



City of Panama City Planning Board

MINUTES

Monday, July 11, 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 Bonnie Blue, City Attorney's Office, with the following members present: Ray Dubuque, Chair, James Barker, Doug Crosby, and Christopher Stamps. Brian Neubauer absent.

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

2. **Changes or Deletions:** Senior Planner Haley noted that the SweetBay Concept Plan (Request 1) would move forward to the City Commission on July 26 while the rest of the requests would move forward to the Commission on August 8.

3. **Minutes to Approve:**

a. January 10, 2022 minutes

Board Action:

Motion to approve: Doug Crosby

Seconded Motion: Christopher Stamps

Motion Passed 4-0 (Neubauer absent)

b. February 14, 2022 minutes

Board Action:

Motion to approve: Doug Crosby

Seconded Motion: Christopher Stamps

Motion Passed 4-0 (Neubauer absent)

c. March 14, 2022 minutes

Board Action:

Motion to approve: Doug Crosby

Seconded Motion: Christopher Stamps

Motion Passed 4-0 (Neubauer absent)

d. April 11, 2022 minutes

Board Action:

Motion to approve: Doug Crosby

Seconded Motion: Christopher Stamps
Motion Passed 4-0 (Neubauer absent)

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

Chair Dubuque stated that the Planning Board makes recommendations to the City Commission on zoning and land use changes and annexations, and that the items on this agenda will be decided by the City Commission with 1st Reading August 9, 2022 and 2nd Reading/Final Reading on August 23, 2022. Chair Dubuque noted that the Commission typically doesn't take discussion during the first reading but if you're insistent they will. He stated the Commission meets at 8am at the County complex on 11th Street.

Chair Dubuque welcomed Michael Fuller who has replaced Mike Lane as Community Development Director after he left the city in April.

Director Fuller stated he is glad to be here. He also corrected an error on the type of application for Request 2, which also includes a small-scale land use amendment and rezoning, not just annexation.

No disclosures were made.

5. **Requests:**

5.a. **Request One – Case No. PB 22-63:** Conceptual Plan of SweetBay Apartments Phase 2, St. Andrews Bay Land Company, LLC, Owner and Dewberry Engineers, Inc., Applicant

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

Chair Dubuque invited questions for staff from the board. There were none. Chair Dubuque asked the applicant about the access and extension of Stanford Road.

Applicant: Jonathan Skalarski, representing the applicant, stated Stanford will go across the project and down to the marina.

The Chair invited the public to speak.

Public Participation: none

Board Action:

Motion to recommend approval: Doug Crosby

Seconded Motion: Christopher Stamps

Motion Passed 4-0 (Neubauer absent)

5.b. **Request Two – Case No. PB 22-64:** Request for Annexation, Land Use Change and Rezoning of 0.619 Acres (Approx.) from Residential-1, R-1 (Bay County) to Residential-1, R-1 (Panama City), 3027 Jenks Avenue, Manuel R. Llorca, Owner and Applicant

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

The Chair invited questions from the Board and for any public speakers to come forward. There were no questions from the Board.

Public Participation: None

Applicant: Manuel Llorca was available via Zoom.

Board Action:

Motion to recommend approval: Doug Crosby

Seconded Motion: Christopher Stamps

Motion Passed 4-0 (Neubauer absent)

5.c. **Request Three – Case No. PB 22-65:** Request for Annexation, Land Use Change and Rezoning of 0.172 Acres (Approx.) from Residential-1, R-1 (Bay County) to Residential-1, R-1 (Panama City), 1118 Bay Avenue, Christopher Burch, Owner and Mike Mosley, Applicant

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

Chair Dubuque noted that per the County Appraiser the property was a Habitat for Humanity property. The Chair invited questions from the Board and for any public speakers to come forward. There were no questions from the Board.

Public Participation: None

Applicant: Not present

Board Action:

Motion to recommend approval: James Barker

Seconded Motion: Doug Crosby

Motion Passed 4-0 (Neubauer absent)

5.d. **Request Four – Case No. PB 22-66:** Request for Annexation, Land Use Change and Rezoning of 7.347 Acres (Approx.) from Residential and General Commercial (Bay County) to Urban Residential-2, UR-2 (Panama City), 1218 College Avenue, City of Panama City, Owner, and Michael Johnson – City of Panama City CRA, Applicant

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

The Chair invited questions from the Board and for any public speakers to come forward. He also noted the next item is also a city tract. There were no questions from the Board.

Applicant: Michael Johnson, City of Panama City CRA, participated via Zoom.

Public Participation:

Derek Thomas, 1100 W 10th Street – asked about the difference in density proposed. In response staff stated the maximum allowed density would be 31 units gross per acre but that was the available but not planned for maximum density.

Carolyn Land, 203 College Avenue – Opposed, questioned what the city is going to do with those 100 units and what type will they be.

Applicant Michael Johnson stated townhouses or duplexes would be planned for this and the adjacent parcel (next request) but that some of the property is wetlands that can't be used and workforce housing is proposed.

Carolyn Land – stated she is against workforce housing.

Board Action:

Motion to recommend approval: James Barker

Seconded Motion: Christopher Stamps

Motion Passed 4-0 (Neubauer absent)

5.e. **Request Five – Case No. PB 22-67:** Request for Land Use Change and Rezoning of 29.69 Acres (Approx.) from Public/Institutional, P/I (Panama City) to Urban Residential-2, UR-2 (Panama City), 2151 E. 11th Street, City of Panama City, Owner, and Michael Johnson – City of Panama City CRA, Applicant

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

Chair Dubuque invited questions from the Board and for any public speakers to come forward. He noted that this is the property to the south of the previous item with lots of wetlands.

Applicant: Michael Johnson, City of Panama City CRA, participated via Zoom.

Public Participation:

Kevin Land – 203 College Avenue – Opposed, questioned if, since the 29 acres is mostly wetlands, what is the plan to de-muck it. Concern is density. Also questioned if the property would be used for offsite wetland mitigation.

Derek Thomas, 1100 W. 10th Street – asked what density is proposed.

Applicant Michael Johnson stated no buildings would be placed on the wetlands and that he does not know what percentage of the property is wetlands. He stated the northerly parcel is where workforce housing development would begin, that they are in the early stages of planning and

that he would have more information available at the City Commission meeting. He stated he does not know the project density yet.

The Chair noted that a development order will be required which will have the development details.

Board Action:

Motion to recommend approval: James Barker

Seconded Motion: Christopher Stamps

Motion Passed 4-0 (Neubauer absent)

5.f. **Request Six – Case No. PB 22-68:** Request for Land Use Change and Rezoning of 0.307 Acres (Approx.) from General Commercial-2, GC-2 (Panama City) to Mixed Use-3, MU-3 (Panama City), Parcel # ID 16454-220-010, 11th Street, Michael Mitchell Enterprises LLC, Applicant and Michael Anthony Mitchell Jr., Owner

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

Chair Dubuque asked for clarification about what zone was proposed when this item was previously before the Board. Senior Planner Haley stated this property came before the Board in March proposed for Mixed Use-2 but is now proposed for Mixed Use-3.

Applicant: Michael Mitchell, 1301 Caldwell Drive, stated he intends to put at most two single-family homes there if it could be split into two parcels, or one home, that the density would not allow for two as is.

Chair Dubuque invited the public to speak.

Public Participation:

Frederick Moseley, 807 West Street - Opposed, stated he owns the property next door (east) with a carwash. He discussed that the vacuums will be much closer to this home than to other homes to the side and rear and it will be noisier. He stated the bays for washing are 50' away. He stated it would be better for the subject property to be commercial and have a holding pond. In response to the Chair, he stated he has not had complaints from other homes so far.

Senior Planner Haley discussed the MU-3 setbacks, stating that a corner lot requires two front yard setbacks of 15 feet, rear setback of 20 feet. Setbacks to the south would be 5 ft. and 12 ft. if there is residential zoning to the south.

Bruce Bush, 2150 E. 11th St/1027 Kurze Ave – Opposed, stated he purchased his properties 4 ½ years ago and had approached Mitchell previously. He stated the county ditch prevents driveway access to 11th Street. He stated he doesn't want traffic and that the property has been for sale for 1600 days.

Applicant Mitchell stated there is no problem backing out, he doesn't need access from 11th Street, that he tried a business on the property before and it didn't work and he wants to get his investment back with a residence on the lot.

Senior Planner Haley clarified setbacks to south would be 5 feet.

Board Member Barker clarified that he's called the police in the past because of car wash noise and that he lives at 1018 Kurze. He stated it does get loud at the carwash and can be disruptive.

In response to Board Member Stamps, Senior Planner Haley stated MU-2 parcels are all around and MU-3 was proposed because the previously proposed MU-2 had been denied by the Commission. Chair Dubuque stated there is not a lot of difference between MU-2 and MU-3.

Bruce Bush – stated that cars park up and down the street and this will bring more cars to the neighborhood.

Board Action:

Motion to recommend approval: Christopher Stamps

Seconded Motion: Ray Dubuque

Motion Passed 2-1-1 (Stamps and Dubuque yea, Crosby nay, Barker abstaining, Neubauer absent)

5.g. **Request Seven – Case No. PB 22-69:** Request for Land Use Change and Rezoning of 2.885 Acres (Approx.) from General Commercial, GC-2 (Panama City) to Urban Residential, UR-2 (Panama City), State Avenue Parcel ID# 12015-002-000, State Avenue, Michael McCormick et al, Owner and Sage Development Group, Applicant

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

Chair Dubuque stated that this property was before the Board a few months ago for apartment development and invited questions from the Board for staff; there were none.

Chair Dubuque asked the applicant what is planned.

Applicant: Sean McNeil, McNeil Carroll Engineers, representing the Drs. McCormick and Sage Development, stated that up to 48 two-story townhomes were planned. He stated that a 15-foot buffer would be kept on the north and west side of the property and that there is no intention of building four stories. He stated the property is approximately 4.68 acres. He noted that the developer, Sage Development Group, was also present for questions.

Chair Dubuque invited the developer to speak but the developer had no comments.

Public Participation:

Jim Brown, 707 Gabriel Street – Opposed, adjacent to subject parcel, stated privacy, the creek and flooding are his biggest concerns, that the end of Gabriel and Breezy flood right now. Loss of trees from hurricane means more flooding. Questioned where is traffic going to go for State Avenue since there is no way to widen. Taller trees or taller than 6-foot fence is needed for privacy. Stated he does not want workforce housing, jobs are needed, not apartments. No Dollar General.

Wilbur Campbell, 711 Gabriel Street – Opposed, lived there since 1990 and agrees with Jim Brown. He stated big pads had to be built to keep the big powerline trucks out of the bog while putting in new poles. Stated he is paying flood insurance.

Tina Sain, 616 Windy Lane – On behalf of people adjacent to the project, stated that Sean McNeil and Mr. Patel have been gracious and they like the buffer and trees proposed, but biggest concerns are flooding, water stands all the time, lift station, infrastructure, retention pond location and privacy.

Derek Thomas, 1100 W. 10th St – Discussed concerns about stormwater management and making sure water has a place to go during hurricane events.

Chair Dubuque noted UR-2 is 30 units per acre.

Lloyd Kadlec, 903 Jeremy Lane – Opposed, stated that not having privacy is a nuisance condition and that a buffer is needed. He stated Mr. Patel has been reasonable. His mother and father-in-law live on Windy Lane to the west. He asked if the developer would consider one-story units on the west side or a lesser number of units. He asked if UR-2 would prevent multifamily apartments, stating his concern is traffic.

Chair Dubuque stated property is GC-2 right now and could be lots of other things. He stated he visited the area and asked if any homes are two stories. Someone in the audience stated there is one two-story home.

Lloyd Kadlec – acknowledged the rear yard setback and stated he knew the property could be a hospital or office.

City Attorney Burke reiterated that this item is a potential land use and zoning change, and that the exact development will be sorted through the development order process later.

Applicant Sean McNeil stated that GC is less compatible, lots of commercial uses could go there right now. Traffic would be less intense. State Avenue will be the access to the property. The project is not going to adversely impact the neighborhood with stormwater. They are required to attenuate stormwater as it is today and that for existing flooding problems, the public should see the city public works department. After the storm ditches need to be cleaned.

Wilbur Campbell – stated that the applicant should investigate the eye center to the south of the property. He stated the building had to be abandoned when first built there because the soil would not hold the foundation.

Chair Dubuque stated that soil testing would be part of the development order process.

Board Action:

Motion to recommend approval: James Barker

Seconded Motion: Doug Crosby

Motion Passed 4-0 (Neubauer absent)

- 5.h. **Request Eight – Case No. PB 22-70:** Request for Land Use Change and Rezoning of 0.42 Acres (Approx.) from Residential, R-1 (Panama City) to General Commercial, GC-2 (Panama City), 1504 and 1506 Fairy Avenue, FS Properties LLC and Schelleci Distribution Property LLC, Owners and Sandra Owens, Applicant

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

Chair Dubuque that this item is related to the next request. In response to Board Member Stamps, it was clarified that the parcels would all be one project.

The Chair invited questions of staff and public participation.

Applicant: Bob Johnson, on behalf of MDM Services, stated Katie Williamson, real estate development manager for Circle K was also present. Mr. Johnson explained the proposal for land use changes would affect approximately one acre, anticipated for use as a convenience store and gas station with a building of 5,200 square feet. Two of the six parcels are already GC-2.

Public Participation: None

Board Action:

Motion to recommend approval: Christopher Stamps

Seconded Motion: James Barker

Motion Passed 4-0 (Neubauer absent)

- 5.i. **Request Nine – Case No. PB 22-71:** Request for Rezoning of 0.52 Acres (Approx.) from General Commercial-1, GC-1 (Panama City) to General Commercial-1, GC-2 (Panama City), 1515 and 1517 Lisenby Avenue, Frank S. Schilleci Jr and Schelleci Distribution Property LLC, Owners and Sandra Owens, Applicant

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

The Chair invited questions of staff and public participation.

Applicant: No further comments.

Public Participation: None

Board Action:

Motion to recommend approval: Christopher Stamps

Seconded Motion: James Barker
Motion Passed 4-0 (Neubauer absent)

5.i. **Request Ten – Case No. PB 22-72:** Request for Rezoning of 0.40 Acres (Approx.) from General Commercial-1, GC-1 (Panama City) to General Commercial-1, GC-2 (Panama City), 2017 E. 3rd Street, Dateen Smiley, Owners and Applicant

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

The Chair invited questions of staff and public participation. In response to Board Member Stamps, Senior Planner Haley stated that GC-1 is for neighborhood commercial but the applicant wants a contractor office and warehousing hybrid which is a more appropriate use for GC-2. In response to Chair Dubuque, she further clarified that the corner parcel shown white on the map is zoned Millville Downtown District which allows mixed use.

Public Participation:

Keith Nelson, 237 Elm Avenue – Opposed, lives there, approval contradicts the area’s use and recent city long term plans for the area. Stated he recently sold 317 Sherman to the city. He provided copies of information from Planning 101 to the Board and staff. He stated the proposed use would not be allowed in the Millville downtown improvement area and he is concerned about the long term effects of this zoning right on the main street of Millville.

Kevin Elliot, 319 Elm Street – Opposed; stated this is a horrible idea and seconded everything previous speaker said. Stated the Dover Kohl plans and visioning did not include warehousing at the heart of downtown Millville. The big green warehouse across from Gene’s broke his heart. Stated he plans to build houses on his property that fit the neighborhood.

Kevin Land, 303 Sherman Avenue – Opposed, stated he owns the big green warehouse but it’s a school of woodworking that will open in the future that will bring in students to learn woodworking and retail people to fill out area. He complained about the applicant’s use of the subject property for heavy equipment and semis, truck washing in the street and burying rubble onsite. He provided photos to the Board. He stated the applicant’s tall fence was in response to cameras he installed for security, even though the applicant’s property is blacked out in the camera so it’s not being filmed. He stated his cameras were in response to a break in and that code enforcement would not address the tall fence or rubble next door. He questioned how the applicant would address stormwater. He stated this is not the city vision for Millville.

Keith Nelson – stated he moved into the Elm street house in 2010, his family’s house built in 1940s.

James O’Shields, 1904 E 3rd Street – Opposed, stated his property is across the street. Questioned why rezone if current zoning allows office building. He stated that 3rd Street is residential and is the main street through Millville leading to a park, that trucks and traffic are dangerous. He provided a picture to the Board and stated this has been his home for 60 years.

Kevin Elliott – stated we need a trade school, that it is great and nice, but it’s still a warehouse. The proposal would encourage more warehouses and is the wrong direction.

Chair Dubuque invited the applicant to speak.

Applicant: Melinda Wine, on behalf of Dateen Smiley of 909 Cypress Avenue, stated the applicant wants an office building with a roll up door for an antique car. She explained that trucks are there right now but they would be moved offsite. She stated recycled crushed concrete is being buried onsite to keep the property from washing out. She stated the change to GC-2 was suggested by staff and that there is no intent to have large equipment onsite and they do not repair trucks on the property. She stated the truck was washed on the property not in the road.

Senior Planner Haley stated that staff suggested GC-2 because of the warehousing component the applicant was proposing, that GC-2 introduces warehousing and storage of goods and was suggested because of the contractor/hybrid that was planned.

Applicant Melinda Wine stated the front will be office, the back would have a roll up door for storing an antique car and no construction equipment was to be stored onsite.

Keith Nelson – questioned why the change if office is allowed now.

James O’Shields – stated originally he was going to build a home there but the property looks like the photo now.

Melana Weems, 203 College Avenue – Opposed, stated that this was completely inappropriate and she is against the change.

Derek Thomas, 1100 W 10th Street – stated that areas with wetlands are being developed with the highest density and it is going to affect the areas all around. Topographic maps are needed and something must be done with the water.

Board Action:

Motion to recommend denial: Christopher Stamps

Seconded Motion: James Barker

Motion Passed 4-0 (Neubauer absent)

6. **Audience Participation:** None

7. **5:38 p.m. The meeting adjourned.**