



# COUNCIL MEMORANDUM

January 23, 2014

## LEGISLATIVE ACTION ITEM

**SPONSOR:** Ashton J. Hayward, III, Mayor *ame for*

**SUBJECT:** Request for Future Land Use & Zoning Map Amendment – 4006 N 9<sup>th</sup> Ave

### RECOMMENDATION:

That City Council conduct a public hearing on January 23, 2014 to consider the request for an amendment to the City's Future Land Use Map and Zoning Map.

**AGENDA:**       X   Regular                  Consent

Hearing Required: Public   X   Quasi-Judicial          No Hearing Required       

### SUMMARY:

The City has received a request from Spring Hill Land Trust for approval to amend the City's future land use map from O (office) to C (commercial) and to amend the City's zoning map from R-2 (residential/office) to C-1 (retail commercial) for the property located at 4006 N 9<sup>th</sup> Ave.

The applicants have indicated this parcel has been assembled with other land to allow for construction of a Dollar General retail store.

The Land Development Code describes the C-1 district as follows:

#### **Sec. 12-2-8. - Commercial land use district.**

The regulations in this section shall be applicable to the retail and downtown commercial and wholesale and light industry zoning districts: C-1, C-2A, C-2, R-C and C-3.

- (A) *Purpose of district.* The commercial land use district is established for the purpose of providing areas of commercial development ranging from compact shopping areas to limited industrial/high intensity commercial uses. Conventional residential use is allowed as well as residential uses on upper floors above ground floor commercial or office uses and in other types of mixed use development. New development and redevelopment projects are strongly encouraged to follow the city's design standards and guidelines contained in section 12-2-82

The C-1 zoning district's regulations are intended to provide for conveniently supplying the immediate needs of the community where the types of services rendered and the commodities sold are those which are needed frequently. The C-1 zoning district is intended to provide a transitional buffer between mixed-use neighborhood

Council Memorandum

Request for Future Land Use & Zoning Map Amendment – 4006 N 9<sup>th</sup> Ave

January 23, 2014

Page Two

commercial areas and more intense commercial zoning. The downtown and retail commercial (C-2A and C-2) zoning districts' regulations are intended to provide for major commercial areas intended primarily for retail sales and service establishments oriented to a general community and/or regional market. The C-3 wholesale and light industry zoning district's regulations are intended to provide for general commercial services, wholesale distribution, storage and light fabrication.

**(B) Uses permitted.**

(1) *C-1, retail commercial zoning district.* Any use permitted in the R-NC district and the following uses, with no outside storage or repair work permitted:

(a) Retail sales and services.

(b) Motels/hotels.

(c) Vending machine when as accessory to a business establishment and located on the same parcel of land as the business.

(d) Car washes.

(e) Movie theaters, except drive-in theaters.

(f) Open air sales of trees, plants and shrubs. The business shall include a permanent sales or office building (including restrooms) on the site.

(g) Pet shops with all uses inside the principal building.

(h) Parking lots and parking garages.

(i) Pest extermination services.

(j) Animal hospitals and veterinary clinics with fully enclosed kennels and no outside runs or exercise areas.

(k) Accessory buildings and uses customarily incidental to the above uses.

The Planning Board unanimously recommended approval of the request on November 12, 2013. Should the request be approved, any use in the C-1 District would be allowed subject to all applicable Land Development Code and Building Code requirements

**PRIOR ACTION:** None.

**FUNDING:** None.

**FINANCIAL** None.

**IMPACT:**

**STAFF CONTACT:**

Colleen M. Castille, City Administrator; Sherry H. Morris, AICP, Planning Services Administrator

Council Memorandum

Request for Future Land Use & Zoning Map Amendment – 4006 N 9<sup>th</sup> Ave

January 23, 2014

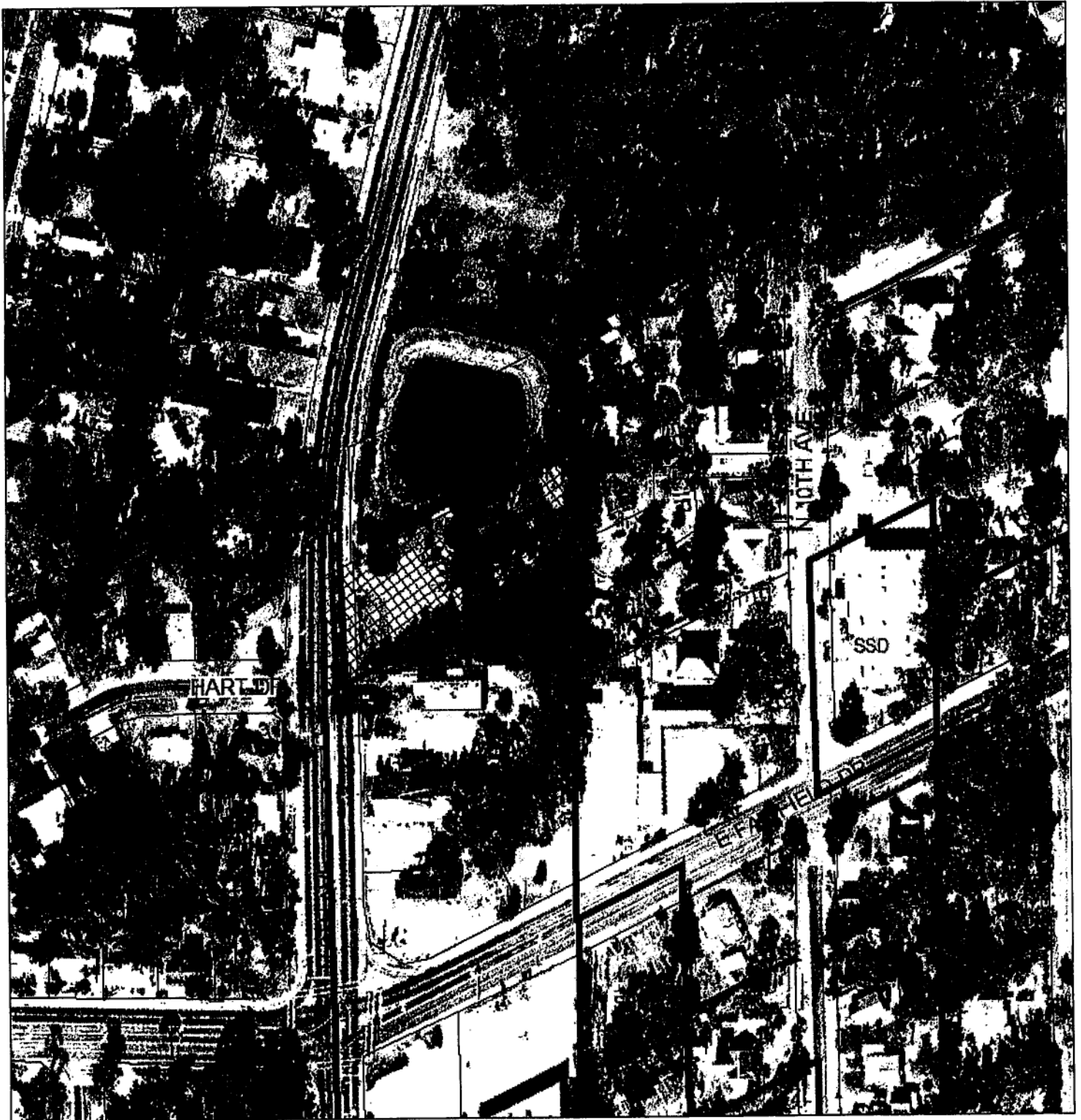
Page Three

**ATTACHMENTS:**

- 1) Maps
- 2) Applicant's Request.
- 3) November 12, 2013 Planning Board Minutes.
- 4) Proposed FLUM Ordinance
- 5) Proposed Zoning Map Ordinance

**PRESENTATION:**

No.



REZONING REQUEST

NOVEMBER 2013

REQUESTED BY MR PAGE



1 inch = 163 feet



REQUEST TO REZONE FROM R-2 (RESIDENTIAL/OFFICE) TO  
C-1 (COMMERCIAL)



FUTURE LAND USE CHANGE

NOVEMBER 2013

REQUESTED BY MR PAGE



1 inch = 163 feet



REQUEST TO CHANGE FUTURE LAND USE FROM O (OFFICE) TO C (COMMERCIAL)



REZONING REQUEST

NOVEMBER 2013

REQUESTED BY MR PAGE

N  
1 inch = 163 feet



REQUEST TO REZONE FROM R-2 (RESIDENTIAL/OFFICE) TO C-1 (COMMERCIAL)

**APPLICATION FOR REZONING**



Please check application type:

**Conventional Rezoning**

Application Fee: \$1,500  
Rehearing/Rescheduling (Planning Board): \$250  
Rehearing/Rescheduling (City Council): \$750

**Comprehensive Plan / FLUM Amendment**

(< 10 acres) Application Fee: \$2,000  
Rehearing/Rescheduling (Planning Board): \$250  
Rehearing/Rescheduling (City Council): \$750

(≥ 10 acres) Application Fee: \$2,500  
Rehearing/Rescheduling (Planning Board): \$250  
Rehearing/Rescheduling (City Council): \$1,000

**Applicant Information:**

Name: Spring Hill Land Trust Date: Sept. 6, 2013  
Address: PO Box 6460 Thomasville, GA 31758-6460  
Phone: 850-232-9853 Fax: \_\_\_\_\_ Email: budpage1@mchsl.com

**Property Information:**

Owner Name: Spring Hill Land Trust Phone: 229.977.3931  
Location/Address: 4006 N. 9th Ave. Pensacola, Escambia County, Florida 32503  
Acres/Square Feet: 2.0+- Parcel ID: 04-2S-30-2007-000-074  
Zoning Classification: Existing R-2 Proposed C-1  
Future Land Use Classification: Existing O Proposed C

Reason Rezoning Requested: Parcels have been assembled to allow construction of a Dollar General retail store as identified on the attached application package including location map, aerial photo and legal description.

Required Attachments: (A) Full legal description of property (from deed or survey)  
(B) General location map with property to be rezoned indicated thereon

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 21<sup>st</sup> day of OCTOBER, 2013.

Applicant Signature \_\_\_\_\_

Owner Signature \_\_\_\_\_

Applicant Name (Print) \_\_\_\_\_

Tim Hodges (Trustee)  
Spring Hill Land Trust  
Owner Name (Print)

Steve Hittell  
Owner: Texamore Development, LLC

Sworn to and subscribed to before me this 21 day of October, 2013

Name: Sharon Odom

My Commission Expires: \_\_\_\_\_



**To be completed by Staff:**

Future Land Use classification verified: \_\_\_\_\_

Attachments are adequate and acceptable: \_\_\_\_\_

Electronic legal description request: \_\_\_\_\_

Verified by: \_\_\_\_\_ (Planning Department) \_\_\_\_\_ Date \_\_\_\_\_

Wiley C. "Buddy" Page, MPA, APA  
PROFESSIONAL GROWTH MANAGEMENT SERVICES, LLC  
5337 Hamilton Lane • Pace, Florida 32571

Sept. 5, 2013  
VIA HAND DELIVERY

Ms. Sherry Morris, Director  
Pensacola Planning Department  
City Hall  
Pensacola, Florida 32501

**RE: Rezoning and Small Scale Amendment  
4006 North 9th Avenue  
Pensacola, Escambia County, Florida  
Parcel No. 1: 04-2S-30-2007-000-074  
Parcel No. 2: 04-2S-30-2007-001-049(portion)**

Dear Ms. Morris:

Please find our attached application package requesting consideration for the following actions:

- A. Rezone Parcel No.1 from R-2 to C-1
- B. FLUM change for Parcel No. 2 from Office to Commercial

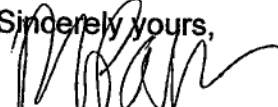
If granted, these changes will allow new owner Teramore Development, LLC to construct a new Dollar General retail store on the site. The store will contain some 10,000sf in size and provide double ingress and egress as shown on the attached preliminary site plans.

Currently, the site is bounded on the south with a large car wash facility, on the east by residential housing, and the north with the FDOT stormwater retention pond. This change would seem to be consistent with the Pensacola Comprehensive Plan and Land Development Code as it promotes compact commercial development within existing developed areas, fronts on a major transportation corridor, provides safe and convenient shopping for area residents and continues the existing logical and orderly development pattern within the area.

Once the application is deemed complete we understand it will be scheduled and heard before the Planning Board October 8, 2013. Please advise us if this date changes.

Thank you for your assistance in this matter and contact us if you have any questions or require anything further.

Sincerely yours,



Wiley C. "Buddy" Page



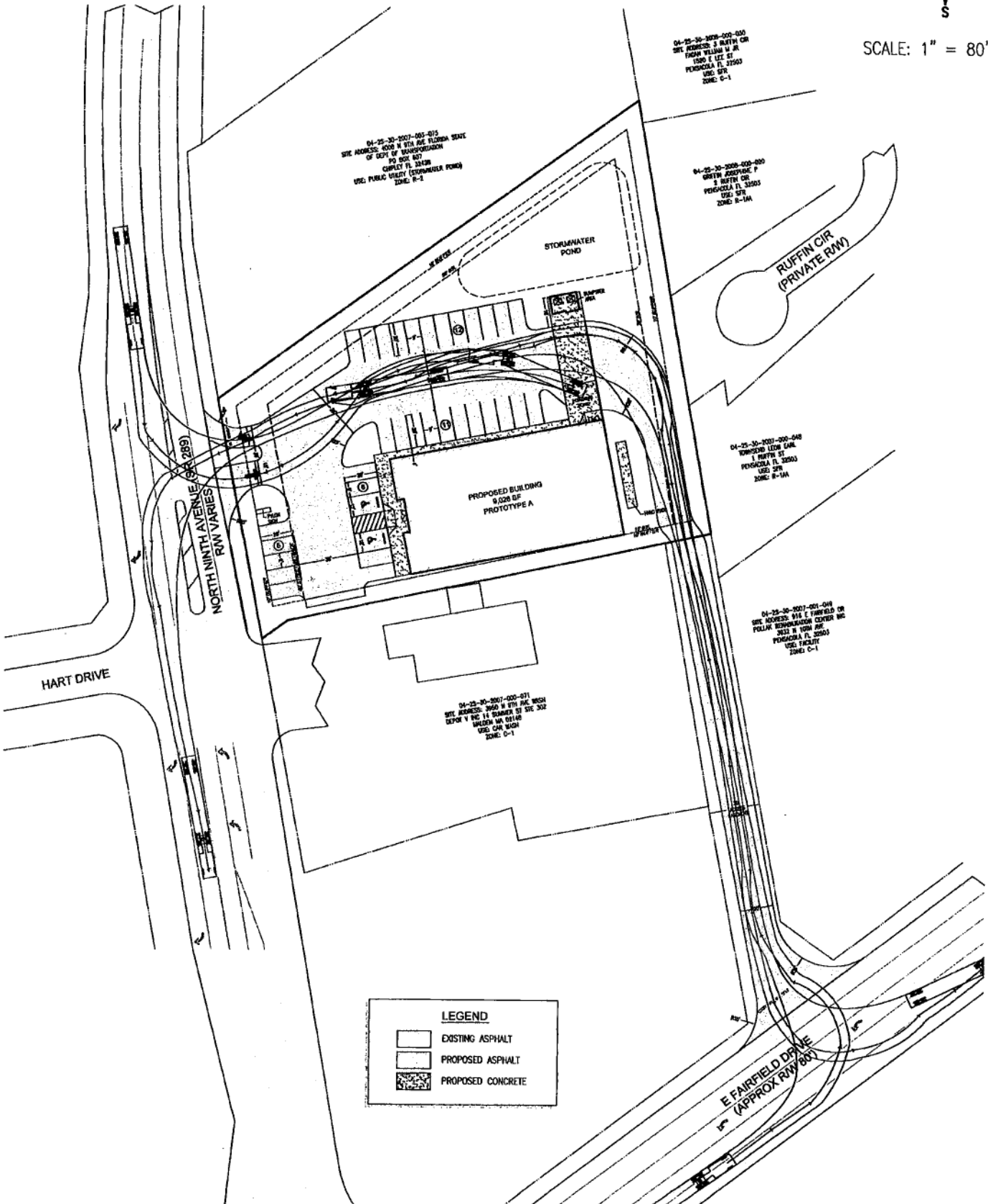
PRELIMINARY SITE PLAN

CITY, STATE - STREET  
 NORTH 9TH AVENUE  
 PENSACOLA, FLORIDA (CITY LIMITS)

PROTOTYPE:	A	DEVELOPER	DESIGNER	DATE
BLDG/SALES SF:	9,026/7,195	COMPANY: TERAMORE DEVELOPMENT, LLC	COMPANY: BELL ENGINEERING SERVICES, LLC	07/20/11
ACREAGE:	1.28 AC±	NAME: JOSH HUFSTETLER	NAME: JENNIFER D. BELL, PE	07/24/2013
PARKING SPACES:	35	PHONE: 221.516.4289	PHONE: 850.723.7185	



SCALE: 1" = 80'



**LEGEND**

	EXISTING ASPHALT
	PROPOSED ASPHALT
	PROPOSED CONCRETE

MINUTES OF THE CITY PLANNING BOARD MEETING  
November 12, 2013

MEMBERS PRESENT: Paul Ritz – Chair, Chips Kirschenfeld, Scott Sallis, Bradley Davis, David Collins, Nina Campbell

STAFF PRESENT: Elizabeth Schrey, Senior Planner  
Sherry Morris, Planning Services Administrator  
Alan Gray, Planner

OTHERS PRESENT: Jay Brykczynski, Kelly Wieczorek, Buddy Page, Tom Hodges, Jennifer Bell, Tommy Smith, Kent Rettig, Don Neal, Brooke Godinez, Shawn Keenan, John Fifer, Justin Beck, Gregg Beck, David Hoyt, Diane Mack, Steve Jernigan, Dottie Dubuisson, Michael Carro, Ashley Meyer, Leighton Breazeale

AGENDA

1. Quorum/Call to Order
2. Approval of Prior Minutes
3. Request for Future Land Use & Zoning Map Amendment – 3300 Block Summit Blvd
4. Request for Future Land Use & Zoning Map Amendment – 4006 N 9<sup>th</sup> Ave
5. Request for License to Use Right of Way – 404 S Palafox
6. Waterfront Redevelopment District – Aesthetic Review of 151 Main Street
7. New Business
8. Old Business

ITEMS 1 and 2: Quorum/Call to Order and Approval of Prior Minutes

Mr. Bradley Davis made a motion to approve the minutes. The motion was seconded by Mr. David Collins and it carried unanimously.

ITEM 3: Request for Future Land Use & Zoning Map Amendment – 3300 Block Summit Blvd

Ms. Elizabeth Schrey introduced the request and called upon the applicant, Mr. Tommy Smith. Mr. Smith addressed the Board and said he hoped to demonstrate that the change is consistent with the area. He explained that there is not a negative impact to utilities. Mr. Smith noted that East Hill Baptist, the owners of the site, have entered into contract with a commercial retail store and that the contract is contingent on the rezoning. Mr. Smith said that there is C-1, commercial, zoning directly across the street and that the ATZ zone across Spanish Trail is commercial in nature. He said that farther towards Scenic is residential but that the intersection is very commercial and that there is a gas station and a fire station very close. Mr. Smith concluded by stating the rezoning would increase surrounding property values.

Mr. Don Neal stated that he was approached by East Hill Baptist Church to dispense of the property. He noted that property is at a signalized intersection, has C-1 to the south, and has ATZ to the west, which is mixed use. He went on to say that the parcel in question has always existed as its own piece or property; it was not ever a part of the

main church site. Mr. Neal concluded by saying that the node concept applies to this case. He said that the three other corners are commercial, so the fourth should be as well. Mr. Neal also stated that they did not have a buyer when they requested the rezoning and that the contract with Dollar General came after they submitted the request.

Mr. Kent Rettig said that all of the property on the east side of Spanish is residential. He said C-1 sets a precedent that will allow commercial encroachment into the residential area. Mr. Rettig also noted that the property was zoned residential when it was purchased, so it would be reasonable to expect that they wouldn't profit from a rezoning that is so detrimental to the neighborhood. Mr. Rettig also added that the 500' notice area was not adequate.

Mr. Buddy Page stated that the Planning Board considered many things for a rezoning; he then listed compatibility, carrying capacity, public interest and welfare, impact on the natural environment, and impact on other development. Mr. Page said that this rezoning is compatible because three of the four corners are commercial in use. Mr. Page also said that they looked at the traffic generated by the proposed store and determined that there was sufficient roadway volume to handle the additional traffic generated. In regards to the public interest and welfare, Mr. Page said that the gas station in the area is so busy on Saturdays that there is no parking, so there is an evidenced need for a store in the area. Mr. Page said that the subject site has no environmentally sensitive areas and that he was not aware of any developments the rezoning would affect. Mr. Page concluded by saying that the C-1 section of the Land Development Code describes it as a transitional buffer and that the churches and existing commercial development surrounding the subject property will continue to provide a buffer to the residential areas.

Mr. Tom Hodges addressed the Board and stated he was with Terramore Development who is proposing the Dollar General. He stated he was available to answer any questions on behalf of the buyer/developer.

Mr. David Hoyt Jr. said he lives at the corner of Marjean, across the street from East Hill Baptist. He said he is opposed to the rezoning and was disappointed he did not receive a direct notification of the request. He said he had concerns over his property value decreasing and that there are no guarantees that won't happen.

Ms. Ashley Wilkinson Meyer then spoke on behalf of Cokesbury United Methodist Church. She stated that she just got the notice and that Cokesbury hadn't had time to review the request. She said she understands the various interests involved but is mindful that the project isn't favorable to the community. Ms. Meyer said she grew up in the Cordova Park area and it is a difficult transition to make because there are airport properties and commercial properties in the area. She concluded that it is difficult to tell how the project would affect the lifestyles of the people in the neighborhood.

Chairman Ritz stated that at first look, he was not against the request because of the other corners being ATZ and C-1. He stated he didn't know the Dollar General was involved until today's meeting. He said the Dollar General being involved should not matter, that they are only charged with looking at the request for C-1 at this location. Chairman Ritz asked the Board to consider what is allowed in C-1. He said C-1 is not contrary to the

surrounding uses. He said he has been a customer of the Tom Thumb and played golf at the putting green right there. He said that driving that area, there are wooded areas and there are commercial areas. Chairman Ritz said historically, changing to C-1 causes property values to increase, not decrease. He stated that Dollar Generals provide a service to neighborhoods, people go there and shop. Chairman Ritz said that hearing the nearby residents speak, makes him think about the 500' notice. He said that 500' is what is required and that the postcard was the only direct notification. He went on to say that the Board typically doesn't look at contracts for sale as part of a request. He said they can only look at whether C-1 is compatible with the area. Chairman Ritz said it does seem compatible because of the surrounding uses and zonings.

Ms. Scott Sallis stated that he agreed with Chairman Ritz and that location is everything. He said that the Board has to avoid spot zoning but because of this sites adjacency to C-1 and the adjacency to the airport's zone on the other side, he will support the request. Mr. Sallis went on to say that if the request was on the other side of the churches, he would have a totally different opinion. Mr. Sallis then thanked Mr. Rettig for his well put-together comments. Mr. Sallis said this would be a benefit to the community and there are many, many residences there that need this commercial zoning, whether the Dollar General or otherwise happens there.

Mr. Sallis then made a motion to approve the request. Mr. Collins seconded the motion. Mr. Kirschenfeld then asked if a tree survey had been conducted on the site. Mr. Tom Hodges responded no, but that one will be conducted. Chairman Ritz added that most of the trees on the site are pines. Chairman Ritz called the question and the motion carried unanimously.

Chairman Ritz announced that the decisions of the Planning Board are only recommendations to the City Council. He stated this will be on the City Council agenda either in December or January and there will be additional opportunities for citizen input.

ITEM 4: Request for Future Land Use & Zoning Map Amendment – 4006 N 9<sup>th</sup> Ave  
Ms. Schrey introduced the request and explained it would be represented by Mr. Buddy Page. Ms. Schrey stated the request was to change from R-2 to C-1. Ms. Schrey also stated that staff did not receive any comments for or against the request. Chairman Ritz stated that the commercial areas in the City are growing. Chairman Ritz said there is a surgeon's office north of this site that they approved a rezoning for. He also added that there is an existing office on the subject site. Ms. Schrey confirmed there is an existing office on the site but that it had been vacant for years.

Mr. Sallis said he agreed with Chairman Ritz and that again, location is everything. Mr. Sallis then asked about the easement/service drive to Fairfield shown on the site plan provided. Ms. Schrey stated the applicants have purchased that strip of land, and that it was already C-1, so that portion was not part of the rezoning request. Mr. Sallis said this site is bounded by a retention pond on the north and commercial uses on the south. Mr. Sallis said that if this was any farther north, near the Pineglades entrance, the Board has not been favorable to rezoning. He said this site is very different, so he is in favor of the rezoning.

Chairman Ritz noted that any time there is a commercial zone abutting a residential zone, there is always a buffer required. Mr. Collins asked the hours of operation for the store. Mr. Hodges responded the typical hours are 8am-9pm.

Ms. Diane Mack stated that she would like to see the commission of the Planning Board expanded beyond the cut and dry of 'is there commercial next to it.' She said the Board makes decisions that either seal the fate or look to the future of the City. Ms. Mack said that intersection is ugly and she has spoken to Councilman Spencer many times about smart-code for the corridor. She shared visuals with the Board, images of the various Dollar General building plans, and asked that the Board use their power to require a better development. She said that without direction, Dollar General will build the basic box, but with some leverage the Board could require better. Ms. Mack continued to say this site is within the North 9<sup>th</sup> Ave Corridor Management Overlay District, which the purpose of is to maintain the residential appearance and quality of district by implementation of design guidelines for enhanced visual appearance. She said this is to be accomplished by extensive site planning to ensure good development. Ms. Mack said that unfortunately they are only guidelines, not requirements. She said it would be good to postpone the request, to allow time to negotiate a better looking site with the developers. Ms. Mack said if the Planning Board applies some leverage to this request to require a better development, then it could be a catalyst for the entire corridor. Chairman Ritz said they have to be careful to avoid contract zoning.

Mr. Hodges stated that Dollar General does not always do the bare minimum in their developments and that they have held meetings with the community in the past because they do care about how their developments affect communities. Mr. Hodges said they are not planning the bare minimum for this development and he offered to meet with Ms. Mack to discuss what she would like to see for the development.

Mr. Page stated that this application is similar to the requirements reviewed for the prior case. Mr. Page said this is a compatible use for the area because there is a holding pond to the north and a car wash to the site. Mr. Page said the amendment won't affect the carrying capacity of 9<sup>th</sup> Avenue. Mr. Page said the amendment is not in conflict with the public interest but noted some aesthetic improvements may be beneficial. Mr. Page continued to say that the site is not environmentally sensitive and does not impact any planned projects. Mr. Page concluded by saying that this request meets the criteria for the rezoning.

Mr. Jay Brykczynski asked about the location of this site in relation to Ruffin Circle. Mr. Gray showed the location in Google Earth. Mr. Brykczynski said that City Council has used leverage on developments before to ensure compatibility with the neighborhood. Mr. Brykczynski said safety is a big concern for this. He said that if you look at the map, and the demographics of that area, you will see that most people will be walking to that site. Mr. Brykczynski said that this area is not safe for pedestrians and a young lady and baby were killed crossing the road not far from this location. Mr. Brykczynski also asked what would happen if Dollar General closes; he asked what could move in next. He said that he loves Dollar General, but that this location is terrible for one, mainly because of the safety for pedestrians.

Mr. David Collins asked if there were sidewalks in the area. Mr. Gray used Google Earth to show there are existing sidewalks on this segment of 9<sup>th</sup> Avenue. Mr. Gray also noted there are marked crosswalks at the intersection of 9<sup>th</sup> and Fairfield.

Mr. Kirschenfeld then asked if there were any residences backing up to this property. Mr. Gray used Google Earth to show the Board the abutting residential area. Ms. Schrey noted that the site plan in the application shows the location of the adjacent residences. Mr. Kirschenfeld asked if lighting from the proposed development would impact the residences. Chairman Ritz stated that for all development, lighting is required to be directed so that it does not pollute adjoining sites.

Mr. Sallis stated that this site is on 9<sup>th</sup> Avenue and the best use is commercial, not residential. Mr. Sallis then made a motion to approve the request. Mr. Collins seconded the motion. Chairman Ritz stated that he always appreciates Ms. Mack's input and that it does make him think twice. He added that they are here to consider C-1, not the actual building. Chairman Ritz said that he wished they could say make a better building but he was not sure how that condition would be viewed legally. Chairman Ritz called the question and it carried unanimously.

ITEM 5: Request for License to Use Right of Way – 404 S Palafox

Ms. Schrey introduced the request and explained that SMP Architecture is requesting approval for use of the portion of the Main Street sidewalk adjacent to The Artisan. Ms. Schrey stated the use of the sidewalk would be for the stoop and ramps for the doors facing Main St. Ms. Schrey said the applicant has worked with City Engineering and Neighborhood services to relocate the existing trees and replace the tree grates, so that a 6' pedestrian clear path can be maintained along the sidewalk. Chairman Ritz stated a license-to-use is not giving away the land, but that it is only use of the land and that requires the applicant to handle maintenance and to carry liability insurance. Chairman Ritz said he likes the proposed use of the sidewalk. Chairman Ritz said he appreciates the need to provide a 6' pedestrian path. Ms. Schrey noted that there is currently less than 6' at the site, so this would actually improve the condition. Ms. Schrey did note that the path does cross the tree grate but ADA accessible grates are being proposed.

Ms. Brooke Godinez stated she was representing the applicant if there were any questions. Chairman Ritz said he was glad someone was there to represent the request.

Mr. Kirschenfeld made a motion to approve the request. Mr. Bradley Davis seconded the request. Mr. Davis said he was glad to see the continued growth downtown and congratulated Brooke and SMP Architecture for the work they have done. Chairman Ritz called the question and it carried unanimously.

ITEM 6: Waterfront Redevelopment District – Aesthetic Review of 151 Main Street

Ms. Schrey stated that Maritime One, LLC submitted this request for site plan approval for the Beck development at the Community Maritime Park. Ms. Schrey also added that the CMPA has already approved the development.

Ms. Kelly Wiczorek presented a PowerPoint to the Board, reviewing the various site details and design details. Ms. Scott Sallis thanked Ms. Wiczorek for the use of brick on

the back of the building. Ms. Sallis said that he is excited to see the living wall and asked what will be visible until the plants have covered it. Ms. Wieczorek said that it will be a block wall with a grid over it that the plants will cling to. She added that the plants will grow quickly. Ms. Wieczorek explained the building is a three-story mixed use building. She added that the first floor will be retail and that is why they requested the LTU and moved the building as far north on the site as possible, to accommodate pedestrian traffic.

Chairman Ritz stated he appreciates the appearance and the use of brick and stone. Mr. Sallis noted that the cornice is a great feature. Chairman Ritz said this was a good example of what good design is.

Ms. Scott Sallis made a motion to approve the development. Chairman Ritz then called for questions or comments.

Ms. Leighton Breazeale stated she lives in Port Royal and is excited about the development but concerned about the driveway entrance by the Port Royal mailboxes. She said that currently many people, possibly hundreds, are in and out of Port Royal Way each day. Ms. Breazeale said that the Port Royal attorney tried to contact the Beck's attorney but did not get a response. She went on to say that she is not against the project but that Port Royal Way was not designed to handle the additional traffic. Ms. Breazeale then asked who at the City could look at the traffic. Chairman Ritz stated that the traffic is not an issue the Board can address. Ms. Wieczorek added that the main entrance to the site is the Main St side, not the Port Royal side. Mr. Davis said that it will be natural for most people to use the Main/Spring Street entrance and not the rear entrance. Chairman Ritz stated that the driveway connection is not a primary issue the Board is looking at. Mr. Breazeale again stated that the traffic will be a problem.

Mr. David Collins seconded the motion. Chairman Ritz asked for any additional comments. Mr. Davis said that the Beck's are doing a great job being a catalyst for development. Chairman Ritz called the question and it carried unanimously.

#### ITEM 7: New Business

None

#### ITEM 8: Old Business

Ms. Mack asked about any progress towards the City implementing smart code. Ms. Schrey responded that it is something staff has been looking at, but that currently they are only pursuing the form-based overlay as a first step. Ms. Schrey noted that the Maritime Overlay, which is form-based code, has been debated since 2010 and still has not been adopted. Ms. Schrey also noted that the cost versus benefits of a new code comes into play because most of the City is already developed and it is costly to write a new code.

The meeting was adjourned at 4:50 p.m.

PROPOSED  
ORDINANCE NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING THE FUTURE LAND USE CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

WHEREAS, the City of Pensacola adopted a Comprehensive Plan on October 4, 1990, pursuant to applicable law; and

WHEREAS, a proposed amended future land use classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on January 9, 2014 concerning the following proposed future land use classification affecting the property described therein; and

WHEREAS, after due deliberation, the City Council has determined that the amended future land use classification set forth herein will affirmatively contribute to the health, safety, and general welfare of the citizens of the City of Pensacola; and

WHEREAS, said amended future land use classification is consistent with all applicable elements of the Comprehensive Plan as amended, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Future Land Use Map of the City of Pensacola and all notations, references and information shown thereon is hereby amended so that the following described real property located in the City of Pensacola, Florida, to-wit:

BEGIN AT THE NORTHEAST CORNER OF LOT 74, MAURA PLACE, PB 1 PG 32 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FL, FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG THE EAST LINE OF LOT 74 FOR A DISTANCE OF APPROXIMATELY 143' TO THE SOUTHEAST CORNER OF LOT 74; THENCE SOUTHWESTERLY ALONG THE SOUTHERN LINE OF LOT 74 APPROXIMATELY 304' TO THE SOUTHWEST CORNER OF LOT 74; THENCE CONTINUING ON THAT SAME LINE APPROXIMATELY 44' TO THE CENTERLINE OF N 9<sup>TH</sup> AVE; THENCE NORTHERLY ALONG SAID CENTERLINE FOR A



DISTANCE OF APPROXIMATELY 154'; THENCE NORTHEASTERLY APPROXIMATELY 40' TO THE NORTHWEST CORNER OF LOT 74; THENCE NORTHEASTERLY ALONG THE NORTH LINE OF LOT 74 FOR A DISTANCE OF APPROXIMATELY 304' TO THE POINT OF BEGINNING.

Located within Escambia County Florida

is hereby changed from Office (O) Commercial (C) Future Land Use District.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

Legal in form and valid as drawn:

\_\_\_\_\_  
City Attorney

PROPOSED  
ORDINANCE NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

WHEREAS, the City of Pensacola adopted a Comprehensive Plan on October 4, 1990, pursuant to applicable law; and

WHEREAS, a proposed amended zoning classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on January 9, 2014, concerning the following proposed zoning classification affecting the property described therein; and

WHEREAS, after due deliberation, the City Council has determined that the amended zoning classification set forth herein will affirmatively contribute to the health, safety, and general welfare of the citizens of the City of Pensacola; and

WHEREAS, said amended zoning classification is consistent with all applicable elements of the Comprehensive Plan as amended, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Zoning Map of the City of Pensacola and all notations, references and information shown thereon is hereby amended so that the following described real property located in the City of Pensacola, Florida, to-wit:

BEGIN AT THE NORTHEAST CORNER OF LOT 74, MAURA PLACE, PB 1 PG 32 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FL. FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG THE EAST LINE OF LOT 74 FOR A DISTANCE OF APPROXIMATELY 143' TO THE SOUTHEAST CORNER OF LOT 74; THENCE SOUTHWESTERLY ALONG THE SOUTHERN LINE OF LOT 74 APPROXIMATELY 304' TO THE SOUTHWEST CORNER OF LOT 74; THENCE CONTINUING ON THAT SAME LINE APPROXIMATELY 44' TO THE CENTERLINE OF N 9<sup>TH</sup> AVE; THENCE NORTHERLY ALONG SAID CENTERLINE FOR A DISTANCE OF APPROXIMATELY 154'; THENCE NORTHEASTERLY