

**New Smyrna Beach City Commission Meeting
June 22, 2021**

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The City Commission voted 5-0 to approve the final plat, development plans, and a proportionate share agreement for Phase II of the Ocean Gate Commerce Center Planned Unit Development (PUD). They also approved the site plan for an associated Holiday Inn hotel.

Ocean Gate PUD is on about 181 acres located southwest of the intersection of SR-44 and I-95. The second phase of the project that Commissioners approved June 22 calls for 47 acres to be developed with 10 commercial lots and associated access roads, utilities, stormwater management and landscaping.

A proportionate share agreement calls for the developer to pay for improvements to surrounding roads that are affected by increased traffic from the proposed development. The proportionate share agreement that Commissioners approved is between Ocean Gate Commerce Center, LLC, the city of New Smyrna Beach and Volusia County. Ocean Gate's total proportionate share amount is \$1,814,020, of which \$453,153 relates to Ocean Gate Phase II.

The funds are paid to Volusia County and that entity would design and build any traffic mitigation projects.

In a related matter, City Commissioners voted 4-1, with Mayor Russ Owen dissenting, to approve the site plan for a 122-room Holiday Inn Express and Suites on a 2.86-acre lot in Ocean Gate Phase II. The hotel will be a five-story building of 71,862 square feet.

Assistant City Manager Brian Fields noted a proposed wave pool is in Phase III of the Ocean Gate Commerce Center, not the phase Commissioners approved June 22. He added that the Holiday Inn's original design has been modified to comply with city architectural standards, such as using earth-toned colors and natural materials, and breaking up the building's façade with different features. Pole lighting will be directed downward and no light will shine outward or off the site.

Vice Mayor Jake Sachs asked if the city could encourage or require hotel developers to use "Florida-friendly landscaping" where it is possible. Fields answered the city doesn't extensively require that, although it has an approved tree list. He said the idea of using Florida-friendly plantings is being reviewed by staff members and will be discussed by the Planning and Zoning Board in July.

"Holiday Inn is really eager to move forward, but there is some infrastructure that has to be done for Ocean Gate in order to get a building permit," Fields said. "They need to have stabilized access, fire protection in place, and to get a certificate of occupancy that site infrastructure has to be substantially complete. The sidewalk along SR-44 and the landscaped buffer has to be in place."

City Commissioners initially voted down Phases I and II of a subdivision plat and development plans for Old Mission Cove, a 37-unit residential project. But those who voted “NO” later reversed themselves and the Commission unanimously approved both documents.

Old Mission Cove’s development requires the vacation of portions of Booker and Conner avenues, which are two small rights-of-way areas on the property. The second reading and public hearing for that action will be Aug. 10. The property is adjacent to Ingham Road on the east, Old Mission Road to the west, Mission Drive farther to the south and SR-44 far to the north. Assistant City Manager Fields said the tract is mostly a cleared former pasture area and no historic-size trees would be removed. Development plans call for 25 single-family home lots and 12 townhouse lots.

Mayor Owen, Vice Mayor Sachs and Commissioner Jason McGuirk voted no on their first consideration of the project, then changed their votes after City Attorney Carrie Avallone pointed out if Commissioners voted against approving the plat, they needed to explain specifically why the project didn’t meet the city’s criteria for acceptance. *(Staff members had recommended that city officials approve the development, subject to a couple conditions.)*

Sachs initially said he was concerned the area in which the subdivision would be located has a rural character, and he felt the new development of Old Mission Cove would change that by adding more dense development.

Owen also explained his first vote against the plat and development plan was because he didn’t like its density or the idea of “giving away public rights” by vacating some old rights of way on the acreage to support the project.

The City Commission voted 5-0 to approve a Special Exception to expand the previously approved second phase of a mini-warehouse facility at 1350 N. Dixie Freeway, with several conditions relating to landscaping, lighting and a sign.

The 4.20-acre property is on the southwest corner of North Dixie Freeway (US-1) and Industrial Park Avenue, extending south to Ponce Street.

In 2017, Commissioners approved a Special Exception to allow the original mini-warehouse storage use. That year, the Planning and Zoning Board also approved a site plan for the mini-warehouse units to be developed in two phases, but only the first phase was completed. It consisted of an existing, two-story office building with 30,332 square feet of space that was converted into storage and offices, and a new “U” shaped storage building.

After operating the warehouse storage for several years, the original owners sold the land and business to its current owner, All Aboard Storage. The second phase of development would be a three-story building with a total interior storage area of 58,500 square feet – an increase of 9,818 square feet in warehouse space over the original proposal for two shorter buildings with a row of garages.

The original Phase II structure was going to sit only 11.16 feet from its property line, while the new three-story building would be constructed 209.97 feet away from the lot line.

Commissioners discussed a number of issues with the owners of All Aboard Storage and their attorney, Glenn Storch. All agreed to several conditions on the special exception, including:

- ✓ Any dead plants in the landscaping will be replaced within 30 days of the owners being notified the plants have perished.
- ✓ A 10-foot landscaped buffer will be established along the property's west boundary line to shield neighboring residential homes.
- ✓ An existing pole sign will be taken down and made into or replaced with a monument sign prior to the certificate of occupancy being issued for the building, or sooner if required by land development regulations.
- ✓ A 20-foot buffer of vegetation will be extensively landscaped.
- ✓ Lighting used in the building should have a "soft white" appearance without what Commissioners termed a "hard industrial look."

City Commissioners unanimously adopted a resolution authorizing a grant agreement with the Florida Department of Transportation (FDOT), through which FDOT will provide more than \$1 million for improvements to a section of Washington Street.

"Washington Street between Riverside (Drive) and U.S. 1, is one of our heavily traveled roads leaving the beach," Commissioner Michael Kolody commented. "This road is totally insufficient for handling that traffic. It also has sidewalks with telephone poles in them. We've got grants on it. We've got help on it. It's going to be a major improvement."

The project's estimated construction cost is \$2,225,000. FDOT will contribute up to \$1,024,855 and the city will contribute \$1,200,145.

Work proposed for Washington Street includes improvements to its alignment, intersection safety, sidewalks, landscaping and stormwater drainage. Existing utility lines will be moved underground and new pedestrian crossings and bike lanes, signs and striping will be added. The goal is to enhance traffic safety, as well as make it safe for people to walk on sidewalks along the road. All of the work proposed is within the city's right of way, so no additional land is needed. The project is expected to start later this year.

The City Commission unanimously agreed to develop a newly purchased property at 120 Flagler Ave. with temporary parking spaces and a loading-unloading zone for trucks, until it can become part of a traffic improvement project.

The city bought the property with an eye toward developing a right turn lane from Peninsula Avenue onto Flagler Avenue to improve traffic flow through the intersection. That plan is in the design phase, according to staff members.

They estimated the city could develop eight to 12 temporary parking spaces on the site with its existing building in place. The cost to move the two-story frame structure to a different location on the same property would be about \$50,000, officials said. Moving it to another site, such as a location in Old Fort Park along Washington Street, could cost \$100,000.

Commissioner Kolody suggested the Commission should seek recommendations from the city's Historic Preservation Commission and Neighborhood Council boards to get their respective opinions on what location for the building would be the most appropriate.