

**CITY OF PANAMA CITY BEACH
PLANNING BOARD MEETING MINUTES
November 13, 2019
MINUTES TO THE REGULAR MEETING**

The meeting was called to order by Chairman Sheldon at 1:00 p.m. and announced to the audience and for the record that Mr. Hodges was recusing himself from agenda Item 6 and was currently in the audience. (Form 8B Memorandum of Voting Conflict completed and filed in the record.) Ms. Chester was asked to call the roll. Members present were Mr. Scruggs, Mr. Morehouse, Mr. Hodges, Mr. Turner, Mr. Wakstein, Mr. Caron and Chairman Sheldon.

Ms. Chester gave the invocation and Chairman Sheldon led the Pledge of Allegiance.

Chairman Sheldon asked if there were any comments or additions to the agenda, no comment from the board members. Mr. Wakstein asked if there could be an item for discussion of Multi-Family Housing added to the agenda and it was approved as an addition.

ITEM NO. 4 Approval of the October 9, 2019 Planning Board Meeting Minutes

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

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Wakstein | Yes |
| Mr. Morehouse | Yes | Mr. Caron | Yes |
| Mr. Turner | Yes | Chairman Sheldon | Yes |

ITEM NO. 5 Public Comments – Agenda Items and Previous Agenda Items (Non-Public Hearings) Limited to Three Minutes

No public comment.

ITEM NO. 6 Request approval for a Large Site Development Modification. The property is located at 10292 Front Beach Road. The Planning Board will hold a public hearing to consider the request. Continued

Chairman Sheldon called for the Jennings Act disclosures from the board members.

Mr. Scruggs, Mr. Clary contacted him to see if there were any questions to the revised application submittal. Mr. Scruggs commented he had not yet reviewed the application.

Mr. Morehouse, nothing to disclose.

Mr. Turner, Mr. Clary contacted him to see if there were any questions to the revised application submittal. Mr. Turner commented he had not yet reviewed the application.

Mr. Wakstein, Mr. Clary contacted him as well to see if there were any questions to the revised application submittal. Mr. Wakstein commented he did not have any at this time.

Mr. Caron, nothing to disclose.

Chairman Sheldon, nothing to disclose.

Charlie Clary, DAG Architects presented a recap of the modification request as the representative of the Long Beach Lagoon project. He commented staff had received a comparison of the requested changes to the originally approved development and did not have any objections. He introduced Levi Wiegand, DAG Architects and he provided a visual breakdown of the requested changes. He directed the board's attention to the modifications in the amusement package, decrease in the lodging units, increase in the retail square footage, increase in the hospitality (restaurant) square footage and the increase in the amount of parking spaces on site.

Mr. Caron asked how the short-term rental units would operate, like a hotel or short-term. Mr. Shaul Zislin, owner of the property was introduced to explain. He stated these units would all be short-term leasing and handled through a property manager on-site. Mr. Wakstein questioned the amount of parking located in front of the proposed restaurants on site. Ms. Zislin explained all parking would be managed in the parking garage and the concept of the development is a pedestrian/walking site for the entire development. Discussion ensued.

Chairman Sheldon opened the meeting up for public comments.

Steven Kopas, 183 Damon Circle commented he had asked about the traffic on Front Beach Road once the project was complete and was also interested in the access into Gulf Highlands. Mr. Kopas asked where the noise would be reflected from the amphitheater.

Ed Benjamin, 202 South Wells Street commented he appreciated the concern for parking for the residents.

Chairman Sheldon closed the public portion of the meeting.

Chairman Sheldon requested that each item from the modification request be presented, discussion if necessary and then voted on separately. He presented the first item as the Amusement Package, which included the Roller Coaster, Star Flyer Tower, Carousel, Windstarz, and Paddle Boats. Mr. Scruggs made a motion to approve and it was seconded by Mr. Turner. Ms. Chester was asked to call roll.

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Wakstein | Yes |
| Mr. Morehouse | Yes | Mr. Caron | Yes |
| Mr. Turner | Yes | Chairman Sheldon | Yes |

Chairman Sheldon presented the Short-Term Lodging Units as 75 units above Retail in Mixed Use with a Height of 4 stories. Mr. Turner made a motion to approve and it was seconded by Mr. Scruggs. Ms. Chester was asked to call roll.

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Wakstein | Yes |
| Mr. Morehouse | Yes | Mr. Caron | Yes |
| Mr. Turner | Yes | Chairman Sheldon | Yes |

Chairman Sheldon presented the total Retail Space as 114,800 Square Feet with an Arcade located under the Garage. Mr. Scruggs made a motion to approve and it was seconded by Mr. Turner. Ms. Chester was asked to call roll.

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Wakstein | No |
| Mr. Morehouse | Yes | Mr. Caron | No |
| Mr. Turner | Yes | Chairman Sheldon | Yes |

Chairman Sheldon presented the total Hospitality of 41,500 Square Feet. Mr. Scruggs made a motion to approve and it was seconded by Mr. Turner. Ms. Chester was asked to call roll.

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Wakstein | No |
| Mr. Morehouse | Yes | Mr. Caron | Yes |
| Mr. Turner | Yes | Chairman Sheldon | Yes |

Chairman Sheldon presented the total Parking Count as 800 spaces in the Garage and 70 Surface Spaces. Mr. Scruggs made a motion to approve and it was seconded by Mr. Morehouse. Ms. Chester was asked to call roll.

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Wakstein | Yes |
| Mr. Morehouse | Yes | Mr. Caron | Yes |
| Mr. Turner | Yes | Chairman Sheldon | Yes |

The Large Site Development Modification Request was approved and let the record reflect that Mr. Hodges joined the board for the continuation of the meeting.

ITEM NO. 7 Request approval for a Large Site Development. The property is located at 11826 Front Beach Road. The Planning Board will consider the request.

Chairman Sheldon called for the Jennings Act disclosures from the board members.

Mr. Scruggs, nothing to disclose. Mr. Morehouse, nothing to disclose. Mr. Turner, nothing to disclose. Mr. Wakstein, nothing to disclose. Mr. Caron, nothing to disclose. Chairman Sheldon, nothing to disclose.

Robert Carroll, 17800 Panama City Beach Parkway representing the applicant SF Grand Panama, LLC who is requesting approval for a large site development. He explained the request is to develop apartments of 320 units located within four 5 story buildings, parking of 609 spaces and to include a 3-acre amenity within the development. He stated the site is surrounded by commercial and condominiums. Mr. Carroll explained the connections to Front Beach Road and Hutchison Boulevard would be through a gate activated through a key remote. Discussion ensued on the type of apartment housing and Mr. Carroll commented the complex would be market rate.

Chairman Sheldon opened the meeting up for public comment.

Clair Pease, 11800 Front Beach Road commented there were three concerns, the access from Grand Panama residents, who would be responsible for the stormwater on the property and what beach access would these residents use.

Michael Fluharty, 510 E. 3rd Street owner of Grand Panama asked if the access to Hutchison Boulevard would still be available and would there be additional stormwater on the property.

Gary Wiedemann, 11800 Front Beach Road stated the 2007 condominium documents indicate there is an easement road provided for Grand Panama condominium residents and did this still exist.

Barbara Vercrumba, 11800 Front Beach Road asked if the access for the towers would remain and would they be entering through their parking lots. She asked if the apartments were considered luxury or affordable housing and would they be used as long or short-term rentals.

Val Vercrumba, 11800 Front Beach Road commented he had a survey from his purchase at Grand Panama and it reflected an easement road provided for the residents.

Nancy Stovall, 11800 Front Beach Road asked if the apartments would have access to Front Beach Road and if so, would they be traveling through their parking lot.

Chairman Sheldon closed the public portion of the meeting and asked Mr. Carroll to address the questions raised from the public. Mr. Carroll stated the stormwater will be maintained by the apartments and the beach access is located on the west side and is Beach Access #42. Mr. Clark Butler, developer of the project explained the use of the keyless entry to the gates and how this will work for all residents including Grand Panama owners. He stated the apartments will be a long-term lease and the retention ponds on the property will be reduced from three to 2 ponds on-site. Discussion ensued.

Mr. Hodges made a motion to approve the request for a Large Site Development and it was seconded by Mr. Caron. Ms. Chester was asked to call roll.

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Turner | Yes |
| Mr. Morehouse | Yes | Mr. Wakstein | Yes |
| Mr. Hodges | Yes | Mr. Caron | Yes |
| | | Chairman Sheldon | Yes |

ITEM NO. 8 Request for an Annexation, a Small-Scale Future Land Use Map Amendment to Tourist and a Zoning designation of CH (Commercial High Intensity) for approximately 6.5 acres located on the north side of Hutchison Boulevard west of the intersection of Richard Jackson Boulevard and Hutchison Boulevard.

Chairman Sheldon called for the Jennings Act disclosures from the board members.

Mr. Scruggs, nothing to disclose. Mr. Morehouse, nothing to disclose. Mr. Turner, nothing to disclose. Mr. Wakstein, nothing to disclose. Mr. Caron, nothing to disclose. Chairman Sheldon, nothing to disclose.

Mike Burke, 16215 Panama City Beach Parkway representing the Carr's on their request. He stated this is currently located in Bay County and the current zoning has a lesser density verses the allowed density in the requested CH zoning for the city. Mr. Burke commented the intent for the parcel is to develop apartments, which will be leased at market value. Discussion ensued.

Chairman Sheldon opened the meeting up for public comment, there was none. Chairman Sheldon opened it up for board discussion. Mr. Wakstein commented he could support the request if it were for a Commercial Medium (CM) zoning, but not a CH. Chairman Sheldon commented he could support the request because it would give the city control over the look on the corridor. Discussion ensued.

Mr. Turner made a motion to approve and it was seconded by Mr. Hodges. Ms. Chester was asked to call roll.

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Turner | Yes |
| Mr. Morehouse | No | Mr. Wakstein | No |
| Mr. Hodges | Yes | Mr. Caron | No |
| | | Chairman Sheldon | Yes |

Ms. Chester commented the request is recommended to City Council for approval.

ITEM NO. 9 Proposed Ordinance – Inflatable Amusements on the Sandy Beach – Continued Discussion

Mr. Leonard introduced the item and stated the items mentioned from the joint workshop had been updated. Mr. Scruggs made a motion to approve and it was seconded by Mr. Hodges. Ms. Chester was asked to call roll.

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Turner | Yes |
| Mr. Morehouse | Yes | Mr. Wakstein | Yes |
| Mr. Hodges | Yes | Mr. Caron | No |
| | | Chairman Sheldon | Yes |

ITEM NO. 10 Continued Discussion of Land Development Code Application Requirements for Neighborhood Meetings

Mr. Leonard introduced the item and stated changes had been made from the joint workshop discussion. Mr. Wakstein commented he did not see where a timeframe for required meeting was stated. Discussion ensued and the board requested to add the following to the proposed ordinance:

- #4 Add specifically that a **Sign-Up Sheet** of those in attendance of the meeting shall be included in the application submittal.
- #6 Time designated for meetings should be a **weeknight and scheduled during the timeframe of 5:30 to 7:30/ or may be held during a regular scheduled HOA Meeting.**

Mr. Wakstein made a motion to approve the proposed ordinance with the recommended changes and it was seconded by Mr. Scruggs. Ms. Chester was asked to call roll.

| | | | |
|---------------|-----|------------------|-----|
| Mr. Scruggs | Yes | Mr. Turner | Yes |
| Mr. Morehouse | Yes | Mr. Wakstein | Yes |
| Mr. Hodges | Yes | Mr. Caron | Yes |
| | | Chairman Sheldon | Yes |

ITEM NO. 11 Proposed Ordinance – Codify Small Cells Right-of-Way Permitting – Continued Discussion

Item was continued until the December meeting.

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

Mr. Silky discussed the recommended changes with the board. He stated this was an update of the acreage designated for recreation and open spaces. Mr. Wakstein suggested the addition of Swampy Jack's Amusement be removed from the report and the board agreed. Discussion ensued and the board agreed with Mr. Silky's updates.

ITEM NO. 13 Code Enforcement Update

Melissa Deese presented the report to the board in Mr. Tindle's absence. Ms. Deese commented Mr. Tindle would have the discussion regarding demolition projects at the next meeting. The board thanked her for the updated information.

ITEM NO. 14 Multi-Family Housing Discussion

Mr. Wakstein commented he was concerned about the influx of apartment buildings that were being built at this time. He asked Mr. Carroll if he had an estimate of the total amount that were being built in Bay County and he did not have this information at this time. Mr. Morehouse agreed that he

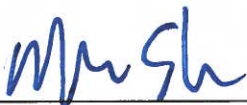
also has a concern of the future turnover these developments can have and how it effects the community. Discussion ensued.

CLOSING REMARKS

Mr. Leonard commented this meeting would be a part of history as the last meeting to ever be held in the current City Hall building. Chairman Sheldon shared some history of the building and thanked everyone for being a part of history.

The meeting was adjourned at 3:50 p.m.

DATED this 11th day of December, 2019



Mark Sheldon, Chairman

ATTEST:



Andrea Chester, Secretary

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| | |
|---|---|
| LAST NAME—FIRST NAME—MIDDLE NAME Hodges - Patrick - Kenney | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Planning Board - Panama City Beach, Florida |
| MAILING ADDRESS PO Box 14212 | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| CITY Panama City Beach, FL 32413 | COUNTY Bay County |
| DATE ON WHICH VOTE OCCURRED November 13, 2019 | NAME OF POLITICAL SUBDIVISION: MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE |

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Patrick K. Hodges, hereby disclose that on November 13, 20 19 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of PCGV, LLC (Long Beach Lagoon), which is the parent organization or subsidiary of a principal which has retained me.

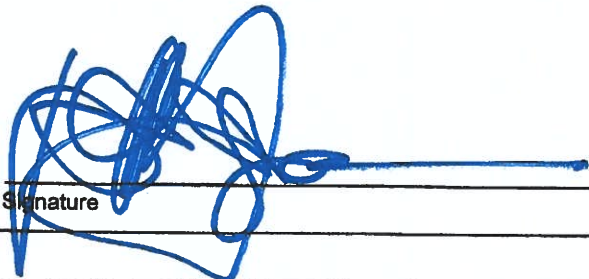
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

The property owners (PCGV, LLC) are seeking approval of modifications to a previously approved Large Scale Development Site Plan from the City of Panama City Beach Planning Board. I am an appointed member of the board. In addition, I am a professional landscape architect and a member of the professional multi-disciplinary team that has designed the project. Other members of that professional team are now seeking the approval of the aforementioned modifications before the planning board as agents on behalf of the property owners.

Date Filed

11/7/19

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.