

City Commission Workshop
May 4, 2023
Video of the meeting can be found [HERE](#).

Mayor Cleveland, Vice-Mayor Hartman, Commissioners McGuirk, Martin and Perrine were present. This meeting is the second quarterly Strategic Planning Discussion Workshop.

Public Participation

Seven residents spoke with these comments being highlighted:

- A Venetian Bay resident asked for more transparency regarding the projects there and wanted a workshop with the CC the week of May 21st to come up with ideas to help them get this.
- Reps from Habitat for Humanity and the Housing Authority first, thanked the Commission for past donations of vacant city homes and their commitment to affordable housing and requested that they seriously consider the three that are up for discussion to be allocated to them, so they can continue to help our residents.
- A resident spoke about the noise issue on Flagler, stating our new Ordinance was too lenient and shared with them other cities' regulations.
- A representative for the Corbin Park area stated a traffic light was desperately needed ASAP at Corbin Park Rd and SR44 mainly due for safety reasons which got applause from his contingency who were sitting in the audience.

Workshop Discussion Items

State Road 44 and Corbin Park Road intersection. City Manager Khalid Resheidat indicated the traffic study showed that a light is warranted but there are funding and timeline issues. A representative from FDOT said that they thought this project would meet their criteria in the future, so they have started to work on a design. If this light is installed it would require the closing of two other turn areas off 44, which would then create the need for drivers to make U-turns to get to those streets, such as Hidden Pines. The design funding would likely be available in 2027 and the construction funding would be available in 2029.

The City Manager indicated that it might be possible to use transportation impact fee funds to do the work on a shorter timeline.

120 Flagler Avenue. This property at the northwest corner of Flagler Avenue and Peninsula Avenue was purchased by the city in February 2021. The original plan was to move the building to Old Fort Park and use it for city office space at a cost of \$250,000. These plans did not come to fruition, so now the Commission is trying to decide what to do with this property. The options that were considered were as follows:

- Continuing with original plan to move the building.
- Sell the property, recover the money spent and put it back on the tax rolls. Part of the property would be retained as a future right of way for intersection improvements.
- Use it as a welcome center for the Flagler Avenue Business Association with part of the building for police storage use.
- Use the whole property as a police substation.
- Enter a triple net lease for a term of five years with a private entity.

After much discussion it was decided that the City Manager issue a Request for Proposal (RFP) for the five-year lease and see if there is any interest in the private sector.

Swope Site. This city owned property is currently used primarily for boat launching and trailer parking. A proposal to use the property for dry stack boat storage by Atlantic Marine was presented. They felt they could provide more storage capacity and still offer some parking spaces for the people launching boats from that site. The Commission decided they would have some interest in seeing a complete proposal but if they decided this was something wanted for the city an RFP would have to be issued.

Short-Term Rentals Outside of Regulated Zones. Development Director Shane Corbin led this discussion and [presented a map showing where short-term rentals \(under 30 days\) are allowed](#), stating that anything outside these zones is controlled by Code Enforcement. However, he added that if there is a property within the zone but isn't permitted, then the owner can apply for a zoning change which is what happened regarding several homes on Atlantic Ave. a few months back. Discussion/concerns centered around the following items:

- Commissioner Martin began the discussion stating that short-term rentals can be deleterious to neighborhoods and there are enough problems controlling them already in the regulated areas, so this needs to be addressed, especially since adding more will "upset the balance we have". She felt that any requests should have city approval before the zoning is changed.
- Buyers should know ahead of time where short-term rentals are allowed prior to purchase. They should not expect immediate approval after the fact.
- Occasionally, a PUD will allow short-term use. Those rights are grandfathered, but Mr. Corbin suggested that future PUDs are closely reviewed.
- All but Vice-Mayor Hartman agreed with Commissioner Martin. He sees both sides and doesn't want to go on record yet.
- Mayor Cleveland ended saying that rules need to be followed and any problems that arise will be deferred to the Assistant City Attorney, Shey McCurdy.

Policy Discussion about Commercial/Entertainment. This item centered around the noise/decibel levels coming from entertainment, primarily Flagler Ave. and Canal St. City Manager Khalid Resheidat stated that the Noise Ordinance was recently approved with an eye on industrial zoning and was easily enforceable. However, balance is hard to maintain when areas are Mixed Use (MU) and adjacent to residential zoning.

- Commissioner Martin feels that the new Ordinance may need to be amended. The level of noise in residential areas is still problematic. She asked if decibel readings could be made in the residential areas. The Ass't. City Attorney answered that it would be problematic due to the zone's lines being different for each neighbor. Commissioner McGuirk thought that it was an interesting idea.
- The Ordinance as written is enforceable, and the Ass't City Attorney has worked with the Chief of Police regarding this. It seems the main problem is that our entertainment areas promote higher levels of decibels at different times. An idea is to use distance (25' from) Canal and Flagler instead of the zone lines which are often not known. Any changes will need to be discussed and analyzed.
- Commissioner McGuirk agreed with Commissioner Martin and added this has been a complicated problem for a long time, hence the change in the Noise Ordinance not long ago. He added that people who buy close to our entertainment areas should realize that the noise level will be different from more suburban areas but also

recognized that businesses open after purchase that can affect the noise for nearby property owners.

- Commissioner Perrine agreed stating that noise isn't just on Flagler and Canal but anywhere in MU areas where new businesses are opening. Tolerance may be needed if we want our small businesses to succeed. She added that regarding the decibel complaint and check, tenant vs homeowner must be addressed.
- Vice-Mayor Hartman felt that discussion was needed regarding this problem and complaints could be better addressed in the language in the Ordinance.

City Manager Resheidat, Ass't City Manager Neibert, Development Director Corbin, and Ass't City Attorney McCurdy will meet and come up with a draft of proposed changes to the Noise Ordinance due to this discussion and bring it before the City Commission.

Discussion on Vacant City-Owned Properties Located within the CRA District for Infill Affordable Housing Development. Economic Development Director Chris Edwards presented this last agenda item, noting that affordable housing is now also called attainable housing and workforce housing. Background: Florida Statutes require municipalities to identify vacant properties it holds title to that are appropriate for use as affordable housing and at this time, NSB owns three properties in which to do this:

- 1203 Enterprise Avenue
- 428 North Myrtle Avenue
- 327 Dimmick Street

Three options to make this happen include the following:

- Through a Request for Proposal (RFP) process, sell the properties and utilize the proceeds from the sale to purchase land for development of affordable housing or to increase the local government fund earmarked for affordable housing.
- Through an RFP process, sell the properties with a deed restriction that requires the properties be developed as permanent affordable housing.
- Through an RFP process, donate the properties to a non-profit organization for the construction of permanent affordable housing, which has been done in the past.

It was asked if any of these properties would be needed for the Historic Westside stormwater project, to which the City Manager stated, no, but he will wait for the flooding report expected at the end of May to see how affected this area was along with recommendations. Data regarding affordable housing was requested by the Commissioners. The last option seemed to be the most reasonable. Both Mayor Cleveland and Vice-Mayor Hartman felt we should investigate tiny homes, and Commissioner Martin asked about more multi-family homes for solutions to this problem.

Open Discussion Items to Be Considered

- Commissioner Perrine would like to make time to discuss having an annual built in CPI for major convenience revenue sources like our solid waste, so increases are gradual. She would like to look closer at the qualifications required for those who apply for positions on City Advisory Boards. She would like to dissect Chapter 50, especially dealing with historic districts, by looking at its pros and cons and even doing line items in order to make revisions.

- Commissioner Martin would like to examine the legacy costs of projects that are submitted to include the total cost of ownership that would need to be budgeted annually.
- Commissioner McGuirk agreed with Commissioner Perrine, stating we need a better analysis of historic preservation as there is a discrepancy in understanding it.
- Vice-Mayor Hartman agreed with Commissioner Martin. There was an investment committee created and disbanded after a single meeting. We should consider reinstituting it as we have money we can invest.
- Mayor Cleveland favored looking into the investment committee as well as being aware of the disparate groups in our city regarding the historic districts and what Chapter 50 should look like. He added the two community groups are working together to clear up misinformation and are working toward a “middle ground”. He ended by applauding everyone who is working on the issues discussed at the workshop.