

Meeting Date: 1/24/2012



Agenda Item # 7-A

CITY COUNCIL AGENDA ITEM

Contact Name: Jim Kerr *JHK* Department Director: Alison Stettner *Alison Stettner*
 Department/Contact # 386 775-5414 City Manager: Jamie Croteau *Jamie Croteau*

- Type of Item:
- | | | | |
|--------------------------|--------------------------|-------------------------------------|---------------------|
| <input type="checkbox"/> | Public Hearing | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | Ordinance First Reading | <input type="checkbox"/> | Discussion & Action |
| <input type="checkbox"/> | Ordinance Second Reading | <input type="checkbox"/> | Council Approval |

Subject: Extension of Development Order - Lansdowne Oaks Plat Reso. No. 664-12

BACKGROUND:

The applicant has requested a fourth extension to the approved development order for the Lansdowne Oaks preliminary subdivision plat to divide the property and construct a 35-lot subdivision on approximately 15-acres. This request is being made per the City's development order extension process as outlined in Section 5.5 of the City's land development code.

The applicant intends to subdivide and develop the 35 proposed lots, and to construct several roads, potable water and septic facilities, drainage retention areas, park, etc. The park will contain picnic tables and playground equipment, and a mail kiosk will be installed for centralized mail delivery. The development will also include sidewalks, streetlights, and a treed streetscape. This property is located in District 4 and has the potential for 75 residents to live onsite.

RECOMMENDATIONS:

City staff recommends that City Council approve and adopt Resolution No. 664-12, thereby approving a fourth extension to the development order for the Lansdowne Oaks preliminary subdivision plat.

ATTACHMENTS:

- Memo report to City Council
- Resolution No. 664-12
- Exhibit A subdivision plat
- Exhibit B subdivision plat

FINANCIAL IMPACT:

None anticipated

Reviewed by City Attorney

Reviewed by Finance Dept.

Reviewed by:

1st Discussion Date: 1/24/2012	2nd Discussion Date: Click here to enter a date.	Third Discussion Date: Click here to enter a date.	Other Dates: Click here to enter a date.
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Orange City Planning & Zoning Department

205 East Graves Avenue, Orange City, Florida 32763-5213

Phone 386 775-5414 - Fax 386 775-5420

E-mail: jkerr@ourorangecity.com

MEMORANDUM

DATE: January 24, 2012

TO: Honorable Mayor and City Council members

FROM: J.H.Kerr III, City Planner

**SUBJECT: RESOLUTION NO. 664-12
CONSIDER EXTENSION OF A DEVELOPMENT ORDER
LANSDOWNE OAKS PRELIMINARY SUBDIVISION PLAT
PARCEL NO. 8002-00-00-0660 AND 8002-00-00-0710**

Recommendation

City staff has reviewed the request for an extension to the development order for the Lansdowne Oaks preliminary subdivision plat, and recommends that City Council create a motion as follows:

Resolution No. 664-12

Based upon competent substantial evidence provided by the applicant and City staff, the City Council of Orange City approves a fourth 12-month extension to the preliminary subdivision plat for the proposed Lansdowne Oaks subdivision to be developed on a 15-acre property located on East Lansdowne Avenue, parcel numbers 8002-00-00-0660 and 8002-00-00-0710.

Background

The subject property is located on East Lansdowne Avenue, approximately 600 feet east of North Leavitt Avenue, and consists of a 10-acre parcel on the south side of East Lansdowne Avenue and a 5-acre parcel on the north side. The 10-acre portion is part of Orange City's original 1.5 square mile jurisdiction, and the 5-acre portion was annexed into the City in 2003. The subject property maintains an (RL) Residential Low land use designation and an (R-1) Low Density Residential zoning classification. The subject property is currently vacant, undeveloped, and heavily wooded.

Overview of Land Use and Zoning Status

	Designated Land Use	Zoning Classification	Existing Land Use	Percent Developed	Jurisdiction
SUBJECT PROPERTY	RL Residential Low	R-1 Low Density Residential	Vacant	None	City
ADJOINING TO NORTH	RL Residential Low	R-1 Low Density Residential	Residential	100	City
ADJOINING TO SOUTH	RL Residential Low	R-1 Low Density Residential	Residential	100	City
ADJOINING TO EAST	RL Residential Low	R-1 Low Density Residential	Residential	100	City
	ULI Urban Low Intensity	R-4 Urban Single Family Residential	Residential	100	County
ADJOINING TO WEST	RL Residential Low	R-1 Low Density Residential	Residential	100	City

Detailed Adjoining Property Land Use and Zoning Description

North: The property adjoining to the north of the subject property is in the City's jurisdiction, and maintains an (RL) Residential Low land use designation and an (R-1) Low Density Residential zoning classification. The property to the north is developed as single family residential.

South: The property adjoining to the south of the subject property is in the City's jurisdiction, and maintains an (RL) Residential Low land use designation and an (R-1) Low Density Residential zoning classification. The property to the south is developed as single family residential.

East: Approximately three-fourths of the property adjoining to the east of the subject property is in the City's jurisdiction, and maintains an (RL) Residential Low land use designation and an (R-1) Low Density Residential zoning classification. The remaining one-fourth of the property adjoining to the east is in the County's jurisdiction, and maintains a (ULI) Urban Low Intensity land use designation and an (R-4) Urban Single Family Residential zoning classification. All of the property to the east is currently developed as single family residential regardless of jurisdiction.

West: The property adjoining to the west of the subject property is in the City's jurisdiction, and maintains an (RL) Residential Low land use designation and an (R-1) Low Density Residential zoning classification. The property to the west is currently developed as single family residential.

Application

The applicant has submitted a request for an extension to the approved development order for the Lansdowne Oaks preliminary subdivision plat, to divide the property and construct a 35-lot subdivision on approximately 15 acres. The request is made per the City's development order extension process, as outlined in Section 5.5 of the City's land development code.

Project Analysis

The applicant intends to subdivide and develop the 35 proposed lots and to construct the roads, potable water and septic facilities, drainage retention area, park, etc. A park will be provided containing picnic tables and playground equipment, and a mail kiosk will be installed for centralized mail delivery. The development will also include sidewalks, drainage retention area, streetlights, and a treed streetscape.

Type of Project

The specific proposed use for the 35-lots will be for single family residential purposes, and said proposed residential use is consistent with the R-1 Low Density Residential zoning district requirements. The 35-lots exceed the minimum size requirements (10,890 square feet), with the smallest lot being 10,920 square feet and the largest being 13,711 square feet. The typical lot size is 80 by 140. The density (2.3 DU/AC) is far less than the maximum allowable single family residential density (4.0 DU/AC).

Extension of Development Order

According to Section 5.4.A of the City's land development code, development orders for a preliminary subdivision plat shall expire one year from the date of issuance, and may be extended beyond the one year expiration by City Council. Section 5.5 requires that special consideration be given to the following criteria.

- A. If any amendment to this code is made after approval of the original development order and would necessitate modification of the original approved development plans or associated documents.

Staff maintains there have been no changes to the land development code that would require modifying the development order except for Ordinance No. 355, Guidelines for compliance with the National Pollutant Discharge Elimination System.

- B. Re-evaluation of the ability of the proposed development to meet the concurrency management requirements of this code.

Staff maintains that the demands of the development have not changed, and there is still sufficient infrastructure capacity to service this development.

- C. Changes in surrounding land use, development or other conditions that may require modification of the application to meet the requirements of this code.

Staff maintains that there have been no changes to the surrounding land uses, development or other conditions that would require modifying the preliminary subdivision plat.

SUMMARY

Lansdowne Oaks has sought to propose a subdivision that not only complies with the City's Code of Ordinances, but also has the intent to create an environment that will fit well within the surrounding residential community. The development will possess single family dwellings, treed streetscapes, sidewalks, street lighting, and a recreational area.

RESOLUTION NO. 664-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, ACKNOWLEDGING AND APPROVING A FOURTH 12-MONTH EXTENSION TO THE PRELIMINARY SUBDIVISION PLAT FOR THE LANSDOWNE OAKS SUBDIVISION, WITH THE INTENT TO DIVIDE A 5.0 ACRE PARCEL AND A 10.0 ACRE PARCEL INTO 35 PROPOSED RESIDENTIAL LOTS, SAID PARCELS LOCATED ON EAST LANSDOWNE AVENUE, ORANGE CITY, FLORIDA; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Lansdowne Oaks preliminary subdivision plat was originally approved at a public meeting held on January 8, 2008 by the City Council of the City of Orange City, via Resolution No. 444-07, said subdivision intended to divide a 5.0 acre parcel and a 10.0 acre parcel into 35 proposed single family residential lots, said parcels located on East Lansdowne Avenue, and which said approval expired on January 8, 2009, and

WHEREAS, in January of 2009, the applicant requested the first extension to the approved Lansdowne Oaks preliminary subdivision plat, said extension was approved by City Council on February 24, 2009, via Resolution No. 530-09, which granted the first 12-month extension to the preliminary subdivision plat, and which said approval expired on January 8, 2010, and

WHEREAS, in November of 2009, the applicant requested a second extension to the approved Lansdowne Oaks preliminary subdivision plat, said extension was approved by City Council on December 8, 2009, via Resolution No. 578-09, which granted a second 12-month extension to the preliminary subdivision plat, and which said approval expired on January 8, 2011, and

WHEREAS, in November of 2010, the applicant requested a third extension to the approved Lansdowne Oaks preliminary subdivision plat, said extension was approved by City Council on January 11, 2011, via Resolution No. 628-10, which

granted a third 12-month extension to the preliminary subdivision plat, and which said approval will expire on January 8, 2012, and

WHEREAS, in December of 2011, the applicant requested a fourth extension to the approved Lansdowne Oaks preliminary subdivision plat, said extension to be considered by City Council on January 10, 2012, via Resolution No. 664-12, and if approved, will grant a fourth 12-month extension to the preliminary subdivision plat, said approval to expire on January 8, 2013, and

WHEREAS, it is necessary for the City Council of the City of Orange City, Florida, to consider this fourth extension to the approved preliminary subdivision plat for Lansdowne Oaks, as per Section 5.5 of the Land Development Code of the City of Orange City, Florida.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:

SECTION 1. That the preliminary subdivision plat for Lansdowne Oaks is herein approved for a fourth 12-month extension to expire on January 8, 2013, said preliminary subdivision plat being attached hereto as Exhibit A and Exhibit B, both said exhibits by reference incorporated herein with full force and effect.

SECTION 2. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

SECTION 3. That this resolution shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS (Resolution No. 664-12):

Gary A. Blair	_____	Ronald L. Saylor	_____
Michael G. Wright	_____	Tom Abraham	_____
Anthony Pupello	_____	O. William Crippen, Vice Mayor	_____
Tom Laputka, Mayor	_____		

ADOPTED THIS _____ DAY OF _____, 2012.

ATTEST TO:

Deborah J. Renner, City Clerk

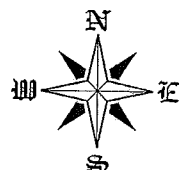
Authenticated this _____ day of _____, 2012.

Tom Laputka, Mayor

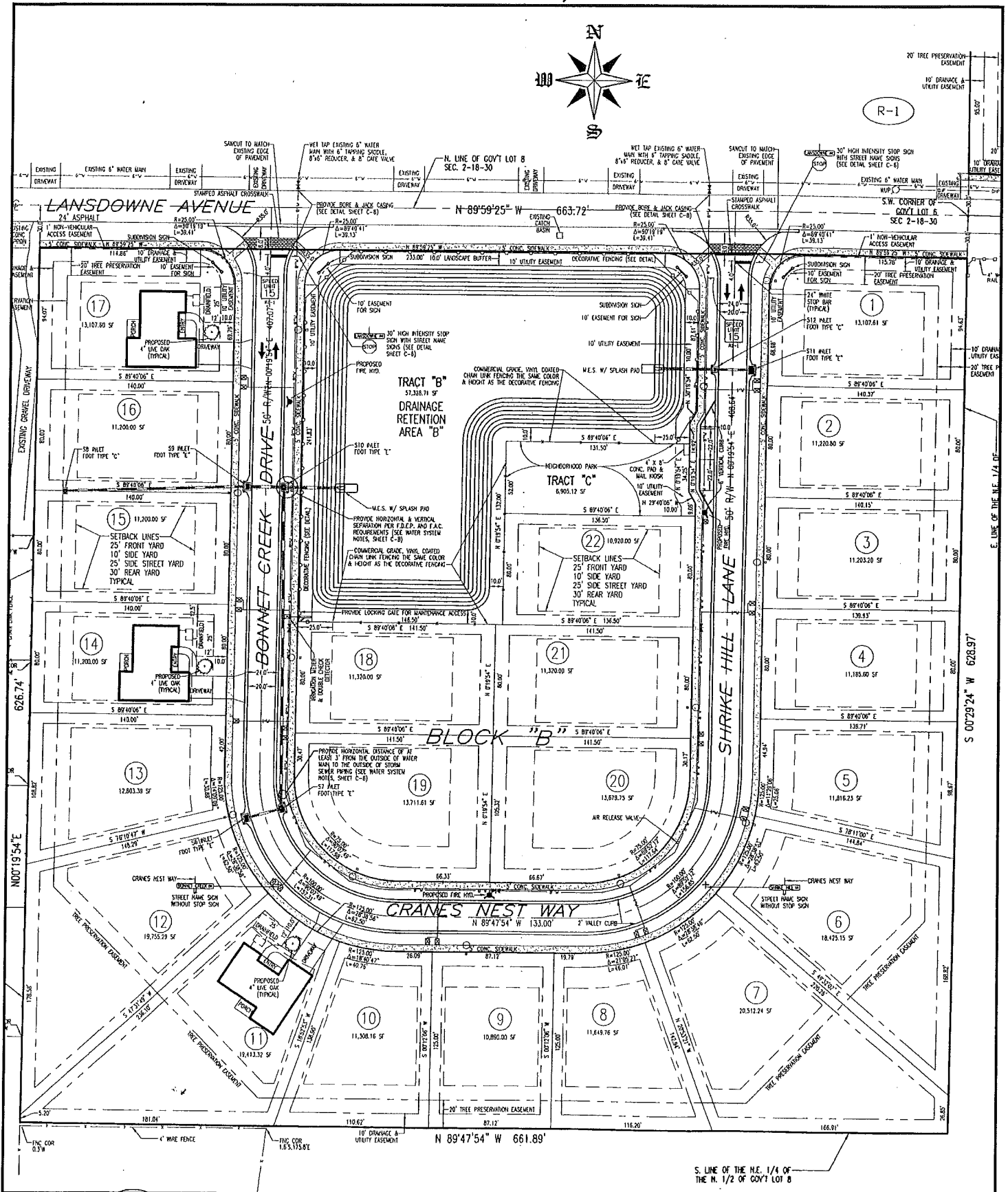
This Resolution approved
as to form and legal sufficiency:

William Reischmann, City Attorney

Exhibit B Resolution 664-12 Lansdowne Oaks, Block B



R-1





Development Order Extension Application

Date Received 12-12-11

Applicant Information

Name of Proposed Development LANSDOWNE OAKS

Applicant's Name DAVID THOMAS Trustee Phone 386 738 5992

Business Name HOWARD RING TRUSTS Phone 386 235 3949

Business Address PO Box 803 Fax 386 738 8617

City Deland State FL Zip Code 32721

Mailing Address PO Box 803 Email address Attorney Thomas@msn.c

City Deland State FL Zip Code 32721

Is applicant property owner? Yes No

If applicant DOES NOT own property, please provide the following:

Property Owner/Name _____ Phone _____
Address _____ Fax _____
City _____ State _____ Zip Code _____

Property Information

Name of Proposed Development: Lansdowne Oaks

Description of Proposed Development: Subdivision PLAT

Address or location of Proposed Development: Lansdowne Ave Orange City FL

Original Development approval was issued on 1-08-08

Anticipated construction and completion date UNKNOWN

Parcel # 8002 - 00.00 - 0710 Width 662 Depth 629
8002 - 00.00 - 0660 Acres: 9.55

Justification

A Development Order Extension is necessary for the following reasons

Current market will not support development
to new home SALES

Notarization

DAVID L. Thomas
Print Name

David L. Thomas
Signature

Print Name

Signature

Subscribed and sworn to (or affirmed) before me on this the 12 day of December 2011
who is/are personally known to me or has/have produced Drivers License
as identification. Florida

Ada L. Long
Signature, Notary Public

NOTARY PUBLIC-STATE OF FLORIDA
Ada L. Long
Commission # EE085935
Expires: APR. 20, 2015
BONDED THROUGH THE STATE OF FLORIDA NOTARY PUBLIC BONDING CO., INC.