



City of Panama City Planning Board

Minutes

Monday, March 14, 2022 4:00 PM
City of Panama City, City Hall
501 Harrison Avenue, Lower Level, Room 010
Panama City, FL 32401

4:00 pm: Chairman Dubuque called the meeting to order.

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

Also in attendance: Planning staff (Mike Lane, Planning Director, Jiwuan Haley, Senior Planner, and Rebecca Ando, Administrative Assistant)

Changes / Deletions: By consensus the Board continued Request Five and Request Six since no mailout information was submitted by the applicant.

Minutes to approve: None

Announcements: Chairman Dubuque stated that for City Commission decisions, first readings would occur on April 12 and second readings on April 26. He stated that for variances, the Planning Board makes the final decision.

Disclosures: Board Member Barker stated he would abstain on Request 7 (E. 11th Street)

Requests:

Request One – PB 22-29: Request for annexation, land use change and rezoning of 0.499 +/- acres from Residential-1, R-1 (Bay County) to Residential-1, R-1 (Panama City), 2908 Tupelo Drive, John G. and Gena A. Burgans, owner and Gena A. Burgans, applicant

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

Chairman Dubuque invited the applicant to speak.

Applicant: Gena Burgans explained the change was requested to access City water and sewage.

Public Participation: Kayla Bui, 2905 Tupelo Dr., questioned why the change.

Board Action:

Motion to recommend approval: Doug Crosby

Seconded Motion: James Barker

Motion Passed 5-0

Request Two – PB 22-30: Request for land use change and rezoning of 0.131 +/- acres from General Commercial-1, GC-1 (Panama City) to Mixed Use-3, MU-3 (Panama City), 1817 Beck Avenue, Nathan Lee Head, owner and applicant

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

Chairman Dubuque invited the applicant to speak and the applicant declined.

Public Participation: None

Board Action:

Motion to recommend approval: Brian Neubauer

Seconded Motion: Doug Crosby

Motion Passed 5-0

Request Three – PB 22-31: Request to the City is to grant a variance from the corner setback requirements. The corner setback along 19th should be 20 ft. but the variance would reduce it to 6 ft., 1817 Beck Avenue, Nathan Lee Head, owner and applicant

Jiwuan Haley, Senior Planner, made the staff presentation. Staff recommended approval of the application.

The Board asked if there were concerns about with blocking traffic. Director Lane responded.

Applicant: Nathan Head stated that two townhomes would be built and that they would be set back a long way from Beck Avenue. Driveways would connect to Beck Avenue.

Public Participation:

Pete Chronis, 1811 Beck Avenue—Concerned over lack of sidewalks and close proximity of building to the street, that it would be sticking out.

Board Action:

Motion to approve: Brian Neubauer

Seconded Motion: Doug Crosby

The Board discussed the motion and agreed to include a strong recommendation that sidewalks be continued along the property.

Motion Passed 5-0

Request Four – PB 22-32: Request to the City is to grant a variance from the accessory structure requirement that accessory structures shall be on the side or rear of the principal structure. The property owner seeks to have a carriage house in the front yard, 4204 Northshore Islands Road, Jason Bense, owner and Clifford C. Myers, applicant

Jiwuan Haley, Senior Planner, made the staff presentation. Staff recommended approval of the application.

Chairman Dubuque invited the applicant to speak.

Applicant: Wes Seaborn, Architect/Director, indicated he was available to for questions.

Public Participation: None

Board Action:

Motion to approve: Doug Crosby

Seconded Motion: Brian Neubauer

Motion Passed 5-0

Request Five – PB-33: Request for land use change and rezoning of 0.168 +/- acres from Residential-1, R-1 (Panama City) to General Commercial-1, GC-1 (Panama City), 2925 Stanford Road, Bowman Family LLC, owner and Scott Bowman, applicant

This item was continued at the beginning of the meeting.

Laura Self, 2915 Marron Dr.—Opposed. Will save comments for next meeting

Request Six – PB 22-34: Request for land use change and rezoning of 4.775 +/- acres from General Commercial-2, GC-2 (Panama City) to Urban Residential-2, UR-2 (Panama City), 4810 W Highway 98, Panama Assets LLC, owner and Eran Shemesh, applicant

This item was continued at the beginning of the meeting.

Request Seven – PB 22-35: Request for land use change and rezoning of 0.307 +/- acres from General Commercial-2, GC-2 (Panama City) to Mixed Use-2, MU-2 (Panama City), E 11th Street (Parcel ID #: 16454-220-010), Michael Mitchell Enterprise LLC, owner and Michael Anthony Mitchell Jr., applicant

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

Chairman Dubuque invited the applicant to speak and noted no applicant was present. In response to Chairman Dubuque, staff stated that no use was specified. Staff indicated some correspondence was received with concern about noise issues.

Public Participation:

Bruce Bush, 2150 E. 11th St/1027 Kurze Ave—Against; stated that there is commercial property all around but the applicant wants to rezone to residential. He also stated he wanted to buy the property but that it didn't work out. He stated he had spoke with the county engineer regarding the county-maintained ditch in front of the property that would prevent access to 11th Street. He stated he does not want the applicant to build townhouses here because he was not allowed to do so himself previously.

Rodney Adams, 1016 and 1020 Kurze Ave—Against; he stated that traffic was bad already and that he wants more detail on the property and he has reservations about a zoning change.

Marvin Davis, 1008 Kurze Ave—Against

Frederick Rosen, 2250 11th St—Against; he stated he owns the carwash next door and noted that there is no way a homeowner will be happy with the carwash noise, that it is 24/7 with music. He stated that the carwash is currently down due to the hurricane but it will be back. He stated that he also had tried to buy the property.

James Barker, 1018 Kurze Ave—Against; He stated that he did not know the city had changed the zoning to commercial. He stated that a change to residential is not needed and that a buffer is needed. He stated that there is noise on Saturday morning from the carwash. He agrees with the other objections to the zoning change.

The Planning Board discussed the application. Chairman Dubuque noted that there was Mixed Use to the east but he was uncertain of the use. He agreed that it was hard to get in and out of the property. Board Member Stamps observed that objections usually came up with someone proposing a change from residential to commercial, not to commercial going residential, and that he wished the applicant were present.

Board Action:

Motion to Recommend Denial due to absence of Applicant: Doug Crosby

Seconded Motion: Brian Neubauer

Motion Passed 4-0-1 (Barker Abstaining)

Chairman Dubuque noted that people should express their concerns to their commissioners, and that the Commission votes at the final reading which should be on April 26. He recommended that people concerned should go to the first reading as well on April 12.

Request Eight – PB 22-36: Request for land use change and rezoning of 0.275 +/- acres from Residential-1, R-1 (Panama City) to Mixed Use-3, MU-3 (Panama City), 403 and 405 E 4th Street, Rachel Butts, owner and Diadem Developments, applicant

Senior Planner Jiwuan Haley presented the application. Staff recommends that the application be recommended for approval. There was discussion of a discrepancy in the parcel size between staff and the applicant.

Chairman Dubuque invited the applicant to speak.

Applicant: Tim Buschay, Diadem Developments, appearing via Zoom, explained his reasoning for requesting the change, stating he would like to rebuild housing units on the property.

Board Member Barker asked if the applicant had received any comments from surrounding neighbors. Mr. Buschay said no.

Chairman Dubuque asked about the plans for the property. In response, Mr. Buschay stated four units are planned but that escrow has not closed yet, pending the zoning change. He stated that the property has multiple code violations and that according to city officials, the property is a candidate for demolition. He stated that the property is a gateway to downtown and he would like to put great looking units there. He stated that this would be his first development in the city of Panama City.

Chairman Dubuque stated that Board Members had received comments from the public with concerns about the development. He suggested that the applicant get the comments and try to address them.

Emails received: Staff will send to Applicant for review

Public Participation:

Wayland Patterson, 450 Massalina Dr. – Against; stated he sent photos to the Planning Board and that he objects due to traffic, utility demand and offstreet parking, increased density when sewage capacity is already overloaded. He stated that there is no need for more retail, but that more homeownership is needed so people will be invested in the community.

Jerry Jimmerson, 536 E 4th St—Against; he stated he just bought into the Cove because it is single family residential and that he wants to keep it that way.

Melana Weems, 423 Massalina Dr—Against; she stated that proposal is inconsistent with the master plan for the area. She stated the proposal could set a precedence for the Cove to change.

Kamela Meyerson, 536 E 4th St—Against; she stated the property should contain permanent homes and she is opposed to rezoning. She likes the ability to walk to downtown but wants to keep the residential residential. She questioned how many units were proposed.

Gary Boyette, 451 Massalina Dr—Against; he stated he agreed with the previous speakers. He stated the property is an eye sore and used to be a gas station. He questioned whether the gas tanks had been removed. He stated that visibility from Massalina is already difficult and would be exacerbated.

Wayland Patterson on behalf of Matt Covey, 501 Massalina Dr—Against; he expressed concern about parking, sewer and run off into bayous that will damage fishing industry and harm dolphins. He stated property values will decline and the bayou should be dredged as soon as possible.

Katherine Ihlefeld, 409 Massalina Dr—Against; stated she agrees with other speakers. She stated that multistory apartments would infringe on her property and that there is already a lot of foot traffic and car traffic, with people turning around in her driveway.

Randy R Keel, 545 E 4th St—Against; he agreed with everyone else and stated he is happy how it is. He stated a speed bump is needed on 4th Street due to traffic.

Martin Mitchell, Listing Realtor, 3707 Bay Tree Rd., Lynn Haven—For; he stated the property is a nonconforming use from 1946 and has been multifamily for a long time. He stated the project would be an improvement over the existing conditions and that the future use could be discussed during the development order process. He noted that utility problems already exist.

In response to Chairman Dubuque the applicant discussed intentions for the property was for detached homes or limited attachments. Chairman Dubuque noted that MU-3 allows a lot of uses and questioned why that zone was chosen. Planning Director Lane responded that the Residential zone minimum lot sizes did not allow smaller lot size. The Planning Board discussed the size of the property and current number of lots. Board member Barker stated he was concerned with the change and that they do not know what they are getting.

Chairman Dubuque asked the applicant if he would like more time to discuss with the neighbors. The applicant stated there will be no commercial element to the project and that once a survey is done for the property that project will stay well within the code. Chairman Dubuque stated that MU-3 allows a lot of uses besides what the applicant may propose and that there is the potential for a property flip.

The applicant stated he submitted a site plan to staff. Planning Director Lane discussed several scenarios for number of units based on lot size and R1 and R2 zoning, and discussed the mailing notice process.

Board Action:

Motion to Recommend Denial: James Barker

Seconded Motion: Doug Crosby

Motion Passed 5-0

Audience Participation: None

5:25 pm: The meeting adjourned.