

***New Smyrna Beach City Commission Meeting  
Sept. 25, 2018***

**1. The City Commission unanimously adopted two rules that will enhance landscaping, limit the width of utility easements and enact other changes to make two major highways more attractive and improve their traffic flow. The new rules will be applied to future development in the SR-44 Corridor Overlay Zone from Myrtle Avenue west to the city limits (excluding the area designated as an “activity center” around I-95), and along US-1 from Art Center Avenue to the northern City boundary line.**

If existing businesses apply for expansions of buildings or otherwise request changes to their development plans, they too would be subject to the new landscape requirements.

Commissioners began looking at the landscaping ordinance earlier this year in an attempt to get ahead of rapid development along SR-44, and after citizens complained about business sites being clear-cut and native trees that were supposed to be saved being bulldozed and paved over.

One of the two ordinances adopted Sept 25 also eliminates the overlap of any landscaped buffer areas and utility easements, to ensure plantings can be preserved there. It also limits the size of utility easements and says they wouldn't be cleared of existing vegetation until the city or utility company is ready to install infrastructure in the area. Plus, utility easements would only be cleared to the extent necessary to accommodate the buried lines.

To prevent more of what one ordinance called a “strip commercial appearance,” City Commissioners modified landscaping rules to require front setbacks of 50 feet along SR-44 and 45 feet on U.S. 1, and keep rear and side yard setbacks at 25 feet. Building heights would be limited to three stories or a 35-foot maximum, and the total building coverage of each parcel would not exceed 35 percent of the total lot area.

**In another landscaping-related matter,** City Commissioners voted unanimously to adopt a resolution authorizing the City Manager to apply for grant money from the Florida Department of Transportation (FDOT) to pay for new median landscaping on 10th Street to Industrial Park Drive and SR-44 from Eddie Road to Sugar Mill Drive. A conceptual plan for the medians envisions using Medjool Date Palms or possibly Live Oak trees.

**2. City Commissioners also unanimously approved landscaping and monument sign plans for the 253-unit Beacon Apartment development at the southwest corner of SR-44 and South Glencoe Road.**

Commissioners rezoned the 22-acre property earlier this year on a 3-2 vote (with Commissioner Jake Sachs and Vice Mayor Jason McGuirk dissenting), from a mix of Planned Unit Development (PUD) and Single Family Residential, to all PUD with a Master Development Agreement for the proposed apartments. The tract is owned by Rebhan Realty, LLC, based in Charlotte, NC. The land is undeveloped and includes about seven acres of wooded wetlands along its

western boundary. The acreage borders existing homes on its southeast side. Rebhan Realty's attorney, Glenn Storch, has said previously the land was under contract for sale to a developer who builds upscale rental communities. Developers of the apartment complex have agreed to provide money for construction of new lanes for left and right turns on SR-44, as well as another lane for traffic to go straight.

###