

**CITY OF PANAMA CITY BEACH
PLANNING BOARD MEETING MINUTES
February 10, 2021
MINUTES TO THE REGULAR MEETING**

The meeting was called to order by Chairman Wakstein at 1:00 p.m. and Ms. Chester was asked to call the roll. Members present were Mr. Johns, Mr. Morehouse, Ms. Simmons, Mr. Caron, and Chairman Wakstein. Members absent were Mr. Scruggs and Mr. Hodges.

Mr. Johns led the Pledge of Allegiance.

ITEM NO. 3 Approval of the January 13, 2021 Planning Board Meeting Minutes

Chairman Wakstein asked if there were any comments or corrections to the meeting minutes. A motion was made by Mr. Caron to approve the meeting minutes and it was seconded by Mr. Johns. Ms. Chester was asked to call roll.

Ms. Simmons	Yes	Mr. Johns	Yes
Mr. Morehouse	Yes	Chairman Wakstein	Yes
Mr. Caron	Yes		

ITEM NO. 4 Public Comments – Non-Agenda Items -

Ed Benjamin, 202 Wells Street submitted a letter to the board for their consideration of future LDC recommendations.

ITEM NO. 5 Nissim Afula is requesting authorization of a variance from Land Development Code Section 4.04.01.B.7 to access the proposed commercial development across from a residentially zoned parcel. The parcel is located at 13951 Panama City Beach Parkway.

Chairman Wakstein introduced the item as a quasi-judicial hearing and verified all the requirements of the application had been met. All members of the audience who wished to provide testimony were sworn in by Ms. Chester. Ms. Chester was asked to call for the Jennings Act; Ms. Simmons visited the property. Mr. Morehouse visited the property. Mr. Caron visited the property. Mr. Johns visited the property. Chairman Wakstein visited the property. Ms. Chester asked if members had received the public emails and all members acknowledged they had received; the emails were submitted into the record.

Jordan Palmer, Palmer Construction Management, 90 WRM Circle, Santa Rosa representing the owner of the property commented the property is zoned Commercial High Intensity (CH) and named a few of the uses allowed. He explained the City's LDC creates the necessity for a variance at the location to preserve substantial property right and provide accessibility to the property due to access being denied from US Highway 98 from Department of Transportation and access from Nautilus Street is blocked by a median, which would force a U-turn to access the property. Mr. Palmer explained the request is at the recommendation of Public Works and the city traffic management expert, Philip Kurth. He explained that Seaclusion Circle is classified as a residential street but is not used to access any residential property and neither of the two adjacent properties face Seaclusion Circle. Mr. Palmer explained this development would face US Highway 98 and it is for less than 3,000 square foot single story retail office storefront, like the developments at both neighboring intersections. Mr. Palmer concluded by explaining this development would have minimal impact on the two neighboring residents and they are proposing a twenty-foot landscape buffer along the entirety of the Seaclusion Circle property line.

Chairman Wakstein commented that staff concluded based on unusual circumstances of subject parcel and recommendations of the City's transportation consultant and the Public Works department staff had no objections to the request. Chairman Wakstein read aloud from the LDC the definition of an adversely affected person to speak at this time, opening the public portion of the meeting.

Randall Aubin, 104 Seaclusion Drive commented he had problems with the egress and ingress of the parking lot is a wide design which would not be compatible with the current design, also stating the children crossing from the adjacent middle school would not be safe since there are currently no sidewalks along the street. Mr. Aubin then addressed the design of the building verses the water run-off which will produce flooding on his property and his neighbors. He then stated these were safety issues but wanted to comment this would increase the traffic along Seaclusion Circle and the neighborhood.

Lynn Burson, 105 Nautilus Street commented that if the development was not a commercial business then having a one way in/out should not be a problem. She was opposed to having an access road for the parcel from their community.

Mary Kassiris, 120 Seclusion Drive explained this parcel was part of the original community development twenty-seven plus years ago as residential. She commented the original plan for the parcel was a park for the community, but it was never developed. She stated the residents of the community have been paying for landscape and upkeep of the parcel during this time. Ms. Kassiris reiterated Mr. Aubin’s comment that the homes are sinking in this area and this development could add flooding to issues to the area. Ms. Kassiris concluded that once a parcel is residential it should remain residential.

Peter Fischetti, 308 Tarpon Street commented the same request was made by the developers of Margaritaville to have access on Crane Street and the city council had denied their request. He stated the new Bay Parkway would feed into Nautilus, which would increase the traffic in this area. He commented to allow commercial business to access a residential street was illegal.

Mr. Silky commented sidewalks would be a requirement for the development. Chairman Wakstein asked if there were any other comments from the public, there were none. He closed the public portion of the meeting and opened for board for discussion. He read aloud from the LDC, Chapter 4 of access management and stated he felt the applicant had met all requirements of the variance request. Discussion ensued regarding the egress and ingress.

Mr. Caron made a motion to approve the variance as requested with a condition to allow for left turn movements and it was seconded by Mr. Johns. Ms. Chester was asked to call roll.

Ms. Simmons	Yes	Mr. Johns	Yes
Mr. Morehouse	Yes	Chairman Wakstein	Yes
Mr. Caron	Yes		

ITEM NO. 6 Comprehensive Plan – Section 12 and Section 13 Recommended Changes

Mr. Silky presented the changes to the board. Discussion ensued. Mr. Silky commented these two sections completed the review of the Comprehensive Plan. Mr. Johns made a motion to approve Section 12 and Section 13 with the recommended changes and it was seconded by Mr. Caron. Ms. Chester was asked to call roll.

Ms. Simmons	Yes	Mr. Johns	Yes
Mr. Morehouse	Yes	Chairman Wakstein	Yes
Mr. Caron	Yes		

ITEM NO. 7 Code Enforcement Update

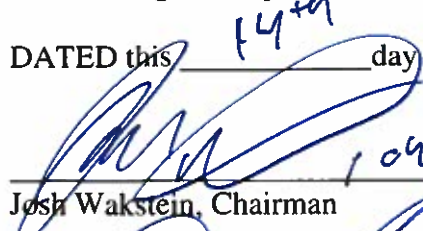
Mr. Tindle presented to the board the monthly update of the collections and violations. Ms. Simmons asked for an update on the property on Poinsettia Drive, Mr. Tindle reported there is currently an active case.


ITEM NO. 8 Quasi-Judicial Hearing Procedures Discussion

Mr. Davis distributed packets to all the board members and asked they contact him for a one on one discussion regarding the procedures.

The meeting was adjourned at 1:51 p.m.

DATED this 14th day of April, 2021.


Josh Wakstein, Chairman

ATTEST:

Andrea Chester, Secretary