



City of Pensacola

CITY COUNCIL

MINUTES

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

January 31, 2024

5:30 PM

Hagler-Mason Conference Room,
2nd Floor

ROLL CALL

Council President Jones called the special meeting to order at 5:39 P.M.

Council Members Present: Casey Jones, Jared Moore, Charles Bare, Jennifer Brahier, Teniade Broughton, Allison Patton, Delarian Wiggins

Council Members Absent: None

ACTION ITEMS

1. 24-127 REVIEW OF ARCHITECTURAL REVIEW BOARD DECISION REGARDING: 11 EAST GARDEN STREET - "B-SIDE"

Recommendation: That City Council conduct a quasi-judicial hearing on January 31, 2024, for the purpose of reviewing a decision made by the Architectural Review Board concerning the Installation of Artificial Green Foliage at 11 E. Garden St. -- "B-Side." Further that City Council either; confirm the Architectural Review Board decision, reverse or modify the Architectural Review Board decision or send it back to the Architectural Review Board for further action.

Council President Jones read into the record the requirements for conducting a quasi-judicial hearing. He then introduced the item into the record and explained the appropriate options before Council as indicated in the recommendation.

Further, he identified time constraints to be implemented for the hearing. *No objections.* He then asked staff if this issue was contested, which Assistant Planning & Zoning Manager Harding referred to the applicant's appeal of the Architectural Review Board's decision. Finally, he provided an opportunity for (individual) Council Members to disclose any ex parte communications. *None indicated.*

Moving forward with the hearing proceedings, Council President Jones called on City staff to present evidence and testimony into the record. Firstly, City Attorney Lindsay administered an oath to those intending to provide testimony (indicating eight (8) individuals were sworn-in).

Historic Preservation Planner Walker, reading from prepared notes (on file with background materials) summarized the issue before Council, and highlighted the decision(s) of the ARB via abbreviated review and full board review. She also provided overhead slides which were taken from past public presentations and the application to the ARB (on file with background materials). Following the presentation, she and Assistant City Attorney Lindsay responded accordingly to questions from Council Members. Reference was made to applicable City Code (Section 12-3-27. Palafox Historic Business District and Section 12-12-3. Architectural Review Board as provided by Assistant City Attorney Lindsay - - on file with background materials).

Council President then called for evidence and testimony on behalf of the applicant/appellant. Brian Spencer, the project's architect of record with SMP Architecture, addressed Council regarding the review process to-date, and provided follow-up remarks related to Council's (prior) comments and questions. Rafael Simpson also addressed Council.

Both City staff and Mr. Spencer indicated they had no rebuttal at this time. Historic Preservation Planner Walker made closing remarks.

Discussion then ensued in the form of Council Members asking questions of City staff and the applicant/appellant. City Attorney Lindsay, Historic Preservation Planner Walker, Mr. Spencer, Harry Levin, and Mr. Simpson responded accordingly. Assistant Planning & Zoning Manager Harding also provided input. In reference to the (subject) installation of artificial green foliage, Mr. Spencer provided (prior to the hearing via City staff) photos of outdoor space (on file with background materials).

Upon conclusion of questions, Council President Jones called for Council deliberation. Each Council Member expressed their position on the issue based on evidence and testimony.

A motion to reverse the decision of the Architectural Review Board (ARB) was made by Council Member Bare and seconded by Council Member Brahier.

There being no further discussion, the vote was called.

The motion passed by the following vote:

Yes: 7 Casey Jones, Jared Moore, Charles Bare, Jennifer Brahier, Teniade
 Broughton, Allison Patton, Delarian Wiggins

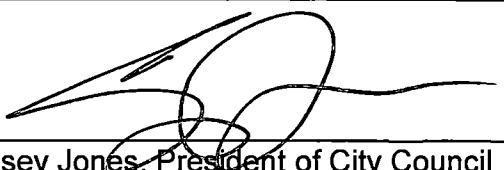
No: 0 None

There being no further business, Council President Jones adjourned the special meeting.

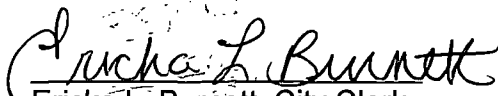
ADJOURNMENT

WHEREUPON the meeting was adjourned at 7:00 P.M.

Adopted: February 8, 2024

Approved: 
Casey Jones, President of City Council

Attest:


Ericka L. Burnett, City Clerk