



City of New Smyrna Beach

Historic New Smyrna Beach Preservation Commission
Ronald Sayyah Nancy Ryan Greg Mercurio Milford Dinker
Jean Mayo Allene Teague Lillian Wilson

GOALS:

>Incentives >Public Awareness/Education >Regulations

March 3, 2010

REVISED AGENDA

THIS IS YOUR OFFICIAL NOTIFICATION of the regular meeting of the Historic New Smyrna Beach Preservation Commission to be held on **Wednesday, March 10, 2010 at 5:30 p.m. at 210 Sams Avenue, New Smyrna Beach, Florida**, for consideration of the following agenda:

1. **Roll Call**
2. **Approval of Minutes** from February 13, 2010 meeting
3. **Public Participation** – In accordance with the City Commission Resolution #11-89, a three-minute limitation is in effect unless otherwise granted by the HPC
4. **Historic Survey District Feedback**
5. **Arts District Overlay**
6. **Goals for 2010**
7. **Comments from Commission Members and City Staff**
8. **Adjournment**

Respectfully Submitted,

Jake Baker, for Ron Sayyah

Ron Sayyah, Chairperson
Historic New Smyrna Beach Preservation Commission

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**HISTORIC NEW SMYRNA BEACH
PRESERVATION COMMISSION (HPC)
MINUTES
FEBRUARY 10, 2010
CITY COMMISSION CHAMBERS
210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**

Vice Chair Nancy Ryan called the meeting of February 10, 2010 to order at 5:30 p.m.

Answering to roll call:

Nancy Ryan - Vice Chair

Allene Teague

Milford Dinker

Jean Mayo

Greg Mercurio

Also present were staff members Jake Baker, Planner, Gail Henrikson, Chief Planner, Marissa Moore, Planner, and Dorlisa Pogany, HPC Secretary. Chairman Ron Sayyah and Commission member Lillian Wilson were absent.

APPROVAL OF MINUTES

Regular Meeting January 13, 2010.

Mr. Mercurio made the motion to approve the meeting minutes, seconded by Mr. Dinker. The motion carried on roll call vote 5-0.

PUBLIC PARTICIPATION

In accordance with the City Commission Resolution #11-89, a three-minute limitation is in effect unless otherwise granted by the HPC.

With no one present for public participation, Vice Chairperson R yan closed the Public Participation portion of the meeting.

Historic Preservation Award

Mr. Baker provided a PowerPoint® presentation of the applications for the Historic Preservation Award. The applicants present provided a brief history of the structures. Discussion and voting followed. The Residential Historic Preservation Award went to 821 Live Oak Street and the Non-Residential Historic Preservation Award to 403 Magnolia Street (The Woman's Club). Mr. Baker stated the plaques should be awarded at the March City Commission meeting.

Cottage Industry Overlay District (CIOD)

Gail Henrikson presented the CIOD concept to the HPC. Ms. Henrikson asked the Commissioners for comments and responses to questions she posed. Discussion followed. The Commissioners' concerns related primarily to parking regulations, the possibility of

50 confining the district to a small area as a pilot program, which zoning districts would be
51 appropriate for the CIOD, accessibility for pedestrians to the CIOD, and advertising directing
52 people to the CIOD and appropriate sign size.

53
54 Ms. Henrikson stated that comments provided to the staff from various city boards will be
55 incorporated into a rough draft and presented to the HPC for further discussion at the March
56 10, 2010 meeting.

57
58 **Historic Survey Report**

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60 Marissa Moore presented the Historic Survey Report Review to the HPC and asked the
61 Commissioners to review the report for any errors, omissions and discrepancies, such as
62 incorrect dates built, buildings that may have been missed, or building descriptions. She also
63 requested that the HPC respond in writing to her or Mr. Baker by March 10, 2010. Staff
64 stated they will forward all the comments to the consultant for preparation of the final report.

65
66 **Chamber of Commerce Building**

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68 Ms. Moore also reviewed the restoration proposal for the Chamber of Commerce Building.
69 Ms. Moore explained the restoration would be completed in phases through grant funding
70 from Volusia County ECHO Grant Program and matched funds from the City's Community
71 Redevelopment Agency. Phase I consisted of the external restoration and Phase II of interior
72 restoration. Ms. Moore asked for recommendations for Phase I and stated the comments or
73 suggestions would be forward to the architectural firm, Bender & Associates, Architects,
74 P.A. The architectural firm will determine if the changes are within the budget constraints
75 and compliant with the "Secretary of the Interior's Standards for Historic Preservation
76 Projects". Discussion followed. The Commissioners concerns were the project total cost,
77 cost for replacing windows, windows meet design wind loads per Building Code, protection
78 of windows from hurricanes, green space (landscaping) around the building, type of roofing
79 material, and if it will meet the Florida Building Code.

80
81 **Comments from Commission Members and City Staff**

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83 Mr. Baker informed the HPC that the 2010 Goals will be reviewed at the March 10, 2010
84 meeting.

85
86 **Adjournment**

87
88 Being no further business, the meeting adjourned at 6:45 P.M.

Interoffice Memorandum

City of New Smyrna Beach

To: Historic New Smyrna Beach Preservation Commission

From: Marissa Moore, Planner, Planning and Zoning

Subject: Historic Building Survey – Request for Comments and Feedback

Date: 4 March 2010

At the February 10, 2010 Historic New Smyrna Beach Preservation Commission (HPC) meeting, Staff presented a draft of the Historic Building Survey for the HPC Board's review. Staff is requesting comments and feedback at this time regarding, editing errors, discrepancies, omissions, incorrect information, and so forth. Staff will be forwarding these comments and feedback to the consultant for revisions to the report.

Interoffice Memorandum

City of New Smyrna Beach

To: Planning and Zoning Board Members

From: Gail Henrikson, AICP, Chief Planner – Land Development

CC: Anthony Otte, Interim CRA Director
Jake Baker, Planner

Subject: Arts District Overlay

Date: February 17, 2010

BACKGROUND

At the February 1, 2010 Planning and Zoning Board meeting, staff presented information regarding a proposed Arts District to the Board. Examples were provided of similar districts that have been established in Bradenton and Melbourne. At that time, staff asked each Board member to address the following questions:

1. Are the current home occupation regulations sufficient or should additional changes or new districts be created to allow increased opportunities for home-based businesses?
2. If changes to the home occupation regulations are desired, should they be applied City-wide or only in the existing National Register historic districts?
3. If a Cottage Industry Overlay District were to be created, should it be limited to artists and businesses that would support an arts district or, should it be open to any type of business?

Staff also presented the same information to the Community Redevelopment Agency (CRA) Board on February 3, 2010 and to the Historic Preservation Commission (HPC) on February 10, 2010. In addition to the questions posed to the Planning and Zoning Board, staff also asked for additional input regarding parking requirements for home businesses in a potential Arts District.

BOARD RECOMMENDATIONS

Overall, the members of all three boards were receptive to the general idea of creating an Arts District. While no one board delineated a clear boundary, the general consensus was that whatever district is created should be walkable and compact. The boards generally agreed that applying an overlay to the entire Mainland National Register Historic District or the entire CRA district would not

create a walkable arts district. The recently released Proposed Economic Development Plan drafted by the Mayor and community stakeholders, recommends creating an Art Overlay District that encompasses Canal Street, Flagler Avenue and Art Center Boulevard.

With regard to parking, there was no clear consensus from any of the board members. Responses ranged from allowing Art District businesses to demolish existing adjacent homes to create parking lots, to not requiring any additional parking at all. Other parking suggestions included allowing patrons to park in the home's driveway during the hours of 9:00 a.m. to 5:00 p.m.; allowing patrons to park on the street; and requiring a reduced ratio of on-site parking.

WHAT IS AN OVERLAY DISTRICT?

There are currently two types of overlay districts that are listed in the City's Land Development Regulations. The first type of overlay district is an enabling district, for example, the Historic Building Overlay District or Workforce Housing Overlay District. This type of overlay district exists on paper in the LDR, but isn't applied to any specific piece of property until the Planning and Zoning Board and City Commission review and approve a request to apply it to a specific site. This review and approval is done through the rezoning process.

The second type of overlay district found in the City is geographical. An example of this is the Corridor Overlay Zone. This type of overlay district not only exists on paper, but is also applied to properties within a certain area along State Road 44 and U.S. 1 and shown on the City's official zoning map. Property owners in this area do not have to go through a separate rezoning process to have the Corridor Overlay Zone applied to their properties – it is already there.

The proposed Arts Overlay District would be a geographical district, similar to the Corridor Overlay Zone. Every property within the overlay district would be able to take advantage of the additional economic opportunities available within the district.

SUMMARY OF DRAFT REGULATIONS

In reviewing the possible boundaries for an Arts District, staff identified three potential areas that would be suitable for this type of overlay district. All three of the potential districts are centered on an area that already has a Mixed-Use zoning designation. However, each of these areas also includes additional residentially-zoned property that is within easy walking distance from the center of the MU district. These areas are shown on the maps attached as **Exhibit A**.

Using the input obtained from the Planning and Zoning Board, CRA and HPC, staff has prepared a set of draft regulations for the overlay district. The regulations address the following items:

February 17, 2010
Arts District Overlay

- Signage
- Parking
- Permitted Uses and Conditional Uses
- Hours of Operation
- Employees

The draft regulations are based upon the highly successful Village of the Arts on Bradenton. A copy of the draft regulations is attached as **Exhibit B**.

DISCUSSION ITEMS

Staff is requesting input from the Board on the draft regulations and proposed districts. Potential items for the Board to consider during its review include:

1. Should there be more than one Art Overlay District in the City?
2. If not, where should the Overlay District be located?
3. Are the boundaries shown for each of the potential districts walkable? Too small? Too large?
4. Are the permitted uses and conditional uses adequate? Should additional uses be added? Should some of the proposed uses be deleted?
5. Is the amount of signage proposed adequate?
6. Should parking requirements be waived for art-related businesses?
7. Are the hours of operation sufficient or should they be reduced or extended?

The same draft regulations and potential district maps will also be presented to the CRA on March 3rd and the HPC on March 10th for additional input.

EXHIBIT A

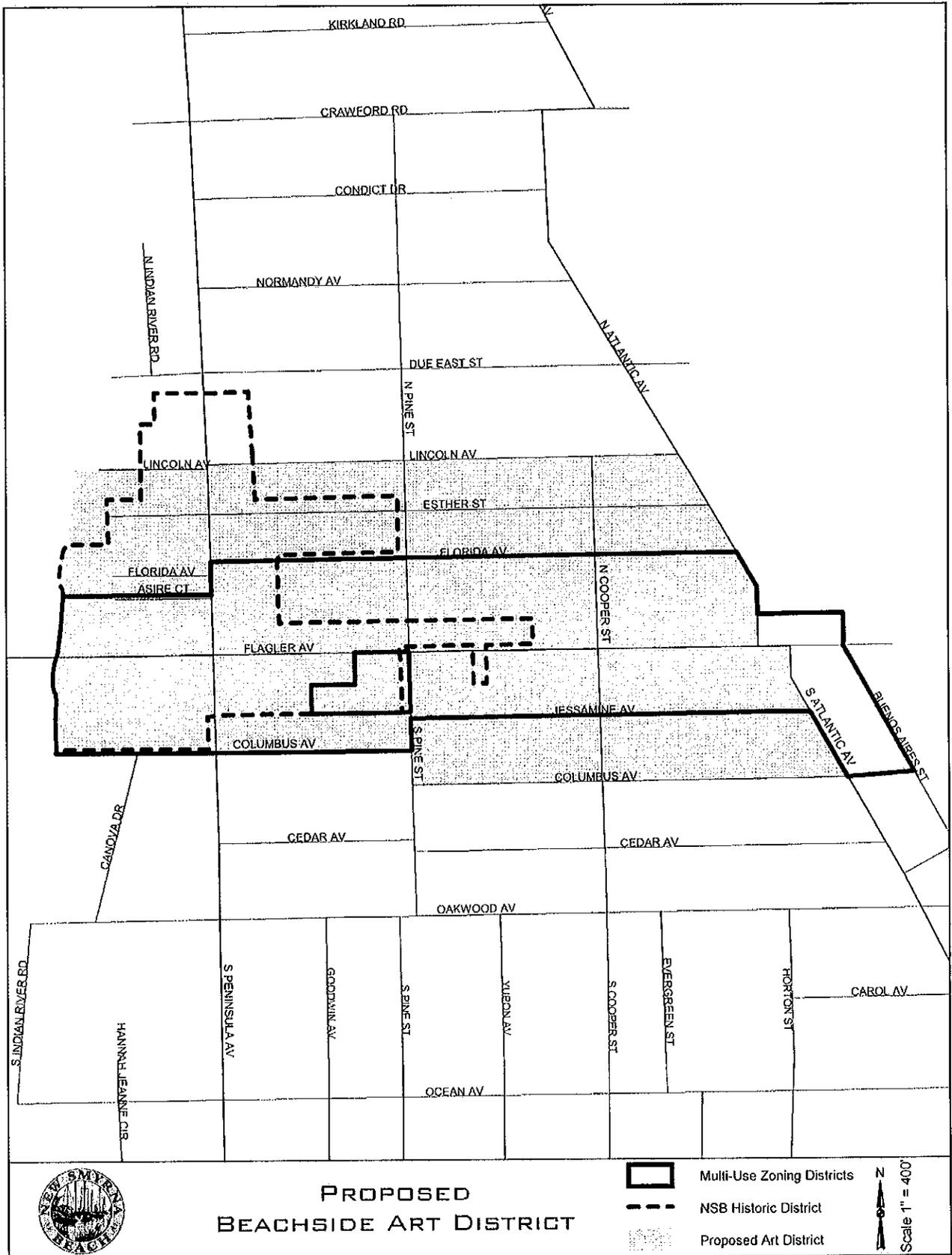
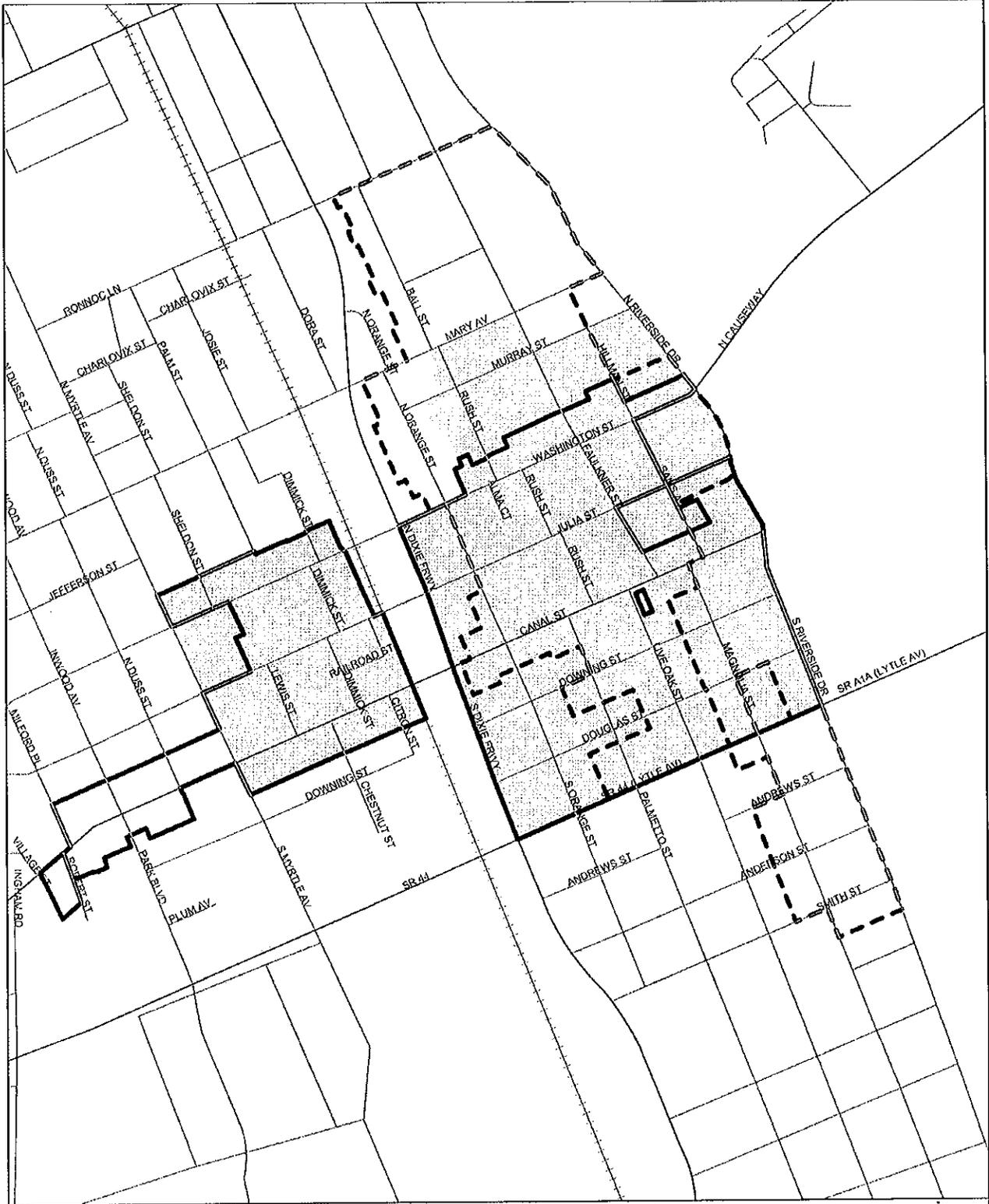


EXHIBIT A (CONT'D)



PROPOSED
MAINLAND ART DISTRICT

-  Multi-Use Zoning Districts
-  NSB Historic District
-  Proposed Art District

N
Scale 1" = 700'

ARTS DISTRICT OVERLAY

Intent:

The purpose of the Arts District Overlay is to encourage a desired mix of appropriate home occupation and home business uses oriented toward, or supporting a visual or cultural arts theme while maintaining the residential character of the underlying residential neighborhoods. Any proposed home occupation or home business use related and contributing directly to an arts theme, as determined by the City Manager, or his/her designee, unless indicated otherwise, may be approved administratively by the City Manager, or his/her designee, if the proposed use meets and complies with the minimum standards contained in this subsection. The City Manager, or his/her designee, may consult with residents and business owners in the Arts District Overlay to make such a determination. Additional standards may be required for approval, depending on the type of home occupation or home business proposed.

Permitted Uses:

- Art Supply Stores
- Bakeries
- Book Binders
- Cafés
- Coffee Shops
- Fine Arts and Crafts Creation and Sales
- Graphic Design Studios
- Printing Shops

Prohibited Uses:

- Body Art Studios
- Fortune Tellers
- Tarot Card Readers
- Tattoo Studios

Owner Residency:

The proprietor of the home occupation or home business use shall live on the premises approved for the use, with the exception of bakeries, cafes, and coffee shops.

Employees:

No more than three (3) employees, including the proprietor and family members, whether full or part time, shall work on the premises at one time, except during special

EXHIBIT B (CONT'D)

events, whereby one additional employee may be permitted. The proprietor of the home occupation or home business use shall be considered an employee of that home occupation or home business.

Parking:

Parking shall be determined by the City Manager, or his/her designee, on a case-by-case basis. A blend of available parking standards shall be used in evaluating parking needs for each proposal. Applicants for each proposed use are required to submit a detailed parking plan, in order to facilitate approval. In determining whether sufficient parking is available to serve the proposed use, the City Manager, or his/her designee, shall consider existing on-site parking, on-street parking, and proximity to public parking lots or structures. In the event that sufficient parking is not available, the proprietor shall have the option of leasing off-site parking spaces provided such spaces are within 1,000 feet of the home occupation or home business.

Building Area:

No more than 25% of the total square footage of the existing residence shall be used for the home occupation or home business. A separate structure or addition may be constructed for the home occupation or home business, provided the following conditions are met:

1. The structure or addition shall be designed to reflect the architectural style and character of the principal dwelling unit.
2. The structure or addition shall comply with all height, setback, building coverage and impervious coverage limitations established by the underlying zoning district.

Signage:

A home occupation or business may have one ground or pole sign not to exceed six (6) square feet in area. Ground or pole signs must be low profile, with a maximum height of 72 inches, including structural components. All signage shall be designed to be compatible with the residential character of the surrounding neighborhood. Illuminated signs are prohibited. All signage must be approved by separate permit.

Storage:

Outdoor storage is generally prohibited. However, temporary display and limited activities pertinent to the home occupation or home business that contribute to the character of the Arts District Overlay shall be permitted. Such displays shall be kept entirely on the property used for the home business or home occupation and shall not

EXHIBIT B (CONT'D)

be placed on any public sidewalk or right-of-way. All displays shall be removed daily at the close of business.

Hours of Operation:

Home occupations or home businesses within the Arts District Overlay shall be permitted to operate during the hours of 9:00 a.m. to 6:00 p.m. on weekdays, and from 10:00 a.m. to 5:00 p.m. on weekends and holidays. Additional hours may be permitted to coincide with special events.

Special Events:

Special events may include, but are not limited to, Images Art Show, Art Fiesta, and monthly gallery walks. Additional special events may be permitted by the City Commission, within a specifically defined area of the Arts Overlay District. The maximum duration of any special event is two (2) days. In order to obtain City Commission approval, the organizer(s) of the event must demonstrate that adequate provisions have been made to reasonably limit or mitigate any adverse impacts resulting from noise, lighting, vehicular traffic, vehicular parking, pedestrian traffic, solid waste collection and other such matters and effects as may be expected from the occurrence of such special events.

Business Tax Receipt:

Each home occupation or home business shall obtain, and keep current, all required business tax receipts and other licenses required for the business.

1 INTEROFFICE MEMORANDUM
2 CITY OF NEW SMYRNA BEACH
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4 To: Historic New Smyrna Beach Preservation Commission
5 From: Jake Baker, AICP Planner
6 Subject: 2010 Goal Setting for the Historic New Smyrna Beach
7 Preservation Commission (HPC)
8 Date: March 2, 2010

9
10 At the January 13, 2010 HPC meeting, I presented a number of possible goals for
11 the HPC. They are listed below. Please be prepared to share your thoughts on
12 what the HPC's goals should be for the upcoming year.

- 13
- 14 ○ Communicate the idea to the public that historic preservation is not anathema to
15 economic development.
 - 16 ○ Look at ways to cooperate with the Southeast Volusia Historical Society,
17 including promoting their Guest Speaker series and other activities.
 - 18 ○ Let people know what National Register of Historic Places is about, by creating
19 brochures and adding information about the National Register on the City
20 website.
 - 21 ○ Create a one-page brochure that lets people know the unique history of the City
22 of New Smyrna Beach.
 - 23 ○ Create maps of the City's Historic Districts, including descriptions of some of the
24 existing buildings, or update existing self-guided walking tours already in
25 circulation.
 - 26 ○ Get signs installed indicating the direction of the Coronado Historic District and
27 Mainland Historic District on SR44/ Lytle Avenue/ 3rd Avenue.
 - 28 ○ Discuss form-based zoning and what that means for the City's historic districts.
 - 29 ○ Disseminate information about existing grant programs that may assist historic
30 preservation projects.
 - 31 ○ Integrate historic preservation into public policy and planning.
 - 32 ○ Strengthen support for historic preservation at all levels of government.
 - 33 ○ Have a guest speaker series, perhaps quarterly, to discuss historic-preservation
34 related topics.
 - 35 ○ Educate the general public about the benefits of historic preservation and tools
36 for preserving historic properties.
 - 37 ○ Enhance training and facilitate communication among local historic preservation
38 commissions and the State Historic Preservation Office.
 - 39 ○ Streamline and enhance protection of historic and archaeological resources under
40 Section 106 of the National Historic Preservation Act through collaboration
41 among the State Historic Preservation Office and state and federal agencies.

- 1 ○ Encourage the New Smyrna Beach Visitor's Center to promote Heritage Tourism
2 for the City.
- 3 ○ Do more to promote our Bed & Breakfasts.
- 4 ○ Work with the Chamber of Commerce and the Visitor's Bureau to better promote
5 the historic aspect of New Smyrna Beach, particularly on their websites.

- 6 ○ Consider encouraging the City to relax the zoning standards in the older,
7 more established parts of town to make the possibility of converting older
8 residential homes into businesses easier?
- 9 ○ Encourage the rehabilitation and renovation of historic buildings.
- 10 ○ Designate pedestrian ways and bicycle paths in conjunction with historic
11 resources.
- 12 ○ Create a pedestrian friendly atmosphere in order to encourage people to
13 walk, which will increase opportunities for resources to be visited.