Revenue Bonds, Series 1984
(hereinafter called "Bonds"), to provide for the acquisition and
construction of certain redevelopment projects in the urban core
area of the Issuer; and

WHEREAS, prior to adoption of this resolution, signifi-
cant changes have occurred in the municipal bond market regarding
interest rates on long term municipal bonds, which axe favorable
to the Issuer; and

WHEREAS, based upon all available information and advice
from the staff of the Issuer, the Governing Body has determined
that it is in the best interest of the Issuer to respond to these
favorable market conditions without undue delay; and

WHEREAS, there is insufficient time to respond to these
favorable market conditions by offering the Bonds for public
sale; and

WHEREAS, the complex character of the Bonds and the
security therefor require lengthy and detailed structuring which
could be unreasonably restricted by the lack of flexibility at
public sale; and

WHEREAS, a negotiated sale of these Bonds will result in
the most favorable bond financing plan and is in the best
-interest of the Issuer; and

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WHEREAS, there has been filed with the Issuer, prior to
adoption of this resolution, the disclosure statement required by
Section 213.385(6), Florida Statutes, a copy of which is attached
hereto as Exhibit A; and

WHEREAS, the 20 "Bond-Buyer" Average Yield Index
(hereinafter called "Index") published immediately prior to the
first day of the month during which this resolution was adopted
was 9.80%; and

WHEREAS, 150 basis points above the Index is 11.30\$,
which rate is the statutory interest rate limit (hereinafter
called "Interest Rate Limit") applicable to the Bonds; and

WHEREAS, Arch W. Roberts & Co. (hereinafter called
"Purchaser"), has, by written proposal, offered to purchase
\$2,145,000 aggregate principal amount of the Bonds at the price
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of \$2,0

, \$0, plus accrued interest to the date of delivery, at
the interest rates set forth below, resulting in an average net
interest cost rate less than the Interest Cost Rate Limit; and

WHEREAS, the Governing Body deems it necessary and
desirable at this time to fix the date, maturity schedule,
interest rates, interest payment dates, amount of capitalized
interest, redemption provisions, bond registrar and paying agent
for the Bonds; to award the Bonds at negotiated sale to the
Purchaser; to approve the official statement fox the Bonds; and
to cancel authorization for the issuance of the balance of the
Bonds; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
PENSACOLA, FLORIDA:

SECTION 1. REMAINING FISCAL DETAILS FOR BONDS. The
date, maturity schedule, interest rates, interest payment dates,
amount of capitalized interest and redemption provisions for the
Bonds shall be as set forth below.

The Bonds shall be dated April. 1, 1984, and shall bear
interest payable semiannually on April 1 and October 1 of each
year, beginning October 1, 1984.

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\$205,000 aggregate principal amount of the Bonds shall bear interest at the rates per annum and mature on April 1 in the years and amounts as follows:

INTEREST			INTEREST		
YEAR	AMOUNT	RATE	YEAR	AMOUNT	RATE
1987	\$15,000	8.00;	1992	\$25,000	9.25%
1988	20,000	8.25	1993	25,000	9.50
1989	20,000	8.50	1994	30,000	9.75
1990	20,000	8.75	1995	30,000	10.00
1991	20,000	9.00			

\$1,940,000 aggregate principal amount of the Bonds shall be issued as term bonds and shall mature on April 1, 2014, and bear interest at the rate of 10.75% per annum. Amortization installments are hereby established for such Bonds due April 1, 2014, and such Bonds due April 1, 2014, as will be selected by lot, shall be deemed to be due on April 1 in the years and amounts as follows:

YEARS	AMOUNTS	YEARS	AMOUNTS
1996	\$35,000	2005	\$ 90,000
1997	40,000	2006	95,000
1998	45,000	2007	110,000
1999	45,000	2008	120,000
2000	50,000	2009	130,000
2001	60,000	2010	145,000
2002	65,000	2011	160,000
2003	70,000	2012	180,000
2004	80,000	2013	200,000
		2014	220,000

Principal amounts of the Bonds maturing April 1, 2014, to be selected by lot, which shall be equal to the following mandatory amortization installments:

YEARS	AMOUNTS	YEARS	AMOUNTS
1996	\$35,000	2005	\$ 90,000
1997	40,000	2006	95,000
1998	45,000	2007	110,000
1999	45,000	2008	120,000
2000	50,000	2009	130,000
2001	60,000	2010	145,000
2002	65,000	2011	160,000
2003	70,000	2012	180,000
2004	80,000	2013	200,000
		2014	220,000

shall be redeemed on April 1 in such years prior to their maturity (except the installment maturing in the year 2014) by operation of the Term Bond Amortization Fund, created and established by the Resolution, at the price of the principal

-3-amount thereof plus accrued interest to the date of prior redemption, or be purchased in the open market at a price not to exceed such redemption price.

The Bonds maturing in the years 1987 to 1994, both inclusive, are not subject to redemption prior to their respective stated dates of maturity. The Bonds maturing in the year 1995 and thereafter shall, at the option of the Issuer, be redeemable other than by operation of the Term Bond Amortization Fund, in whole at any time on or after April 1, 1994, or in part, in inverse order of maturity and by lot within a single maturity, on April 1, 1994, or on any interest payment date thereafter, at a price of par and accrued interest, plus the following premiums expressed as percentages of the par value thereof, if redeemed at the following times:

Redemption Periods	Redemption Premiums
April 1, 1994, through March 31, 1995	3%
April 1, 1995, through March 31, 1996	2 1/2
April 1, 1996, through March 31, 1997	2
April 1, 1997, through March 31, 1998	1 1/2
April 1, 1998, through March 31, 1999	1
April 1, 1999, through March 31, 2000	1/2
April 1, 2000, and thereafter	0

From the proceeds of the sale of the Bonds, the Issuer shall capitalize interest on such Bonds for a period of 2 years beginning on the date of the Bonds.

SECTION 2. BOND REGISTRAR AND PAYING AGENT. The bond registrar and paying agent for the Bonds shall be Florida National Bank, Pensacola, Florida.

SECTION 3. AWARD OF BONDS. \$2,145,000 aggregate principal amount of the Bonds are hereby awarded and sold to the

j\$ 30 Purchaser at the price of \$2,00,00, plus accrued interest to the date of delivery, bearing interest as stated above, and upon the remaining terms and conditions of the proposed purchase

contract attached hereto as Exhibit B.

SECTION 4. APPROVAL OF OFFICIAL STATEMENT. The form and dissemination of the preliminary Official Statement, dated March 19, 1984, with respect to and in connection with the

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marketing of the Bonds are hereby approved. The proper officers and/or employees of the Issuer are hereby directed to cause the final Official Statement for the Bonds to be prepared in substantially the form of the preliminary Official Statement, with such changes and additions as may be suggested from time to time by the proper officers and/or employees of the Issuer.

SECTION 5. CANCELLATION OF BALANCE OF BONDS. The authorization for the issuance of the \$1,855,000 balance of the Bonds is hereby cancelled and rescinded.

SECTION 6. NECESSARY ACTION. The proper officers of the Issuer are hereby designated agents of the Issuer in connection with the issuance of the Bonds, and are authorized and empowered, individually or collectively, to take all action and steps and to execute and deliver on behalf of the Issuer any and all instruments, documents or contracts, including the purchase contract for the Bonds in substantially the form attached hereto and the Official Statement for the Bonds described in Section 4 of this resolution, which are required by the Resolution and/or are necessary and desirable in connection with the execution and delivery of the Bonds, and which are not inconsistent with this resolution and any other action relating to the Bonds.

SECTION 7. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

Passed: March 22, 1984

Approved:

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Mayor

City Clerk

Legal in form and valid if

adopted:

City .. Attorn6y

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PROOF OF PUBLICATION

ON FILE

IN THE

CITY CLERK'S OFFICE

RESOLUTION
NO. 55-80

A RESOLUTION
TO BE ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA PROVIDING FOR THE CREATION OF THE PENSACOLA COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR THE EXERCISE OF POWERS BY SAID AGENCY; ASSIGNING CERTAIN UNDEVELOPED AND UNDERDEVELOPED PROPERTIES TO THE COMMUNITY REDEVELOPMENT AGENCY FOR REDEVELOPMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Part III, Chapter 163, Florida Statutes, entitled "Community Redevelopment", the City Council of the City of Pensacola has adopted Resolution No. 54-80; and

WHEREAS, Resolution No. 54-80 finds that the Pensacola Inner City area is a blighted area; and that the rehabilitation, conservation and redevelopment of the Pensacola Inner City is necessary in the public interest; and that there exists a need for a Community Redevelopment Agency to function in the City of Pensacola; and that the Pensacola Inner City area is designated a community redevelopment area and is appropriate for community redevelopment projects; and

WHEREAS, the City Council of the City of Pensacola has adopted Resolution No. 36-80 declaring the intent of City Council to cause the development of specified inner city properties for the public benefit; setting forth the basic land use intended for said properties; providing primary methods of involving private sector developers and investors; and providing for the use of the site specific zoning ordinance as a guideline in formulating development performance standards, NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. DEFINITIONS. The definition of terms as provided in Section 163.340, Florida Statutes, are hereby adopted by reference whenever used or referred to in this resolution.

SECTION 2. CREATION OF COMMUNITY REDEVELOPMENT AGENCY. Pursuant to Section 163.357, Florida Statutes, the City Council of the City of Pensacola hereby declares itself to be the Community Redevelopment Agency in the City of Pensacola. All rights, powers, duties, privileges, and immunities vested in a community redevelopment agency by Part III, Chapter 163, Florida Statutes, are hereby vested in the City Council of the City of Pensacola, subject to all responsibilities and liabilities imposed or incurred.

SECTION 3. EXERCISE OF POWERS.

- A. In the exercise of the rights, powers, duties, privileges, and immunities of a community redevelopment agency, the City Council of the City of Pensacola hereby authorizes, assigns, permits and directs its duly elected or appointed Mayor, Mayor Pro tempore, and City Manager, and all future incumbents to said offices, to be the members of the Executive Committee of the Community Redevelopment Agency and to perform the following functions in accordance with by-laws or procedural rules adopted by majority vote of the three aforementioned officers:

MICROFILMED

Roll 209 Frame 118

1. Employ any agents or employees, permanent or temporary, as may be required, and determine their qualifications, duties and compensation; subject to the limitations on funding as specified in Section 3(B). The City Manager may assign at his sole discretion employees of the City of Pensacola to provide services required by the Community Redevelopment Agency.
 2. Prepare community redevelopment plans and modifications thereof for community redevelopment projects in designated community redevelopment areas.
 3. Work with private investors, other governmental agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment of City properties identified in Resolution No. 36-80.
 4. Exercise the powers enumerated in Sections 163.370, 163.380 and 163.385, Florida Statutes, except as they may be limited by Section 3(B).
 5. Comply with the reporting requirements and other requirements imposed on community redevelopment agencies by Part III, Chapter 163, Florida Statutes.
- B. The City Council of the City of Pensacola shall have sole power to:
1. Determine an area to be a slum or blighted area, or combination thereof, to designate such area as appropriate for a community redevelopment project, and to hold any public hearing required with respect thereto.
 2. Grant final approval to community redevelopment plans and modifications thereof, after receiving recommendation of the Executive Committee.
 3. Authorize the issuance of revenue bonds as set forth in Section 163.385, Florida Statutes.
 4. Approve the acquisition, demolition, removal or disposition of property as provided in Section 163.370, Florida Statutes, and the power to assume the responsibility to bear loss as provided in Section 163.370, Florida Statutes.
 5. Appropriate funds deemed necessary for the administration expense and overhead of the agency.
 6. Establish a Redevelopment Trust Fund as provided in Section 163.387, Florida Statutes.

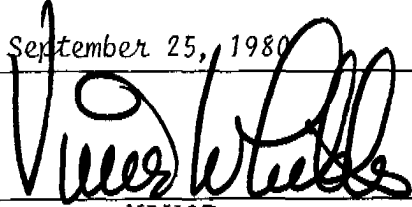
SECTION 4. REDEVELOPMENT OF CITY CONTROLLED PROPERTY.

The City Council of the City of Pensacola hereby dedicates and assigns certain undeveloped and underdeveloped properties identified in Resolution No. 36-80 to the Community Redevelopment Agency for the purpose of promoting, planning, packaging and accomplishing the redevelopment of said properties in accord-

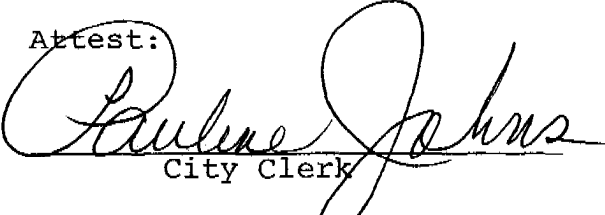
ance with the basic land use intent and methodology set forth in Resolution No. 36-80 and by means of the enabling provisions of this Resolution.

SECTION 5. This Resolution shall take effect immediately upon its adoption by the City Council and shall be published as required by law.

Adopted: September 25, 1980

Approved: 
MAYOR

Attest:


City Clerk

Legal in form and valid if
adopted:


City Attorney

THE PENSACOLA NEWS

PUBLISHED DAILY EXCEPT SATURDAY AND SUNDAY

PENSACOLA, ESCAMBIA COUNTY, FLORIDA

State of Florida, }
County of Escambia. }

Before the undersigned authority personally appeared _____

Mary Elizabeth Rost

who on oath says that she is _____ Legal Advertising Supervisor

of The Pensacola News, a daily (except Saturday and Sunday) newspaper

published at Pensacola in Escambia County, Florida; that the attached

copy of advertisement, being a _____ Notice _____ in the matter of

RESOLUTION NO. 55-80

_____ in the _____ Court,

was published in said newspaper in the issues of _____

OCTOBER 3, 1980

Affiant further say that the said The Pensacola News is a newspaper published at Pensacola, in said Escambia County, Florida, and that the said newspaper has heretofore been continuously published in said Escambia County, Florida, each day except Sunday, and has been entered as second class mail matter at the post office in Pensacola, in said Escambia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Mary Elizabeth Rost

Sworn to and subscribed before me this 7th

day of Oct., A.D., 1980.

Dwight J. Roston

NOTARY PUBLIC.

MY COMMISSION EXPIRES OCT. 10, 1981

RESOLUTION
NO. 55-80

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF

PENSACOLA PROVIDING FOR THE CREATION OF THE PENSACOLA COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR THE EXERCISE OF POWERS BY SAID AGENCY; ASSIGNING CERTAIN UNDEVELOPED AND UNDERDEVELOPED PROPERTIES TO THE COMMUNITY REDEVELOPMENT AGENCY FOR REDEVELOPMENT; PROVIDING AN EFFECTIVE DATE.

The Resolution provides for the creation of the Pensacola Community Redevelopment Agency pursuant to Section 143.557, Florida Statutes. The Resolution took effect immediately upon passage by City Council at its meeting on September 25, 1980.

Pauline Johns
City Clerk

LEGAL NO. 1867 1-T OCT. 3, 1980

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA PROVIDING FOR THE CREATION OF THE PENSACOLA COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR THE EXERCISE OF POWERS BY SAID AGENCY; ASSIGNING CERTAIN UNDEVELOPED AND UNDERDEVELOPED PROPERTIES TO THE COMMUNITY REDEVELOPMENT AGENCY FOR REDEVELOPMENT; PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council of the City of Pensacola has adopted Resolution No. 36-80 declaring the intent of City Council to cause the development of specified inner city properties for the public benefit; setting forth the basic land use intended for said properties; providing primary methods of involving private sector developers and investors; and providing for the use of the site specific zoning ordinance as a guideline in formulating development performance standards; NOW, THEREFORE,

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1. Employ any agents or employees, permanent or temporary, as may be required, and determine their qualifications, duties and compensation; subject to the limitations on funding as specified in Section 3(B). The City Manager may assign at his sole discretion employees of the City of Pensacola to provide services required by the Community Redevelopment Agency.

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3. Work with private investors, other governmental agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment of City properties identified in Resolution No. 36-80.

4. Exercise the powers enumerated in Sections 163.370, 163.380 and 163.385, Florida Sta-

tutes, except as they may be limited by
Section 3(B).

5. Comply with the reporting requirements and
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Florida Statutes.

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lic hearing required with respect thereto.

2. Grant final approval to community redevel-
opment plans and modifications thereof, after
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Committee.

3. Authorize the issuance of revenue bonds as
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4. Approve the acquisition, demolition, removal
or disposition of property as provided in
Section 163.370, Florida Statutes, and the
power to assume the responsibility to bear
loss as provided in Section 163.370, Florida
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5. Appropriate funds deemed necessary for the
administration expense and overhead of the
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6. Establish a Redevelopment Trust Fund as pro-
vided in Section 163.387, Florida Statutes.

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SECTION 5. This Resolution shall take effect imme-
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lished as required by law.

Adopted:

Approved

City Attorney

Legal in form and valid if

adapted:

THE PENSACOLA NEWS

PUBLISHED DAILY EXCEPT SATURDAY AND SUNDAY

PENSACOLA, ESCAMBIA COUNTY, FLORIDA

Printed and Published by

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Before the undersigned authority personally appeared

Elizabeth Rost

who on oath says that she is Legal Advertising Supervisor

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-RE L(JTTQN NO. 55-80

in the

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OCTOBER 3, 1980

Affiant further says that the said The Pensacola News is a news-

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that the said newspaper has heretofore been continuously published in

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entered as second class mail matter at the post office in Pensacola,

in said Escambia County, Florida, for a period of one year next pre-

ceding the first publication of the attached copy of advertisement;

and affiant further says that he has neither paid nor promised any

person, firm or corporation any discount, rebate, commission or

refund

for the purpose of securing this advertisement for publication in the

said newspaper.

Sworn to and subscribed before me this--

day of October, 1980

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NOTARY PUBLIC.

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MINUTES OF THE PLANNING BOARD
August 8, 2023

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

MEMBERS ABSENT: Board Member Powell

STAFF PRESENT: Planning & Zoning Manager Cannon, Assistant Planning & Zoning Manager Harding, Development Services Coordinator Statler, Help Desk Technician Russo, Executive Assistant Chwastyk

STAFF VIRTUAL: Development Services Director Morris, Assistant City Attorney Lindsay

OTHERS PRESENT: Dana Fredriksson, Rodney Sutton, Charles Liberis, Stephanie Moody, Jeff DeWeese, Scott Jennings, Brian Spencer, Debbie Frierdich, Renee Wilhoit

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from June 13, 2023
- **New Business:**
- Swearing in Reappointments
- Board of Election of Officers (Chair and Vice Chair)
- Request for Vacation of Alley and Street Right of Way – 100 Water Street and 3600 BLK Elkton Street – Zone R-1A
- Aesthetic Review Application – 50 S. 9th Avenue – Gateway Redevelopment District
- Proposed Amendment to the Land Development Code – Providing Further Development Incentives and Options
- Open Forum
- Discussion
- Adjournment

Call to Order / Quorum Present

Chairperson Paul Ritz called the meeting to order at 2:02 pm with a quorum present and

explained the procedures of the Board meeting including requirements for audience participation. Chair Person Ritz, Vice Chairperson Larson, Board Members Grundhoefer, Villegas, Sampson, and Van Hoose were sworn in by Assistant City Clerk Tice. Vice Chairperson Larson nominated Chairperson Ritz to continue as Chairperson, seconded by Board Member Grundhoefer, and it carried unanimously. Board Member Van Hoose nominated Chairperson Larson to continue as Vice Chairperson, seconded by Board Member Sampson, and it carried unanimously.

Approval of Meeting Minutes – Vice Chairperson Larson made a motion to approve the June 13, 2023, minutes, seconded by Board Member Sampson, and it carried 6:0.

New Business –

Request for Vacation of Alley and Street Right of Way – 100 Water Street and 3600 BLK Elkton Street – Zone R-1A – District 7

Assistant Planning & Zoning Manager, Harding introduced the item, a request has been received from Old City Developers, LLC, for a vacation of right of way at 100 Water Street and 3600 BLK Elkton Street. This includes two rights of way: (1) an unimproved portion of Water Street and (2) an unimproved alleyway. Both are located within two parcels and under a single ownership. The purpose is to later development the parcels as a subdivision which will also be reviewed by Planning Board at that time. This request has been routed through the various City departments and utility providers. Those comments are attached for your review. The item was properly noticed. Pensacola Energy had comments that have been resolved. Comments made by Florida Power and Light concerned overhead facilities in which their easement rights will be retained. Chairperson Ritz stated that the citizens of the City of Pensacola may give without payment being received the alley and right of way, they would be in fact giving it away. The applicant owns property on both sides of the right of way, they would get the entire right of way. The citizens may gain a benefit by it being on the tax roll, but the citizens would no longer have access to this right of way and the alleyway to the water. The right of way is quite overgrown, it appears to not have been used for an extended time. Board Member Grundhoefer wanted to know if the owner owned both sides of the alley way, Assistant Planning & Zoning Manager, Harding replied yes. The City was not aware of the right of away until a potential subdivision plat was submitted for review. Chairperson Ritz stated that there's still a right of way north of this right of way, the owners of that property may come in the future to request a vacation of that right of way. Charles Libers spoke on behalf of Olde City developers, he stated the road is never used and it has been under one ownership for years. The property owners to the north no longer use the alley or right of way. Dana Fredrikkson owner of 120 Water Street spoke out against this item, feels it will deny access to the water to the public. Even though she is opposed to this request, she does want construction of new houses to continue. Board Member Grundhoefer asked if she or her family members have used the access, she stated no but that does not mean she will not in the future. Renee Wilhoit of 3501 Marques Street stated she is not against the vacation of right way, however she wanted to make sure she maintains her legal access to Water and Marques Street and make sure she's not land locked. Debbie Friedrich of 3505 Marques Street shared the same concerns, wants a little more time to look at this request. Charles Liberis spoke again, stated he has no issue with a continuance so his surveyor can speak to Renee Wilhoit. Chairperson Ritz stated the boards decision is advisement to City Council,

Council will make their own decision. Assistant City Attorney Lindsay advised if they table the item, it becomes an automatic approval. Assistant Planning & Zoning Manager Harding stated that section 12-12-2 (4) Rules of procedure, meetings, and records. Any matter referred to the board shall be acted upon by the board within 45 days of the date of reference, unless a longer or shorter period is specified. Assistant City Attorney Lindsay advised the board to deny without prejudice instead of tabling the item. Boards Members discussed who owns the various parcels surrounding the right of way in question. **Board Member Grundhoefer made the motion to deny the application without prejudice and to allow the applicant to return to Planning Board to verify concerns heard by the public.** The concerns primarily included whether or not the Water Street right of way continued to the north and within the property located at 3505 Marques Street, and if the property located at 3501 Marques Street would be land locked as a result of the requested vacation. **The motion was seconded by Board Member Villegas.** Staff clarified that based on the application process, the applicant could choose to proceed to a City Council hearing, but that Planning Board's recommendation to City Council would be for denial. Alternatively, the applicant could choose to return to Planning Board with additional information resolving neighboring concerns in effort to receive a recommendation for approval. **With no further discussion, the board carried the motion 6-0.**

Aesthetic Review Application – 50 S. 9th Avenue – Gateway Redevelopment District – District 6

Assistant Planning & Zoning Manager, Harding introduced the item for aesthetic review of 50 S. 9th Avenue. SMP Architecture is seeking site plan and aesthetic approval for the Hawkshaw development project. The residential development shows three three-story buildings to accommodate 58 units. Materials include a stucco system façade with aluminum frame openings and standing seam metal roofs. Parking will be provided at the north side of the complex and along S. 10th Avenue. The parking area is proposed to be covered by concrete pavers in a herringbone pattern. This project has undergone a number of modifications, and a letter from CRA outlining certain deviations from past plans has been included. However, this current version will also be reviewed at the August 17 CRA meeting. As a result, any approvals granted by Planning Board will be contingent upon CRA's acceptance of the plans and subsequent permitting requirements. This request has been routed through the various City departments and utility providers. Those comments are attached for your review. The minutes from this meeting will be provided to the CRA, if CRA determines changes are needed this project could come back before the Planning Board. Brian Spencer of SMP Architecture spoke on the item and introduced a video of the planned project. He will have to go before the CRA on August 14th regarding this project. They are hoping to provide more housing opportunity for those who would like to live in the city limits. It's a three building scheme with connectivity, a tree orchard, 104 onsite parking spaces, an arborist has been hired to preserve three heritage oaks on this parcel. All residents will be built no lower than twelve feet. Site storm retention has been addressed via design capacity of the Admiral Mason Park stormwater pond. You will not see any onsite stormwater retention, there will be inlets and the roof will have internal downspouts within columns that then go to underwater stormwater systems. Aesthetically, there will be flat roofs, metal gable roof, and flat parapet roof. Documents submitted to the city show a concrete building, they are checking the pricing of CMU and ICF, exterior will

be sand texture stucco in an off-white color from Sherwin Williams. Chairperson Ritz inquired if there will be any patterns or slight projections in the stucco, Brian Spencer replied the projections are intended to be more than subtle to create shadows along the wall plains. This vernacular architecture is already seen along 9th Avenue near the Admiral Mason Park. Board Member Villegas wanted to know after providing all these renderings why not show all the gable roofs or the herringbone finish in the pavers. This is an aesthetic review that's not quite thorough in its presentation when it comes to presenting materials and then not quite showing them, Brian Spencer stated they did their best to have the coloring match in the renderings. A discussion was then had on what would cause this item to come back before the Planning Board after it goes before the CRA on August 14th. Assistant Planning & Zoning Manager informed the board that the CRA will not be held to the decision the Planning Board makes today, if there are any changes from the approved plans, it will go through an abbreviated review process by himself and the chair. If the chair deems those changes as more than minor, he has the authority to refer the project back before the board. Any excess parking would be handled in house, it meets the aesthetic requirements for that space per the Gateway Review District. A discussion was had regarding the trees, there will be eight- to ten-year-old mature trees planted to provide an immediate canopy. The pervious pavers will provide the trees with water, like the landscape that's across from the YMCA downtown. They had further discussion about the elevations and how to make it more attractive by adding vegetation or shrubs to the blank walls that are currently showing on the renderings. Board Member Villegas inquired as to where the ramps are, the ramps are on the auto court side and near the elevator shafts, while the ramps are not required, they would like to administer a combination of stairs and ramps concealed with a garden wall. Brian Spencer wanted to mention that the design conforms with the Urban Design Associates design guidelines that included Aragon neighbors. Chairperson Ritz appreciates how it's been laid out and the way it looks at the adjacent roadways, tenants will have a nice view of the Admiral Mason Park and Pensacola Bay. **Board Member Grundhoefer made a motion to approve, if the CRA makes changes that effect it esthetically it will come back for review. If it is abbreviated, Assistant Planning & Zoning Manager Harding would receive it, and it would then go before Chairperson Ritz and Board Member Grundhoefer. If there are major changes required, it would go back to the full board, seconded by Vice Chairperson Larson and it carried 6:0.**

Open Forum – none

Discussion – Proposed Amendment to the Land Development Code - Providing Further Development Incentives and Options

Assistant Planning & Zoning Manager Harding introduced the discussion. The Mayor's Office has requested Planning Board discuss amendments to Sec. 12-3-121 and Sec. 12-4-1 providing additional economic incentives and development opportunities related to off-street parking and building height. Two white paper studies provided by Development Services staff have been provided for reference and for further discussion. Included with the agenda item were maps of the Urban Core, Westside, and Eastside CRA districts, Resolution Nos. 55-80 and 13-84, and two white paper studies provided by Development Services staff. Hard copies of referenced code sections have also been provided and

include Sec. 12-3-8 Commercial land use districts, Section 12-3-109 Residential density bonuses, Sec. 12-3-121 Development plan requirements, design standards and guidelines, and Sec. 12-4-1 Off street parking requirements. The white paper studies include a comparison of the city's parking requirements to other Florida cities and thoughts on the elimination, reduction, or reorganization of off-street parking in the CRA Urban Core. The other is a review of building height maximums in the Urban Core with considerations focused on the commercial districts and waterfront in the event that an increase to maximum height or an optional relief to the current code is desired.

Concerning off-street parking requirements, Sec. 12-4-1(4)a.7. provides parking reductions which "shall apply only to the community redevelopment agency's boundaries, as defined in Resolution No. 13-84". During research on parking, staff discovered a likely error in which the above section of code should reference Resolution No. 55-80. Resolution No. 55-80 is a resolution providing for the creation of the Pensacola Community Redevelopment Agency. Resolution No. 13-84 (which is the incorrect resolution) is a resolution pertaining to the date, maturity, schedule, interest rates, interest dates, amount of capitalized interest, redemption provisions, bond registrar, and paying agent for redevelopment revenue bonds. Currently, staff only applies the parking reductions described in Table 12-3-1 to the Urban Core CRA. However, correction to this provision would expand those benefits to the Westside and Eastside CRA as believed to be originally intended.

Additionally, with exception to parking reductions listed in chapter 12-4-1, the LDC is mostly silent on further parking reduction opportunities. Sec. 12-3-121(c)(7)a. Development plan requirements, design standards and guidelines provides an administrative waiver process for projects proposing an excess of more than ten spaces or ten percent (whichever is greater) above the total parking required. The administrative waiver is performed by the city engineer and planning services department. An amendment for a mirrored process for a reduction of more than ten spaces or ten percent (whichever is less) below the total parking required is proposed for discussion.

Concerning building height, an amendment to Sec. 12-3-121(d) to allow building height bonuses above a zoning district's maximum allowance, but not to exceed 150' is requested for discussion. A suggested amendment might be to mirror Sec. 12-3-109, Residential density bonuses, where standards for approval shall include the construction of affordable housing, superior building and site design, preservation of environmentally sensitive lands and open space, or public benefit uses. In this scenario, all building height bonuses would require approval by the Planning Board.

Another option might include the addition for a board review process to exceed the 100' height limit at the property or setback lines in commercial land use districts. This provision is found in Sec. 12-3-8, Commercial land use districts, in the table and Note 1. Generally, buildings in commercial districts cannot exceed 100' at the property or setback line but may add three feet in height for every foot the building is set back. Board Member Grundhoefer inquired why this parking reduction requirement will not be done city wide, Assistant Planning & Zoning Manager Harding stated they're not sure how the development or the residents will react to it being done city wide. The thought is to at least start with our downtown urban areas where walkability is more concentrated and focused. Discussion moved to building height and Chairperson Ritz stated you don't see very many tall buildings in Pensacola, especially downtown. With limited availability of land many cities have decided to go up in height. In the white papers the zoning districts and height maximums are broken down. They foresee the development pressures occurring in the

Waterfront Redevelopment District and the South Palafox Business District where the height maximums are lower. Board Member Villegas stated there are still areas where it's inappropriate to allow high buildings, we need to protect the aesthetic that Pensacola is known for. The board began to discuss parking again, some feel a certain section of Palafox should be walking only and others felt the public enjoys being able to drive down Palafox regardless of the traffic. Assistant Planning & Zoning Manager Harding stated considering building height, they thought it was important to have some sort of board review process and to run some of these projects through the board. The board had a discussion of which board should review the incentives, bonuses for building height. The board felt they should discuss these items further so that they can add and delete, do strike throughs in September and then be able to put it to a vote in October.

Adjournment – With no further business, the Board adjourned at 4:15 p.m.

Respectfully Submitted,



Gregg Harding, RPA
Assistant Planning & Zoning Manager
Secretary of the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 24-31

Planning Board

1/9/2024

DISCUSSION

SUBJECT:

Staff update on the Land Development Code assessment by Inspire Placemaking Collective.

SUMMARY:

At the December 2023 Planning Board meeting, the board requested that staff provide monthly updates on the Land Development Code assessment by Inspire Placemaking Collective.

ATTACHMENTS:

None