



## City of Panama City Planning Board

### MINUTES

Monday, August 8, 2022

City of Panama City, City Hall  
501 Harrison Avenue, Lower Level, Room 010  
Panama City, FL 32401

1. **4:06 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. James Barker 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), Bonnie Blue, City Attorney's Office, and City Attorney, Nevin J. Zimmerman.

2. **Changes or Deletions:** None.

3. **Minutes to Approve:**

- a. June 13, 2022 minutes

**Board Action:**

**Motion to approve:** Brian Neubauer

**Seconded Motion:** Doug Crosby

**Motion Passed** 4-0 (Barker absent)

- b. July 11, 2022 minutes

**Board Action:**

**Motion to approve:** Brian Neubauer

**Seconded Motion:** Doug Crosby

**Motion Passed** 4-0 (Barker 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 1<sup>st</sup> Reading September 12, 2022 and 2<sup>nd</sup> Reading/Final Reading on September 27, 2022, although items could be tabled or moved. Chair Dubuque stated that the Commission may take discussion during the first reading but prefers to hear it at the second reading. He stated the September 12 meeting will start at 3:00 pm due to the budget hearings, rather than at the usual 8am, and that the Commission meets at the County complex on 11<sup>th</sup> Street.

Chair Dubuque noted the large number of speakers present, explained procedures and asked for everyone's cooperation and courtesy.

No disclosures were made.

## 5. Requests:

- 5.a. **Request One – Case No. PB 22-73:** Request for Major Development for a Multi-Family Apartment Complex with Height Exceeding 3 Stories (4 Stories Requested). The Property is Designated Urban Residential on the Future Land Use Map and Zoned Urban Residential-2, UR-2, located at 2002 Wilson Avenue, Pc1-LLC, Owner and McNeil Carroll Engineering, Applicant

Senior Planner Haley made the staff presentation and stated that staff needed clarification about the property ownership shown on the application compared to ownership listed on the County Appraiser website. Staff recommended the Board approve the Major Development request with the condition that a Commercial Development Order be issued and the requirements and conditions of approval of the Technical Review Committee be met.

Chair Dubuque invited questions for staff from the Board and invited the applicant to respond.

**Applicant:** Sean McNeil, McNeil Carroll Engineering, representing the owner, stated the property was rezoned to UR-2 a few months ago and that all the buildings in the project are undergoing review.

**Owner:** John La Plante, 265 Catfish Drive, stated that the owner is Pc1-LLC, and agreed to update the application information.

The Chair invited the public to speak.

**Public Participation:** None

### Board Action:

**Motion to approve subject to updating the ownership information on the application and that a Commercial Development Order be issued and the requirements of the Technical Review Committee be met:** Brian Neubauer

**Seconded Motion:** Doug Crosby

**Motion Passed** 4-0 (Barker absent)

- 5.b. **Request Two – Case No. PB 22-74:** Request for Annexation, Land Use Change and Rezoning of 0.48 Acres (Approx.) from Residential-1, R-1 (Bay County) to Residential-1, R-1 (Panama City), 1806 W 23<sup>rd</sup> Court, Charles and Linda Stephenson, Owners and Charles Stephenson, 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

**Board Action:**

**Motion to recommend approval:** Doug Crosby

**Seconded Motion:** Brian Neubauer

**Motion Passed** 4-0 (Barker absent)

5.c. **Request Three – Case No. PB 22-75:** Request for Annexation, Land Use Change and Rezoning of 13.84 Acres (Approx.) from Residential-1, R-1 (Bay County) and General Commercial, C-3 (Bay County) to Mixed Use, MU-3 (Panama City), 1427 W 30<sup>th</sup> Street, 1500 Lisenby Court, 2807 Lisenby Avenue, 1416 W 28<sup>th</sup> Court, 1442 W 28<sup>th</sup> Court, Jonathan Schrader, VCP Creekside, LLC, Owner and Applicant

Senior Planner Haley made the staff presentation and noted that the next item, Request 4, is part of the same project. She stated the owner had said that multi-family was the intended use for the site and that the allowable density would be affected by constraints on the property such as wetlands. Staff recommended that the application be recommended for approval.

Chair Dubuque invited the applicant to address the question of the intended density.

**Applicant:** Doug Crook, Panhandle Engineering, stated 280 apartments and 4 stories will be proposed.

Chair Dubuque invited questions from the Board and for any public speakers to come forward. There were no questions from the Board. He noted that the project would be back before the Board for a development order.

**Public Participation:** None

**Board Action:**

**Motion to recommend approval:** Brian Neubauer

**Seconded Motion:** Doug Crosby

**Motion Passed** 4-0 (Barker absent)

5.d. **Request Four – Case No. PB 22-76:** Request for Land Use Change and Rezoning of 4.40 Acres (Approx.) from Industrial, I (Panama City) to Mixed Use, MU-3 (Panama City), 3000 Airport Road and 1422 W 30<sup>th</sup> Street, Jonathan Schrader, VCP Creekside, LLC, Owner and 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. There were no questions from the Board.

**Public Participation:** None

**Board Action:**

**Motion to recommend approval:** Christopher Stamps

**Seconded Motion:** Doug Crosby

**Motion Passed** 4-0 (Barker absent)

- 5.e. **Request Five – Case No. PB 22-77:** Request for Land Use Change and Rezoning of .829 Acres (Approx.) from Residential, R-1 (Panama City) to Urban Residential-2, UR-2 (Panama City), 2322 E 3<sup>rd</sup> Street, Trinity Methodist Church, Owner and Chris Ackerman, Applicant

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

Chair Dubuque stated that the Board had received the petition with 89 signatures, noting that these represented 73 residences in total and that a lot of the area of Millville had expressed concern. He stated that the Board had received a document showing the proposed development for this property and asked if the applicant was present to answer some questions.

**Applicant:** Chris Ackerman, 2322 E 3<sup>rd</sup> Street, in response to Chair Dubuque stated that he was the second pastor since the hurricane and the project was already a volatile issue and he did not want to stir the pot by talking to neighbors. Chair Dubuque asked if apartments would be proposed. Mr. Ackerman stated there would be two separate projects, and that apartments would go on the two larger parcels by the church.

Board Member Stamps asked if the units would be short term or long term rental. Mr. Ackerman explained the first pastor of the church had a \$2.4 million grant from FEMA to rebuild the church but that he was seeking a 428 amendment to the grant to allow for a different project to make better use of the money. The project would include a 70 person capacity church and add 24 1 bedroom/1 bath units for seniors since there are 539 people on the waiting list for affordable housing in Bay County, with 74 of those people being seniors. He stated the plan was to rent that apartments to seniors long term. The building would be 3 stories with 24 units, 8 units per floor.

**Public Participation:**

Christina Durta, 2321 E 3<sup>rd</sup> St – Opposed, stated she was the ring leader of the petition, that no one opposes rebuilding the church, but that the project contradicts the historic single-family nature of the community and no care has been shown toward the neighbors. She stated the “brand” of Millville is historic and they are proud of restoring and keeping history. She said many homes are more than 100 years old, the area is too small for this density, there would be 48 people across from her house, it would create a security problem and decrease property values.

Kenneth Lord, 238 N Center Ave – Opposed, stated FEMA is for rebuilding the church, not increasing revenue for the property; there should be no need for a zoning change.

Chair Dubuque asked if the church could be rebuilt on the property as zoned R-1. Director Fuller stated that R-1 allows for some uses besides residential but that churches were not listed.

Renee Velke, 2400 E 3<sup>rd</sup> St – Opposed, stated Center Avenue is only 18 feet wide and her property would be only 50 feet from the project. She stated the area has historic homes and historic sewers and that no one has adequate water pressure. All this will put further pressure on the systems. She stated that Trinity has almost no congregation, chose not to have insurance and is not vested in the community.

Bob Howard, 402 N Center Ave – Opposed, stated he has been in the neighborhood 8 years and his wife's family has been there since 1911. He asked if the developer has looked into water system capacity and infrastructure and stated the water system would not support the fire protection needed for this project.

Chair Dubuque noted that the staff report indicated the utility reviewer stated the water pressure does not support the fire flow.

William Schwed, 2315 3<sup>rd</sup> St – Opposed, stated the neighborhood cannot support 4 story buildings, 3<sup>rd</sup> St needs to be repaved; strongly objects to zone change. He stated he worked with the original pastor on the \$2.3 million FEMA grant but doesn't know where they'll get the money to build this project. He stated he thinks this is for resale with no concern for the neighborhood.

Kurt Melander, 234 N Center Ave – Opposed, lives next door, is a disabled veteran, thinks the character of Millville is special. He does not want a 4-story apartment in the historic home area of Millville's character with wonderful owners to improve properties and maintain historic value. He questioned a future change in millage rate, crime rate, noise, and said it is wonderfully quiet now. He said he was concerned that they now say it is for seniors but could actually rent to anyone – a rehab or halfway house for people coming out of prison. He does not think single-person homes are compatible with the family-oriented neighborhood.

Charlene Lord, 238 N Center Ave – Opposed, she lives in her mother's home between the two properties, and the project will block the southern and western sky. There will be no privacy. She said her mother, 86 years old, needs peace and that trash and water from streets run into her garage.

Gregory Hicks, 110 Maine Ave – Opposed, he has lived there 46 years. He said the roads are safe for kids and elderly people and noted that seniors won't be able to use a 3 or 4 story building. He stated the church should use the money for the church, not for apartments to make money.

Kirk Melander – questioned power source for the project. He stated the minute there's a storm, the power goes out immediately and that the system can't take this large of a draw.

Kenneth Lord – questioned if church can be put on the UR zoning that's proposed.

Chair Dubuque stated the code allows other similar uses serving the neighboring area.

Tim Deming, 214 Maine Ave – Opposed, he stated they should not put in apartments, they would not be good for the community, and it should stay the way it is.

Tammy Tisher, 3513 Dragon’s Ridge Road – In support, member of Trinity Methodist, supports Chris Ackerman. She stated there is no requirement in this area pertaining to historic structures but they would adhere to it if there were.

Christina Durda – stated the church did not have windstorm insurance and they are trying to recoup what they had on the backs of everyone else when they don’t live here.

Allen Herman, 2504 E 2<sup>nd</sup> Court – Opposed to low income

Applicant Chris Ackerman stated he heard valid points but some things were disappointing. He stated that FEMA allows for the 428 alternate project. He stated he was asked by the church to run a Hurricane Michael recovery program that put 250 people back in homes. He stated they built 43 homes. He stated the money from the proposed rentals would go back into the disaster response program and is the purpose of the project. He stated they are not interested in selling the property or making profit. He clarified the apartment plans would include an elevator and that they hope to make the project meet a gold standard for insurance/storm purposes.

Chair Dubuque asked about the triplex across the street. The public stated it is owner occupied, not rental.

Josh Pickern, 214 N Church Ave, Opposed – stated he is the pastor at Immanuel Baptist Church down the street. He stated Pastor Ackerman felt attacked but had no gumption to go out and meet the people the project would affect. He said Ackerman is head of a company called Abide at 4400 23<sup>rd</sup> Street, that says it has 3 missions – one is disciples, one is housing, one is disaster recovery. He noted that the mission for housing is to develop low income housing for those who qualify. He stated he supports the disaster mission but nothing should be done to alienate the rest of the community.

Applicant Ackerman stated he is also a pastor at Abide, a new church start of the Methodist Church, and that it does focus on housing for those who cannot get housing for themselves.

Carolyn Proust, 4440 College Station Road – In Support, she stated she has been going to Trinity for 40 years and that most of the congregation lived away from this community. She stated it was beginning to come back before the hurricane and that FEMA wants you to use the money however you choose. She stated her husband’s father helped build this church in 1900 and she is interested in how the church could serve Millville and bring more activities for families. She stated the apartments would help support the church programs the community really needs.

Chair Dubuque asked for any further questions from the Board. Board Member Neubauer stated that all the parcels surrounding the property are R-1 and this would not fit with the area.

**Board Action:**

**Motion to recommend denial:** Brian Neubauer

**Seconded Motion:** Doug Crosby

**Motion Passed** 4-0 (Barker absent)

5.f. **Request Six – Case No. PB 22-78:** Request for Land Use Change and Rezoning of 0.452 Acres (Approx.) from Residential, R-1 (Panama City) to Urban Residential, UR-2 (Panama City), 236 N Center Ave, Trinity Methodist Church, Owner and Chris Ackerman, Applicant

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

Chair Dubuque invited the applicant to speak.

**Applicant:** Chris Ackerman, 2322 3<sup>rd</sup> Street, stated that a triplex or quadraplex for rental was intended for this property.

Chair Dubuque invited the public to speak.

**Public Participation:**

Kenneth Lord, 238 N Center Ave – Opposed, asked why change the zoning when there are no project plans.

Chair Dubuque stated the applicant would not have the plans prepared until they knew the zoning is set.

Senior Planner Haley further explained that the zoning entitlements were a separate process that is completed first to define what uses could be put on the property, and that the zoning runs with the land, not the owner of the property.

Board Member Neubauer stated that all the parcels surrounding the property are R-1 and this would not be compatible.

**Board Action:**

**Motion to recommend denial:** Brian Neubauer

**Seconded Motion:** Doug Crosby

**Motion Passed** 4-0 (Barker absent)

5.g. **Request Seven – Case No. PB 22-79:** Request for Rezoning of 0.758 Acres (Approx.) from General Commercial, GC-1 (Panama City) to General Commercial, GC-2 (Panama City), 1750, 1800 and 1812 Frankford Avenue, Nest Egg Strategies, Owner and David Bowers, Applicant

Planner Russ made the staff presentation. Staff recommended that the application be recommended for approval. Senior Planner Haley explained that the rezoning was initiated after a business license application came in which showed the property is zoned GC-1 but the uses were heavier commercial more consistent with GC-2, so staff recommended the applicant proposed GC-2 to be more consistent with the code.

Chair Dubuque invited the public to speak.

**Public Participation:** Richard Bishop, 1801 Frankford, and other odd numbered addresses across the street – Opposed to change due to noise from new GC-2 uses

**Applicant:** David Bower, 1750 Frankford Ave – he intended to just keep the same metal roof business the same in his building.

Director Fuller noted that the same noise limits apply to GC-1 and GC-2.

**Board Action:**

**Motion to recommend approval:** Brian Neubauer

**Seconded Motion:** Christopher Stamps

**Motion Passed** 4-0 (Barker absent)

6. **Audience Participation:** Carolyn Land, 203 College Ave – need more residential homeowners in Millville.
7. **5:29 p.m. The meeting adjourned.**