

New Smyrna Beach City Commission Meeting June 23, 2020

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City Commissioners unanimously agreed to move forward with an agreement to buy three, high priority properties that are part of the Turnbull Creek watershed, to protect them from development.

This is the next phase of land purchases funded by a bond issue that voters passed in 2018.

The city's June 23 action was a follow-up to a January meeting in which Commissioners agreed to pursue acquiring six "Priority 1" properties, based on their rankings by the Turnbull Creek Land Preservation Committee.

Two parcels owned by Sea Star Realty, LLC and Neal Harding are top ranked properties on the Priority 1 list. A remnant piece also would be added to the purchase. The properties are undeveloped and have a total land area of 10.08 acres, mostly on the south side of SR-44 and east of Walker Drive. Upland parts of the tract have a mixture of hardwoods and slash pine. Several dirt trails carve through the property and there are remnants of a bridge crossing over Turnbull Creek. The land has a thick tree canopy that includes many large Specimen and Historic trees.

In May 2019, Sea Star Realty, LLC submitted a final site plan application for a proposed 15,000-square-foot building for a boat sales and service facility. The building approval process was begun but never completed. City staff reported that, as of June 12, there is no approved site plan for the acreage, and there are no active applications relating to the property.

Two independent property appraisals estimated the value of the 10.08 acres at \$1,256,000 and \$1,415,000, respectively.

The city's proposed "Option Agreement for Sale and Purchase" indicates New Smyrna Beach would have the option to buy all three parcels for \$1.2 million. The purchase agreement has been signed by the sellers. North Florida Land Trust will provide real estate services to the city for this land purchase.

New Smyrna Beach has until Oct. 30 to close on and buy the property, and the actual purchase will come back before the Commission later this year for final approval. The city is awaiting disbursement of a \$3,620,000 Florida Communities Trust grant from the Florida Department of Environmental Protection, relating to the previously acquired Turnbull Trace property. The disbursement is scheduled to take place before Aug. 1.

City Commissioners unanimously voted to approve the final plat and development plans for Copper Creek, a subdivision of 73 single-family lots proposed for 48.4 acres near the northeast corner of Sugar Mill Drive and Pioneer Trail.

The property owner is Jerry Johnson, Copper Creek, LLC. The property is currently undeveloped and zoned as Single Family Residential (R-2). Previously, the site was used for a farm and open space, and it has many existing Historic and Specimen trees. Staff

members indicated that development plans have been redesigned to accommodate the trees and reduce or eliminate impacts to them during construction. Proposed utilities were relocated to preserve an existing Historic Oak Tree measuring 68 inches in diameter.

"I notice a lot of these properties are 75 x 120," Commissioner Jason McGuirk remarked. "This is a lot better than I've seen for the last couple years...." He added he would like to see even larger size lots of 100 feet by 120 feet.

The City Commission voted 4-1, with Commissioner Sachs dissenting, to approve a replat for a 15-acre, commercial portion of the Coastal Woods subdivision.

The replat will divide the parcel into four lots for commercial development. One of the lots already has a site plan approved for a 7-Eleven, said Chief Planner Jeff Gove. The 15 acres fronts on SR-44, and extends from Sugar Mill Drive east to Oak Lane.

Prior to voting on the replat, Mayor Russ Owen noted the matter was being conducted as a quasi-judicial hearing, which imposes a number of restrictions on the Commission's action. "We're voting based on the evidence given, not necessarily ... because we really want a 7-Eleven on that lot," he explained. "We're judging whether or not they met the criteria. I've made it known in times past I think we've got enough gas stations, but that's not what we're deciding tonight."

The City Commission unanimously endorsed the idea of establishing a local truck route for trucks to travel and serve businesses along Flagler Avenue. An ordinance formally adopting the new truck route will come back before the Commission at a future meeting.

Trucks generally would be limited to Flagler Avenue from Peninsula Avenue to South Atlantic Avenue, part of South Atlantic Avenue near Flagler Avenue, South Peninsula Avenue between Flagler Avenue and the South Causeway, and Third Avenue from SR-A1A to South Atlantic Avenue. The local truck route would be marked with signs to direct truck traffic. The city already has designated five loading and unloading zones for trucks on Flagler Avenue.

Commissioner Jake Sachs commented that large trucks are increasingly becoming a problem along Saxon Drive, too. He asked staff members if the city could do anything about the issue.

Fields, the assistant city manager, answered that Saxon Drive is a county road, so New Smyrna Beach would have to ask Volusia County to regulate truck traffic there.

City Commissioners learned projected replacement costs have gone up dramatically for two small bridges with structural problems, so they asked staff to look at options to reduce expenses for both spans.

City Manager Khalid Resheidat said he would look at potential funding options and design changes to lower costs and will bring that information back to the Commission at a future meeting.

Engineering Director Kyle Fegley told the Commission the Fifth Street Bridge and Barracuda Boulevard Bridge have gone through extensive redesigns since their replacement first was discussed.

These changes have raised overall replacement costs, he noted, potentially doubling that expense. The city's share of the total bridge replacement cost of the Barracuda Boulevard Bridge, from design through construction, would be \$5,145,597. The city's portion of costs

to replace the Fifth Street Bridge, from design through construction, would be \$4,529,103.

Fegley said the city could expect reimbursement from the Federal Highway Administration of \$1,121,250 for the Barracuda Boulevard Bridge, and \$1,271,663 for the Fifth Street Bridge.

The Fifth Street Bridge initially was proposed to be replaced with a single-span, 40-foot-long structure. Then, after hearing from citizens who use the bridge often, city officials chose a different plan with four spans and a 160-foot-long bridge deck. Also, Fegley said officials were advised they would need to spend \$350,000 to replant mangroves damaged or removed by construction.

Similarly, the Barracuda Boulevard Bridge project now is proposed to be an 85-foot-long, single-span structure. The bridge had to be lengthened when the city learned erosion was affecting the existing seawall/bulkhead beneath the bridge, and its tie-back rods had deteriorated.

Commissioners agreed that, if they had known costs would escalate so dramatically, they likely would have chosen different options for at least the Fifth Street Bridge.

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