

New Smyrna Beach City Commission Meeting
Oct. 13, 2020

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1. The City Commission unanimously voted to buy three parcels totaling 10.08 acres on the south side of SR-44, east of Walker Drive, for \$1.2 million. The money will come from the voter-approved, 2018 Turnbull Creek Land Preservation Bond Referendum.

"We're actually getting this below either of the two appraisal prices and below what they purchased it for," Mayor Russ Owen noted. "If the item on the agenda was to put a subdivision there, this chamber would be full. I think we're delivering what the voters told us they wanted in 2018, for us to preserve some of this open space for future generations, and to allow nature to do its thing."

The acreage is in three parcels owned by Sea Star Realty LLC. The land currently is undeveloped, and contains five wetland areas, two upland cut ditches, and portions of Turnbull Creek. The property has a thick tree canopy that includes a number of specimen and historic trees, in a mix of hardwoods and slash pine. About 2.6 acres of the tract are designated as wetlands, with a mix of wetland hardwood vegetation. Several dirt trails cut through the area and there are remnants of a bridge crossing over Turnbull Creek.

The city's staff obtained two independent property appraisals for the acreage. Pomeroy Appraisal Associates of Florida, Inc. estimated its value at \$1,256,000. Bullard, Hall, & Adams, Inc. appraised the property's value at \$1,415,000.

2. City Commissioners voted 3-2, with Vice Mayor Michael Kolody and Commissioner Jake Sachs dissenting, to formally approve a five-year lease allowing the New Smyrna Boat and Ski Club to keep using a building on city land at 241 N. Causeway.

The agreement calls for the Boat and Ski Club to pay \$300 a month for the use of the property they have occupied for 60 years, in a building that club members built then near the city's east boat launching ramp. The new lease includes one option to renew under the current lease terms for a second five-year period. In addition, it says the city has the authority to cancel the lease with or without good cause on 365 days written notice, with a supermajority vote of the City Commission.

The latter voting requirement influenced Vice Mayor Kolody to vote against the lease, stating his objection to the requirement of a supermajority Commission vote to cancel the club's rental.

The Boat and Ski Club had been paying \$200 a month. The Commission agreed to only a nominal increase in that fee due to the club's history in New Smyrna, its involvement in charitable activities and the fact that its building has played host to several generations of local families.

Other parts of the new Boat and Ski Club lease include naming the city as an additional insured party, and the club must make the leased premises available to other nonprofit organizations for a minimum of 12 days out of each calendar year. An annual report on that and other club activities will be provided to the Commission.

Commissioners also observed that bathroom facilities in the Boat and Ski Club's building don't meet the requirements of the Americans with Disabilities Act. They directed staff members to work with the club to bring those facilities up to the required standard.

3. The City Commission voted unanimously to approve a large-scale amendment to the city's Comprehensive Plan for 16.7 acres at 647 Louella St. The property is north of Pioneer Trail, west of North Glencoe Road and on the east side of Louella Street.

The property owner asked to change the site's future land use from Low Density Residential and Residential Estate, to Rural. The owner would like to build a house and have an agricultural use on other parts of the tract. The city's staff said the property owner's future plan is to subdivide the property into two parcels; one of five acres and a second piece measuring 11 acres.

4. City Commissioners had several first readings for proposed annexations, land use and/or zoning changes.

Commissioners had the first reading of a second Amendment to the existing Ocean Gate PUD Master Development Agreement and Conceptual Development Plan. The amendment primarily would allow for three new proposed uses: a car wash, mini-warehouse and wave pool. This property is about 181 acres in five separate parcels, and is generally located southwest of the intersection of SR-44 and I-95. The second reading and public hearing for this issue is Oct. 27.

Two more properties are set for second readings and public hearings on that date. They include one acre at 1990 Mayport Ave., and a separate rezoning action for the 16.7 acres at 647 Louella St.

In addition, the second reading and public hearing for the rezoning of 41.2 acres proposed for a Hidden Lakes Village senior residential development project will be Nov. 10.

This property's zoning is proposed to change from different agricultural classifications in the county, to city Planned Unit Development with a Master Development Agreement and Conceptual Development Plan. The proposal is to develop a residential subdivision with a maximum of 132 lots, including 76 golf villa lots and 56 duplexes. The property is generally located west of Turnbull Bay Road and the Florida East Coast Railway, south of Whispering Pines Drive. The proposed residential lots would be west and north of Hidden Lakes Golf Course.

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