## *New Smyrna Beach City Commission Meeting* Sept. 8, 2020

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## 1. City Commissioners voted 4-1, with Commissioner Jake Sachs dissenting, to approve construction of a dune walkover at 1373 N. Atlantic Ave. Some officials expressed concern, though, whether they should continue allowing the structures.

They asked how it would look if walkways extended to the beach from each oceanfront property, and indicated they need a definitive answer about the environmental effects of dune walkovers.

The Commission agreed to delve into the issue at a Dec. 10 strategic planning session. "I don't see in this particular case how we can deny this, so I'll vote for approval," Vice Mayor Michael Kolody commented. "I would like staff to look into some possible changes to protect not just the integrity of the dunes, but the appearance of the dunes. If we had a provision that limited the number of walkovers within a distance of an existing public access, or perhaps that dune walkovers should be placed on a common lot line ... that would cut the number of walkovers in half."

The closest beach access to the walkover approved Sept. 8 is Beachway Avenue, about 100 feet away.

"I'd echo what the Vice Mayor said," Mayor Russ Owen added. "I have some concerns about these ... We have had an environmental expert say the walkways are less impact on the dunes than a walkway, but I support further study for that."

At the same time, Owen pointed to an aerial photo on a large screen, showing the property with the proposed walkway, as well as the surrounding area. "You see that trail beat through the dunes. What we're approving today in theory prohibits that ... which, I think the environmentalists, the experts, would tell us is worse than a dune walkover." Commissioner Sachs also posed a question. "When you go down to the beach and see many of the walkovers broken away from storms ... How can we keep approving these when they're just going to get destroyed by storms? I think we should at least look at what dune walkovers do to these coastal systems."

Commissioner Jason McGuirk countered that an elevated boardwalk measuring a mile and a half long was built in Smyrna Dunes Park specifically to protect the dune system. He suggested the walkover issue was too intensive to task staff members with it now, when they're already working on so many projects. Commissioner Randy Hartman echoed that concern and supported discussing the topic at the Dec. 10 meeting.

Commissioners have voted to approve a number of dune walkovers this year. The boardwalks usually extend more than 200 feet across the dunes to the beach, east of the city's Coastal Construction Setback Line (CCSL). The Commission had heard previously from environmental experts who said once the temporary disturbance of building the walkover is finished and the area is restored with native vegetation, the boardwalk then protects the dunes from foot traffic going back and forth to the beach.

Assistant City Manager Brian Fields said staff member reviewed the city's requirements for dune walkovers and found they are the strictest in Volusia County. "We are the only city that requires dune walkovers to come to the City Commission for approval," he said.

## 2. City Commissioners unanimously approved two Special Exceptions to allow an RV and automotive sales and service business, as well as RV and boat storage, on the site of a former car dealership at 1311 N. Dixie Freeway.

However, they did so on condition that the property owner will locate the storage area on the rear portion of the property and the fence enclosing stored items will be no farther west (toward the highway) than the site's existing main office building. The property encompasses 2.55 acres and is zoned Highway Service Business District (B-3). Formerly, it housed the automobile dealership of Mullinax Ford.

The site's current owners originally proposed putting the RV and boat storage up front close to Dixie Freeway, behind a six-foot fence to screen it from the road. The fence would have been located five feet behind a landscaped buffer area beside the highway, which also is known as US-1.

That idea didn't sit well with members of the City Commission, who pointed out the city is planning future projects to improve the road's appearance.

"A five-foot buffer doesn't do it for me," Vice Mayor Kolody commented. He added he had no problem with the owners' proposed use of the land but didn't want to see RVs stored right beside the highway. Kolody suggested putting the storage area back behind the portion of the site used for RV and car sales. In turn, that would move the fence enclosing the stored items farther back on the site.

"I agree with the Vice Mayor," said Commissioner McGuirk. Pointing to an illustration of the proposed business site plan, he declared, "That example? We don't want it. The chain link fence up front, if we could do that over we would change that ... If it's just boat and car sales, the fence is not required. The concern is, we do not want a six-foot fence right off US-1. So I agree with the Vice Mayor to say, use the back half of the property for storage."

Mayor Owen complimented the property owners for re-using an existing vacant property that already is extensively paved. "We do appreciate that you're doing business in the city," he said, adding, "We want to continue to help and accommodate where we can." Owen emphasized the city is continually trying to make progress along US-1 by pursuing projects that will improve its appearance for drivers as well as adjacent landowners, which is why Commissioners want to upgrade the appearance or bordering properties every chance they get.

Richard Bazinet, one of the owners of 1311 N. Dixie Freeway, said he and his partners could do what the Commission requested and still make the project work.

Although Commissioner Sachs voted for the two Special Exceptions, he added he was troubled by the perceived proliferation of such businesses along major roads leading into New Smyrna Beach.

"We as civic leaders, how do we want our corridors to look?" Sachs asked his colleagues. "How do we want our city to look? For me, and no offense again to the applicants, it seems like every corridor that comes into the city ... is storage units, storage for boats, car sales ... Is this what we want our city to look like? I feel like we're the storage garage for Orlando, sometimes."

## **3.** Ordinances were unanimously enacted to approve five voluntary annexations, rezoning and amendments to the future land use (FLU)::

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- 2246 Magnolia Drive
- Swoope Drive Piegaro The City of New Smyrna Beach
- Swoope Drive Schiavo
- 2600 Glencoe Farms Road
- 2284 Davis Drive