



City of Panama City Planning Board

MINUTES

Monday, November 14, 2022
City of Panama City, City Hall
501 Harrison Avenue, Lower Level, Room 010
Panama City, FL 32401

1. **4:00 p.m. Chair Dubuque called the Planning Board meeting to order.**

Roll Call by Rebecca Ando, Administrative Assistant, with the following members present:
Ray Dubuque, Chair, Doug Crosby, Christopher Stamps, Brian Neubauer, and James Barker.

Also in attendance: Planning Department Staff (Michael Fuller, Community Development Director, Jiwuan Haley, Senior Planner, Savannah Brown, Planner II, Orlando Russ, Planner I), City Attorney, Michael S. Burke participating via Zoom and Bonnie Blue, City Attorney's Office.

2. **Changes or Deletions:** None
3. **Minutes to Approve:** October 10, 2022 minutes

Board Action:

Motion to approve: Brian Neubauer

Seconded Motion: James Barker

Motion Passed 5-0

4. **Announcements – Disclosures (as applicable):**

Chair Dubuque stated that he would make disclosures when the particular items were called. He announced when and where the Commission hearings would occur for today's Planning Board items as printed on the agenda. He stated that except for variances, the Planning Board makes recommendations to the City Commission and that the Commission has the final say.

No other disclosures were made.

5. **Requests:**

- 5.a. **Preliminary Plat Approval for Homes on Chestnut, Case No. PRPL2312:** Request for Preliminary Plat Approval for Homes on Chestnut, Located at the Intersection of W 14th Street and Chestnut Avenue, R and B Development, FL, LLC Owner and McNeil Carrol Engineering, Applicant

Senior Planner Haley made the staff presentation, recommending that the application be recommended for approval with the condition that the sidewalk located along W 14th Street be extended all the way to the property line of the proposed subdivision per Sec. 109-50 of the Unified Land Development Code. The Chair invited the applicant to speak.

Applicant: Sean McNeil, McNeil Carroll Engineering, on behalf of the applicant, 475 Harrison Avenue – stated that they will let the client know about the extension of the sidewalk along W 14th Street. In response to Chair Dubuque, the applicant stated the property to the west along Beck Avenue is owned by another party and that he believes his client intends to sell the units, not rent them.

Public Participation: None

Board Action:

Motion to recommend approval with the condition that the sidewalk be extended along W 14th Street to the property line: Brian Neubauer

Seconded Motion: James Barker

Motion Passed 5-0

- 5.b. **305 Spring Avenue, Case No. VROW2302:** Request for Vacation of 25 ft. of R.O.W. Located North of 305 Spring Avenue to Use for Driveway for Residential Home; City of Panama City, Owner and Kenneth B. Holt, Applicant

Senior Planner Jiwan Haley made the staff presentation, recommending that the application be recommended for denial because one of the five requirements for approval of a right-of-way vacation cannot be met, specifically that the vacation would result in 2413 E 3rd Court being landlocked. In response to Chair Dubuque, Senior Planner Haley stated that staff has not heard further from the property owner of 2413 3rd Court since the last meeting. Chair Dubuque noted that property owner was not present in the audience or on Zoom.

Applicant: Kenneth Hold, 305 Spring Avenue – stated that he was only asking for vacation of 25 feet of the 50-foot right-of-way so that he could make an addition to his property. He stated that 2413 E 3rd Court would not be landlocked because the rest of the right-of-way could be used for access.

In response to Chair Dubuque, City Attorney Burke stated that the replat of the subject property shows the right-of-way dead-ends into 2413 E 3rd Court and 320 Center Avenue and that the dead-end was deliberate at that time. He stated that you cannot vacate half of the right-of way and noted that he addressed Public Works' comments about using the right-of-way for a single-family residence at the last meeting, and that the city cannot accomplish what Mr. Holt requests.

Chair Dubuque stated it bothers him that there was no letter or comments from the owner of 2413 E 3rd Court who objected.

In response to Board Member Barker, Senior Planner Haley confirmed that 2413 E 3rd Court would be landlocked and that the charge for the city is to make sure no further issue is caused, meaning not landlocking the parcel.

City Attorney Burke stated 2413 3rd Court does not have access to a public road and that staff has been researching how this lot came to be created and acquired since this creates a problem for abandonment of the subject right of way. Applicant Kenneth Holt stated the primary reason for the vacation was to build an extension to his house and meet setbacks and that he has no place to park except on this right-of-way.

Public Participation: None

Board Action:

Motion to recommend denial: Brian Neubauer

Seconded Motion: Christopher Stamps

Motion Passed 5-0

5.c. **Airport Road, Case No. CMPA2306:** Request for Annexation, Land Use Change and Rezoning of 2.14 Acres (Approx.) from Residential-1, R-1 (Bay County) to General Commercial-2, GC-2 (Panama City), Airport Road Parcel ID# 13032-010-000, 3716 Airport Road (Parcel ID #13032-000-000), 3712 Airport Drive (Parcel ID # 13032-020-000), Coastal Classic Holdings, LLC, Owner and Brian Knox, Coastal Classic Holdings LLC, Applicant

Senior Planner Haley made the staff presentation. Staff recommended that the application be recommended for approval. She explained that at the last meeting for items 5.c. and 5.d. the notice signs incorrectly stated the meeting time at 8 AM and that staff had remedied that by posting signs at City Hall; however, the applicant refiled the applications to ensure due process in the event of a lawsuit being filed against the project.

Chair Dubuque disclosed that he had seen Mr. John Pilcher at a local restaurant and that they discussed how the meeting went but not the applications themselves. He invited the applicant to speak.

Applicant: Brian Knox of Coastal Classic Holdings, LLC, 1208 Discovery Loop North – stated there had been no change to the applications since last month and he refiled due to lawsuit threat.

Chair Dubuque noted that the Board has minutes from the October meeting with speakers and comments listed. City Attorney Burke stated the Board could vote to make the minutes from October part of this meeting's record.

Board Action:

Motion to make the October 10, 2022 meeting minutes for this application part of the record for this meeting (See Attachment A): Brian Neubauer

Seconded Motion: James Barker

Motion Passed 5-0

Public Participation:

John Pilcher, 1224 Bluestem – Opposed, stated he was at the October meeting, lots of people were upset about the project, and that he was concerned about 72,000 square feet of warehouse and RV/boat storage and the resulting traffic going through Sweetbay. He stated he obtained signatures from 40 property owners affected by the project who are opposed and submitted it to staff. He stated Sweetbay is already a problem and this would make it worse.

Marvin Strickland, 1217 Bluestem – In favor, stated all the concerns were about traffic and discussed what would be allowed under the existing R-1 zoning if the application were turned down altogether, including 8 houses per acre. He listed other R-1 uses and stated that Sweetbay was R-2 which would be a tremendous amount of traffic.

Chair Dubuque noted that comments were received from Ms. Rouse who came to the office and that they would be included in the information provided to the Commission.

Edward Malagon, 3121 Veranda – stated that the property would go to GC-2 and that something could change and a different project could go there. He stated GC-2 raises a problem because anything could go there and asked what GC-2 does not allow.

Director Fuller indicated stated that residential could not go in GC-2.

Mr. Malagon stated that commercial could include dry cleaning and chemicals, that the change was opening the door for just about anything and that it is not in line with the area.

In response to Chair Dubuque, Senior Planner Haley stated staff proposed GC-2 because the applicant intends to do warehousing, and that staff has been firm about GC-2 being the appropriate zone for warehousing.

John Pilcher – stated he has no problem with annexing the property as R-1 and did not believe eight houses could go there with septic and wells. He stated there is no guarantee it will be a warehouse and that GC-2 is scary.

Chair Dubuque invited applicant Brian Knox to respond.

Applicant Brian Knox stated that regarding traffic, he has never seen a crowded storage unit. He discussed the entrances off Airport Drive and 30th Street and that there should not be concern about people driving trailers through Sweetbay. He stated that the actual structure would be about 160 feet off back porches versus multistory single-family homes which could be 40 feet with windows looking into backyards. He does not believe the properties to the west backing the industrial are worth any less than those that would be backing this project. In response to Chair Dubuque, he confirmed the project would be three stories with RV/boat storage on the parcel to the south.

Director Fuller reiterated that the request is to annex and change the land use and that the details of the project would be determined in the development order process which would not come before the Planning Board.

Board Action:

Motion to recommend approval: Brian Neubauer

Seconded Motion: Christopher Stamps

Motion Passed 4-1 (Crosby dissenting)

- 5.d. **1237 W 30th Street, Case No. CMPA2307:** Request for Annexation, Land Use Change and Rezoning of 0.65 Acres (Approx.) from Residential-1, R-1 (Bay County) to General Commercial-2, GC-2 (Panama City), Redneck Riviera Packing Co. Inc., Owner and Brian Knox, Coastal Classic Holdings LLC, Applicant

Senior Planner Haley made the staff presentation. Staff recommended that the application be recommended for approval.

Board Action:

Motion to make the October 10, 2022 meeting minutes for this application part of the record for this meeting (See Attachment A): Brian Neubauer

Seconded Motion: James Barker

Motion Passed 5-0

Chair Dubuque asked if anyone had anything new to add for this application.

Public Participation: None

Board Action:

Motion to recommend approval: Brian Neubauer

Seconded Motion: Christopher Stamps

Motion Passed 4-1 (Crosby dissenting)

In response to John Pilcher, Chair Dubuque noted for the record that the petition presented by Mr. Pilcher for 5.c. was also for this item 5.d.

- 5.e. **W 27th Street and Fairland Avenue, Case No. CPMA2313:** Request for Annexation, Land Use Change and Rezoning of 2.39 Acres (Approx.) from Commercial General, C-3 (Bay County) to General Commercial-2, GC-2 (Panama City), 1516 Hwy 390 W (Parcel # 13132-000-000), 1503 27th St W (Parcel ID # 13131-000-000), 2538 Fairland Ave (Parcel # 13158-000-000) and Fairland Ave (Parcel ID# 13132-010-000), Smith Building Specialties Inc., Owner and Applicant

Planner Brown made the staff presentation. Staff recommended that the application be recommended for approval.

Chair Dubuque invited the applicant to speak and for any members of the public to come forward.

Applicant: Sean McNeil, McNeil Carroll Engineering, 475 Harrison Avenue – stated the property is already developed and the owner’s intention is to expand the warehouse on the south side and change the designation to match the existing property.

In response to Chair Dubuque, Applicant McNeil stated that he is familiar with Public Works’ comments regarding utility availability and will make the owner aware.

Public Participation: None

Board Action:

Motion to recommend approval: Brian Neubauer

Seconded Motion: James Barker

Motion Passed 5-0

5.f. **3100 Airport Road, Case No. CPMA2314:** Request for Land Use Change and Rezoning of 4.36 Acres (Approx.) from Residential-1, R-1 (Panama City) and Mixed Use-3, MU-3 (Panama City) to Mixed Use-3, MU-3 (Panama City), Murphy Bromlow Rental, LLC, Owner and Brad Bromlow, Applicant

Planner Brown made the staff presentation and stated the recommendation was to recommend approval.

Chair Dubuque invited questions for staff and invited the applicant to speak.

Applicant: Sean McNeil, McNeil Carroll Engineering, 475 Harrison Avenue – stated the property currently has two designations and the problem is that MU-1 went away. He stated the project would be townhomes and that the owner is present.

Public Participation:

Greg Buschmeyer, 1704 31st Ct – Opposed, stated he had no problem with single-family homes but is concerned with water and sewer which were never extended to his property as promised by previous city manager, Mr. Brown. He discussed the history of the property’s zoning and that Sweetbay has not completed promised road improvements. He stated traffic is horrible and the road is terrible, and discussed the number of cars per unit and volume of traffic, not including the shopping center or school traffic. He stated he does not believe the city is going to catch up to the bottleneck traffic pattern and that is no guarantee what the property owner will build.

Chair Dubuque disclosed that he used to work with Mr. Buschmeyer.

Senior Planner Haley stated that Public Works comments indicated that water and sewer would only be available for major underground extensions at the developer’s expense. In response to

Board Members, she indicated that part of the property is already MU and that Public Works comments do not affect staff's recommendation here.

J.P. Ferreira, 1716 W. 30th Ct, Opposed – stated this project should be denied like the one from the past across the street on Lisenby, that it is surrounded by single-family homes and that the triangle shaped MU parcel is a retention pond and a creek runs through there. He stated his property is the only house on his street required to have flood insurance, that traffic is a consideration and the use is not compatible.

Frank Sundram, 1829 W 30th St, Opposed – stated the property across the street to the north will have a gas station, traffic should be factored in, and the project will add to vehicle density. He is concerned about pollution and runoff, changing the nature of the street, adding to it without a real plan, creating stress on utilities and neighbors. He stated this would be a blank check to the property owners, that he had no problem with single-family, that Sweetbay is going to be ultra-crowded and this is not right.

Property Owner: Brad Bromlow, 2540 Jenks Ave – stated about 30 units could be built there, with 15 on R-1 and 32 townhomes with two bed/two bath. He stated that right now on the MU-3 portion he could build apartments with 30 doors, that he is not trying to maximize the site. He stated he is well aware of having to bring in water and sewer themselves. He said the project would be 8 quadraplexes with 32 units, two stories with one-car garage and that he is happy to discuss any questions.

In response to Chair Dubuque, Mr. Bromlow stated that he could not share a preliminary plat today, and that “allowed” does not mean it is physically possible, that the property would not support the maximum.

Mr. Buschmeyer – restated concerns about depleted infrastructure and traffic.

Chair Dubuque noted that nine entrances to Sweetbay are planned and asked if PUDs are ever looked at again after they are approved. Director Fuller stated the Sweetbay PUD requires Board and Commission conceptual approval of each phase before they can continue on. Senior Planner Haley stated that the Phase 3 development order and the 1D north and 1D south development order are in which have connections to Frankford. She noted that staff reviews these each time and that there are multiple levels of review. Director Fuller acknowledged that the road network needs improvement but that a lot of roads are county and not city.

Board Action:

Motion to recommend approval: Christopher Stamps

Seconded Motion: Brian Neubauer

Motion Passed 4-1 (Barker dissenting)

5.g. **714 E 4th Street, Case No. CMPA2315:** Request for Land Use Change and Rezoning of 0.47 Acres (Approx.) from Residential-1, R-1 (Panama City) to General Commercial-1, GC-1 (Panama City), Spinal Care Plus, P.A., Owner and Applicant

Planner Russ made the staff presentation. Staff recommended that the application be recommended for approval.

Chair Dubuque noted that the applicant was not present. Director Fuller explained that the land use change and rezoning were initiated after a sign application for the business was submitted for the property which is zoned R-1 for residential use, although the business has been there for years.

Chair Dubuque invited the questions from the Board for the applicant.

Public Participation: None

Board Action:

Motion to recommend approval: Doug Crosby

Seconded Motion: James Barker

Motion Passed 5-0

6. **Audience Participation:** None

7. **5:17 p.m. The meeting adjourned.**

Attachment(s):

A. Approved October 10, 2022 Planning Board Meeting Minutes



City of Panama City Planning Board

MINUTES

Monday, October 10, 2022
City of Panama City, City Hall
501 Harrison Avenue, Lower Level, Room 010
Panama City, FL 32401

1. **4:00 p.m. Chair Dubuque called the Planning Board meeting to order.**

Roll Call by Rebecca Ando, Administrative Assistant, with the following members present: Ray Dubuque, Chair, Doug Crosby, Christopher Stamps, Brian Neubauer, and James Barker.

Also in attendance: Planning Department Staff (Michael Fuller, Community Development Director, Jiwuan Haley, Senior Planner, Savannah Brown, Planner II, Orlando Russ, Planner I), and City Attorney, Michael S. Burke.

2. **Changes or Deletions:** Chair Dubuque stated that Requests Three (1138 Mulberry Avenue) and Four (1415 Highway 231) are being continued to the November 14 Planning Board meeting.
3. **Minutes to Approve:** September 13, 2022 minutes

Board Action:

Motion to approve: Brian Neubauer

Seconded Motion: James Barker

Motion Passed 5-0

4. **Announcements – Disclosures (as applicable):**

Chair Dubuque stated that Request One (Bay City Point Plat) will have a final hearing before the City Commission on November 8, 2022 at 8 AM; Requests Five through Eleven will have their first readings before the Commission on November 8, 2022 at 8 AM and their public hearing and final readings on Tuesday, November 29, 2022 at 8 AM; Requests Three and Four will not have a City Commission hearing as variance requests do not go before the City Commission. He stated City Commission meetings are held at the Bay County Government Center Commission Chambers, 840 W 11th Street. He stated that other than for variances, the Planning Board makes recommendations to the City Commission and the Commission has the final say.

Board Member Barker announced that he has a conflict of interest on Request Ten (E 11th Street).

No other disclosures were made.

5. **Requests:**

5.a. **Request One – Preliminary Plat Approval for Bay City Point Phase 3, Case No. PRPL2301:**

Request for Preliminary Plat Approval for Bay City Point Phase 3, Located at Southwest Quadrant of E 23rd Street and MLK Jr. Boulevard/N Cove Boulevard/Highway 77; Hawkins Point Partners, LLC, Owner and Dewberry Engineers, Inc. (Frederick Rankin), Applicant

Director Fuller made the staff presentation, recommending that the application be recommended for approval. The Chair invited the public to speak.

Public Participation: None

Board Action:

Motion to recommend approval: Brian Neubauer

Seconded Motion: Doug Crosby

Motion Passed 5-0

5.b. **Request Two – 305 Spring Avenue, Case No. VROW2302:** Request for Vacation of 25 ft. of R.O.W. Located North of 305 Spring Avenue to Use for Driveway for Residential Home; City of Panama City, Owner and Kenneth B. Holt, Applicant

City Attorney Burke stated 2413 3rd Court does not have access to a public road and that staff has been researching how this lot came to be created and under current ownership since this creates a problem for abandonment of the subject right of way. He further stated that the full 50 feet of the right of way would be abandoned, not just the 25 feet shown as hatched on the map, with the half going to the property to the south and half to the property to the north. City Attorney Burke stated the Board could hold the public hearing and consider the application or table the item and allow staff to further research and the applicant to work with the affected property owners on a resolution. He further explained that development of a home on 2413 3rd Court would require improvement of the street.

Chair Dubuque invited the public to speak.

Applicant: Kenneth Holt, 305 Spring Avenue – stated the 25 feet of right of way abutting his property is currently used as a driveway and that his neighbor to the north gave him a letter stating he does not want anything to do with the north half of the right of way.

City Attorney Burke stated that rule of law requires the entire 50 feet be abandoned and split between the adjoining owners then the north half could later be sold to Mr. Holt by the neighbor.

Mr. Holt stated that the landlocked lot was acquired by abandoning 3rd Court.

Attorney Burke recommended tabling the item to November to allow further research into the lot and discussions among the neighbors. In response to Chair Dubuque he stated that the owners of 2413 3rd Court object to the abandonment and also own 2405 3rd Street.

Board Action:

Motion to table the item to November 14: Brian Neubauer

Seconded Motion: Doug Crosby

Motion Passed 5-0

- 5.c. **Request Three – 1138 Mulberry Avenue, Case No. VAR2303:** Request for Variance to Allow for 5 ft Side Setback Instead of 12 ft and 23 ft 8 in Rear Setback Instead of 30 ft, Frankie T. Nowell, Owner and V.J. “Vance” Nowell, Applicant

This item was continued to the November 14 Planning Board meeting.

- 5.d. **Request Four – 1415 Highway 231, Case No. CPMA2304:** Request for Annexation, Land Use Change and Rezoning of 0.17 Acres (Approx.) from General Commercial Low, C-3A (Bay County) and General Commercial-1, GC-1 (Panama City) to General Commercial-2, GC-2 (Panama City), Annette C. Lowe, Owner and Kevin Wattenbarger, Applicant

This item was continued to the November 14 Planning Board meeting.

- 5.e. **Request Five – 2636 State Avenue, Case No. 2305:** Request for Annexation, Land Use Change and Rezoning of 0.060 Acres (Approx.) from Residential-1, R-1 (Bay County) to Residential-1, R-1 (Panama City), Florida Homes of Hope, LLC, Owner and Applicant

Planner Brown made the staff presentation. Staff recommended that the application be recommended for approval.

Chair Dubuque invited the applicant to speak and for any members of the public to come forward.

Public Participation: None

Board Action:

Motion to recommend approval: Doug Crosby

Seconded Motion: Brian Neubauer

Motion Passed 5-0

- 5.f. **Request Six – Airport Road, Case No. CPMA2306:** Request for Annexation, Land Use Change and Rezoning of 2.14 Acres (Approx.) from Residential-1, R-1 (Bay County) to General Commercial-2, GC-2 (Panama City), Airport Road Parcel ID# 13032-010-000, 3716 Airport Road (Parcel ID #13032-000-000), 3712 Airport Drive (Parcel ID # 13032-020-000), Coastal Classic Holdings, LLC, Owner and Brian Knox, Coastal Classic Holdings LLC, Applicant

City Attorney Burke swore in the staff and advised the public to indicate their oath after stating their name and address before speaking.

Senior Planner Haley made the staff presentation and stated the recommendation was to recommend approval. She further explained that the hearing notice sign posted on this property

and on the property for Request Seven had the correct date but indicated an 8 AM meeting time rather than 4 PM. She stated that staff posted notice in the City Hall building before 8 AM to notify anyone who arrived early for the meeting that it would begin at 4 PM. She stated that the newspaper notice and the mailed notices had the correct starting time.

Chair Dubuque asked how many people in the audience were there to speak on this item and noted that since people were present, the Board had received several letters, and the item would later also be heard by the Commission, that the Board would proceed with hearing the item.

Chair Dubuque invited questions for staff. In response to Chair Dubuque, staff indicated a 40 foot buffer exists and a sliver of Light Industrial abuts the subject site's north boundary. Senior Planner Haley explained the property configuration and applicability of setbacks.

Chair Dubuque invited questions for staff and invited the applicant to speak.

Applicant: Brian Knox of Coastal Classic Holdings, LLC, 1208 Discovery Loop North - stated that he lives in SweetBay, and that he is building homes there, and is a builder and real estate investor by trade. He stated he wants to be a good neighbor and provide amenities that would be useful to the neighborhood. He stated the notices he mailed out described the proposed climate-controlled storage. He noted that east is commercial, west is industrial and this would be within 100 feet of Highway 390 that is being 6 laned. He does not believe it makes sense to remain residential and that storage was picked due to low traffic to area, no noise, and it is not an active business at night. The business would be 60 feet from property line, 100 feet off anyone's back fence, and 120 feet off anyone's back porch. He stated it is being designed to be pretty and compatible with SweetBay town center. He believes this is a better use than homes with lesser setbacks that could look into backyards.

In response to Chair Dubuque, Mr. Knox stated Request Seven is related to this and the building would be 75,000 square feet, three stories high and approximately 30 feet tall. He also noted that the adjacent light industrial uses include an HVAC supply and a flooring business. He stated he wanted to put cards on the table and show what he intends to do.

In response to Chair Dubuque, Senior Planner Haley stated that GC-2 is the least intensive zone for warehouse use and explained the location of the county ditch to the north, the setbacks for the properties and that the south parcel is adjacent to residential so more restricted.

In response to Chair Dubuque, Mr. Knox stated the stormwater would be located in the northeast corner.

Chair Dubuque invited the public to speak.

Public Participation:

John Pilcher, 1224 Bluestem Street – Opposed, stated he was a city commissioner for 18 years and owned 1200 warehouse units in the community. He thinks there will be traffic and that the pattern will prevent people from turning north from the property due to the

configuration of 390 and will have people going north through SweetBay. He stated that RVs will need 24-hour access. He prefers that this be built by Discovery Loop instead of here. He said that lighting is a factor and this will affect quality of life. He stated there is no guarantee that something unexpected will not come up to prevent the applicant from building this project. He stated that his comments are for this and the parcel to the south (Request Seven). He stated he bought with the understanding that residences would be built here and is adamantly opposed to both parcels being rezoned.

Marvin Strickland, 1217 Bluestem Street – In favor – stated he has been there six years and read the uses for the county zoning of residential and would rather look at this project than what else is allowed which would result in more traffic. He stated that apartments would be worse and this would be quiet and not an eyesore.

Delia Wilkins, 3108 Veranda Avenue – Opposed – stated she moved here after Hurricane Michael and was shocked by the apartment complexes put in behind her house which have affected property values, and now they want to put in this development. She stated it will affect her home, community, traffic getting in and out which is a nightmare on Veranda. She believes a three-story building will enclose the nearby properties and depreciate the homes.

Janet McDonald, 1229 Bluestem Street – Opposed, stated her home is just in front of this area and that she came here after Hurricane Michael. She said the idea of looking at wall behind her house is disturbing and asked what about security lighting on all night by her bedroom, what about the land use if he chose to sell it, and whether there would be any screening or barrier or just a wall.

Danny McDonald, 1329 Bluestem Street – Stated the picture they received showed a nice looking building but the biggest factor is fencing or a retaining wall because it is going to be storage. He said these were not indicated, that security lights were a big concern, and asked where RV storage would be.

James Wilkins, 3108 Veranda Avenue – Opposed, stated he did not know about the outdoor storage part and that it exists already at the entrance to Airport Drive. He asked about hurricanes and outdoor stuff right next to houses and said it would be very dangerous. He also noted concern about aesthetics of the building and all the traffic and driving over yards because the roads are narrow and curvy.

Anas Karaman, 1305 Bluestem Street – Opposed, stated his concerns were from a safety perspective, that sometimes people stay in storage units, and asked if there is going to be a barrier, or would it affect drainage behind his home.

Applicant Brian Knox, 1208 Discovery Loop North, addressed the comments stating:

-Safety – site would be fully secured, access would be only for people renting units and that this is less of a concern than other outdoor storage. In response to Chair Dubuque he stated there would be an onsite manager during the day but at night there would be a security system.

-Drainage – all will be fed to stormwater retention per city requirements

- Hurricane debris – outdoor storage would be south by 390; the building would block debris from residences.
- Entrance – Main entrance would be off Airport, boat storage entrance on 30th
- Barrier – site would have trees all along Bluestem, plus security fence, but type has not been determined yet
- Property value - Agree to disagree about effect on property values; he said it would be the prettiest building he could build and comparable to what is in SweetBay.

Danny McDonald – thanked the applicant for clarification, stated he was glad about the outdoor storage location and asked about lighting.

Mr. Knox stated the lighting would be down at eyesight level, not 30 feet in the air. In response to a question, the applicant stated that the contract to buy the southerly parcel is contingent on approval of the annexation and rezone.

James Wilkins – stated he was confused on access and that if the RV/boat storage is at the south, it will look like an industrial zone at the entrance to the neighborhood, unless there were a solid fence to block the view.

Mr. Knox stated the outdoor storage would be covered with metal roofing.

Marvin Strickland – questioned the decrease in property values and stated Lisenby Avenue construction is an eyesore and this project is better than that.

Chair Dubuque invited comments from Board members and stated the only thing he was concerned with is the adjacent property was industrial and it was annexed in as commercial and has access from 390 whereas these properties are going from residential to commercial and will have to go up Airport. He also stated that regarding traffic, the biggest issue is SweetBay and that it is going to get worse because they are still building. He stated he has heard there will be nine entrances to SweetBay ultimately and that these two lots will not generate traffic of major concern compared to what else is going on in SweetBay.

In response to Board Member Barker, the applicant stated the HVAC business has been there. There might be some traffic that.

Danny McDonald – stated that this is adding to what they are susceptible to, that it was not there when they bought like the other stuff was. He stated the city should be bringing this property is as it is from the county, not changing it.

In response to Chair Dubuque, Applicant Brian Knox stated he wanted to be in the city because of the utility access and because he did not want to be an enclave.

Chair Dubuque reminded the public that they can attend the Commission meeting November 8.

Board Action:

Motion to recommend approval: Christopher Stamps

Seconded Motion: Brian Neubauer
Motion Passed 4-1 (Crosby dissenting)

5.g. **Request Seven – 1237 W 30th Street, Case No. CMPA2307:** Request for Annexation, Land Use Change and Rezoning of 0.65 Acres (Approx.) from Residential-1, R-1 (Bay County) to General Commercial-2, GC-2 (Panama City), Redneck Riviera Packing Co. Inc., Owner and Brian Knox, Coastal Classic Holdings LLC, Applicant.

Senior Planner Haley made the staff presentation. Staff recommended that the application be recommended for approval.

Chair Dubuque invited the questions from the Board for the applicant.

City Attorney Burke noted that Mr. Pilcher asked that his comments for Request Six be restated for this item and that anyone else can do the same. Chair Dubuque stated that all the speakers' comments from the previous item would be included for this item. Chair Dubuque invited anyone else to speak. No new speakers responded.

Public Participation: Same as for Request Six (Airport Road, Case No. CPMA2306)

Board Action:

Motion to recommend approval: Brian Neubauer

Seconded Motion: Christopher Stamps

Motion Passed 4-1 (Crosby dissenting)

5.h. **Request Eight – 713 Bunkers Cove Road, Case No. CPMA2308:** Request for Land Use Change and Rezoning of 0.64 Acres (Approx.) from Residential-1, R-1 (Panama City) to Recreation, R (Panama City), City of Panama City, Owner and Brittany Melo – PMO, City of Panama City, Applicant

Planner Russ made the staff presentation. Staff recommended that the application be recommended for approval.

Chair Dubuque invited the public to speak and asked for any questions from the Board.

Public Participation: None

Board Member Stamps asked whether parking spaces were being added.

Applicant: Brittany Melo, PMO – stated there would be 10 golf cart parking spaces and one handicapped full-size space.

Board Action:

Motion to recommend approval: Doug Crosby

Seconded Motion: James Barker

Motion Passed 5-0

5.i. **Request Nine – 1100 Fountain Avenue, Case No. CPMA2309:** Request for Land Use Change and Rezoning of 0.74 Acres (Approx.) From Recreation, R (Panama City) to Public Institutional, P/I (Panama City), Girls Incorporated of Bay County, Owner and Elizabeth Moore, P.E., Applicant

Planner Brown made the staff presentation. Staff recommended that the application be recommended for approval.

Chair Dubuque invited the public to speak and asked for any questions from the Board.

Public Participation: None.

Applicant: No comments.

Board Action:

Motion to recommend approval: Brian Neubauer

Seconded Motion: Christopher Stamps

Motion Passed 5-0

5.j. **Request Ten – E 11th Street (Parcel ID # 16454-220-010), Case No. CPMA2310:** Request for Land Use Change and Rezoning of 0.31 Acres (Approx.) from General Commercial-2, GC-2 (Panama City) to Mixed Use-2, MU-2 (Panama City), Michael Mitchell Enterprise LLC, Owner and Michael Anthony Mitchell, Jr., Applicant

Chair Dubuque noted that Board Member Brown would be abstaining from the vote on this item.

Planner Brown made the staff presentation. Staff recommended that the application be recommended for approval.

Chair Dubuque invited questions from the Board and invited the public to speak.

Applicant: Denise Rohan, 558 Harrison Avenue on behalf of Michael Mitchell, Jr. – she noted the Board voted to approve last time, but the City Commission did not and that she does not understand why. She stated she has heard concerns about noise but that there is not sufficient parking for other commercial uses on the site. She stated that stormwater would be addressed in the DO process and that the Noise Ordinance is the Noise Ordinance. She stated the applicant wants to do one to three townhomes and shared a picture with the Board. She added that there would be a buffer in the back and two stories were planned. She stated the proposed MU zoning is consistent with the development and zoning around the property.

Chair Dubuque asked if the other Board Members had any questions for applicant and whether they received the correspondence from the neighbor's attorney Alvin Peters requesting to continue this item to November. City Attorney Burke explained the right to continue is for staff and the applicant only.

In response to Board Member Neubauer, Senior Planner Haley described the previous proposal for MU-3 and feedback from the commissioners.

Chair Dubuque invited the public to speak.

Public Participation:

Bruce Bush, 2150 E 11th Street – Opposed, stated he owns 1027 Kurze Avenue and has been through multiple meetings on this property. He stated that the owner will propose as many apartments as he can get and that the City Commission turned it down because they do not know what will happen. He stated the owner lives in Atlanta and uses his mother’s address and hired a lawyer. He stated nobody knows what the owner is up to, that he is going to sell the land and that it has been shut down twice by the Commission.

Melanie Weems, 423 Massalina Drive – Opposed, stated GC is highest and best use for this parcel and that the location is undesirable for residents and will bring undesirable results. She stated GC is best for the small businesses that are needed in this area to serve the people living there. She recommended denial and stated more housing not needed in this area.

Frederick Mosely, 807 West Street – Opposed, stated it was a problem to change to MU2 with the vacuum cleaners close. He discussed the Noise Ordinance and decibel levels and stated the lot is extremely small. He questioned whether he would get violation tickets and get shut down as a nuisance. He stated he had been operating 27 years until Hurricane Michael and reopened 2 weeks ago. He mentioned he is in a flood zone that would require engineering and that a fence would not help with noise. He believes residential will create problems for him.

In response to a question, staff explained that applicant is coming back with the original request of MU-2 and that last time it was MU-3. Chair Dubuque noted that they seldom get a request to go from commercial to residential. Director Fuller explained the noise ordinance decibel levels of 70 db at night after 10 PM and the daytime limit of 75 db.

Chair Dubuque invited a motion. City Attorney Burke explained that this has been before the Board twice before and that if they wish to do something different than in the past, they would need to explain why. Chair Dubuque noted that there is now a plan showing what would potentially be built.

Board Action:

Motion to recommend approval: Brian Neubauer

Seconded Motion: Christopher Stamps

Motion Passed 4-0-1 (Barker abstaining)

- 5.k. **Request Eleven – 1429 Balboa Avenue, Case No. RZ2311:** Request for Rezoning of 0.54 Acres (Approx.) from General Commercial-1, GC-1 (Panama City) to General Commercial-2, GC-2 (Panama City), William R Jr. Hill Trustee, Owner and William Brandon Hill, Applicant

Planner Russ made the staff presentation. Staff recommended that the application be recommended for approval.

Chair Dubuque invited questions from the Board and the public to speak.

Public Participation: None.

Board Action:

Motion to recommend approval: James Barker

Seconded Motion: Doug Crosby

Motion Passed 5-0

6. **Audience Participation:** Pete Cross, 1811 Beck Avenue – asked about the application submitted for 1213 Beck Avenue. Staff stated that the application has been withdrawn and that the notice sign will be taken down.
7. **5:35 p.m. The meeting adjourned.**