

**New Smyrna Beach City Commission Meeting  
Oct. 9, 2018**

**1. A future City Commission with three newly elected members will decide the fate of 14-16 Historic Live Oak trees in the way of a housing development when those Commissioners are seated at the first meeting in November.**

That was the unanimous decision of the current City Commission Oct. 9, when a representative of property owner KWD 43 Investments, of Coral Gables, told Commissioners that developers had reworked a plan for the residential project named Lake Waterford Estates to save two additional trees. Originally, development representatives advised the Commission Sept. 11 that 16 Historic Trees would have to be chopped down to build 45 residential homes on large lots. The trees stand on two vacant parcels totaling 47.58 acres, located west of Old Mission Road and north of Eslinger Road. Eleven acres of the tract are in a pond, and many of the trees proposed for removal are growing in an area proposed for stormwater retention.

City staff members recommended against destroying all of the 16 trees because the PUD was still a concept and could be redesigned. A tree survey revealed nine of the 16 trees are in good condition; three are in fair condition; and the remaining four are dead, dying or diseased.

At the Sept. 11 meeting, the Commission voted 1-4, with Commissioner Judy Reiker dissenting, against the landowner's request to cut down the trees. Mayor James Hathaway then advised developers to come back with a different development plan.

So, on Oct. 9 the representative of KWD 43 Investments notified Hathaway and his colleagues they had completed a redesign and asked to place the new tree removal request on the Commission's Oct. 23 agenda. Instead, Commissioners tabled the request until after the November elections.

**2. The City Commission unanimously approved an interlocal agreement with Volusia County to transfer the city's right of way along a section of 10<sup>th</sup> Street to the county. That action allows the long-delayed widening of the road to move forward.**

Construction is expected to start in about nine months, after the redesign of the project is completed, the project is put out to bid and the county selects a contractor. Widening work will include the 10<sup>th</sup> Street intersection with U.S. 1.

The City of Edgewater also is expected to consider approving an interlocal agreement to transfer part of the road's right of way to Volusia County so the project can continue to progress. The widening project is planned to improve traffic and pedestrian safety along the mostly two-lane road, which serves both a Middle School and High School with frontage along 10<sup>th</sup> Street.

**3. As part of the meeting's Consent Agenda in which multiple items are voted on at once, City Commissioners voted unanimously to approve an application for the subdivision plat in Phase 4 of The Palms. It contains 118 proposed townhome lots and 64 "modern duplex" lots on a total of 42.52 acres.**

Mayor Hathaway was authorized to execute the Contract for recording the plat. The Palms' location is north of SR-44, west of Airport Road and adjacent to the Venetian Bay subdivision.

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