PANAMA CITY BEACH CITY COUNCIL
AGENDA

NOTE: AT EACH OF ITS REGULAR OR SPECIAL MEETINGS, THE CITY COUNCIL ALSO SITS, EX-OFFICIO, AS THE CITY OF PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY AND MAY CONSIDER ITEMS AND TAKE ACTION IN THAT LATTER CAPACITY.

SPECIAL

MEETING DATE: February 12, 2015
MEETING TIME: 4:00 P.M.

ITEM 1 REHEARING OF THE PLANNING BOARD’S APPROVAL OF THE AMENDED LOCAL DEVELOPMENT ORDER FOR CALYPSO TOWER III CONDOMINIUM, A 250 UNIT CONDOMINIUM AT 15928 FRONT BEACH ROAD.

JOHN REICHARD X
RICK RUSSELL X
JOSIE STRANGE X
KEITH CURRY X
GAYLE OBERST X

I certify that the Council members listed above have been contacted and made aware of the item on this agenda.

City Clerk Date

IN AN EFFORT TO CONDUCT YOUR COUNCIL MEETINGS IN AN ORDERLY AND EXPEDIENT MANNER, WE RESPECTFULLY REQUEST THAT YOU WAIT UNTIL THE CHAIR RECOGNIZES YOU TO SPEAK, THEN COME TO THE PODIUM AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

E-mailed and/or Faxed to following interested parties on: 2/9/15

<table>
<thead>
<tr>
<th>NEWS MEDIA</th>
<th>CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>News Herald</td>
<td>John Henderson</td>
</tr>
<tr>
<td>Bullet</td>
<td>Phil Lucas</td>
</tr>
<tr>
<td>Channel 4</td>
<td>Ryan Rodig</td>
</tr>
<tr>
<td>Channel 7</td>
<td>Rex Ogburn</td>
</tr>
<tr>
<td>Channel 13</td>
<td>Ken McVay</td>
</tr>
<tr>
<td>Comcast</td>
<td>Kay C. McWilliams</td>
</tr>
<tr>
<td>WOW</td>
<td>Cil Schnitker</td>
</tr>
<tr>
<td>WKGC</td>
<td>Emily Balazs</td>
</tr>
<tr>
<td>WLTG</td>
<td>A. D. Whitehurst</td>
</tr>
<tr>
<td>Magic Broadcasting</td>
<td>Chris Allen</td>
</tr>
<tr>
<td>Clear Channel</td>
<td>Crystal Presley</td>
</tr>
<tr>
<td>Panama City Radio</td>
<td>Brandon Andrews</td>
</tr>
</tbody>
</table>
TO: City Council Members

FROM: Andrea Chester, Secretary to the Planning Board

DATE: February 6, 2015

RE: Calypso Tower III Information

On December 8, 2014, the Planning Board conducted a Quasi-Judicial Hearing on an appeal filed by Dave Evras of the Notice of Intent to approve the Calypso Tower III Amended Development Order. The Planning Board’s decision to approve the Amended Development Order was appealed by Mae Meyer and Toni Traina, both of whom attended the Planning Board’s December 8 Quasi-Judicial Hearing. The following is an outline of information in the packet for the City Council:

Exhibit 1 Appeal Letter from Mae Meyer, dated December 26, 2014.
Exhibit 2 Appeal Letter from Toni Traina, dated December 24, 2014.
Exhibit 3 Planning Board Order entered on December 15, 2014.
Exhibit 4 Planning Board Meeting Minutes dated December 8, 2014.
Exhibit 5 Attendance Sign-Up Sheet from Planning Board Meeting held on December 8, 2014.
Exhibit 6 Emails opposing the Planning Board decision.
Exhibit 7 Emails supporting the Planning Board decision.
Exhibit 8 Emails to Planning Board Members.
Exhibit 9 Staff Report to the Planning Board from Mel Leonard.
Exhibit 1
December 26, 2014

Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.

- The use of 1.5 parking spaces per condo is out dated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required parking spaces should be increased and also for the bicycle parking space as well. Currently there’s no bicycle parking space.

- The Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional overcrowding of the current complex and without additional traffic problems on Front Beach Road.
• In addition, the distances from Calypso to the Pier Park should have public cross over sky walkway to the beach to prevent traffic hold up and congestion around Calypso and Pier Park area.

• Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
  
  o According to the Chamber of Commerce, “The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach.”

• The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new
Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach,

Sincerely,

Mae Meyer

Calypso Owner, 2109E and 1103W
Exhibit 2
Appeal Letter from Toni Traina, dated December 24, 2014.
December 24, 2014

Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.

- The use of 1.5 parking spaces per condo is outdated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required sparking spaces should be increased.

- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional overcrowding of the current complex and without additional traffic problems on Front Beach Road.

- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
  - According to the Chamber of Commerce, “The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach.”

- The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.
The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

Thank you,

[Signature]

Calypso Tower I
Unit 1509
15817 Front Beach Rd.
Panama City Beach
Exhibit 3
Planning Board Order entered on December 15, 2014.
PLANNING BOARD OF THE
CITY OF PANAMA CITY BEACH

IN RE: CALYPSO TOWER III, LLC LOCAL DEVELOPMENT ORDER TO
APPROVE A 250-UNIT CONDOMINIUM AT 15928 FRONT BEACH
ROAD

PARCEL NO. 33756-000-000

QUASI-JUDICIAL HEARING HELD DECEMBER 8, 2014

No: 14 DO 12

ORDER

The PLANNING BOARD OF THE CITY OF PANAMA CITY BEACH,
having heard testimony and reviewed the exhibits produced at the Quasi-Judicial Hearing in
this matter held December 8, 2014, sets forth the following Procedural History, Findings of
Fact and Conclusions of Law.

PROCEDURAL HISTORY

1. On June 27, 2013 the City Council adopted Ordinance 1276 which created a
   process for amending, extending or renewing development orders which met
certain criteria.

2. On October 24, 2013, the developer of Calypso Tower III filed the required
   Notice of Intent to Apply for an Ordinance 1276 Amended Development
   Order as a Type One Development (a phased development).

3. On October 25, 2013 the City replied and acknowledged receipt of the Notice
   of Intent.
4. Pursuant to Ordinance 1276, the applicant then had ninety (90) days to file a complete application for an Amended Development Order.

5. On January 17, 2014, the applicant filed the required complete application and requested a 4-year term which meant the height and the aggregate square footage of individual units were to be reduced by twenty percent (20%).

6. On January 22, 2014 and March 31, 2014, the City acknowledged the complete application but had three (3) items that needed clarification.

7. The applicant responded on May 14, 2014 and the City issued a reply on May 16, 2014 indicating one of the three issues was resolved but more information was needed regarding parking and clarification between the East and West elevation exhibits.

8. On June 27, 2014, the applicant responded and answered the remaining issues.

9. City staff continued to work on the parking questions raised by the current condominium owners by sending both Code Enforcement Officers to the site to count parking spaces to compare with the parking count submitted by the Condominium Association Manager.

10. On October 22, 2014 the City received a letter from Calypso Tower III, LLC indicating they were the new owners of the property and wished to amend the application to a 2-year term.

11. On October 27, 2014 the City responded by acknowledging receipt of the amendment.

12. City staff properly and timely conducted an analysis of the amended Application October 30, 2014 timely issued the Notice of Intent to issue a Development Order based on the amended Application.

13. Several requests for a hearing were received from owners within Towers I and II within the 5-day notice period setting forth a number of similar and often identical objections to the Development Order.
14. City staff properly and timely prepared a written report to the Planning Board setting forth staff’s analysis of the pending application and requests for hearing and objections, and on November 25, 2014, provided the report to all necessary parties (the Report).

15. On December 8, 2014, this Board held a properly advertised Quasi-Judicial Hearing on the application.

16. This Board received evidence on the question of whether the Objectors were Adversely Affected Persons.

17. At the Hearing this Board received evidence from the Objectors, the Applicant, and the City.

18. The Report was admitted into evidence.

FINDINGS OF FACT

19. The City Planner is qualified to express an opinion on the matters addressed herein related to the City’s Comprehensive Plan, the Land Development Code (LDC) and Ordinance 1276.

20. Based upon the un-contradicted testimony of the City Planner, Notice of the December 8, 2014, hearing was properly given and all procedural requirements met for the Planning Board to hear the application.

21. The requests for a Planning Board hearing on the Application filed by the Objectors asserted that:
   a. Parking is within 5-7 spaces of capacity and not enough handicap parking is available for general parking use;
   b. The original permit is old and new studies are required for traffic, stormwater, environmental, et cetera;
   c. Stormwater problems will increase and sink holes have started in the area;
d. The beachfront is crowded with guests and will not support the additional people a third tower will bring;
e. The elevated crossover will become overcrowded as will the at-grade crosswalk;
f. The appeal period of five (5) days is too short. An appeal period of thirty (30) days is necessary to give the condominium owners time to review documents and think through all applicable issues;
g. Other developer groups wanted to purchase the property but were told only 11 stories could be constructed;
h. Sales literature distributed by the owners showed a reduced size to Tower III; and,
i. The application exceeds the height permitted by Ordinance 1276 for buildings north of Front Beach Road.

22. The Objectors own units in Calypso Towers I and/or II which would share with Tower III an interest in common property that are part of the same phased development; are in close proximity to one another; and, would share amenities and elements required by the City regulations such as parking, landscaping, storm water, utilities, et cetera.

23. The evidence and argument presented by the Objectors at the hearing covered the same grounds raised in the request for a hearing, and no more. The Board would point out that many of the Objectors concerns, while sincere and well-intentioned, would require the Board to go beyond the scope of this proceeding. For example, the Board cannot impose a parking standard greater than the requirements of the LDC, or create a standard to regulate beach overcrowding where none exists in the LDC, or require additional traffic or environmental studies where the LDC does not require such. The jurisdiction of this Board is limited to the matters described in paragraph 32 below.
24. The City Planner’s testimony and the staff analysis of the Application set out in the Report are competent, substantial evidence showing that Calypso Tower III meets the qualifications for a Type One Development under Ordinance 1276.

25. No material, competent and substantial evidence was presented to show that the Application violates any applicable criteria of the Comprehensive Plan, the LDC, or Ordinance 1276.

CONCLUSIONS OF LAW

26. This Hearing is part of a Type I – Notice of Intent Proceeding governed by LDC 10.06.00, 10.13.00 and 10.16.00.

27. This Board has jurisdiction to conduct this Hearing. LDC 10.06.03.

28. The Application and Hearing conform to the procedural and notice requirements of the LDC.

29. The Objectors are Adversely Affected Persons and have standing to request this hearing because they are owners in Towers I and/or II which share with Tower III an interest in common property that are part of the same phased development; are in close proximity to one another; and, would share amenities and elements required by the City regulations such as parking, landscaping, stormwater, utilities, et cetera.

30. The Applicant bears the burden of demonstrating that the Application should be granted. LDC 10.06.03(B), 10.16.04(C) and 10.13.02(E).

31. The staff analysis and the Report, without more, demonstrate that the Application should be granted and they carry the Applicant’s burden.

32. The jurisdiction of this Board is limited to interpretation and application of the Comprehensive Plan, the LDC and Ordinance 1276 as clearly demonstrated in the following sections of the LDC and Ordinance 1276:
a. "An Adversely Affected Person may file a written request for a hearing with the Building and Planning Department within five (5) days of Publication of the Notice of Intent. The written request for a hearing shall identify the specific sections of the Comprehensive Plan and/or the LDC that the application violates and describe how such sections are not met." LDC 10.06.02(C).

b. "To conduct public hearings and render decisions in compliance with the requirements of the LDC." LDC 8.03.03(E).

c. "To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination or interpretation made by the City Manager, or his designee or the City Engineer, which is related to the LDC, excepting building codes..." LDC 8.03.03(K).

d. "... all Application, Review and Decision Making Procedures specified in the LDC shall apply to the development order issued, or any Development undertaken pursuant to this Ordinance." Ordinance 1276, Section 5.

33. The amendment to the original application from a 4 year to a 2 year extension is permitted by Section 10.12.01 of the Land Development Code and Ordinance 1276.

34. This Board affirms the "Staff Comments" of the Report regarding each of the Objector's nine (9) assertions and concludes that those comments competently rebut the Objectors' assertions.

**THEREFORE, it is ORDERED AND ADJUDGED** that staff's decision stated in the Notice of Intent is **AFFIRMED** (5-0) and, in the absence of a valid and timely request for a re-hearing of this matter before the City Council, staff shall **GRANT** THE APPLICATION as noticed.
If any part of this Order is deemed invalid or unlawful, the invalid or unlawful part shall be severed from this Order and the remaining parts shall continue to have full force and effect, it being the intent of this Board that all parts of this Order are severable so long as the result and effect remain the same.

DONE this 15th day of December, 2014.

Ed Benjamin, Chairman

ANDREA CHUST

Andrea Chester, Assistant Secretary
<table>
<thead>
<tr>
<th>Name</th>
<th>CALYPSO TOWER III, LLC</th>
<th>Land Value</th>
<th>528,981</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site</td>
<td>15026 FRONT BEACH RD</td>
<td>Building Value</td>
<td>0</td>
</tr>
<tr>
<td>Sale</td>
<td>4,525,000 on 10-2014 Reason=U Qual=N</td>
<td>Misc Value</td>
<td>0</td>
</tr>
<tr>
<td>Mail</td>
<td>P O BOX 6556</td>
<td>Just Value</td>
<td>528,981</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assessed Value</td>
<td>528,981</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Exempt Value</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Taxable Value</td>
<td>528,981</td>
</tr>
</tbody>
</table>

The Bay County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY. NEITHER BAY COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS. —THIS IS NOT A SURVEY—

Date printed: 12/15/14: 08:55:10
Exhibit 4
Planning Board Meeting Minutes dated December 8, 2014.
CITY OF PANAMA CITY BEACH
PLANNING BOARD MEETING MINUTES
December 8, 2014
MINUTES TO THE REGULAR MEETING

The meeting was called to order by Chairman Benjamin at 2:00 p.m. and Mr. Leonard was asked to call the roll. Members present were Mr. Duran, Mr. Dowgul, Ms. Pease, Mr. Turner, Ms. Cook and Chairman Benjamin. Mr. Viejo was absent.

Chairman Benjamin welcomed Mr. Turner back after a four month absence for heart surgery. Chairman Benjamin asked for a motion on the minutes from the November 10 meeting. Mr. Duran made a motion to approve and it was seconded by Ms. Pease. Mr. Leonard was asked to call roll.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>
| Mr. Duran | Yes   | Mr. Turner – Not present at meeting, no vote. 
| Mr. Dowgul | Yes   | Mr. Turner – Not present at meeting, no vote. 
| Ms. Pease | Yes   | Ms. Cook Yes |
|        |       | Chairman Benjamin Yes |

ITEM NO. 1 A quasi-judicial hearing to consider an appeal of a Notice of Intent to issue an Amended Local Development Order pursuant to the requirements of Ordinance 1276. The approval is for a 250 unit condominium with a two (2) year extension for Calypso Tower III located at 15928 Front Beach Road.

Chairman Benjamin asked if any of the members had anything to disclose under the Jennings Act. Mr. Duran, stated he had to recuse himself since he was an independent contractor for Pelican Real Estate, who has involvement with the marketing of the potential development of this project. Mr. Dowgul, nothing to disclose. Ms. Pease, been to the current building and spoken with someone in the CAM office. Mr. Turner, nothing to disclose. Ms. Cook, nothing to disclose. Chairman Benjamin, nothing to disclose.

Chairman Benjamin asked Mr. Leonard if all the procedural requirements and necessary paperwork had been completed by the applicant in a timely fashion and were there any open issues of the legal requirements. Mr. Leonard replied, there were no issues and all requirements had been met by the applicant.

Chairman Benjamin spoke to the audience and stated the board is not here today to discuss the merits or possible modifications to the Land Development Code (LDC). He stated they were not here to discuss the merits, pros and cons, or modify Ordinance 1276. He commented these were not discussion items for today's meeting. Mr. Sale, as city attorney and staff counsel before this hearing he agreed with the Chairman’s comments. Chairman Benjamin asked Mr. Bob Apgar, legal presentation for the board, if he agreed and he stated he also agreed.

Chairman Benjamin asked an explanation for the purpose of today's process, the responsibilities of the adversely affected parties, and the possibilities for the parties once the meeting has concluded. Mr. Leonard explained the process as this was an application for a development order and as part of the process when staff determines it has met the requirements of the LDC, the Comprehensive Plan, and Ordinance 1276, as in this matter, an advertisement is ran and anyone who is an adversely affected party they are eligible to ask for a hearing in front of the Planning Board, which is what has occurred. Mr. Leonard stated the adversely affected parties are asking that the judgment of staff is being transferred to the Planning Board and such the board reviews and decides whether or not the
development order application should be approved, given the information provided. Mr. Leonard explained once the board has made their decision then any person attending this meeting can appeal that decision to the City Council. Chairman Benjamin asked if there were any responsibilities that fall upon the adversely affected parties. Mr. Apgar explained the procedures for the adversely affected parties to present evidence to the board and their decision will be based on competent substantial evidence. He stated this hearing is to allow those parties to present evidence for a denial of this application. Mr. Apgar explained the swearing in of the adversely affected parties and their testimonies to be presented along with the proceeding of the meeting. Mr. Sale addressed the board regarding Ordinance 1276 and the proceedings for the board on behalf of staff.

Mr. Apgar asked the adversely affected parties who wish present evidence to the board, as opposed to just comments to rise and be sworn in. All parties were sworn in at this time.

Chairman Benjamin asked Mr. Leonard to present staff's analysis. Mr. Leonard stated this was a Development Order Application which seeks approval of a 250 unit condominium tower to be constructed as Calypso Tower III. He explained the tower was approved along with the two currently constructed towers on February 7, 2003 and had the foundation constructed, minus the pile caps. He stated due to the economic decline construction on the third tower was halted, approved development order expired when the building permit expired, which was September 24, 2005, which is six months on the last action of the permit. Mr. Leonard stated on June 27, 2013 the City Council adopted Ordinance 1276, which created a process for amending, extending, or renewing development orders which met certain criteria. He stated Calypso Tower III met the criteria and on October 24, 2013 filed a required Notice of Intent to apply for the development order under Ordinance 1276. He gave a recap of Ordinance 1276 and the approved projects. Mr. Leonard stated the office timely received a request for a hearing and feel persons in Tower I and Tower II are adversely affected and have a right to present and request the hearing. He highlighted the comments from these parties, which were also made available in the staff report. Mr. Leonard stated there were nine (9) different objections and stated them as follows:

**Objection 1)** Parking, which code enforcement checked and it is sufficient to meet Tower III obligations.

**Objection 2)** Original permit was old and new studies were required for traffic, stormwater, and environmental, etc., but Ordinance 1276 does not require this update.

**Objection 3)** Stormwater problems will increase and sink holes have started in the area, engineering division reviewed looked at stormwater improvements associated with Tower III and they mentioned the improvements were put in place, but they need maintenance and need to be fixed. He stated all of the stormwater improvements would have to be put in place and inspected once they apply for a building permit.

**Objection 4)** Beachfront crowding and not able to support the additional people a third tower will bring, staff does not have an ordinance that can be enforced and implement and involving beach overcrowding.

**Objection 5)** The elevated crossover will become overcrowded, as well as the at-grade crosswalk, these were permitted by DOT and the City with the original development order and building permit. All building and life-safety codes will still be required to be maintained.

**Objection 6)** The appeal period of five (5) days is too short; the LDC establishes there is a five (5) day business period.

**Objection 7)** The other developer groups wanted to purchase the property but were told only 11 stories could be constructed, Ordinance 1276 allowed for the original development order to be left in place, which allowed for building heights in excess of what the LDC allows today, subject to what was submitted as part of the original development order.
Objection 8) Sales literature distributed by the owners showed a reduced size to Tower III, the development application pursuant to Ordinance 1276 was originally for a four year time frame extension, which required a twenty (20%) reduction in height and aggregate square footage. Before the City approved the application and issued Notice of Intent the owners of project changed and asked to change to the two year, which was accepted in a timely manner.

Objection 9) The application exceeds the height permitted by Ordinance 1276 for buildings north of Front Beach Road, it does exceed the heights allowed by the current LDC, but Ordinance 1276 allows for this to occur and protects them with their original entitlements.

Mr. Leonard stated there was a comment regarding the application could not be amended. He explained that once the Notice of Intent has been issued, request for hearing has run, and development order approved one cannot go back and change the development order application under the Ordinance 1276. He explained that up until the Notice of Intent is issued one can amend the development order application. He stated there was another issue mentioned regarding the sales material describing the development that was distributed and this does not violate a city ordinance; therefore it is not a concern that staff can address. Mr. Leonard stated that would be a civil matter between the parties. Mr. Aparag asked Mr. Leonard to confirm whether all the notice requirements and publication requirements were met in the course of the application. Mr. Leonard stated yes, all requirements were met and all parties who asked for the hearing, as well as the applicant of the development order were notified of the meeting.

Chairman Benjamin asked for the applicant or representative of the applicant to give evidence supporting the application.

Mr. Richard Johnson, on behalf of the developer introduced himself. He then asked Mr. Leonard if all the legal requirements of the developer had been met, and Mr. Leonard replied yes. He commented that he had nothing further to add to Mr. Leonard’s staff report.

Mr. Leonard entered the staff report; all the letters that were timely received, triggering this meeting, as well as late letters received, and also letters of support into the record. Mr. Aparag reminded the board the staff report is competent substantial evidence that can be relied upon in their findings, in addition to Mr. Leonard’s testimony.

Chairman Benjamin opened the meeting to the adversely affected parties that were previously sworn in to now give testimony.

Mr. Dave Evras, 15817 Front Beach Road, Calypso Condominium and he and his wife are the owner of three units since the opening of April 2006. He commented there are several different investors in Panama City Beach, the ones who develop and leave, real estate companies who sale over and over, and then there are the bars and retails who gain from all the visitors. Mr. Evras commented the long-term investors for Panama City Beach are the people who invest in the condominiums long-term. He stated these are the ones that are putting the money into the City and by over populating the beaches will affect their investments in the long run. Mr. Evras commented, as Mr. Leonard had mentioned, the development order expired September 2005 and the building permit expired in December 2008 for the third tower.

Mr. Evras spoke of parking spaces and the rule of 1.5 parking spaces per condo. He explained there are usually two to three cars that come per condo when rented. He stated the 1.5 parking space does not meet the criteria of what is needed at any parking spaces associated with condominiums. He gave the scenario of more than one family coming at a time, or a group of young people coming
with multiple cars. Mr. Evras asked where these people are to park once the parking garage and all the parking spaces are no longer available and the third tower is added.

Mr. Evras spoke about the impact study that was completed approximately ten to fifteen years ago. He commented since that time the number of condominiums has increased between Aqua, Calypso, Tidewater, Sterling, and several others. He stated the economy is changing and the sales of condominiums are turning around, but overpopulating the beach is going to cause more problems. He stated they feel as though a new traffic, water retention and beach population study is needed at this time. He commented he knew there was a rule for the beach to allow seven square feet per person. Mr. Evras stated he felt they were blessed the economy faced a down turn and the third tower was not built at the time of the first and second tower, because it allowed them to find out exactly the population on the beach at Calypso. He explained there is only five hundred feet of beach frontage and that cannot be expanded. He stated there is not enough room to add the additional persons on the beach from the third tower. Mr. Evras presented each member a Beach Population Study that he created last year, added to the record. He explained the study and comparisons of the condominiums and beach frontage for each. He stated the beach services company has reported to him there are not enough beach chairs available and the summer months there are a total of three rows full of beach chairs; leaving a small space for the families with canopies. He commented even though the public beach is adjacent they are not allowed to put rented beach chairs on the public beach.

Mr. Evras concluded with he feels there is a better use for the property than another condominium. He stated in talking with the owners a large majority state they want their amenities that were originally purchased as investors of Calypso. He stated putting in a convention center would be a much better use of the property than adding additional units to overpopulate the beach and parking garage. He stated this would benefit other businesses and the current rental pool, bringing in more business during off-season. He commented the majority of owners would appreciate their investments not being traumatized by another 250 units on the north side of Front Beach Road. Mr. Evras presented a letter from another owner who could not make the meeting for the record. He thanked the board for their consideration and stated they are not against development, but against their investments being reduced.

Ms. Pease asked Mr. Evras in the preparation of the study what occupancy percentage was used; was it 100% occupancy all the time. Mr. Evras stated he used an average of six persons per unit. Ms. Pease referred to the beach study, 7.2 persons on the beach were for every day. Mr. Evras commented no, he didn’t mean this would be every day, but summer months, spring break, and special holidays. He commented they are very crowded. Mr. Turner asked about the mentioned designated parking and does the association have a limit on the number of parking spaces for the owners. Mr. Evras stated there is not a limit put on the amount of designated parking spaces.

Toni Traina, stated she also owns in Calypso and other places along the beach. She stated that Mr. Evras has said everything that she wanted to say regarding the impact a new tower would add to the area. She mentioned that she wanted to mention the environmental impact, the runoff and displacement of water from everything that has been allowed to be built on the north side. She added another building would add to the displacing of more water and the runoff onto the beach already causes an ugly brown area in the water. Mr. Traina asked if the board would consider the displacement of the water for future development.

Ms. Pease commented to an earlier comment about the maintenance work on the stormwater and asked if the Calypso HOA had been doing maintenance all along on the stormwater. Ms. Traina
commented as far as she knew it had been. She commented the brown water and area she was referring to was coming from the runoff north of the beach.

Mae Myer, owner of two units at Calypso stated she was concerned about the City not being prepared for the overcrowding of beaches. She commented that if we are not prepared for water, sewer, and parking then the visitors will no longer come here to vacation.

Jenny Oest, owner of four units in the east tower at Calypso. She thanked Dave Evars for representing so many owners today and that she agrees with all of his statements. She commented the parking is a problem. She mentioned that she always allows for two parking spaces for her rentals and sometimes will have requests for a third pass. She asked where the overflow parking would go to once the garage is full, because there is not another option for parking. She wanted to reiterate on Mr. Evars comments regarding the overcrowding on the beach. Ms. Oest stated the current two towers are not able to meet the capacity at the beach and what is going to happen with the additional third tower. She suggested there be another option to add beach chairs to this area for the guests, whether in the public beach area or another area. She commented that she would welcome the third tower if some of the mentioned issues could be resolved. She commented that she would like to invest in the third tower if she felt sure the issues could be handled.

Chairman Benjamin closed the meeting to the adversely affected parties and opened the meeting up to general public comments.

Jim Rossi, owner of unit in west tower of Calypso since 2006. He commented he didn’t understand the arguments made today because they were all a part of the declarations; number of parking spaces, number of units to be built, and the number of towers. He stated there is nothing new being added and he supports, because the majority of the amenities are in the third tower. He felt it was completing the commitment of the declaration, which is a contract with the owners. He commented; therefore not to build or oppose the third tower was what everyone bought into upon their purchase of their unit.

Jenny Meeks, owner of Miracle Strip Amusement Park, 284 Powell Adams Road. She commented she is in support of this tower, because it will help the businesses in the area. She spoke that a lot of their customers stay at Calypso and rave about how wonderful the place is and it operated by quality people. She commented they are in support and hope it will come soon. She mentioned that she has full confidence the City’s Engineering department will ensure the stormwater issues are handled properly.

Teddy Meeks, owner of Miracle Strip Amusement Park, 284 Powell Adams Road. He wanted to add that he is in support of the third tower. He also commented that just like the owners, they too have concerns with parking and that is something the City addresses and will work out to everyone’s benefit. He commented they are learning that the condominiums close by are encouraging people to come to the beach, park, leave their cars and walk everywhere they need to go. He commented pedestrian access is a huge amenity and a selling and leasing point.

Chairman Benjamin closed the public comment part of the meeting.

Mr. Sale asked the board to redirect their attention to Mr. Leonard’s testimony that staff has no ordinance before it to regulate the number of persons on the beach and the ordinance staff has to enforce requires 1.5 parking spaces per unit. Chairman Benjamin commented again the board is not here to discuss the LDC or modification of Ordinance 1276. He stated the majority comments from
the adversely affected parties have to deal with modification to existing rules and regulations, with the exception of stormwater. Mr. Sale commented the issues of regulating the density of persons on the beach is a policy question to the City Council, along with the issues of parking. He stated in reference to the issues of stormwater, as Mr. Leonard testified those are regulated as part of the construction building permit process.

Mr. Leonard commented he wanted to make clear that when he talked about maintenance issues with the stormwater system it was those elements of the third tower that are not being used currently and will need some maintenance before when the third tower occurs. He stated the Engineering department did not note any current maintenance issues with the stormwater. He stated the biggest issues are the outfalls that occur at certain segments of the beach and they aren’t pretty. He stated it is a very big expense and the City is trying to receive some restore money to help with as many as possible, but will be a very expensive solution in some areas. He stated there is not any element of the system that is currently failing. He commented a portion of tower three will not add any more runoff to the outfall that is currently going. Ms. Pease asked about Option One and the subject of parking and there not being enough handicap parking available for general parking use. She asked if the developer has come up with a solution. Mr. Leonard replied that he was not sure they were deficient on handicap parking. He explained he had checked with the Building department and they were not aware of an existing deficiency for the parking. He commented the towers were built, passed inspection, and at the time the building inspector checks all the ADA Compliance Rules and they were in compliance at the time it was approved. Mr. Leonard explained that if someone has changed something out there then another set of eyes can look into, but would fall within Code Enforcement and the Building Inspector at this time. He stated this matter would not have to wait until the third tower submitted for a building permit. Ms. Pease asked for an explanation on why we use the 1.5 parking spaces and not two or three parking spaces per unit and base it on the occupancy of the building. She stated it may help the audience members to understand better. Mr. Leonard replied, it is keeping parking lots from being so large in design for the peak day of the year, because then one ends up with a massive parking lots that are underutilized for most part of the year. He explained these were recommendations from different entities and it was part of the old code and seemed to hold up to what was being compared to with new standards. Mr. Leonard explained that if in the long run this number does not work for the City in the long run the standards can be reviewed for change. Ms. Pease asked if anyone from the Calypso HOA or owners spoken with the new developer about possibly adding an additional parking level to the existing parking garage, and if it is feasible. Mr. Leonard replied, he did not know this answer. Ms. Cook added the owners may need to talk about when renting their condominiums they are only given one parking space per unit. She commented the new airport and shuttle service is helping with the growth of pedestrians walking and lesser need for parking.

Ms. Pease noted she had pulled the condominium documents for Calypso Towers and noted that in the documents it states the merging of tower three. She stated her concern had been that owners had bought into Calypso without the knowledge of the third tower, but that is not the case. She commented there were to be 646 units as the maximum build for the towers and with the additional 250 units in the third tower it will meet the requirements. Mr. Turner asked about the ADA standards for handicap and if that was what was followed or the FL Standards. Mr. Leonard corrected his prior statement and stated we go by FL Standards.

Richard Johnson, for the developer, stated to the board their obligation is to accept competent and substantial evidence. He stated the evidence from staff has been his client has met all the legal requirements and the objections have been covered through staff’s testimony. He stated the only evidence before the board is that they have met the burden. Ms. Pease commented she agreed, but
asked if Mr. Johnson would be willing to speak to the owners about possibly adding a level to the parking garage if he feels parking could be a problem in the future with the additional building. Mr. Johnson commented any type of communication is the better choice, but whether or not an arrangement can be reached between the parties will be something they will have to address outside the context of this meeting.

Mr. Apgar stated this concluded the presentation of evidence and now a time for closing arguments. He explained if the affected parties wished to add any legal arguments, not more discussion of parking or beach crowding, they could do so at this time. No parties came forward at this time. Mr. Apgar stated the public hearing is now closed and now move onto board deliberations.

Mr. Dowgul asked to what perspective to evaluate what has been told today; one being has to do with ordinance and procedures and then the perception of the homeowners and what is going to happen in the future. Mr. Dowgul asked if any of the testimony from owners should be considered as hardship on the owners. Mr. Apgar commented there were hardships stated regarding beach crowding and parking, but there is not anything in the ordinance or the code that allows the board to consider this as grounds to deny a permit. Mr. Dowgul asked about the timeline of the third tower being constructed and did the board have authority in the matter between developer and an owner. Mr. Apgar explained there was not any evidence presented today that indicated any such matter.

Chairman Benjamin asked for any other comments from the board and there were none. Chairman Benjamin read aloud the matter to consider was to approve or not approve the developer’s application for a Development Order to construct Calypso Tower III. Ms. Cook made a motion to approve the application as it has been approved by staff and follows all that has been presented at today’s meeting, and it was seconded by Mr. Dowgul. Ms. Chester was asked to call the roll.

| Ms. Cook   | Yes | Mr. Turner   | Yes |
| Mr. Dowgul | Yes | Chairman Benjamin | Yes |
| Ms. Pease  | Yes |

The Development Order for Calypso Tower III was approved.

Mr. Apgar reminded the parties there was a timeframe for the appeal process and the slide of the appeal process was made available on the screen. A reminder of the email sign-up sheet was given by Mr. Leonard.

New Business: None

Old Business: None

The meeting was adjourned at 3:15 p.m.

DATED this __________day of __________________, 2014
Edward Benjamin, Chairman

ATTEST:

Andrea Chester, Secretary
Exhibit 5
Attendance Sign-Up Sheet from Planning Board Meeting
held on December 8, 2014.
<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>EMAIL</th>
<th>PHONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard Davis</td>
<td>107 m. Park Dr</td>
<td><a href="mailto:nikitind@gmail.com">nikitind@gmail.com</a></td>
<td>614 734 5963</td>
</tr>
<tr>
<td>Jenny Quest</td>
<td>Calypso Tower I</td>
<td><a href="mailto:Jenny.E@Premiumbeachcondo.com">Jenny.E@Premiumbeachcondo.com</a></td>
<td>614 429 7691</td>
</tr>
<tr>
<td>Dave Everts</td>
<td>15817 Permit Beach Rd</td>
<td><a href="mailto:DJEvets@Comcast.net">DJEvets@Comcast.net</a></td>
<td>614 327 5034</td>
</tr>
<tr>
<td>Toni Traina</td>
<td>Calypso Tower I</td>
<td><a href="mailto:tonitaina78@gmail.com">tonitaina78@gmail.com</a></td>
<td>720 383 4087</td>
</tr>
<tr>
<td>Mike Sapir</td>
<td>6241 W gulf Blvd</td>
<td><a href="mailto:MikeSapir15@gmail.com">MikeSapir15@gmail.com</a></td>
<td>813 414 7359</td>
</tr>
<tr>
<td>Craig Morris</td>
<td>Calypso 15817 F. Rd.</td>
<td>Craig.morris-law-firm.com</td>
<td>251 626 8870</td>
</tr>
<tr>
<td>Nae Meyer</td>
<td>746 Lexington Ave. JONESBORO, GA 32336</td>
<td><a href="mailto:mmeyer746@gmail.com">mmeyer746@gmail.com</a></td>
<td>858 750 5051</td>
</tr>
</tbody>
</table>
Exhibit 6
Emails opposing the Planning Board decision.
-----Original Message-----
From: Joe Basile [mailto:joe@dmiconsultants.com]
Sent: Wednesday, December 24, 2014 6:37 PM
To: Mel Leonard
Subject: Tower III Calypso

Dear Sir,

The attached is respectfully submitted for your consideration.

Regards,

Joe Basile
December 24, 2014

Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. We feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building. This will cause a significant inconvenience during the summer and heavy visitor times such as bike week, spring break etc.

- The use of 1.5 parking spaces per condo is out dated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required parking spaces should be increased.

- In addition, the Calypso beach front footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without further additional Calypso beach overcrowding, impacting the vacation experience of our visitors causing them and their tourist dollars to go elsewhere on the Emerald Coast.

- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and create an additional safety factor and visitor dissatisfaction.
  - According to the Chamber of Commerce, “The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach.” I believe these changes need to be in place before any additional building is approved.

- The storm water situation will be further complicated making a bad situation worse.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago. We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.
The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach. We have been owners since 2006 and spend 4-6 months here annually. We hate to see the tremendous improvements occurring in PCB become threatened without an updated review.

Thank you,

Joe Basile

Owner 2-201

Calypso
December 26, 2014

To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.
- The use of 1.5 parking spaces per condo is out dated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required sparking spaces should be increased. We own two three bedroom/3 bath units. We NEVER have guests with fewer than two, and they usually need three vehicles to park in the parking garage. This is going to be an immediate problem.
- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional overcrowding of the current complex and without additional traffic problems on Front Beach Road.
- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
  - According to the Chamber of Commerce, "The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach."
- The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if
this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago. With all the development at Pier Park and the Walmart area - SURELY a new impact study is warranted.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach. Please do NOT act too quickly without all the ramifications being studied.

Thank you,

Kim and Todd Brannon
Calypso II-1609
Calypso II-1109
Kim@KimBrannon
Cell: 615 417-0153
9205 Weston Drive
Brentwood, TN 37027
December 24, 2014
Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department:

Dear Mel,

My name is Debbie Bundrum. My family and I live in Leeds, Alabama and saved money for years to purchase and own a piece of Beachfront property in the most beautiful place in the country.

Panama City Beach. We were lucky enough to get in on the presale of Calypso in 2003 (which was the only way we could afford property in PC). We waited patiently as the two towers were built and finally took ownership of our 1 bedroom condo in March of 2006. You can not imagine the excitement and pride my husband and I felt owning this piece of property at the time. Considering we are not wealthy people, we felt wealthy owning this property. We had no intention of renting. We just wanted a wonderful place to spend time with family and friends and relax. I have a very stressful job and the RELAXING part, to me, is key.

The first year was great at Calypso. The view from the back is beautiful, the view from the front - you can see clear to Boon Docks!!!! The second year got a little busy but not to bad. The third year it got a little busier as the area began to grow with Pier Park coming in. and so on.....This past year, 2014, every time we came to Calypso we could not find a place to park in the deck without going clear to the top, the beach was so overcrowded we couldn't get a place near the water...(heaven forbid you would want to go to a pool now....forget it)........when we did squeeze in at the beach we were sitting on top of someone. The beach was starting to look nasty as people left trash......What looks to me like sewage was pumped out onto the beach between the towers and the new pier and made the beautiful white sand look horribly nasty and brown.....we had to wait 20 minutes to get an elevator because of the sheer number of people trying to get up and down with beach gear.....and then when it came time for dinner, we could not get out of the deck onto the road going east or west because the traffic was so bad on front beach with people going to and coming from Pier Park. Bumper to freaking bumper....CRAZY!!!
And then the foot traffic in front of the place headed to pier park......ridiculous...like a stampede...as a matter of fact, so bad, I have considering selling what once was our dream. Now, I am stressed out over the whole thing hearing a third tower is coming. As an owner who doesn't rent, I am telling you, If I don't enjoy my stay when I come, you can bet a renter is going to find a better place to go to relax. No one wants to come to PC to be stressed out and sit in traffic for hours trying to get around or waste hours of their time waiting on an elevator, or squeezing into a tiny spot on the beach on top of others. Looking at brown nasty water running from the complex into the ocean.

You folks really need to consider what you are about to approve. You are going to drive people away from this complex and area if additional people are allowed into this complex through the addition of a third tower.....the visitors will simply not enjoy their experience. Because I no longer do at this point in the game. It's winter now, so you really couldn't understand what I am referring to. However, if you wait until spring and drive over there and sit and watch.....you will more clearly understand what I am trying to explain. Please don't do this. Don't allow another tower to go up and ruin what is left of this complex. I beg you, don't do it. It's not about rental income to me, it's about enjoyment and relaxation.

I understand a large number of owners feel the same way I do and have pointed out many issues that need to be considered prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.
- The use of 1.5 parking spaces per condo is out dated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required parking spaces should be increased.
- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional overcrowding of the current complex and without additional traffic problems on Front Beach Road.
- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
  - According to the Chamber of Commerce, "The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach."
- The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been
told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

Thank you,

Debbie Bundrum
From: ccfmtr@aol.com [mailto:ccfmtr@aol.com]
Sent: Saturday, December 27, 2014 2:23 PM
To: Mel Leonard
Cc: CCFMOne@aol.com; ccfmtr@aol.com
Subject: Calypso Tower III

To Whom It May Concern,

I am an owner at Calypso and wanted to express my concern regarding the tower III proposal that you will be considering in the upcoming months. My name is Brent Compton and I have been an owner since the pre-construction days of Calypso. Let me also say that I AM NOT AGAINST the construction of tower III, however, I have been made aware of some information as to the size of the proposed tower that gives me some concern.

I am a small business owner in Birmingham and I am all for economic growth that will benefit business and the city alike. I do, HOWEVER, believe that it is not wise to make current decisions on old data or information. No one would do this in their own personal matters so therefore this should not be done here. It is obvious that the area has changed GREATLY since the original site study was made. I would just ask that a new and current impact/site study be done before moving forward. Thank you for allowing me to voice my opinion and for your sincere consideration of my concerns.

Sincerely,

D. Brent Compton
205-936-7510 cell
December 24, 2014
Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.
- The use of 1.5 parking spaces per condo is out dated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required parking spaces should be increased.
- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional overcrowding of the current complex and without additional traffic problems on Front Beach Road.
- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
- According to the Chamber of Commerce, “The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach.”
- The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact
Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

Thank you,

Bob Davis Owner # 1604
Calypso Towers east Tower
December 24, 2014

Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.

- The use of 1.5 parking spaces per condo is out dated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required parking spaces should be increased.

- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional over crowding of the current complex and without additional traffic problems on Front Beach Road.

- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
  
  o According to the Chamber of Commerce, “The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach.”

- The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.
Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

Thank you,

A. J. Defilippis

Calypso owner
Dear Mr. Leonard,

Thank you for allowing me to voice my concerns in response to the development of the third tower at the Calypso complex. A large number of owners, including myself, feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building. Additionally, the number of general parking spaces may be further reduced if additional space is required to meet revised ADA parking standards. Even with the existing usage, lines to get in and out of the garage create significant safety hazards. Long lines of cars form as people attempt to turn onto Front Beach Road. Additional traffic capacity will exacerbate this problem exponentially. Last year, my brother was rear-ended waiting in the line to get out of the parking lot onto Front Beach Road. A new traffic study with car counts and video observations needs to be completed during peak summer times to make sure any additional development does not increase safety concerns in this area.

- The original permit to construct the three towers was issued a decade ago. Much has changed since that time. A new traffic impact and safety study must be completed prior to allowing this additional development to continue forward. Additionally, a new environmental impact study and storm water runoff analyses need to be completed. This is evidenced by the excessive overflow of storm water runoff from the outfall immediately west of the Calypso on the beach. Given the design of the outfall, I believe this was meant to be an emergency overflow outfall to be used only after unusually heavy storm events. Instead, it is needed after essentially every rain. Furthermore, this is not normal storm water runoff, but rather water that has passed through detention basins that are heavy in partially digested organic material that should not be flowing directly into the gulf without pretreatment. Addition of the third tower will further decrease the permeable soil available for storm water absorption and increase the existing run-off problem. This fresh water incursion directly into the gulf, if increased, poses a localized threat to the saltwater aquatic life near the outfall. A new environmental impact study, with data taken from the current situation, needs to be completed before allowing the construction of...
the third tower. A ten-year old impact study is no longer valid, and failure to require a new study prior to construction could result in legal action and/or environmental fines and penalties.

- The beachfront is currently crowded with guests from 396 units and will not support another 1000 people. During the peak season the beach is full and many of the guests are already overflowing to the county beach. The addition of more than 50% more people will overcrowd the beach to the point that it will become like the beaches down at condo canyon where it is almost impossible to find a place where you can even put down a towel. This will in turn result in dissatisfied guests and ultimately the downgrading of the property.

- The additional people in the third tower will need to get to the beach in some manner. The current cross-over from the garage is the safest way to cross Front Beach Road, but another 1000 people with chairs, rafts, coolers, umbrellas, and the like will quickly overload the crossover. Additionally, Calypso already has problems with elevator capacity. It is one of the largest complaints about the resort. The extra people coming over and needing to get from the third floor to the first floor will completely overload the elevator capacity. As a result, many of the guests will start crossing at ground level across Front Beach Road, exacerbating the already bad traffic situation on the road and creating significant safety hazards to the guests and public.

Additionally, it is my understanding that several developer groups that submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. It is also my understanding that the sale literature for this site was previously restricted to a reduced size of the Tower III building. I would like to know why this 22-story structure is being allowed.

I hope and expect the City to require new environmental, traffic, safety, storm water runoff, and beach impact studies that use current data to support any conclusions to be reached in the study.

So far, Calypso and Pier Park have provided guests with an excellent combination of amenities. However, the beach and infrastructure simply cannot handle the additional pressure of 1000 more people in such a small area. Please remember that not all proposed development is good development. This is such an instance. Please don’t let the hope of additional near-term revenues result in a decision that will have a negative impact on the quality of the property, resulting in long-term reduction in transient rental taxes, property taxes, and damage to the reputation of the premier tourist site in Panama City Beach and Bay County.

Thank you for your time and attention.

Respectfully,

Daniel Dennis, Owner, Calypso Unit 2-1704
1331 Bent Oak Ct.
Kirkwood, MO  63122
314-486-2879
Mr. Leonard,

I am a resident of Panama City Beach, and I own a condo at the Calypso Condominium. I am concerned about construction of the third tower at Calypso. Construction of this condo will significantly impact parking, traffic near the condo and crowding on the beach in front of the condo. I would like to request a hearing to address these issues and provide sufficient time for an impact study of these changes.

V/r,
John Denton
254 Eagle Dr
Panama City Beach, FL. 32407
Mr Leonard,
As an owner at Calypso have many concerns regarding the building of tower three. The fact that this has stayed dormant this long and now being activated again after many things have changed should require the city to new due diligence of the feasibility and impact of this project. I am sure u have heard many and all concerns and I agree with most of them. I am also concerned that this project could financially be a failure leaving the current owners with a financial mess. The current situation at Calypso is a success let's make sure the city does its due diligence and protects the current owners who have supported the Pub area.
Thanks for your time.
David Donahue
Mr. Leonard, please review the attached letter. I have owned condo 807E since pre-construction and am asking for you to consider these issues.

Thanks
December 24, 2014

Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.

- The use of 1.5 parking spaces per condo is outdated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required sparking spaces should be increased.

- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional overcrowding of the current complex and without additional traffic problems on Front Beach Road.

- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
  - According to the Chamber of Commerce, “The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach.”

- The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.
The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

Thank you,
December 24, 2014

Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department

Re: Calypso Tower III

Dear Mr. Leonard,

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval:

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.

- The use of 1.5 parking spaces per condo is out dated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required sparking spaces should be increased.

- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional overcrowding of the current complex and without additional traffic problems on Front Beach Road.

- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
  
  o According to the Chamber of Commerce, “The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach.”

- The storm water situation may only complicate the issues.
A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an impact Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

Thank you,

Jim and Melissa Hunt

Calypso 702W
December 24, 2014
Panama City Beach, Florida
To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.
- The use of 1.5 parking spaces per condo is out dated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required sparking spaces should be increased.
- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional over crowding of the current complex and without additional traffic problems on Front Beach Road.
- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
  - According to the Chamber of Commerce, “The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach.”
- The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time
of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

Thank you,

Elaine Kemper
W 306
To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.
- The use of 1.5 parking spaces per condo is outdated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required sparking spaces should be increased.
- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional overcrowding of the current complex and without additional traffic problems on Front Beach Road.
- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.
  - According to the Chamber of Commerce, "The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach."
  - The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.
We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

Thank you,

Joseph Langford
Unit 2205W Owner
Hi Mel,

First of all I hope you are enjoying the holidays and thank you for your service to Panama City Beach!

This Email is regarding some concerns my wife and I have over the planned third tower at Calypso and the 250 new units it will bring. We all knew tower 3 would come, but assumed when the City correctly put limits on tower height that rule would apply and mitigate some of the crowding, safety and other issues the tower will bring. Like many owners, we feel a lot has changed since the original plan for a 250 unit tower was developed over 10 years ago. We also all have the benefit now of knowing what works and what does not work with the two existing towers that was not known during the original planning. It is a great benefit to have this knowledge that can be used for tower 3 and this advantage should not be wasted.

One of the things that has changed since original planning is the unmitigated success of Pier Park. Pier Park draws visitors and local residents from a very wide area which means a lot of vehicle traffic. Getting around safely in the Calypso/Pier Park area is quite a challenge. The amount of storm water running off is also much more than was originally planned for and of course we deal with that negative outcome every day on the beach at Calypso.

We now know that Calypso already has a crowded beach with just the two towers. Use and enjoyment and finding open areas to sit and play is more and more difficult as occupancy increases. The Calypso crowd already spills over into the park beach area to the South of the existing towers. 250 more units will fill and crowd that beach as well. We also already know that there is not even close to the necessary amount of restroom facilities at Calypso to handle the occupants of just the two towers. Parking and access in and out of Calypso are also problems. Most of our guests ask for extra parking passes as it now very common for renters to have two or more vehicles as family members typically come from different area for their stay. Safety is of particular concern as traffic often back up onto front beach as vehicles line up trying to get into the parking garage. There is already too many pedestrians trying to cross Front Beach in an unsafe manner and that will increase significantly with 250 units on the North side.

Before a plan to build a 23 story tower with 250 units moves forward, we think the following must be done:

1. **Traffic Study**: We feel strongly that a comprehensive traffic study is needed to ensure there will be reasonable access to and from the Calypso Tower complex and that it will be a safe environment for both vehicles and pedestrians.

2. **Environmental Impact Study**: To include storm water run off and other issues.
3. Beach Usage and Accessibility Study: All owners and guests at calypso, as well as the general public that count on open beach space like that next door to Calypso, need reasonable access to the beach and an environment that is safe and not over crowded.

Thank you for your consideration.

Respectfully,
Alan Luckcuck

Alan & Sandy Luckcuck
2308 East, Calypso Towers
949 468-9865
Andrea Chester

From: Mel Leonard
Sent: Saturday, December 27, 2014 8:36 AM
To: Andrea Chester
Subject: FW:
Attachments: Planning Commission 12-24-14.pages.zip

From: Jacqueline Pitts [mailto:cleveinln@gmai1.com]
Sent: Friday, December 26, 2014 1:40 PM
To: Mel Leonard
Subject: Fwd:

We are very concerned owners at Calypso!

Jacqueline and Cleve Pitts
Ken and Breda Dewis

owners of Calypso 2-202, 2-204, 2-205, 2-601, 2-701, 2-2301

Begin forwarded message:

From: Jacqueline Pitts <cleveinln@gmail.com>
Date: December 26, 2014 at 2:37:48 PM EST
To: Cleve Pitts <cleveinln@gmail.com>
-----Original Message-----
From: Scott Putnam [mailto:sputnam@ecashsoftware.com]
Sent: Wednesday, December 24, 2014 10:33 PM
To: Mel Leonard
Subject: Calypso

Mel,

I have been visiting Panama City Bch since childhood and I simply love it. I travel the world but still my favorite place to be remains PCB. To that end I have purchased two condos at Majestic Beach Resort and recently 1709 E Tower Calypso. My continued investment in PCB has also been a testament to the confidence I have in the local leadership in PCB. As you are aware, the congestion around Pier Park at peak season is heavy. Calypso is already extremely crowded on front beach and even more so on the beach. There simply is not enough beach and surrounding infrastructure to support a 3rd tower. Let's please put the 3rd tower on hold to allow future impact consideration.

Thank you

Scott Putnam

Sent from my iPhone
From: Matt Reno [mailto:mattroeno45@gmail.com]  
Sent: Wednesday, December 24, 2014 5:53 PM  
To: Mel Leonard  
Subject: New tower calypso

I own a unit at Calypso #1207w my name is Matt Reno. I am very concerned about the new proposed tower they want to build. Our beach is already way overcrowded and difficult to find space all season long. Traffic is already horrible in front of Calypso and parking in the garage is already a pain and difficult to find adequate spaces during the vacation season. Please re-consider allowing a third tower to be built. Thank you Matt and Joy Reno
December 24, 2014
Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

- Parking will be within 5-7 spaces of capacity, which does not include the commercial units in the new 250 unit building.
- The use of 1.5 parking spaces per condo is out dated and should be updated to correspond with the actual condo guest vehicle usage. Most condos have two families renting and therefore the number of required parking spaces should be increased.
- In addition, the Calypso beachfront footage is currently crowded with guests from 396 units and will not support another 1000-1500 people without additional Calypso beach overcrowding, without additional overcrowding of the current complex and without additional traffic problems on Front Beach Road.
- Future planned changes to Front Beach Road which is a state highway. During the season, this road is currently backed-up for miles due to Pier Park. The entrance to and exit from the Calypso parking garage will be very congested and an additional safety hazard.

  o According to the Chamber of Commerce, “The renovation of Front Beach Road will bring sidewalks, bike paths, tropical landscaping, a public trolley system and a fresh new look to the beach.”

- The storm water situation may only complicate the issues.

A request for a total impact study to determine the long term environmental issues facing the city of PCB and if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB is in order.

Several developer groups, who each submitted proposals to purchase the Calypso Tower II site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development
group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.

We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

John Spencer
-----Original Message-----
From: James [mailto:imoneymanager1@att.net]
Sent: Wednesday, December 24, 2014 10:46 PM
To: Mel Leonard
Subject: Calypso III

I share the traffic and parking concerns expressed by others. The summer traffic near Pier Park is terrible. How would another high rise condo help that problem.

James Vaughn
calypso owner

Sent from my iPad
From: Fran Willaby [mailto:fran.willaby@gmail.com]
Sent: Friday, December 26, 2014 8:22 PM
To: Mel Leonard
Subject: Request Regarding Calypso Towers

This is in response to the Planning Commission’s approval regarding the 3rd tower at the Calypso complex. Many owners feel the following issues need to be addressed prior to PCB City Council approval.

The Calypso beachfront is currently crowded with guests from the 396 existing units and simply cannot support another 1,000 to 1,500 people without additional Calypso beach overcrowding, without additional overcrowding of the elevators and facilities of the current complex, and without additional traffic problems on Front Beach Road.

During our stay in July, we were caught on the beach when a thunderstorm began and were lined up waiting to get off the beach and inside. It took a few minutes for the people on the beach to all get inside; and with this many additional people the conditions would be much worse. The facilities and beachfront are very crowded on the busy summer days and cannot comfortably accommodate any additional persons.

Parking will likely be inadequate if additional rooms are completed. Due to the close proximity of Pier Park, the traffic is already congested at the Calypso entrances as well as other complexes in the area.

A request for a total impact study to determine the long-term environmental issues facing PCB and if such a large addition is in the best interests of the current and future owners of Calypso Towers, the City of PCB, and current and future guests of PCB is in order.

We have seen storms bring flooding to the Calypso parking garage and surrounding areas, and would assume further building on this site would only create extra storm water problems.

We respectfully request a hearing to address these issues and provide sufficient time for a new impact study of the changes which have occurred during the last 10 years or so in Panama City Beach.

Thank You,
Charles & Fran Willaby
Calypso owners 2-1002
918.376.6301
918.637.4774
From: Walter Wilson [mailto:wgwilson@yahoo.com]
Sent: Wednesday, December 24, 2014 9:53 PM
To: Mel Leonard
Subject: We will be harmed by the development of Calypso III

December 24, 2014

Panama City Beach, Florida

To: Mel Leonard, PCB Planning Department:

This letter is in response to the Planning Commission’s approval regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to PCB City Council approval.

We wish that members of the City Council and Planning Board would look at the density of people on the beach in front of Calypso during peak seasons. The beach has for now, fortunately, been widened on Calypso’s frontage. As we are all aware, the beach will not always remain the same width—one big storm could easily remove half of it. As it is, there are four rows of double lounge chairs, umbrellas literally touching—and they are fully occupied during high seasons. It is difficult to imagine the people from 250 additional condos attempting to enjoy that same space, especially should the beach become eroded.

It has been said that the original buyers knew about the planned third tower. That may be true—but with the benefit of hindsight, it becomes clear as to the extent of crowding on the beach, even now.

Traffic on Front Beach in front of Calypso makes exiting to the east from the north parking garage an arduous and hazardous experience. Many people just decide to go ahead and exit to the west to avoid crossing lanes, but then they end up in the pier and Pier Park traffic.

There is a storm water outflow creating an unsightly mess just west of the Calypso beach. Should more land across the street become impervious due to the additional construction, this issue will surely become an issue that makes Calypso less and less desirable as a vacation destination. Even now, we would like to know if the outflow water has been tested for safety; we see children walking through it, and it certainly looks unhealthy.

These changes likely will become a deterrent to vacationing in that busiest part of the PCB tourist area. It is conceivable that revenue could even be decreased, rather than increased, from the tourist tax collected. It would seem that the only reason for approving the development of Calypso III, is the possibility of increased revenue from the tourist trade. Perhaps after actually observing the area during busy season, our representatives on the Council and Board will agree that the resort and owners will be irreparably harmed by the construction of a third tower. In short, our beach and seaside pools are overcrowded at present. No good can come from adding to the problem we now have at peak vacation times.

We see the need for a total impact study to determine the long term environmental issues facing the city of PCB, especially if this large addition is in the best long term interests of the current and future owners of Calypso Towers, the City of Panama City Beach and the current and future guests of PCB.

If the authorities are determined to approve this harmful permit, we would surely hope that the size of the development, and therefore its impact, would be limited. Several developer groups, who each submitted proposals to purchase the Calypso Tower III site, were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. The new development group has been told they may build 22 story Calypso Tower 3 as was originally approved at least 10 years ago using an Impact Study that was completed 10-15 years ago. We don’t know what caused the change in the height permit.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

The development and completion of condos and specifically Pier Park, none of which were built/completed at the time of the previous impact study, has added multiple traffic and beach population situations which should be addressed prior to allowing additional development on the north side of Front Beach Road.
We respectfully request a hearing to address these issues and provide sufficient time for a new Impact Study of the changes which have occurred during the last 10+ years in Panama City Beach.

Thank you,

Suzanne and Gaines Wilson, Calypso owners
Exhibit 7
Emails supporting the Planning Board decision.
-----Original Message-----
From: Kenneth Everett [mailto:keverett328574@comcast.net]
Sent: Friday, December 26, 2014 8:46 AM
To: Mel Leonard
Subject: 3RD TOWER CALYPSO.

I OWN 6 UNITS AT CALYPSO. I AM IN FAVOR OF BUILDING THE 3RD TOWER. THE ARGUMENTS AGAINST THE 3RD TOWER ARE THE SAME OLD ARGUMENTS THAT PLANNING COMMISSIONS HEAR TIME AFTER TIME AFTER TIME. I SERVED ON THE DOTHAN PLANNING BOARD WHILE I WAS MAYOR AND AM VERY FAMILIAR WITH THE PROCESS. "ACTIVITY BREEDS ACTIVITY". THIS PART OF FLORIDA IS SET TO EXPLODE WITH NEW GROWTH, I SAY LET'S GET ON WITH IT AND ENJOY THE RIDE!!!!!!!
We own two condos in Calypso Tower II. We were among the original purchasers and were influenced in part by the promise of amenities to be provided in Tower III. We've been encouraged by another owner to argue against the Tower III project, citing concerns about parking, traffic, and beach crowding. However, we strongly support the project and believe that resistance to it is short-sighted. The problems anticipated by the nay-sayers are based on estimates of what might happen if every new and old unit was occupied at the same time by two families, each of which drove a car and all went to the beach at the same time. It would be totally impractical to build a facility that would accommodate the extremes of occupancy and beach activity. Much of the year that facility would be deserted. Anyone who is concerned about beach crowding should look at a picture of Coney Island during the summer. Also there is lots of uncrowded beach on either side of Calypso for those who need more solitude. Likewise, there is plenty of space around the proposed site for additional parking if necessary to serve the commercial space. In general, none of the problems anticipated have no possible solutions. More important, we owners should not cause everyone involved, including ourselves, to miss this great economic opportunity. In five or ten years, this project, wisely implemented in this outstanding setting, will make ours the premier location in Panama City Beach and in the panhandle as a whole.

Don and Marilyn Holt
W1404, Calypso Resort and Towers
Phone: 217-369-3099
Andrea Chester

From: Donald Holt <d-holt1@comcast.net>
Sent: Monday, January 12, 2015 3:33 PM
To: Andrea Chester
Cc: 'Don and Marilyn Holt'
Subject: RE: Calypso Tower III Appeal Hearing

Andrea—Thanks for the notice of the upcoming City Council meeting at which the Calypso Tower III issue is to be discussed. This message is just to reiterate our strong support of the project. I don't believe anyone has been adversely affected yet. Any major construction project in an urban area will cause problems, some foreseen and some unforeseen. The positive potential of this project is so great and the probability of any serious and unsolvable problems so slight that there should be no hesitation on the part of decision makers to move it forward. As owners of two units in Calypso, we anticipate that the third tower, it's amenities, and it's stimulation of Pier Park will greatly improve Calypso as an internationally attractive destination for summer vacationers and a winter refuge. We urge the City Council to resolve this issue by endorsing the project as presently approved. —Marilyn and Don Holt

From: Andrea Chester [mailto:achester@pcbgov.com]
Sent: Monday, January 12, 2015 10:54 AM
To: A J DeFilippis; Alan Luckcuck; Bob Davis; Bob Ginn; Brent Compton; Charles and Fran Willaby; Cleve; Daniel Dennis; David Donahue; Debbie Bundrum; Donald Holt; Elaine Kemper; James Vaughn; Jim and Melissa Hunt; Joe Basile; John Denton; John Spencer; Joseph Langford; Joy Reno; Kenneth Everett; Kim Brannon; Mae Meyer; Scott Putnam; Suzanne and Gaines Wilson; Toni Traina
Cc: Ron Jones (ronjones@ronjones.com); Craig Morris; Dave and Jan Evars; Jenny Oest; Richard Johnson - Atty; Anita King; Annabel Sims; Bill Dees; Bob Bradford; Carl Langford; Craig Baranowski; Ian Tranter; Joe Kimbell; John Sitler; Kathleen Reese; Ken Dewis; Marsha and Stan Gontarski; Mary Pickett; Michael and Linda Goehringer; Peter and Ulrike Lake; Roger and Carolyn Weston; Ron Whitley; Sharon Lewin Campbell; Susie and Travis Brannon
Subject: Calypso Tower III Appeal Hearing

Good Morning,

Our office has received two requests for an appeal from adversely affected persons who attended the Planning Board meeting on December 8, 2014. At the meeting the Planning Board approved the amended Development Order for Calypso Tower III and the requests is to appeal this decision. The matter will be heard before the City Council as the ultimate governing body of the City on Thursday, February 12, 2015 at 4:00 p.m.

If you have received this email then I have received an appeal letter or email from you regarding this decision or you have expressed an interest in being informed of this matter. Please let me know if you have any questions or concerns regarding the upcoming meeting before the City Council.

Thank you,

Andrea Chester

Planning Department, 110 South Arnold Road, Panama City Beach, FL 32407
850-233-5054 ext. 2313
Exhibit 8
Emails to Planning Board Members.
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH
Panama City Beach, Florida

To Whom It May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners, including myself, feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building. Even with the existing usage, lines to get in and out of the garage during the peak season create significant safety hazards. Long lines of cars form as people attempt to turn onto Front Beach Road. Additional traffic capacity will exacerbate this problem exponentially. Last year my brother was rear-ended waiting in the line to get out of the parking lot onto Front Beach Road. A new traffic study with car counts and video observations needs to be completed during peak summer times to make sure any additional development does not increase safety concerns in this area.

- The original permit to construct the three towers was issued a decade ago. Much has changed since that time. A new traffic impact and safety study must be completed prior to allowing this additional development to continue forward. Additionally, a new environmental impact study needs to be completed. This is evidenced by the excessive overflow on storm water runoff from the outfall immediately west of the Calypso on the beach. Given the design of the outfall, I believe this is meant to be an emergency outfall only needed after unusually heavy storm events. Instead, it is needed after every rain. Furthermore, this is not normal storm water runoff, but rather water that has passed through detention basins that are heavy in partially digested organic material that should not be flowing directly into the gulf without pretreatment. Addition of the third tower will further decrease the permeable soil available for storm water absorption and increase the existing problem. This fresh water incursion directly into the gulf, if increased, poses a localized threat to the saltwater aquatic life near the out fall. A new environmental impact study, with data taken from the current situation, needs to be completed before allowing the construction of the third tower. If the City of Panama City Beach fails to require such a study, I will have no choice but to contact national environmental groups to intervene. This would not only complicate development of the third tower, but it could negatively impact future development at Pier Park. It could also put Panama City Beach on the national radar as an environmentally unfriendly community.

- The beachfront is currently crowded with guests from 396 units and will not support another 1000 people. During the peak season the beach is full and many of the guests are already overflowing to the county beach. The addition of more than 50% more people will overcrowd
the beach to the point that it will be like the beaches down at condo canyon where it is difficult to find a place where you can even put down a towel.

- The additional people in the third tower will need to get to the beach in some manner. The current cross-over from the garage is the safest way to cross Front Beach Road, but another 1000 people with chairs, rafts, coolers, umbrellas, and the like will quickly overload the crossover. Additionally, Calypso already has problems with elevator capacity during the peak season. It is one of the largest complaints about the resort. The extra people coming over and needing to get from the third floor to the first floor will overload the elevator capacity. As a result, most of the guests will start crossing at ground level across Front Beach Road, exacerbating the already bad traffic situation on the road and creating significant safety hazards to the guests and public.

- The extremely short period to comment on this matter is unreasonable. For an issue with this much potential impact, there should be a minimum of 30 days for people to gather information, evaluate potential impacts, and respond. I doubt the 5 day response period would hold up in any court outside of Bay County.

I expect the City to require new environmental, traffic, safety, and beach impact studies that use current data to support any conclusions reached in the study.

Additionally, it is my understanding that several developer groups that submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. It is also my understanding that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

Many of the owners, including myself, respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units. We would also like to have an explanation why decade-old data is sufficient to support studies when the situation has changed so drastically over that period of time.

Respectfully,

Daniel Dennis, Owner, Calypso Unit 2 1704
1331 Bent Oak Ct.
Kirkwood, MO 63122
314-486-2879
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. I represented the investors that bought the Beachscape Condo Parcel and was involved in the crafting and passage of PCB Ordinance 1276. I attended and spoke at several of the country commissioner meetings regarding the extension of development parcels and ultimate the vote to approve Ordinance 1276.

My investors had Calypso Tower III under contract on April 3rd, 2014. During this time the Calypso Tower III owners had selected the 4 year extension with a 20% reduction in density. We inquired about the ability to amend the 4 year election and choose the 2 year extension and build AS Planned. We were informed that the 4 year extension has already been selected and we were not able to amend. This was also based upon the legal opinion of Mikel Burke of Burke Blue.

My buyers chose to cancel the contract based upon the inability to elect the 2 year extension. I was shocked to find out that the new purchaser was able to find a loop hole in the system and back out of the 4 year extension with out any review or hearing by the Calypso Owners and City Council Members.

I respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,

Craig Baranowski | Keller Williams Realty

cell: 850.259.1788 | team: 850.583.1640
craig@teambaranowski.com
Please review our concerns regarding the building of the third tower at Calypso Towers Resort outlined in the attached PDF.

We appreciate your consideration.

Owren's of Calypso East 108.
Roger, Carolyn and Brad Weston

Correspondance may be sent to the above email addresses.

Thanks,

Roger Weston
Mobile Phone 770-355-6569

Mailing Address
403 Stonewood Drive
Peachtree City, GA 30269
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.

- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.

- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population. Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,
Joe Kimbell
Owner, 801-East Calypso
Subject: FW: Calypso Tower 3

From: Ulrike Lake [mailto:petelake@charter.net]
Sent: Thursday, November 06, 2014 3:00 PM
To: Andrea Chester
Subject: Calypso Tower 3

November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,

Peter and Ulrike Lake

Calypso Towers, West Unit 1403
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed PRIOR to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these very important issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you for representing all of us.
November 6, 2014
Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH
Panama City Beach, Florida

Dear members of the planning commission,

This letter is in response to the public notice regarding the third tower at the Calypso complex. As a Calypso original owner, I feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. I understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

I also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building

I respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you for your attention to this important matter.

Sunshine,

Sharon Lewin Campbell ☺
Calypso 2-104
On Thursday, November 6, 2014 3:12 PM, ken dewis <kenandbreda@yahoo.com> wrote:

KEN AND BREA DEWIS OWNER OF CAI YPSO 2-2301, 2-602, 2-2701, 2-202, 2-204, 2 205

Sent from my iPhone
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.

- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.

- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,
Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH
Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation only complicates this issue.

A revised total impact study to determine if this large addition is in compliance with the long term environmental issues facing the City of PCB was requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,
Dave & Jan Evas, Calypso Owners and full-time residents
Units 502E, 1906E, 1901W
636-328-5030
636-633-0300
November 6, 2014
To: Members Planning Commission, City of Panama City Beach, Florida
Re: Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel that the pending request must be disallowed for several critical reasons.

- Two sinkholes have already formed on the Calypso property located very close to Towers I and II. These sinkholes are most likely caused by the serious problem of having too much storm water directed to the property which is undermining the integrity of the foundations. Additional development will only add to this very serious problem which is another public health risk.

- Legally, the number of Parking Spaces on property are not sufficient. Particularly when including the three commercial businesses currently in use and/or the commercial units planned in the new 250 unit building.

- The small amount of acreage on the Calypso beachfront is already overcrowded with guests from the existing 396 units. There are growing problems with visitors having no where to sit on the beach which causes many issues, including physical conflicts between guests and visitors. It is not feasible to support another 1000 plus persons on this small beach.

- The additional storm water created by the proposed structure would cause an even bigger problem Calypso experiences with massive amounts of polluted run-off water pouring onto the beach which creates large ponds of contaminated water on the beach. This is a serious public health issue.

An independent total impact study is needed in order to determine if this large addition is in compliance with the long term plan regarding environmental issues facing the city of PCB. We understand the city is reviewing the issue of beach over-population.

It is highly irregular that several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building. Thank you,

Kathleen Reese, Owner, Calypso West 208; 949 SummerBrooke Dr., Tallahassee, Fl 32312

Kathleen Reese
www.vrbo.com/85109
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

• Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.

• In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.

• The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,

Bob Ginn

Bob Ginn
Altec Industries, Inc.
1730 Vanderbilt Road
Birmingham, AL 35234
tel: 901-340-8400
fax: 901-861-7051
bob.ginn@alteccom
Please find attached letter to PCB Planning commission in regards to my opposition to the construction of a third tower at Calypso.

Thank you,
Bob Bradford (256) 651-8317
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH
Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.

- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems. In addition, all Calypso outdoor areas and beach accesses frequently exceed a comfortable capacity and cannot be expanded.

- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB was requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,

Bob Bradford
Calypso condo owner since 2006
November 6, 2014
Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH
Panama City Beach, Florida

To Whom it May Concern:
This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.
Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,
Anita and Ron King, owners 1-403 Calypso, 770-656-1403
Rent from us and save in beautiful Panama City Beach, Fla./Calypso Resorts
www.vrbo.com/182522
As an owner of 2 units in Calypso Towers I (1-307, 1-1409) please find attached my concerns and objection to the variance being proposed for the Tower III development

Regards

Ian Tranter
Calypso Towers 1-307, 1-1409
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH
Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,

Ian & Breda Tranter

Calypso Towers - Units 1-307, 1-1409
November 6, 2014
Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH
Panama City Beach, Florida

To Whom it May Concern:
This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

* Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
* In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
* The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road. We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building. We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

I encourage you to take the time and expend the resources necessary to thoroughly evaluate the above concerns before granting approval for the proposed 3rd tower at Calypso.

Thank you.

Best Regards,
Bill Dees
Owner T1 909 and 1209
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feels that the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- The beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation further complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale properly and the reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Sincerely,

Marsha and Stan Gontarski
Calypso Tower II 1705

S. E. Gontarski
Robert O. Lawton Distinguished Professor of English
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH
Panama City Beach, Florida

Commissioners:

In response to the public notice regarding the third tower at the Calypso complex I and other owners feel the following issues need to be addressed prior to city approval.

- **Parking**: I learned at a recent home owners meeting at Calypso that a parking count has been performed. This count seems to be within 5-7 spaces of required capacity based on the number of units proposed in the new tower. This count however didn't seem to take into effect (1) The number of required handy cap spaces which are not available for "general" parking use, (2) the spaces in use by the ground floor commercial units/business (eg. "Fatty's Sandwich Shop"), or (3) the commercial units that may exist for the new 3rd tower. I would also hope that in this count those spaces that are privately owned, beneath the complex, were not counted.

- **Beachfront**: Presently in peak season we have what would appear to be a full capacity on the beach in front of the existing towers (396 units). The 3rd tower if built to the intended height could add an additional 1000 persons to an already crowded situation.

- **Storm Water**: A total environmental impact study should be performed to determine if such a large addition (Tower III) is in compliance with long term objectives of the city of PCB.

- **Building Height Restrictions**: There is record of several developer groups who submitted proposals to purchase/build Calypso Tower III and were told they were restricted to 11 floors, per PCB Ordinance 1276. Why is the current owner not being limited, as it's been reported to me?

I would like to request that a hearing be held to examine the proposed sale and reasons for permitting the development of a 22 story building which goes against PCB Ordinance 1276, which specifically restricts development on the North side of Front Beach Road as to the height and number of units. I would guess that the Ordinance is in place to control issues as outlined above. I feel that enforcing the Ordinance will lead to a better long term result.

Thank you for your attention.

Kind regards,

Carl Langford
Unit Owners 2307-East, Calypso
<table>
<thead>
<tr>
<th>From:</th>
<th>Cleve <a href="mailto:cleveintn@gmail.com">cleveintn@gmail.com</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sent:</td>
<td>Thursday, November 06, 2014 8:25 AM</td>
</tr>
<tr>
<td>To:</td>
<td>Andrea Chester</td>
</tr>
<tr>
<td>Subject:</td>
<td>Planning Commission letter.doc</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Planning Commission letter.doc; ATT00001.c</td>
</tr>
</tbody>
</table>
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank you,
November 6, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.

- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.

- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.

Thank

Susie and Travis Brannon

Calypso 2209 West
November 12, 2014

Planning Commission - 34347 PUBLIC NOTICE CITY OF PANAMA CITY BEACH

Panama City Beach, Florida

To Whom it May Concern:

This letter is in response to the public notice regarding the third tower at the Calypso complex. A large number of owners feel the following issues need to be addressed prior to city approval.

- Parking will be within 5-7 spaces of capacity, which does not include all three of the commercial businesses currently in use or the commercial units in the new 250 unit building.
- In addition, the beachfront is currently crowded with guests from 396 units and will not support another 1000 people without undetermined problems.
- The storm water situation only complicates this issue.

In the past a total impact study to determine if this large addition is in compliance with the long term environmental issues facing the city of PCB is requested. We understand the city is reviewing the issue of beach over-population.

Several developer groups who each submitted proposals to purchase the Calypso Tower III site were told they were restricted to building eleven floors per PCB Ordinance 1276 which took effect October 2013 which restricts the height of buildings on the North Side of Front Beach Road.

We also understood that the sale literature for this site was previously restricted to a reduced size of the Tower III building.

We respectfully request a hearing to address these issues and provide sufficient time for owners at Calypso Towers Resort to properly investigate this proposed sale and reasons for allowing the development of a 22 story building when the PCB Ordinance 1276 specifically set rules restricting development on the North side of Front Beach Road as to the height and number of units.
From: Diane Johnson <ddjohnson0123@gmail.com>
Date: November 29, 2014 at 7:14:00 PM CST
To: "mleonard@pcbgov.com" <mleonard@pcbgov.com>
Subject: Please approve renewal of Development Order-Calypso Resort

Mr. Leonard,

I am reaching out to you to request that you please approve the developers request for renewal of the Development Order to resume construction of the third tower of the Calypso Resort as soon as possible.

This property and its location is perfect for our needs. We are excited to watch this project develop into a wonderful vacation spot for us for many years to come. Our family is prepared to invest in this project as soon as a resolution is in place.

Your quick attention to this request is very much appreciated.

Best regards,
Diane Johnson
Mr. Leonard,

I am writing to you regarding the renewal of the Development Order to continue construction of the third tower of Calypso Resort and Towers. As a resident of the State of Louisiana I have been looking forward to relocating to your city to set up residency.

The beauty of Panama City Beach and this condominium's convenience to Pier Park make this site selection perfect for my future plans. My intentions are to make my purchase as soon as this Development Order has a resolution and the developers give the green light for investing.

It is my intention to urge you to approve the developers request for renewal.

Sincerely,

Gregory DeBardeleben
From: Amer Malik [mailto:amerrmalik@yahoo.com]
Sent: Monday, November 17, 2014 10:52 AM
To: Ron Jones
Subject: Re: Calypso North Tower

Hi Ron
This is a long time coming but a great thing for Panama City Beach as it shows growth and a true belief in the Panama City Beach as a whole when developers start investing again so do other companies which brings in more jobs to our area I will be interested in a two or three bed room condo with at least two bathrooms.
Thanks
Amer Malik MD

Sent from my iPhone
November 20th, 2014

TO: Panama City Beach Planning Board

FROM: Mark Caron, CMCA, AMS, PCAM

RE: North Tower- Calypso Resort and Towers

I am writing in support of the completion of the long planned and approved north tower at Calypso Resort and Towers. As a General Manager of a 23 story high rise on the beach, many of my owners have expressed great interest in purchasing units in the new north tower as rental property investments.

This clearly will increase visits to businesses currently located at Pier Park and support the new businesses located in the newly developed North Pier Park as well as the undeveloped 330,000 square feet of undeveloped commercial property located across the street from Dillard’s.

Panama City Beach, whether we like it or not, is rapidly becoming a year round vacation destination and the addition of a new complex will add much needed additional rental units to accommodate future increases in visitor trips to Panama City Beach.

Furthermore, there is few undeveloped, centrally located land available to support the “heart” of Panama City Beach, Pier Park and all of the businesses and entertainment that it offers our visitors.

I have heard the complaints from local residents about added vehicle congestion to Front Beach Road that this project would bring. This is complete nonsense, as the new tower’s proximity to Pier Park and the beach is within easy walking distance. Front Beach Road is already a parking lot during the season due to the already constructed buildings adjacent to the Pier park entrance.

Finally, Panama City Beach will benefit as a whole with the additional bed tax revenue created from the construction and occupancy of the Calypso third tower. I fully support this valuable addition to our City!

Mark Caron

General Manager, CMCA, AMS, PCAM
Ron Jones
15900 front Beach Road #104
Panama City Beach, FL 32413

Ron,

Great to here that you are working towards moving forward with the Calypso North Tower. I represent the owners of a number of units in Nautilus Cove. I believe that new high quality development on the beach is very desirable and definitely support construction of your North Towner.

Best of luck,

Dean C. Price II
Global Realty Company, L.L.L.P.
OUR NEW ADDRESS IS:
335 N. KNOWLES AVE., SUITE 101
Winter Park, FL 32789
Office: 407-741-8540
Mobile: 407-416-4168
Fax: 407-643-2580
dprice@global-realty.net
Mr. Jones,

It is so nice to hear that there has been some progress of the Calypso North Tower construction. It has been a long time in the works and this is a strong indicator that our economy is headed in the right direction. The local economy will get a sorely needed "shot in the arm" in terms of jobs and demand for materials, not to mention the tax revenues it will bring in.

I support you one hundred percent and hope that other developers will follow your lead.

Phil Forsythe ~ Panama City Beach Resident
Cell 850.238.5250
-----Original Message-----
From: oldbarn12345 <oldbarn12345@gmail.com>
To: Angela@Pelican Real Estate <angiepelican@aol.com>
Sent: Mon, Nov 17, 2014 1:48 pm
Subject: Re: Calypso North Tower

We very much are not opposed to the Calypso North Tower being built. We believe that building the north tower will add to the value of the units that we presently own at calypso 1007 tower 2 and at Calypso 501 tower 2 because of the amenities that tower 3 will offer to our guests in the above mentioned units that we now own.

The fact is that we bought in Tower 2 with the understanding that Tower 3 would be built and would house amenities that our tower 2 guests would have access to use. The promise that Tower 3 would be built impacted the reason we purchased our units in tower 2.

Johnny and Beverly Taylor
Dear Members of the Planning Board,

I am writing in support of the construction of the North Tower at the Calypso Resort and Towers. Which has been already approved once? As a resident of Panama City who enjoys the life style. And the owner of a property in Bay County I believe that it is important to complete the original vision of Calypso.

The North Tower (the third tower) was part of the original conception of the resort. You will find its image throughout nearly every piece of the original marketing material, as I bought one when they were first built and have since sold it but plan on purchasing in the North Tower. You only have to look Calypso from Pier Park to see it the beauty of this development.

I would encourage the Board to make a positive ruling for the simple reasons that this is not a new project and the uniformity in height and design of this tower in relation to the first two is important in maintaining the impressive nature of Pier Park. Finally, the addition of these two hundred and fifty units will provide another tremendous resource to the ever-increasing bed tax funds for Panama City Beach. Our city is growing and prospering as a result of these taxes.

Thank you for your consideration.

Sincerely,

Tracy Green
Mel Leonard  
C/o City of Panama City Beach  
110 South Arnold Road  
Panama City Beach, FL 32413  

RE: Calypso Resort and Towers, North Tower  

Panama City Beach Planning Board,  

I am writing in support of the construction of the North Tower at the Calypso Resort and Towers. As a Realtor of many years I have worked hard to assist this city in advancing and improving by bring in new businesses to our area. I am a previous owner of a Commercial Real Estate company; I believe that it is important to complete the original vision of the developers of the Calypso.  

The North Tower has always been a part of the original conception of the resort. You will find its image throughout nearly every piece of the original marketing material. The design and features of the North Tower are essential to the project plus for existing homeowners it will add funds for the coffers of the HOA. In addition, this structure will add to the prestige of Pier Park by filling in some of the remaining vacant land with a stunning building that compliments the vision of Towers I and II.  

The Developers of the existing towers built something the rest of the Panama City Beach can be proud of with impeccable structural and design elements. You only have to look at the towers from Pier Park to see to what extent they went to to enhance Panama City Beach.  

They followed through on their promises to the purchasers of those buildings like very few other developers did at that time. I have complete confidence the Developers of Tower III will carry on this tradition. I would encourage the Board to make a positive ruling for completion of the original design for the simple reasons that this is not a new project and the uniformity in height and design of this tower in relation to the first two is important in maintaining the impressive nature of Pier Park and the other improvements in that area. The addition of these two hundred and fifty units will provide another tremendous resource to the ever-increasing bed tax funds for Panama City Beach. Our city is growing and prospering as a result of these taxes.  

Thank you for your consideration of my viewpoint.  

Sincerely,  

[Signature]  
Don Nations
November 17, 2014

Esteemed members of the Planning Board,

I am writing in support of the construction of the North Tower at the Calypso Resort and Towers. As a Realtor of sixteen years who has worked hard to assist this city in advancing and improving and the owner of a property management company, I believe that it is important to complete the original vision of the developers of the Calypso.

The North Tower (the third tower) was part of the original conception of the resort. You will find its image throughout nearly every piece of the original marketing material. The design and features of the North Tower, as originally planned, are essential to the project as a whole providing much-needed amenities to the existing homeowners not to mention funds for the coffers of the HOA. In addition, this structure will add to the prestige of Pier Park by filling in some of the remaining vacant land with a stunning building that compliments the vision of Towers I and II.

The Developers of the existing towers showed the rest of the Panama City Beach builders how to build with impeccable structural and design elements. You only have to look at the handrails on the existing towers to see to what extent they went to to enhance the structure and thus enhance our city. They followed through on their promises to the purchasers of those buildings like very few other developers did at that time. I have complete confidence the Developers of Tower III will carry on this tradition.

Finally, the addition of these two hundred and fifty units will provide another tremendous resource to the ever-increasing bed tax funds for Panama City Beach. Our city is growing and prospering as a result of these taxes.

Thank you for your consideration of my viewpoint.

Sincerely,

[Signature]
From: Kenneth Everett <keverett328574@comcast.net>
Date: November 18, 2014 at 2:53:02 PM CST
To: "Angela@Pelican Real Estate" <angiepelican@aol.com>
Subject: Re: Calypso North Tower

I own 6 units at Calypso and am not opposed to building the North Tower. North Tower will be a tremendous addition and will add value to the units on the Beach Side!!!! KENNETH EVERETT
We very much are not opposed to the Calypso North Tower being built. We believe that building the north tower will add to the value of the units that we presently own at calypso 1007 tower 2 and at Calypso 501 tower 2 because of the amenities that tower 3 will offer to our guests in the above mentioned units that we now own.

The fact is that we bought in Tower 2 with the understanding that Tower 3 would be built and would house amenities that our tower 2 guests would have access to use. The promise that Tower 3 would be built impacted the reason we purchased our units in tower 2.

Johnny and Beverly Taylor
November 17, 2014

Pelican Real Estate
Ron Jones
15900 Front Beach Rd.
Panama City Beach, FL 32413

Dear Mr. Jones,

It has come to my attention that Tower III at Calypso Towers is preparing a reservation list and soon may be taking reservations. The wait for Tower III is long overdue. I look forward to reserving at Tower III.

Sincerely,

Sherry Cole, Newnan, GA.
November 14, 2014

Pelican Real Estate, Ron Jones
15900 Front Beach Rd.
Panama City Beach, FL 32413

Dear Mr. Jones,

Just a quick note to let you know how happy I am to find out that Tower III at Calypso Towers may soon be taking reservations. It is good to know the economy has improved so Tower III can be built. I was on the reservation list for Tower II and look forward to reserving at Tower III.

Sincerely,

George Bros
Dear Members of the Planning Board,

I am writing in support of the construction of the North Tower at the Calypso Resort and Towers, which has been already approved once. As a resident of Panama City and an owner of unit West 1804 who enjoys the life style.

The North Tower (the third tower) was part of the original conception of the resort when I bought my unit prior to it being built. You will find its image throughout nearly every piece of the original marketing material.

You only have to look Calypso from Pier Park to see the beauty of this development.

I would encourage the Board to make a positive ruling for the simple reasons that this is not a new project and the uniformity in height and design of this tower in relation to the first two is important in maintaining the impressive nature of Pier Park. Finally, the addition of these two hundred and fifty units will provide another tremendous resource to the ever-increasing bed tax funds for Panama City Beach. Our city is growing and prospering as a result of these taxes.

Thank you for your consideration.

Sincerely,

[Signature]
I would like to comment on the prospective construction of Tower III at Calypso. My wife and I own two condos in Tower II and we strongly support the construction of the third tower. There is no doubt that there will be problems and disruptions during the construction and after, as the condos are populated with furniture, appliances, cookware, etc. Likewise, the beach may be overcrowded until adjustments are made. In the long run, however, Tower III will be a great asset to Calypso, its owners and renters, and the surrounding businesses. The large amenities, including large exercise facilities, hot tubs, etc., were promised when we purchased our units, but not realized in the first two towers. The increase in number of units will spread the costs, thus enabling truly outstanding amenities, such as are enjoyed in other condo complexes on the beach. In general, the increased economic activity concentrated in the Pier Park area will be a boon for nearby owners, business people, and for Panama City Beach government. As for our own interests, I believe the project will inevitably increase the value of our condos and the rental occupancy and income that we can expect. We should realize these benefits in three to five years after the project is complete.

Don Holt
3834 E Forest Lodge Loop,
Monticello, IN 47960
Phone:217-369-3099
We, Michael and Linda Goehring, owners of unit 2108 of Calypso Towers I, are in favor of the construction of Calypso Towers III as originally proposed.
Michael Goehring and Linda Goehring

Help protect your family and your marriage!
Take a look at PROTECTED internet service from American Family Online - http://www.afo.net
Gulf Coast Management Services, LLC.
P.O. Box 98
Geneva, Alabama 36340
334-797-1763

To: Panama City Beach Planning Commission

Dear Commissioners, my name is Tommy Gene Smith II and I am an investor in Beach Real Estate. I currently own 2 Condos in Panama City Beach and have owned and sold over 20 since 2004. I was an original investor in Calypso Resort and Towers and have owned multiple units in that project. It was designed as 3 Towers when I bought. I am writing to show my support for the Third Tower Construction. This project is incomplete without Tower 3. The amenities for the other Towers are non-existent without this Tower.

There are some who argue that the Beach is overcrowded at Calypso. The last time I looked there was no fence on the Beach property. The overcrowding is just an excuse by a few to keep tourism down in our area.

Calypso is a great rental property because of location. It generates an enormous amount of bed tax and property taxes.

I'm sure you will make the right decision in what is best for Panama City Beach and Bay County.

Thank You for your time.

Respectfully,

Tommy Gene Smith II
To who it may concern,

I was glad to hear that the board was considering allowing the building of the third tower. When I purchased my condo 606West tower it was with the knowledge that all the complexes amenities were being placed in this tower. Due to the economy I understand the delay in building the tower but at no time did I ever consider it would never be built. I understand there is a small group of owners that are fighting the proposed ordinance to allow for the construction but I would like to go on record that this group does not speak for all owners. I for one believe that the third tower will be an asset for our complex by giving us the amenities we were promised in the beginning such as hot tubs, spa, indoor pools, outdoor pool exercise rooms and other amenities.

Thank you
Ronnie Whatley
Owner 606 West
Ronwhatley@Knology.net
706-681-2698
Exhibit 9
Staff Report to the Planning Board from Mel Leonard.
STAFF ANALYSIS

APPLICANT: Calypso Tower III, LLC (Original Application by Bay County Partners, LLC)

PROJECT LOCATION: 15928 Front Beach Road; Parcel # 33756-000-000.

REQUEST: Some condominium owners in Calypso Towers I and II have requested an administrative hearing regarding the City’s Intent to approve the Development Order for Calypso Tower III pursuant to Ordinance 1276. The condominium owners contend they are an Adversely Affected Party in this matter and therefore have standing to request a hearing.

The following is an analysis of the pending application as well as an analysis of the request for an administrative hearing.

The Development Order application seeks approval for a 250-unit condominium tower to be constructed as Calypso Tower III. The tower was approved along with the two currently constructed towers on February 7, 2003 and had the foundation constructed (minus pile caps). However, due to the economic decline, construction on Tower III was halted. The approved Development Order expired when the Building Permit expired which was September 24, 2005 (six months after the last action on the permit).

On June 27, 2013, the City Council adopted Ordinance 1276 (Exhibit A) which created a process for amending, extending or renewing development orders which met certain criteria. Calypso Tower III met the criteria as a Type One (phased development) and on October 24, 2013, filed the required Notice Of Intent to Apply for an Ordinance 1276 Amended Development Order (Exhibit B). On October 25, 2013 the City replied and acknowledged receipt of the Notice of Intent (Exhibit C). Pursuant to Ordinance 1276, the applicant then had ninety (90) days to file a complete application for an Amended Development Order. On January 17, 2014, the applicant filed the required complete application (Exhibit D) and requested a 4-year term which meant the height and the aggregate square footage of individual units was to be reduced by twenty percent (20%). On January 22, 2014 and March 31, 2014, the City acknowledged the complete application (Exhibit E) but had three
(3) items that needed clarification. The applicant responded on May 14, 2014 (Exhibit F) and the City issued a reply on May 16, 2014 (Exhibit G) indicating one of the three issues was resolved but more information was needed regarding parking and clarification between the East and West elevation exhibits. On June 27, 2014, the applicant responded (Exhibit H) and answered the remaining issues. City staff continued to work on the parking questions raised by the current condominium owners by sending both Code Enforcement Officers to the site to count parking spaces to compare with the parking count submitted by the Condominium Association Manager. On October 22, 2014 the City received a letter from Calypso Tower III, LLC (Exhibit I) indicating they were the new owners of the property and wished to amend the application to a 2-year term. On October 27, 2014 the City responded (Exhibit J) by acknowledging receipt of the amendment. The amendment is permissible by Ordinance 1276 (Exhibit A) and Section 10.12.01 of the Land Development Code (Exhibit K). The Notice of Intent to approve the application ran in the NewsHerald on October 30, 2014 (Exhibit L). Several requests for a hearing were received by the City within the 5-day notice period.

Section 10.06.02.C of the Land Development Code states that only an “adversely affected person” may file for a hearing. Staff believes the owners within Calypso Towers I and II meet the definition of “Adversely Affected Person or Aggrieved Person” as defined in the Land Development Code (Exhibit M) since they own units and interest in common property that are part of the same phased development; are in close proximity to one another; and, will share amenities and elements required by the City regulations such as parking, landscaping, stormwater, utilities, etc…

A summary of the main objections within the letters are below along with staff comments for each.

**Objection #1:** Parking is within 5-7 spaces of capacity and not enough handicapped parking is available for general parking use.

**Staff Comment:**
- Required Parking: 396 existing units X 1.5 spaces per unit = 594 spaces
- 400 square feet of restaurant = 9 spaces
- 3,984 square feet of office = 14 spaces
- 250 New Units X 1.5 spaces per unit = 375 spaces
- TOTAL REQUIRED: 992 spaces
- PROVIDED: 997 spaces
The new snack bar and retail area will have to be accessory uses to the principal use unless the impact is 5 parking spaces or less. Accessory uses are not required to provide parking.

**Objection #2:** *The original permit is old and new studies are required for traffic, stormwater, environmental, etc...*

**Staff Comment:** No new studies are required pursuant to Ordinance 1276 as demonstrated by the following excerpts:

"Whereas the City finds that it is fair and equitable to offer to the Old Projects limited extensions of existing vested and equitable rights, provide that in return for these extensions, each Old Project conforms in some manner to the LDC”…

“…In order to receive a two year extension or renewal, the Buildings and site design shall be amended as follows:”…Land Development Code Sections 4.02.02.B, 4.05.06, 7.02.03.K.3, 7.02.03.N.1, 7.02.03.N.6, 7.02.03.N.7, and 7.02.03.N.8 must be satisfied. None of these sections require updates to associated reports. Concurrency Management and Infrastructure Improvement Requirements are found in Chapter 6 of the Land Development Code.

**Objection #3:** *Stormwater problems will increase and sink holes have started in the area.*

**Staff Comment:** The Engineering Division has reviewed the stormwater plans for all phases of the development and conducted a site visit. About eighty percent (80%) of all the stormwater improvements required for Tower III have already been constructed. The existing improvements need some maintenance and video of some of the piping will probably be required. Calypso Tower III will be required to complete the remaining unbuilt portions of the stormwater system and conduct maintenance of the existing portions as part of the Engineering Division’s requirements during the Building Permit process. Additionally, soil stability will be verified by the Building Department as part of the required reports to be submitted during the Building Permit process.

**Objection #4:** *The Beachfront is crowded with guests and will not support the additional people a third tower will bring.*
Staff Comment: There is no ordinance establishing and regulating a carrying-capacity of the beach.

**Objection #5:** The elevated crossover will become overcrowded as will the at-grade crosswalk.

Staff Comment: The elevated crossover and at-grade crosswalk were permitted by the FDOT and the City with the original Development Order and Building Permit. Building and Life Safety codes will be required to be maintained.

**Objection #6:** The appeal period of five (5) days is too short. An appeal period of thirty (30) days is necessary to give the condominium owners time to review documents and think through all applicable issues.

Staff Comment: Section 10.06.02.C of the Land Development Code establishes the five (5) -business day period for requesting a hearing of a Notice of Intent proceeding. Despite the objection, numerous requests for a hearing were nonetheless timely submitted. Further, Section 10.16.00 provides that a hearing be scheduled within forty-five (45) days such that there is a reasonable period of review and preparation for all parties.

**Objection #7:** Other developer groups wanted to purchase the property but were told only 11 stories could be constructed.

Staff Comment: Ordinance 1276 states that “...all Application, Review and Decision Making Procedures specified in the LDC shall apply to the development order issued, or any Development undertaken, pursuant to this Ordinance.” Section 10.12.01 of the Land Development Code (Exhibit K) states that “an applicant shall submit any proposed modification to an application to the Building and Planning Department.” As such, the request to amend the Development Order pursuant to Ordinance 1276 could have been amended up to the issuance of the Notice of Intent advertisement. Once the City approves the Amended Development Order, a future change is not permissible. The request to amend the Development Order occurred during review of the application which is permissible.

**Objection #8:** Sales literature distributed by the owners showed a reduced size to Tower III.
Staff Comment: The development application pursuant to Ordinance 1276 was originally for a 4-year extension which required a twenty percent (20%) reduction in building height and in aggregate square footage of individual units. The application was amended to a request a 2-year extension which does not require a reduction in height nor aggregate square footage of individual units.

Objection #9: The application exceeds the height permitted by Ordinance 1276 for buildings north of Front Beach Road.

Staff Comment: Ordinance 1276 does not set a maximum building height for buildings north of Front Beach Road. Rather, Ordinance 1276 permits developments to be constructed according to the originally approved Development Order. In 2003, the Zoning Ordinance permitted Calypso Tower III on the north side of Front Beach Road and a Development Order was issued. With the adoption of the changes to the Land Development Code in 2012, the property is now located within an FBO-3 Overlay District which permits a building height of seventy-five (75) feet without incentives being applied and up to a maximum building height of one hundred-ten (110) feet if incentives are requested and approved by the City Council. Ordinance 1276 permits qualified projects to exceed the current building heights if such were greater in the originally approved Development Order.
MEMORANDUM

To: Potential Applicants Pursuant to Ordinance 1276

From: City of Panama City Beach Building and Planning Department

Date: July 9, 2013

RE: Amendment, and Extension or Renewal of Development Orders

On June 27, 2013, the City Council adopted Ordinance 1276, which authorized a process for eligible projects to apply for an amended, and extended or renewed Development Order by complying with some, but not all, of the requirements of the City’s new Land Development Code.

To qualify for a renewal or extension of a Development Order, all owners of an eligible project must submit a “Notice of Intent to Apply for an Ordinance 1276 Amended Development Order” to the City Manager on or before 4pm, on October 25, 2013. Please note that all persons having an ownership interest in the land must join in the notice and subsequent application for a Development Order. The Notice of Intent must include sufficient facts to enable the City to determine whether the Project is qualified. The City’s determination will be limited to the facts demonstrated in the Notice of Intent, and any appeal of the City’s determination of qualification will likewise be limited to the facts demonstrated in the Notice of Intent. After the date of October 25, 2013 no new Notice of Intent will be accepted nor can any modifications to the original Notice of Intent be made. Please note there is no opportunity for the City to request or a Project Owner to provide additional information in order to evaluate the facts stated in the Notice of Intent—so all interested parties are encouraged to err on the side of over-demonstration of qualification within the four corners of that Notice of Intent.

Within twenty (20) days after receipt of the Notice of Intent, the City Manager shall determine whether a project qualifies under Ordinance 1276, which determination shall be in writing and delivered to the address or addresses provided in the Notice of Intent for this purpose.

Within 90 days after the Project is determined to be qualified, all owners must file a complete application for an Ordinance 1276 Development Order.

cc: Copy of Ordinance 1276
ORDINANCE NO. 1276

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, CREATING A MECHANISM TO EXTEND OR RENEW DEVELOPMENT ORDERS FOR A PERIOD OF TWO, THREE OR FOUR YEARS AS MORE PARTICULARLY STATED IN THE ORDINANCE, AND ISSUE A BUILDING PERMIT, TO CONSTRUCT CERTAIN GULF FRONT, HIGH RISE PUBLIC LODGING ESTABLISHMENT PROJECTS FOR WHICH THE CITY ISSUED A DEVELOPMENT ORDER PRIOR TO THE ADOPTION OF THE CITY'S LAND DEVELOPMENT CODE AND WHICH WERE NOT CONSTRUCTED; MAKING FINDINGS; ESTABLISHING DEFINITIONS; ESTABLISHING A PROCESS AND TIME LIMITATIONS FOR OWNERS TO OBTAIN AN EXTENSION OR RENEWAL; PROVIDING THREE PERIODS OF RENEWAL OR EXTENSION AND SPECIFYING CONDITIONS PRECEDENT TO EACH TERM; PROVIDING FOR ISSUANCE AND TERMINATION OF BUILDING PERMITS PURSUANT TO EXTENDED OR RENEWED DEVELOPMENT ORDERS; REQUIRING THE REMOval OF CONSTRUCTION NOT TIMELY COMPLETED; AUTHORIZING THE CITY TO REMOVE WORK NOT TIMELY COMPLETED AND LIEN THE PROPERTY FOR THE COST; IMPOSING CIVIL PENALTIES FOR FAILURE TO REMOVE WORK NOT TIMELY COMPLETED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WITNESSETH:

WHEREAS, roughly ten years ago the City experienced an unprecedented condominium and accommodations development boom that collapsed roughly five years ago; and
WHEREAS, that collapse caused several Gulf-front development projects in various stages of legal and physical development to be slowed or halted, contrary to the health, safety and welfare of the City, its residents and visitors (the “Old Projects”); and

WHEREAS, the Old Projects were designed and permitted through development orders issued under the City’s then existing Comprehensive Plan and Zoning Ordinance; and

WHEREAS, on July 26, 2012, by Ordinance No. 1233, the City repealed the Zoning Ordinance and adopted a new land development code (the “LDC”) that altered building design, intensity and density standards applicable to the building sites of the Old Projects; and

WHEREAS, there was no amendment of the Comprehensive Plan associated with the adoption of the LDC; and

WHEREAS, the LDC still permits the building sites of the Old Projects to be used for the purposes permitted under the development orders issued pursuant to the Zoning Ordinance, but the requirements of form, bulk, density and intensity have changed and in every case limit the number of units that may be developed on the site under the LDC; and

WHEREAS, Section 4 of Ordinance 1233 provided transition from the repealed zoning ordinance to the LDC, stating:

Rights which are vested, valid and enforceable on the effective date of this ordinance and which were acquired under a lawful development order, including an order for a development of regional impact, or under a lawful development agreement entered pursuant to the Florida Local Government Development Agreement Act
(Section 163.3221, Fla. Stat., et seq.) shall not be affected by the adoption of the LDC.

WHEREAS, subsequent to the collapse, the Florida legislature on two separate occasions required local government to extend development rights beyond their expiration under local law in order to stimulate the State’s economy; and

WHEREAS, development rights for certain of the Old Projects were extended by those legislative acts and expressly preserved by the transition provisions of Ordinance No. 1233; and

WHEREAS, in addition to rights vested and extended under development orders and development agreements, the City finds that there is a narrow class of Old Projects that have active permits and have worked with the City to reduce the adverse public impact of partial development to the extent that the projects could claim that it would be inequitable for the City to strictly enforce the LDC in their case; and

WHEREAS, the City finds that the surplus of new condominium and accommodations inventory on Panama City Beach has been significantly reduced since the collapse, and that the market is showing signs of recovery; and

WHEREAS, the City finds that it is fair and equitable to offer to the Old Projects limited extensions of existing vested and equitable rights, provided that in return for these extensions, each Old Project conforms in some manner to the LDC; and

WHEREAS, the City finds that relating the length of such an extension to the degree of conformance with the LDC is a natural and fair balance between the competing interests involved; and
WHEREAS, the City finds that the public will receive economic benefits from the relatively prompt completion of one or more of the Old Projects, and in some cases avoid aesthetic and potentially other nuisances, as well as the economic drag of partially completed improvements, but also finds that those benefits will depreciate over time to the point that the City is no longer justified in continuing, even partially, rights vested before adoption of the LDC but lost by inaction.

NOW, THEREFORE BE IT HEREBY ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY BEACH, FLORIDA:

1. **Definitions.** As used in this Ordinance, the term “Gulf-front” means land lying seaward of the seaward most dedicated right-of-way, and situated so that no land or improvements not included in the project lie between the project and the waters of the Gulf of Mexico, other than state-owned land lying seaward of the Erosion Control Line. Capitalized terms used in this Ordinance and defined in the LDC shall have the meaning assigned in the LDC. Owner means all owners of the land subject to the development order authorized by this Ordinance.

2. **Exception from LDC.** In addition to the general exceptions from the LDC provided by LDC Section 1.04.03, a limited, conditional exception from the LDC is hereby created for the classes of projects which, as of March 28, 2013, meet one or more of the definitions set forth in Paragraph 3, and subsequently and timely meet one of the conditions set forth in Paragraph 4, and otherwise are continuously in compliance with this Ordinance and the laws and codes incorporated herein by reference.

3. **Covered Classes.** The following three types of Gulf-front, high rise (one hundred fifty (150) feet or more high) Public Lodging Establishment projects for which the City issued a Development Order prior to the adoption of the LDC and for which construction authorized by that Development Order has not been completed, shall be entitled to receive an amended, and either extended or
renewed, development order under the conditions and for the periods of extension or revival specified in the next numbered paragraph, subject to the requirements and limitations of this Ordinance.

**Type One.** Phased development with at least one phase constructed and material improvements constructed to serve one or more subsequent phases. If the original Gulf-front project includes an uncompleted phase intended to be constructed on land lying immediately across and northerly of the seaward most dedicated right-of-way, and that land does not abut a single family residential zoning district under the LDC, that uncompleted phase shall be included.

**Type Two.** Development with an active FDEP permit pursuant to which active construction approved by the City is occurring.

**Type Three.** Development with an unexpired Development Order issued pursuant to the now repealed Zoning Ordinance or an unexpired Development Agreement issued under the now repealed Zoning Ordinance.

4. **Length of Extension and Conditions.** An amended, and extended or renewed, development order pursuant to this Ordinance may be issued to an owner whose property is in a covered class only if one of the following three sets of conditions are met, and shall expire TWO, THREE or FOUR years, as respectively listed below, after issuance of an amended, and extended or renewed, development order pursuant to this Ordinance, or at the expiration or termination of a single, continuously valid Building Permit for the entire principle structure issued under that development order, whichever comes later. The development order shall not be extended beyond the applicable two, three or four year limit for any reason other than the continuation of construction under a single, continuously valid Building Permit for the entire principal structure as described in Section Six (6) of this Ordinance.
Two (2) Year Term:

In order to receive a two year extension or renewal, the Buildings and site design shall be amended as follows:

a. Sufficient Architectural Amenities of Skyline features shall be included which would give any principle building constructed under the development order a five foot height bonus under LDC Table 4.02.02.B as if the building were being constructed under the LDC, but (i) the building shall not receive a height bonus, and (ii) where the building is an extension of an existing building the required features may be minimized or eliminated to avoid incompatibility with existing, supporting infrastructure originally designed and in fact to be provided by or through the existing building; and

b. All portions of the original site shall meet the Bicycle Parking Requirements of LDC Section 4.05.06, or the remaining portion shall increase its Bicycle Parking by the amount not placed on the prior development; and

c. The upper floors of all Parking Garages (new or existing) associated with the project shall meet the Upper Floor Design Standards specified in LDC Section 7.02.03.K.3; and

d. All Buildings (including any parking garage) to be constructed under the development order shall meet the Building Materials Standards expressed in LDC 7.02.03.N.1 for the applicable LDC overlay district; and

e. All mechanical unit locations shall meet the standards specified in LDC 7.02.03.N.6; and

f. All on-site utilities shall be screened or incorporated into building insets to the greatest practical extent. LDC 7.02.03.N.7; and
g. All Buildings to be constructed under the development order shall meet the Modulation standards expressed in LDC 7.02.03.N.8, regardless of the applicable LDC overlay district.

Three (3) Year Term:

In order to receive a three year extension or renewal, the Buildings and site design shall be amended as follows:

a. To meet all the conditions specified above for a two year extension; and

b. To reduce the height of each principal building and the aggregate square footage of individual units in each principal building by at least ten percent (10%) of the amounts originally permitted.

Four (4) Year Term:

In order to receive a four year extension or renewal, the Buildings and site design shall be amended as follows:

a. To meet all the conditions specified above for a two year extension; and

b. To reduce the height of each principal building and the aggregate square footage of individual units in each principal building by at least twenty (20%) of the amounts originally permitted.

5. Applicable Law. An amended, and extended or renewed, development order issued pursuant to this ordinance shall be issued pursuant to the Zoning Ordinance in effect when the original development order was issued, which Zoning Ordinance is incorporated herein by reference, as modified by the additional requirements imposed by this Ordinance. Except to the extent of any conflict with this Ordinance, in which case this Ordinance shall control, all Application, Review and Decision Making Procedures specified in the LDC shall
apply to the development order issued, or any Development undertaken, pursuant to this Ordinance. Any dispute over whether the design or execution of a feature meets the conditions imposed in Paragraph 4 shall be resolved through the procedures contained in the LDC.

6. **Building Permits and Inspections.** Building Permits for Development authorized by this Ordinance shall be issued and enforced pursuant to the building and life safety codes, policies and practices of the City in effect at the time the Building Permit is issued and which are applicable to all development similarly situated unless expressly as modified by this Section 6. As used herein, the term Building Permit refers to the license to proceed with the construction work subject to and as referenced in Section 105.4 of the Florida Building Code. More specifically, the Building Permit issued pursuant to a development order extended or renewed as authorized by this Ordinance shall become invalid (i) unless the work authorized by such Building Permit is commenced within six (6) months after its issuance, or (ii) if the work authorized by such permit is suspended or abandoned for a period of six (6) months after the time the work is commenced. If the work is not timely commenced and the Building Permit becomes invalid, or if the Building Permit expires because of lack of progress (suspension or abandonment), and in either event the two, three or four year term applicable to the development order extended or renewed by this Ordinance has expired, a new Building Permit cannot be issued under that development order because that development order itself shall have simultaneously terminated. Work shall be conclusively deemed abandoned or not in active progress when the Building Permit\(^1\) has not received an approved inspection within any one hundred and eighty (180) day period, unless the work is halted due to civil commotion, strike or direct and specific judicial injunction. If the Building Permit becomes invalid and a new Building Permit cannot be issued because the extended or renewed development order has terminated, the building official is authorized to require that any work which has been

---

\(^1\) Personification from the Florida Building Code.
commenced or completed pursuant to that Building Permit, or previously, be removed from the building site. Compliance with the order of the building official may be enforced by the remedies, and procedures set forth in Chapter 25 of the City's Code of Ordinances with an initial civil penalty of $100 per day, or by removal of the abandoned development by the City upon the grounds and pursuant to the procedures set forth in Chapter 15 of the City's Code of Ordinances.

7. **Notice of Intent.** In order to receive the benefit of this Ordinance, the owner of a qualified project must file with the City Manager on or before the one hundred and twentieth (120th) day after the effective date of this Ordinance, a "Notice of Intent to Apply for an Ordinance 1276 Amended Development Order." The Notice must state the basis of qualification under this Ordinance and include a demonstration of facts sufficient to enable the City to determine whether the project is qualified. Failure to timely file a sufficient Notice of Intent shall forfeit all rights created by this ordinance. Within twenty (20) days after receipt of the Notice of Intent, the City Manager shall determine whether a project qualifies under this ordinance, and a negative decision shall be subject to Administrative Appeal pursuant to the procedures and time limitations specified in the LDC.

8. **Development Order Application.** The owner of a qualified project for which a Notice of Intent was timely given, must apply for a Local Development Order for the entire, remaining project with such specificity as is ordinarily required for a Local Development Order under the LDC and pay the fees applicable under the LDC as if the project were being developed under the LDC, all within Ninety (90) days after the project is finally determined to be qualified. Failure to timely submit an application for a Local Development Order with revised plans and pay the applicable fee shall forfeit all rights created by this ordinance. If the City is required to request additional information in order to process the application and if the owner fails to fully comply, the City shall give the owner a twenty (20) day opportunity to cure and should the owner fail to timely and fully cure the city
shall deny the application and all rights created by this ordinance for the project shall be forfeited. The purposes of these requirements are to require the owner of the subject property to demonstrate compliance with the conditions imposed upon the extension or renewal requested, to assure compliance with any revised building codes, and to avoid unnecessary delays by the owner in the issuance of the development order.

9. Repealed. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

10. No Codification. This Ordinance is of limited application and duration, and therefore shall not be codified.

11. Effective Date. This Ordinance shall become effective immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 27th day of June, 2013.

[Signature]
Mayor

[Signature]
CITY CLERK
EXAMINED AND APPROVED by me this 27th day of June, 2013.

MAYOR

Published in the Panama City News Herald on the 16th day of June, 2013

POSTED AT:

PCB City Hall Dated: June 28, 2013

PCB Public Library Dated: June 28, 2013

W PCB Post Office Dated: June 28, 2013
CITY OF PANAMA CITY BEACH AMENDED DEVELOPMENT ORDER
PURSUANT TO ORDINANCE 1276

Date Submitted: 

Property Owner(s) Names:

Name of Project:

Property Address:

Parcel Number(s):

Date Notice of Intent Approved: 
90-Day Submittal Deadline Date:

Name of Acting Agent:
Statement acknowledged before a notary public authorizing the representative to act on behalf of
the property owner with regard to the application and associated procedures. (Attached to application.)

Fee: $800.00  Date Collected: 
Staff Approval
Signature:

Extension Requested:
Two (2) Year Term  Three (3) Year Term  Four (4) Year Term

BUILDING AND SITE DESIGN AMENDED AS follows:

Are the following LDC Standards satisfied for:

Two (2) Year Term

1.) Sufficient Architectural Amenities of Skyline Features - Table 4.02.02.B
Minimum Conditions for Bonus
Skyline features - A recognizable “top” consisting of (but not limited to): (a) Cornice
treatments, (b) roof overhangs with brackets, (c) stepped parapets, (d) richly textured
materials (e.g. tile or masonry treatments), (e) differently colored materials; colored
“stripes” are not acceptable as the only treatment, and/or (f) other non-habitable space
that is under a pitched roof and above the top floor ceiling shall not be counted towards
building height.
Height Bonus
Features that do not exceed 20 feet in height above the top floor ceiling shall not be counted towards building height and an increase of up to 5 feet in height shall apply.

2.) Bicycle Parking Requirements - Section 4.05.06
A. Bicycle parking shall be provided on-site at the rates per Vehicle Parking Space established in Table 4.05.06:

<table>
<thead>
<tr>
<th>Use</th>
<th>Bike Spaces per Required Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assembly Places</td>
<td>0.15</td>
</tr>
<tr>
<td>Libraries, Museums</td>
<td>0.15</td>
</tr>
<tr>
<td>Shopping Centers</td>
<td>0.10</td>
</tr>
<tr>
<td>Eating, drinking or entertainment establishments</td>
<td>0.10</td>
</tr>
<tr>
<td>Commercial Activities</td>
<td>0.10</td>
</tr>
<tr>
<td>Amusements and Amusement Park</td>
<td>0.10</td>
</tr>
<tr>
<td>Convenience Stores</td>
<td>0.10</td>
</tr>
<tr>
<td>Hotels/Motels with restaurants, lounges, gift shops or convention or meeting rooms</td>
<td>0.10</td>
</tr>
<tr>
<td>Multifamily and Public Lodgings (excluding Hotels and Motels)</td>
<td>0.10</td>
</tr>
<tr>
<td>Offices, Personal or Professional Services</td>
<td>0.10</td>
</tr>
<tr>
<td>Recreational Clubs</td>
<td>0.05</td>
</tr>
</tbody>
</table>

B. Design of Bicycle Parking Spaces. Required Bicycle Parking Spaces shall be designed and constructed in accordance with the following standards.

1. Bicycle parking facilities shall include provisions for the storage and locking of bicycles.

2. Individual spaces or racks shall be designed and located to provide convenient access to users.
3.) **Upper Floor Design Standards for Parking Garages** – **Section 7.02.03.K.3**

No less than sixty (60) percent of the upper floors of any Parking Garage wall facing a public right-of-way shall consist of exposed openings. The opening shall be designed with one or more of the following treatments, shown below:

(a) **Landscaped opening**: Planter boxes shall be installed within or in front of the openings. Planter boxes shall be maintained with live plants. A lattice with a maximum of fifty (50) percent opacity may be installed to cover the opening.

![Landscaped Opening](image)

(b) **Fenced opening**: A rail shall be installed across the opening to give the appearance of a balcony.

![Fenced Opening](image)

(c) **Windowed opening**: The openings shall be framed and mullions added to give the appearance of large windows.

![Windowed Opening](image)
4.) Building Materials Standards  
Section 7.02.03.N.1 (Applicable LDC Overlay District)

   a) In the FBO-I and FBO-2 districts, no more than two (2) materials shall be visible on any exterior façade, not including windows, doors, foundation walls, columns, chimneys, soffits and trim. If two wall materials are used, heavier-weighted materials shall be located below lighter-weighted materials, as defined in Table 7.02.03.L and separated by a horizontal joint. Vertical changes in material shall not occur within two (2) feet of an exterior corner. When possible, vertical changes in materials shall occur at interior corners (see Figure 7.02.03.R). Allowed materials include wood, stone, brick, stucco, architectural block (split faced), and cementitious materials.

<table>
<thead>
<tr>
<th>Heavy weight materials</th>
<th>Medium weight materials</th>
<th>Light weight materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brick</td>
<td>Stucco</td>
<td>Horizontal siding</td>
</tr>
<tr>
<td>Stone</td>
<td></td>
<td>Vertical siding</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Shingle siding</td>
</tr>
</tbody>
</table>

b) Building exterior in the FBO-3 and FBO-4 districts shall be clad in masonry materials only. Masonry materials include stone, brick or stucco. Cementitious materials that mimic wood lap siding are not an approved masonry material for any building that is more than three (3) stories in height. No more than two materials shall be visible on any exterior façade, not including windows, doors, foundation walls, soffit, columns and trim. If two wall materials are used, heavier-weighted materials shall be located below lighter-weighted materials, as defined in Table 7.02.03.L and separated by a horizontal joint. Changes in material along a horizontal plane shall not occur within two (2) feet of an exterior corner. When possible, these horizontal changes in materials shall occur at interior corners. (see Figure 7.02.03.R)

5.) Mechanical Unit Location Standards – Section 7.02.03.N.6
Mechanical equipment shall not be located at the front of a building. Mechanical equipment shall be located in areas that are screened from the public streetscape or public access ways by the sides and rears of building or within mechanical areas inside the buildings. Rooftop mechanical equipment shall be screened by a wall that is equal to the height of the equipment being screened.

6.) Screening of On-Site Utilities – Section 7.02.03.N.7
On-site utilities shall be screened or incorporated into building insets to the greatest practical extent.
7.) **Modulation Standards – Section 7.02.03.N.8**

In the FBO-3 and FBO-4 districts, recesses and projections shall be used to create shadow lines to break up the massing of all buildings of all buildings taller than four (4) stories that have more than seventy-five (75) feet of frontage along Front Beach Road and South Thomas Drive for all floors above the fourth story. The minimum depth of modulation shall be two (2) feet. The minimum horizontal width shall be five (5) feet and the maximum horizontal width per module shall be fifty (50) feet. (see Figure 7.02.03.V)

**Three (3) Year Term:**
Meet all conditions specified above for a two (2) year extension; and

**Height Reduction**
Reduce the height of each principal building and the aggregate square footage of individuals units in each principle building by at least ten percent (10%) of the amounts originally permitted.

**Four (4) Year Term:**
Meet all conditions specified above for a two (2) year extension; and

**Height Reduction**
Reduce the height of each principal building and the aggregate square footage of individuals units in each principle building by at least twenty percent (20%) of the amounts originally permitted.
Re: Bay County Partners, LLC (Calypso Tower III) Notice of Intent to Apply for an Ordinance 1276 Development Order
Parcel Id No: 33756-000-000

Dear Mario:

Our firm represents Bay County Partners, LLC, ("BCP"). BCP is the owner of the real property and development rights of the property generally known as Calypso Tower III located at 15928 Front Beach Road Parcel Id No: 33756-000-000. Towers I and II of the Calypso Resort and Towers have been completed; however, Tower III, was put on hold due to the economic downturn that began in 2008 and has yet to fully recover.

This letter serves as BCP’s Notice of Intent to Apply for an Ordinance 1276 Amended Development Order. The basis for BCP’s qualification is section 3 of Ordinance 1276, “Covered Classes” “Type One” which states

Phased development with at least one phase constructed and material improvements constructed to serve one or more subsequent phases. If the original Gulf-front project includes an uncompleted phase intended to be constructed on land lying immediately across and northerly of the seaward most dedicated right-of-way, and that land does not abut a single family residential zoning district under the LDC, that uncompleted phase shall be included.

It is well known and part of the public record that Calypso Resort and Towers is intended to have three towers and each tower is a different phase of the overall project. Tower III is located on land lying immediately across and northerly of the seaward most dedicated right-of-way and it does not abut a single family residential zoning district. Furthermore, the building plans which have been
filed with the City will show that the material improvements for Tower III (the not yet constructed
tower) including, but not limited to, grading, the foundation, on-site storm water facilities and
parking have all been constructed.

As stated above, the evidence which entitles BCP to approval for an amended development
order under Ordinance 1276 is either verified by actual physical inspection or is part of the City’s
public records. On behalf of BCP, we respectfully request that you issue a determination letter
finding that the BCP property qualifies for an amended development order pursuant to Ordinance
No. 1276.

If you should need any further information or have any questions, please contact Todd
Ciavola at 706-347-1058, via e-mail tciaiola@volagroup.com or Michael S. Burke.

Sincerely,

[Burke Blue Hutchison Walters & Smith, P.A.]

[Signature]

Michael S. Burke

MSB

cc: Larry Covington
    Todd Ciavola
BAY COUNTY PARTNERS, LLC
3442 Francis Road, Suite 160
Alpharetta, GA 30004

City of Panama City Beach, Florida
110 S. Arnold Road
Panama City Beach, FL 32413

Re: Authorized Representatives of Bay County Partners, LLC

To whom it may concern:

This letter shall serve as Bay County Partners, LLC authorization for the firm of Burke Blue Hutchison Walters & Smith, P.A. to act as our representatives in the matter of our Application for an Ordinance 1276 Development Order

Sincerely,

Bay County Partners, LLC

[Signature]

Larry Covington,
Managing Member

STATE OF Georgia
COUNTY OF Eufaula

THE FOREGOING instrument was acknowledged before me this 15 day of October, 2013 by Larry Covington, Managing Member of Bay County Partners, LLC a Florida limited liability company, on behalf of said company. He (notary must check applicable box):

☐ is personally known to me.
☐ produced a current _______driver's license as identification, No. _______
☐ produced _______ as identification.

[Notary Seal]

KARLAN JOY RIELLY
(Print Name)

Notary Public
Serial # W-00109324
My Commission Expires: June 1, 2015
October 25, 2013

Mr. Mike Burke
Burke, Blue, Hutchison, Walters and Smith, P.A.
16215 Panama City Beach Parkway
Panama City Beach, Florida 32413

RE: Notice of Intent to Apply for an Ordinance 1276 Amended Development Order; 15928 Front Beach Road, Panama City Beach, Florida (Parcel I.D. No: 33756-000-000, Calypso Tower III)

Dear Mr. Burke:

This letter will acknowledge receipt of your Notice of Intent to Apply for an Ordinance 1276 Amended Development Order, dated October 24, 2013 for the Calypso Tower III.

Based upon my review of your Notice of Intent, it would appear that this project is a Type One development and is qualified to apply for an Amended Development Order under Ordinance 1276.

As such, you must file a complete application for an amended development order within 90 days of the date of this letter. Please be advised the Ordinance does not permit, and I will not be authorized to issue, any extension of this deadline. Upon expiration of this 90 day period, this determination of eligibility shall be of no further force and effect.

Feel free to contact our office if you have any questions on this matter.
Mr. Mike Burke  
October 25, 2013  
Page Two

Sincerely,

Mel Leonard  
Director of Building and Planning

cc:  Mr. Mario Gisbert, City Manager  
     Mr. Doug Sale, City Attorney  
     Mrs. Amy Myers, City Attorney
CITY OF PANAMA CITY BEACH AMENDED DEVELOPMENT ORDER
PURSUANT TO ORDINANCE 1276

Date Submitted: 1/17/14

Property Owner(s) Names: BAY COUNTY PARTNERS, LLC

Name of Project: CALYPSO TOWER III

Property Address: 15728 FRONT BEACH ROAD

Parcel Number(s): 33756-000-000

Date Notice of Intent Approved: 1/25/13 90-Day Submittal Deadline Date: 1/31/14

Name of Acting Agent: [Signature]

Fee: $800.00 Date Collected: Staff Approval

Signature:

Extension Requested:
Two (2) Year Term _____ Three (3) Year Term _____ Four (4) Year Term X

BUILDING AND SITE DESIGN AMENDED AS FOLLOWS:

Are the following LDC Standards satisfied for:

Two (2) Year Term

1. Sufficient Architectural Amenities of Skyline Features - Table 4.02.02.0
Minimum Conditions for Bonus
Skyline features - A recognizable "top" consisting of (but not limited to): (a) Cornice treatments, (b) roof overhangs with brackets, (c) stepped parapets, (d) richly textured materials (e.g. tile or masonry treatments), (e) differently colored materials: colored "stripes" are not acceptable as the only treatment, and/or (i) other non-habitable space that is under a pitched roof and above the top floor ceiling shall not be counted towards building height.

EXHIBIT D
CITY OF PANAMA BEACH AMENDED DEVELOPMENT ORDER
PURSUANT TO ORDINANCE 1276
CALYPSO III (aka Building 3)
RESPONSES TO APPLICATION QUESTIONS

Are the following LDC Standards satisfied for:

** Please see the attached drawings from Collins & Associates, Inc. for Building 3 for reference to the following responses.

1. Sufficient Architectural Amenities of Skyline Features – Table 4.02.02B Minimum Conditions for Bonus
   a. Building 3 has a recognizable top consisting of cornice treatments, roof overhangs with brackets, stepped parapets, richly textured materials, different colored materials.

2. Bicycle Parking Requirements – Section 4.05.06
   a. Assuming 250 units as proposed in the attached drawings, 375 parking spaces would be required multiplied by the .1 factor would equal 38 bicycle spaces required. Building 3 will comply with this requirement.

3. Upper Floor Design Standards for Parking Garages – Section 7.02.03.K.3
   a. The parking garage has already been permitted, constructed and granted a certificate of occupancy by the city and therefore is exempt from this requirement

4. Building Materials Standards – Section 7.02.03.N.1
   a. NA
   b. Building 3 is located in the FBO-3 district and will be clad in masonry materials.

5. Mechanical Unit Location Standards – Section 7.02.03.N.6
   a. Mechanical equipment locations and screening will comply.

6. Screening of On-Site Utilities – Section 7.02.03.N.7
   a. On-site utilities will be screened or incorporated into building insets.

7. Modulation Standards – Section 7.02.03.N.8
   a. Building 3 is located in the FBO-3 district and the attached drawings comply.

8. Four (4) Year Term
   a. Owner is applying for the Four (4) Year Term and will therefore reduce the height of Building 3 by twenty percent (20%) of the 220 feet originally permitted to no more than 176 feet. Total aggregate building square footage shall be reduced by 20%.
Pay to the order of Panama City Beach

Eight hundred and 00/00

Panama City Beach

Calypso Amended DO Fee

1238

01/14/2014

Fidelity Checking 64¢ Calypso Amended DO Fee

800.00
Thank you Mel. I will send you the link shortly.

Regards,

Todd Ciavola, RPA, CCIM
Vola Group, LLC
706-347-1058 (Office)
706-413-1360 (Fax)

On Wed, Jan 22, 2014 at 12:00 PM, Mel Leonard <mleonard@pcbgov.com> wrote:

Todd,

The City is in receipt of your application and check prior to the deadline applicable to your project. I have done a cursory review of the submittal and it appears that the required materials have been submitted. It may take me a few days to review the application for compliance with Ord. 1276 and I may have comments or request additional information at that time. Could you send me a link to the electronic version of the plans so I can zoom to specific areas as needed? Thanks.

Mel Leonard
Director of Building and Planning
City of Panama City Beach
Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

NOTICE: This message is intended only for the use of the individual or entity to which it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please immediately reply to the sender that you have received this communication in error, then delete it. Thank you.
March 31, 2014

Mr. Todd Ciavola, RPA, CCIM
Vola Group, LLC
Bay County Partners, LLC
3442 Francis Road, Suite 160
Alpharetta, Georgia 30004

RE: Application for an Amended Development Order Pursuant to Ordinance 1276 for the Calypso Tower III Located at 15928 Front Beach Road, Panama City Beach, Florida (Parcel I.D. No. : 33756-000-000)

Dear Mr. Ciavola:

The City of Panama City Beach Building and Planning Department is in receipt of the application for the above referenced project to extend the approved development order for a period of four (4) additional years. A Notice of Intent was received by the City on October 24, 2013 and the City’s response concurring with the Notice was issued on October 25, 2013.

The submittal appears to be complete and below are comments based upon the review of the submitted amended plans. Please respond to the comments within 45 days as outlined in Section 10.05.00 of the Land Development Code.

1. The submitted plans show a recognizable “top” as described in Table 4.02.02(B) of the Land Development Code.

2. The required bicycle parking spaces (38) are provided as required by Section 4.05.06 of the Land Development Code. One area is indicated on the revised plan that is of sufficient size to accommodate the required

www.pcbgov.com
spaces. However, you have applied for a 4-year extension which requires a
20% reduction in building height as well as a 20% reduction in the
aggregate square footage of individual units. The reduction in the
aggregate square footage of units may result in a reduction in the number
of units which then correlates in a reduction of the required parking and
bicycle parking. The required bicycle parking may be reduced once an
analysis of the height and square footage reductions has been completed
(see comment for #8).

3. The submittal states all of the required parking that will be needed is
already provided in the existing parking garage. However, there has been
an issue raised by some owners in the first two towers that not all of the
required parking has been provided or that some has been eliminated.
Please provide information indicating the amount of required parking as
well as the amount of parking currently available.

4. The submitted information satisfies the requirements of Section 7.02.03.N.1 by indicating the structure will be clad in masonry materials.

5. The submittal letter included with the application satisfies the
requirements of Section 7.02.03.N.6 by indicating that mechanical
equipment will be screened from view.

6. The submittal letter included with the application satisfies the
requirements of Section 7.02.03.N.7 by indicating that on-site utilities will
be screened from view.
7. The site plans submitted with the application demonstrate compliance with the modulation standards of Section 7.02.03.N.8.

8. An application is made for a 4-year extension which requires a 20% reduction of building height and aggregate square footage of individual units. Please provide revised elevation plans to show the height reduction as well as the reduction in aggregate square footage of individual units. I have provided a copy of another application where the applicable analysis was made showing how the reductions are calculated. You may model that analysis or provide one of your own.

Please address the comments indicated in #2, #3, and #8 of this letter and resubmit to the City for review. Please feel free to contact our office if you have any questions on this matter.

Sincerely,

[Signature]

Mel Leonard
Director
Beachscape 20% Reduction Option

Total Net Residential Square Footage per Floor:

1st Floor = 5,492
2nd Floor = 13,230 sq. ft.
3rd-12th Floor (10 Floors @14,975 sq. ft. each) = 149,750 sq. ft.
13th-22nd Floor (10 Floors @14,975 sq. ft. each) = 149,750 sq. ft.

318,222 Total Current Net Residential Sq. Ft.
-20% (63,644 sq. ft.) = 254,578 sq. ft.

220'-4" Current height to top of roof slab
-20% (44.067") = 176'-3"

20% Option

Square Footage:
Removal of four floors (any 4 in 3rd-22nd levels) @ 14,975 sq. ft. = 59,900 sq. ft. loss; leaving a remaining 3,744 sq. ft. needing to be removed.
- On Level 01 remove 2 “C” Units @ 1,342 sq. ft. each, 1 “B” Unit @ 1,081 sq. ft. = 3,765 sq. ft. loss

Total sq. ft. loss for 20% option = 63,665 sq. ft.

Height:
Removal of four floors (any 4 in 3rd-22nd levels) will reduce building height (to top of roof slab) by 38'-8" however to reach the full 20% reduction an additional 5'-5" (65") must be removed. This can be achieved by reducing the first floor height by 5” making it 14'-11" and then reducing the 2nd through 16th floors (15 floors) heights by 4” each making them 9'-4". The top two floors will remain at 10’-8”.

Parking:
Removing 47 units total (11 units per floor x 4 floors = 44 units + 3 first level units = 47 units removed)
234 units currently – 47 units for 20% reduction = 187 units
187 units x required 1.5 spaces/unit = 281 parking spaces needed
+ 6 retail parking spaces
+ 4 employee parking spaces
291 parking spaces needed

351 current spaces – 291 needed spaces = 60 parking spaces removed in 20% reduction option

*Each parking level has 70 parking spaces except level 5 which has 71 spaces. The 20% reduction option will be the best option if the goal is to remove one parking level. With the 20%
option there will be a difference of 10 parking spaces and this gives the opportunity to look into reconfiguring the parking garage with the goal of eliminating a level so that level one can be brought out of the ground.

Also note that with the removal of residential units on the first floor to accommodate square footage reduction these spaces may become retail which may require additional parking spaces. If these spaces become amenities there is no additional parking requirement.

**Bicycle Parking Requirements:**

According to the City of Panama City Beach’s Ordinance No. 1276, bicycle parking shall be provided on site at the rate of 0.10 required bicycle spaces per vehicle parking space (Chart 4.05.06)

\[ \text{If 291 parking spaces are needed} \times 0.10 = 29 \text{ Bicycle Spaces Required} \]

See site plan and first level parking garage floor plan for the possible locations of the bicycle parking.

**Parking Garage Elevations:**

According to the City of Panama City Beach’s Ordinance No. 1276, no less than 60% of upper floors on any parking garage facing a public right of way shall consist of exposed openings (Section 7.02.03.K.3). These openings must be design with a landscaped opening, fenced opening or windowed opening.

The diagram below shows the parking garage and the surrounding streets. The South, East and West elevations are all facing public right-of-ways.
Mel Leonard

From: Todd Ciavola <tciavola@volagroup.com>
Sent: Wednesday, May 14, 2014 3:36 PM
To: Mel Leonard
Subject: Calypso III Response

Mel,

Please find attached the property owner's response to your questions dated March 31, 2014 (attached).

Please advise if you have any further questions.

Please confirm receipt of this email.

Thanks and Regards,

Todd Ciavola, RPA, CCIM  
Vola Group, LLC  
706-347-1058 (Office)  
706-413-1360 (Fax)

Confidentiality Notice:  
This email, including any attachments, is the property of Vola Group, LLC and is intended for the sole use of the intended recipient(s). It may contain information that is privileged and confidential. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please delete this message, and reply to the sender regarding the error in a separate email.
CITY OF PANAMA BEACH AMENDED DEVELOPMENT ORDER
PURSUANT TO ORDINANCE 1276
CALYPSO III (aka Building 3)
RESPONSES BY BAY COUNTY PARTNERS, LLC (OWNER) TO CITY OF PANAMA CITY BEACH
APPLICATION QUESTIONS DATED MARCH 31, 2014 FROM MEL LEONARD

Pursuant to the latter referenced above, Property Owner/Applicant has been asked to respond to comments #2, #3, and #8.

Comment #2
Please see attached Exhibit A

Comment #3
Please see attached Exhibit A

Comment #8
Please see attached Exhibit A and Exhibit B
EXHIBIT A

Calypso Tower III 20% Reduction Option

Total Net Residential Square Footage per Floor:

2nd Floor = 11,136 sq. ft.

3rd Floor = 13,780 sq. ft.

4th – 23rd Floor (19 floors at 13,780 sq. ft. each) = 261,820 sq. ft.


-20% (57,348 sq. ft.) = 229,388 sq. ft.

217'-8" Current Height to top of roof slab

-20% (43'-7") = 174'-1"

20% Option

Square Footage:

Removal of 4 top floors @ 13,780 sq. ft. each = 55,120 sq. ft. loss; leaving a remaining 2,228 sq. ft. needing to be removed.

- On Level 03 remove two middle “B” Units (Unit numbers 3-306 and 3-307) @ 1,226 sq. ft. each = 2,452 sq. ft. loss. The removal of these two units will create a higher ceiling space over pool on level 01 since this space is also open on level 02. See elevations.

Total square footage loss for 20% option: 57,572 sq. ft.

Height:

Removal of the four top floors (3 levels at 9'-8" and one at 10'-8") will reduce the building height (to top of roof slab) by 39'-8" however to reach the full 20% reduction an additional 3'-11" (47") must be removed. This can be achieved by reducing the 3rd through 18th level 3" each making them 9'-5" and reducing the 19th floor (now the top floor after the removal of 4 floors) by 2" making it 9'-6". See elevations.

Parking:

Removing 50 units total (12 units per floor x 4 floors = 48 units + 2 third level units = 50 units removed)

250 units currently – 50 units removed for 20% reduction = 200 units

200 units x required 1.5 spaces/unit = 300 parking spaces needed
Bicycle Parking: ✓
According to the City of Panama City Beach’s Ordinance No. 1276, bicycle parking shall be provided on site at the rate of 0.10 required bicycle spaces per vehicle parking space (Chart 4.05.06).

If 300 parking spaces are needed x 0.10 = **30 Bicycle Spaces Required for Building 3**. The original site plan shows a 38 bicycle parking rack located southeast of the parking garage. See site plan. ✓
May 16, 2014

Mr. Todd Ciavola, RPA, CCIM
Vola Group, LLC
Bay County Partners, LLC
3442 Francis Road, Suite 160
Alpharetta, Georgia 30004

RE: Application for an Amended Development Order Pursuant to Ordinance 1276 for the Calypso Tower III Located at 15928 Front Beach Road, Panama City Beach, Florida (Parcel I.D. No.: 33756-000-000)

Dear Mr. Ciavola:

The City of Panama City Beach Building and Planning Department is in receipt of your e-mail of May 14, 2014 which responds to the City’s request for additional information in a letter dated March 31, 2014.

The information provided satisfies the City’s comment #2 but a request for additional information is necessary to address comments #3 and #8. Your Exhibit “A” does a very good job of showing the calculation of the 20% reduction in building height and aggregate square footage of individual units. The exhibit even shows the required total parking spaces will be reduced by 75 from 375 spaces to 300 spaces. However, verification that such number of parking spaces already is, or will be, in place is still needed. Some of the current owners in Towers I and II perceive a deficit of required parking will be created or already exists. I have asked their attorney to more specifically describe to me this issue so I can better relate it to you. He indicated a discussion with his clients would occur and would
Calypso Tower III
May 16, 2014
Page Two

let me know. I have not yet received a response but do still need verification that the required parking for the current units are still in place and how the additional parking required of Tower III will be provided.

Finally, your response indicates comment #8 is answered by Exhibits “A” and “B”. Exhibit “A” states that two middle “B” units (Unit numbers 3-306 and 3-307) will be removed. Exhibit “B” contains the West Elevation which clearly depicts the removal of the units. However, it is unclear if the East Elevation is also depicting the removal of the two units. Please verify that the East Elevation is correct or alternatively revise the East Elevation to show the two middle units are removed.

Please address the comments of this letter which relate to the City’s original comments #3 and #8 and resubmit to the City for review. Section 10.05.00 of the Land Development Code (LDC) provides for a maximum of 45 days from the date of this additional notice to respond. The request for additional information should be able to be provided by the deadline. Please feel free to contact our office if you have any questions on this matter.

Sincerely,

Mel Leonard
Director
Mel Leonard

From: Todd Ciavola <tciavola@volagroup.com>
Sent: Friday, June 27, 2014 4:41 PM
To: Mel Leonard
Subject: Calypso III DO Response
Attachments: PCB DO Comments_5_16_14.pdf; ATT00001.htm; Calypso III Amended Development Order Application Response to Comments Dated_6_27_14.pdf; ATT00002.htm

Mel,

Please find attached the property owner's response to your questions dated May 16, 2014 (attached).

Please advise if you have any further questions.

Please confirm receipt of this email.

Thanks and Regards,

Todd Ciavola, RPA, CCIM
Vola Group, I,LC
706-347-1058 (Office)
706-413-1360 (Fax)

Confidentiality Notice:
This email, including any attachments, is the property of Vola Group, LLC and is intended for the sole use of the intended recipient(s). It may contain information that is privileged and confidential. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please delete this message, and reply to the sender regarding the error in a separate email.
May 16, 2014

Mr. Todd Ciavola, RPA, CCIM
Vola Group, LLC
Bay County Partners, LLC
3442 Francis Road, Suite 160
Alpharetta, Georgia 30004

RE: Application for an Amended Development Order Pursuant to Ordinance 1276 for the Calypso Tower III Located at 15928 Front Beach Road, Panama City Beach, Florida (Parcel I.D. No.: 33756-000-000)

Dear Mr. Ciavola:

The City of Panama City Beach Building and Planning Department is in receipt of your e-mail of May 14, 2014 which responds to the City’s request for additional information in a letter dated March 31, 2014.

The information provided satisfies the City’s comment #2 but a request for additional information is necessary to address comments #3 and #8. Your Exhibit "A" does a very good job of showing the calculation of the 20% reduction in building height and aggregate square footage of individual units. The exhibit even shows the required total parking spaces will be reduced by 75 from 375 spaces to 300 spaces. However, verification that such number of parking spaces already is, or will be, in place is still needed. Some of the current owners in Towers I and II perceive a deficit of required parking will be created or already exists. I have asked their attorney to more specifically describe to me this issue so I can better relate it to you. He indicated a discussion with his clients would occur and would
Calypso Tower III
May 16, 2014
Page Two

let me know. I have not yet received a response but do still need verification that the required parking for the current units are still in place and how the additional parking required of Tower III will be provided.

Finally, your response indicates comment #8 is answered by Exhibits “A” and “B”. Exhibit “A” states that two middle “B” units (Unit numbers 3-306 and 3-307) will be removed. Exhibit “B” contains the West Elevation which clearly depicts the removal of the units. However, it is unclear if the East Elevation is also depicting the removal of the two units. Please verify that the East Elevation is correct or alternatively revise the East Elevation to show the two middle units are removed.

Please address the comments of this letter which relate to the City’s original comments #3 and #8 and resubmit to the City for review. Section 10.05.00 of the Land Development Code (LDC) provides for a maximum of 45 days from the date of this additional notice to respond. The request for additional information should be able to be provided by the deadline. Please feel free to contact our office if you have any questions on this matter.

Sincerely,

Mel Leonard
Director
June 27, 2014

CITY OF PANAMA BEACH AMENDED DEVELOPMENT ORDER
PURSUANT TO ORDINANCE 1276
CALYPSO III (aka Building 3)
RESPONSES BY BAY COUNTY PARTNERS, LLC (OWNER) TO CITY OF PANAMA CITY BEACH
APPLICATION QUESTIONS DATED MAY 16, 2014 FROM MEL LEONARD

Pursuant to the letter referenced above, Property Owner/Applicant has been asked to provide additional information on comments #3 and #8.

Comment #3
Verification that such number of parking spaces is, or will be, in place is still needed.

Response
Parking:
Removing 50 units total (12 units per floor x 4 floors = 48 units + 2 third level units = 50 units removed) 250 units currently – 50 units removed for 20% reduction = 200 units 200 units x required 1.5 spaces/unit = 300 parking spaces needed

Currently on site there are 1,015 parking spaces provided (this includes all parking garage levels, parking garages beneath Tower I & II, and ground level parking not in parking garage). Towers I & II have 396 units total (198 units each). The total unit number, including Tower III, will now be 596 units.

596 x 1.5 parking spaces required per unit = 894 parking spaces required.

Since the current parking garages and ground level parking provide 1,015 spaces there is adequate parking available for all three towers. 300 of the total parking spaces will be needed to support the 200 units at Tower III.

Comment #8
It is unclear if the East Elevation is also depicting the removal of the two units. Please verify that the East Elevation is correct or alternatively revise the East Elevation to show the two middle units are removed.

Response
The East Elevation is correct.
Calypso Tower III, LLC

October 22, 2014

Mr. Mel Leonard
City Planner
City of Panama City Beach
110 South Arnold Rd.
Panama City Beach, Fl. 32413-2199

RE: Development Order Amendment-Calypso Resort and Towers, Original File 10942

Dear Mr. Leonard:

This Letter is a formal request amendment for the Calypso Tower III (third tower) to be built under its original Development Order approval as referenced above in original file 10942. Calypso Tower III, LLC (new owners as evidenced by warranty deed attached) has acquired the third tower pad/slab and as partners and officers of Calypso Tower III LLC, this is our official request to extend the Development Order under its original parameters and guidelines as listed below:

Height: 22 Stories

Units: 250

Build Time from DO Extension: 2 Years

Footprint: Per the original approved plans with the city subject to upgrade to new code requirements for wind load.
We look forward to working with you and the City of Panama City Beach, Fl. to bring this project to construction commencement.

Sincerely:

Thomas Johnson  
President  
Calypso Tower III, LTD  
2257 Taylor Road  
Suite 400  
Montgomery, AL. 36117  
334-318-3037

Bruce Houle  
Vice President

State of Florida  
County of Escambia

The foregoing instrument was sworn to and acknowledge before me this ___ day of October, 2014, by Bruce Houle who is Vice President of Calypso Tower III, LTD., and who is personally know to me and who did not take an oath and who executed same in his capacities on behalf of said entities.

__________________________  
Notary Public, State of Florida-at-Large  
Printed Name:

Expiration/seal:

CATHERINE B. BRANNON  
MY COMMISSION # FT 148541  
EXPIRES: August 6, 2019  
Bonds Thru Budget Notary Services
SPECIAL WARRANTY DEED

STATE OF FLORIDA
COUNTY OF BAY

KNOW ALL MEN BY THESE PRESENTS: that BAY COUNTY PARTNERS, LLC, a Florida limited liability company, whose address is 3442 Francis Road, Suite 160, Alpharetta, GA 30004 ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does grant, bargain, sell and convey the below described property, situate, lying and being in the County of Bay, State of Florida, unto CALYPSO TOWER III, LLC, a Florida limited liability company, whose mailing address is P.O. Box 6556, Miramar Beach, FL 32550 ("Grantee"), its successors and assigns:

SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE

Subject to the items identified in the attached Exhibit “B,” taxes for the current year, zoning ordinances, and, restrictions, limitations and easements of record (the “Permitted Exceptions”). And the Grantor does hereby covenant with the Grantee that, except for the Permitted Exceptions, at the time of the delivery of this deed the premises were free from all encumbrances made by it, and that it will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under it, but against none other.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 20 day of October, 2014.

Signed, sealed and delivered in the presence of:

Bay County Partners, LLC, a Florida limited liability company

By: Larry Covington, its Manager

Print Name: Brenda Rukes

Print Name: Vanessa Villalba
STATE OF GEORGIA
COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 20 day of October, 2014 by Larry Covington, as Manager of Bay County Partners, LLC, a Florida limited liability company.

KARLAN JOY RIELLY
Notary Public

Personally Known or
Produced Identification
Type of Identification Produced
EXHIBIT “A”

A PARCEL OF LAND BEING ALL OF LOT 12, A PORTION OF LOTS 10, 11, 56 AND 57, AND A PORTION OF PALMETTO STREET, FA BLACK’S ORIGINAL PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 36 IN THE OFFICE OF THE CLERK OF BAY COUNTY, FLORIDA, AND A PARCEL OF LAND BEING A PORTION OF THE NORTH ONE-HALF OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 16 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHWESTERLY CORNER OF SAID LOT 12, FA BLACK’S ORIGINAL PLAT; THENCE NORTH 32 DEGREES 04 MINUTES 53 SECONDS EAST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 12, AND ITS EXTENSION ACROSS SAID PALMETTO STREET, AND ALONG THE NORTHWESTERLY LINE OF SAID LOT 56, 393.00 FEET; THENCE SOUTH 57 DEGREES 55 MINUTES 07 SECONDS EAST PARALLEL TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 98A (100.00 FOOT WIDE RIGHT-OF-WAY), 111.52 FEET; THENCE SOUTH 12 DEGREES 08 MINUTES 12 SECONDS WEST, 418.07 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 98A; THENCE NORTH 57 DEGREES 55 MINUTES 07 SECONDS WEST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 98A, 254.13 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 12 AND THE POINT OF BEGINNING.
EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Easement granted to the State of Florida by instrument recorded in Deed Book 117, Page 501 of the public records of Bay County, Florida.


5. Terms, provisions, restrictive covenants, conditions, reservations, rights, duties and easements contained in Declaration of Condominium of Calypso Towers II, a Condominium, and any Exhibits annexed thereto, including all amendments and modifications thereto, including, but not limited to, provisions for a private charge or assessments, recorded in Official Records Book 2747, Page 1819, amended in Official Records Book 2750, Page 1509, Official Records Book 2993, Page 1018, Official Records Book 2995, Page 93, Official Records Book 2995, Page 102, Official Records Book 3127, Page 1975, Official Records Book 3149, Page 1815, Official Records Book 3224, Page 2209 and Official Records Book 3158, Page 1882, all of the public records of Bay County, Florida, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).


Electronic Articles of Organization
For
Florida Limited Liability Company

Article I
The name of the Limited Liability Company is:
CALYPSO TOWER III, LLC

Article II
The street address of the principal office of the Limited Liability Company is:
107 N. PARTIN DR.
NICEVILLE, FL. US 32578

The mailing address of the Limited Liability Company is:
P.O. BOX 6556
MIRIMAR BEACH, FL. US 32550

Article III
The name and Florida street address of the registered agent is:
RICHARD S. JOHNSON, P.A.
107 N. PARTIN DR.
NICEVILLE, FL. 32578

Having been named as registered agent and to accept service of process for the above stated limited
iliability company at the place designated in this certificate, I hereby accept the appointment as registered
agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes
relating to the proper and complete performance of my duties, and I am familiar with and accept the
obligations of my position as registered agent.

Registered Agent Signature: RICHARD S. JOHNSON
Article IV
The name and address of person(s) authorized to manage LLC:
Title: MGR
BRUCE HOULE
P.O. BOX 6556
MIRIMAR BEACH, FL. 32550 US

Title: MGR
THOMAS JOHNSON
2257 TAYLOR RD, SUITE 400
MONTGOMERY, AL. 36117 US

Title: MGR
MARC EVANS
2257 TAYLOR RD, SUITE 400
MONTGOMERY, AL. 36117 US

Article V
The effective date for this Limited Liability Company shall be:
08/22/2014

Signature of member or an authorized representative

Electronic Signature: RICHARD S. JOHNSON

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in 817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.
Mr. Leonard:

Thank you for your response. Per this email, Items 1 thru 7 are ALL satisfactory and will not change per the Original DO and the only change is the height and units to 23 stories and 250 units per our respected request.

Please contact me if you have questions or need anything else. I appreciate your assistance and our development team is ready to move on this project.

Thank you,

Bruce

On Mon, Oct 27, 2014 at 1:57 PM, Mel Leonard <mleonard@pcbgov.com> wrote:

Hey Mr. Houle,

I am in receipt of your amended development order request. I will begin preparing the newspaper ad that must run prior to final approval. However, there are a few "house-keeping" items that I need a response on since new owners are inheriting a current application. Below is a list of requirements found in Ordinance 1276 that allow certain previously approved developments, including this one, to continue with their approved development order. I just need you to verify that these items will not change and that only the height and number of units are changing from what the previous owners had requested.

1. The previous owners requested a 4-year extension which required a 20% reduction in height and square footage dedicated to units. You are requesting to rely on the original development order which consisted of 250 units and 23 floors in height and allows for a 2-year extension of the development order;

2. The recognized “top” will be provided to match that of the other two towers;

3. 38 bicycle parking spaces are required and were proposed to be added (by the previous owners) in front of the new Tower (between the tower and Front Beach Road). Do you intend to amend this part of the plan?

4. The structure will be clad in masonry materials;

5. All mechanical equipment will be screened from view;

6. All on-site utilities will be screened from view; and,
7. The modulation standards of the code will be met by utilizing the building façade design of the originally approved development order.

Thanks for verifying all of this information. Once the ad runs in the paper any adversely affected person will have 5 business days to appeal the decision to the Planning Board. If no such appeal is received, I will send you a final approval letter and the 2-year extension will begin.

Sincerely,

Mel Leonard

Director of Building and Planning

City of Panama City Beach

From: Bruce Houle [mailto:bruceahoule@gmail.com]
Sent: Wednesday, October 22, 2014 1:08 PM
To: Mel Leonard
Cc: Ron Jones; Thomas Johnson
Subject: Calypso Resort and Tower Development Amendment

Hello!

Please find attached an amendment request for the Calypso Tower and Resort (third tower). We wish to renew the DO to 22 stories under the original DO approval.
In addition to our Letter request, I have attached the warranty Deed showing Calypso Tower III, LLC as the new owner and our Articles of Corporation.

Please feel free to contract me with any questions. We look forward to working with you and the City on this project.

Thank you.

Bruce

Bruce Houle
Managing Partner
Calypso Towne III, LLC
424-405-2547 Mobile
678-904-6942 Fax
bruceahoule Skype address

Bruce Houle
Managing Partner
BAH DEV LLC
404-405-2547 Mobile
678-904-6942 Fax
205-981-0021 Office
bruceahoule Skype address
E. Notice of the proposed order shall be mailed to the applicant and any person who shall have requested a copy during or at the conclusion of the public hearing. A sign-up sheet for such notice requests shall be provided and announced at the public hearing. Such notice shall include a copy of the proposed order, a description of the persons entitled to appeal and a statement of the appeal procedures set forth in this section.

F. Within ten (10) days after mailing the notice of proposed order, the City, the applicant or an Adversely Affected Person who appeared at the hearing shall be entitled to file with the secretary of the Planning Board a written request for a rehearing before the City Council.

G. If no such request is timely filed, the Planning Board's proposed order shall become final and the City Council shall have no jurisdiction in the matter.

H. If such a request is timely filed, the Planning Board's proposed order shall be superseded by the City Council's final action on the request pursuant to section 10.17.00.

10.12.00 MODIFICATIONS, CONTINUANCES and WITHDRAWAL OF PENDING APPLICATIONS

10.12.01 Modification to Pending Applications
An applicant shall submit any proposed modification to an application to the Building and Planning Department.

10.12.02 Request for Continuance of Public Hearing

A. An applicant may request, in writing, a continuance of the public hearing.

B. If the Building and Planning Department receives the written request for a continuance at least seven (7) days prior to the public hearing at which the application is scheduled to be heard, the applicant's request for a continuance will be automatically granted. An applicant is not entitled to more than two (2) automatic continuances.

C. If the Building and Planning Department receives the written request for a continuance less than seven (7) days prior to the public hearing at which the application is scheduled to be heard, the applicant is not entitled to an automatic continuance. The decision-making entity will consider the request for a continuance and shall only grant such request upon a demonstration by the applicant of good cause for a continuance.

D. Failure by the City to disclose to the applicant more than ten (10) days before the hearing any data or analysis which is materially adverse to the application and previously unknown to the applicant, shall be rebuttably presumed to be good cause for a continuance.

E. If an applicant receives a continuance, other than a continuance of an initial disclosure of adverse data or analysis by the City, the applicant,
CITY OF PANAMA CITY BEACH

NOTICE OF INTENT

The City of Panama City Beach intends to issue approval of an amended development order pursuant to the requirements of Ordinance 1276 for which application was made.

Name of applicant: Vola Group, LLC; Calypso Tower III, LLC
Mr. Thomas Johnson & Mr. Bruce Houle

Location of property for which approval is sought: Calypso Tower III
15928 Front Beach Road

Nature of approval sought by the applicant: Amended Development Order Approval for a 250 unit condominium with a two (2) year extension.

The application has been reviewed and will be approved five (5) days from the date of the publication of this notice. An adversely affected person may file a written request for a hearing with the Building and Planning Department prior to approval in five (5) days. The written request for a hearing shall identify the specific sections of the Comprehensive Plan, LDC and/or Ordinance 1276 that the application violates and describe how such sections are not met. Upon receipt of the written request for a hearing, the Building and Planning Department will schedule a quasi-judicial hearing on the application before the Planning Board.
State of Florida
County of Bay

Before the undersigned authority appeared Lynda Speights, who on oath says that she is Legal Advertising Representative of The News Herald, a daily newspaper published at Panama City, in Bay County, Florida; that the attached copy of advertisement, being a Legal Advertisement # 34347 in the matter of PUBLIC NOTICE- City of Panama City Beach in the Bay County Court, was published in said newspaper in the issue of October 30, 2014.

Affiant further says that The News Herald is a direct successor of the Panama City News and that this publication, together with its direct predecessor, has been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays), and that this publication together with its said predecessor, has been entered as periodicals matter at the post office in Panama City, in said Bay County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

State of Florida
County of Bay
Sworn and subscribed before me this 30th day of October, A.D., 2014, by Lynda Speights, Legal Advertising Representative of The News Herald, who is personally known to me or has produced N/A as identification.

Notary Public of Florida
Marie Forrest
My Commission E069458
Expires 05/05/2015

Notary Public, State of Florida at Large
34347
PUBLIC NOTICE
CITY OF
PANAMA CITY BEACH
NOTICE OF INTENT

The City of Panama City Beach intends to issue approval of an amended development order pursuant to the requirements of Ordinance 1276 for which application was made.

Name of applicant:
Vola Group, LLC;
Calyx Tower III, LLC

Mr. Thomas Johnson &
Mr. Bruce Houle

Location of property for which approval is sought:
Calyx Tower III
15928 Front Beach Rd.

Nature of approval sought by the applicant: Amended Development Order Approval for a 250 unit condominium with a two (2) year extension.

The application has been reviewed and will be approved five (5) days from the date of the publication of this notice. An adversely affected person may file a written request for a hearing with the Building and Planning Department prior to approval in five (5) days. The written request for a hearing shall identify the specific sections of the Comprehensive Plan, LDC and/or Ordinance 1276 that the application violates and describe how such

34680349
35 - Lynda Speights
The News Herald
Classified 2006
Classified 2006
1100 Legal Advertising
10/30/2014-10/30/2014
1
1 x 7.42, 70 lines
199
Legals Rate
93.20
93.20
<table>
<thead>
<tr>
<th>Keyword</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ad Number</td>
<td>34660349</td>
</tr>
<tr>
<td>Ad Key</td>
<td>35 - Lynda Speights</td>
</tr>
<tr>
<td>Salesperson</td>
<td>Lynda Speights</td>
</tr>
<tr>
<td>Publication</td>
<td>The News Herald</td>
</tr>
<tr>
<td>Section</td>
<td>Classified 2006</td>
</tr>
<tr>
<td>Sub Section</td>
<td>Classified 2006</td>
</tr>
<tr>
<td>Category</td>
<td>110C Legal Advertising</td>
</tr>
<tr>
<td>Dates Run</td>
<td>10/30/2014-10/30/2014</td>
</tr>
<tr>
<td>Days</td>
<td>1</td>
</tr>
<tr>
<td>Size</td>
<td>1 x 7.42, 70 lines</td>
</tr>
<tr>
<td>Words</td>
<td>199</td>
</tr>
<tr>
<td>Ad Rate</td>
<td>Legals Rate</td>
</tr>
<tr>
<td>Ad Price</td>
<td>$3.20</td>
</tr>
<tr>
<td>Amount Paid</td>
<td>$0.00</td>
</tr>
<tr>
<td>Amount Due</td>
<td>$3.20</td>
</tr>
</tbody>
</table>

**Public Notice**

Upon receipt of the written request for a hearing, the Building and Planning Department will schedule a quasi-judicial hearing on the application before the Planning Board.

Pub: October 30, 2014
Access Class 3 Roads - Panama City Beach Parkway (excluding Manistee Drive to Mandy Lane); and State Road 79 (from Panama City Beach Parkway to the City Limits).

Access Class 5 Roads - Panama City Beach Parkway (from Manistee Drive to Mandy Lane); Joan Avenue; North Lagoon Drive; Thomas Drive (including N. Thomas Drive); S. Thomas Drive; Front Beach Road (from the eastern City limits to the Intersection of Hutchison Boulevard); Clarence Street; Churchwell Road; Hutchison Boulevard; Richard E. Jackson Road; Alf Coleman Road; Lyndell Lane; Clara Avenue; Hill Road; Powell Adams Road; and State Road 79 (from Front Beach Road to Panama City Beach Parkway).

Access Class 7 Roads - Front Beach Road (from the Intersection of Hutchison Boulevard to the western City limits).

Access Classification - A ranking system for roadways used to determine appropriate Access management.

Access Connection - Any Driveway, private Street, turnout or other physical improvement providing for the movement of Vehicles to or from the public roadway system.

Access Regulated Road - Any road listed in Access Class 3, Access Class 5 or Access Class 7, as defined herein.

Accessory Use - A Use or structure which is incidental and subordinate to the Principal Use or structure and which is located on the same Lot as the Principal Use or structure and subject to the provisions of section 5.02.00.

Accessory Structure means, a structure that is located on the same Parcel of property as the Principal Structure, the Use of which is incidental to the Use of the Principal Structure and subject to the provisions of section 5.02.00. Accessory Structures should constitute a minimal investment, may not be used for human habitation (except screened enclosures). Examples of Accessory Structures are detached garages, carports, storage sheds, screened enclosures, pole barns and hay sheds.

Adult Uses - Uses defined within the Sexually Oriented Businesses Ordinance.

Adversely Affected Person or Aggrieved Person - Any person, natural or otherwise, who is suffering or will suffer an adverse effect to an interest protected or furthered by one or more of the ordinances of the City, including but not limited to interests related to health and safety, police and fire protection, densities or intensities of Development, transportation facilities or recreational facilities. The alleged adverse effect may be shared in common with other members of the community at large, but must exceed in material degree the general interest in community good shared by all persons.

Alley - A public or approved private way, less than thirty (30) feet in width, which affords only a secondary Access to abutting properties and which is not intended for general traffic circulation.

Amusement - A Use, Building or device intended or used primarily to amuse persons by means of physical or mechanical activity. Examples...

Land Development Code 3/27/14