

New Smyrna Beach Special City Commission Meeting
Aug. 14, 2018

1. The City Commission voted 4-1 to rezone 7.861 acres at the southeast corner of SR-44 and Corbin Park Road to permit a Tractor Supply store and several outparcels earmarked for retail uses. Commissioner Jake Sachs cast the dissenting vote.

Commissioners approved the rezoning from Planned Unit Development zoning (PUD) to a PUD with a Master Development Agreement with additional requirements of the developer. Those included:

- a) Removing laundromats as a permitted use on the property
- b) Requiring the developer to put money in escrow equal to a 25 percent share of the cost for a potential traffic light at the intersection of Corbin Park Road and SR-44. After five years, the city will look at the escrowed money vs. the estimated cost of a light to see if the amount of money paid into escrow by the developer still equals 25 percent of the possible traffic light expense.
- c) The money will be paid into the escrow account prior to the Certificate of Occupancy being issued for the new Tractor Supply.

Commissioner Sachs explained his “no” vote, saying, “I love the Tractor Supply, but I don’t love the location.” He said he felt the store and its outparcels were situated too close to Turnbull Creek, despite assurances that the property’s stormwater structures would retain all of its runoff on site. City Planning Director Amye King noted the Planning and Zoning Board previously turned down the rezoning request, but the developer subsequently made many changes. Those include improving landscaping for the project and changing the appearance of the building’s exterior to reflect a more traditional, “Florida style” appearance. Developers also will pay for extending a right turn lane along Corbin Park Road onto SR-44, a left turn lane from SR-44, and agreed to make the store’s main access from SR-44 instead of Corbin Park Road.

Attorney Glenn Storch, who represented developers of the Tractor Supply, added that the Tractor Supply store initially would use a septic tank because it won’t generate enough wastewater by itself to warrant connecting to the city’s sewer system. However, as soon as the first outparcel is developed, Storch said the Tractor Supply and all subsequent outparcel buildings will connect to municipal sewer service.

2. The City Commission unanimously approved a resolution to propose language for a November ballot question asking voters if they will authorize an estimated \$15 million bond issue to buy environmentally sensitive lands along Turnbull Creek.

City officials have worked with the national organization Trust For Public Lands to research the proposed bond issue, contact landowners in the Turnbull Creek area and develop language for the ballot question. Staff members are expected to seek City Commission approval to apply for a Florida Communities Trust grant to augment the bond issue when the Commission meets next on Aug. 29.

Commissioner Sachs commented the ballot language should make it clear city officials are actively seeking other sources of funding to minimize the total amount of bonds issued and lessen the obligation for local residents. Mayor James Hathaway added a cautionary note about what could happen if citizens don't approve the proposed bond issue. "Believe me, if those people don't know where Turnbull Creek is now, they will know very shortly when they see bulldozers out there knocking trees down." If New Smyrna Beach residents want to slow the city's growth, he stressed, "They're going to have to put their money where their mouth is."

3. City Commissioners unanimously voted to grant a special exception to allow a new, 6,107-square-foot, pre-school building on the site of St. Paul's Episcopal Church at 1650 Live Oak St.

Play areas will be fenced and new landscaping will be added on the east side of the playground, according to Planning Director King. The new building will allow the church school to add about 20 additional students, for a total of about 80 children.

4. The City Commission voted 5-0 to pass a resolution raising fees for transient boats to dock at the Municipal Marina.

The new daily fee for transient boats will be \$1.50 per foot, a 25-cent increase from the old rate of \$1.25 per foot, per day. The increase puts the city marina more in line with Halifax Harbor Marina in Daytona Beach, which charges transient boats \$1.70 per foot, per day.

5. City Commissioners unanimously agreed to allow the Prima pizzeria, 112 Sams Ave., to have three tables with six seats for a sidewalk café use.

The business will maintain a five-foot-wide pedestrian walking area beside its outdoor seating. [1] [SEP]

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