

**CITY OF PANAMA CITY BEACH
PLANNING BOARD MEETING MINUTES
September 14, 2022
MINUTES TO THE REGULAR MEETING**

The meeting was called to order by Chairman Wakstein at 1:00 p.m. and Ms. Deese was asked to call the roll. Members present were Mr. Johns, Mr. Coleman, Mr. Morehouse, Ms. Simmons, Mr. Register and Chairman Wakstein. Mr. Scruggs was absent. Mr. Morehouse led the Pledge of Allegiance.

ITEM NO. 3 Approval of the August 10, 2022, Planning Board Meeting Minutes

Chairman Wakstein asked if there were any comments or corrections to the meeting minutes. Mr. Johns made a motion to approve, and it was seconded by Ms. Simmons. Ms. Deese called the roll.

Mr. Coleman	Yes	Mr. Morehouse	Yes	Ms. Simmons	Yes
Mr. Register	Yes	Mr. Johns	Yes	Chairman Wakstein	Yes

ITEM NO. 4 Public Comments – Non-Agenda Items

There were no public comments.

ITEM NO. 5 Arris Holdings is requesting approval for a Large Site Development. The subject parcel is located at the corner of Front Beach Road and Hills Road (parcel 33768-012-000) and is approximately 7.5 acres. This property is part of the Seahaven Development of Regional Impact.

Chairman Wakstein read aloud the proceedings for a quasi- judicial hearing, all participants identified as affected parties were sworn in for testimony. Mr. Leonard acknowledged that all the requirements of the application notices were satisfied. Ms. Deese was asked to call Jennings Act.

Mr. Coleman, nothing to disclose. Mr. Morehouse visited the property. Ms. Simmons visited the property. Mr. Register visited the property. Mr. Johns visited the property. Chairman Wakstein spoke with City staff and the City attorney.

Mr. Leonard described the proposed project as the second development in the Seahaven Development of Regional Impact (DRI) that was approved in 2007. The review process took one year or longer and was approved by Bay County, Water Management District, Regional Planning Council, and other state departments. Regulations changed in 2012 when the City adopted the Land Development Code, but the DRI froze density and intensity for the development. He noted that this portion of the property could have elected to have a height of 65 feet but have chosen 45 feet.

Ms. Simmons asked for clarification on why 65 feet is allowed in an FBO-2. Mr. Leonard explained that there is an active development agreement in place until 2031 that allowed for the 65 feet in height, but also required a larger buffer of 100 feet from the single-family residential area.

Chairman Wakstein asked the applicant to present their request.

Parke Lammerts, 1810 Horsham Trail, Milton, GA is the acting agent for the applicant introduced the project and listed changes to the plan to accommodate the neighborhood requests that were made at the community meeting. The proposed changes are to move the Hills Road entrance to the southern portion of the site, retain mature trees and plant the required trees in the bare areas, increase the fence height in the rear from 6 foot to a minimum of 8 foot and wrap the sides of the property, as well as move the fence to the outside of the buffer with an allowance for car overhangs.

Ms. Simmons thanked Mr. Lammerts for addressing some of the issues in advance. She asked if the lighting will be downlit. Mr. Lammerts responded that the lighting will be shielded.

Mr. Johns inquired about the type of fencing proposed and expressed noise control concerns. Mr. Lammerts responded that there will be a 100-foot buffer, a tree line, as well as the amenity space will be internalized and should reduce a lot of the noise. He was unsure of the exact material to be used for the fencing, but chain link or plastic would not be one of their options.

Chairman Wakstein asked Mr. Lammerts questions about the Land Development Code (LDC) requirement for a 5-foot side yard setback, podium standard and if the sidewalk would be built as part of the development. He noted that they are one space short for the parking requirement. Mr. Lammerts responded that he can lessen the setbacks and will address the podium standards during the building phase. He added that the sidewalk will be built as part of the development.

Chairman Wakstein asked Mr. Leonard to clarify why the Development Order from 2007 stated the entire project would be developed in one phase, but this is not being developed at one time. Mr. Leonard replied that he was unsure, because it was always planned to be phased in and was reflected in the transportation segment of the DRI.

Chairman Wakstein called for an adversely affected parties to speak at this time.

Mike Mathews, 91 Sandalwood Court commented that he was excited about the property and knew the development was coming. He thanked Mr. Lammerts for listening to them at the community meeting. He summarized the changes that would be made and referenced his written comments that were given to the board.

Chairman Wakstein called for any public comments at this time, there were none.

Chairman Wakstein asked if there were any rebuttals, there were none.

Mr. Davis asked the applicant if they will be submitting to change the Master Plan to include the 5-foot setback. Mr. Leonard stated that the building being further to the east would preserve the view south and southwest. Mr. Lammerts stated that they would shorten the setback to 5-feet.

There was discussion regarding if Hills Road is considered the front or side yard. Chairman Wakstein said that if following the FBO he views Hills Road as the front. Mr. Coleman asked what the setbacks were in the DRI. Mr. Leonard responded that there is a 25-foot minimum setback. Chairman Wakstein stated that the DRI freezes density, intensity, and height only. Mr. Leonard added that land uses are frozen as well.

Chairman Wakstein asked to enter into the record the staff analysis and Mr. Mathews letter to the board.

Chairman Wakstein concluded the evidentiary portion of the hearing.

Mr. Davis reviewed the modifications from the Master Plan to be included in the Order: Retain mature trees between buffer and Summerwood neighborhood, increase the fence height to 8-10 feet, streetlights will be downlit, front and side setback meet the current LDC, podium standards will apply for the fourth floor, 413 parking spaces, the developer will build a sidewalk. Ms. Simmons added the fence will wrap around to the east and move the drive to the south corner. Mr. Mathews added that the applicant agreed to move the fence to the parking lot side from buffer side. Mr. Davis made the additions to his list.

Ms. Simmons inquired if there was timing language for this phase and what happens if they do not meet the timeline. Mr. Leonard responded that there was and if not constructed by 2031 there would be no entitlements and everything in the LDC would apply.

Chairman Wakstein initiated additional discussion on whether Hills Road will be the front. Chairman Wakstein and Ms. Simmons stated that it needs to look like an entrance. Mr. Davis asked the Board for clarification if Hills Road would be considered the front. All Board members agreed that Hills Road would be the front.

Ms. Simmons made a motion to approve the request with the conditions agreed upon. Mr. Johns seconded the motion.

Mr. Coleman	Yes	Mr. Morehouse	Yes	Ms. Simmons	Yes
Mr. Register	Yes	Mr. Johns	Yes	Chairman Wakstein	Yes

ITEM NO. 6 Discussion of Multi-Family (Apartments) as a Conditional Use

Chairman Wakstein called on Ms. Simmons to introduce the discussion item. Ms. Simmons said that today was an example of how the process could work with community meetings. She continued that high-intensity multi-family developments should not impede on people who already live there. She asked staff to develop wording that states affordable housing is a priority with a Conditional Use.

Mr. Davis explained that a Conditional Use is to alleviate a burden on other properties and the Comprehensive Plan currently states that multi-family is a need of the City. Mr. Johns asked if this change would need City Council approval. Mr. Davis responded, yes, this would be an ordinance change. He further explained that Conditional Uses can be procedural or set conditions. Ms.

Simmons asked if community meetings can be included on the list. Mr. Davis stated that developments over three (3) acres, are already captured. Mr. Leonard stated that this should be a Conditional Use, because supplemental would not require a community meeting. Chairman Wakstein asked the Board if they had any interest in having staff put something together to look at. Mr. Coleman said he would like to. Mr. Leonard requested input from the Board of some ideas to mitigate any type of nuisances. Ms. Simmons recommended to use the list suggested from the Seahaven community meeting. Mr. Davis explained that the applicant will still come before the Board, and they can place additional conditions on a project as well as have standard conditions. Chairman Wakstein instructed the board send a list to Mr. Leonard and Mr. Davis of conditions.

ITEM NO. 7 Code Enforcement Update

Mr. Smith provided an overview of the report provided to the board. He highlighted their efforts with turtle lighting, increased enforcement for driving on the beach and evaluating the Code Enforcement process. Mr. Smith said his staff goes above and beyond by helping injured seagulls on the beach, identifying water leaks while patrolling the neighborhoods and assisting the Police Department in finding lost children on the beach.

Chairman Wakstein asked if there were any announcements from the Board.

Ms. Simmons said that she received a job offer out of state and was resigning from the Planning Board. She said she enjoyed working on the board and hoped they continued to move forward with apartments as a Conditional Use.

The meeting adjourned at 2:00 p.m.

DATED this 12th day of October, 2022.


Josh Wakstein, Chairman

ATTEST:


Melissa Deese, Secretary