



**CITY OF NEW SMYRNA BEACH  
CITY COMMISSION SPECIAL MEETING AGENDA**

**TUESDAY, FEBRUARY 26, 2013 – 5:00 P.M.**

**CITY COMMISSION CHAMBER, CITY HALL,  
210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**

**I. Call to Order/Roll Call:**

**II. Staff Update and Discussion:**

Discussion regarding the City-owned property on North Causeway, the former Administrative Office Building (AOB) site.

**III. Other Business:**

**IV. Public Comments:**

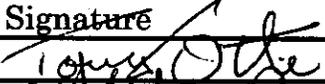
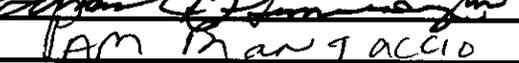
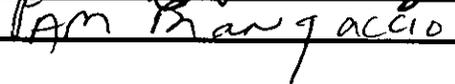
*In accordance with Resolution No. 43-10, a three-minute limitation will be imposed unless otherwise granted by the City Commission.*

**V. Adjournment:**

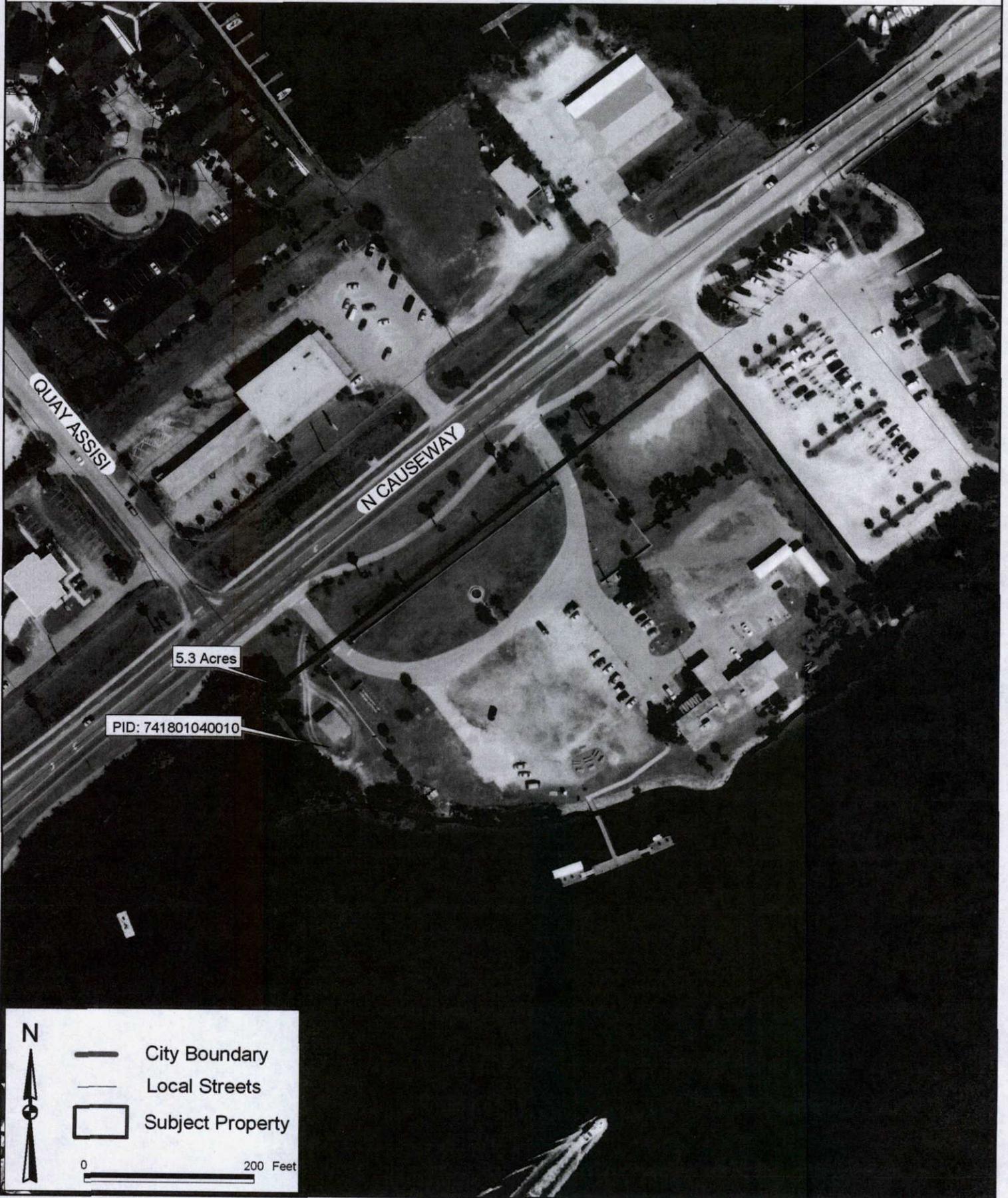
***Pursuant to Florida Statutes 286.0150, if an individual decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.***

**In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 424-2112, prior to the meeting.**

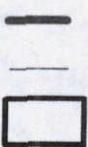
## AGENDA ITEM SUMMARY

<b>Department Making Request:</b> Community Redevelopment Agency		
<b>Meeting Date:</b> February 26, 2013 – Workshop: Updating the North Causeway Plan including options for the use of the AOB site		
<b>Action Item Title:</b> Updating the North Causeway Plan including options for the use of the AOB site		
<b>Agenda Section:</b> Consent <input type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input checked="" type="checkbox"/>		
<p>In December, 2004 the North Causeway Plan was issued, and in 2010 the CRA Master Plan Update included proposals for properties on the North Causeway. Several elements of the 2004 plan have been completed, including the reuse of the former high school site, and redevelopment of the former Feger's Seafood site.</p> <p>A community meeting has been set for Saturday, April 6, beginning at 9 am at the NSB Women's Club at 403 Magnolia St to discuss updates to the North Causeway Plan including:</p> <ul style="list-style-type: none"> <li>• options for use of the Administrative Office Building (AOB) site at 160 North Causeway</li> <li>• the appearance of the Causeway Right of Way; and</li> <li>• the design character of future development along the corridor.</li> </ul> <p>The April 6 meeting will be facilitated by Pete Sechler of AECOM, the principal author of the CRA Master Plan Update. Pete will also be present at the February 26 workshop to discuss the project and prepare for the April 6 meeting.</p> <p>Please find attached some additional information on the AOB site that was included in the two Request for Proposals issued for the property in the past 3 years.</p>		
<b>Recommended Action/Motion:</b> No specific action or motions are recommended at this time.		
<b>Funding Analysis:</b> Budgeted <input type="checkbox"/> If not budgeted, recommended funding account: There is no funding analysis required for this workshop.		
<b>Exhibits Attached:</b>		
<ol style="list-style-type: none"> <li>1. Aerial Map of AOB property</li> <li>2. Information regarding the AOB property from the Requests for Proposals that were issued in the past three years.</li> </ol>		
<b>Reviewed By:</b>	<b>Name</b>	<b>Signature</b>
CRA/ Econ Dev Director:	Tony Otte	
Finance Director	Althea Philord	
City Attorney	Frank Gummey	
City Manager	Pam Brangaccio	

# LOCATION MAP



N



City Boundary

Local Streets

Subject Property

0 200 Feet

Administrative Office Building Property Information  
February, 2013

Address 160 North Causeway, New Smyrna Beach, Florida 32168  
Size 5 ± acres (depending on the inclusion of a portion of boat ramp parking area)  
Land Use  
Designation The property currently has a land use designation of “Marina”.

North Causeway Study and CRA Master Plan Update

- The North Causeway Study (December, 2004) describes the area as follows: “The North Causeway Study Area is effectively a very large island, situated between the mainland and coastal barrier island, and surrounded by the Intracoastal Waterway and related, tidally influenced saltwater marshes and emergent mangrove islands. The study area covers approximately 250 acres, more or less, and is traversed by several deepwater canals and bridged embayments. Locally referred to as the ‘North Causeway’, the development of the area began in the late 1800’s as merely a transportation route between downtown New Smyrna Beach and the fledging residential and beachside commercial areas of Coronado Beach and the north peninsula.” (p. 5) The property is 1.5 miles west of the Atlantic Ocean and one of the most popular beaches in Central Florida, at Flagler Avenue.

To the east of the property, before reaching the Ocean, are the shops and restaurants on Flagler Ave. To the west of the property at the end of the Causeway is the Canal Street historic downtown, also with shops and restaurants. Both areas are within the CRA and have been redeveloped to complement their historic character. Both areas host many events throughout the year and are very popular with visitors.

The North Causeway Study describes the AOB property as follows: “Perhaps the most significant characteristic of this sub-area (the property) is its extensive frontage along one of the most dramatic bends in the Intracoastal Waterway in this area of the state”. The plan also refers to the property as an “extraordinary resource.” (p.13). With this “dramatic” bend, the property faces the Intra-Coastal Waterway (ICW) on the south side of the property, a rather unique location as the ICW generally runs north/south.

The plan has a number of recommendations for the AOB property; including the development of “...marine/tourist related public or semi-public uses such as a restaurant or hotel.” (p 47).

- CRA Master Plan Update, 2010 – this plan is available on the City’s

website (cityofnsb.com). Pages 34 and 54 list possible uses for the site including Townhomes and a Hotel/Convention Center (p.54).

#### Information from the Request for Proposal for the AOB

##### Commerce

New Smyrna Beach is often described as a quaint beach town with a high percentage of independent retailers and relatively few franchisees.

##### Healthcare

One of the largest employers in the area is Bert Fish Medical Center, a 116 bed acute care medical facility, with 600 employees.

##### Statistics

High Average Household Income: \$65,400 (both figures from CRA retailing study)

##### City Population

23,474 (2010 Bureau of Economic and Business Research, University of Florida)

##### Trade Area

94,488 (from the CRA retailing study)

##### Channel Set-back

Permanent development is not allowed within 100 feet of the channel for the Intracoastal Waterway. This line must be verified by a professional surveyor.

##### Potential Brownfield

This property is a potential brownfield site. As the "Property History" indicates, the Utilities Commission previously operated a Wastewater Treatment Plant on the site. There is buried concrete and other rubble on this site.

##### Road Access

The property is located on the North Causeway Road, a two lane roadway with a multi-directional turn lane in the middle of the four lanes. This is a state road maintained and regulated by the Florida Department of Transportation. It is operating at a Level of Service "C" and it is anticipated that the roadway capacity is adequate for a use to be approved for the property.

##### Existing Water and Sewer Facilities

It is anticipated that there is adequate existing water and sewer capacity and infrastructure to serve the property. Water and Sewer facilities include

the following:

- An 8 inch water line in the right of way just north of the property, and a 12 inch water line on the other side (north side) of the North Causeway Road.
- An 8 inch gravity sewer line in the right of way on the other side (north side) of the North Causeway Road.
- Electric: There is three phase electric power available at the site.
- There is an existing lift station in front of the existing office building (referred to as the Administrative Office Building or AOB). This station serves the building as well as the restrooms located adjacent to the boat ramp in the park, located immediately east of the subject property. A force main delivers this waste to the lift station on site.
- There is a major re-use line on the property, located in the easement as noted below, and a 2 inch re-use line on the north side of the property. On October 14, 2008, the City Commission granted an easement for the “perpetual non-exclusive easement and right of way for the installation, construction, reconstruction, relocation, removal, maintenance, repair, operation and inspection of drainage and general utility facilities which shall run with the land for each authority, commission, corporation, municipality or other agency supplying facilities or providing utility service, and their respective successors and assigns.”
- There may be other water and sewer facilities on the property.

#### Concurrency

It is anticipated that all concurrency factors affecting this property are adequate.

#### Pedestrian access

There is a 10’ wide lighted and landscaped walkway that connects the mainland and Canal St area (the historic downtown area) with the Flagler Ave area (the historic beach community shopping district). This walkway is part of a “loop” that connects these two areas with the commercial area on Third Ave and the South Causeway.

#### Pedestrian Easement

The RFPs issued in the past three years required the successful developer to provide an easement (to be negotiated, perhaps 20’ wide) and a paved walkway to allow pedestrian access to the ICW from both sides (east and west) of the property and all along the ICW frontage. It is anticipated that the walkway will be constructed from the landscaped walkway described above at both the northeast and the northwest corners of the property, going south to the ICW. The walkways would then come together along the ICW forming a continuous path and a pedestrian loop to the existing paved walkway on the north side of the property.

### Property History

The City acquired the AOB site along with additional lands on the North Causeway from the state of Florida – trustees of the internal improvement trust fund pursuant to deed #17,820 on May 13, 1927. The legal description of the property was corrected by deed #17,820A on December 3, 1953 and again by deed #17,820 B on November 13, 1957. The state did retain a three-fourths interest in all phosphate, minerals and metals and a one-half interest in all petroleum that may be on or under the land, along with the right to mine and develop this interest.

On November 16, 1961 the City Commission selected the site for the development of a waste water treatment plant and construction commenced in 1963. The plant operated on the site until 1998 at which time the plant was relocated to its current location near the intersection of SR 44 – I-95.

After the Utilities Commission vacated the site, the City relocated the City Administrative staff including the City Commission, City Manager's Office, City Clerk and Human Resources Office to the main office building on the property.

The City leased the site (except the AOB building and parking areas) to the Marine Discovery Center (MDC) in May, 2000 for tourism, marine education and enhancement activities. The lease is for a period of forty years; however, the City retained the right to terminate the lease with 90 days notice. In 2000 the City applied for and received a grant from the Florida Inland Navigational District (FIND) for the purchase of a 40 passenger pontoon boat, dock facility and the development of a marine education program. The City approved an affiliation agreement with MDC to carry out the program on behalf of the City. As the dock facilities are located in waters of the state, the city was required to enter into a management agreement for the area occupied. The management agreement generally provides that the use of the area will be for those activities in cooperation with the MDC environmental education program and facilities.

In 2004 the Utilities Commission razed the waste water treatment plant; however, all below ground structures and facilities were not removed and a substantial amount of material is still below ground. Additionally, the UC reuse water discharge line runs across the property with the outfall into the river located in the proximity of the southeast corner of the site. The City granted an easement to the Utilities Commission to document and preserve the reuse pipeline on the site.

The property was discussed at a number of City Commission meetings in the 2005-2008 time period. In March, 2008 the City Commission directed that a non-binding referendum ballot question be presented to get voters' opinion on the future disposition of the property. The ballot questions and the results are as follows:

### Use of City Property on the North Causeway

The City of New Smyrna Beach should sell or lease the 4 acres of land it owns at 120 North Causeway for the highest and best private use providing the greatest proceeds to the City for general governmental use when the land is no longer needed for municipal purposes.

Ballots Counted: 12,236

Yes votes: 6,913

No votes 5,323

The referendum was approved by the voters.

There have been a variety of suggested uses for the property. In 2005 there were a number of discussions on the use of the property as a hotel site.

As noted above, in the past three years the City has issued two Request for Proposals for the property. The first was for the "sale, or lease, and development" of the property. There was one response to this first RFP, proposing a restaurant and a future bed and breakfast. That response was rejected.

More recently, a second RFP was issued for the leasing of the property (not for sale). That RFP also had one response, to dock a large antique riverboat at the property. Negotiations were ended by the respondent.