

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
March 7, 2017–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Approval of Minutes.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the February 7, 2017 Planning Board Rezoning Meeting.
5. Acceptance of Rezoning Planning Board Meeting Packet.
6. Quasi-judicial Process Explanation.
7. Public Hearings.
 - A. Case #: Z-2017-01
Applicant: Tom Hammond, Agent for Sterling Tree Service, Inc., Owner
Address: 8600 Block Lillian Highway
Property Size: 1.43 (+/-) acres
From: HDMU, High Density Mixed-use district (25du/acre)
To: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre, lodging unit density not limited by zoning)

B. A Public Hearing Concerning the Review of Russo Subdivision, a Planned Unit Development

That the Board review the development plan for Russo residential subdivision, a Planned Unit Development (PUD), and confirm consistency of the plan with Land Development Code (LDC) requirements prior to transmittal of a recommendation to the Board of County Commissioners (BCC) to review and consider the plan for a final decision.

8. Adjournment.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Rezoning

4. A.

Meeting Date: 03/07/2017

Agenda Item:

RECOMMENDATION: That the Planning Board review and approve the Meeting Resume' Minutes of the February 7, 2017 Planning Board Rezoning Meeting.

Attachments

February 7, 2017 Draft Rezoning Planning Board Meeting Minutes

DRAFT

RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING February 7, 2017

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:33 A.M. – 8:46 A.M.)
(10:17 A.M. - 11:40 A.M.)

Present: Reid Rushing, Vice Chairman
Alvin Wingate
Jay Ingwell
Eric Fears
Wayne Briske, Chairman
Edwin Howard
Patty Hightower, School Board (non-voting)
Stephen Opalenik, Navy (Non voting)

Absent: Timothy Pyle

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning
Andrew Holmer, Division Manager, Planning & Zoning
Caleb MacCartee, Urban Planner, Planning & Zoning
Horace Jones, Director, Development Services
John Fisher, Senior Urban Planner, Planning & Zoning
Juan Lemos, Senior Planner, Planning & Zoning
Kayla Meador, Sr Office Assistant
Meredith Crawford, Assistant County Attorney

1. Call to Order.
2. Pledge of Allegiance to the Flag was given by Alvin Wingate.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Reid Rushing, Seconded by Edwin Howard

Motion was made to accept the proof of publication and to waive the reading of the legal advertisement.

Vote: 6 - 0 Approved

Other: Timothy Pyle (ABSENT)

4. Approval of Minutes.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 3, 2017 Planning Board Rezoning Meeting.

Motion by Reid Rushing, Seconded by Edwin Howard

Motion was made to approve the minutes from the Rezoning Planning Board meeting held on January 3, 2017.

Vote: 6 - 0 Approved

Other: Timothy Pyle (ABSENT)

5. Acceptance of Rezoning Planning Board Meeting Packet.

Motion by Reid Rushing, Seconded by Alvin Wingate

Motion was made to accept the February 7, 2017 Rezoning Planning Board Meeting Packet.

Vote: 6 - 0 Approved

Other: Timothy Pyle (ABSENT)

6. Quasi-judicial Process Explanation.

7. Public Hearings.

- A. Case #: Z-2016-11
Applicant: Joe Rector, Jr.,
Dewberry/Prebble-Rish
and Jesse Rigby, Agent
for Briar Ridge LLC, Owner
Address: 11975 Beulah Road
Property Size: 56.80 (+/-) acres
From: Ind, Industrial district (du
density limited to vested
residential development)
To: LDR, Low Density
Residential district (four
du/acre)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Eric Fears, Seconded by Reid Rushing

Motion was made to include all testimony from the LSA-2016-03 hearing.

Vote: 6 - 0 Approved

Other: Timothy Pyle (ABSENT)

Motion by Reid Rushing, Seconded by Edwin Howard

Motion was made to accept Staff's Findings of Fact and approve with the noted legal description.

Vote: 6 - 0 Approved

Other: Timothy Pyle (ABSENT)

B. Case #: Z-2016-13
Applicant: Wiley C. "Buddy" Page,
Agent for Shaun Romero,
Owner
Address: 6013 Hilburn Road
Property Size: 1.52 (+/-) acres
From: HDR, High Density
Residential district (18
du/acre)
To: Com, Commercial district
(25 du/acre, lodging unit
density not limited by
zoning)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Reid Rushing, Seconded by Edwin Howard

Motion was made to recommend approval to the BCC, along with all previous testimony.

Vote: 6 - 0 Approved

Other: Timothy Pyle (ABSENT)

C. Case #: Z-2016-14
Applicant: Glen and Ouida Wiggins,
Owners
Address: 6000 Block Hwy 4
Property Size: 15.65 (+/-) acres
From: Agr, Agricultural district
(one du/20 acres)
To: RR, Rural Residential
district (one du/four
acres)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Edwin Howard, Seconded by Jay Ingwell

Motion was made to recommend approval to the BCC and accept Staff's Findings of Fact.

Vote: 6 - 0 Approved

Other: Timothy Pyle (ABSENT)

D. Case #: Z-2016-16
Applicant: Michael Miragliotta, Agent
for R & C Clark, LLC,
Owner
Address: 8594 Highway 98 West
Property Size: 26.11 (+/-) acres
From: HDR, High Density
Residential district (18
du/acre)
To: Com, Commercial district
(25 du/acre, lodging unit
density not limited by
zoning)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Edwin Howard, Seconded by Reid Rushing

Motion was made to accept Staff's Findings of Fact with exception of Criteria B, finding that the applicant met locational criteria.

Vote: 5 - 0 Approved

Other: Alvin Wingate (ABSENT)
Timothy Pyle (ABSENT)

8. Adjournment.

Planning Board-Rezoning

7. A.

Meeting Date: 03/07/2017

CASE : Z-2017-01

APPLICANT: Tom Hammond, Agent for Sterling Tree Service, Inc., Owner

ADDRESS: 8600 Block Lillian Highway

PROPERTY REF. NO.: 112-2S-31-3110-000-000

FUTURE LAND USE: MU-U, Mixed Use Urban

DISTRICT: 2

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 04/06/2017

SUBMISSION DATA:

REQUESTED REZONING:

FROM: HDMU, High Density Mixed-use district (25 du/acre)

TO: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre, lodging unit density not limited by zoning)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

APPROVAL CONDITIONS

Criterion a., LDC Sec. 2-7.2(b)(4)

Consistent with Comprehensive Plan

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan provisions

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The maximum

residential density is 25 dwelling units per acre.

CPP FLU 1.5.1 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

The proposed amendment to HC/LI is **consistent** with the intent and purpose of Future Land Use category Mixed-Use Urban as stated in CPP FLU 1.3.1. The Comprehensive Plan allows for professional offices, light industrial, recreational facilities, public and civic. The parcel will utilize the existing public road, utilities and infrastructure.

Criterion b., LDC Sec. 2-7.2(b)(4)

Consistent with The Land Development Code

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

LDC 3-1.6 Compatibility

(a) Generally, Zoning districts provide the primary means to establish and maintain the necessary balance between the needs and interests of different land uses, allowing neighboring uses to coexist successfully in a stable fashion over time, protecting the investments in each. Although zoning separates generally incompatible development, inclusion as a permitted use within a district does not alone ensure compatibility with other district uses.

Sec. 3-2.9 HDMU, High density mixed use

(a) Purpose. The High Density Mixed-use (HDMU) district establishes appropriate areas and land use regulations for a complimentary mix of high density residential uses and compatible non-residential uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood retail sales, services and professional offices with greater dwelling unit density and diversity than the Low Density Mixed-use district. Additionally, the HDMU district is intended to rely on urban street connectivity and encourage vertical mixes of commercial and residential uses within the same building to accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. Residential uses within the district include all forms of single-family, two-family and multi-family dwellings.

Sec. 3-2.11 Heavy Commercial and Light Industrial district (HC/LI).

(a) Purpose. The Heavy Commercial and Light Industrial (HC/LI) district establishes appropriate areas and land use regulations for a complementary mix of industrial uses with a broad range of commercial activities. The primary intent of the district is to allow light manufacturing, large-scale wholesale and retail uses, major services, and other more intense uses than allowed in the Commercial district. The variety and intensity of non-residential uses within the HC/LI district is limited by their compatibility with surrounding uses. All commercial and industrial operations are limited to the confines of

buildings and not allowed to produce undesirable effects on other property. To retain adequate area for commercial and industrial activities, other uses within the district are limited.

(b) Permitted uses. Permitted uses within the HC/LI district are limited to the following:

(1) Residential. Any residential uses if outside of the Industrial (I) future land use category and part of a predominantly commercial development, excluding new or expanded manufactured (mobile) home parks and subdivisions. See also conditional uses in this district.

(2) Retail sales. Retail sales, including Low-THC marijuana dispensing facilities, sales of alcoholic beverages, sales of automotive fuels, and sales of new and used automobiles, motorcycles, boats, and manufactured (mobile) homes.

(3) Retail services.

- a. Car washes, automatic or manual, full service or self-serve.
- b. Child care facilities.
- c. Hotels, motels and all other public lodging, including boarding and rooming houses.
- d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.
- e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- f. Rental of automobiles, trucks, utility trailers and recreational vehicles.
- g. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, and major motor vehicle and boat service and repair, but excluding outdoor work or storage.
- h. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive-through service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way.
- i. Taxi and limousine service

(4) Public and civic.

- a. Broadcast stations with satellite dishes and antennas, including towers.
- b. Cemeteries, including family cemeteries.
- c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- d. Educational facilities, including preschools, K-12, colleges, and vocational schools.
- e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- f. Funeral establishments.
- g. Homeless shelters.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding industrial uses not otherwise permitted

(5) Recreation and entertainment.

- a. Commercial entertainment facilities, indoor or outdoor, including movie theatres, amusement parks, and stadiums, but excluding motorsports facilities. Carnival-type amusements shall be at least 500 feet from any residential district. Bars, nightclubs, and adult entertainment are prohibited in areas with the zoning designation HC/LI-NA or areas zoned ID-CP or ID-1 prior to adoption of HC/LI zoning.
- b. Commercial recreation facilities, passive or active, including those for walking, hiking, bicycling, camping, recreational vehicles, swimming, skateboarding, bowling, court games, field sports, and golf, but excluding off-highway vehicle uses and outdoor shooting ranges. Campgrounds and recreational vehicle parks require a minimum lot area of five acres.
- c. Marinas, private and commercial.
- d. Parks, with or without permanent restrooms or outdoor event lighting.

(6) Industrial and related.

- a. Light industrial uses, including research and development, printing and binding, distribution and wholesale warehousing, and manufacturing, all completely within the confines of buildings and without adverse off-site impacts.
 - b. Marinas, industrial.
 - c. Microbreweries, microdistilleries, and microwineries, except in areas with the zoning designation HC/LI-NA or areas zoned ID-CP or ID-1 prior to adoption of HC/LI zoning.
- See also conditional uses in this district.

(7) Agricultural and related.

- a. Food produced primarily for personal consumption by the producer, but no farm animals.
- b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.
- c. Veterinary clinics, excluding outside kennels. See also conditional uses in this district.

(8) Other uses.

- a. Billboards structures, excluding areas zoned ID-CP, GBD, or GID prior to adoption of HC/LI zoning.
- b. Building or construction trades shops and warehouses, including on-site outside storage.
- c. Bus leasing and rental facilities.
- d. Deposit boxes for donation of used items when placed as an accessory structure on the site of a charitable organization.
- e. Outdoor adjacent display of plants by garden shops and nurseries.
- f. Outdoor sales.
- g. Outdoor storage of trailered boats and operable recreational vehicles, excluding repair, overhaul or salvage activities.
- h. Parking garages and lots, commercial.
- i. Sales and outdoor display of prefabricated storage sheds.
- j. Self-storage facilities, including vehicle rental as an accessory use.

LDC 3-2.11(e)Location criteria. All new non-residential uses proposed within the HC/LI

district that are not part of a planned unit development or not identified as exempt by district regulations shall be on parcels that satisfy at least one of the following location criteria:

(1) Proximity to intersection. Along an arterial street and within one-quarter mile of its intersection with an arterial street.

(2) Site design. Along an arterial street, no more than one-half mile from its intersection with an arterial street, and all of the following site design conditions:

a. Not abutting a RR, LDR or MDR zoning district

b. Any intrusion into a recorded residential subdivision is limited to a corner lot

c. A system of service roads or shared access is provided to the maximum extent feasible given the lot area, lot shape, ownership patterns, and site and street characteristics.

d. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.

e. Location in an area where already established non-residential uses are otherwise consistent with the HC/LI, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code per LDC Section 3-2.11(e)(1) for the locational criteria. The requested zoning is located along Lillian Highway, an arterial street and within one-quarter mile of its intersection, Blue Angel Parkway. The proposed amendment will allow new development to be constructed next to the current business to the east which would compliment or enhance its usefulness. The parcel has existing fencing and some vegetation along the western portion of the property. All commercial and industrial operations are limited to the confines of buildings and no outdoor work or storage is allowed.

Criterion c., LDC Sec. 2-7.2(b)(4)

Compatible with surrounding uses Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning.

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts HDMU, HC/LI, MDR and Com. The majority of the parcels within the 500' impact area are currently being used or listed by the Property Appraiser as Commercial and the change to HC/LI would be compatible with the existing surrounding uses. Any new development will go through the Site Plan Review Process and must meet all LDC requirements for

buffering, setbacks, access and stormwater as well as other code requirements that may apply.

Criterion d., LDC Sec. 2-7.2(b)(4)

Changed conditions

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

FINDINGS

There **have not** been any changes or new development in the area and by allowing the rezoning, it would be appropriate for a commercial operation next to the current commercial business in the area.

Criterion e., LDC Sec. 2-7.2(b)(4)

Development patterns

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

FINDINGS

The proposed amendment **would result** in a logical and orderly development pattern. There are currently existing convenience stores, retail shops and other commercial businesses within the area of the proposed rezoning request that would be compatible with the existing uses.

Criterion (f) LDC Sec. 2-7.2(b)(4)

Effect on natural environment

Whether the proposed rezoning would increase the probability of any significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were not** indicated on the subject property. When applicable, further review during the Site Plan Review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

Attachments

Z-2017-01

Z-2017-01



BAYOU
MARCUS

REAGAN-DR

PONTIAC-DR

WALKER-ST

CONQUEST CT

HAWKEYE CT

TOMCAT CT

EL DORADO CT

GALAXY CT

ATLAS ST

STENNIS DR

TEMPEST DR

IMPERIAL DR

EL DORADO DR

MONTEGO DR

APOLLO DR

HESTIA PL

USHER CIR

IMPERIAL CT

ESCONDIDAS PL

LILLIAN HWY

STAFFORD LN

N 80TH AVE

N 79TH AVE

W GADSDEN ST

W JACKSON ST

WATKINS TRL
DAYTONA DR
SEBRING DR
MOROSO DR
MOTTOM TRL
BU

N BLUE ANGEL PKWY

LI FAIR PL
LI FAIR DR

LI FAIR DR

BELLE CHASSE WAY

KRAUSE CT

KAUSE RD

N CROW RD

N FAIRFIELD DR

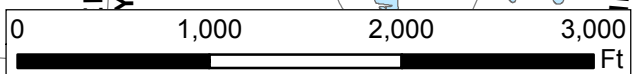
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Andrew Holmer
Planning and Zoning Dept.

Z-2017-01 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



MDR

MDR

HC/LI

Com

N BLUE ANGEL PKWY

HDMU

HC/LI

LILLIAN HWY

HDMU

HDMU

MDR

MDR

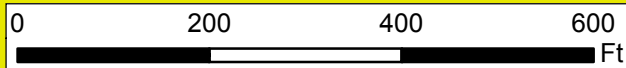
MDR



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Andrew Holmer
Planning and Zoning Dept.

Z-2017-01 500' RADIUS ZONING



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



MU-U

MU-U

MU-U

MU-U

N BLUE ANGEL PKWY

LILLIAN HWY

MU-S

MU-U

MU-U

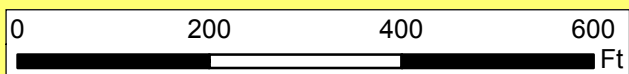
MU-S



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Andrew Holmer
Planning and Zoning Dept.

Z-2017-01 FUTURE LAND USE



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



MU-U

SFD

MH PARK

COM

COM

VAC

N BLUE ANGEL PKWY

COM

COM

COM

LILLIAN HWY

COM

SFD

VAC

VAC

CHURCH

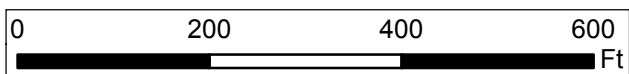
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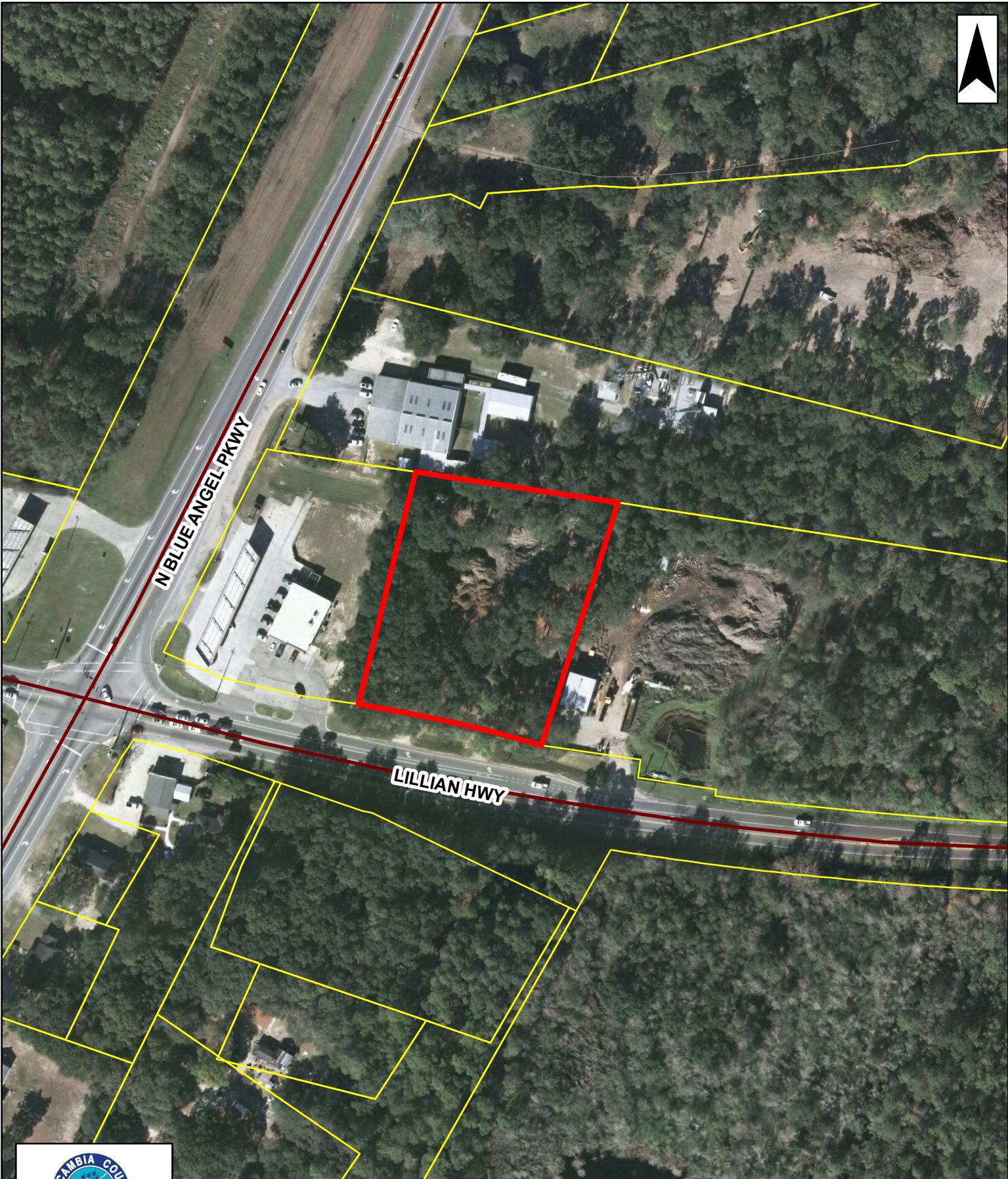
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Andrew Holmer
Planning and Zoning Dept.

Z-2017-01 EXISTING LAND USE



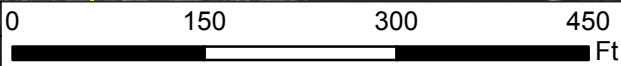
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- COLLECTOR
- LOCAL ROAD



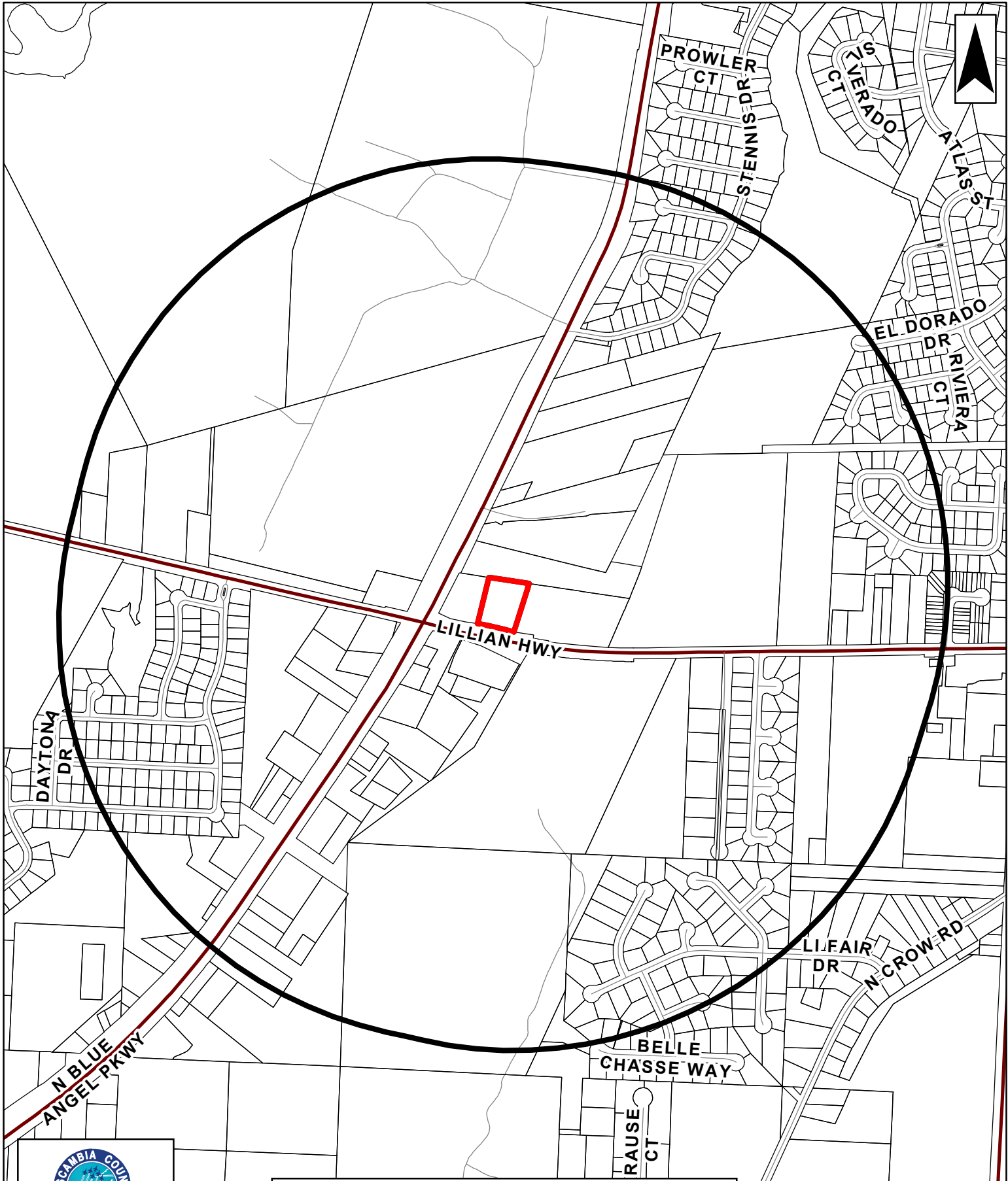
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Andrew Holmer
Planning and Zoning Dept.

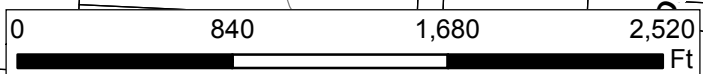
Z-2017-01 AERIAL MAP



-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



Z-2017-01 MAILING RADIUS



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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Andrew Holmer
Planning and Zoning Dept.



**NOTICE OF
PUBLIC HEARING
REZONING**

CASE NO.: **7-2017-01**
CURRENT ZONING: **HDMU** PROPOSED ZONING: **HC/L**

PLANNING BOARD

DATE: **03/07/17** TIME: **8:30 AM**

LOCATION OF HEARING

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
200 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: **04/06/17** TIME: **5:45 PM**

LOCATION OF HEARING

ESCAMBIA COUNTY GOVERNMENT CENTER
200 PALMBOSS PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
DEVELOPMENT SERVICES AT 904-503 OR VISIT
WWW.BYTESCAMBIA.COM
PLEASE DO NOT REMOVE THIS SIGN

Public notice sign



Subject property



Subject property



Existing business adjacent to
subject property



Looking east onto subject parcel from adjacent commercial parcel



Looking east into subject
parcel



Looking south across Lillian
Hwy from subject parcel



Looking northwest across Lillian
Hwy



Looking east from subject
parcel



Looking across Lillian Hwy
from subject parcel



Looking west from subject parcel



HAMMOND ENGINEERING, INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NO. 00009130
ALABAMA CERTIFICATE OF AUTHORIZATION NO. 3277

February 6, 2017

Mrs. Allyson Cain
Planning Board Coordinator
Development Services Bureau
3363 West Park Place
Pensacola, Florida 32505

Reference: Re-zoning Parcel No. 12-2S-31-3110-000-000
3600 Blk Lillian Hwy.
HEI Project No. 17-003

Dear Allyson:

The above referenced parcel is currently zoned HDMU and is located next to Sterling Tree Service Inc. which is zoned HC/LI and located at 8500 Lillian Hwy in Escambia County, FL. We request the parcel be re-zoned to HC/LI. The re-zoning will allow the owners to expand their current business operation (Sterling Tree Service, Inc.).

We have attached all of the required items listed on the re-zoning application. Please review these items and provide the county's findings at your earliest convenience. Should you have questions or comments, please give us a call.

Sincerely,

HAMMOND ENGINEERING, INC.

A handwritten signature in blue ink, appearing to read 'Thomas G. Hammond, Jr.', written in a cursive, somewhat scribbled style.

Thomas G. Hammond, Jr., PE.
President

Attachments



Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: (850) 595-3475 • Fax: (850) 595-3481

<http://myescambia.com/business/ds>

Rezoning Application

FOR OFFICE USE ONLY - Case Number: _____ Accepted by: _____ PB Meeting: _____

1. Contact Information:

A. Property Owner/Applicant: STERLING TREE SERVICES INC
 Mailing Address: 8500 Lillian Hwy Pensacola, 32504
 Business Phone: _____ Cell: 850 554 4095
 Email: _____

B. Authorized Agent (if applicable): Tom Hammond
 Mailing Address: 3802 N. 15th St. Pensacola FL 32505
 Business Phone: 434 2603 Cell: 554 9389
 Email: tom@selaukdesign.com

Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.

2. Property Information:

A. Existing Street Address: 8600 Blk Lillian Hwy
 Parcel ID (s): 12-25-31-3110-000-000

B. Total acreage of the subject property: 1.58

C. Existing Zoning: HDMU
 Proposed Zoning: HCLU
 FLU Category: MU-U

D. Is the subject property developed (if yes, explain): No

E. Sanitary Sewer: _____ Septic: X

3. Amendment Request

A. Please provide a general description of the proposed zoning request, explaining why it is necessary and/or appropriate.

THE OWNERS WISH TO EXPAND THEIR CURRENT BUSINESS ~ STARBUCKS TREE SERVICE WHICH IS NEXT DOOR. PROPOSED USE IS NOT ALLOWED UNDER CURRENT ZONING REG'S.

B. Rezoning Approval Conditions – Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)

1. Consistent with Comprehensive Plan. The proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of its provisions.

SEE ATTACHED

2. Consistent with LDC. The proposed rezoning is consistent with the stated purposes and intent of the LDC and not in conflict with any of its provisions.

SEE ATTACHED

- 3. Compatibility.** All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities, or conditions.

SEE ATTACHED

- 4. Changed conditions.** The area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

SEE ATTACHED

- 5. Development patterns.** The proposed rezoning would contribute to or result in a logical and orderly development pattern.

SEE ATTACHED

- 6. Effect on natural environment.** The proposed rezoning would not increase the probability of any significant adverse impacts on the natural environment.

SEE ATTACHED

4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 12-25-31-3110-000-000

Property Address: 8100 BLK LUCIAN Hwy.

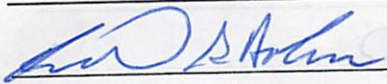
I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS _____ DAY OF _____, YEAR OF _____


Signature of Property Owner

Richard S Holman
Printed Name of Property Owner

Date

Signature of Property Owner

Printed Name of Property Owner

Date

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY
(if applicable)

As owner of the property located at 8600 Blk Lillian Hwy
_____, Florida, property reference number(s) 12-25-31-3110-000-000
_____, I hereby designate Tom Hammond
_____ for the sole purpose of completing this application and making
a presentation to the Planning Board and the Board of County Commissioners to request a rezoning on
the above referenced property. This Limited Power of Attorney is granted on this 7 day of February
the year of, 2017, and is effective until the Board of County Commissioners or the Board of
Adjustment has rendered a decision on this request and any appeal period has expired. The owner
reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice
to the Development Services Bureau.

Agent Name: Tom Hammond Email: tom@selanddesign.com
Address: 3808 N 15th Pensacola FL 32505 Phone: 434 2603

[Signature]
Signature of Property Owner

Richard S Holman
Printed Name of Property Owner

2/7/17
Date

Signature of Property Owner

Printed Name of Property Owner

Date

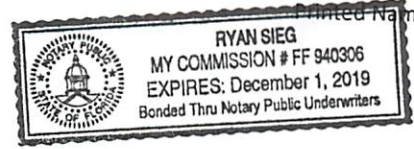
STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 7 day of February 2017,
by Richard S. Holman

Personally Known OR Produced Identification . Type of Identification Produced: _____

[Signature]
Signature of Notary

Ryan Sieg
Printed Name of Notary



(Notary Seal)

5. Submittal Requirements

A. _____ Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.

B. _____ Application Fees: To view fees visit the website: <http://myescambia.com/business/ds/planning-board> or contact us at 595-3547

Note: Fees include all notices and advertisements required for the public hearing and a \$5 technical fee. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted.

C. _____ Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) AND a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)

D. N/A Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)

E. _____ Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrency Determination Acknowledgement (pages 4 and 5).

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Signature of Owner/Agent

Printed Name Owner/Agent

Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 8 day of February 20 17, by Thomas G. Hammond Jr.

Personally Known OR Produced Identification . Type of Identification Produced: _____

Signature of Notary

Printed Name of Notary

(notary seal)



**Property Reference Number
12-1S-31-3110-000-000
Re-zoning Criteria**

A. Consistency with the Comprehensive Plan

The parcel is located in the Mixed Use- Urban (MU-U) Future Land Use District which allows for commercial and residential uses as stated in the Comprehensive Plan, Chapter 7, FLU 1.3.1

FLUM Mixed-Use Urban (MU-U)

General Description: Intended for an intense mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.

Range of Allowable Uses:

*Residential, retail and services, professional office, **light industrial**, recreational facilities, public and civic.*

Standards:

Residential Maximum Density: 25 du/acre

Non-Residential Minimum Intensity: 0.25 Floor Area Ratio (FAR)

Maximum Intensity: 2.0 Floor Area Ratio (FAR)

The proposed re-zoning is consistent with the Comprehensive Plan.

B. Consistency with the Land Development Code

The parcel is currently zoned HDMU (High Density Mixed-Medium Density Residential). The proposed re-zoning of the subject parcel to HC/LI (Heavy Commercial/Light Industrial) meets the LDC, Article 1, Section 3-1.3 (h):

ZONING DISTRICT Specific distribution and extent of uses	FUTURE LAND USE (FLU) CATEGORY General distribution and extent of uses									
	AG max 10u/20ac max 0.25 FAR	RC max 20u/40ac max 0.25 FAR	MU-S max 20u/40ac max 1.0 FAR	MU-U max 20u/40ac max 2.0 FAR	C max 20u/40ac max 0.5 FAR	I No res allowed max 1.0 FAR	P No res allowed max 0.5 FAR	REC No res allowed max 0.5 FAR	CON No res allowed	
Agr max 10u/20ac	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RR max 10u/40ac	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RMU max 20u/40ac	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDR max 40u/40ac	No, max density	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDMU max 70u/40ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
MDR max 60u/40ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
HDR max 150u/40ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
HDMU max 250u/40ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
Com max 20u/40ac	No, max density	No, max density	Yes	Yes	Yes	No, res use	No, uses	No, uses	No, uses	No, uses
HC/LI FLU restricted max 250u/40ac	No, uses	No, uses	No, uses	Yes	Yes	Yes	No, uses	No, uses	No, uses	No, uses
Ind No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	No, uses	No, uses	No, uses	No, uses
Rec No res allowed	Yes	Yes	Yes	Yes	Yes	No, uses	Yes	Yes	No, uses	No, uses
Con No res allowed	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pub No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	Yes	No, uses	No, uses	No, uses

For every combination of zoning district and FLU category represented by the table, "Yes" indicates the zoning is consistent with the FLU. "No" indicates zoning inconsistency with the FLU, primarily for the reason noted.
(Ord. No. 2015-06, § 1, 12-10-2015)

The parcel is located on Lillian Highway next to a Light Industrially used parcel which is zoned HC/LI. The parcel north of the subject parcel is also zoned HC/LI.

The proposed re-zoning is consistent with the Land Development Code.

C. Compatibility with surrounding uses

The parcel is bordered by HC/LI zoned parcels to the east and north and a HDMU zoned parcel to the west. The parcel to the east is owned by the applicant (Sterling Tree Service, Inc.) and has a light industrial use. The parcels to the north and west are existing commercial retail establishments.

The proposed re-zoning is compatible with the surrounding uses.

D. Changed Conditions

There are no changed conditions that impact the property or the proposed re-zoning.

E. Development Patterns

The subject parcel is located in the MU-U (Mixed Use-Urban) future land use district which allows for "light industrial" uses and promotes infill development. The subject parcel is located within a couple hundred feet of an arterial/collector roadway intersection resulting in the proposed re-zoning and use meeting LDC Locational Criteria requirements.

The rezoning and future development of the subject parcel would result in a logical and orderly development pattern consistent with the goals and objectives of Escambia County.

F. Effect on the Natural Environment

There are no environmentally sensitive lands on the parcels. The requested re-zoning itself would have no effect on the Natural Environment. Any development of the parcel resulting from the rezoning would require Development Review in accordance to the LDC.

The proposed rezoning will not result in an adverse impact to the environment.

Recorded in Public Records 10/15/2014 at 02:35 PM OR Book 7243 Page 112,
Instrument #2014076399, Pam Childers Clerk of the Circuit Court Escambia
County, FL Recording \$27.00 Deed Stamps \$525.00

Prepared by:
William E. Farrington II
Wilson, Harrell, Farrington, Ford, et.al., P.A.
307 South Palafox Street
Pensacola, Florida 32502

File Number: 1-49032

General Warranty Deed

Made this October 9, 2014 A.D. By Frank Bowen, Jr., hereinafter called the grantor, to Sterling Tree Service, Inc., a Florida Corporation, whose post office address is: 8500 Lillian Hwy, Pensacola, FL 32506, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Escambia County, Florida, viz:

SEE ATTACHED

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 093812000

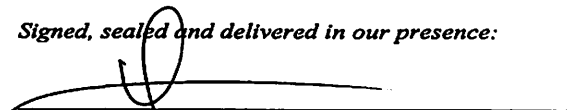
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

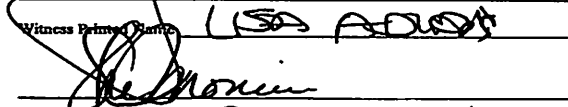
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2013.

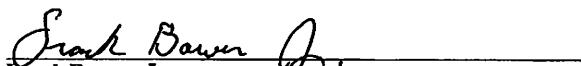
In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:



Witness Printed Name: LISA ADAMS


Witness Printed Name: Shannon Morrison



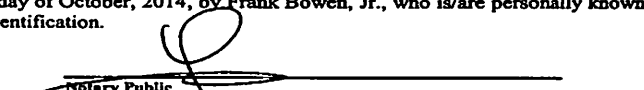
Frank Bowen, Jr.

State of Florida
County of Escambia

The foregoing instrument was acknowledged before me this 9th day of October, 2014, by Frank Bowen, Jr., who is/are personally known to me or who has produced _____ as identification.



LISA A. DURANT
MY COMMISSION # EE 853148
EXPIRES: December 10, 2016
Bonded Thru Budget Notary Services



Notary Public
Print Name: _____
My Commission Expires: _____

Exhibit "A"

PARCEL 1:

Commencing At A State Road Department Nail And Cap At The Intersection Of The Centerline Of Lillian Highway (66' R/W) And Millview Road (66' R/W), Also Known As Bellview Road; Thence Run Northerly Along The Centerline Of Said Millview Road A Distance Of 33.76 Feet To The Northerly Right Of Way Line Of Said Lillian Highway; Thence Deflect 77 Degrees 34'10" Right And Along Said Northerly Right Of Way Line Of Lillian Highway A Distance Of 275.50 Feet To The Point Of Beginning; Thence Deflect 90 Degress 13'27" To The Left And Along A Fence Line A Distance Of 307.62 Feet; Thence Easterly And Parallel To The Aforesaid Northerly Right Of Way Line A Distance Of 244.20 Feet To A Fence Line; Thence Deflect 96 Degrees 22'37" Right And Along Said Fence Line A Distance Of 303.09 Feet To The Northerly Right Of Way Of Lillian Highway; Thence Westerly Along Said Northerly Right Of Way Line A Distance Of 210.00 Feet To The Point Of Beginning. Said Property Being A Portion Of Section 12, Township 2 South, Range 31 West, Escambia County, Florida.

PARCEL 2:

Commencing At A State Road Department Nail And Cap At The Intersection Of The Centerline Of Lillian Highway (66' R/W) And Millview Road (66' R/W), Also Known As Bellview Road; Thence Run Northerly Along The Centerline Of Said Millview Road A Distance Of 33.76 Feet To The Northerly Right Of Way Line Of Said Lillian Highway; Thence Deflect 77 Degrees 34'10" Right And Along Said Northerly Right Of Way Line Of Lillian Highway A Distance Of 265 Feet To The Point Of Beginning; Thence Deflect 77 Degrees 34'10" To The Left A Distance Of 50.95 Feet; Thence Southerly A Distance Of 49.76 Feet To A Point On The Northerly Right Of Way Line Of Lillian Highway 10.5 Feet East Of The Point Of Beginning; Thence Westerly Along Said Northerly Right Of Way Line 10.5 Feet To The Point Of Beginning.

Less And Except Any Portion Conveyed To The State Of Florida Department Of Transportation As Shown In Warranty Deed Recorded In Official Records Book 5853, Page 238.

Commence At The Southeast Corner Of The West Half Of The Section 12, Township 2 South, Range 31 West, Escambia County Florida; Thence North 02 Degrees 46 Minutes 04 Seconds East Along The East Line Of Said West Half A Distance Of 1211.30 Feet To The Centerline O F Survey Of State Road 298 (Lillian Highway) As Shown On F.D.O.T. Right Of Way Map F.P. # 4146591 (Said Map Being On File At F.D.O.T. District 3 Office, Chipley, Florida); Thence Westerly Along Said Centerline And The Arc Of A Circular Curve To The Right (Radius = 4424.65 Feet, Delta = 05 Degrees 23 Minutes 51 Seconds, Chord = 416.81 Feet, Chord Bearing = North 82 Degrees 49 Minutes 45 Seconds West) A Distance Of 416.81 Feet; Thence North 09 Degrees 52 Minutes 11 Seconds East A Distance Of 33.00 Feet To A Previous Northerly Right Of Way Line Of Said State Road 298; Thence North 19 Degrees 47 Minutes 44 Seconds East A Distance Of 29.95 Feet To A Point On The Now Existing Northerly Right Of Way Line Of Said State Road 298 And The Point Of Beginning; Thence Westerly Along Said Right Of Way Line And The Arc Of A Circular Curve To The Right (Radius = 4362.15 Feet, Delta = 02 Degrees 48 Minutes 11 Seconds, Chord = 213.39 Feet, Chord Bearing = North 78 Degrees 41 Minutes 00 Seconds West) A Distance Of 213.41 Feet, Thence South 13 Degrees 16 Minutes 49 Seconds West Along The Said Right Of Way Line A Distance Of 9.75 Feet; Thence North 83 Degrees 25 Minutes 27 Seconds West Along Said Right Of Way Line A Distance Of 6.21 Feet; Thence North 25 Degrees 10 Minutes 25 Seconds East A Distance Of 30.42 Feet; Thence North 13 Degrees 16 Minutes 49 Seconds East A Distance Of 257.72 Feet; Thence South 76 Degrees 59 Minutes 09 Seconds East A Distance Of 244.20 Feet; Thence South 19 Degrees 47 Minutes 40 Seconds West A Distance Of 272.60 Feet To The Point Of Beginning. Above Described Parcel Lies In Said Section 12 And Contains 1.438 Acres, More Or Less.

**RESIDENTIAL SALES ABUTTING ROADWAY
MAINTENANCE DISCLOSURE**

ATTENTION: Pursuant to Escambia County Code of Ordinances Chapter 1-29.2, Article V, sellers of residential lots are required to disclose to buyers whether abutting roadways will be maintained by Escambia County. The disclosure must additionally provide that Escambia County does not accept roads for maintenance that have not been built or improved to meet county standards. Escambia County Code of Ordinances, Chapter 1-29.2, Article V, requires that this disclosure be attached, along with other attachments to the deed or other method of conveyance required to be made part of the public records of Escambia County, Florida. NOTE: Acceptance for filing by County employees of this disclosure shall in no way be construed as an acknowledgement by the county of the veracity of any disclosure statement.

NAME OF ROADWAY: 8600 Lillian Highway

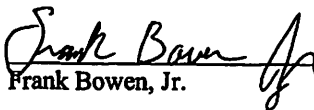
LEGAL ADDRESS OF PROPERTY: 8600 Lillian Highway, Pensacola, Florida 32506

The County (x) has accepted () has not accepted the abutting roadway for maintenance.

This form completed by: Wilson, Harrell, Farrington, Ford, Wilson, Spain & Parsons P.A.
13020 Sorrento Road
Pensacola, FL 32507

AS TO SELLER(S):

WITNESSES TO SELLER(S):


Frank Bowen, Jr.

Printed Name: ISAAC


Printed Name: Shannon Moreira

AS TO BUYER(S):

WITNESSES TO BUYER(S):


Sterling Tree Service, Inc.
by: Richard S. Holman, Director

Richard S Holman
Printed Name: _____


Sterling Tree Service, Inc.
by: Richard M. Holman, Director

Richard M Holman
Printed Name: _____

This form approved by the
Escambia County Board
of County Commissioners
Effective: 4/15/95

**W. W. CURLE
LAND SURVEYING, INC.**

1900 Hwy 87S, Suite M
Navarre, Florida 32566
(850) 939-8787
(850) 939-8797 Fax
wwwcurle@bellsouth.net
Licensed Business (LB) 6550

SCALE
1" = 30'

LEGAL DESCRIPTION: (AS FURNISHED)

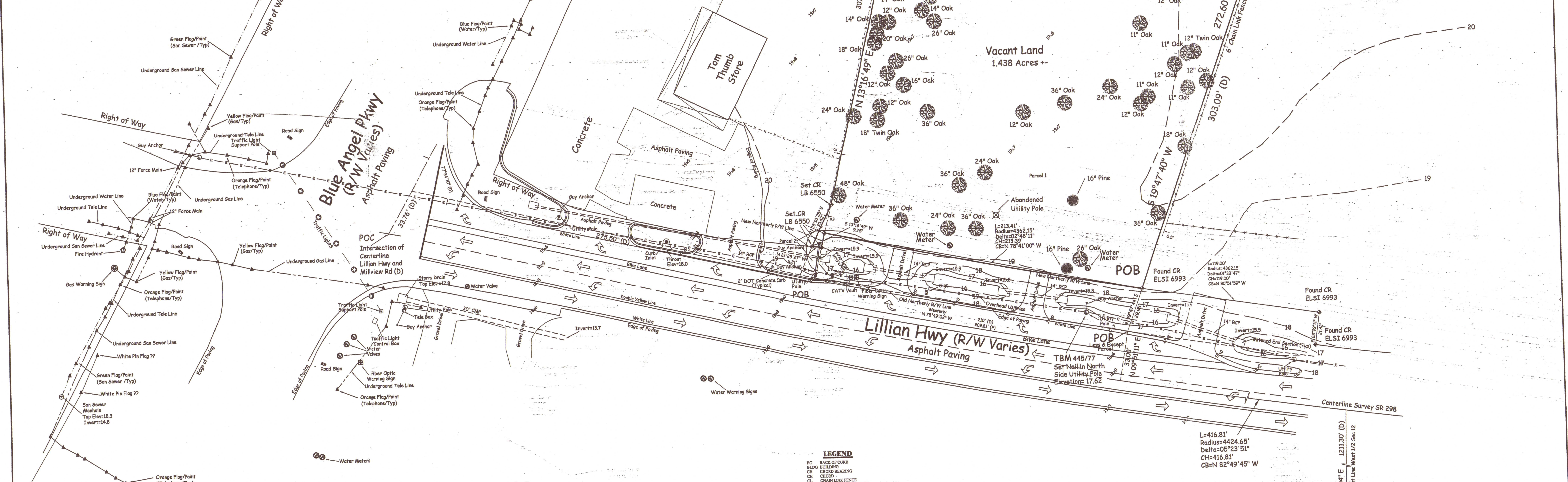
PARCEL 1:
COMMENCING AT A STATE ROAD DEPARTMENT NAIL AND CAP AT THE INTERSECTION OF THE CENTERLINE OF LILLIAN HIGHWAY (66' R/W) AND MILLVIEW ROAD (66' R/W), ALSO KNOWN AS BELLVIEW ROAD; THENCE RUN NORTHERLY ALONG THE CENTERLINE OF SAID MILLVIEW ROAD A DISTANCE OF 33.76 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID LILLIAN HIGHWAY; THENCE DEFLECT 77 DEGREES 34 MINUTES 10 SECONDS RIGHT AND ALONG SAID NORTHERLY RIGHT OF WAY LINE OF LILLIAN HIGHWAY A DISTANCE OF 275.80 FEET TO THE POINT OF BEGINNING; THENCE DEFLECT 90 DEGREES 13 MINUTES 27 SECONDS TO THE LEFT AND ALONG A FENCE LINE A DISTANCE OF 307.62 FEET; THENCE EASTERLY AND PARALLEL TO THE FORESAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 244.20 FEET TO A FENCE LINE; THENCE DEFLECT 96 DEGREES 22 MINUTES 37 SECONDS RIGHT AND ALONG SAID FENCE LINE A DISTANCE OF 303.09 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF LILLIAN HIGHWAY; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING. SAID PROPERTY BEING A PORTION OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.

PARCEL 2:
COMMENCING AT A STATE ROAD DEPARTMENT NAIL AND CAP AT THE INTERSECTION OF THE CENTERLINE OF LILLIAN HIGHWAY (66' R/W) AND MILLVIEW ROAD (66' R/W), ALSO KNOWN AS BELLVIEW ROAD; THENCE RUN NORTHERLY ALONG THE CENTERLINE OF SAID MILLVIEW ROAD A DISTANCE OF 33.76 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID LILLIAN HIGHWAY; THENCE DEFLECT 77 DEGREES 34 MINUTES 10 SECONDS RIGHT AND ALONG SAID NORTHERLY RIGHT OF WAY LINE OF LILLIAN HIGHWAY A DISTANCE OF 265 FEET TO THE POINT OF BEGINNING; THENCE DEFLECT 77 DEGREES 34 MINUTES 10 SECONDS TO THE LEFT A DISTANCE OF 50.95 FEET; THENCE SOUTHERLY A DISTANCE OF 49.76 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF LILLIAN HIGHWAY 10.5 FEET EAST OF THE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE 10.5 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

LEGAL DESCRIPTION: (AS FURNISHED)
A PARCEL OF LAND BEING IN THE WEST 1/4 OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT (NO I.D.) MARKING SOUTHEAST CORNER OF SAID WEST 1/4 OF SECTION 12, THENCE NORTH 02 DEGREES 46 MINUTES 04 SECONDS EAST 1211.50 FEET ALONG THE EAST LINE OF SAID WEST 1/4 TO THE CENTERLINE OF SURVEY OF STATE ROAD 298 (LILLIAN HWY) AS SHOWN ON F.D.O.T. RIGHT OF WAY MAP F.P. 4146591 (SAID MAP BEING ON FILE AT F.D.O.T. DISTRICT 3 OFFICE, CHELSEA, FLORIDA) AND TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT (CONCAVE NORTHEASTERLY); THENCE FROM A TANGENT BEARING OF NORTH 85 DEGREES 31 MINUTES 40 SECONDS WEST RUN NORTHEASTERLY ALONG SAID CENTERLINE OF SURVEY AND SAID CURVE, HAVING A RADIUS OF 4,424.65 FEET, FOR A DISTANCE OF 416.81 FEET THROUGH A CENTRAL ANGLE OF 05 DEGREES 23 MINUTES 51 SECONDS TO END OF CURVE; THENCE DEPARTING SAID CENTERLINE OF SURVEY, RUN NORTH 09 DEGREES 22 MINUTES 11 SECONDS EAST 33.00 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 298, AS SHOWN ON SAID RIGHT OF WAY MAP, AND POINT OF BEGINNING; SAID POINT BEING ON A NON-TANGENT CURVE TO THE RIGHT (CONCAVE NORTHEASTERLY); THENCE FROM A TANGENT BEARING OF NORTH 80 DEGREES 07 MINUTES 49 SECONDS WEST RUN NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE AND SAID CURVE, HAVING A RADIUS OF 210.00 FEET, FOR A DISTANCE OF 210.00 FEET, THROUGH A CENTRAL ANGLE OF 02 DEGREES 48 MINUTES 23 SECONDS TO END OF CURVE; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN NORTH 13 DEGREES 16 MINUTES 49 SECONDS EAST 29.50 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT (CONCAVE NORTHEASTERLY); THENCE FROM A TANGENT BEARING OF SOUTH 77 DEGREES 23 MINUTES 46 SECONDS EAST RUN NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 4,362.15 FEET, FOR A DISTANCE OF 213.41 FEET, THROUGH A CENTRAL ANGLE OF 02 DEGREES 48 MINUTES 11 SECONDS TO END OF CURVE; THENCE SOUTH 19 DEGREES 47 MINUTES 44 SECONDS WEST 29.95 FEET TO THE POINT OF BEGINNING; CONTAINING 6.246 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION: (PREPARED BY UNDERSIGNED) OVERALL NEW PARCEL
COMMENCE AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SECTION 12, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE NORTH 02 DEGREES 46 MINUTES 04 SECONDS EAST ALONG THE EAST LINE OF SAID WEST HALF A DISTANCE OF 1211.50 FEET TO THE CENTERLINE OF SURVEY OF STATE ROAD 298 (LILLIAN HIGHWAY) SAID CURVE BEING ON FILE AT F.D.O.T. DISTRICT 3 OFFICE, CHELSEA, FLORIDA); THENCE WESTERLY ALONG SAID CENTERLINE AND THE ARC OF A CIRCULAR CURVE TO THE RIGHT (RADIUS = 4424.65 FEET, DELTA = 05 DEGREES 23 MINUTES 51 SECONDS, CHORD = 416.81 FEET, CHORD BEARING = NORTH 82 DEGREES 45 SECONDS WEST) A DISTANCE OF 416.81 FEET; THENCE NORTH 09 DEGREES 22 MINUTES 11 SECONDS EAST A DISTANCE OF 33.00 FEET TO A POINT ON THE NOW EXISTING NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 298 AND THE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE AND THE ARC OF A CIRCULAR CURVE TO THE RIGHT (RADIUS = 4362.15 FEET, DELTA = 02 DEGREES 48 MINUTES 23 SECONDS, CHORD = 210.00 FEET, CHORD BEARING = NORTH 13 DEGREES 16 MINUTES 49 SECONDS WEST) A DISTANCE OF 210.00 FEET; THENCE SOUTH 13 DEGREES 16 MINUTES 49 SECONDS WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 9.75 FEET; THENCE NORTH 83 DEGREES 25 MINUTES 27 SECONDS WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 6.21 FEET; THENCE NORTH 25 DEGREES 10 MINUTES 25 SECONDS EAST A DISTANCE OF 30.42 FEET; THENCE NORTH 13 DEGREES 16 MINUTES 49 SECONDS EAST A DISTANCE OF 257.72 FEET; THENCE SOUTH 19 DEGREES 47 MINUTES 44 SECONDS WEST A DISTANCE OF 272.60 FEET TO THE POINT OF BEGINNING. ABOVE DESCRIBED PARCEL LIES IN SAID SECTION 12 AND SOUTH 19 DEGREES 47 MINUTES 44 SECONDS WEST A DISTANCE OF 272.60 FEET TO THE POINT OF BEGINNING. CONTAINING 1.438 ACRES, MORE OR LESS.



GENERAL NOTES

- 1) NO TITLE RESEARCH HAS BEEN PERFORMED BY THIS FIRM.
- 2) MEASUREMENTS ARE IN ACCORDANCE WITH U.S. STANDARDS.
- 3) UNDERGROUND STRUCTURES AND IMPROVEMENTS NOT LOCATED UNLESS NOTED.
- 4) NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- 5) THE ACCURACY OF MEASUREMENTS PERFORMED MEETS THE REQUIREMENTS FOR CLOSURE.
- 6) DATA SHOWN OUTSIDE THE DESCRIBED PROPERTY IS SHOWN FOR INFORMATIONAL PURPOSES ONLY.
- 7) FIELD MEASUREMENTS AGREE WITH RECORD MEASUREMENTS UNLESS NOTED ON DRAWING.
- 8) ENCROACHMENTS ARE AS SHOWN ON THE DRAWING.
- 9) THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY.
- 10) FIELD DATE IS MARCH 14, 2008.
- 11) FIELD BOOK 445/77.
- 12) THE ABOVE DESCRIBED PARCEL IS LOCATED IN FLOOD ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO MAPS PUBLISHED BY FEMA, COMMUNITY-PANEL NO. 120080 0365 6, REVISED SEPTEMBER 29, 2006.
- 13) FLOOD ZONE INFORMATION TO BE USED FOR RATES ONLY. NO CERTIFICATION AS TO RISK IS BEING MADE.
- 14) NO BUILDING SETBACK REQUIREMENTS ARE REFLECTED ON THE FACE OF THE RECORD PLAT.
- 15) ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD 88.

LEGEND

- BC BACK OF CURB
- BLDG BUILDING
- CB CHORD BEARING
- CH CHORD
- CL CHAIN LINK FENCE
- CM CONCRETE MONUMENT
- CMP CORRUGATED METAL PIPE
- CR H/ CAPRIED ROD (UNLESS NOTED)
- D DEED CALL
- ELEV ELEVATION
- EP EDGE OF PAVEMENT
- IR IRON ROD
- IP IRON PIPE
- IN IRON NAIL
- L ARC LENGTH
- PL PLAT DIMENSION
- PC POINT OF CURVATURE
- PI POINT OF INTERSECTION
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- PT POINT OF TANGENCY
- R RADIUS
- RCP REINFORCED CONCRETE PIPE
- RAW RIBBON OR WAY
- SD SUBDIVISION
- SEC SECTION
- SR STATE ROAD DEPARTMENT
- T TOWNSHIP
- TC TOP OF CURB
- TM TEMPORARY BENCH MARK
- TY TYPICAL
- VE VERT ELEVATIONS
- SPOT ELEVATIONS

POC
SE Corner of the
West 1/2 of Section
12, T2S, R31W

Ordered by: Environmental Engineering Services

Drawing No. 08-0114

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

W.W. Curle, Jr. PSM 5096
James R. Cunningham PSM 5491

THIS PLAT IS THE EXCLUSIVE PROPERTY OF W.W. CURLE LAND SURVEYING, INC. AND IS TO BE USED ONLY FOR THE PURPOSE CONTRACTED FOR. NO REPRODUCTIONS, IN WHOLE OR IN PART, MAY BE MADE WITHOUT EXPRESSED WRITTEN PERMISSION.

THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Rezoning

7. B.

Meeting Date: 03/07/2017

Issue: A Public Hearing Concerning the Review of Russo Subdivision, a Planned Unit Development

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of Russo Subdivision, a Planned Unit Development

That the Board review the development plan for Russo residential subdivision, a Planned Unit Development (PUD), and confirm consistency of the plan with Land Development Code (LDC) requirements prior to transmittal of a recommendation to the Board of County Commissioners (BCC) to review and consider the plan for a final decision.

BACKGROUND:

Preble-Risch Inc, Consulting Engineers, project agent and engineer, submitted a preliminary plat and associated subdivision development plans for PUD approval. The proposed subdivision is located in Section 6, Township 1 South, Range 31 West and is currently zoned LDR. The site is North of Nine Mile Road and West of Beulah Road. The project encompasses approximately 26± acres, including parcels 06-1S-31-1102-000-001, 06-1S-31-1102-000-000, 06-1S-31-1102-000-003, 06-1S-31-1101-006-001 and will include 78 lots.

Sewer and Water are provided by ECUA. Storm water treatment and attenuation will be accomplished by a retention pond meeting Escambia County and NFWFMD requirements. Conveyance of storm water will be accomplished through a retention pond discharging into surrounding wetlands. No wetland impacts are expected with the proposed development. The proposed site plan indicates that the lot will be accessed from Beulah Road.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the approval of this PUD.

LEGAL CONSIDERATIONS/SIGN-OFF:

The legal advertisement of the PUD has been reviewed and approved for legal sufficiency by Meredith D. Crawford, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

No additional personnel required.

POLICY/REQUIREMENT FOR BOARD ACTION:

Section 2-6.8 of the Land Development Code requires that the Planning Board review the PUD in a quasi-judicial public hearing and transmit its recommendation to the BCC for a final decision on the development plan.

IMPLEMENTATION/COORDINATION:

The PUD has been reviewed and commented upon by the Development Review Committee prior to consideration and recommendation by the Planning Board. Approval of the proposed development plan by the BCC would authorize the applicant to proceed under the conditions of a PUD preliminary plat Development Order, including the subsequent submission of an implementing subdivision infrastructure construction plan for county approval. Upon completion of construction and Final Plat approval, the Building Inspections Department would be authorized to issue permits allowing construction of homes on all residential lots within the subdivision.

Attachments

Master Plan Drawing

Project Information

Legal Review (advertisement)

Lighting

Staff Analysis

PUD Applicants Narrative

**RUSSO DEVELOPMENT
BEULAH - REBEL ROAD
PENSACOLA, FL
ESCAMBIA COUNTY
FOR
SMARTLIVING LLC**

SITE DATA TABLE

PROPERTY ACERAGE:	25.6± ACRES (TOTAL)
PROP. LOT WIDTH:	60'
PROP. LOT DEPTH:	120'
NUMBER OF LOTS:	78 LOTS
PUBLIC R/W WIDTH:	50' WIDE



PROBABLE WATERLINE CONNECTION LOCATION

PROBABLE UP FORCEMAIN CONNECTION LOCATION

PROBABLE WATERLINE CONNECTION LOCATION

LOCATION: Beulah Road So. of Frank Reeder Road
CURRENT ZONING: LDR
PROPOSED ZONING: MDR
UTILITIES: Water/Sewer (ECUA)

EB 0008794

**PRELIMINARY
NOT FOR
CONSTRUCTION**

SCALE

REVISIONS

NO.	DESCRIPTION	DATE

DRAWN BY: _____ MW
APPROVED BY: _____ MJ
CHECKED BY: _____ MJ
DATE: _____ JUNE 2016

TITLE
**PRELIMINARY
PLAN**

PROJECT NO. _____ 563.001

1

SHEET NO.

PROJECT INFORMATION FORM

Development Services Department, 3363 West Park Place, Pensacola, FL 32505 (Phone) 850-595-3475 (Fax) 850-595-3703
www.myescambia.com

Allow 2 working days for the return of this form

SECTION 1-A: MANDATORY – THIS SECTION TO BE COMPLETED BY APPLICANT

Applicant/Company Name: Joe A. Rector, Jr. / Dewberry | Preble-Rish Phone: 850-760-0330 Fax: _____

Mailing Address: 25 W Cedar Street, Suite 110, Pensacola State: FL Zip Code: 32502

Project Name: Russo (Berry and Rettew) Subdivision Proposed Use: Single Family Residential

Property Reference Number(s): 06-1S-31-1102-000-001; 06-1S-31-1102-000-000; 06-1S-31-1102-000-003
06-1S-31-1101-006-001

Project Address: 10035 BEULAH RD Estimated Parcel Acreage: 25

Is Site currently developed? NO YES ___ If YES, describe existing development _____

Is a Conditional Use, Variance, Rezoning or Future Land Use Amendment required for the Proposed development? NO ___ YES

***If you would like to apply for a Variance (as required by the Land Development Code) prior to the issuance of a Development Order, please contact (850) 595-3475.**

Select Type of Submittal:

Site Plan: _____ Site Plan Minor: _____ Minor Subdivision: _____
 Master Plan: _____ Preliminary Plat: Construction Plans: Final Plat: _____

Would you like a Project Champion (Optional Customer Service Program)? ___ Yes ___ No

Site Plan Project Submittals	Subdivision Project Submittals
Estimated SQ. FT. of Building Footprint: _____	Total # of Phases: <u>1</u> Total # of Lots: <u>78</u>
Estimated SQ. FT. of Impervious Surface (Including Bldg Footprint): _____	# of Lots in Phase 1: _____ # of Lots in Phase 2: _____
	# of Lots in Phase 3: _____ # of Lots in Phase 4: _____

SECTION 2: This section to be completed by County Staff.

Parcel Future Land Use(s): MUS Surrounding Future Land Use(s): MUS

Parcel Zoning District(s): LDR Surrounding Zoning Districts: LDR

Airport Environment(s): _____ Overlay District(s): _____ Commissioner District: 1

Drainage Basin: 13/15 Hurricane Evacuation Zone: — Flood Zone: X

Notes: Airport 2

Checked by: [Signature] Date: 10/13/16

Planner/Project Champion Verified: _____ Date: _____

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: RUSSO PUD Advertisement

Date: 02/15/2017

Date requested back by: 02/15/16

Requested by: John C Fisher

Phone Number: 4651



(LEGAL USE ONLY)

Legal Review by M. Crawford

Date Received: 2/15/17

X Approved as to form and legal sufficiency.

_____ Not approved.

_____ Make subject to legal signoff.

Additional comments:

- advertisement review only
- date for PB is Tuesday & Thursday
- include complete parcel #'s

**NOTICE OF PUBLIC HEARING
BEFORE THE ESCAMBIA COUNTY PLANNING BOARD
AND THE BOARD OF COUNTY COMMISSIONERS**

The Escambia County Planning Board, sitting as the Local Planning Agency (LPA), will hold a Quasi-Judicial Public Hearing at 8:30 a.m. or as soon thereafter as possible, **Tuesdayhursday, March 7, 2017 in the Escambia County Central Office Complex, Room 104, 3363 West Park Place, Pensacola, Florida; and**

The Board of County Commissioners of Escambia County, Florida will hold a Quasi-Judicial Public Hearing at 5:46 p.m., **Thursday, April 6, 2017 in the Ernie Lee Magaha Government Building, Board Meeting Room, First Floor, 221 Palafox Place, Pensacola, Florida,** to consider the following request under Part III of the Escambia County Code of Ordinances, the Land Development Code:

RUSSO SUBDIVISION, A PROPOSED 78-LOT RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) ON A 26 (+/-) ACRE PARCEL SITE ALONG THE WEST SIDE OF BEULAH ROAD AND EAST SIDE OF REBEL ROAD (PROPERTY REFERENCE NUMBERS 06-1S-31-1102-000-001; 06-1S-31-1102-000-000; -06-1S-31-1102-000-003; 06-1S-31-1101-006-001)

The Planning Board will make a recommendation on the request which will be considered by the Board of County Commissioners at the subsequent public hearing for a final decision.

The Board of County Commissioners does not make verbatim transcripts of their meetings; any person who wishes to appeal (to Circuit Court) any matter considered at such meetings or hearing will need to independently ensure preparation of a verbatim transcript of the proceeding that includes the testimony and evidence upon which the appeal will be based.

In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in the public hearing should contact the County Administrator's Office at 595-4947 at least seven days prior to the date of the hearing. If you have any questions, please contact the Development Services Department at 595-3475.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

Colonial



Wattage	Source	kWh	Distribution Type	Paid Up Front (PUF) Amount	Monthly w/PUF	Monthly w/o PUF
100	HPS	41	II, III	\$232.00	\$4.92	\$8.50
150	PSMH	65	III	\$307.00	\$7.57	\$12.33
45	LED	15	III, V	\$567.00	\$5.99	\$13.53
72	LED	25	III, V	\$680.00	\$7.60	\$17.09

Mounting Height	Material	Paid Up Front (PUF) Amt	Monthly Amt - No PUF
16'	Aluminum, Round Tapered	\$468	\$5.63
12'	Aluminum, Decorative	\$996	\$18.08
13'	Fluted Concrete	\$1,073	\$17.24
14'	Aluminum, Decorative	\$1,267	\$16.43
16'	Aluminum, Decorative	\$1,064	\$13.44

Note: Pricing effective 1/1/2015. Paid up front is available to customers at the time of installation only. All monthly figures include fuel, ECR, ECCR, PPCC, and adjusted gross receipts tax. Monthly figures do not include applicable franchise fees or state and local taxes.

Staff Analysis of Specific Land Development Code (LDC) Planned Unit Development (PUD) Approval Criteria for Russo Subdivision

LDC Sec. 2-6.8 Planned Unit Developments.

(a) General. Planned unit development is an optional and supplemental compliance review process for the subdivision of land. It allows flexibility in LDC requirements to encourage greater creativity in land use planning and design for the mutual benefit of developers and the public. The intent of the PUD is to obtain benefits not anticipated by the strict application of zoning district regulations and subdivision standards, and not available by other variance processes. For the private gain of greater design flexibility, developers are required to provide greater public benefits through permanently preserved common open space, infrastructure improvements, accommodation of environmental and aesthetic features, and other permanent site improvements and amenities benefiting public health, safety and welfare. Proposed PUD is evaluated first through a quasi-judicial public hearing by the Planning Board and then by the Board of County Commissioners (BCC).

General description of proposed development: The project is located in Escambia County approximately 0.75 +/-miles north of the US Highway 90, aka 9-Mile Road, on Beulah Road. From the US 90 and Beulah road intersection, go north on Beulah Road approximately 4,200 ft. to the property. The site is located on the west side of Beulah Road in Section 6, Township 1 South, Range 31 West. The project is a proposed planned unit development, situated on an approximate (+-) total 26 acres located within the Low Density Residential zoning district and the Mixed Use-Suburban, (MU-S) Future Land Use Category.

The applicant is requesting variations as follows:

1. A reduction of the required minimum width at the front building line from 70 feet to 60 feet, for all lots.

2. A reduction of the required minimum front and rear setbacks from 25 feet to 20 feet, for all lots.

(b) Limits on PUD. Planned unit development can be used to mix land uses, provide broader housing choices, and allow more compact development through specific height, area, yard, size and use requirements that are different in any or all respects from those required by the applicable zoning district, or subdivision design standards different from those prescribed in [LDC] Chapter 5. Planned unit development is allowed for subdivision within any zoning district or future land use category, but it is subject to the following limitations:

(1) Land uses. Land uses may vary from the specific uses allowed by the applicable zoning district, but they shall comply with the range of allowed uses within the applicable future land use category.

The proposed single-family residential use is allowed by the applicable zoning district and future land use category.

(2) Density. The number of dwelling units shall not exceed the density allowed by the applicable future land use category or zoning district.

The proposed number of dwelling units does not exceed the residential density allowed by the zoning district and the applicable future land use category. The applicant is proposing three dwelling units per acre verse the allowed four dwelling units per acre.

(3) Other processes. The PUD process supplements but does not replace other applicable compliance review processes of the LDC, including those for approval of preliminary plats, construction plans, and final plats.

The preliminary development plan of the PUD has been forwarded to the Planning Board for its consideration after review and written comment by the members of the Development Review Committee (DRC). Prior to PUD plan review and final determination by the Board of County Commissioners (BCC), the plan must address any remaining conditions of LDC compliance not modified by the proposed variances of the PUD and must respond to any conditions of the Planning Board's recommendation to the BCC.

The essential commitments of the development plan and the expectations of the county will be established upon BCC approval of the PUD, which includes the preliminary plat and associated documenting plans. The implementing subdivision infrastructure construction plans and final plat must be in substantial conformance with the approved PUD plans as determined through the established review and approval processes of the LDC.

(4) Standards. The PUD process shall not modify any level of service standards for adequate public facilities or standards for accessibility, life safety, or health.

The proposed development will comply with all applicable level of service standards.

(c) Compliance review. The Planning Board shall conduct a quasi-judicial public hearing as noticed to consider whether conditions warrant the proposed modifications and make recommendations regarding the proposal to the BCC and for them to consider and act on those recommendations.

The Planning Official has forwarded the proposed PUD and an analysis of its compliance with the requirements of the Land Development Code to the Planning Board for its required consideration and recommendation.

(d) Criteria for PUD approval. The applicant has the burden of presenting competent substantial evidence to the [Planning] board that establishes each of the following conditions for the PUD:

(1) Creative Planning. Uses and structures are arranged in a manner that demonstrates creative concepts of land use planning throughout the development area. Residential uses include a complementary and sustainable mix of dwelling unit types or mix with non-residential uses.

The presence of wetlands on the property constrains viable arrangements of uses and structures and limits creative development options on the remaining uplands. There are no FEMA's Special Flood Hazard Areas on the development parcel. A further review during the Site Plan Review Process will be evaluated. Single-family dwellings appear to be a sustainable land use for the site, but no mix of dwelling unit types is documented in the submitted plans. No non-residential uses other than accessory to the dwellings are proposed within the subdivision.

Recommendation: That the PUD document the characteristics of dwelling units to which the PUD can commit, including floor area, stories, provision of garage or other parking outside of rights-of-way, and any diversity of housing styles and materials.

(2) Natural amenities. Clustering, setbacks, easements and other methods are utilized to preserve to the greatest extent practicable the natural amenities and characteristics of the land, including open space, topography, natural vegetation, groundwater recharge, waterways, and scenic views. Deficiencies in natural amenities are supplemented through landscaping and other enhancements.

Smaller lots and reduced building setbacks are among the methods used to maintain viable density while preserving natural amenities. However, there is no documentation that at least 90 percent of the site wetlands will remain undisturbed and maintained under a conservation easement or other method as LDC clustering provisions would require.

Recommendation: That the PUD cluster the proposed development on the upland area of the site such that at least 90 percent of wetland and wetland buffer area is excluded from residential lots, a conservation easement is executed, and the conservation area is dedicated to the home owners association to comply with the minimum clustering provisions of the LDC (DSM Sec. 1-2). The complete exclusion of wetlands from individual lots and minimized buffer impacts is preferred.

(3) Desirable environment. A more desirable environment in which to live or work is created than would be possible through the strict application of the minimum requirements of the LDC. Common open space area is within reasonable walking distance of all dwelling units in the development.

The proposed development will be completed in one construction phase. Plan includes Dog Park, sidewalks on both sides of the road; decorative lighting, underground utilities, landscaped boulevard entrance, decorative signage and individual street trees are to be planted at construction of each house. Also two wetland conservation areas will be located at each end of the subdivision that is not required by the LDC.

Recommendation: The PUD development plan would benefit from more specific documentation of the proposed amenities to the minimum extent that their installation is intended. Without such documentation the compliance of an implementing subdivision construction plan cannot be confirmed. Given that a dog park, decorative signage, individual street trees are to be planted on each lot, and landscaped boulevard entrance with other improvements are proposed as part of the more desirable environment required of a PUD, their minimum specifications (e.g., dimensions, quantities, materials) should be included in the plan.

(4) Mobility. Internal circulation systems promote both pedestrian and vehicular mobility, especially between residential areas and local public open space, schools, retail sales and services, and employment. Sidewalks are located on at least one side of every street to support safe pedestrian mobility within the development and appropriate access to surrounding uses.

Safe and effective pedestrian and vehicular mobility within the subdivision is promoted through compact upland development, central park placement, and a network of sidewalks that includes the dog park perimeter and Beulah Road frontage.

(5) Efficient land use. An efficient use of land results in smaller networks of streets and utilities. If street rights-of-way are proposed to be less than standard width, easements will provide adequate space to install and maintain utilities.

The interconnection of subdivision streets, small lots, and the limitation of improvements limited by environmental features support an efficient use of land that results in smaller networks of streets and utilities. Easements will supplement proposed less-than-standard width rights-of-way to accommodate underground utilities.

(6) Compatibility. The development is compatible with surrounding areas and provides stable conditions and character to maintain long-term compatibility.

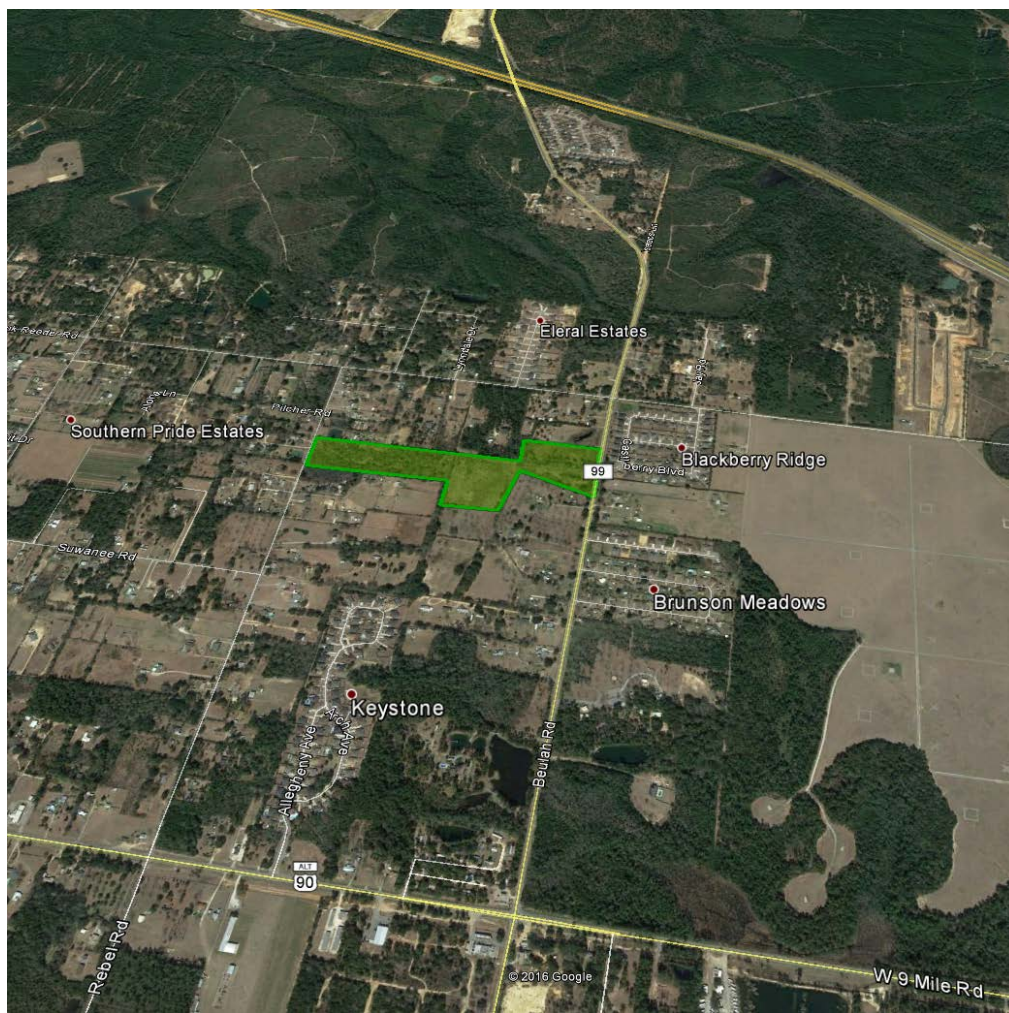
The proposed density of single-family detached dwellings is compatible with the predominantly low density single-family development of the surrounding areas, and the constructed improvements of a residential subdivision will provide the stable conditions and character to maintain that compatibility long term.

Other considerations: In the review and analysis of the proposed development the Planning Board may include conditions relative to the six LDC criteria for PUD approval to insure the intent of the process is achieved.

PLANNED UNIT DEVELOPMENT - PUD For The Proposed 3 Unit per Acre Beulah Road Subdivision Escambia County, Florida

Introduction

The project is located in Escambia County approximately 0.75+/- miles north of the US Highway 90, also known as, 9-Mile Road, on Beulah Road. The site is located on the West side of Beulah Road in Section 6, Township 1 South, Range 31 West. The project is a proposed planned unit development, situated on an approximately 26+/- acres. The subject area is located within the MU-S, Mixed Use – Suburban, Future Land Use Category according to the adopted Escambia County Future Land Use Map.



25 West Cedar Street, Suite 110, Pensacola, FL 32502

Pensacola | Panama City | Port St. Joe | Tallahassee | Santa Rosa Beach | Ft. Walton Beach
Freeport | Quincy | Crawfordville | Blountstown | Lake City | Daphne



Developer

The Developer of the site is Smartliving, LLC. Kevin Kirchharr is the Managing Member of Smartliving, LLC. Their address is 23505 Lawrence Moseley Road, Robertsdale, AL 36567.

Existing Conditions and Existing Use

The 26+/- acre site is currently vacant. Currently, there are no structures on the site. The property’s current use is approximately 12+/- acres of timber land with the remaining 14+/- designated as crop/grazing land.

Drainage is primarily from east to west and west to east from the center of the site, flowing through pathways all leading towards Rebel Road to the west and Beulah Road to the east of the subject property. The existing floodplain for the subject property has FEMA Flood zone Zone X. No other Environmentally Sensitive Lands are located within the site boundary.

Proposed Use

Smartliving, LLC is requesting approval of the Beulah Road Planned Unit Development (PUD). The purpose of the Planned Unit Development (PUD) is to provide flexible land use and design regulations to permit planned diversification and integration of residential uses environmental features and structures, and to allow flexibility in LDC requirements to encourage greater creativity in land use planning and design for the mutual benefit of developers and the public.

Development Standards in the Escambia County Land Development Code

Sec. 3-2.5 Low Density Residential district (LDR).

- (a) Purpose. The Low Density Residential (LDR) district establishes appropriate areas and land use regulations for residential uses at low densities within suburban areas. The primary intent of the district is to provide for large-lot suburban type residential neighborhood development that blends aspects of rural openness with the benefits of urban street connectivity, and at greater density than the Rural Residential district. Residential uses within the LDR district are predominantly detached single-family dwellings. Clustering dwellings on smaller residential lots may occur where needed to protect prime farmland from non-agricultural use or to conserve and protect environmentally sensitive areas. The district allows non-residential uses that are compatible with suburban residential neighborhoods and the natural resources of the area.

- (d) Site and building requirements. The following site and building requirements apply to uses within the LDR district:
 - (1) Density. A maximum density of four dwelling units per acre.
 - (2) Floor area ratio. A maximum floor area ratio of 1.0 for all uses.
 - (3) Structure height. A maximum structure height of 45 feet. See height definition.



- (4) Lot area. No minimum lot area unless prescribed by use.
- (5) Lot width. A minimum lot width of 20 feet at the street right-of-way for cul-de-sac lots and 50 feet for all other lots, and a minimum width of 70 feet at the front building line for all lots.
- (6) Lot coverage. Minimum pervious lot coverage of 30 percent (70 percent maximum semi-impervious and impervious cover) for all uses.
- (7) Structure setbacks. For all principal structures, minimum setbacks are:
 - a. Front and rear. Twenty-five feet in the front and rear.
 - b. Sides. On each side, five feet or 10 percent of the lot width at the front building line, whichever is greater, but not required to exceed 15 feet.

Beulah Road PUD Deviations

Minimum Lot Width and Setback Requirements

3-2.5.d.1: A maximum density of four dwelling units per acre

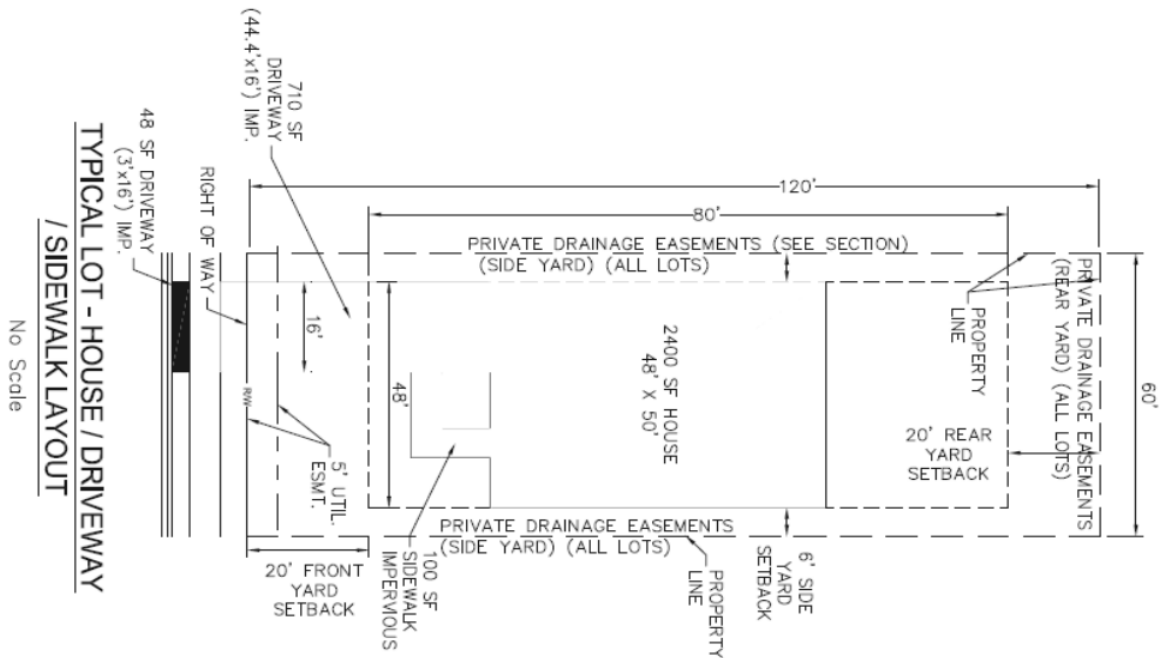
Requested: A maximum density of three dwelling units per acre

3-2.5.d.5: A minimum width of 70 feet at the front building line for all lots

Requested: A minimum width of 60 feet at the front building line for all lots

3-2.5.d.7: A minimum front and rear setback of 25' for all lots

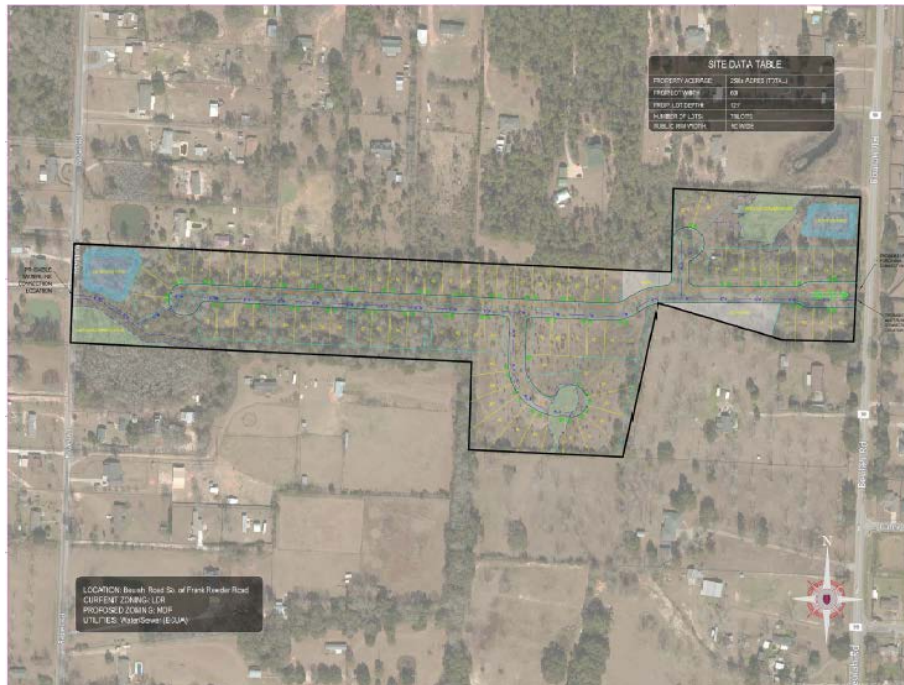
Requested: A minimum front and rear setback of 20' for all lots



Criteria for PUD approval

The Beulah Master Plan has been designed to meet the following criteria:

- I. Creative Planning. Uses and structures are arranged in a manner that demonstrates creative concepts of land use planning throughout the development area. Residential uses include a complementary and sustainable mix of dwelling unit types or mix with non-residential uses.
- II. Natural amenities. Clustering, setbacks, easements and other methods are utilized to preserve to the greatest extent practicable the natural amenities and characteristics of the land, including open space, topography, natural vegetation, groundwater recharge, waterways, and scenic views. Deficiencies in natural amenities are supplemented through landscaping and other enhancements.
- III. Desirable environment. A more desirable environment in which to live or work is created than would be possible through the strict application of the minimum requirements of the LDC. Common open space area is within reasonable walking distance of all dwelling units in the development.
- IV. Mobility. Internal circulation systems promote both pedestrian and vehicular mobility, especially between residential areas and local public open space, schools, retail sales and services, and employment. Sidewalks are located on at least one side of every street to support safe pedestrian mobility within the development and appropriate access to surrounding uses.
- V. Efficient land use. An efficient use of land results in smaller networks of streets and utilities. If street rights-of-way are proposed to be less than standard width, easements will provide adequate space to install and maintain utilities.
- VI. Compatibility. The development is compatible with surrounding areas and provides stable conditions and character to maintain long-term compatibility.



Improvements

The development proposes several improvements that will provide a community benefit and enhance the quality of life within the subdivision. The development will include a landscaped entrance boulevard and decorative signage. Internal sidewalks are proposed along each side of all internal streets as well as individual street trees to be planted at the construction of each house. Project will include a dog park. Street lighting will be installed as project is completed.

Justification

The Beulah Road PUD will be a public subdivision of approximately 26+/- acres into 78 single family lots. The density will be 3 units per acres, which is well below the allowable 4 units per acre for the zoning district maintaining the districts stated objective of low densities within suburban areas. The reduction of lots size is to allow for clustering of dwellings on smaller residential lots to protect prime farmland from non-agricultural use or to conserve and protect environmentally sensitive areas as stated in Sec. 3-2.5 Low Density Residential district.

The development will feature community sidewalks, natural area, a dog park, for the public benefit and enhancement of natural amenities.

The clustering of lots within the phases are designed to encourage mobility of both pedestrian and vehicular access between residential areas, open spaces and recreation areas.

Potable Water & Sewer Availability

The water and sewer provider shall be ECUA. The project will include a low pressure system with individual grinder pumps located at each residential dwelling. No potable water wells or septic tanks shall be utilized for this project.

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Phasing Schedule

The Beulah Road Planned Unit Development is to be constructed in one development phase. Construction is planned to commence after approval and receipt of a Development Order from Escambia County.

Stormwater Management Plan

Stormwater management improvements will be needed to control the runoff from the proposed impervious construction. Runoff from all new impervious areas is proposed to be collected via storm sewer and conveyed to two proposed detention basins located at each end of the development and discharged into the surrounding wetlands. The stormwater system shall be designed for 100-year critical storm events.

The Stormwater Management Plan will be submitted to Escambia County and Northwest Florida Water Management District with the Technical Review Submittal.

Applicant / Owner Information / Representatives

Owner: JOHN D AND ANGELA K RUSSO
2700 SILHOUETTE DRIVE,
CANTONMENT, FL 32533

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2441 SPYGLASS CIR, PENSACOLA, FL 32526

CHARLES V & SHIRLEY B RETTEW
10035 BEULAH ROAD, PENSACOLA, FL 32526

Developer: Kevin Kirchwarr
Smartliving, LLC
23505 Lawrence Moseley Road,
Robertsdale, AL 36567

Consultants: Dewberry | Preble-Rish
Micah Jones, P.E.
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