

New Smyrna Beach City Commission Meeting
Oct. 27, 2020

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1. City Commissioners voted 4-1, with Mayor Russ Owen dissenting, to approve a second amendment to the Master Development Agreement and Conceptual Development Plan for a 181-acre commercial development known as Ocean Gate Commerce Center. The site is generally located southwest of the intersection of SR-44 and I-95.

The property originally was zoned for a Planned Unit Development (PUD) in 2013. The first amendment to the PUD was made in 2017 to allow a RaceTrac convenience store and gas station at the northwest corner of the development, adjacent to both SR-44 and a new access road that extends into the PUD area. The intersection has a traffic signal that also serves the access road to the Wal-Mart store on the north side of SR-44.

The approval of the second amendment revises the PUD conceptual plan to divide the northern 47 acres of the tract into 10 lots, one of which is proposed for a Holiday Inn Express hotel. The amendment also would allow for three new uses: a car wash, a mini-warehouse and a wave pool.

In addition, the revisions include changing the development's internal drives/roads (*other than the 120-foot-wide main access*) from 70-foot-wide, public rights of way to 64-foot-wide, private easements. The internal roads would be privately owned and maintained, and still would contain 10-foot-wide center landscaped medians, two 12-foot travel lanes for vehicles, two four-foot-wide bike lanes, and five-foot-wide sidewalks on either side. Those are similar features to the standards of the original public rights of way.

Commissioners approved those and other changes with three conditions:

- That the mini-warehouse facility be developed away from the highway in Phases 4 or 5.
- That the site plan for the proposed Holiday Inn be brought back for the City Commission to review and consider its approval, instead of going before the Planning and Zoning Board.
- That the floor area ratio calculation for all lots that front on private-access easements for roadways, *would not include* the area of those easements. (This relates to density.)

"There are some in our community who would like to never see another brick in the ground. That's just not a reality," Mayor Owen commented. He observed the city has experienced a "tremendous explosion" of residential growth in its western area along SR-44, but commercial growth hasn't kept up with that. Owen suggested that having commercial activities farther west of town could limit residents' trips into the downtown area of New Smyrna Beach, and possibly relieve some heavy traffic.

Vice Mayor Michael Kolody noted that he and his fellow Commissioners have increased landscaping requirements along SR-44 since the Ocean Gate PUD was first approved. He asked if those enhanced landscaping requirements were reflected in the requested plan amendment.

Chief Planner Jeff Gove answered they were not ... that the plan before Commissioners Oct. 27 called for a 45-foot landscaped buffer from SR-44 instead of the newer 50-foot requirement. However, Gove said he examined the project's proposed landscaping plan to calculate its proposed trees, and found it actually exceeded the minimum requirement for trees under the newer landscaping standards.

Mark Watts, an attorney, told Commissioners that the Ocean Gate developers were seeking the change from public rights of way to slightly smaller private easements in part to reduce the amount of pavement and drop the need to bisect an area of wetlands with a roadway.

Watts said the development firm was working with a company called Perfect Swell to develop a wave pool that would create a surfable wave for guests. To prevent a potential traffic problem, he said the wave pool's use would be limited to 20 participants per hour.

Several citizens who spoke at the meeting told city officials that the proposed amendment was an opportunity to build a high-quality project for New Smyrna Beach. Commissioners agreed.

"I want quality, high-end development," Commissioner Jason McGuirk declared. "I think the community is pretty clear on that. We're building for the next 50 years, not what the last 50 years has been."

Mayor Owen noted the proposed height of the Holiday Inn would be five stories, or a maximum of 60 feet. "There's another hotel in town that I'm routinely complimented on, the appearance of the (four-story) hotel on Flagler, the Hampton Inn. It fits the vernacular of New Smyrna Beach," he said. "I've traveled quite a bit and I've stayed in some of these interstate hotels. Some of them look like barracks. I want to make sure this is nowhere near that ... We want it to be something that we can be proud of as a community."

Commissioner Jake Sachs said while he worried about the traffic impact of the wave pool, he thought it was a novel idea and a good feature to add to the city.

In other items related to land development, the Commission:

2. Voted unanimously to rezone 16.7 acres at 647 Louella St. from city residential land uses to an agricultural zoning district.

The property is north of Pioneer Trail, west of North Glencoe Road and on the east side of Louella Street. Its owner plans to build a house on part of the site and use other parts of it for an agricultural use.

3. Voted 4-1, with Vice Mayor Kolody dissenting, to permit owners of 719 Grape Ivy Lane to build a swimming pool in their side yard, instead of the back yard.

The property is a corner lot that borders three roads, with a small rear yard and larger side yard.

4. Voted unanimously to annex, rezone and change the land use for one acre at 1990 Mayport Ave.

It was rezoned to Transitional Agriculture and changed to a rural land use.

5. Postponed the second reading and public hearing for the rezoning of 41.2 acres proposed for a Hidden Lakes Village senior residential development project until a future meeting.

6. City Commissioners approved an agreement with the Florida Inland Navigation District to receive a \$300,000 grant. The money will go toward the demolition and reconstruction of the fishing pier in Buena Vista Park.

The city closed the pier in March due to its deteriorated condition. At the same time, staff members were authorized to apply for grant money to help New Smyrna Beach pay for the reconstruction project, which is estimated to cost \$698,400. The city's share of the matching grant is already budgeted and the new pier is at the 90 percent design stage. Staff members will put the project out for bids once the design and bid specifications are complete.

7. City Commissioners voted 5-0 to designate the New Smyrna Golf Club Course as a Local Landmark.

The 120-acre, municipal golf course was designed by the famous golf architect, Donald Ross, who designed close to 400 golf courses. New Smyrna's course was designed in 1947 and was one of the last courses to be worked on by Ross, who died in 1948. He was posthumously inducted into the World Golf Hall of Fame in 1977.

"We may think of it as a simple municipal course, but some of the features that were designed in there make it quite difficult," Vice Mayor Kolody said. "I think it (the landmark designation) is well deserved."

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