

**CITY OF PANAMA CITY BEACH  
 PLANNING BOARD MEETING MINUTES  
 October 12, 2022  
 MINUTES TO THE REGULAR MEETING**

The meeting was called to order by Chairman Wakstein at 1:05 p.m. and Ms. Deese was asked to call the roll. Members present were Mr. Scruggs, Mr. Johns, Mr. Coleman, Mr. Morehouse, Mr. Houk, Mr. Register and Chairman Wakstein. Mr. Register led the Pledge of Allegiance.

**ITEM NO. 3 Approval of the September 14, 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 Mr. Morehouse. Ms. Deese called the roll.

Mr. Morehouse	Yes	Mr. Houk	Yes	Mr. Register	Yes
Mr. Scruggs	Yes	Mr. Johns	Yes	Mr. Coleman	Yes
Chairman Wakstein	Yes				

**ITEM NO. 4 Public Comments – Non-Agenda Items**  
 There were no public comments.

**ITEM NO. 5 Kelly Street PUD Master Plan Modification. S & L Karian Properties is requesting approval to modify the approved Kelly Street PUD. The modifications will specifically be for the portion of the PUD on parcel 35351-090-030 and is approximately 14.47 acres.**

**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. Morehouse, nothing to disclose. Mr. Houk visited the property. Mr. Register visited the property and spoke with City staff. Mr. Scruggs visited the property. Mr. Johns visited the property. Mr. Coleman, nothing to disclose. Chairman Wakstein spoke with City staff.

**Chairman Wakstein** asked for the agenda item packet, public comments, and Mr. Burke's supplemental memo to be entered into the record. He then asked the applicant to present their request.

**Mike Burke, 16215 Panama City Beach Parkway** is the acting agent for the applicant displayed a map of the development and gave a brief history of the property. He stated that the PUD was approved in 2006 as LaBorgata, a modification in 2019, and now the current modification request. He stated there was a development order and permit for the townhomes. Mr. Burke then introduced the Engineer of Record for the project.

**John Henderson, Henderson Engineering, Engineer of Record** explained he took the initial townhouse project and separated the dwellings by 10 ft and lowered the density from 102 units to 67 in the residential portion. He said there was confusion over the density, it is only allowed to be calculated on the portion of the property designated as residential. He said the previous project used the entire 18 acres to calculate density. He said the staff report showed 5.45 dwelling units per acre and the residential portion is only 15.85 acres. He stated the lower density of 10 units per acre is the maximum allowed in the PUD. Mr. Henderson said the project has less density, been advertised, and has permits for water, sewer and stormwater. He said they decided to change the use from multi-family to single family during the plat process and that is why they came before the Planning Board.

**Mr. Burke** stated that about 25 people attended the developer's community meeting for the modification of the PUD. Those attending the meeting made comments on parking, traffic and transient rentals. He stated that there are 3 parking spaces per home, and everyone will be contained inside PUD. The developer has committed to providing 100 spaces in the commercial portion for overflow. There were concerns of traffic and pedestrian use. Bay County allows short-term rentals in Kelly Street area. Mr. Burke stated the developer has committed to construct a sidewalk the length of Kelly Street if there is sufficient right of way. He reached out to Bay County and has not heard back. He said multifamily to single under the Land Development Code (LDC) for a PUD will conform to the most restrictive use requirement. He stated that transient rentals are already permitted as the PUD exists. Changing from multifamily use to single family use, would refer to R-1. R-1 with the exception of those south of Front Beach Road does not allow for short-term rentals. Mr. Burke requested that the Board grant the modification and that transient rentals are also

approved. He mentioned that the plat will go before the City Council Thursday. Mr. Burke addressed the compatibility concerns on Marlin Avenue. He said there will be a 26 ft buffer, a sidewalk will be added, add 100 spaces in the commercial area, increase the fence height along Marlin Avenue to 10ft from 6 ft, and there will be a 5 ft rear yard picket fence before the buffer to encourage use of front porches and front yards. He added this area allows transient rentals and several homes that abut the property are listed as vacation rentals by owner, this puts the PUD at disadvantage.

**Chairman Wakstein** questioned the reason for the short-term rental request if the townhome already allows for it and if it was to address rental time frames.

**Mr. Burke's** answer was that the developer thought this would be a better product and R-2 allows for a three (3) day rental minimum. If they change to R-1 they would want to allow short-term rentals.

**Chairman Wakstein** stated that with PUD zoning, everything gets thrown out and R-1 is what they would work with not R-2. He then inquired about the square footage of the homes, number of bedrooms and wanted to confirm if the homes would be 3 stories.

**Mr. Burke** responded that the homes would be 2,200-2,400 square feet, a mix of 3-5 bedroom products, and that they would be three (3) stories.

**Mr. Johns** asked if the original PUD always allowed short-term rentals.

**Mr. Burke** responded yes and noted that was the intent from inception.

**Mr. Scruggs** asked for more information about the dedicated 100 parking spaces for the residential area and if it will affect the parking requirements for the apartments and commercial portion of the development.

**Mr. Burke** stated that there was enough parking to satisfy the space requirement per code plus the 100 dedicated spaces.

**Mr. Johns** stated there are three (3) connections the Parkway and one (1) on Kelly Street. He inquired about the location of the two (2) additional internal connections of the proposed modification.

**Mr. Burke** said there was a misconception that this is a new connection to Kelly Street, it was constructed in 2004 before a PUD had been applied for.

**Mr. Henderson** explained that the existing PUD for the commercial area only has one (1) connection for the entrance across from Wild Heron, another entrance from the middle so the residential area can access the commercial, and from the east side.

**Mr. Coleman** asked if the 30 multifamily units slated for the commercial portion of the development would be used for transient rentals.

**Mr. Burke** responded that they are live above one (1) bedroom units that would be used as transient rentals and are permitted in commercial zoning.

**Mr. Henderson** explained his calculations for the density of the commercial area as 10 units per acre in a PUD is 3 acres, they have 4.49 acres, that leaves 1.49 acres, the FAR (floor to area ratio) is 100, this allows for 64,904 square feet of commercial and 30 residential units. He added this is what the code allows and would be separating the density and intensity, not overlapping.

**Chairman Wakstein** inquired if the overflow parking would be available when the commercial was developed. He noted the property has had a failure to launch a few times.

**Mr. Burke** stated that they have not gotten that far with the plans, but it would need to be permitted. He said a development order was issued in July of this year. Once the development order was issued the developer went to the contract stage because they planned to move forward with construction. When the plat was reviewed, Ms. Myers said, they were changing from multifamily to single family. There are contracts pending.

**Mr. Henderson** said they do not have a final design for Phase 2, but they can put a temporary gravel parking area to ensure that it is there if things do not materialize.

**Mr. Coleman** inquired what the intent is if Phase 2 is not developed, to keep a gravel parking lot or to construct a permanent parking lot for the overflow.

**Mr. Burke** responded that he had no answer to the question.

**Mr. Scruggs** inquired if there is enough right of way for a sidewalk.

**Mr. Henderson** stated that the County is looking for right of way maps. That the right of way is very narrow in some places, will likely be a sidewalk shoulder combination, and cross the road.

**Mr. Coleman** asked the square footage of the current PUD townhomes and the number of bedrooms for the existing plan.

**Mr. Burke** responded all are five (5).

**Mr. Register** asked if the main entrance in the middle of the development will be a right-in and right-out requiring that anyone wishing to travel west would need to exit out of Kelly Street?

**Mr. Henderson** responded that it would be because there is a median.

**Mr. Burke** said the western access lines up with Wild Heron and there is an opening. A study has been completed for a future development on north side of the road and a traffic signal will be coming.

**Chairman Wakstein** asked if a maximum occupancy was included in the marketing of the property.

**Mr. Burke** said he had no answer, but that they were marketed as transient rentals. He requested modification of the PUD to single family residential, short-term rental, 30 live above units, 10 ft fence, additional parking spaces, and the sidewalk that the developer has committed to. He added that if the Board does not approve the request for transient rentals, that they deny the entire modification. In that case, the developer would then move forward with the townhome development as it was approved in 2019.

**Mr. Leonard** presented the staff report. He said most of the proposed changes were for the better except staff had an issue with the short-term rental portion of the request. In original approval of the PUD, the three components of applicable land use allowed under the PUD were single family residential, retail sales and services, business and professional services. He read the definitions of each stated land use, then of townhome and dwelling. Mr. Leonard stated the right term for allowing short term rentals at the time would have been for "accommodations" and read the definition aloud. He said he researched the minutes from the original application as well as the 2019 modification and there was never any additional discussion about the buffering between the houses on Marlin. He detailed that section 4.02.05(F)(7)(i) of the PUD regulations requires the Planning Board to find that there is sufficiency of setbacks to mitigate potential nuisances. If the Planning Board at the time knew that there were going to be accommodations and short-term rentals, there would have been discussion about what that setback would be rather than 25 feet or 26 feet. He explained that there are different setbacks throughout the Land Development Code. He used an example of an RV Park, has a heavy tourist use and the setback is 200 ft from residential. The modifications from 2019 didn't ask for accommodations or short-term rentals either. He said that it is staff's opinion that when the Planning Board approved the PUD and considered any modifications that it was looking at these as residential units without short-term rental. It is staff's opinion that originally these were approved as residential units with no short-term rentals.

**Mr. Scruggs** asked Mr. Leonard to confirm that the original PUD cannot have short-term rentals.

**Mr. Leonard** responded yes, that is staff's opinion and recommended that if the Board decided to allow short-term rentals that they increase the setback.

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

**Marilyn Whatley, 21517 Pompano Avenue** stated her concerns were safety and lack of parking. She said that some vacationers bring trailers, there is a lack of beach parking, no place for the proposed shuttles to load or unload, and she does not think people will be willing to walk over eight (8) blocks carrying their coolers and beach chairs. She also stated that the lazy river backs to Marlin Avenue.

**Karim Fernandez, 21416 Marlin Avenue** stated that his concerns were drainage, infrastructure, effects on the water pressure and the sewer system. He said that tourists bring multiple vehicles, asked who will regulate the parking, and if there will be security.

**Gayle Mead, 21909 Sunnyside Lane** stated her concerns were noise and trash. She said the community is currently a mix of retirees and residents who work.

**Allison Schmitz, 21624 Marlin Avenue** stated her concerns were for the children who catch the bus between Kelly Street and LeGrand Drive, potential flooding, and water pressure. She said she attended the previous meeting for the development, and they spoke of families not short-term rentals.

**Jim Zelek, 22113 Sunnyside Lane** stated his concerns were that the property will be like a hotel and children here on vacation will drive golf carts through the neighborhood. He requested that the Board follow the staff recommendation.

**Jeff Bryant, 132 Sun Lane** stated his concerns were traffic and no speed bumps. He said Sun Lane is used as shortcut to get to Front Beach Road. He has put a request in with Bay County for a traffic study.

**Sondra Edwards, 22018 Sunnyside Lane** referred to the videos she submitted with her public comments. She stated that she did not think people would walk to the beach. There will be repairmen, housekeeping, and other support staff at the property as well.

**Chris Hermans, 145 Sun Lane** said Google Maps indicate a route to the beach on Sun Lane and a traffic study needs to be considered.

**Chairman Wakstein** asked for public comments at this time, there were none.

**Chairman Wakstein** called for rebuttals by staff, any affected party, and the applicant at this time.

**Mr. Burke** addressed staff's comments on the original PUD. Originally designed with the T-3 and T-4 elements would have permitted short term rentals. The original developers always intended for it to be short term rental, condos, etc. The change in 2019 was under the existing code. The language states to use the most restrictive category which would be R-2. Transient residential rentals have always been permitted here, but certainly since the 2019 change when it went to the multifamily under the existing LDC. Most of the concerns are about transient rentals. Everyone lives within unincorporated Bay County, and they are R-1. With the exception of a few that live on Sun Lane that said they have restrictive covenants; Bay County lets everyone that spoke have a short-term vacation rental. There are 41 Airbnb units listed in the area and 7 on Marlin Avenue. To address those most directly affected is by the buffering, a higher fence, the amenity area has buffering as well. Mr. Burke restated the applicants request to approve the modification from multifamily to single family, allow transient rentals, 10-foot fence, 100 parking spaces, and a sidewalk down Kelly Street.

**Mr. Henderson** stated the stormwater system for development was installed and permitted 2006. It was inspected and in relatively good shape but will need some remediation. It is all one connected system, part in the commercial area and part in the residential portion. They had a lot of communication with Public Works about platting the residential portion when a portion of the stormwater system was in the commercial part. Engineering wanted the stormwater system disconnected where it would not enter the commercial part. Before development there were three (3) basic predevelopment drainage areas, one to the southeast, one to the southwest, and one to the DOT right of way. A culvert near the eastern entrance runs below the right of way and to the north. Currently everything discharges to the DOT right of way, if disconnected there would be a discharge point to Kelly Street or Rivera Beach. The predevelopment rate is allowed to be discharged. The old neighborhood was designed before there were stormwater requirements. The system was designed for a 100-year storm and already permitted to discharge north to the DOT right of way. No water will be discharged south to the neighborhood. He said he thinks lodging units or accommodations applies to a hotel that is all under one ownership, these would be individually owned homes. He does not believe this meets the definition of accommodation. Staff mentioned revisiting the buffer if the Board allows transient rentals. Single family abutting single family does not require a buffer per code. If there are no transient rental units then there is no buffer. A buffer is required for multifamily that abuts single family to increase compatibility. R-1 zoning from Bay County's Land Development Code requires: a minimum lot width 35 feet, we are 32; setbacks are all the same; County 8 dwelling units an acre, we have 10; County allows 45 foot residential height, we limit to 35 feet. If we were in the county there would be no buffer, R-1 standards only require 10 feet. The developer is willing to put money in escrow for paved parking lot.

**Marilyn Whatley, 21517 Pompano Avenue** stated there is no room on either side of Kelly Street to put a sidewalk. She has no issues with townhomes for families, but has a problem with monster vacation homes. Everyone is going to exit the development to Kelly Street and the Sheriff's Department will be working accidents all day long.

**Mr. Burke** stated rebuttal was supposed to be for him and suggested that once everyone speaks that he should have another chance to speak.

**Mr. Davis** said the code allows adversely affected parties, staff, and the applicant to all have a chance to rebut. They all have an interest in the outcome of this decision. If Mr. Burke would like to ask the Board for a second rebuttal, because Mr. Henderson has already offered rebuttal, the Board can grant him that.

**Mr. Burke** said he has the burden and would like the last word.

**Chairman Wakstein** granted the request for the second rebuttal for Mr. Burke.

**Charlotte Long, 21702 Sunset Avenue** began to speak.

**Chairman Wakstein** told Ms. Long that she must have already spoken during the portion for the adversely affected party to be able to make rebuttal.

**Karim Fernandez, 21416 Marlin Avenue** said he wanted a guarantee that someone is going to be held responsible. He stated that his aunt was forced from her home by flooding in the neighborhood and noted Hurricane Michael changed a lot for the area.

**Sondra Edwards, 22018 Sunnyside Lane** said they are not transients, they volunteer, are in clubs, and do toy drives. They bought when nobody wanted to live there and cleaned it up. She asked the Board to take staff's recommendation.

**Jeff Bryant, 132 Sun Lane** said the people that live on Sun Lane are in Southfields I or II. There is a HOA on file with the County and it does not allow for short term rentals and addresses permanent parking.

**Gayle Mead, 21909 Sunnyside Lane** said they do have vacation rentals in their neighborhood, but they get to know the owners have their phone numbers if there is a problem. The 67 homeowners probably plan to be absentee owners and said their only recourse will be to call the police.

**Allison Schmitz, 21624 Marlin Avenue** said in 2019 a bigger buffer was asked for and denied, because there was only going to be residential townhomes. Only one or two homes are constant short-term rentals and only have two cars in the driveway. There is limited parking in area and they look out for each other as family. She inquired about the regulations for the pool that backs up to people's yard and if there has been an environmental study on the property for box turtles.

**Mr. Burke** had no additional rebuttal

**Chairman Wakstein** concluded the evidentiary portion of the hearing.

**Chairman Wakstein** asked for closing arguments by the applicant, staff, or any affected party, there was none.

**Chairman Wakstein** opened Board discussion.

**Mr. Davis** reminded the Board that review of PUD revisions should be analyzed in the same way original master plan was. A PUD is designed to allow for zoning to deviate from the LDC. The trade-off that the Planning Board is charged with reviewing is what is the public benefit for the deviations of the code. Mr. Davis read aloud LDC section 4.02.05(D). He stated there was a lot of testimony about transient rentals. Whether transient rentals are allowed under the current master plan is not before the Board today. You either deny or approve the application in front of you. Analyze the design standards of the most restrictive zoning classification for that use and that is R-1a for single family residential. The applicant would like to be analyzed under R-2.

**Mr. Burke** said he originally asked to be reviewed under R-1c but was told by Ms. Myers to change to single family with transient rental.

**Mr. Davis** responded that multifamily is only one-piece, single family residential is the main component of the change.

**Mr. Burke** agreed the code states they should request transient rentals under single family designation. He said where they differ is that the multifamily has already been approved and that transient rental is permitted already.

**Mr. Davis** said to approve, the Board will need to find the public benefit for the design standard deviations for single family residential.

**Mr. Burke** stated the reason he hasn't presented that, it was his first time hearing it and there is a plan set forth and a development order approved.

**Mr. Davis** said when he applies the code to the application, he compares the 2,100 sq ft minimum lot coverage to R-1a that has 10,000 sq ft minimum lot coverage, whereas the townhouses have 1,575 which was not a deviation from the code. He compared deviation of the code to each category and wants to make sure that the Board gives that to make the master plan valid.

**Mr. Burke** asked to enter into the record the development order that has existing data in it.

**Mr. Davis** stated that changes to the design standards for the public benefit are listed in the application.

**Chairman Wakstein** explained they want to go from multifamily townhouses to single family and the Board must look at the most restrictive single-family zoning from the code and decide if the public benefit that the applicant is describing is enough to deviate from it. The most restrictive is R-1a that has a 10,000 square foot lot and 100 foot width, the applicant is proposing 2,100 square foot lots and 32 feet width. The closest in size square footage to that is residential is a townhouse, but the closest single family is 4,000 square feet that is required for R-0. Chairman Wakstein said he thought the public benefit of the reduced density is outweighed by making it a short-term rental neighborhood.

**Chairman Wakstein** opened Board discussion.

**Mr. Scruggs** said he likes the modification from townhomes to single family and apartments over retail, but does not like the short-term rental. He said he believes it will make Kelly Street a dangerous situation and does not believe that sidewalks will help.

**Mr. Register** agreed with Mr. Scruggs.

**Mr. Coleman** said there is no guarantee that there will be a Phase 2. He does not know if the requested 67 residential units is that much of an added benefit over the existing plan.

**Chairman Wakstein** told the Board they have three (3) options: adopt as is, adopt with changes, or deny the request.

**Mr. Morehouse** made a motion to deny the PUD modification request. **Mr. Johns** seconded the motion.

Mr. Morehouse	Yes	Mr. Houk	Yes	Mr. Register	Yes
Mr. Scruggs	Yes	Mr. Johns	Yes	Mr. Coleman	Yes
Chairman Wakstein	Yes				

**ITEM NO. 6**      **PCB Motors, LLC is requesting approval for a Small-Scale Plan Amendment and Rezoning Request for a Future Land Use Map change from Single Family Residential to Tourist and a Rezoning from R-1c (Single Family Residential) to CH (Commercial High Intensity). The subject parcel is located at Dogwood Street and Panama City Beach Parkway (parcel 34002-050-000). The request is made for approximately .165 acres of the subject parcel.**

**Chairman Wakstein** said the Board will consider the requests separately. The future land use map change will be heard first and then the zoning request.

**Mr. Davis** reiterated Chairman Wakstein's explanation. He then stated that comprehensive plan amendments are legislative decisions of the Board, decisions are made on any reasonable basis, and rezonings are quasi-judicial that have a different standard.

**Chairman Wakstein** opened the public hearing and asked the applicant to present his request.

**Anatoly Bezhaev, the applicant** said his engineer was unable to attend the meeting to present the application. He explained that he was making the request because the shape of the property does not allow him to do what he would like. The property is one parcel with split zoning. There were concerns of: land value, he does not think that the land value would be affected any more than if any other commercial property was located there; flooding, this is the job of the City engineer; noise, his business is a 9 to 6 operation.

**Mr. Leonard** recommended denial of the request since the size is not sufficient to buffer and abate nuisances to neighboring properties. There are other properties that go into the neighborhood, but historically have been that way for decades and staff has an issue with going further into the neighborhoods.

**Chairman Wakstein** asked if the property was purchased at some time as separate commercial and residential parcels and then combined.

**Mr. Leonard** said that it appears to be.

**Mr. Bezhaev** said the survey was done for his loan by the Engineer and Bay County combined the parcels. He said that his paperwork only shows one parcel.

**Mr. Leonard** said combining parcels does not change the zoning.

**Chairman Wakstein** inquired about a letter that was received. He said notices must be approved by City staff before mailing. He then inquired who sent a letter on the engineer's letterhead requesting that public comments go to him instead of City staff.

**Mr. Bezhaev** stated he did not know.

**Chairman Wakstein** voiced his concerns that the notice could possibly have concealed public comment and the person receiving the information was not in attendance.

**Mr. Bezhaev** stated that Mr. Leonard suggested that a pond could be put in the residential area.

**Mr. Leonard** confirmed that a stormwater pond can go on the residential portion without rezoning, but the applicant's engineer did not think that it would be enough to help them.

**Mr. Scruggs** asked if parking could be on the residential or if lesser zoning would allow for use.

**Mr. Leonard** responded that no parking or trash could be on that portion, because commercial would have a larger impact. He added that he could not think of any lesser zoning that would be appropriate.

**Chairman Wakstein** asked for public comment at this time.

**Randal Maynard, 106 Dogwood Street** stated the front door of his unit would face the car lot. He said his concerns were water retention, property value, a dangerous environment, and that it would harm tourism.

**William Gay, 102 Evergreen Street** stated he has lived there for 45 years. He said the current businesses in the area do not devalue their property. A used car lot does not belong against a residential neighborhood.

**Charles Sessions, 108 Evergreen** echoed the previous speaker concerns.

**Susan Gay, 102 Evergreen Street** said she thought people will test drive the cars down her street. She mentioned that Waterside Chiropractic has rainwater runoff that floods into her yard.

**Chairman Wakstein** asked for rebuttal at this time.

**Mr. Bezhaev** mentioned that another car lot in the area looks beautiful. He said most people don't own the property and run the business; he would do both. He would go by code to address the flooding issues and make improvements.

**Chairman Wakstein** opened Board discussion.

**Chairman Wakstein** said he does not like encroachment into a single-family residential neighborhood.

**Mr. Scruggs** agreed.

**Mr. Coleman** asked to confirm that this is a single parcel with two (2) zoning designations. If the portion stays as residential, it could be utilized as retention runoff and still be developed on the side zoned commercial. He asked if there would be a buffer on the same parcel where it changes from CH to residential.

**Mr. Leonard** responded yes, according to the code.

**Mr. Scruggs** asked **Mr. Leonard** if there would be an additional buffer required.

**Mr. Leonard** responded that it would be the normal setback for a stormwater pond in a residential area.

**Mr. Morehouse** made a motion to deny the request. **Mr. Johns** seconded the motion.

Mr. Morehouse	Yes	Mr. Houk	Yes	Mr. Register	Yes
Mr. Scruggs	Yes	Mr. Johns	Yes	Mr. Coleman	Yes
Chairman Wakstein	Yes				

**Mr. Davis** stated that it would be inconsistent with the comprehensive plan if the Board approves the rezoning. The hearing can still go forward if the applicant would like.

**Mr. Bezhaev** stated that he would need to speak with his engineer before making a decision.

**ITEM NO. 7      The City of Panama City Beach is requesting approval for an Annexation Small-Scale Plan Amendment to Public Facilities (PF) from Bay County General Commercial (C-3) and Future Land Use Map change to Public Building & Grounds from Bay County General Commercial (GCOM) designation. The parcel is located at Alf Coleman Road (parcel 34034-010-001) and is approximately 3.21 acres.**

**Mr. Davis** stated that the City purchased the property on Alf Coleman Road for the CRA and was slated for a stormwater pond. He said the site will not be good for fire station due to the flood plain. The City intends to move to rezone to CH instead of Public Facilities zoning designation. He requested the board open the hearing, take public comment, and then continue to the next meeting.

**Chairman Wakstein** opened the hearing and asked for public comment. There was none.

**Mr. Coleman** made a motion to table the request until the next meeting. **Mr. Scruggs** seconded the motion.

Mr. Morehouse	Yes	Mr. Houk	Yes	Mr. Register	Yes
Mr. Scruggs	Yes	Mr. Johns	Yes	Mr. Coleman	Yes
Chairman Wakstein	Yes				

**ITEM NO. 8      Capital Improvement**

**Chairman Wakstein** asked if there were any questions on the item.

**Mr. Coleman** asked to clarify that Phillip Griffiths PKWY Phase 1, is complete to Nautilus; Phase 3, Clara to Chip Seal Parkway; there is no Phase 2 from Nautilus to Clara.

**Kelly Jenkins, Public Works Director and City Engineer** responded that Phase 1 was the North Pier Park extension and to Highway 79, Phase 2 went all the way to Nautilus, then Phase 3, and at some point, after that hopefully they will connect. Right now, the DOT connects down Back Beach Road.

**Mr. Scruggs** made a motion to approve. **Mr. Johns** seconded the motion.

Mr. Morehouse	Yes	Mr. Houk	Yes	Mr. Register	Yes
Mr. Scruggs	Yes	Mr. Johns	Yes	Mr. Coleman	Yes
Chairman Wakstein	Yes				



**ITEM NO. 9 LDC Chapter 7 Front Beach Overlay Edits**

Chairman Wakstein told the Board that these were the edits they requested.

Mr. Morehouse made a motion to approve. Mr. Scruggs seconded the motion.

Mr. Morehouse	Yes	Mr. Houk	Yes	Mr. Register	Yes
Mr. Scruggs	Yes	Mr. Johns	Yes	Mr. Coleman	Yes
Chairman Wakstein	Yes				

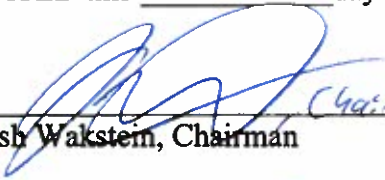
**ITEM NO. 10 Code Enforcement Update**

Mr. Leonard informed the Board that the Code Enforcement Manager was out of the office, the report was for their information, and there would not be a presentation. Mr. Leonard asked if there were any questions. There were none.

Chairman Wakstein asked if there were any announcements from the Board. There were none.

The meeting adjourned at 3:25 p.m.

DATED this 9<sup>th</sup> day of November, 2022.

  
\_\_\_\_\_  
Josh Wakstein, Chairman

ATTEST:  
  
\_\_\_\_\_  
Melissa Deese, Secretary