

New Smyrna Beach City Commission Meeting June 9, 2020

YouTube Channel to view current and archived NSB City Commission Meetings:
<https://www.youtube.com/channel/UCFnPWTUfup3BtTrUyHaJisA>

1. City Commissioners removed all leftover restrictions they had placed on the operation of city facilities due to the COVID-19 shutdown earlier this year, including reopening restrooms, playgrounds and places that host public and private events.

Although facilities such as the Brannon Center and Live Oak Cultural Center are reopening, officials said their events would follow the Centers For Disease Control and Prevention's (CDC's) guidelines for social distancing and limits on the number of participants. The city also will increase its sanitation routine for buildings as much as possible.

2. The Commission voted 4-1 to let Canal Street merchants close that road and a few side streets for a "Taking It To The Streets" celebration of local business, from 5-8 p.m. every Thursday from June 18 through the end of July.

Commissioner Jake Sachs cast the lone vote against the Canal Street event and road closure. He has previously expressed concern about the potential for spreading the virus if large numbers of people attended the downtown event.

The city is waiving fees for the weekly effort to support local businesses that lost much of their livelihood during government-mandated closures to contain the pandemic.

"As you know, many of the COVID-19 restrictions have ended. The negative impacts of the virus on most businesses have not ended, however," said Richard England, President of the Hub on Canal Street. "There is still significant hesitancy on the part of local citizens to venture out and patronize our restaurants and retail businesses. Seventy percent of local businesses rely on walk-in traffic. The street closure will allow our past and future customers to comfortably patronize our businesses."

England said current research indicates the coronavirus is less likely to spread outdoors where it is exposed to heat and humidity.

In another matter related to local businesses, Commissioners OK'd by a 4-1 vote the use of the city's logo as part of a campaign called the *#Save Local NSB* project, contingent upon the Southeast Volusia Chamber of Commerce playing a role in the effort. They also asked the City Attorney to make sure the city's involvement didn't pose a problem. The *#Save Local NSB* project is a marketing and fund-raising initiative to encourage consumers to come downtown and patronize small businesses in New Smyrna Beach. The campaign is launching with a video filmed and produced by Phil Veski, New Smyrna Beach public information officer.

Commissioner Sachs cast the dissenting vote, citing concerns about allowing an outside group to use the city logo. Other Commissioners initially shared that view but said they could support the project after learning the Chamber of Commerce is involved with it. The *#Save Local NSB* effort includes a fund-raiser in which maps will be sold for \$5 at each participating New Smyrna Beach business. All resulting profits will go toward a grant to assist local, small businesses that have been hurt by the pandemic. The grant's criteria are being developed with assistance from the Chamber. For more information about the *#Save Local NSB* project, send an email to savelocalnsb@gmail.com or visit www.savelocalnsb.com.

3. City Commissioners unanimously approved raising the fine for illegally parked vehicles and trailers at the N. Causeway boat launch area from \$35 to \$100, after seeing hundreds of boat trailers overflowing the boat launching ramp parking lot and blocking sidewalks and driveways in residential neighborhoods. The higher fine will be enforced beginning July 1.

"It hits them in the pocket," said Commissioner Sachs. "It's a shame. I don't like to do that." However, he and his fellow Commissioners said they needed to do something to get a serious problem under control.

They also discussed what they could do about illegal parking throughout beachside neighborhoods by Central Florida "day-trippers" who may consider nominal fines a minor annoyance. Commissioners asked their city attorney to investigate the potential for New Smyrna Beach to hike its regular illegal parking fine – for vehicles other than boat trailers -- to be sure that effort doesn't conflict with state law. Residents have complained about out-of-town vehicles that are parked so they interfere with traffic and residents' access to their properties while the vehicle's occupants are at the beach.

After meeting with North Beach residents and hearing stories about people not being able to leave their homes on the weekend -- plus riding with a police officer who was doing parking enforcement – Mayor Russ Owen said he saw the problem up close.

4. After lengthy discussion, City Commissioners voted 4-1, with Commissioner Sachs dissenting, to approve a Special Exception to allow a Place of Assembly in the Light Industrial (I-1) zoning district at 721 Palmetto St.

Property owners Randy and Sheri McHenry own a 15,724-square-foot structure they call The Barn, which was built in 1914 at the Palmetto Street location. They remodeled and restored the former fruit packing plant and furniture store with the intent of creating a ballroom, dance studio, and venue for weddings and special events. They also own other contiguous parcels that they plan to use for parking. City staff members said the properties proposed for parking would yield 24 parking spaces, allowing a maximum of 96 people attending events in The Barn at present.

In a matter related to the Special Exception, the Commission voted 4-1, with Sachs also voting in the minority, in favor of allowing the 24 spaces to be a temporary (unpaved) parking lot to serve the business. Commissioner Sachs has expressed concern that the venue's guests might park in front of neighborhood homes and block their access.

The Commission's twin approvals included a few recommendations from city staff:

- That a site plan including storm water calculations and a landscape plan must be reviewed and approved by the city's Technical Review Staff.
- Improvements to the site must be installed and approved by the city prior to the building opening for assembly use.
- The temporary parking lot approval will expire after two years.

The McHenrys hope to attract events with more than 96 guests, so they also asked about leasing an adjacent, city-owned lot, as well as sharing existing parking at two other commercial buildings close by.

In response, Commissioners directed their staff to draw up a potential lease for the city property and bring it back to them at a future meeting. The site that may be leased for The Barn's parking borders Smith and Palmetto streets, and is a vacant, 150-foot by 200-foot parcel where the Utilities Commission's Smith Street Power Generation Station once stood. That building was demolished several years ago.

A speaker associated with The Barn assured Commissioners its events would be completely over by 10 p.m. She noted that a foot of insulation has been installed in the walls of the building, as well as underneath its floor, to block any noise from escaping. Assistant City Manager Brian Fields also said noise restrictions would limit The Barn from generating noise outside the building between the hours of 10 p.m. and 8 a.m.

5. City Commissioners unanimously adopted an ordinance requiring delivery vehicles that load and unload materials along Flagler Avenue to use the city-designated zones for that action.

In April, the Commission asked its staff to set up five loading/unloading zones for trucks on Flagler Avenue. The loading zones are identified with signs and curb painting. They are restricted for delivery vehicle use from 6-11 a.m. The ordinance was needed so the city could enforce the new loading zones.

6. The City Commission unanimously approved two ordinances to amend and restate the Master Development Agreement for the existing Florida Days Subdivision, and change the city's Future Land Use for about 30 acres of the tract from Rural and Residential Estate to Low Density Residential.

The Florida Days subdivision is about 105 acres at the northeast corner of the intersection of Creekshore Trail and Turnbull Bay Road, with frontage on both of those roads.

The amendment to the Florida Days development agreement would:

- Increase the subdivision's total acreage from about 105 acres to nearly 113 acres, by incorporating an eight-acre parcel on the east side of Creekshore Trail, west of the Florida East Coast Railway. That acreage was annexed in 2019 and is proposed to remain as undeveloped, open space.
- Change the total number of permitted lots from 94 to a potential maximum of 125.
- Change the subdivision's overall dwelling unit density from the current 0.90 units per acre to a potential maximum of 1.11 units per acre.

The city's approval also included staff recommendations for a new, 20-foot minimum buffer zone around the development's perimeter, requiring that no living Historic Trees (mature trees of a certain size) be removed, and stating areas within the floodplain should be preserved as much as possible.

###