



City of Pensacola

Planning Board

Agenda

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

November 12, 2024, 2:00 PM

Whibbs, 1st Floor

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

CALL TO ORDER / QUORUM

APPROVAL OF MINUTES

1. 24-1055 PLANNING BOARD MEETING MINUTES FROM SEPTEMBER 10, 2024

Recommendation:

Sponsors:

Attachments: Planning Board Minutes September 10, 2024

REQUESTS

2. 24-1050 REQUEST FOR AESTHETIC AND SITE PLAN REVIEW - 517 S. PALAFOX STREET

*Attachments: 517 S. Palafox Street_Images
517 S. Palafox Street_Application and Materials
Added Photographs and Example Images
Review Comments_517 S. Palafox Street
Sec._12_3_13.____South_Palafox_business_district.*

3. 24-1051 REQUEST FOR FINAL PLAT APPROVAL - 10TH AVENUE DEVELOPMENT SUBDIVISION

*Attachments: 10th Avenue Development_Images
10th Avenue Development_Final Subdivision Plat Application and Plat_11.1.2024
August 2024 Minutes from Preliminary Plat Application
Review Comments_10th Avenue Development
Sec._12_3_4._Medium_density_residential_land_use_district_regulation
s.
Sec._12_7_3._Procedure_for_subdivision_approval.*

4. 24-1053 REQUEST FOR VACATION OF STREET AND ALLEY RIGHTS-OF-WAY –

1000 W. MORENO STREET, BAPTIST HOSPITAL LEGACY CAMPUS

Attachments:

Baptist Hospital Vacation of ROW_Images
Baptist Hospital_ROW Vacation Application and Materials
Review Comments_Old Baptist Hospital Vacation ROW
Sec._12_11_4._Vacation_of_streets__alleys

OPEN FORUM**DISCUSSION ITEMS****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
September 10, 2024

MEMBERS PRESENT: Chairperson Ritz, Vice Chairperson Larson, Board Member Grundhoefer, Board Member Powell, Board Member Sampson, Board Member Villegas

MEMBERS ABSENT: Board Member Van Hoose

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

STAFF VIRTUAL: Development Services Director Morris

OTHERS PRESENT: Jack Myslack, Jason Rebol, Andrew Rothfeder, Buck Lindsay

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from August 13, 2024

New Business:

- Request for Preliminary Plat Approval – Red Feather Subdivision, 150 S. Baylen Street
- Request for License to Use the City Right-of-Way – 600 S. Palafox Street
- Open Forum
- Discussion
- Adjournment

Call to Order / Quorum Present

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

Approval of Meeting Minutes – Vice Chairperson Larson made a motion to approve the August 13, 2024, minutes, seconded by Board Member Powell, and it carried 6:0.

New Business –

Request for Preliminary Plat Approval – Red Feather Subdivision, 150 S. Baylen Street

Rebol-Battle & Associates, LLC, is requesting preliminary plat approval on behalf of Red Feather Developers for a subdivision at 150 S. Baylen Street. This project is located within the C-2A zoning district, of which two (2) parcels will be subdivided into thirteen (13) lots to accommodate eleven (11) single-family attached residences and an additional two (2) parcels owned by the homeowners' association. The properties also fall within the Palafox Historic Business District, where all development is subject to review by the Architectural Review Board, the CRA Urban Core, and the Dense Business District.

Mr. Rebol presented to the Board. Chairperson Ritz reiterated comments from past submittals and commented that the development would be much better than the existing parking lot. There are residential developments of a similar nature nearby and it represented a good use of urban space. Board Member Grundhoefer asked about the north common area in Parcel B and its access, and Mr. Rebol pointed out an easement along the east of the development, and that it will likely be an amenity area for the residents. The easement on the east side is on the neighboring property, and the easement dedication documents will be provided with the final plat documents. Mr. Rothfeder also presented to the board. He is the developer of the project. The easement has already been recorded. Currently, that area is landscaping and a drainage ditch. The stormwater will be put underground, and a sidewalk and landscaping will be placed on top. Mr. Grundhoefer also asked about existing on-side parking lot curbs which are shown on the plat, but which will be removed during development.

Board Member Powell made the motion to approve as submitted. The motion was seconded by Board Member Grundhoefer, and it carried 6:0.

Request for License to Use the City Right-of-Way – 600 S. Palafox Street

Winford Lindsay (Lindsay, Pope, Brayfield & Associates, Inc.), on behalf of Pensacola Palafox Lodging LLC, is requesting approval for a license to use the city right-of-way at 600 S. Palafox Street. The purpose of this application is to allow for the construction of an awning overhang which will be structurally attached to the right-of-way by decorative columns. The awning will extend over the sidewalk along S. Palafox Street and also over the sidewalk along Cedar Street where a future patio and outdoor seating area will be. The full overhang encroachment will measure 79' x 5'-4" along the Cedar Street frontage and 195'-8" x 6'-3" along the Palafox Street frontage. This property is located in the Palafox Historic Business District and the overall hotel project, including the aesthetics of the subject canopy, was approved by the Architectural Review Board in April 2024.

Mr. Lindsay, architect for the project, presented to the Board. Chairperson Ritz commented that the Board is not necessarily considering aesthetics of the development, but only the license to use the right-of-way portion for the awning structurally attached to the right-of-way. He appreciated the public amenity such as an awning which will protect people from rain, and which is a common building element in the area. The board is usually favorable to license to use applications. Board Member Villegas asked for the scope to be clarified, and Mr. Lindsay responded that the canopy would extend along the full S. Palafox building elevation and halfway along the Cedar Street building elevation. There was another canopy along Cedar Street, but it is not part of the license to use application being reviewed by the Board. Rainwater would be managed with downspouts not incorporated into the columns. Board Member Grundhoefer was in support but had questions regarding a portion of a raised patio in the Cedar Street right-of-way. Mr. Lindsay responded that that

portion was added to give presence to the corner of the building and that it was elevated due to the flood zone requirements. It's there principally to engage the pedestrian experience, as well as guests. Board Member Grundhoefer did not think that was a common encroachment elsewhere. Assistant Planning and Zoning Division Manager Harding responded that the overall development contains several encroachments which were considered "minor encroachments" (the elevated patio, the awnings not structurally attached to the right of way, a vehicle pull over lane on Cedar Street, and a portion of an ADA ramp). Per the LDC, minor encroachments may be approved administratively (through a minor LTU) if certain conditions are met. Those encroachments were reviewed and approved as a minor LTU by the City Engineer and Building Official per the ordinance. Assistant Planning and Zoning Division Manager Harding clarified that the Planning Board application is for the "major" license to use request which is only for the overhead awning structurally attached to the right-of-way. Board Member Grundhoefer thought that the difference between "major" and "minor" was subjective. Staff referenced Sec. 12-11-7(e) and provided it on the screen,

"(e) Approval of minor encroachments. Minor encroachments into the right-of-way may be approved administratively if the conditions of this section are met. Minor encroachments allowed under this section include, but are not limited to, awnings, driveways, and out-swinging doors.

(1) Design standards and regulations. The request shall be reviewed to ensure the minor encroachment does not pose any safety concerns, that a six-foot wide pedestrian path is maintained, and that the minor encroachment does not interfere with any utilities or facilities within the right-of-way.

- a. For out-swinging doors, the permittee must demonstrate a physical barrier has been provided to prevent the door from swinging into anyone within the public right-of-way.
- b. Awnings that project over the right-of-way but do not require support columns in the right-of-way may be considered a minor encroachment.
- c. The building official or city engineer will determine the boundaries of the minor encroachment area.
- d. Failure to maintain the minor encroachment area may result in citations being issued."

Assistant Planning and Zoning Division Manager Harding restated that since those items have already been approved as a "minor LTU" and under a separate process, Planning Board's review is only for the "major LTU" which is the overhead canopy structurally attached to the right-of-way. Board Member Grundhoefer and Board Member Larson provided their opinion that the elevated patio constituted a "major" LTU. Assistant Planning and Zoning Division Manager Harding reiterated that the patio had already been approved administratively as a "minor LTU" per Sec. 12-11-7(e). Chairperson Ritz stated that it is his understanding that the patio can be built since it was approved administratively per the LDC, but that it might not have an awning over it if the application before them was denied. The board had further discussion regarding the interpretation of minor vs major and it appeared that clarifications in the LDC were needed and should be addressed as part of the upcoming LDC assessment.

Board Member Larson made a motion to approve with the caveat that City Council address what is "major" and "minor" in more specific terms for future LTU approvals. Chairman Ritz thought that the motion took on a lot of other issues that go beyond the specific application, and that the question of "major" vs "minor" should be considered separately. Planning

Board can make a recommendation separate of the LTU application to address the LDC. Board Member Larson revised his motion, to approve the LTU as presented. However, he would like to discuss the matter more as part of the Discussion portion of the meeting. Planning and Zoning Division Manager Cannon reminded the Board that the City is in the process of issuing a Request for Proposals for a consulting firm to assess the LDC. The request to clarify definitions could certainly be included in that process and as a priority. Some board members wished to discuss the application further and Board Member Larson rescinded the motion. There was no motion on the floor. The Board continued their discussion on the canopy, major vs minor LTU's, and landscaping. The Board discussed that even though this item brought up a potential issue with the LDC, those issues which should be addressed do not need to weigh down the current LTU application. Those issues (definitions of "minor" vs "major") can be discussed further and addressed as part of the upcoming LDC assessment, if not sooner.

Board Member Villegas made a motion to approve, seconded by Board Member Powell. Board Member Grundhoefer then asked about street trees. Mr. Lindsay stated that there are nine existing crepe myrtles along Palafox which will be retained. There are three healthy crepe myrtles on the property line which are city trees. Those are to be transplanted, either to the street edge, or to the interior of the site. The City's Arborist is happy to assist with that process. So, the street trees will stay. Assistant Planning and Zoning Division Manager Harding pointed out that the property is in zoning district C-2A where developments are exempt from general landscaping requirements in the right-of-way. The developers seem to be going above and beyond in that aspect.

The motion to approve was called to a vote, and it carried 5-1 with Board Member Grundhoefer dissenting.

Open Forum – none

Discussion – Board Member Larson requested that the definition of "major" and "minor" licenses to use be put into the code and clarified when the LDC is formally assessed and rewritten. Staff agreed to carry the request forward and assured the Board that their discussion will be provided to whomever is chosen to take on that project. There was further discussion on the LTU process, fees, types, etc. Staff clarified the city's fee schedule is in the code of ordinances, but it is not in the Land Development Code. Additional discussion was provided on past Board applications and the LDC assessment.

Adjournment – With no further business, the Board adjourned at 3:13 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 #: 24-1050

Planning Board

11/12/2024

ACTION ITEM

SUBJECT:

Request for Aesthetic and Site Plan Review - 517 S. Palafox Street

SUMMARY:

The Bodacious Olive, LLC, is seeking aesthetic and site plan approval for the extension of an outdoor event space at 517 S. Palafox. The current space is vacant, although it is often used in conjunction with 5eleven Event Hosting next door. Both properties are owned by the applicant. The proposed site improvements include the addition of perimeter fencing and landscaping, interior arbors, new hardscapes, and an artificial turf event lawn. The application packet also shows the addition of new street trees along Cedar Street; however, that request will be reviewed by the City's Public Works Department, the City Arborist, and CRA. In addition to the aesthetic plans, the applicant is requesting that the Planning Board reduce a 15' visibility triangle located in the southeast corner of the site from 15' at the property line intersection to 0'.

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. 12-3-13. South Palafox Business District](#)

ATTACHMENTS:

1. 517 S. Palafox Street_Images
2. 517 S. Palafox Street_Application and Materials
3. Added Photographs and Example Images
4. Review Comments_517 S. Palafox Street
5. Sec._12_3_13.____South_Palafox_business_district.

517 S. Palafox Street – Aesthetic and Site Plan Review





**Planning Board Application
Request for Aesthetic Review**

Application Date: 10/4/24

Project Address: 517 S Palafox St

Applicant: The Bodacious Olive, LLC

Applicant's Address: 350 W Cedar St Suite 300 Pensacola 32502

Email: andrew@rothfeder.com **Phone:** 850 232 3003

Property Owner: The Bodacious Olive, LLC

**Redevelopment
District:**



Waterfront



Gateway



**South Palafox
Business**



**North 9th
Avenue**

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

Project specifics/description:

Creation of an outdoor event space/lawn as an extension of the adjacent 511 indoor event space. Project includes a new aluminum fencing with a hedge and trees along Cedar Street. Existing Magnolia trees to remain. The owner requests planning board to reduce the visibility triangle from 15' to zero. Please see the attached document for justification.

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

Applicant Signature

10/16/24

Date

Attachment 1

City of Pensacola

Att; Planning Board Application

Request for Aesthetic Review

The owner requests the planning board to reduce the visibility triangle from 15' to zero. The purpose of the visibility triangle is prevent or mitigate a new (or worsen an existing) safety issue with vehicles. In this case, the only potentially affected traffic would be vehicles traveling east on Cedar, stopping at the stop sign, and either turning left or right onto Palafox, or going straight across. Currently, cars almost always parked along the western curb of Palafox create a natural visibility condition that forces drivers to very slowly inch into the intersection after stopping. This happens well after the car is past the new fence that will be constructed. There is also a 15-foot sidewalk and right of way beyond the proposed fence line, further making the proposed fence line a non-issue for vehicular safety. Thus, we do not believe it is in any way creating or worsening an existing vehicular visibility condition” It is worth noting that the ”visibility triangle” does not exist across the street in the C-2A historic district. See the below diagram. All areas in red are already exempt.

- In [Sec. 12-3-58\(c\)\(1\)](#), zoning district C-2A is exempt from visibility triangles. This district is directly across the street from the project area (see below).



- The neighboring C-2A district also has a historic overlay (the Palafox Historic Business District). The purpose of the South Palafox Business District (517 N. Palafox's district) is stated in [Sec. 12-3-13\(1\)](#), *Purpose of district. The South Palafox business district is established to promote the compatible redevelopment of the city's historic downtown waterfront by encouraging high quality site planning and architectural design that*

is compatible with both the historic character of the existing structures and the waterfront activities. The zoning regulations are intended to help avoid excessive building height and mass and vehicular congestion.

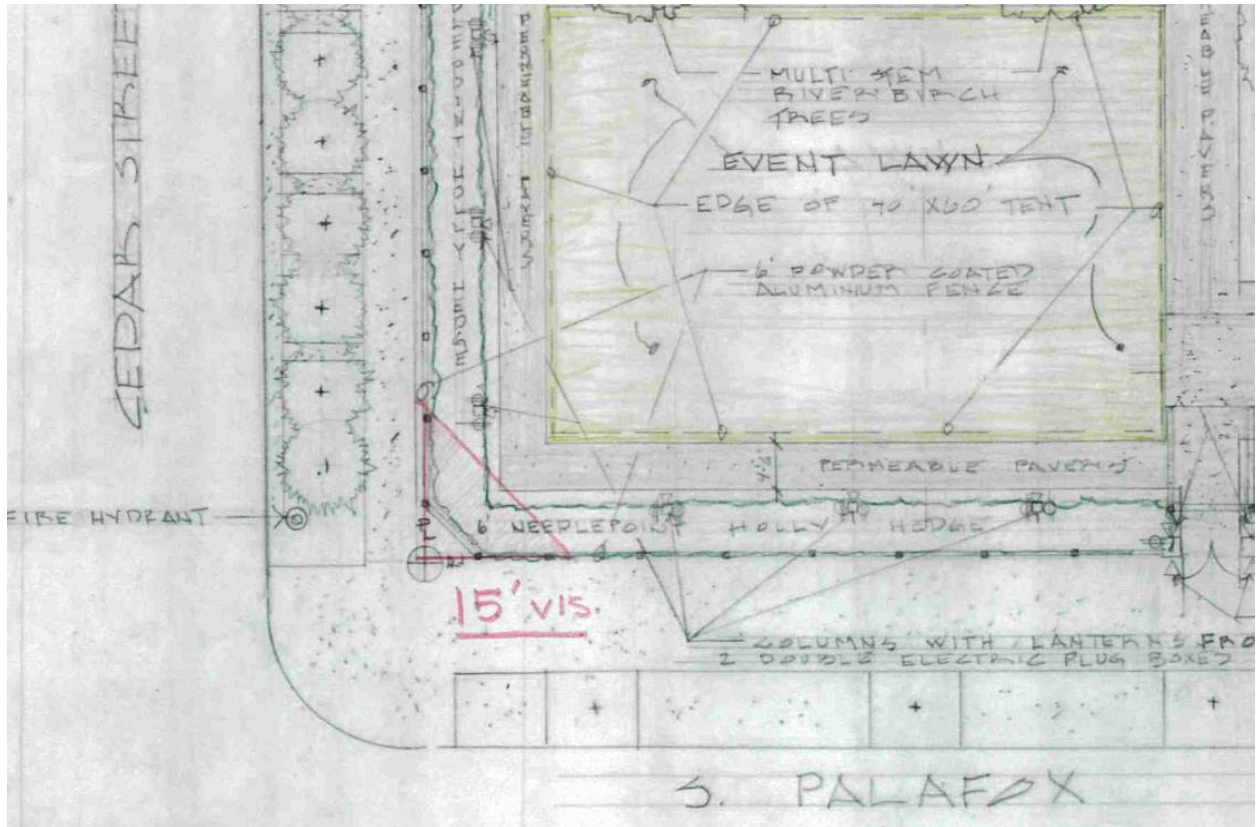
- Since this project is adjacent to a historic district, Sec. 12-3-13(5) may be applicable - *Proposed developments within the district, that are located adjacent to a historic district should give special consideration to visual compatibility in scale and architectural design in order to positively reinforce the character of the historic area and provide a buffer and transition.*

This is important to the owner in that it allows the maximum amount of usable space within the property. The owner would like the ability to tent the front lawn in the case of a large event or weather situation. Without a square lot the tent would decrease in size limiting the number of attendees.

We appreciate your time and consideration.

John Mills

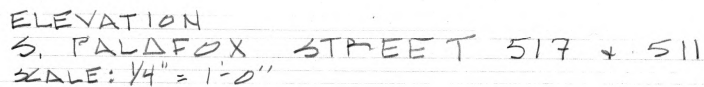
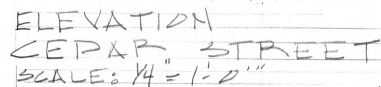
Fransen Mills LLC



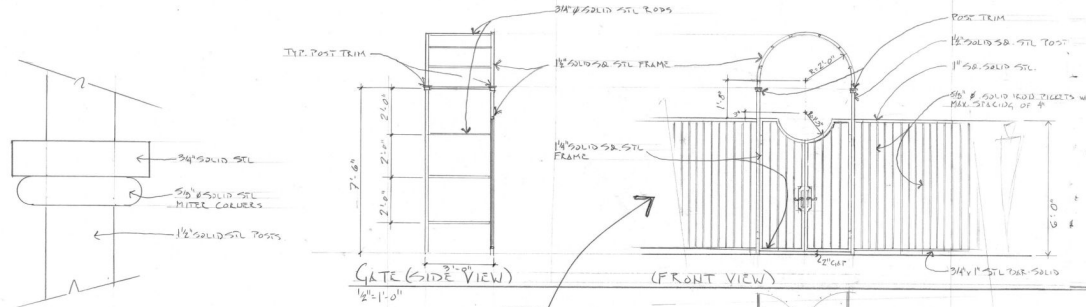
FRANSEN MILLS L.L.C.
CONSULTANT
1419 AMELIA STREET
NEW ORLEANS, LOUISIANA 70115
(504) 529-7294

STREET ELEVATION 3
5 ELEVATION 6, 12, 14, 15
PENACOLA, LA.

ORIGIN	RJLF
CHECKED	JDM
DATE	9/24/04
SCALE	AS NOTED
SHEET DESCRIPTION	
SHEET	
L2	
OF	SHEETS



TYPICAL POST TRIM
FULL SCALE

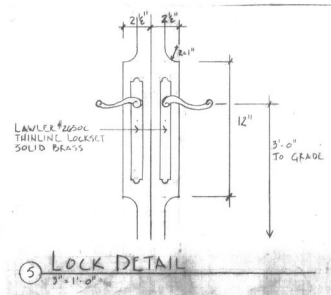


100' FENCING REQ'D
W/ POSTS @ 6'
O.C.

IRON NOTES

- * ALL IRON TO BE SHOP PRIMED AND PAINTED IN FIELD OWNER TO PICK COLOR
- * ALL JOINTS TO BE WELDED AND GRIND SMOOTH
- * IRON TO BE GENERALLY FREE OF ALL DEFECTS

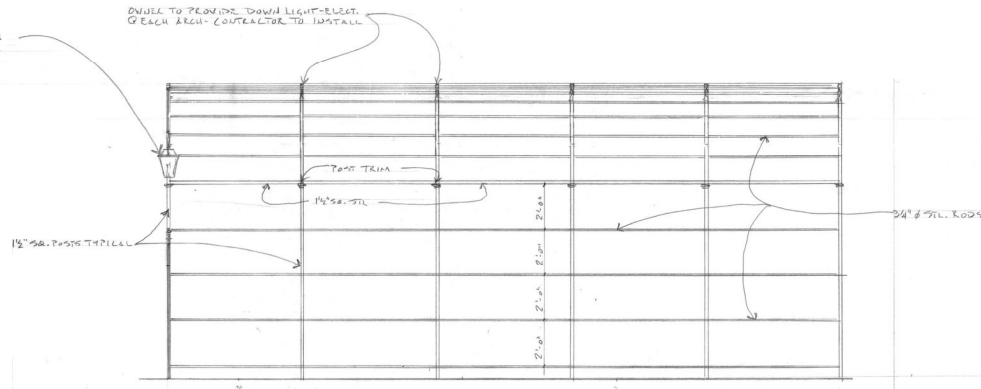
④ HINGE DETAIL
NO SCALE



* PROVIDE CONC. FOOTING @ EACH POST

OWNER ELECTRICAL LAUNTER PROVIDED BY OWNER-INSTALL BY CONTRACTOR
3/4\"/>

OWNER TO PROVIDE DOWN LIGHT-ELECT. EACH ARCH- CONTRACTOR TO INSTALL



LARGE ARBOR - (SIDE ELEVATION)
1/4\"/>

REVISIONS	BY

RENÉ J.L. FRANSEN
LANDSCAPE ARCHITECT LLC
1234 ESPERANCE AVENUE
NEW ORLEANS, LOUISIANA
(504) 555-1234

PLAUCHE RESIDENCE
105 HUMMINGBIRD LAKE
COVINGTON, LOUISIANA 70443

DATE	7/25/18
BY	AS NOTED
APP	

L2



Plant Palette

Prepared for 511 Palafox
September 25, 2024



Ilex x Attenuata
Eagleston Holly (Tree Form)



Ilex cornuta 'Needlepoint'
Needlepoint Holly (Hedge)



Betula nigra
River Birch (Multi-Stem, 3 Stems)







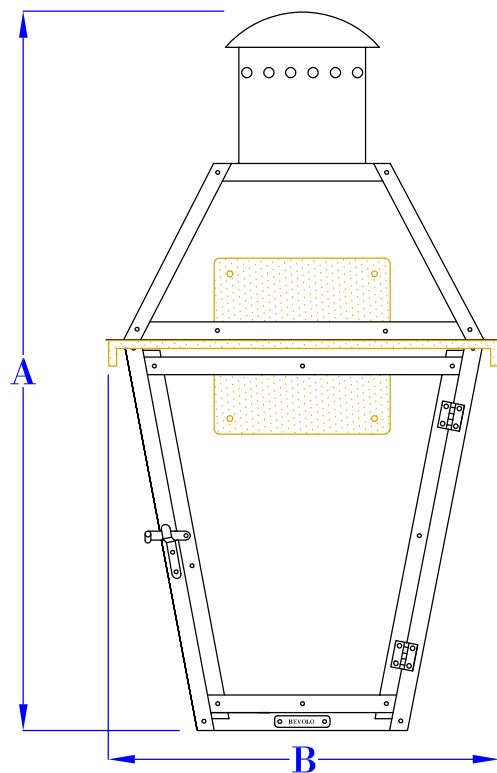
FRENCH QUARTER®

ORIGINAL BRACKET

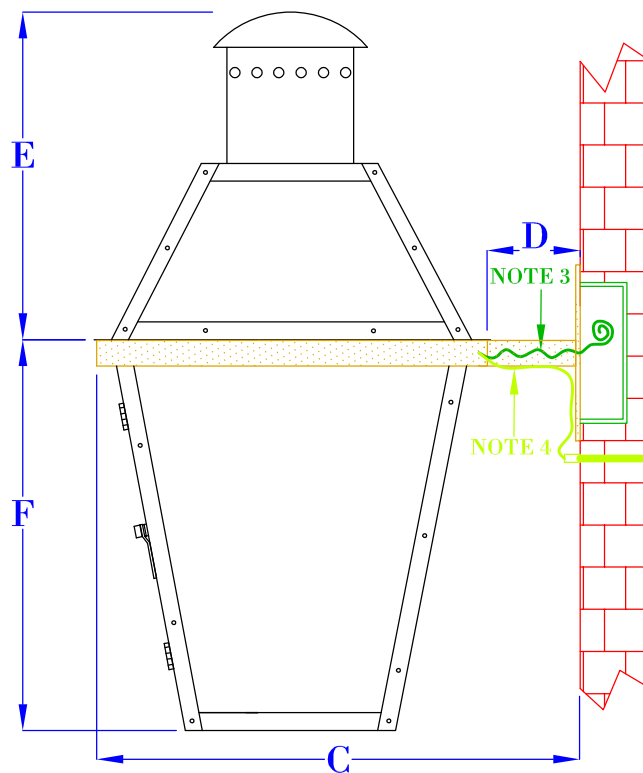
This Bevolo® original was designed in the 1940s by world renowned architect A. Hays Town and Andrew Bevolo Sr. This Original French Quarter® lantern adorns many historic buildings across the country. The light can be used with a wide range of architectural styles. It is available in natural gas, liquid propane, and electric.

Standard Lantern Sizes		
Height	Width	Depth
14.0"	9.3"	9.3"
18.0"	10.5"	10.5"
21.0"	11.5"	11.5"
24.0"	13.3"	13.3"
*27"	14.5"	14.5"
*30"	17.5"	17.5"
*36"	21.5"	21.5"

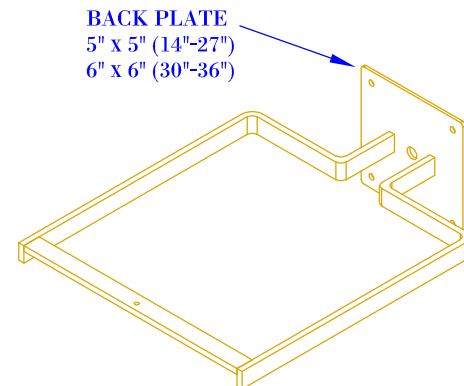
*Oversized lanterns are not returnable



FRONT VIEW
(NTS)



SIDE VIEW
(NTS)



ISOMETRIC VIEW
(NTS-BRACKET ONLY)

NOTES:

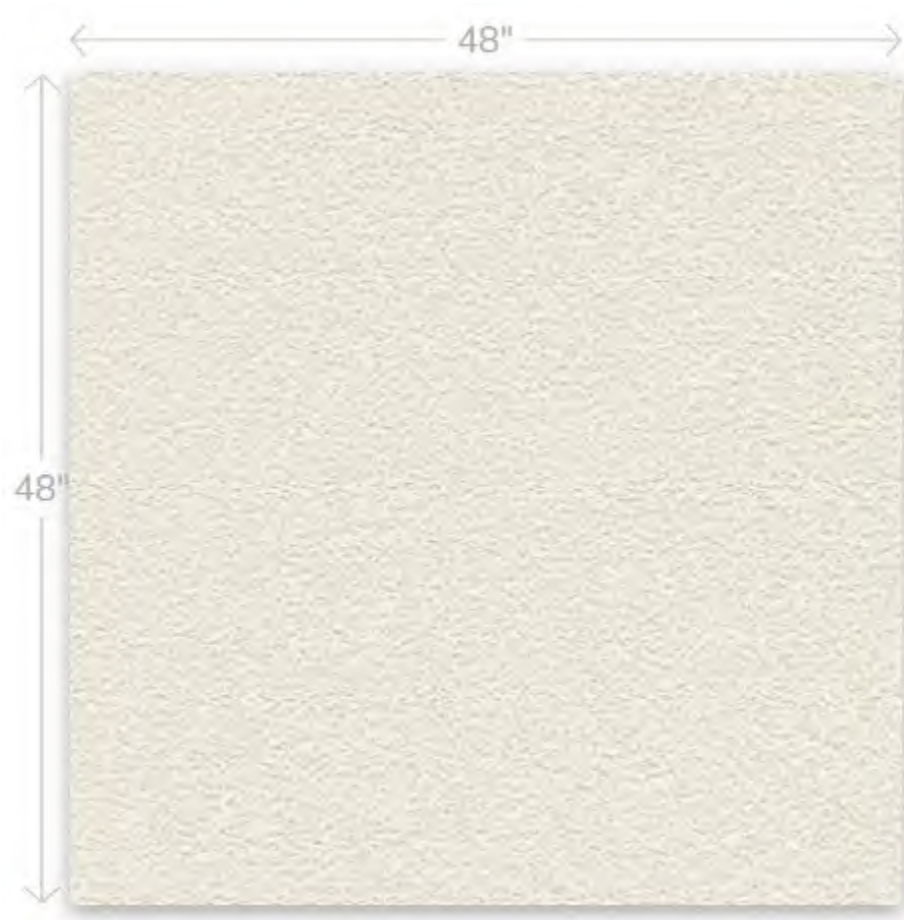
1. MOUNTING HARDWARE SUPPLIED BY OTHERS
2. FIXTURES ARE HANDCRAFTED. DIMENSIONS MAY VARY PLUS OR MINUS $\frac{1}{4}$ "
3. ELECTRIC LIGHTS SUPPLIED WITH 18/2 WIRE WITH GROUND
4. GAS LIGHTS SUPPLIED WITH $\frac{3}{16}$ " COPPER GAS LINE AND $\frac{3}{16}$ " x $\frac{1}{4}$ " GAS LINE ADAPTOR

SIZE:	14"	18"	21"	24"	27"	30"	36"
A:	14 $\frac{1}{4}$ "	17 $\frac{3}{4}$ "	20 $\frac{1}{2}$ "	25 $\frac{1}{4}$ "	26 $\frac{1}{4}$ "	30 $\frac{5}{8}$ "	37"
B:	9 $\frac{1}{4}$ "	10 $\frac{1}{2}$ "	11 $\frac{1}{2}$ "	13 $\frac{1}{4}$ "	14 $\frac{1}{2}$ "	17 $\frac{1}{2}$ "	21 $\frac{1}{2}$ "
C:	11 $\frac{3}{4}$ "	13"	14"	15 $\frac{3}{4}$ "	17"	20"	24"
D:	2 $\frac{1}{2}$ "	2 $\frac{1}{2}$ "	2 $\frac{1}{2}$ "	2 $\frac{1}{2}$ "	2 $\frac{1}{2}$ "	2 $\frac{1}{2}$ "	2 $\frac{1}{2}$ "
E:	6 $\frac{1}{4}$ "	7 $\frac{5}{8}$ "	9 $\frac{3}{8}$ "	12 $\frac{3}{8}$ "	11 $\frac{7}{8}$ "	14 $\frac{1}{2}$ "	17 $\frac{3}{8}$ "
F:	8"	10 $\frac{1}{8}$ "	11 $\frac{1}{8}$ "	12 $\frac{7}{8}$ "	14 $\frac{3}{8}$ "	16 $\frac{1}{8}$ "	19 $\frac{5}{8}$ "

BEVOLO GAS & ELECTRIC LIGHTS

LIGHT:	FRENCH QUARTER	DATE:	APP. BY:	JJG	COPYRIGHT 2017, BEVOLO GAS & ELECTRIC LIGHTS. DRAWINGS & DESIGNS ARE OWNED BY BEVOLO AND REMAIN THE SOLE AND EXCLUSIVE PROPERTY OF BEVOLO GAS & ELECTRIC LIGHTS. DRAWINGS AND DESIGNS SHALL NOT BE DUPLICATED IN WHOLE OR PART.
BRACKET:	ORIGINAL BRACKET MOUNT	11-30-17	REVISION:	5	

Stucco Color and Texture:



Lattice Wall Color:





Everglade Spring Pro

- Features a natural and lush colorway for a perfect lawn year-round.
- K29 Triple-Layered Non-Expansive Backing for greater seam strength.
- Backed by our industry-leading 15-year warranty.

GENERAL FEATURES:

Traffic Level:	Moderate to Heavy Traffic
Applications:	Landscape
Blade Colors:	Field Green / Lime Green

PRODUCT SPECIFICATIONS

Yarn Characteristics

Type: Monofilament PE with Thatch

Composition/Structure: Polyethylene

Denier: 9,000/5,000

Colors: Field Green/Lime Green

Blade Shape: Omega Shape

Turf Characteristics

Pile/Face Weight: Approx. 75 Ounces

Pile Height: Approx. 1.75 Inches

Machine Gauge: 3/8 inch

Thatch Color: Green & Tan

Total Product Weight: Approx 102 Ounces Per Square Yard

Backing Characteristics

Primary Composition: K29 Triple-Layered Non-Expansive Backing

Weight: 7.3 Ounces Per Square Yard **Tuft Bind:** 10+ Pounds

Finish Coating: Polyurethane 20 Ounces Per Square Yard*

Manufactured Rolls

Width: 15 Feet **Length:** 100 Feet

Shipping Weight: 1,065 Pounds*

Roll Diameter: 24 Inches

Particulate Infill

Type: Quality Infill

Weight: 1.5-2.5 Lbs Per Sq Ft**

Colors: Green, Black, or Natural



Main Advantages:

- Designed to truly replicate grass with enhanced recovery
- Heat and frost resistant/ UV stabilized
- No harmful environmental effects, Not water soluble
- Uniquely formulated backing for greater seam strength

Recommended Maintenance:

Rinse and groom as needed to limit matting

Drainage Rate: 30+ inches of rain per hour per square yard

* Approximate Weight

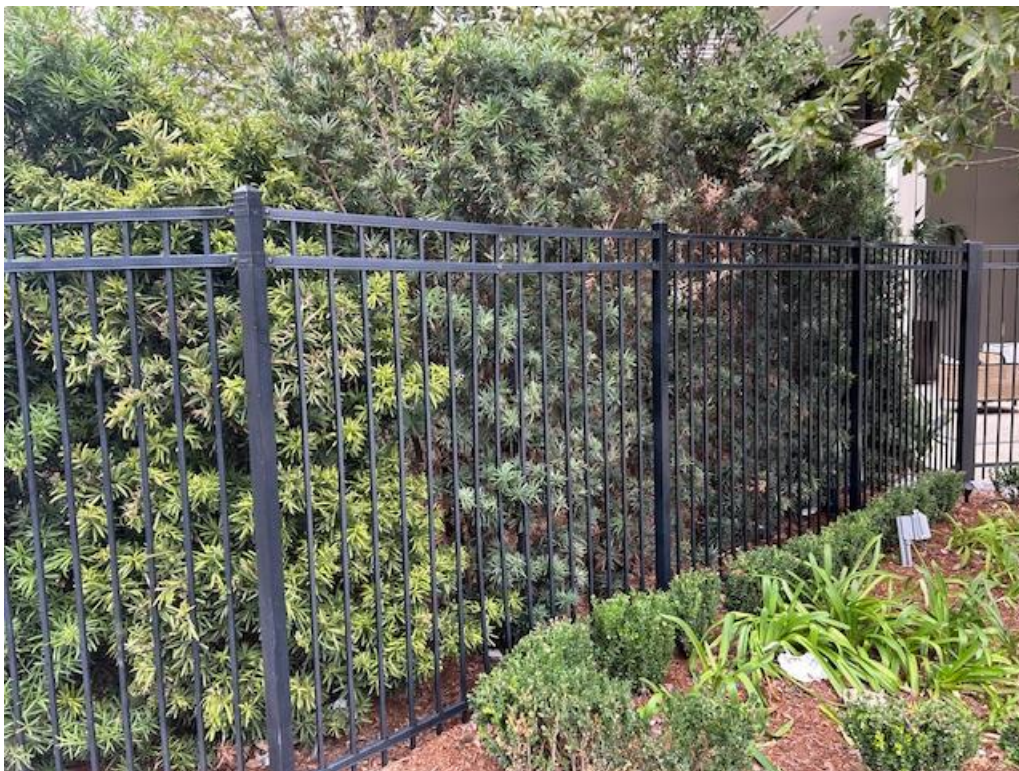
† For IPEMA Certification, infill must be 2 pounds of Envirofill per sq ft

Artificial grass is made from plastic and should not be subject/exposed to open flames or high heat producing items.



Additional photographs / example images

Aluminum fence with hedge - hedge not variety or height proposed





Similar lattice but most of ours is simpler but color close





Lanterns on columns



Arbor example





Arbor with some growth





Department:	Comments:
Planning	No comment. Planning Board to review visibility triangle reduction.
FIRE	No comment from me other than if there is a plan for a tent in this area, they will need to file for the appropriate tent permit if it is over 100 square feet. The tent companies in town know what they need to apply for, but just wanted to mention because I saw a tent on the drawing.
PW/E	No comments (Streets/Traffic and Engineering).
Surveyor	No survey comments.
Inspection Svcs	No comment.
Pensacola Energy	Pensacola Energy has no objection to this request.
ECUA	No comment from ECUA regarding aesthetic review.
FPL	No comment.
ATT	No comment.
FDOT	no comment
CRA	Consultation with CRA is required prior to any planting plans in the right-of-way.
Parking	No comment.
Airport	No comment.
Arborist	Consultation with Arborist is required prior to any planting plans in the right-of-way.

Sec. 12-3-13. South Palafox business district.

The regulations in this section shall be applicable to the South Palafox business district: SPBD.

- (1) *Purpose of district.* The South Palafox business district is established to promote the compatible redevelopment of the city's historic downtown waterfront by encouraging high quality site planning and architectural design that is compatible with both the historic character of the existing structures and the waterfront activities. The zoning regulations are intended to help avoid excessive building height and mass and vehicular congestion.
- (2) *Uses permitted.*
 - a. Single-family residential (attached or detached) at a maximum density of 17.4 units per acre. Multifamily residential at a maximum density of 108 dwelling units per acre.
 - b. Home occupations, subject to regulations in section 12-3-57.
 - c. Offices.
 - d. Libraries and community centers opened to the public and buildings used exclusively by the federal, state, county and city government for public purposes.
 - e. Hotels/motels.
 - f. Marinas.
 - g. Parking garages.
 - h. The following retail sales and services with no outside storage or major repair work permitted:
 1. Retail food and drug stores (including medical marijuana dispensaries and liquor package store).
 2. Personal service shops.
 3. Clothing stores.
 4. Specialty shops.
 5. Banks.
 6. Bakeries, whose products are sold at retail on the premises.
 7. Antique shops.
 8. Floral shops.
 9. Health clubs, spas and exercise centers.
 10. Laundromats and dry cleaners.
 11. Restaurants.
 12. Studios.
 13. Art galleries.
 14. Bars.
 - i. Retail sales and services with outside storage or major repair work permitted:
 1. Sale or rental of sporting goods or equipment including instructions in skiing, sailing, or scuba diving.

-
- 2. Boat sales/rentals.
 - 3. Boat fueling.
 - 4. Commercial fishing.
 - j. Accessory buildings and uses customarily incidental to the above uses.
 - k. Family day care homes licensed by the state department of children and family services as defined in state statutes.
- (3) *Procedure for the review of plans.*
- a. *Plan submission.* Every application to construct a new structure in the South Palafox business district shall be subject to the development plan review and approval procedure established in section 12-3-120. Every application for a new certificate of occupancy or a building permit to erect, construct, demolish, renovate or alter a building or sign, or exterior site work (i.e., paving and landscaping of off-street parking areas), located or to be located in the South Palafox business district shall be accompanied with drawings or sketches with sufficient detail to show, as far as they relate to exterior appearances, the architectural design of the building, sign, or exterior work (both before and after the proposed work is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plot plan or site layout including all site improvements or features such as walls, fences, walks, terraces, plantings, accessory buildings, paved areas, signs, lights, awnings, canopies and other appurtenances. All developments within the South Palafox business district must comply with design standards as established in section 12-3-121.
 - b. *Review and approval.* All plans shall be subject to the review and approval of the planning board established in chapter 12-12. At the time of review the board may require that any aspect of the overall site plan which does not meet the standards established in this section be incorporated and brought into compliance within a time limit approved by the board.
 - c. *Abbreviated review.* Sign requests, paint colors, fencing, and emergency repairs that are consistent with the regulations and guidelines set forth in this section, may be approved by letter to the building official from the planning board secretary and the chairperson of the board. This provision is made in an effort to save the applicant and the board time for routine approval matters. If agreement cannot be reached as it pertains to such requests by the board secretary and chairperson, then the matter will be referred to the board for a decision.
- (4) *Regulations.*
- a. *Building height and setback.* Buildings and other structures may be constructed to a maximum height of 80 feet above the required flood plain elevation. There shall be no minimum front, rear or side yard buildings setback requirements, except as may be necessary to comply with applicable fire safety codes.
 - b. *Signs.* Any proposed new, altered or replacement sign may not impair the architectural or historical value of buildings within the district. Such sign shall be consistent with the character of the South Palafox business district. The sign's lettering and construction should complement the building to which it is attached.
 - 1. *Permitted signs.* See section 12-5-3 for sign area calculation.
 - i. *Temporary accessory signs.*
 - (a) One non-illuminated sign advertising the sale, lease, or rental of the lot or building, said sign not to exceed six square feet in 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. *Portable signs.* Businesses located within the South Palafox business district may place one portable (two-sided A-Frame) sign on the sidewalk adjacent to the business location subject to the following conditions:
 - (a) The maximum size of the sign shall not exceed two feet wide by three feet high;
 - (b) The sidewalk width shall be a minimum of eight feet;
 - (c) A one-time fee of \$40.00 shall be paid to the city for a license to use the sidewalk for placement of a sign;
 - (d) A license to use agreement, with proof of insurance, shall be required to use an identified area of the sidewalk for locating a sign;
 - (e) The sign shall be removed from the sidewalk at the close of business hours daily;
 - (f) Signs shall require approval by the planning board.
- iii. *Permanent accessory signs.*
 - (a) One sign per street frontage subject to the following limitations:

Building Size	Area Limits
1 Story	12 sq. ft.
2 Story	24 sq. ft.
3 Story	32 sq. ft.
4 Story	42 sq. ft.
5 Story	48 sq. ft.
6 Stories and over	60 sq. ft.

Sign height. No attached sign shall extend above the eave line of a building to which it is attached. Roof surfaces constructed at an angle of 65 degrees or more from horizontal shall be regarded as wall space. Signs projecting from a building or extending over public property shall maintain a clear height of nine feet six inches. The sign may be mounted to the face of a wall of the building, hung from a bracket that is mounted to a wall of a building, hung from other ornamental element on the building. Attached or wall signs may be placed on the front or one side of the building. The sign may be illuminated provided the source of light is not visible beyond the property line of the lot on which the sign is located.

- (b) 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 flat against the wall of the building.
- (c) Municipal or state installed directional signs, historical markers and other signs of a general public interest when approved by the mayor.

2. *Prohibited signs.*

- i. Any sign using plastic materials for lettering or background.
 - ii. Internally illuminated signs or awnings.
 - iii. Portable signs (except as noted in subsection (4)b.1.ii of this section).
 - iv. Nonaccessory signs.
 - v. Rooftop signs.
 - vi. Any sign containing or illuminated by flashing or intermittent lights if changing degrees of intensity.
 - vii. Signs with visible motion.
 - viii. Signs that incorporate projected images or emit sound.
 - ix. Strings of light bulbs other than holiday decorations.
 - x. Gas or hot-air balloon-type signs.
 - xi. Banners, pennants and streamers except on a temporary basis as provided for in section 12-5-6.
 - xii. Signs that are posted, painted, or otherwise affixed to any rock, fence, tree or utility pole.
 - xiii. Signs that are not securely fixed on a substantial structure.
 - xiv. Signs that are not in good repair or that may create a hazardous condition.
 - xv. Signs that are illegal under state laws and regulations.
 - xvi. Nonaccessory signs attached to any craft or structure in or on a water body designed or used for the primary purpose of displaying advertisements. Provided, however, that this provision shall not apply to any craft or structure that displays an advertisement or business notice of its owner, so long as such craft or structure is engaged in the usual business or regular work of the owner, and not used merely, mainly or primarily to display advertisement.
- c. *Vehicular access.* For each lot, tract or parcel under single ownership, the maximum number of vehicular access points shall not exceed two per street frontage. Provided, however, for each 50 feet of street frontage in excess of 100 feet, one additional access may be permitted.
- d. *Landscaping.* Landscaping shall be subject to applicable provisions of section 12-6-3. In addition all service areas (i.e., trash collection containers, compactors, loading docks) shall be screened from street and adjacent buildings by one of the following techniques:
1. Fence or wall and gate, six feet high;
 2. Vegetation; six feet high (within three years);
 3. A combination of the above.
- e. *Underground utility services.* All new building construction or increases of floor area of 50 percent or more to existing structures shall be required to install underground utilities on the site.
- f. *Off-street parking.* New construction of buildings that do not exceed 40 feet in height, or the renovation of existing buildings that do not exceed 40 feet in height shall be exempt from the off-

street parking requirements set forth in section 12-4-1. The off-street parking requirements set forth in said section shall be required for the gross floor area contained in newly constructed or renovated buildings above the 40-foot elevation. The required parking may be provided by the owner on the same parcel of property proposed for development, or off-site as specified in section 12-4-1(4). In addition to the requirements of section 12-4-1, screening shall be provided along the edges of all parking areas visible from the street rights-of-way. This screening may take the form of: a solid wall or fence (chain-link fences are prohibited) with a minimum height of four feet that is compatible in design and materials with on-site architecture and nearby development, or an earth berm approximately three feet in height that is landscaped to provide positive screening effective within three years, or a combination of walls or fences and landscape screening, or landscape screening design to provide positive screening within three years.

- g. *Buildings fronts, rears, and sides abutting streets and public areas.* All structural and decorative elements of building fronts, rears, and sides abutting streets or public improvement areas shall be repaired or replaced to match as closely as possible the original materials and construction of that building or be compatible with the SPBD architectural character.
 - h. *Walls and fences.* The size, design and placement of these features within the South Palafox business district shall be consistent with the architectural character within the immediate area of their location.
 - i. *Paint colors.* Planning board-approved paint palettes from several manufacturers, that represent acceptable historic colors for use in the South Palafox business district, shall be maintained in the planning office for public review.
 - j. *Additional regulations.* In addition to the regulations established above in subsections (4)a through f of this section, any permitted use within the South Palafox Business district where alcoholic beverages are ordinarily sold is subject to the requirements of chapter 7-4.
- (5) *Development guidelines.* All development shall be subject to the provisions of section 12-3-121(d) and the following provisions:
- a. *Site planning.* The integration of site features such as building arrangement, landscaping, parking lot layout, building orientation, and scenic vantage points is critical in producing a pleasant and functional living or working environment. In reviewing development proposals, the following guidelines shall be taken into consideration:
 - 1. *Waterfront character.* Considering the waterfront location of the district, the placement of buildings, signs, service areas, parking and landscaping should be planned to maximize the preservation of views of the bay and to protect the waterfront scenic open space character.
 - 2. *Service areas and mechanical equipment.* Where possible, service areas (i.e., trash collection, loading docks), mechanical equipment, satellite dishes and all similar equipment shall be located to be screened by the building itself; otherwise, walls, fences, landscaping or earth berms shall be used to achieve effective screening.
 - 3. *Aesthetic considerations.* Development projects within the district are not subject to special architectural review and approval. In lieu of a special separate review procedure, the following general architectural and aesthetic design criteria will be considered to enhance the character of the district:
 - i. Buildings or structures that are part of a present or future group or complex shall have a unity of character and design. The relationship of forms and the use, texture, and color of materials shall be such as to create a harmonious whole.

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- ii. Natural materials such as brick, wood and stucco should be encouraged. Materials such as metal and plastic shall be discouraged on exterior surfaces of buildings.
 - 4. Proposed developments within the district, that are located adjacent to a historic district should give special consideration to visual compatibility in scale and architectural design in order to positively reinforce the character of the historic area and provide a buffer and transition.
 - 5. Projects should be encouraged that enhance the setting or provide for adaptive reuse of historic buildings and sites.
 - b. *Landscaping guidelines.*
 - 1. Landscaping should be used to enhance waterfront views and vistas and to screen undesirable features.
 - 2. Low lying plant material should be used in open areas to retain views of the water.
 - 3. Trees should be selectively utilized and carefully located along the waterfront in both public and private developments in order to maintain existing views as much as possible.
 - 4. Plantings should be coordinated near buildings to provide view corridors.
 - (6) *District rehabilitation, repair and maintenance standards.* The following rehabilitation, repair and maintenance standards shall be applied to all existing structures and land parcels respectively, whether occupied or vacant within the South Palafox business district. These standards shall be considered by the planning board when reviewing development plans in other areas of the South Palafox business district.
 - a. *Building fronts, rears, and sides abutting streets and public areas.* Rotten or weakened portions shall be removed, repaired and replaced to match as closely as possible the original materials and construction of that building or be compatible with the SPBD architectural character.
 - b. *Windows.*
 - 1. All windows must be tight fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints or loose mullions or muntins shall be replaced. All broken and missing windows shall be replaced with new glass.
 - 2. Windows openings in upper floors of the front of the building shall not be filled or boarded-up. Window panes shall not be painted.
 - c. *Show windows and storefronts.* All damaged, sagging or otherwise deteriorated storefronts, show windows or entrances shall be repaired or replaced.
 - d. *Exterior walls.*
 - 1. Existing miscellaneous elements on the building walls, such as empty electrical conduit, unused signs and/or sign brackets, etc., shall be removed.
 - 2. Sheet metal gutters, downspouts and copings shall be repaired or replaced as necessary.
 - 3. Rear and side walls shall be repaired and finished as necessary to cover evenly all miscellaneous patched and filled areas to present an even and uniform surface.
 - e. *Roofs.* Roofs shall be cleaned and kept free of trash, debris or any other element, that is not a permanent part of the building.

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- f. *Front, rear, and side yards, parking areas and vacant parcels.* When a front, rear or side yard, parking area or vacant parcel exists or is created through demolition, the owner may utilize the space in accordance with the provisions of the zoning district in which the space is located; provided, however, that the site shall be properly maintained free of weeds, litter, and garbage in accordance with applicable provisions of the Code.
 - g. *Walls, fences, signs.* Walls, fences, signs and other accessory structures shall be properly maintained.
- (7) *Survey and classification.* A survey of the district to determine in which areas historical themes are appropriate, and to classify buildings, by architectural design, and materials as historically significant, supportive, neutral, and nonconforming shall be available at the offices of the Historic Pensacola Preservation Board.

(Code 1986, § 12-2-13; Ord. No. 34-99, §§ 1—4, 9-9-1999; Ord. No. 40-99, §§ 14—16, 10-14-1999; Ord. No. 3-01, § 2, 1-11-2001; Ord. No. 6-02, § 2, 1-24-2002; Ord. No. 17-06, § 4, 7-27-2006; Ord. No. 16-10, § 203, 9-9-2010)



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 24-1051

Planning Board

11/12/2024

ACTION ITEM

SUBJECT:

Request for Final Plat Approval - 10th Avenue Development Subdivision

SUMMARY:

Bear General Contractors, Inc., is requesting final plat approval for the 10th Avenue Development Subdivision. The project is located within the R-1A zoning district of which two (2) parcels will be subdivided into nine (9) lots to accommodate single-family detached residences and one (1) lot to accommodate storm water requirements. The preliminary plat was approved by Planning Board in August 2024.

- Property area: 1.79 acres
- Maximum Density: 12.4 dwelling units per acre
- Setback requirements: front setback of 20'; side setback of 5'; rear setback of 25'.

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. 12-3-4. Medium-density residential land use district regulations](#)

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

ATTACHMENTS:

1. 10th Avenue Development_Images
2. 10th Avenue Development_Final Subdivision Plat Application and Plat_11.1.2024
3. August 2024 Minutes from Preliminary Plat Application
4. Review Comments_10th Avenue Development
5. Sec._12_3_4._Medium_density_residential_land_use_district_regulations.
6. Sec._12_7_3._Procedure_for_subdivision_approval.

10th Avenue Development Final 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: ½ the initial fee;
3. Rescheduling of Planning Board/City Council: \$250.00

<u>Applicant Information</u>	<u>Owner Information</u> (If Different from Applicant)
Name: <u>Bear General Contractors, Inc</u> Address: <u>1216 N. Palafox St. Suite A</u> <u>Pensacola, FL 32501</u> Phone: <u>850-435-4111</u> Email: <u>jmyslak@beargc.com</u>	Name: _____ Address: _____ _____ Phone: _____ Email: _____

Property Information

Location Address: 3805 & 3807 10th Avenue, Pensacola FL 32501

Subdivision Name: _____

Parcel ID #: 04-2S-30-2007-000-058

of EXISTING Parcels to be Subdivided: 2 # of PROPOSED Lots: 9 Total Acreage: 1.77

Type of Subdivision: X 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 X 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: 8/15/2024

<u>For Office Use Only</u>		
Zoning: <u>R-1A</u>	FLUM: <u>MDR</u>	Council District: <u>5</u>
Date Received: <u>10/11/2024</u>	Case Number: _____	
Application Fee: <u>\$1,750.00</u>	Receipt #: _____	
Open Space Requirement (acres or \$): _____		Receipt #: _____
Planning Board date: Prelim: <u>8/13/2024</u> FINAL: <u>11/12/2024</u>		Recommendation: _____
City Council date: <u>12/12/2024</u>	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: _____ acres

5% for land dedication: _____ acres

(may NOT equal less than 1/4 acre)

(b) Value of Land _____ \$
(per Escambia County Property Appraiser)

Fee in lieu of land dedication (5% of land value) _____ \$

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

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

FINAL PLAT OF
10TH AVENUE DEVELOPMENT
A SUBDIVISION SITUATED IN SECTION 4, TOWNSHIP 2 SOUTH, RANGE 30 WEST,
CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA
BEING A REPLAT OF PORTIONS OF
MAURA PLACE, PLAT BOOK 1, PAGE 32
9 LOTS & ONE PARCEL ZONING: ONE AND TWO FAMILY (R-1A)

PLAT BOOK _____, PAGE _____.

SHEET INDEX
1) DEDICATIONS, CERTIFICATIONS, DESCRIPTION
2) BOUNDARY LOCATION INFORMATION

PREPARED BY:



OWN
Engineering beyond.™

35008 Emerald Coast Parkway
Suite 204
Destin, FL 32541
850.714.8100
weareown.com

FORMERLY ANDERSON ENGINEERING

PREPARED: OCTOBER, 2024
SHEET 1 OF 2

NOTARY PUBLIC

BEFORE THE SUBSCRIBER PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR USES AND PURPOSES HEREIN SET FORTH, AND WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED _____ AS IDENTIFICATION. GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2025

SIGNATURE

PRINT NAME

COMMISSION NO. _____

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC, STATE OF FLORIDA

CERTIFICATE OF COUNTY CLERK

I, PAM CHILDERS, CLERK OF COURTS OF ESCAMBIA COUNTY, FLORIDA, DO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF THE PLAT ACT CHAPTER 177 FLORIDA STATUTES AND THE SAME WAS RECORDED ON THE _____ DAY OF _____, 2025 IN PLAT BOOK _____ AT PAGE _____ OF THE PUBLIC RECORDS OF SAID COUNTY.

PAM CHILDERS, CLERK OF COURTS
ESCAMBIA COUNTY, FLORIDA

CITY COUNCIL CERTIFICATE

I, ERICKA L. BURNETT, CITY CLERK OF THE CITY OF PENSACOLA, FLORIDA, DO HEREBY CERTIFY THAT THIS PLAT WAS PRESENTED TO THE CITY COUNCIL, OF SAID CITY AT ITS MEETING HELD ON THE _____ DAY OF _____, 2025 AND WAS APPROVED BY SAID COUNCIL

ERICKA L. BURNETT
CITY CLERK OF THE CITY OF PENSACOLA

CITY OF PENSACOLA PROFESSIONAL SURVEYOR AND MAPPER STATEMENT

THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177, FLORIDA STATUTES, BY THE OFFICE OF THE PROFESSIONAL SURVEY AND MAPPER FOR THE CITY OF PENSACOLA.

LESLIE D. ODOM, PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA REGISTRATION NO. 6520

DEDICATION

KNOWN ALL MEN BY THESE PRESENT THAT BEAR ENDEAVORS LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNERS OF THE LAND HEREIN DESCRIBED AND PLATTED HEREIN KNOWN AS 10TH AVENUE DEVELOPMENT, HEREBY AUTHORIZE AND REQUEST THE FILING OF THIS PLAT IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

IN WITNESS WHEREOF, BEAR ENDEAVORS LLC, A FLORIDA LIMITED LIABILITY COMPANY, QUALIFIED TO DO BUSINESS IN THE STATE OF FLORIDA HAS CAUSED THESE PRESENTS TO BE MADE AND SIGNED IN ITS NAME BY AUTHORIZED AGENT.

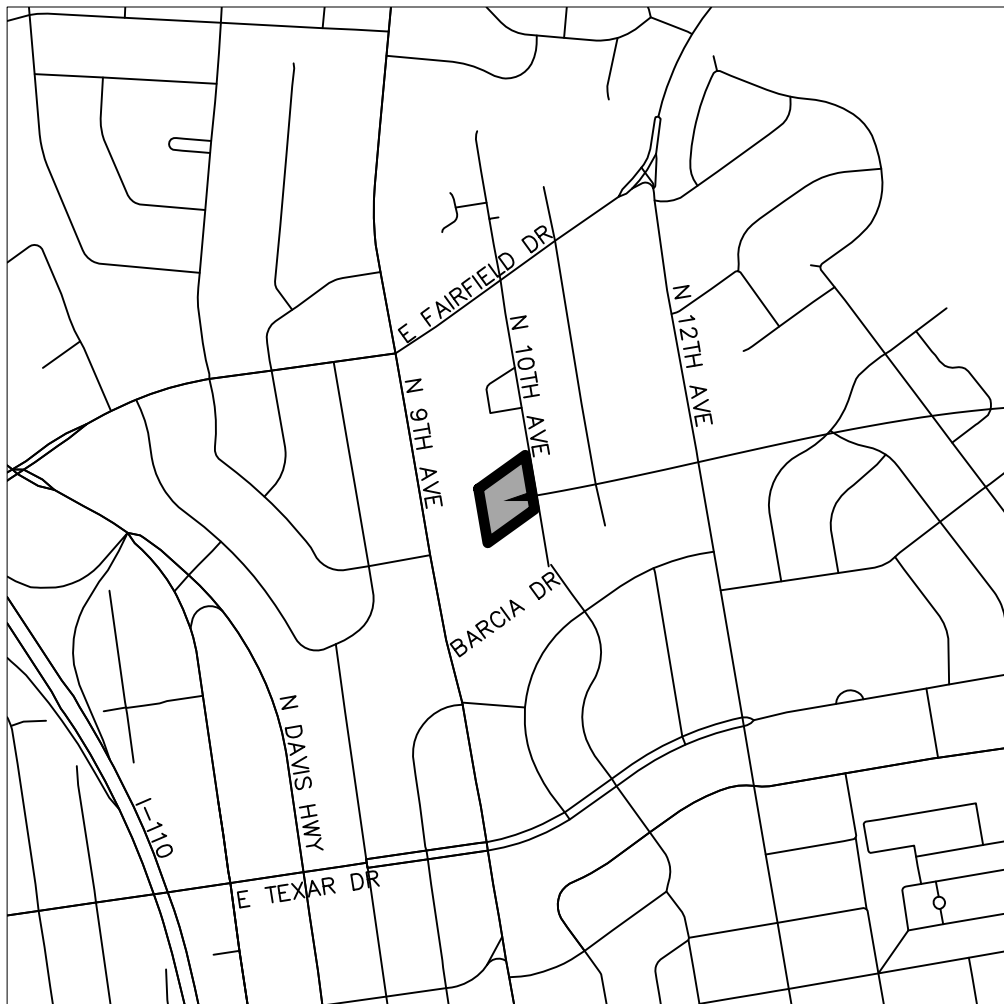
WITNESS _____ OWNER _____

SIGNATURE

PRINT

SIGNATURE

PRINT



VICINITY MAP

SCALE: 1"=1000'

NOTICE

FLORIDA STATUTE 177.091 (27)

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SURVEYOR'S NOTES

- 1) TITLE OPINION PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. 110455719, DATED AUGUST 26TH, 2024 HAS BEEN REVIEWED BY THIS OFFICE. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, ENCROACHMENTS, RIGHTS OF WAYS, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
- 2) THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION, OR EXTENT OF ANY SUB-SURFACE FEATURES.
- 3) ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
- 4) THE ACCURACY OF MEASUREMENTS PERFORMED MEETS THE RELATIVE ERROR OF CLOSURE PERMISSIBLE IN A SUBURBAN LAND AREA.
- 5) BEARINGS AND NORTH ARROW SHOWN HEREON ARE REFERENCED TO FLORIDA STATE PLANE COORDINATES NORTH ZONE, NAD 1983 (2011), U.S. SURVEY FEET. REFERENCE BEARING BEING S 09°42'43" E ALONG THE WESTERLY RIGHT OF WAY OF 10TH AVENUE.
- 6) SOURCE OF INFORMATION: A BOUNDARY SURVEY PROVIDED BY PITTMAN, GLAZE & ASSOCIATES, INC. DATED 3/21/2024 WAS UTILIZED AND DEEDS RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- 7) THIS SURVEY, MAP, AND REPORT IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

FLOOD STATEMENT

THE PARCEL SHOWN HEREON IS LOCATED IN FLOOD ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO MAPS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, COMMUNITY-PANEL NUMBER 12033C0380G, DATED SEPTEMBER 29, 2006.

RECORD DESCRIPTION

PARENT TRACTS
(AS RECORDED IN O.R. BOOK 8760, PAGE 1587)

LOT 57, MAURA PLACE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE(S) 32, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

(AS RECORDED IN O.R. BOOK 8712, PAGE 1746)

LOT 58, MAURA PLACE A SUBDIVISION OF A PORTION OF JOSEPH MAURA GRANT, SECTION 4, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 1 AT PAGE 32 OF THE PUBLIC RECORDS OF SAID COUNTY.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED; THAT THIS PLAT COMPLIES WITH ALL THE PROVISIONS OF THE FLORIDA PLAT ACT, CHAPTER 177, SECTION 177.011-177.151, FLORIDA STATUTES, AS AMENDED FROM TIME TO TIME; THAT THE BOUNDARY INFORMATION ON THIS PLAT COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO CHAPTER 5J-17.050, 5J-17.051, 5J-17.052 FLORIDA ADMINISTRATIVE CODE AND SECTION 472.027, FLORIDA STATUTES, AS AMENDED FROM TIME TO TIME; AND THAT SAID LAND HAS BEEN SUBDIVIDED AS SHOWN HEREON.

SIGNED ON THIS THE 28TH DAY, OCTOBER, 2024.

J. KEVIN GARDNER, PLS
FLORIDA LICENSE NO. 7258 L.B. NO. 8259
SURVEY NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER.



FINAL PLAT OF
10TH AVENUE DEVELOPMENT

A SUBDIVISION SITUATED IN SECTION 4, TOWNSHIP 2 SOUTH, RANGE 30 WEST,
CITY OF PENSACOLA, ESCAMBA COUNTY, FLORIDA
BEING A REPLAT OF PORTIONS OF
MAURA PLACE, PLAT BOOK 1, PAGE 32
9 LOTS & ONE PARCEL ZONING: ONE AND TWO FAMILY (R-1A)

PLAT BOOK _____, PAGE _____.

SHEET INDEX
1) DEDICATIONS, CERTIFICATIONS, DESCRIPTION
2) BOUNDARY LOCATION INFORMATION

PREPARED BY:



Engineering beyond.™

35008 Emerald Coast Parkway
Suite 204
Destin, FL 32541
850.714.8100
weareown.com

FORMERLY ANDERSON ENGINEERING

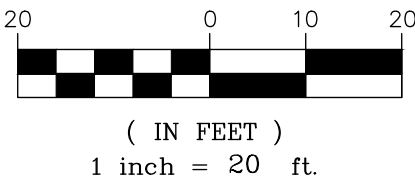
PREPARED: OCTOBER, 2024
SHEET 2 OF 2



LEGEND

- SURVEY BOUNDARY
- ADJACENT BOUNDARY
- BUILDING SETBACK LINE
- OVERHEAD UTILITY UNIDENTIFIED
- UNDERGROUND GAS
- UNDERGROUND SANITARY
- UNDERGROUND WATER
- ACCESS EASEMENT
- LICENSED BUSINESS
- RIGHT OF WAY
- BUILDING SETBACK LINE
- OFFICIAL RECORDS
- PARCEL IDENTIFICATION

GRAPHIC SCALE





MINUTES OF THE PLANNING BOARD
August 13, 2024

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

MEMBERS ABSENT: Board Member Villegas, Board Member Sampson

STAFF PRESENT: Assistant Planning & Zoning Manager Harding, Assistant City Attorney Lindsay, Assistant City Administrator Forte, Help Desk Technician Russo, Development Services Coordinator Statler, Executive Assistant Chwastyk

STAFF VIRTUAL: Development Services Director Morris, Planning & Zoning Manager Cannon

OTHERS PRESENT: Wade Beroset, Baron Necaïse, Frederique Beroset, Bryan Osborn, SMP Architects via Teams

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from June 11, 2024
- **New Business:**
 - Request for Final Aesthetic Review – 997 S. Palafox Street
 - Request for Preliminary Plat Approval – 10th Avenue Development Subdivision
 - Open Forum
 - Discussion
 - Adjournment

Call to Order / Quorum Present

Chairperson Ritz called the meeting to order at 2:01 pm with a quorum present and explained the procedures of the Board meeting including requirements for audience participation.

Approval of Meeting Minutes – Vice Chairperson Larson made a motion to approve the June 11, 2024, minutes, seconded by Board Member Van Hoose, and it carried 5:0.

New Business –

Request for Final Aesthetic Review – 997 S. Palafox Street

Assistant Planning & Zoning Manager, Harding introduced the item. SMP Architecture is requesting final aesthetic review for a building and site expansion at Jaco's Bayfront Bar & Grille. The expansion will provide additional space for the kitchen, a covered outdoor back-of-house, and new landscaping. Existing mechanical equipment currently visible on the east façade will be relocated and screened behind new parapet walls, and all materials have been chosen to match or complement the existing building. Since the property at and surrounding the site is owned by the City of Pensacola, the proposed expansion is contingent on an amended lease agreement. That process has been initiated by the applicant and City Council's review and approval of a lease amendment will be required before permitting. The aesthetic review will not go before the City Council, only the lease amendment. William Brantley of SMP Architecture stated that there's a need to expand the existing small kitchen and clean up the east facing façade. Mechanical equipment will be moved, covered, and screened. They are trying to improve the functionality and the look of the building from the public's point of view. No trees will be removed, new landscape buffer and sidewalk will be added. Brian Spencer of SMP Architecture added that this expansion does not affect any public usage or enjoyment of the plaza. The owners consistently and regularly maintain all the landscaping on the East side of the property. Chairperson Ritz appreciates the back house design, the hiding of the power panels, electrical, and the air conditioner, the bricks and brick design. Board Member Powell agreed with Chairperson Ritz. Board Member Grundhoefer inquired about the height of the parapet above the roof, it will be 4 feet on the lower sides and 5 feet in the middle. He feels it's attractive, but it would be beneficial if they added some articulation above the openings, perhaps some brick articulations. He gave some examples that would help address the blank wall. The owner, Wade Beroset stated that the old kitchen will stay, the prep kitchen will be in the back. He mentioned that all the changes to the kitchen will add space for the employees to work. Board Member Grundhoefer will do the abbreviated review of the added articulation to the East elevation. **Board Member Powell made the motion to approve pending the lease agreement with the city and with an abbreviated review to follow that will deal with adding articulation of some nature to the east elevation and to be reviewed by Board Member Grundhoefer. The motion was seconded by Board Member Larson, and it carried 5:0.**

Request for Preliminary Plat Approval – 10th Avenue Development Subdivision

Assistant Planning & Zoning Manager, Harding introduced the item. Bear General Contractors, Inc. is requesting preliminary plat approval for the 10th Avenue Development Subdivision. These properties are located within the R-1A zoning district of which three (2) parcels will be subdivided into nine lots to accommodate single-family detached residences and one lot to accommodate stormwater requirements.

- Property area: 1.79 acres
- Maximum Density: 12.4 dwelling units per acre
- Setback requirements: front setback of 20'; side setback of 5'; rear setback of 25'.

There's no special esthetic overlay in the immediate area and the project is not located in the CRA urban design overlay district. It will not go through any kind of review board for vertical development, just the standard development review process and permitting.

Chairperson Ritz added that there's a 12-foot access easement between lots eight and nine, so that alters the five-foot setback at least on those two lots. They have a tree survey, the city arborist has looked at the survey and there appears to be no heritage trees. Bryan Osborn with OWN, Inc added that the stormwater will be located in the rear, it's designed so that it will not discharge through the hundred year stormwater event. Baron Necaie of Bear General contractors stated these would be single family dwellings, they decided against townhomes, felt it's what was needed in the area. Each family would own that particular property, the stormwater will be taken care of by the owners through an HOA. These will be your standard modern farmhouse style with board and batten and front facing garages. Since the lots are so narrow, rear garages were not an option. Primary task today is to make sure the city has followed their standards for the process, that there are no overt violations of that, and the information provided here is legitimate. This will have to come back before the board at least one more time for the final plat review. It was noted that the rezoning application for this project recently went to City Council where it was approved with no major points of opposition. All new development in the city will require sidewalks. **Board Member Powell made a motion to approve, seconded by Board Member Van Hoose and it carried 5:0.**

Open Forum – none

Discussion

A discussion was held regarding the next phase for the Land Development Code reorganization and the process of choosing the consultants. Board Member recently saw the graphics of the resurfacing project on Palafox, between Garden and Main Streets. The board also discussed future projects at Community Maritime Park.

Adjournment – With no further business, the Board adjourned at 2:37 p.m.

Respectfully Submitted,



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

Department:	Comments:
Planning	No comments.
FIRE	No comments.
PW/E	No comments.
Surveyor	No comments.
Inspection Svcs	No comments.
Pensacola Energy	No comments.
ECUA	No comments.
FPL	No comments.
ATT	No comments.
FDOT	No comments.
CRA	No comments.
Parking	No comments.
Airport	No comments.
Arborist	No comments.

Sec. 12-3-4. Medium-density residential land use district regulations.

The regulations in this section shall be applicable to the one- and two-family zoning districts: R-1AA, R-1A and R-1B.

- (1) *Purpose of district.* The medium-density residential land use district is established for the purpose of providing a mixture of one- and two-family dwellings with a maximum density of 17.4 dwelling units per acre. Recognizing that, for the most part, these zoning districts are located in older areas of the city, the zoning regulations are intended to promote infill development which is in character with the density, intensity and scale of the existing neighborhoods.
- (2) *Uses permitted.*
 - a. Single-family detached dwellings.
 - b. Accessory residential units subject to regulations in section 12-3-81.
 - c. Single-family attached dwellings (townhouse construction, maximum two units).
 - d. Two-family attached dwellings (duplex).
 - e. Community residential homes licensed by the state department of health and rehabilitative services with six or fewer residents providing that it is not to be located within 1,000 feet of another such home. If it is proposed to be within 1,000 feet of another home it shall be permitted with city council approval after public notification of property owners in a 500-foot radius.
 - f. Cemeteries, when:
 1. Seventy-five percent of all owners of adjacent dwellings within 175 feet of the boundary of the cemetery give their written consent; and
 2. The provisions of section 12-3-85 have been met.
 - g. Residential design manufactured homes are permitted in the R-1A district, with a maximum density of 12.4 units per acre subject to regulations in section 12-3-91.
 - h. 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.
 - i. Libraries and community centers opened to the public and buildings used exclusively by the federal, state, county and city government for public purposes subject to regulations in section 12-3-90.
 - j. Churches, Sunday school buildings and parish houses subject to regulations in section 12-3-86.
 - k. Home occupations subject to regulations in section 12-3-57.
 - l. Municipally owned and operated parks and playgrounds.
 - m. Minor structures for the following utilities: unoccupied gas, water and sewer substations of pump stations, electrical substations and telephone substations subject to regulations in section 12-3-88.
 - n. Accessory structures, buildings and uses customarily incidental to the above uses not involving the conduct of a business subject to regulations in section 12-3-55.
 - o. Family day care homes licensed by the state department of children and family services as defined in state statutes.

(3) *Conditional uses permitted.*

- a. Residential design manufactured homes when proposed in the R-1AA zoning district subject to regulations in section 12-3-91.
- b. Bed and breakfast subject to regulations in section 12-3-84.
- c. Child care facilities subject to regulations in section 12-3-87.
- d. Accessory office units subject to regulations in section 12-3-80.

(4) *Development permitted.*

- a. Conventional subdivision subject to regulations in section 12-3-105.
- b. Special planned development subject to regulations in section 12-3-106.

(5) *Regulations for development within the medium-density residential land use district.* Tables 12-3.2 and 12-3.2A describe requirements for the one- and two-family residential zoning districts.

TABLE 12-3.2. REGULATIONS FOR THE MEDIUM-DENSITY RESIDENTIAL ZONING DISTRICTS

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

Off-Street Parking	1 space/unit	2 sp./unit	1 space/unit	2 sp./unit
Maximum Building Height	35 feet Except as provided in section 12-3-62)		35 feet (Except as provided in section 12-3-62)	
*The front yard depths in the R-1AA and R-1A districts shall not be less than the average depths of all front and street side yards located on either side of the block face, up to the minimum yard requirement; in case there are no other dwellings in the block, the front yard depths shall be no less than the footages noted.				
**Each single-family attached dwelling unit must be located on its own lot. If a development requires subdivision procedures it shall be subject to and must comply with subdivision regulations as set forth in chapter 12-7.				
***All future residential development on parcels changed to a Medium-Density Residential (MDR) zoning district via the passage of Ord. No. 23-16, effective on August 18, 2016, shall be considered legal nonconforming and may utilize the R-1A zoning district standards applicable to lot width, lot area and setbacks.				

TABLE 12-3.2A

Standards	R-1B		
	Single-family Detached	Two-Family Attached (Duplex)	**Single-family Attached (Townhouses)
Maximum Residential Gross Density	8.7 units per acre	11.6 units per acre	17.4 units per acre
Minimum Yard Requirements *Front Yard Side Yard Rear Yard	(Minimum Building Setbacks) 10 feet 5 feet 10 feet		
Off-Street Parking	1 space/unit		
Maximum Building Height	45 feet (Except as provided in section 12-3-62)		
Lot Coverage Requirements For All Single-Family, Duplex, Townhouse or Zero-Lot-Line Residential Units	Maximum 50%		
Lot Coverage Requirements For All Development Other Than Single-Family, Duplex, Townhouse or Zero-Lot-Line	Building Height 1—4 stories 5—7 stories 8—9 stories (See note 4)	Building Coverage 30% 25% 20%	

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Residential Units: The maximum combined area occupied by all principal and accessory buildings			
*The front yard depths in the R-1AA, R-1A and R-1B districts shall not be less than the average depths of all front and street side yards located on either side of the block face, up to the minimum yard requirement; in case there are no other dwellings in the block, the front yard depths shall be no less than the footages noted.			
**Each single-family attached dwelling unit must be located on its own lot. If a development requires subdivision procedures it shall be subject to and must comply with subdivision regulations as set forth in chapter 12-7.			

(Code 1986, § 12-2-4; Ord. No. 6-93, § 2, 3-25-1993; Ord. No. 29-93, § 2, 11-18-1993; Ord. No. 45-96, § 2 (exh. 1), 9-12-1996; Ord. No. 6-02, § 2, 1-24-2002; Ord. No. 11-16, § 1, 5-12-2016; Ord. No. 23-16, § 1, 8-11-2016)

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 #: 24-1053

Planning Board

11/12/2024

ACTION ITEM

SUBJECT:

Request for Vacation of Street and Alley Rights-of-Way – 1000 W. Moreno Street, Baptist Hospital Legacy Campus

SUMMARY:

A request has been received from Baptist Hospital for vacation of rights-of-way at 1000 W. Moreno Street and adjacent Baptist Hospital parcels (1100 BLK W. Mallory Street, 1200 W. Mallory Street, and 1700 N. "J" Street). The rights-of-way include a portion of Mallory Street, a portion of "I" Street, and three sections of alleys. All subject rights-of-way are located within parcels owned by Baptist Hospital and there are no other abutting property owners who would be impacted by the vacation request. In addition to the right-of-way vacation, the applicants are requesting that City Council not retain easements for public utilities, except within the Mallory Street right-of-way portion. All utility providers have provided comments of "no objection" to the vacation and to the easement extinguishment request, with the exception of a 30'-wide easement in the Mallory Street portion to accommodate an existing Florida Power & Light facility.

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

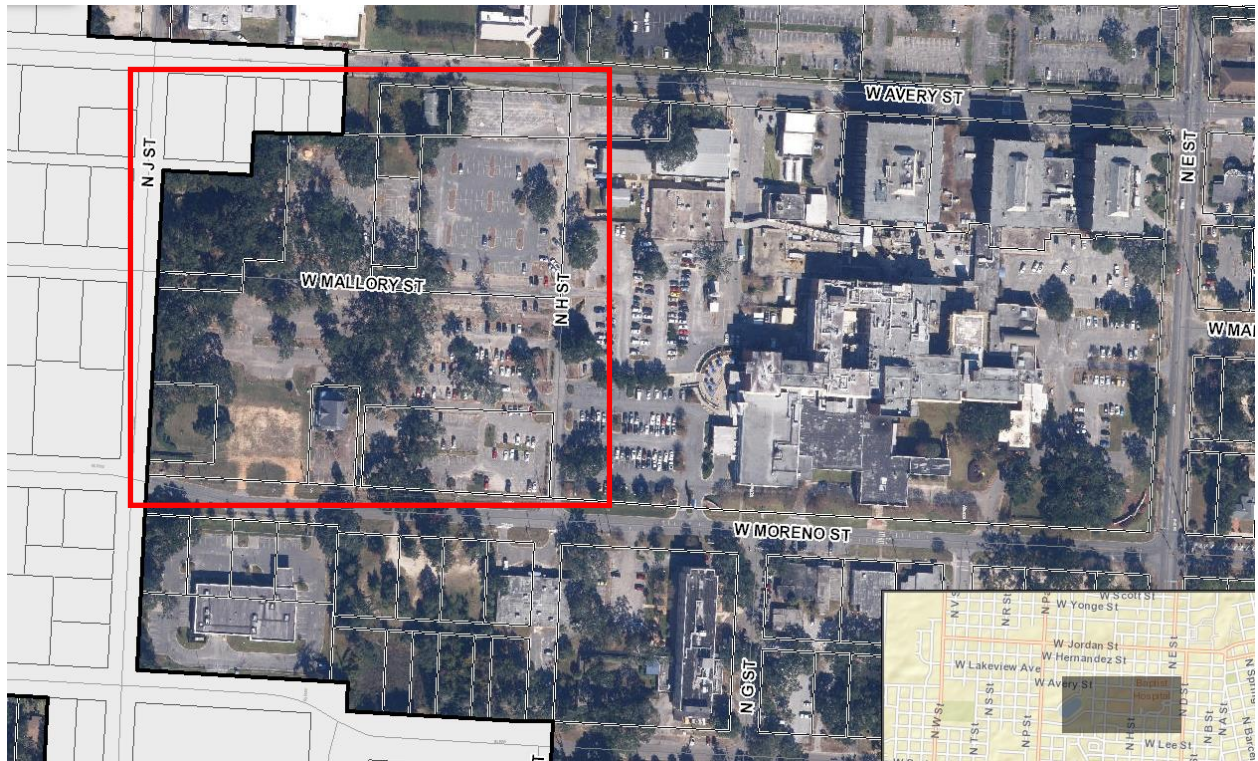
RECOMMENDED CODE SECTIONS

[Sec. 12-11-4. Vacation of streets, alleys](#)

ATTACHMENTS:

1. Baptist Hospital Vacation of ROW_Images
2. Baptist Hospital_ROW Vacation Application and Materials
3. Review Comments_Old Baptist Hospital Vacation ROW
4. Sec._12_11_4._Vacation_of_streets__alleys

Baptist Hospital Legacy Campus – Vacation of Rights-of-Way



VACATION OF ALLEY OR STREET RIGHT OF WAY

Fee: \$2,000.00

Rehearing/Rescheduling Planning Board: \$250.00

Rehearing/Rescheduling City Council: \$500.00



Applicant Information:

Name: Baptist Health Care, Inc.

Address: 125 Baptist Way, Suite 6A, Pensacola, FL 32503

Phone: 449-227-3862

Fax: _____

Email: jessica.andrade@bhcpns.org

Property Information:

Owner Name: Baptist Health Care, Inc.

Location/Address: 1000 W. Moreno St., Pensacola, FL 32501

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

Purpose of vacation of city right of way/comments:

See attached Rider

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

Scallapau

Signature of Applicant

Date

10/9/24

(Owner of Property or Official Representative of Owner)

FOR OFFICE USE ONLY

District: 7

Date Received: 10/11/2024

Case Number: _____

Date Postcards mailed: 11/6/2024

Planning Board Date: 11/12/2024

Recommendation: _____

Council Date: 12/12/2024

Council Action: _____

Sec. 12-12-4. Vacation of Streets, alleys

This section is established to provide for the vacation of streets, alleys or other public rights-of-way by official action of the city council.

(A) *Application.* An application for vacation of streets, alleys or other public right-of-way shall be filed with the community development department and shall include the reason for vacation and a legal description of the property to be vacated. Application for an alley vacation shall be in petition form signed by all property owners abutting the portion of the alley to be vacated. If all property owners do not sign the petition requesting such alley vacation, city staff shall determine the portion of the alley to be vacated.

- (1) An application for vacation of streets, alleys or other public right-of-way must be submitted to the community development department at least twenty-one (21) days prior to the regularly scheduled meeting of the planning board.
- (2) The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
- (3) No application shall be considered complete until all of the following have been submitted:
 - (a) The application shall be submitted on a form provided by the board secretary.
 - (b) Each application shall be accompanied by the following information and such other information as may be reasonably requested to support the application:
 1. Accurate site plan drawn to scale;
 2. A legal description of the property proposed to be vacated;
 3. Proof of ownership of the adjacent property, including a copy of the deed and a title opinion, title insurance policy, or other form of proof acceptable to the city attorney;
 4. Reason for vacation request;
 5. Petition form signed by all property owners abutting the portion of the right-of-way or alley to be vacated.
 - (c) The applicant shall be required to pay an application fee according to the current schedule of fees established by the city council for the particular category of application. This fee shall be nonrefundable irrespective of the final disposition of the application.
 - (d) Any party may appear in person, by agent, or by attorney.
 - (e) Any application may be withdrawn prior to action of the planning board or city council at the discretion of the applicant initiating the request upon written notice to the board secretary.

(B) *Planning board review and recommendation.* The community development department will distribute copies of the request to vacate to the appropriate city departments and public agencies for review and comment: Said departments shall submit written recommendations of approval, disapproval or suggested revisions, and reasons therefore, to the city planning department. The planning board shall review the vacation request and make a recommendation to the city council at a regularly scheduled planning board meeting.

- (1) Public notice for vacation of streets, alleys.
 - (a) A sign shall be prominently posted on the property to which the application pertains, at least seven (7) days prior to the scheduled board meeting.
 - (b) The community development department shall notify property owners within a three hundred (300) radius, as identified by the current Escambia County tax roll maps, of the property proposed for vacation with a public notice by post card at least five (5) days prior to the board meeting. The public notice shall state the date, time and place of the board meeting.

(C) *City council review and action.* The planning board recommendation shall be forwarded to the city council for review and action.

- (1) *Notice and hearing.* The city council shall set a date for a public hearing to be conducted during a regularly scheduled city council meeting. Planning staff shall post a sign specifying the date and time of the public hearing at least seven (7) days prior to the hearing. A public notice shall be published in a local newspaper of general distribution stating the time, place and purpose of the hearing at least ten (10) days prior to the public hearing. The community development department shall notify property owners by certified mail, as identified by the current Escambia County tax roll, at least fifteen (15) days prior to the city council public hearing
 - (a) In case of an alley vacation request all adjacent owners shall be notified.
 - (b) In the case of a street vacation request, all property owners within three hundred feet (300') of the request shall be notified.
- (2) *Action.* The city council shall approve, approve with modifications, or deny the vacation request at the council public hearing. If the request is approved by the council, an ordinance will be drawn and read two (2) times following the public hearing, at which time the vacation becomes effective.

(D) *Easements retained.* If the city council determines that any portion of a public street or right-of-way is used or in the reasonably foreseeable future will be needed for public utilities, the street may be vacated only upon the condition that appropriate easements be reserved for such public utilities.

(E) *Zoning of vacated property.* Whenever any street, alley or other public right-of-way is vacated, the district use and area regulations governing the property abutting upon each side of such street, alley or public right-of-way shall be automatically extended to the center of such vacation and all area included within the vacation shall thereafter be subject to all appropriate regulations of the extended use districts.

(F) *Ownership of property.* Whenever any street, alley or public right-of-way is vacated, ownership of said property conferred by such action shall extend from the right-of-way line to the center of said property, unless otherwise specified.

RIDER TO APPLICATION FOR VACATION OF ALLEY OR STREET RIGHT OF WAY

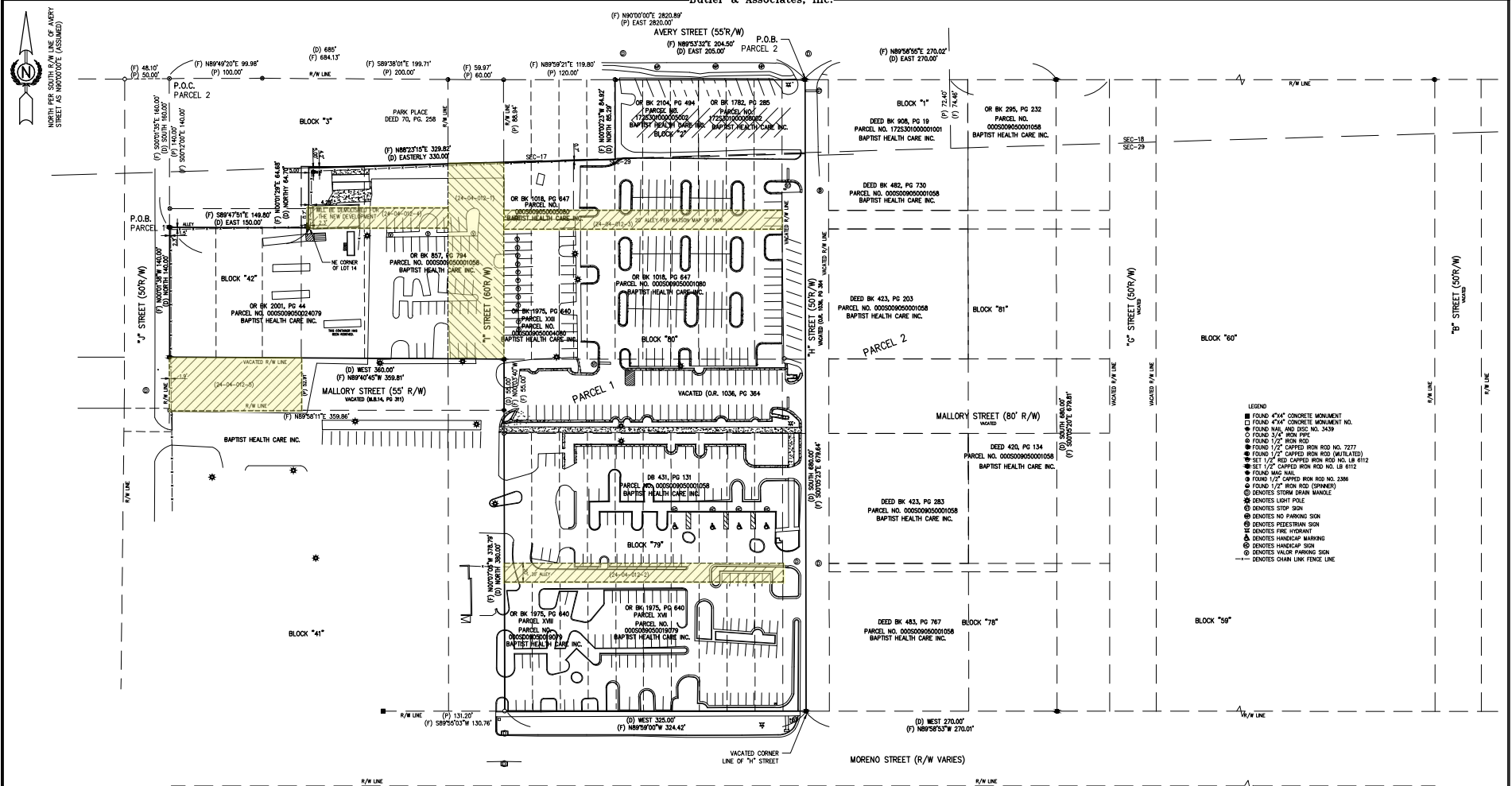
BAPTIST HEALTH CARE, INC.

Attached hereto are (i) Butler & Associates of Pensacola, Inc. prepared sketches and legal descriptions for five (5) separate rights of way to be vacated pursuant to this application and (ii) that certain Ownership and Encumbrance Report prepared by First American Title Insurance Company bearing file number 110490925 ("Title Report"). As evidenced in the Title Report, the applicant, Baptist Health Care, Inc., owns the abutting real property on either side of the rights-of-way to be vacated.

A description of the rights-of-way to be vacated is as follows:

1. "I" Street – a portion of "I" Street lying southerly of the south line of "Park Place" (Deed Book 70, Page 258) and northerly of the north right of way line of Mallory Street. See the Title Report descriptions for Parcels 42-A and 42-B which abut the "I" Street right-of-way to the West and parcels 80-A and 80-B abutting the right-of-way to the East.
2. 20-foot alley line between the easterly boundary of "I" street and the westerly boundary of "H" Street with lots 9 through 18, inclusive, to the north and lots 19 through 28, inclusive, to the south, all of Block 79, North Hill Highlands (Deed book 62, page 244). See the Title Report description of Block 79, North Hill Highlands, lots 9 through 28, for the property lying to the north and south of the right-of-way.
3. 20-foot alley line in Block 80, south of the south line of Park Place between the East right-of-way line of "I" Street and the west right-of-way line "H" Street. See the Title Report descriptions of Parcel 80-A for the northerly abutting property and the description of Parcel 80-B for the southerly abutting property.
4. The easterly 150 feet of that certain 20-foot alley lying within Block 42, Kupfrian Park (Deed Book 62, Page 245) and abutting the west boundary of "I" Street. See the description in the Title Report for Parcel 42-A as to the northerly abutting property and the description of Parcel 42-B as to the southerly abutting property.
5. That portion of Mallory Street which lies east of the East right-of-way line of "J" Street and the West line of that portion of Mallory Street previously vacated in Map Book 14, Page 311. See the Title Report descriptions for Parcel 41-A for the southerly abutting property and Parcel 42-B for the northerly abutting property.

The foregoing rights-of-way are requested to be vacated in order to properly consolidate ownership of the adjacent tracts for the purpose of developing affordable housing on the subject property.



LEGAL DESCRIPTION: PARCEL 1 (PREPARED AT CLIENT'S REQUEST)

COMMENCE AT A 1" IRON ROD AT THE NORTHWEST CORNER OF LOT 7, BLOCK 42, KUPFRIAN PARK, ACCORDING TO THE PLAT RECORDED IN DEED BOOK 62, PAGE 245, OF THE PUBLIC RECORDS OF ESCAMBA COUNTY, FLORIDA; THENCE GO SOUTH ALONG THE WEST LINE OF SAID BLOCK 42, ALSO BEING THE WEST RIGHT OF WAY LINE OF "J" STREET (50' R/W), FOR A DISTANCE OF 160.00 FEET TO THE NORTHWEST CORNER OF LOT 6, OF SAID BLOCK 42 AND THE POINT OF BEGINNING; THENCE GO EAST ALONG THE NORTH LINE OF LOTS 6, 5 AND 4 OF SAID BLOCK 42 FOR A DISTANCE OF 150.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE GO NORTH ALONG AN EXTENSION OF THE EAST LINE OF SAID LOT 4 AND THE EAST LINE OF LOT 9 OF SAID BLOCK 42 A DISTANCE OF 14.70 FEET TO AN INTERSECTION WITH THE EXTENSION OF THE SOUTH LINE OF BLOCK 3, PARK PLACE, BEING THE PACKARD LAND COMPANY SUBDIVISION OF LOTS 1 AND 2 IN SECTION 17, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBA COUNTY, FLORIDA, RECORDED IN DEED BOOK 70, PAGE 256 OF THE PUBLIC RECORDS OF ESCAMBA COUNTY, FLORIDA; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PARK PLACE A DISTANCE OF 330.00 FEET TO THE SOUTH EAST CORNER OF LOT 4, BLOCK 2 OF SAID PARK PLACE; THENCE GO NORTH ALONG THE EAST LINE OF SAID LOT 4 FOR A DISTANCE OF 85.20 FEET TO THE SOUTH RIGHT OF WAY LINE OF AVERY STREET (50' R/W), ALSO BEING THE NORTHEAST CORNER OF LOT 4; THENCE EAST ALONG SAID RIGHT OF WAY LINE FOR 205.00 FEET TO THE CENTERLINE OF "H" STREET (50' R/W) (VACATED O.R. BOOK 1036, PAGE 365); THENCE GO SOUTH ALONG THE SAID CENTERLINE OF "H" STREET FOR 680.00 FEET TO THE NORTH RIGHT OF WAY LINE OF MORENO STREET (R/W VARIES); THENCE GO WEST ALONG SAID RIGHT OF WAY LINE, ALSO BEING THE SOUTH LINE OF SAID BLOCK 79, NORTH HILL HIGHLANDS, AS RECORDED IN DEED BOOK 62, PAGE 244, IN AFORESAID PUBLIC RECORDS FOR A DISTANCE OF 320.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 79; THENCE GO NORTH ALONG THE WEST LINE OF SAID BLOCK 79 AND ITS NORTHERLY EXTENSION A DISTANCE OF 380.00 FEET TO THE SOUTHWEST CORNER OF LOT 80 OF SAID NORTH HILL HIGHLANDS; THENCE GO WEST A DISTANCE OF 360.00 FEET ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID BLOCK 80 TO THE EAST R/W LINE OF "J" STREET (50' R/W); THENCE GO NORTH ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: PARCEL 2 (PREPARED AT CLIENT'S REQUEST)

COMMENCE AT A 1" IRON ROD AT THE NORTHWEST CORNER OF LOT 7, BLOCK 42, KUPFRIAN PARK, ACCORDING TO THE PLAT RECORDED IN DEED BOOK 62, PAGE 245, OF THE PUBLIC RECORDS OF ESCAMBA COUNTY, FLORIDA; THENCE GO EAST ALONG THE NORTH LINE OF SAID BLOCK 42, ALSO BEING THE SOUTH RIGHT OF WAY LINE OF AVERY STREET (50' R/W), FOR A DISTANCE OF 480.00 FEET TO THE CENTERLINE OF "H" STREET (50' R/W) (VACATED O.R. BOOK 1036, PAGE 365) AND THE POINT OF BEGINNING; THENCE CONTINUE EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 270.00 FEET; THENCE GO SOUTH PARALLEL WITH THE SAID CENTERLINE OF "H" STREET FOR 680.00 FEET TO THE NORTH RIGHT OF WAY LINE OF MORENO STREET (R/W VARIES); THENCE GO WEST ALONG SAID RIGHT OF WAY LINE, ALSO BEING THE SOUTH LINE OF BLOCK 78, NORTH HILL HIGHLANDS, AS RECORDED IN DEED BOOK 62, PAGE 244, IN AFORESAID PUBLIC RECORDS FOR A DISTANCE OF 270.00 FEET TO THE AFORESAID CENTERLINE OF "H" STREET (50' R/W); THENCE GO NORTH ALONG THE SAID CENTERLINE A DISTANCE OF 680.00 FEET TO THE POINT OF BEGINNING.

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REVISIONS	FIELD BOOK	DATE



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PENSACOLA, FLORIDA 32514
TELE: (850)-476-4768
FAX: (850)-476-4945

TYPE SURVEY

ASBLUIT

CLIENT

SCALE:

1"=50'
ISSUE DATE: 04/13/24
FIELD DATE: 03/28/24
ORDER NO.: 24-04-012
FIELD BOOK: 2129/54
DRAWN BY: CK

SURVEYORS CERTIFICATE

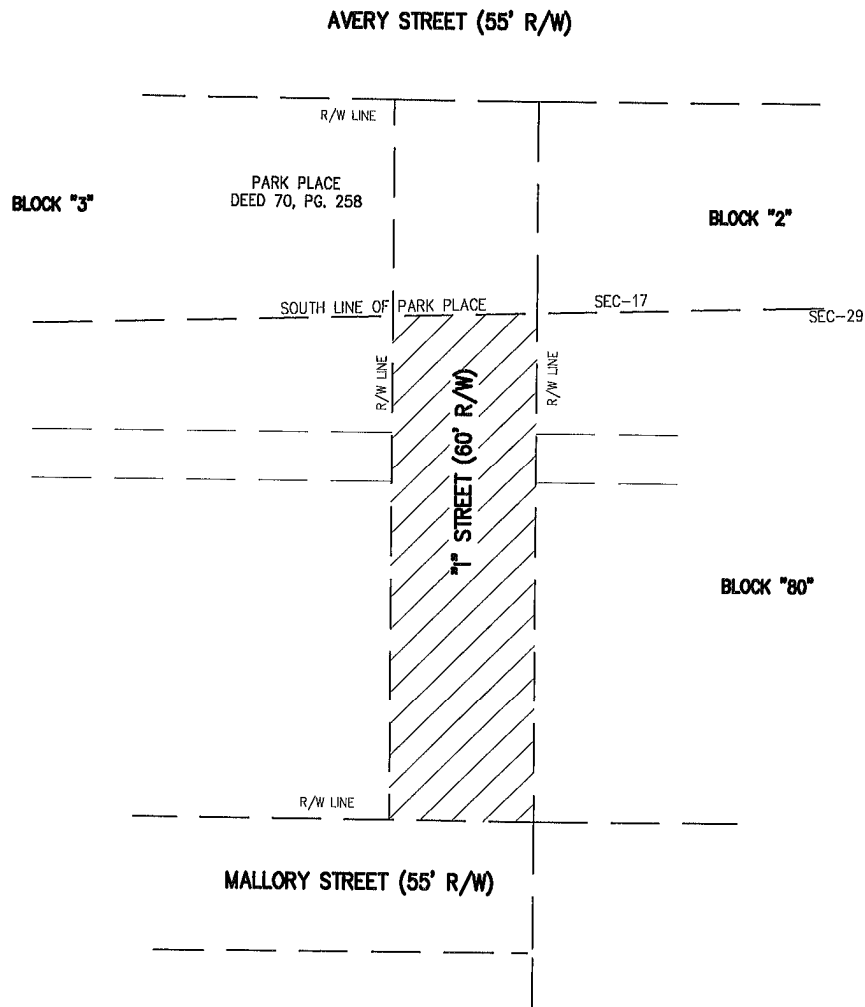
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WILLIAM T. BUTLER
REGISTERED LAND SURVEYOR NO. 3774

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER
Florida Corporate No. LB 6112



NORTH PER R/W LINE OF "I" STREET
AS N00°00'00"E (ASSUMED)



THAT PORTION OF "I" STREET (60' R/W) LYING SOUTH OF
THE SOUTH LINE OF PARK PLACE, AS DESCRIBED IN DEED
BOOK 70, PAGE 258, OF THE PUBLIC RECORDS OF ESCAMBIA
COUNTY, FLORIDA, AND NORTH OF THE NORTH RIGHT OF WAY
LINE OF MALLORY STREET (55' R/W) IN ESCAMBIA COUNTY,
FLORIDA.

SKETCH ONLY, NOT A BOUNDARY SURVEY

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REVISIONS	ISSUE DATE	FIELD DATE	FB./PG.

SCALE 1"=50'	TYPE LEGAL & SKETCH	ISSUE DATE 9/25/24	FIELD DATE N/A	ORDER NO. 24-04-012-1	FIELD BOOK N/A
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CERTIFICATE					
I HEREBY STATE THAT I HAVE RECENTLY SURVEYED OR THAT A SURVEY OF THE ABOVE DESCRIBED PROPERTY WAS MADE UNDER MY SUPERVISION AND THAT THE ABOVE-GROUND SURVEY AND DRAWING AS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND DRAWING MEET THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS.					
• Degree " Feet or Minutes " Inches or Seconds	P.R.C. Point of Reverse Curvature P.C.C. Point of Compound Curvature P.R.M. Permanent Reference Monument	B.S.L. Building Setback Line D Dead P Plot F Field	H/T Hub and Tack C.M. Concrete Monument O/S Offset Point O.H.W. Overhead Utility Wire	NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER Florida Corporate No. LB 6112	
N North S South E East W West	R/W Right of Way R.P. Radius Point A Central Angle R Radius L Length of Arc	P.O.C. Point of Commencement P.O.B. Point of Beginning I.R. Iron Rod C.I.R. Capped Iron Rod I.P. Iron Pipe N/D Nail and Disk	Concrete or Pavement Wood Decking Covered Area Wire of Chain Link Fence Wooden Privacy Fence		
P.C.P. Permanent Control Point P.T. Point of Tangency P.C. Point of Curvature	C Chord C.B. Chord Bearing				



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WILLIAM T. BUTLER P.S.M. No. 3774 ☐

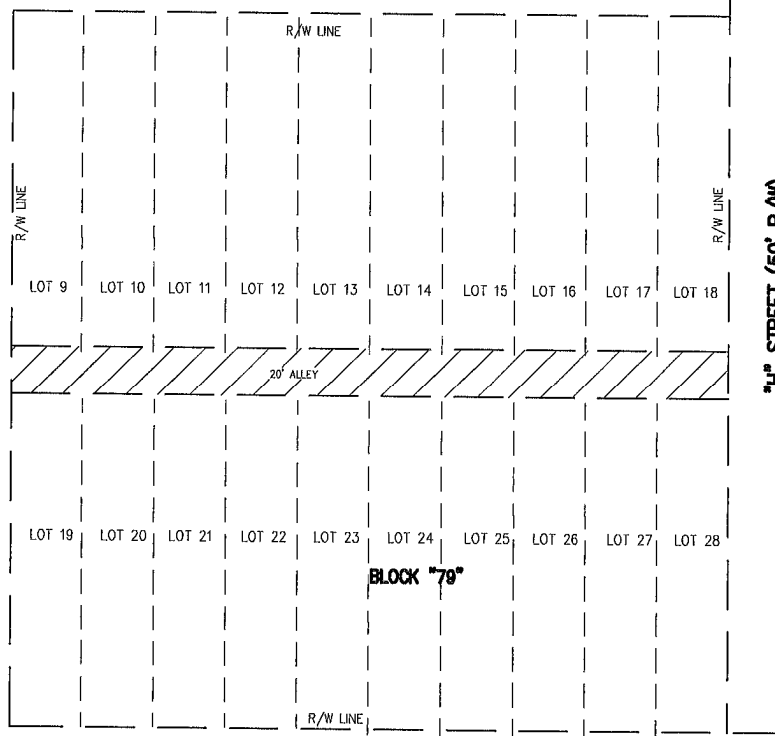


NORTH PER R/W LINE OF "H" STREET
AS N00°00'00"E (ASSUMED)

"I" STREET (60' R/W)

MALLORY STREET (80' R/W)

"H" STREET (50' R/W)



MORENO STREET (R/W VARIES)

THE 20' ALLEY LYING EAST OF THE EAST RIGHT OF WAY LINE OF "I" STREET (60' R/W), WEST OF THE WEST RIGHT OF WAY LINE OF "H" STREET (50' R/W), SOUTH OF THE SOUTH LINE OF LOTS 9, 10, 11, 12, 13, 14, 15, 16, 17 AND 18, NORTH OF THE NORTH LINE OF LOTS 19, 20, 21, 22, 23, 24, 25, 26, 27 AND 28, BLOCK 79, NORTH HILL HIGHLANDS, A RESUBDIVISION OF THE DALLAS TRACT ACCORDING TO PLAT RECORDED IN DEED BOOK 62, PAGE 244, OF THE PUBLIC RECORDS OF ESCAMBA COUNTY, FLORIDA.

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REVISIONS	ISSUE DATE	FIELD DATE	FB./PG.

SCALE 1"=50'	TYPE LEGAL & SKETCH	ISSUE DATE 9/25/24	FIELD DATE N/A	ORDER NO. 24-04-012-2	FIELD BOOK N/A																																								
I HEREBY STATE THAT I HAVE RECENTLY SURVEYED OR THAT A SURVEY OF THE ABOVE DESCRIBED PROPERTY WAS MADE UNDER MY SUPERVISION AND THAT THE ABOVE-GROUND SURVEY AND DRAWING AS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND DRAWING MEET THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS. <table><tr><td>• Degree</td><td>P.R.C. Point of Reverse Curvature</td><td>B.S.L. Building Setback Line</td><td>H/T Hub and Tack</td></tr><tr><td>• Feet or Minutes</td><td>P.C.C. Point of Compound Curvature</td><td>D Deed</td><td>C.M. Concrete Monument</td></tr><tr><td>• Inches or Seconds</td><td>P.P.M. Permanent Reference Monument</td><td>P Plot</td><td>O/S Offset Point</td></tr><tr><td>N North</td><td>R/W Right of Way</td><td>F Field</td><td>O.H.W. Overhead Utility Wire</td></tr><tr><td>S South</td><td>R.P. Radius Point</td><td>P.O.C. Point of Commencement</td><td>Concrete or Pavement</td></tr><tr><td>E East</td><td>Δ Central Angle</td><td>P.O.B. Point of Beginning</td><td>Wood Decking</td></tr><tr><td>W West</td><td>R Radius</td><td>I.R. Iron Rod</td><td>Covered Area</td></tr><tr><td>P.C.P. Permanent Control Point</td><td>L Length of Arc</td><td>C.I.R. Copied Iron Rod</td><td>Wire of Chain Link Fence</td></tr><tr><td>P.T. Point of Tangency</td><td>C Chord</td><td>I.P. Iron Pipe</td><td>Wooden Privacy Fence</td></tr><tr><td>P.C. Point of Curvature</td><td>C.B. Chord Bearing</td><td>N/D Nail and Disk</td><td> </td></tr></table>						• Degree	P.R.C. Point of Reverse Curvature	B.S.L. Building Setback Line	H/T Hub and Tack	• Feet or Minutes	P.C.C. Point of Compound Curvature	D Deed	C.M. Concrete Monument	• Inches or Seconds	P.P.M. Permanent Reference Monument	P Plot	O/S Offset Point	N North	R/W Right of Way	F Field	O.H.W. Overhead Utility Wire	S South	R.P. Radius Point	P.O.C. Point of Commencement	Concrete or Pavement	E East	Δ Central Angle	P.O.B. Point of Beginning	Wood Decking	W West	R Radius	I.R. Iron Rod	Covered Area	P.C.P. Permanent Control Point	L Length of Arc	C.I.R. Copied Iron Rod	Wire of Chain Link Fence	P.T. Point of Tangency	C Chord	I.P. Iron Pipe	Wooden Privacy Fence	P.C. Point of Curvature	C.B. Chord Bearing	N/D Nail and Disk	
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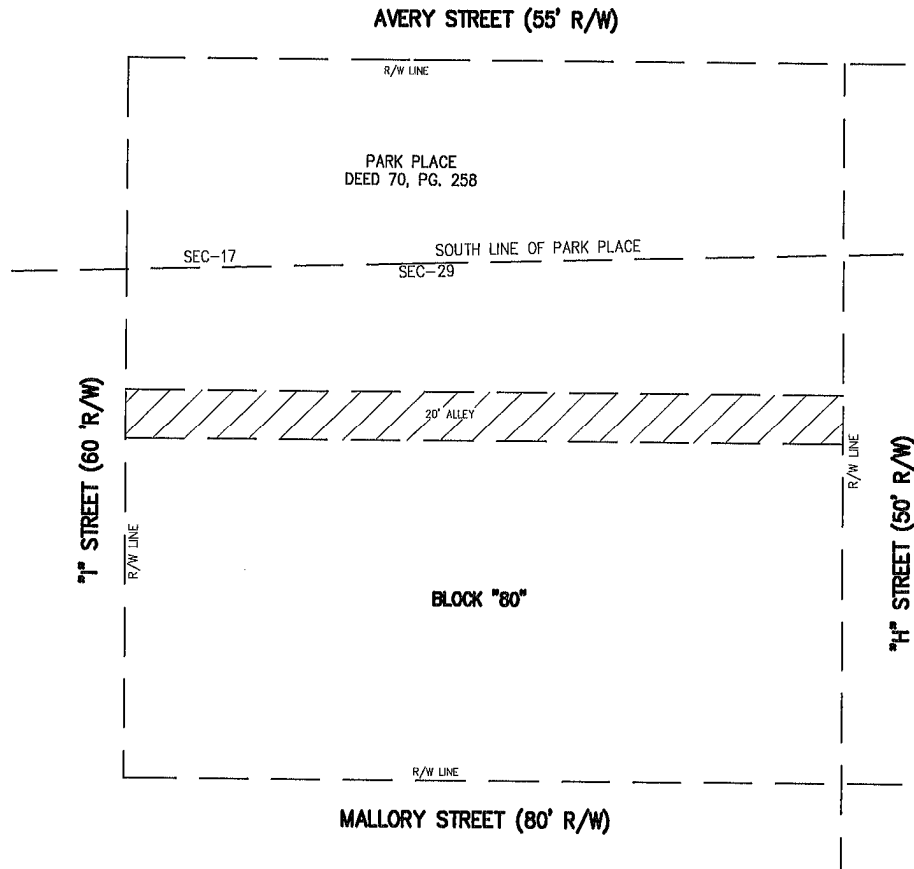
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P.O. Box 15147, Pensacola, FL 32514

(850) 476-4768
Fax: (850) 476-4945

WILLIAM T. BUTLER P.S.M. No. 3774



NORTH PER R/W LINE OF "H" STREET
AS N00°00'00"E (ASSUMED)



THE 20' ALLEY LYING IN BLOCK 80, SAID BLOCK LYING SOUTH OF THE SOUTH LINE OF PARK PLACE, DESCRIBED IN DEED BOOK 70, PAGE 258, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, EAST OF THE EAST RIGHT OF WAY LINE OF "I" STREET (60' R/W), NORTH OF THE NORTH RIGHT OF WAY LINE OF MALLORY STREET (80' R/W), AND THE WEST RIGHT OF WAY LINE OF "H" STREET (50' R/W), ACCORDING TO THE WATSON/OVERMAN MAP OF PENSACOLA COPYRIGHTED IN 1949.

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REVISIONS	ISSUE DATE	FIELD DATE	FB./PG.

SCALE 1"=50'	TYPE LEGAL & SKETCH	ISSUE DATE 9/25/24	FIELD DATE N/A	ORDER NO. 24-04-012-3	FIELD BOOK N/A
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CERTIFICATE
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° Degree	P.R.C. Point of Reverse Curvature	B.S.L. Building Setback Line	H/T Hub and Tack
' Feet or Minutes	P.C.C. Point of Compound Curvature	D Deed	C.M. Concrete Monument
" Inches or Seconds	P.R.M. Permanent Reference Monument	P Plat	O/S Offset Point
N North	R/W Right of Way	F Field	O.H.W. Overhead Utility Wire
S South	R.P. Radius Point	P.O.C. Point of Commencement	Concrete or Pavement
E East	Δ Central Angle	P.O.B. Point of Beginning	Wood Decking
W West	R Radius	I.R. Iron Rod	Covered Area
P.C.P. Permanent Control Point	L Length of Arc	C.I.R. Capped Iron Rod	Wire of Chain Link Fence
P.T. Point of Tangency	C Chord	I.P. Iron Pipe	Wooden Privacy Fence
P.C. Point of Curvature	C.B. Chord Bearing	N/D Nail and Disk	

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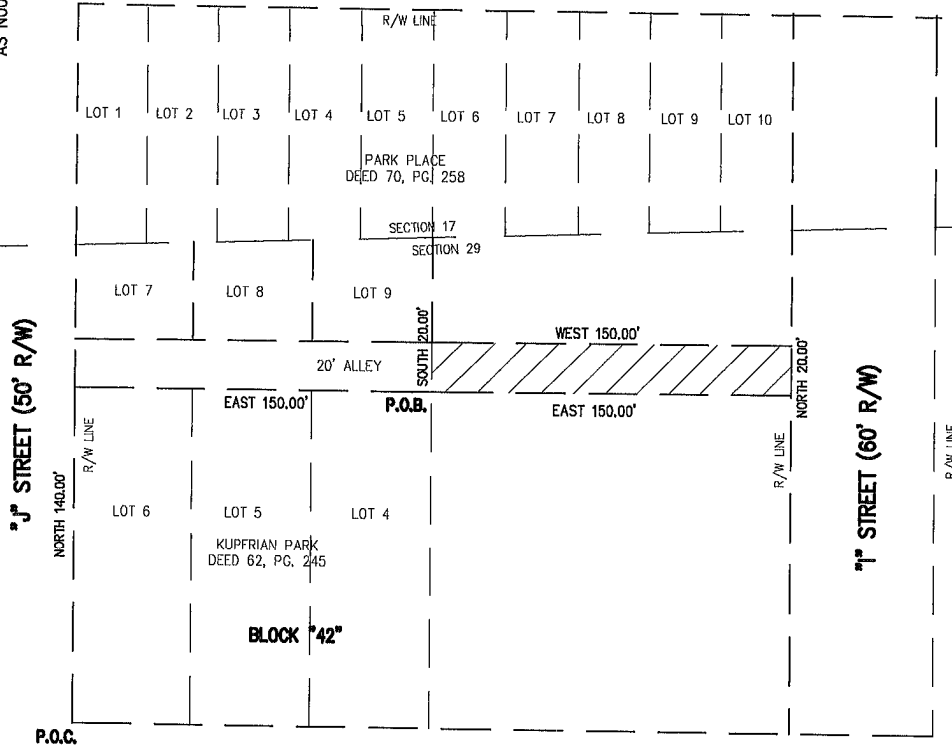
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P.O. Box 15147, Pensacola, FL 32514
(850) 476-4768
Fax: (850) 476-4945

WILLIAM T. BUTLER P.S.M. No. 3774 ☐



NORTH PER R/W LINE OF "J" STREET
AS N00°00'00"E (ASSUMED)

AVERY STREET (55' R/W)



MALLORY STREET (55' R/W)

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 42, KUPFRIAN PARK, KUPFRIAN PARK COMPANYS SUBDIVISION OF A PORTION OF SECTION 29 AND ALL OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID SUBDIVISION RECORDED IN DEED BOOK 62, PAGE 245 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, THENCE RUN NORTH ALONG THE WEST LINE OF SAID BLOCK A DISTANCE OF 140.00 FEET TO THE NORTHWEST CORNER OF LOT 6 AND THE SOUTHWEST CORNER OF A 20' ALLEY; THENCE RUN EAST ALONG THE NORTH LINES OF LOTS 4, 5 AND 6 FOR 150.00 FEET TO THE NORTHEAST CORNER OF LOT 4 AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE ALLEYS EASTWARD EXTENSION 150.00 FEET TO THE WEST RIGHT OF WAY LINE OF "I" STREET (60' R/W); THENCE RUN NORTH ALONG SAID R/W LINE FOR 20.00 FEET TO THE INTERSECTION OF SAID R/W LINE WITH THE EASTWARD EXTENSION OF THE SOUTH LINES OF LOTS 7, 8 AND 9 OF SAID BLOCK 42; THENCE RUN WEST ALONG THE EXTENSION FOR 150.00 FEET THE THE SOUTHEAST CORNER OF LOT 9; THENCE RUN SOUTH 20.00 FEET THE THE POINT OF BEGINNING.

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REVISIONS	ISSUE DATE	FIELD DATE	FB./PG.

SCALE	TYPE	LEGAL & SKETCH	ISSUE DATE	FIELD DATE	ORDER NO.	FIELD BOOK
1"=50'	LEGAL & SKETCH		9/25/24	N/A	24-04-012-4	N/A

I HEREBY STATE THAT I HAVE RECENTLY SURVEYED OR THAT A SURVEY OF THE ABOVE DESCRIBED PROPERTY WAS MADE UNDER MY SUPERVISION AND THAT THE ABOVE-GROUND SURVEY AND DRAWING AS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND DRAWING MEET THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS.

• Degree	P.R.C. Point of Reversal Curvature	B.S.L. Building Setback Line	H/T Hub and Tack
• Feet or Minutes	P.C.C. Point of Compound Curvature	D.P. Deed Plat	C.M. Concrete Monument
• Inches or Seconds	P.R.M. Permanent Reference Monument	P Offset Point	O/S Offset Point
N North	R/W Right of Way	F Field	O.H.W. Overhead Utility Wire
S South	R.P. Radius Point	P.O.C. Point of Commencement	C.P. Concrete or Pavement
E East	C.A. Central Angle	P.O.B. Point of Beginning	W.D. Wood Decking
W West	R Radius	I.R. Iron Rod	C.A. Covered Area
P.C.P. Permanent Control Point	L Length of Arc	C.I.R. Copied Iron Rod	W.C. Wire of Chain Link Fence
P.T. Point of Tangency	C Chord	I.P. Iron Pipe	W.P. Wooden Privacy Fence
P.C. Point of Curvature	C.B. Chord Bearing	N/D Nail and Disk	

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P.O. Box 15147, Pensacola, FL 32514
(850) 478-4768

WILLIAM T. BUTLER P.S.M. No. 3774



NORTH PER R/W LINE OF "H" STREET
AS N00°00'00"E (ASSUMED)

"J" STREET (50' R/W)

R/W LINE

BLOCK "42"

R/W LINE

R/W LINE

BLOCK "41"

MALLORY STREET (55' R/W)
VACATED (M.B.14, PG 311)

R/W LINE

"I" STREET (60' R/W)

THAT PORTION OF MALLORY STREET (55' R/W) LYING EAST OF THE EAST RIGHT OF WAY LINE OF "J" STREET (50' R/W), SOUTH OF THE SOUTH LINE OF BLOCK 42, KUPFRIAN PARK, KUPFRIAN PARK COMPANY'S SUBDIVISION OF A PORTION OF SECTION 29 AND ALL OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID SUBDIVISION RECORDED IN DEED BOOK 62, PAGE 245 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, WEST OF THE WEST LINE OF THAT PORTION OF MALLORY STREET (55' R/W) VACATED IN MAP BOOK 14, PAGE 311, ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AND NORTH OF THE NORTH LINE OF BLOCK 41 OF SAID KUPFRIAN PARK.

SKETCH ONLY, NOT A BOUNDARY SURVEY

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Land shown hereon were not obstructed for easements and/or right of way, recorded or unrecorded, by this firm. No search of the public records has been performed by this firm to determine any defects and/or ambiguities in the title. Underground portions of foundations, footings, or any other underground structures were not located unless otherwise noted. Measurements were made in accordance with United States standards. Property is subject to setbacks, easements and restrictions of record. This drawing only reflects setback lines which appear on the recorded plat. This property may also be subject to setback lines mandated by zoning ordinances and/or restrictive covenants of record. This survey and/or sketch does not reflect or determine ownership. Federal and State copyright acts protect this survey and/or sketch from unauthorized use. This map is not to be copied or reproduced in whole or part and is not to be used for any other transaction. This survey and/or sketch cannot be used for the benefit of any other person, company or firm without consent of the copyright owner and is to be returned upon request.

REVISIONS	ISSUE DATE	FIELD DATE	FB./PG.

SCALE 1"=50'	TYPE LEGAL & SKETCH	ISSUE DATE 9/25/24	FIELD DATE N/A	ORDER NO. 24-04-012-5	FIELD BOOK N/A
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CERTIFICATE

I HEREBY STATE THAT I HAVE RECENTLY SURVEYED OR THAT A SURVEY OF THE ABOVE DESCRIBED PROPERTY WAS MADE UNDER MY SUPERVISION AND THAT THE ABOVE-GROUND SURVEY AND DRAWING AS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND DRAWING MEET THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS.

• Degrees	P.R.C.	Point of Reverse Curvature	B.S.L.	Building Setback Line	H/T	Hub and Tack
" Feet or Minutes	P.C.C.	Point of Compound Curvature	D	Deed	C.M.	Concrete Monument
" Inches or Seconds	P.R.M.	Permanent Reference Monument	P	Plot	O/S	Offset Point
N North	R/W	Right of Way	F	Field	O.H.W.	Overhead Utility Wire
S South	R.P.	Radius Point	P.O.C.	Point of Commencement		Concrete or Pavement
E East	Δ	Central Angle	P.O.B.	Point of Beginning		Wood Decking
W West	R	Radius	I.R.	Iron Rod		Covered Area
P.C.P. Permanent Control Point	L	Length of Arc	C.I.R.	Capped Iron Rod	--x--x--	Wire of Chain Link Fence
P.T. Point of Tangency	C	Chord	I.P.	Iron Pipe	--+--+--	Wooden Privacy Fence
P.C. Point of Curvature	C.B.	Chord Bearing	N/D	Nail and Disk		

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(850) 476-4768
Fax: (850) 476-4945

WILLIAM T. BUTLER P.S.M. No. 3774

Ownership and Encumbrance Report

First American Issuing Office:

First American Title Insurance Company
PO Box 776123
Chicago, IL 60677-6123

Customer Reference Number: Baptist Hospital

First American File Number: 110490925

Prepared For:

Nelson Mullins Riley & Scarborough LLP
P.O. Box 4961
Orlando, FL 32802

Legal Description:

LEGAL DESCRIPTION: PARCEL 42-A

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 42, KUPFRIAN PARK, ACCORDING TO THE PLAT RECORDED IN DEED BOOK 62, PAGE 245, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, BEING A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF MALLORY STREET (55 FOOT RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF "J" STREET (50 FOOT RIGHT OF WAY); THENCE NORTHERLY, ALONG THE WESTERLY LINE OF SAID BLOCK 42 AND EASTERLY RIGHT OF WAY LINE OF "J" STREET, A DISTANCE OF 39.54 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE NORTHERLY LINE OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE RUN EASTERLY, ALONG THE NORTHERLY LINE OF SAID SECTION 29, A DISTANCE OF 300.14 FEET, MORE OR LESS, TO THE EASTERLY LINE OF SAID BLOCK 42 AND WESTERLY RIGHT OF WAY LINE OF "I" STREET; THENCE SOUTHERLY, ALONG THE EASTERLY LINE OF SAID BLOCK 42 AND WESTERLY RIGHT OF WAY LINE OF "I" STREET, A DISTANCE OF 48.02 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID ALLEY (20 FOOT RIGHT OF WAY); THENCE RUN WESTERLY, ALONG SAID NORTHERLY LINE OF AN ALLEY, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING

LEGAL DESCRIPTION: PARCEL 42-B

BEGINNING AT THE SOUTHEAST CORNER OF BLOCK 42, KUPFRIAN PARK, ACCORDING TO THE PLAT RECORDED IN DEED BOOK 62, PAGE 245, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, BEING A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF MALLORY STREET (55 FOOT RIGHT OF WAY) AND THE WESTERLY RIGHT OF WAY LINE OF "I" STREET (60 FOOT RIGHT OF WAY); THENCE RUN WESTERLY, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF MALLORY STREET (55 FOOT RIGHT OF WAY) A DISTANCE OF 300.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 42, ALSO BEING AT THE INTERSECTION OF SAID NORTHERLY RIGHT OF WAY LINE OF MALLORY STREET AND THE EASTERLY RIGHT OF WAY LINE OF "J" STREET (50 FOOT RIGHT OF WAY); THENCE NORTHERLY, ALONG THE WESTERLY LINE OF SAID BLOCK 42 AND EASTERLY RIGHT OF WAY LINE OF "J" STREET, A DISTANCE OF 140.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN EXISTING ALLEY (20 FOOT RIGHT OF WAY); THENCE RUN EASTERLY, ALONG SAID SOUTHERLY LINE OF AN EXISTING ALLEY, A DISTANCE OF 300.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF "I" STREET (60 FOOT RIGHT OF WAY) AND EASTERLY LINE OF BLOCK 42; THENCE SOUTHERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE OF "I" STREET AND EASTERLY LINE OF BLOCK 42, A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING

LEGAL DESCRIPTION: PARCEL 80-A

COMMENCING AT A POINT ON THE SOUTHWEST CORNER OF BLOCK 80, NORTH HILL HIGHLANDS, ACCORDING TO THE PLAT OF RE-SUBDIVISION OF DALLAS TRACT, RECORDED IN DEED BOOK 26, PAGE 244, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, BEING A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF MALLORY STREET (80 FOOT RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF "I" STREET (60 FOOT RIGHT OF WAY); THENCE RUN NORTHERLY, ALONG THE WESTERLY RIGHT OF WAY LINE OF "I" STREET AND WESTERLY LINE OF SAID BLOCK 80, A DISTANCE OF 160.00 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE OF "I" STREET AND WESTERLY LINE OF SAID BLOCK 80, A DISTANCE OF 51.06 FEET, MORE OR LESS, TO THE TO AN INTERSECTION WITH THE NORTHERLY LINE OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE RUN EASTERLY, ALONG THE NORTHERLY LINE OF SAID SECTION 29, A DISTANCE OF 300.14 FEET TO THE WESTERLY RIGHT OF WAY LINE OF "H" STREET (50 FOOT RIGHT OF WAY) AND EASTERLY LINE OF BLOCK 80; THENCE SOUTHERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE OF "H" STREET AND EASTERLY LINE OF BLOCK 80, A DISTANCE OF 60.19 FEET, MORE OR LESS, TO THE AFORESAID NORTHERLY LINE OF AN EXISTING ALLEY; THENCE RUN WESTERLY, ALONG SAID NORTHERLY LINE OF THE EXISTING ALLEY, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: PARCEL 80-B

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 80, NORTH HILL HIGHLANDS, ACCORDING TO THE PLAT OF RE-SUBDIVISION OF DALLAS TRACT, RECORDED IN DEED BOOK 26, PAGE 244, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, BEING A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF MALLORY STREET (80 FOOT RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF "I" STREET (60 FOOT RIGHT OF WAY); THENCE RUN NORTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE OF "I" STREET AND WESTERLY LINE OF SAID BLOCK 80, A DISTANCE OF 140.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF AN EXISTING ALLEY (20 FOOT RIGHT OF WAY); THENCE RUN EASTERLY, ALONG SAID SOUTHERLY LINE OF AN EXISTING ALLEY, A DISTANCE OF 300.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF "H" STREET (50 FOOT RIGHT OF WAY) AND EASTERLY LINE OF BLOCK 80; THENCE SOUTHERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE OF "H" STREET AND EASTERLY LINE OF BLOCK 80, A DISTANCE OF 140.00 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF MALLORY STREET AND THE WESTERLY RIGHT OF WAY LINE OF "H" STREET (60 FOOT RIGHT OF WAY) ALSO BEING THE SOUTHEAST CORNER OF BLOCK 80; THENCE WESTERLY, ALONG THE NORTHERLY RIGHT OF WAY LINE OF MALLORY STREET AND SOUTH LINE OF BLOCK 80, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: PARCEL 41-A

BEGINNING AT THE NORTHWEST CORNER OF BLOCK 41 KUPFRIAN PARK, ACCORDING TO THE PLAT RECORDED IN DEED BOOK 62, PAGE 245, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, BEING A POINT AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF MALLORY STREET (55 FOOT RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF "J" STREET (50 FOOT RIGHT OF WAY); THENCE EASTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF MALLORY STREET AND NORTHERLY LINE OF BLOCK 41 A DISTANCE OF 150.00 FEET; THENCE SOUTHERLY, PARALLEL WITH THE EASTERLY RIGHT OF WAY LINE OF "J" STREET, A DISTANCE OF 140.00 FEET TO THE NORTHERLY LINE OF AN EXISTING ALLEY; THENCE RUN WESTERLY, ALONG SAID NORTHERLY LINE OF THE EXISTING ALLEY, A DISTANCE OF 150.00 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY LINE OF "J" STREET AND WESTERLY LINE OF BLOCK 41; THENCE NORTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE OF "J" STREET AND WESTERLY LINE OF BLOCK 41, A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING.

AND

LOTS 9 TO 28, INCLUSIVE, BLOCK 79, NORTH HILL HIGHLANDS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN DEED BOOK 62, PAGE 244, PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

1. Grantee(s) In Last Deed of Record:

Baptist Health Care, Inc., a Florida not for profit corporation, successor by merger to Baptist Health Care, Inc., a Florida not for profit corporation and Baptist Hospital, Inc., a Florida not-for-profit corporation, by virtue of Deed Book 203, Page 207; Deed Book 203, Page 302; Deed Book 206, Page 215; Deed Book 213, Page 526; Deed Book 254, Page 269; Deed Book 280, Page 540; Deed Book 295, Page 232; Deed Book 296, Page 29, Deed Book 296, Page 223; Deed Book 254, Page 269; Deed Book 296, Page 182; Deed Book 296, Page 185; Deed Book 420, Page 133; Deed Book 423, Page 203; Deed Book 482, Page 730; Deed Book 423, Page 283; Deed Book 483, Page 736; Deed Book 431, Page 131; Book 1036, Page 365; Book 1465, Page 574; Book 1984, Page 989; Book 2001, Page 42; Book 2001, Page 44; Book 2004, Page 222; Book 2871, Page 966; Book 2871, Page 981; Book 2873, Page 837 and Book 8899, Page 1852

2. Encumbrances/Matters Affecting Title (Includes only mortgages, liens and claims of lien (if not specifically affecting other property only), judgments (certified only), federal tax liens, bankruptcy petitions, death certificates, court orders and decrees, divorce decrees, property settlement agreements, tax warrants, incompetency proceedings and probate proceedings which may affect the title to the property described above (attach an exhibit, if necessary)):

(X) Exhibit Attached () Exhibit Not Attached.

<u>Type of Instrument</u>	<u>O.R.Book</u>	<u>Page</u>
Plat of North Hill Highlands	DB 62	244
Underground Easement for Electric Service	1987	357
Utility Easement	2798	605
Declaration of Covenants and Restrictions	7016	772
Waiver of Right of First Refusal	9093	138
Underground Distribution Easement	7293	231
Tree Trim, Cut and Removal Easement	7678	1322
Declaration of Restrictive Covenant	8704	939

Customer Reference Number:
First American File Number: 110490925

Certificate

"This Report" is a search limited to the Official Records Books as defined in Sections 28.001(1) and 28.222, Florida Statutes, from Earliest Public Records to September 19, 2024 at 8:00 a.m.. The foregoing Report accurately reflects matters recorded and indexed in the Official Records Books of ESCAMBIA County, Florida, affecting title to the property described therein. This report is not an opinion of title, title insurance policy, warranty of title, or any other assurance as to the status of title and shall not be used for the purpose of issuing title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified in the property information report as the recipients of the property information report.

First American Title Insurance Company

A handwritten signature in black ink, appearing to read "Michael Abbey", is written over a horizontal line.

Michael Abbey, as SVP, Division Region Manager

Dated:10/04/2024

Department:	Comments:
Planning	No comment.
FIRE	No comment.
PW/E	No comment (Streets and Traffic).
Surveyor	No comment.
Inspection Svcs	No comment.
Pensacola Energy	No objection - see attached.
ECUA	No objection - see attached.
FPL	No objection - see attached. Request to retain 30' easement in Mallory Street south portion for existing facilities.
ATT	No objection - see attached.
FDOT	No comment.
CRA	No comment.
Parking	No comment.
Airport	No comment.
Arborist	No comment.

Gregg Harding

From: KENNINGTON, STEPHEN <sk1674@att.com>
Sent: Thursday, October 24, 2024 9:12 AM
To: Gregg Harding
Cc: CHANDLER, JASON; MARTIN, JEREMY C; Leslie Odom
Subject: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

 **THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT** 

Original response is valid.

Stephen Kennington <><
Manager – OSP Plng and Eng
Technology Operations

AT&T
6689 E Magnolia St, Milton, FL 32570
o 850.512.4848 | sk1674@att.com
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From: Gregg Harding <GHarding@cityofpensacola.com>
Sent: Thursday, October 24, 2024 9:02 AM
To: KENNINGTON, STEPHEN <sk1674@att.com>
Cc: CHANDLER, JASON <jc5372@att.com>; MARTIN, JEREMY C <jm342w@att.com>; Leslie Odom <LOdom@cityofpensacola.com>
Subject: RE: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

That is correct – the yellow areas indicate the current vacation request, and the applicants are also asking that the city not retain an easement if those arears are approved to be vacated. They include the two west-east running alleyways, a portion of Mallory Street in the west, and a portion of 'I' Street. This is the old Baptist Hospital campus, and the subject rights-of-way were discovered as never being formally vacated by the County or City.

'H' Street is not included in the vacation application, and it was vacated in the 1970s (attached is vacating ordinance 1036 pg 364). Additionally, the non-highlighted portion of Mallory Street is not considered in the application since it was vacated in the 1950s (also attached is deed book 460, page 171).

Please let me know if you have any questions. Thank you.

Gregg Harding, RPA
Assistant Planning & Zoning Division Manager

Visit us at <http://cityofpensacola.com>
222 W Main St.
Pensacola, FL 32502
Office: 850.435.1676
gharding@cityofpensacola.com

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From: KENNINGTON, STEPHEN <sk1674@att.com>
Sent: Thursday, October 24, 2024 8:47 AM
To: Gregg Harding <GHarding@cityofpensacola.com>
Cc: CHANDLER, JASON <jc5372@att.com>; MARTIN, JEREMY C <jm342w@att.com>; Leslie Odom <LOdom@cityofpensacola.com>
Subject: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

 **THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT** 

The yellow area is the area being vacated? I see part of Mallory and H labeled as vacated. Please clarify.

Stephen Kennington <><
Manager – OSP Plng and Eng
Technology Operations

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o 850.512.4848 | sk1674@att.com
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From: Gregg Harding <GHarding@cityofpensacola.com>
Sent: Thursday, October 24, 2024 8:40 AM
To: KENNINGTON, STEPHEN <sk1674@att.com>
Cc: CHANDLER, JASON <jc5372@att.com>; MARTIN, JEREMY C <jm342w@att.com>; Leslie Odom <LOdom@cityofpensacola.com>
Subject: RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Resending to include a site map of the subject rights-of-way. Thanks again Stephen. Please let me know if you have questions and I look forward to your response.

Gregg Harding, RPA
Assistant Planning & Zoning Division Manager
Visit us at <http://cityofpensacola.com>

222 W Main St.
Pensacola, FL 32502
Office: 850.435.1676
gharding@cityofpensacola.com

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From: Gregg Harding
Sent: Thursday, October 24, 2024 8:39 AM
To: KENNINGTON, STEPHEN <sk1674@att.com>
Cc: CHANDLER, JASON <jc5372@att.com>; MARTIN, JEREMY C <jm342w@att.com>; Leslie Odom <LOdom@cityofpensacola.com>
Subject: RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Thank you for your response, Stephen! I'll update my contacts so Jason and Jeremy are included in the future, and I will remove Tim and Karl.

Just to confirm your response – it is my understanding that AT&T has no utility infrastructure nor future need for utility infrastructure within the limits of the rights-of-way indicated. Should any be found in the future, repair and/or relocation cost will be at the expense of the property owners. Can you please confirm?

Thank you again for your time and I look forward to working with Jason and Jeremy.

Gregg Harding, RPA
Assistant Planning & Zoning Division Manager
Visit us at <http://cityofpensacola.com>
222 W Main St.
Pensacola, FL 32502
Office: 850.435.1676
gharding@cityofpensacola.com

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From: KENNINGTON, STEPHEN <sk1674@att.com>
Sent: Thursday, October 24, 2024 6:39 AM
To: Gregg Harding <GHarding@cityofpensacola.com>
Cc: CHANDLER, JASON <jc5372@att.com>; MARTIN, JEREMY C <jm342w@att.com>
Subject: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

 **THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT** 

Greg,

Both Tim and Karl are no longer with AT&T. I am copying Jason and Jeremy to add for future notifications.

For the subject area, AT&T Florida has no facilities or structures that appear to be in conflict. Should facilities be discovered and found to be in use, repair and/or relocation cost would be by others.

Stephen Kennington <><
Manager – OSP Plng and Eng
Technology Operations

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6689 E Magnolia St, Milton, FL 32570
o 850.512.4848 | sk1674@att.com
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From: Gregg Harding <GHarding@cityofpensacola.com>
Sent: Wednesday, October 23, 2024 12:02 PM
To: KENNINGTON, STEPHEN <sk1674@att.com>; Tim Edgar (AT&T) <te1810@att.com>; Karl Fenner (AT&T) <kf5345@att.com>
Cc: Leslie Odom <LOdom@cityofpensacola.com>
Subject: RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Good morning, AT&T.

Just checking in to see if there are any comments or concerns so far regarding the City of Pensacola vacation of right-of-way and easement extinguishment application provided on 10/14/2024. The initial email is below and the application is attached –

All,

See the attached application for the vacation of rights-of-way at the Baptist Hospital campus located at 125 Baptist Way (DISTRICT 7). This is scheduled for the November 12 Planning Board meeting.

Please be aware that the applicants are also requesting the extinguishment of any underlying easements associated with the subject rights-of-way.

*If you could provide comments by **October 25, 2024**, it would be greatly appreciated. If no response is provided, we will interpret the 'no response' as the department having no issues or concerns with the request and will report it as such in our Board report.*

Thank you very much for your time and please let me know if there are any questions.

Please let me know if you have any questions. Thank you.

Gregg Harding, RPA

Assistant Planning & Zoning Division Manager

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

222 W Main St.

Pensacola, FL 32502

Office: 850.435.1676

gharding@cityofpensacola.com

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From: Gregg Harding

Sent: Monday, October 14, 2024 4:30 PM

To: Adam Cobb <ACobb@cityofpensacola.com>; Adrienne Walker <AWalker@cityofpensacola.com>; Alex Smith <AlexSmith@cityofpensacola.com>; Amy Hargett <ahargett@cityofpensacola.com>; Amy Miller <AMiller@cityofpensacola.com>; Amy Tootle <ATootle@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Andrew Briske <ABriske@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Caitlin Cerame <CCerame@cityofpensacola.com>; Chase Crawford <CCrawford@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; David Forte <DForte@cityofpensacola.com>; DC Reeves <DCReeves@cityofpensacola.com>; Deana Stallworth <DeStallworth@cityofpensacola.com>; Dustin Merritt <DMerritt@cityofpensacola.com>; Efrian Rodriguez (Verizon) <efrian.rodriguez@oneverizon.com>; Emily Madigan <EMadigan@cityofpensacola.com>; Erica Grancagnolo <EGrancagnolo@cityofpensacola.com>; Ginny Cranor <GCranor@cityofpensacola.com>; Harolyn Gobert (FPL) <harolyn.gobert@nexteraenergy.com>; Hilary Halford <HHalford@cityofpensacola.com>; Jared White <JWhite@cityofpensacola.com>; Jim Jernigan (FPL) <jim.jernigan@fpl.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <kf5345@att.com>; Katherine Kuhn <KKuhn@cityofpensacola.com>; Ken Ibold <KIbold@cityofpensacola.com>; Leslie Odom <LOdom@cityofpensacola.com>; Leslie Statler <LStatler@cityofpensacola.com>; Lissa A. Dees <LDees@cityofpensacola.com>; Matt Coughlin <MCoughlin@cityofpensacola.com>; Nate Edler <NEdler@cityofpensacola.com>; Patrick Davidson <Patrick.Davidson@fpl.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Rachel Bennett <RBennett@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Robert Slayton <RSlayton@cityofpensacola.com>; Roy Remington <RRemington@cityofpensacola.com>; Ryan Fitzgerald <RFitzgerald@cityofpensacola.com>; Seth Thomason (FDOT) <seth.thomason@dot.state.fl.us>; Sherry Morris <SMorris@cityofpensacola.com> <SMorris@cityofpensacola.com>; Sommer Johnson (FP&L) <sommer.johnson@fpl.com>; Stacey Mcleod <stacey.mcleod@dot.state.fl.us>; Stephanie Chwastyk <Schwastyk@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>; Tim Edgar (AT&T) <te1810@att.com>; Troy Young (Cox) <troy.young@cox.com>; Victoria D'Angelo <VDangelo@cityofpensacola.com>; Wendy Gavin <WGavin@cityofpensacola.com>; William Moore (FDOT) <William.Moore@dot.state.fl.us>

Subject: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

All,

See the attached application for *the vacation of rights-of-way* at the Baptist Hospital campus located at 125 Baptist Way (DISTRICT 7). This is scheduled for the November 12 Planning Board meeting.

Please be aware that the applicants are also requesting the extinguishment of any underlying easements associated with the subject rights-of-way.

If you could provide comments by **October 25, 2024**, it would be greatly appreciated. If no response is provided, we will interpret the 'no response' as the department having no issues or concerns with the request and will report it as such in our Board report.

Thank you very much for your time and please let me know if there are any questions.

Gregg Harding, RPA

Assistant Planning & Zoning Division Manager

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

222 W Main St.

Pensacola, FL 32502

Office: 850.435.1676

gharding@cityofpensacola.com

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Gregg Harding

From: Andre Calaminus <andre.calaminus@ecua.fl.gov>
Sent: Monday, October 28, 2024 11:55 AM
To: Gregg Harding
Cc: Leslie Odom
Subject: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

 **THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT** 

Hi Gregg,

Yes, that is correct.

Thanks,

Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |
P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: www.ecua.fl.gov |
Phone: (850) 969-5822 | Fax: (850) 969-6511 |

From: Gregg Harding <GHarding@cityofpensacola.com>
Sent: Monday, October 28, 2024 9:21 AM
To: Andre Calaminus <andre.calaminus@ecua.fl.gov>
Cc: Leslie Odom <LOdom@cityofpensacola.com>
Subject: RE: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

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Thanks, Andre.

Just to confirm your response – it is my understanding that ECUA has no utility infrastructure nor future need for utility infrastructure within the limits of the rights-of-way indicated (highlighted in the attached). So long as the vacation does not expand outside those areas, an easement for ECUA is not needed.

Additionally - the privately owned sewer mains within the site must be capped/abandoned at the point of connection to ECUA's system, and no easements or interests may be extinguished within the 'H' Street right-of-way (or anywhere else outside the subject vacation request).

I also understand that additional comments may be forthcoming. Can you please confirm?

Thanks!

Gregg Harding, RPA
Assistant Planning & Zoning Division Manager
Visit us at <http://cityofpensacola.com>

222 W Main St.
Pensacola, FL 32502
Office: 850.435.1676
gharding@cityofpensacola.com

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From: Andre Calaminus <andre.calaminus@ecua.fl.gov>
Sent: Friday, October 25, 2024 3:33 PM
To: Gregg Harding <GHarding@cityofpensacola.com>
Cc: Leslie Odom <LOdom@cityofpensacola.com>
Subject: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

⚠ THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT ⚠

Thanks Gregg, this is helpful. Glad to hear Les is getting a vacation! As for the comments regarding the r/w vacation request:

ECUA has no objection to the request to vacate the alleyways/rights-of-way, with the following understandings:

- There appears to private gravity sewer mains within some of the areas requested to be vacated. These are not ECUA-owned or maintained pipes, but they will need to be capped/abandoned at the point of connection to ECUA's system.
- ECUA has active infrastructure within the 'H' Street former right-of-way. ECUA does not extinguish any underlying easements or interests in areas that may intersect with the former 'H' St right-of-way or any area with active ECUA infrastructure.

I'm still waiting on responses from some ECUA staff, so additional comments may be forthcoming.

Thank you,

Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |
P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: www.ecua.fl.gov |
Phone: (850) 969-5822 | Fax: (850) 969-6511 |

From: Gregg Harding <GHarding@cityofpensacola.com>
Sent: Wednesday, October 23, 2024 11:56 AM
To: Andre Calaminus <andre.calaminus@ecua.fl.gov>
Cc: Leslie Odom <LOdom@cityofpensacola.com>
Subject: RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

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Hey Andre,

No worries at all. I've been meaning to email you, just to see if there's anything we can provide. Les is out of town this week on a well-deserved vacation. See if the attached is what you are looking for and let me know if there's anything else I need to look into. Thanks.

Gregg Harding, RPA

Assistant Planning & Zoning Division Manager

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

222 W Main St.

Pensacola, FL 32502

Office: 850.435.1676

gharding@cityofpensacola.com

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From: Andre Calaminus <andre.calaminus@ecua.fl.gov>

Sent: Wednesday, October 23, 2024 11:29 AM

To: Gregg Harding <GHarding@cityofpensacola.com>

Cc: Leslie Odom <LOdom@cityofpensacola.com>

Subject: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

 **THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT** 

Hi Gregg, I'm running a bit behind on this one. Hope to have comments to you by the 25th

Les: do you happen to have a copy of OR Book 1036 page 365 which vacated a portion of 'H' St and Mallory St in this area, as per the city atlas page below?

Thanks



Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |
P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: www.ecua.fl.gov |
Phone: (850) 969-5822 | Fax: (850) 969-6511 |

From: Gregg Harding <GHarding@cityofpensacola.com>

Sent: Monday, October 14, 2024 4:30 PM

To: Adam Cobb <ACobb@cityofpensacola.com>; Adrienne Walker <AWalker@cityofpensacola.com>; Alex Smith <AlexSmith@cityofpensacola.com>; Amy Hargett <ahargett@cityofpensacola.com>; Amy Miller <AMiller@cityofpensacola.com>; Amy Tootle <ATootle@cityofpensacola.com>; Andre Calaminus

<andre.calaminus@ecua.fl.gov>; Andrew Briske <ABriske@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Caitlin Cerame <CCerame@cityofpensacola.com>; Chase Crawford <CCrawford@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; David Forte <DForte@cityofpensacola.com>; DC Reeves <DCReeves@cityofpensacola.com>; Deana Stallworth <DeStallworth@cityofpensacola.com>; Dustin Merritt <DMerritt@cityofpensacola.com>; Efrian Rodriguez (Verizon) <efrian.rodriguez@oneverizon.com>; Emily Madigan <EMadigan@cityofpensacola.com>; Erica Grancagnolo <EGrancagnolo@cityofpensacola.com>; Ginny Cranor <GCranor@cityofpensacola.com>; Harolyn Gobert (FPL) <harolyn.gobert@nexteraenergy.com>; Hilary Halford <HHalford@cityofpensacola.com>; Jared White <JWhite@cityofpensacola.com>; Jim Jernigan (FPL) <jim.jernigan@fpl.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <kf5345@att.com>; Katherine Kuhn <KKuhn@cityofpensacola.com>; Ken Ibold <kibold@cityofpensacola.com>; Leslie Odom <LOdom@cityofpensacola.com>; Leslie Statler <LStatler@cityofpensacola.com>; Lissa A. Dees <LDees@cityofpensacola.com>; Matt Coughlin <MCoughlin@cityofpensacola.com>; Nate Edler <NEdler@cityofpensacola.com>; Patrick Davidson <Patrick.Davidson@fpl.com>; Paul A Kelly (GIS) <PAKelly@cityofpensacola.com>; Rachel Bennett <RBennett@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Robert Slayton <RSlayton@cityofpensacola.com>; Roy Remington <RRemington@cityofpensacola.com>; Ryan Fitzgerald <RFitzgerald@cityofpensacola.com>; Seth Thomason (FDOT) <seth.thomason@dot.state.fl.us>; Sherry Morris <SMorris@cityofpensacola.com>; Sommer Johnson (FP&L) <sommer.johnson@fpl.com>; Stacey Mcleod <stacey.mcleod@dot.state.fl.us>; Stephanie Chwastyk <SChwastyk@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>; Tim Edgar (AT&T) <te1810@att.com>; Troy Young (Cox) <troy.young@cox.com>; Victoria D'Angelo <VDangelo@cityofpensacola.com>; Wendy Gavin <WGavin@cityofpensacola.com>; William Moore (FDOT) <William.Moore@dot.state.fl.us>
Subject: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

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

All,

See the attached application for *the vacation of rights-of-way* at the Baptist Hospital campus located at 125 Baptist Way (DISTRICT 7). This is scheduled for the November 12 Planning Board meeting.

Please be aware that the applicants are also requesting the extinguishment of any underlying easements associated with the subject rights-of-way.

If you could provide comments by **October 25, 2024**, it would be greatly appreciated. If no response is provided, we will interpret the 'no response' as the department having no issues or concerns with the request and will report it as such in our Board report.

Thank you very much for your time and please let me know if there are any questions.

Gregg Harding, RPA

Assistant Planning & Zoning Division Manager

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

222 W Main St.

Pensacola, FL 32502

Office: 850.435.1676

gharding@cityofpensacola.com

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Gregg Harding

From: Johnson, Sommer <Sommer.Johnson@fpl.com>
Sent: Wednesday, October 30, 2024 6:20 AM
To: Leslie Odom; Gregg Harding
Cc: Jernigan, Jim; Davidson, Patrick; Rhodes, Stephen; Flory, Jason; Dickens, Raymond
Subject: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

⚠ THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT ⚠

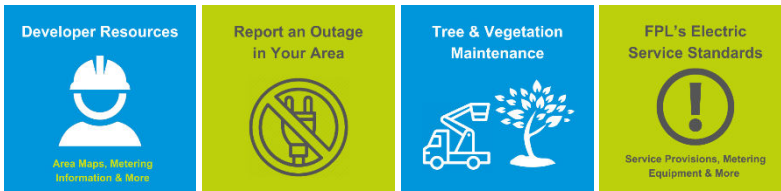
Thank you!

Thank you,
Sommer Johnson
Technical Specialist I
Power Delivery

Florida Power & Light Company
Pine Forest Service Center
850-429-2651 (office)
850-266-8124 (mobile)
Sommer.Johnson@FPL.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Engineering Leader (Jason Flory) at 850-505-5252 or Jason.Flory@fpl.com.



From: Leslie Odom <LOdom@cityofpensacola.com>
Sent: Tuesday, October 29, 2024 1:19 PM
To: Johnson, Sommer <Sommer.Johnson@fpl.com>; Gregg Harding <GHarding@cityofpensacola.com>
Cc: Jernigan, Jim <Jim.Jernigan@fpl.com>; Davidson, Patrick <Patrick.Davidson@fpl.com>; Rhodes, Stephen <Stephen.Rhodes@fpl.com>; Flory, Jason <Jason.Flory@fpl.com>; Dickens, Raymond <Raymond.Dickens@fpl.com>
Subject: RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Sommer, we will reserve a 30 foot wide easement for FPL over the southern portion of that portion of Mallory Street to be vacated.

Please respond in kind with acknowledgement.

Kind regards,

Les Odom
City Surveyor
Office: 850-436-5531

From: Johnson, Sommer <Sommer.Johnson@fpl.com>
Sent: Tuesday, October 29, 2024 12:11 PM
To: Leslie Odom <LOdom@cityofpensacola.com>; Gregg Harding <GHarding@cityofpensacola.com>
Cc: Jernigan, Jim <Jim.Jernigan@fpl.com>; Davidson, Patrick <Patrick.Davidson@fpl.com>; Rhodes, Stephen <Stephen.Rhodes@fpl.com>; Flory, Jason <Jason.Flory@fpl.com>; Dickens, Raymond <Raymond.Dickens@fpl.com>
Subject: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

⚠ **THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT** ⚠

Leslie,

FPL easements should be a 30ft strip with 15ft on each side of the facilities.

Thank you,
Sommer Johnson
Technical Specialist I
Power Delivery

Florida Power & Light Company
Pine Forest Service Center
850-429-2651 (office)
850-266-8124 (mobile)
Sommer.Johnson@FPL.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Engineering Leader (Jason Flory) at 850-505-5252 or Jason.Flory@fpl.com.



From: Leslie Odom <LOdom@cityofpensacola.com>
Sent: Tuesday, October 29, 2024 12:03 PM
To: Johnson, Sommer <Sommer.Johnson@fpl.com>; Gregg Harding <GHarding@cityofpensacola.com>
Cc: Jernigan, Jim <Jim.Jernigan@fpl.com>; Davidson, Patrick <Patrick.Davidson@fpl.com>; Rhodes, Stephen <Stephen.Rhodes@fpl.com>; Flory, Jason <Jason.Flory@fpl.com>; Dickens, Raymond <Raymond.Dickens@fpl.com>
Subject: RE: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Sommer, will FPL be looking for a full width easement retained or can the easement be reduced in width?

Les Odom
City Surveyor
Office: 850-436-5531

From: Johnson, Sommer <Sommer.Johnson@fpl.com>
Sent: Tuesday, October 29, 2024 11:35 AM
To: Gregg Harding <GHarding@cityofpensacola.com>
Cc: Jernigan, Jim <Jim.Jernigan@fpl.com>; Davidson, Patrick <Patrick.Davidson@fpl.com>; Leslie Odom <LOdom@cityofpensacola.com>; Rhodes, Stephen <Stephen.Rhodes@fpl.com>; Flory, Jason <Jason.Flory@fpl.com>; Dickens, Raymond <Raymond.Dickens@fpl.com>
Subject: [EXTERNAL] RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

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Hi Gregg,

We would like to obtain easements for FPL facilities currently in the right of ways on this property. I believe we can use these existing facilities to serve the new developments.

I have copied our lighting department rep, Devon Dickens, as I see there are multiple FPL light poles on this property/in the right of way as well.

Thank you,
Sommer Johnson
Technical Specialist I
Power Delivery

Florida Power & Light Company
Pine Forest Service Center
850-429-2651 (office)
850-266-8124 (mobile)
Sommer.Johnson@FPL.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Engineering Leader (Jason Flory) at 850-505-5252 or Jason.Flory@fpl.com.



From: Gregg Harding <GHarding@cityofpensacola.com>
Sent: Monday, October 28, 2024 12:21 PM
To: Johnson, Sommer <Sommer.Johnson@fpl.com>
Cc: Gobert, Harolyn <Harolyn.Gobert@fpl.com>; Jernigan, Jim <Jim.Jernigan@fpl.com>; Davidson, Patrick <Patrick.Davidson@fpl.com>; Leslie Odom <LOdom@cityofpensacola.com>

Subject: RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Good afternoon, Sommer.

I'm just touching base on our previous emails regarding Baptist Hospital's Legacy Campus application for right-of-way vacation (map attached) - Does FP&L have any objection to the overall vacation of rights-of-way request?

If there is no objection, does FP&L desire that the City retain an easement for the existing utility? The applicants' desire is vacate and extinguish all easements relative to the subject rights-of-way in the attached map and to develop the properties for housing (see attached concepts where the alleyways and part of the 'I' Street rights-of-way may be impacted by development).

Thank you, and please feel free to give me a call if you'd like to discuss.

Gregg Harding, RPA

Assistant Planning & Zoning Division Manager

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

222 W Main St.

Pensacola, FL 32502

Office: 850.435.1676

gharding@cityofpensacola.com

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From: Gregg Harding

Sent: Monday, October 21, 2024 2:07 PM

To: Johnson, Sommer <Sommer.Johnson@fpl.com>

Cc: Harolyn Gobert (FPL) <harolyn.gobert@nexteraenergy.com>; Jim Jernigan (FPL)

<jim.jernigan@fpl.com>; Patrick Davidson <Patrick.Davidson@fpl.com>; Leslie Odom

<LOdom@cityofpensacola.com>

Subject: RE: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Thank you, Sommer.

Does FP&L have any objection to the overall vacation of rights-of-way request?

If there is no objection, does FP&L desire that the City retain an easement for existing or future utilities? The applicants' desire is to develop the properties for housing (see attached concepts where the alleyways and part of the 'I' Street rights-of-way may be

impacted by development). Would FP&L only want to retain an easement for the existing utility in the W. Mallory right-of-way, and not in the others?

Thank you, and please feel free to give me a call if you'd like to discuss.

Gregg Harding, RPA

Assistant Planning & Zoning Division Manager

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Office: 850.435.1676

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From: Johnson, Sommer <Sommer.Johnson@fpl.com>

Sent: Monday, October 21, 2024 12:53 PM

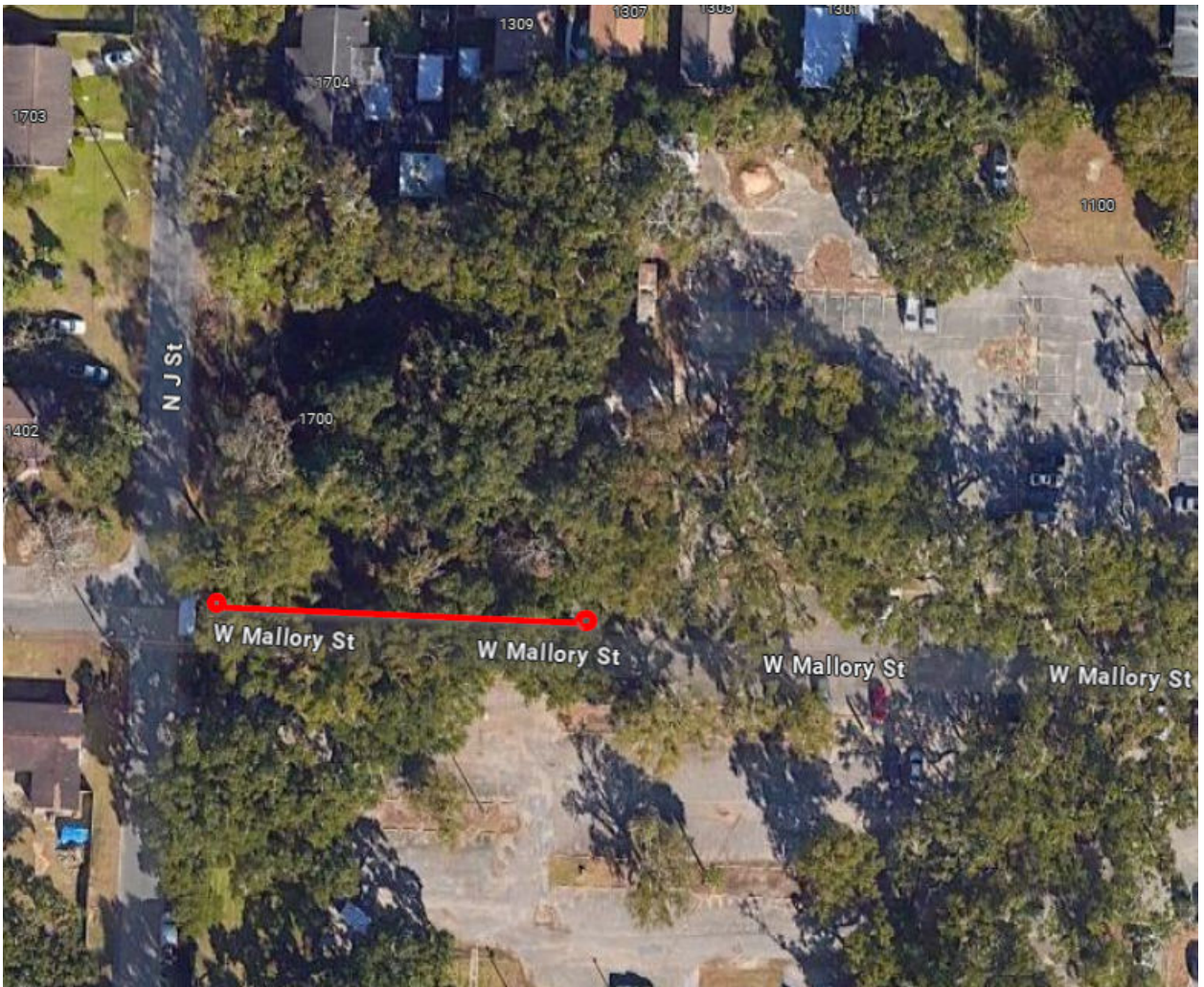
To: Gregg Harding <GHarding@cityofpensacola.com>

Subject: [EXTERNAL] RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

 **THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT** 

Hi Gregg,

FPL has facilities in the northern right of way of W Mallory St, just east of N J St. Please see screenshot below.



Thank you,
Sommer Johnson
 Technical Specialist I
 Power Delivery

Florida Power & Light Company

Pine Forest Service Center

850-429-2651 (office)

850-266-8124 (mobile)

Sommer.Johnson@FPL.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Engineering Leader (Jason Flory) at 850-505-5252 or Jason.Flory@fpl.com.

Developer Resources

Area Maps, Metering
Information & More

**Report an Outage
in Your Area**

**Tree & Vegetation
Maintenance**

**FPL's Electric
Service Standards**

Service Provisions, Metering
Equipment & More

From: Gregg Harding <GHarding@cityofpensacola.com>

Sent: Monday, October 14, 2024 4:30 PM

To: Adam Cobb <ACobb@cityofpensacola.com>; Adrienne Walker <AWalker@cityofpensacola.com>; Alex Smith <AlexSmith@cityofpensacola.com>; Amy Hargett <ahargett@cityofpensacola.com>; Amy Miller <AMiller@cityofpensacola.com>; Amy Tootle <ATootle@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Andrew Briske <ABriske@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Caitlin Cerame <CCerame@cityofpensacola.com>; Chase Crawford <CCrawford@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; David Forte <DForte@cityofpensacola.com>; DC Reeves <DCReeves@cityofpensacola.com>; Deana Stallworth <DeStallworth@cityofpensacola.com>; Dustin Merritt <DMerritt@cityofpensacola.com>; Efrian Rodriguez (Verizon) <efrian.rodriguez@oneverizon.com>; Emily Madigan <EMadigan@cityofpensacola.com>; Erica Grancagnolo <EGrancagnolo@cityofpensacola.com>; Ginny Cranor <GCranor@cityofpensacola.com>; Gobert, Harolyn <Harolyn.Gobert@fpl.com>; Hilary Halford <HHalford@cityofpensacola.com>; Jared White <JWhite@cityofpensacola.com>; Jernigan, Jim <Jim.Jernigan@fpl.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <kf5345@att.com>; Katherine Kuhn <KKuhn@cityofpensacola.com>; Ken Ibold <kibold@cityofpensacola.com>; Leslie Odom <LOdom@cityofpensacola.com>; Leslie Statler <LStatler@cityofpensacola.com>; Lissa A. Dees <LDees@cityofpensacola.com>; Matt Coughlin <MCoughlin@cityofpensacola.com>; Nate Edler <NEdler@cityofpensacola.com>; Davidson, Patrick <Patrick.Davidson@fpl.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Rachel Bennett <RBennett@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Robert Slayton <RSlayton@cityofpensacola.com>; Roy Remington <RRemington@cityofpensacola.com>; Ryan Fitzgerald <RFitzgerald@cityofpensacola.com>; Seth Thomason (FDOT) <seth.thomason@dot.state.fl.us>; Sherry Morris <SMorris@cityofpensacola.com>; Johnson, Sommer <Sommer.Johnson@fpl.com>; Stacey Mcleod <stacey.mcleod@dot.state.fl.us>; Stephanie Chwastyk <Schwastyk@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>; Tim Edgar (AT&T) <te1810@att.com>; Troy Young (Cox) <troy.young@cox.com>; Victoria D'Angelo <VDangelo@cityofpensacola.com>; Wendy Gavin <WGavin@cityofpensacola.com>; William Moore (FDOT) <William.Moore@dot.state.fl.us>

Subject: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

All,

See the attached application for *the vacation of rights-of-way* at the Baptist Hospital campus located at 125 Baptist Way (DISTRICT 7). This is scheduled for the November 12 Planning Board meeting.

Please be aware that the applicants are also requesting the extinguishment of any underlying easements associated with the subject rights-of-way.

If you could provide comments by **October 25, 2024**, it would be greatly appreciated. If no response is provided, we will interpret the 'no response' as the department having no issues or concerns with the request and will report it as such in our Board report.

Thank you very much for your time and please let me know if there are any questions.

Gregg Harding, RPA
Assistant Planning & Zoning Division Manager

Visit us at <http://cityofpensacola.com>
222 W Main St.
Pensacola, FL 32502
Office: 850.435.1676
gharding@cityofpensacola.com

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

Gregg Harding

From: Andrew Briske
Sent: Friday, October 18, 2024 3:10 PM
To: Gregg Harding
Cc: Anthony Coughlin; Leslie Odom; Cynthia Cannon
Subject: Re: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Yes that is correct. You can share our map with the applicant. You have a good weekend as well!

Thanks,

Andrew Briske

Gas Distribution Engineer

Visit us at <https://www.pensacolaenergy.com>

1625 Atwood Dr.

Pensacola, FL 32514

Office: 850.474.5309

Cell: 850.324.1852

Email: abriske@cityofpensacola.com



Get FREE energy saving tips and information delivered to your inbox each month with Pensacola Energy Green Power News. Click [here](#) to sign up! Save BIG with a Green, Efficient, Natural Gas Tankless Water Heater and Never Run out of Hot Water Again! For current rebate details on water heaters and other natural gas appliances, call (850) 436-5050.

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From: Gregg Harding <GHarding@cityofpensacola.com>
Sent: Friday, October 18, 2024 3:03:06 PM
To: Andrew Briske <ABriske@cityofpensacola.com>
Cc: Anthony Coughlin <ACoughlin@cityofpensacola.com>; Leslie Odom <LOdom@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>
Subject: RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Thanks, Andrew.

You are correct - the requested vacation is only limited to the areas indicated in yellow. Based on your comments and so long as the vacate request does not extend outside the indicated areas, it is

my understanding that Pensacola Energy has no utility infrastructure nor future need for utility infrastructure within the limits of the rights-of-way indicated. Can you please confirm?

Also, it is ok if I share your map with the applicants?

Thank you and have a very nice weekend!

Gregg Harding, RPA

Assistant Planning & Zoning Division Manager

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From: Andrew Briske <ABriske@cityofpensacola.com>

Sent: Wednesday, October 16, 2024 7:48 PM

To: Gregg Harding <GHarding@cityofpensacola.com>

Cc: Anthony Coughlin <ACoughlin@cityofpensacola.com>

Subject: RE: Vacation of Rights of Way Review for November City of Pensacola Planning Board - Old Baptist Hospital

Gregg,

Pensacola Energy has no objection to the vacate request; however, we do have facilities located very close to the vacate areas shown. I've attached a location map that outlines Pensacola Energy's natural gas facilities in the vicinity of the request. If the vacate area falls outside the yellow-shaded sections, Pensacola Energy may require an easement to ensure we can maintain service to our customers in the area.

Please let me know if you have any questions or need further information.

Thanks,

Andrew Briske

Gas Distribution Engineer

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Gregg Harding, RPA

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Sec. 12-11-4. Vacation of streets, alleys.

This section is established to provide for the vacation of streets, alleys or other public rights-of-way by official action of the city council.

- (1) *Application.* An application for vacation of streets, alleys or other public right-of-way shall be filed with the planning services department and shall include the reason for vacation and a legal description of the property to be vacated. Application for an alley vacation shall be in petition form signed by all property owners abutting the portion of the alley to be vacated. If all property owners do not sign the petition requesting such alley vacation, city staff shall determine the portion of the alley to be vacated.
 - a. An application for vacation of streets, alleys or other public right-of-way must be submitted to the planning services department at least 30 days prior to the regularly scheduled meeting of the planning board.
 - b. The application shall be scheduled for hearing only upon determination that the application complies with all applicable submission requirements.
 - c. No application shall be considered complete until all of the following have been submitted:
 1. The application shall be submitted on a form provided by the board secretary.
 2. Each application shall be accompanied by the following information and such other information as may be reasonably requested to support the application:
 - i. Accurate site plan drawn to scale;
 - ii. A legal description of the property proposed to be vacated;
 - iii. Proof of ownership of the adjacent property, including a copy of the deed and a title opinion, title insurance policy, or other form of proof acceptable to the city attorney;
 - iv. Reason for vacation request;
 - v. Petition form signed by all property owners abutting the portion of the right-of-way or alley to be vacated.
 3. The applicant shall be required to pay an application fee according to the current schedule of fees established by the city council for the particular category of application. This fee shall be nonrefundable irrespective of the final disposition of the application.
 4. Any party may appear in person, by agent, or by attorney.
 5. Any application may be withdrawn prior to action of the planning board or city council at the discretion of the applicant initiating the request upon written notice to the board secretary.
- (2) *Planning board review and recommendation.* The request to vacate will be distributed to the appropriate city departments and public agencies for review and comment. Said departments shall submit written recommendations of approval, disapproval or suggested revisions, and reasons therefor, to the city planning services department. The planning board shall review the vacation request and make a recommendation to the city council at a regularly scheduled planning board meeting. When a request for vacation of a right-of-way adjacent to a street or alley is made, the vacation shall be limited to a minimum of no less than ten feet from the existing back-of-curb. Any existing sidewalk on a right-of-way must be maintained or rebuilt by an owner granted such a vacation in order to preserve ADA accessibility to the public.

-
- a. Public notice for vacation of streets, alleys.
 - 1. A sign shall be prominently posted on the property to which the application pertains at least seven days prior to the scheduled board meeting.
 - 2. The city shall notify property owners within a 300-foot radius, as identified by the current county tax roll maps, of the property proposed for vacation with a public notice by post card at least five days prior to the board meeting. The public notice shall state the date, time and place of the board meeting.
 - (3) *City council review and action.* The planning board recommendation shall be forwarded to the city council for review and action.
 - a. *Notice and hearing.* The city council shall set a date for a public hearing to be conducted during a regularly scheduled city council meeting. Planning staff shall post a sign specifying the date and time of the public hearing at least seven days prior to the hearing. A public notice shall be published in a local newspaper of general distribution stating the time, place and purpose of the hearing at least ten days prior to the public hearing. The city shall notify property owners by certified mail, as identified by the current county tax roll, at least 15 days prior to the city council public hearing.
 - 1. In case of an alley vacation request all adjacent owners shall be notified.
 - 2. In the case of a street vacation request, all property owners within 300 feet of the request shall be notified.
 - b. *Action.* The city council shall approve, approve with modifications, or deny the vacation request at the council public hearing. If the request is approved by the council, an ordinance will be drawn and read two times following the public hearing, at which time the vacation becomes effective. When a request for vacation of a right-of-way adjacent to a street or alley is made, the vacation shall be limited to a minimum of no less than ten feet from the existing back-of-curb. Any existing sidewalk on a right-of-way must be maintained or rebuilt by an owner granted such a vacation in order to preserve ADA accessibility to the public.
 - (4) *Easements retained.* If the city council determines that any portion of a public street or right-of-way is used or in the reasonably foreseeable future will be needed for public utilities, the street may be vacated only upon the condition that appropriate easements be reserved for such public utilities.
 - (5) *Zoning of vacated property.* Whenever any street, alley or other public right-of-way is vacated, the district use and area regulations governing the property abutting upon each side of such street, alley or public right-of-way shall be automatically extended to the center of such vacation and all area included within the vacation shall thereafter be subject to all appropriate regulations of the extended use districts.
 - (6) *Ownership of property.* Whenever any street, alley or public right-of-way is vacated, ownership of said property conferred by such action shall extend from the right-of-way line to the center of said property, unless otherwise specified.

(Code 1986, § 12-12-4; Ord. No. 6-93, § 26, 3-25-1993; Ord. No. 44-94, § 7, 10-13-1994; Ord. No. 15-00, § 8, 3-23-2000; Ord. No. 12-09, § 3, 4-9-2009; Ord. No. 01-19, § 1, 2-14-2019; Ord. No. 23-20, 7-16-20)