


MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: J.H.Kerr III, City Planner 

DATE: February 17, 2009

SUBJECT: **Lansdowne Oaks Subdivision –Extension of Development Order**

PURPOSE

To approve a 12-month extension to the development order consisting of the site plan and preliminary subdivision plat for Lansdowne Oaks Subdivision, to be located on East Lansdowne Avenue, Orange City, Florida.

The subject property is located on East Lansdowne Avenue, approximately 600 feet east of South 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 the original Orange City 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 and undeveloped

BACKGROUND

The subject property 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 the original Orange City jurisdiction, and the 5-acre portion was annexed into the City in 2003. The applicant proposes to divide the property into 35 residential building lots.

The 35-lot subdivision and site plan applications were submitted to the City Council at a regular meeting held on January 8, 2008, in accordance with Section 6.4.4 of the City's Land Development Code, and was approved by the City Council.

Since this development was approved in January of last year, the market for single family residential development has dwindled considerably. The applicant is requesting a 12-month extension until the market can support the proposed development.

Attached is a staff report to City Council, and a copy of the site plan and preliminary subdivision plat.

RECOMMENDATION

Staff recommends City Council adoption of Resolution 530-09, thereby approving a 12-month extension of the Lansdowne Oaks site plan and preliminary subdivision plat, subject to any outstanding conditions.

RESOLUTION NO. 530-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, ACKNOWLEDGING AND APPROVING A 12-MONTH EXTENSION TO THE SITE PLAN AND PRELIMINARY SUBDIVISION PLAT FOR LANSDOWNE OAKS SUBDIVISION, 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 applicant, David Hill, has requested an extension to the approved site plan and preliminary subdivision plat for Lansdowne Oaks Subdivision, which will divide a 5.0 acre parcel and a 10.0 acre parcel into 35 proposed residential lots, said parcels located on East Lansdowne Avenue, and

WHEREAS, it is necessary for the City Council of the City of Orange City, Florida, to consider an extension to the approved Lansdowne Oaks site plan and preliminary subdivision plat, 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 site plan and preliminary subdivision plat for Lansdowne Oaks Subdivision, thereby dividing a 5.0 acre parcel and a 10.0 acre parcel into 35 subdivision lots, said parcel located on East Lansdowne Avenue, said site plan and preliminary subdivision plat attached hereto as Exhibits A and B, are by reference incorporated herein and approved for a 12-month extension, subject to the conditions listed in the attached Exhibit C.

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. 530-09):

Jim Mahoney	_____	Donald C. Sherrill	_____
Tom Laputka	_____	Tom Abraham	_____
Donald Sandford	_____	Jeff H. Allebach, Vice Mayor	_____
Harley Strickland, Mayor	_____		

ADOPTED THIS _____ DAY OF _____, 2009.

ATTEST TO:

Deborah J. Renner, City Clerk

Authenticated this _____ day of _____, 2009.

Harley Strickland, Mayor

This Resolution approved
as to form and legal sufficiency:

William Reischmann, City Attorney

Exhibit A

Resolution 530-09

Lansdowne Oaks, Block A

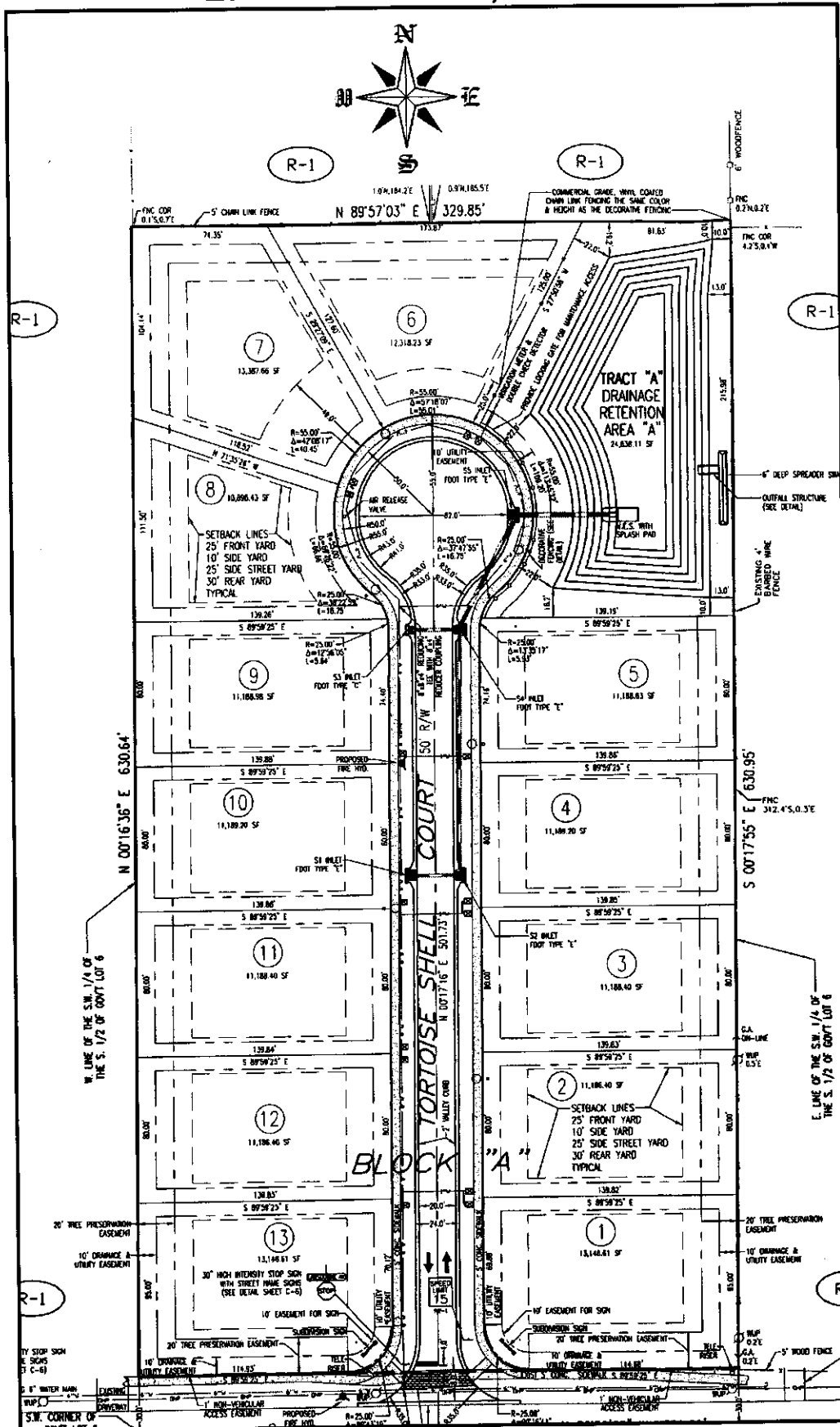


Exhibit B Resolution 530-09 Lansdowne Oaks, Block B

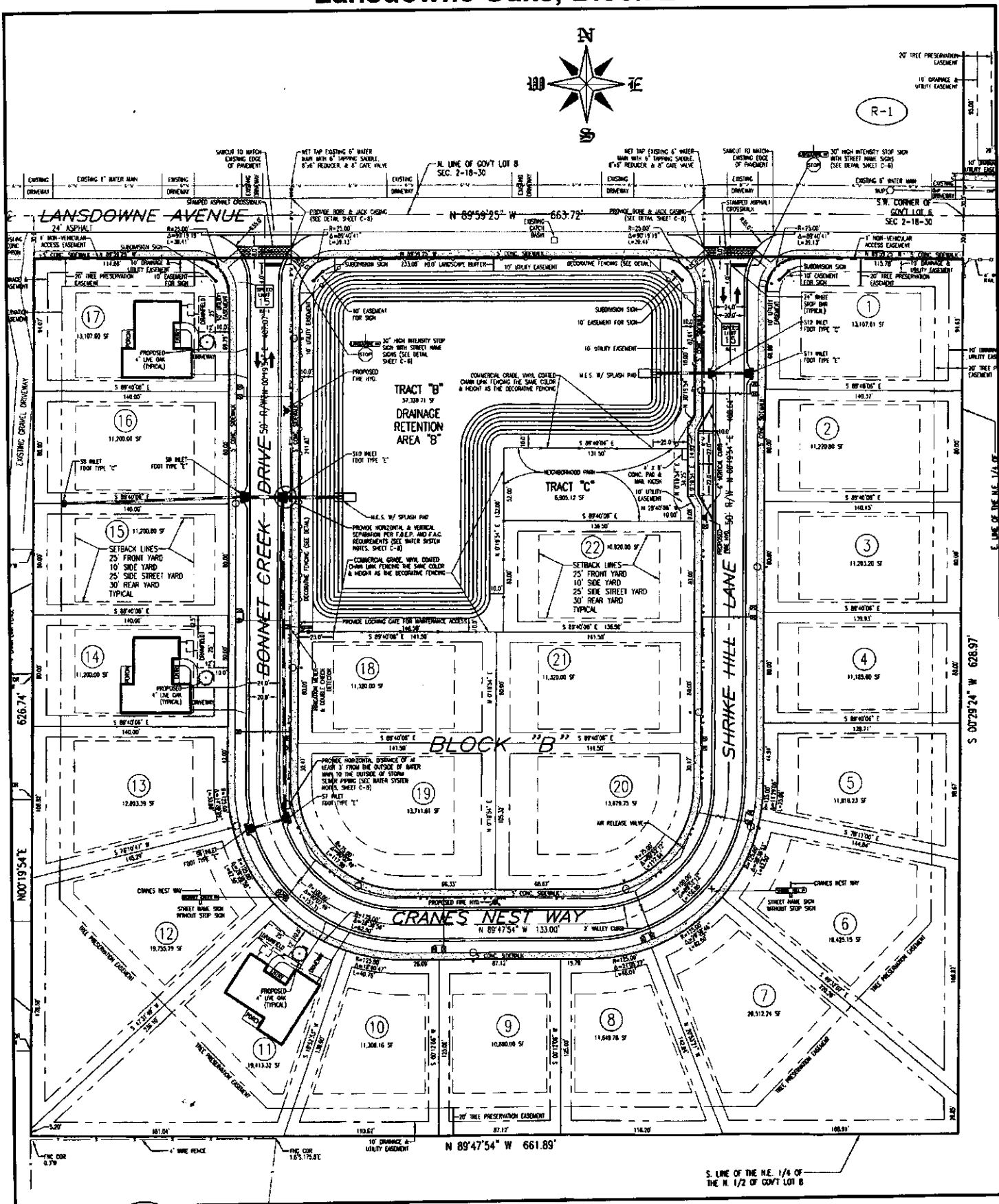


Exhibit C

Resolution No. 530-09

Lansdowne Oaks Site Plan Conditions

Condition No. 1 – Street Lighting

The street lights located on (1) the south end of Tortoise Shell and on (2) the north end of Bonnet Creek and on (3) the north end of Shrike Hill shall be relocated to provide lighting at the intersections.

Condition No. 2 – Park Equipment

During the construction phase of the subdivision, recreation and equipment specifications shall be provided by the developer, and City staff will review and approve said equipment which shall be installed by the developer following the completion and occupancy of seven homes, equaling 20 percent of the 35-lots.

Condition No. 3 – Tree Requirement

As each lot is constructed, the builder shall meet the tree ordinance requirement at that time for that specific lot, including an underground landscape irrigation system.

Condition No. 4 – Tree Preservation

Following the clearing of trees from the property, the Tract areas shall be cleared of underbrush and dead trees. An inventory of remaining trees shall be conducted by staff to assure compliance with the tree requirement within the Tract areas and within the tree preservation areas.

Condition No. 5 – Tree Buffer Requirement

During or following the clearing of trees from the property, the 10-foot buffer facing the south and north sides of East Lansdowne Avenue shall possess 4-inch Live Oaks spaced 40-feet apart amongst the existing trees proposed to be preserved. Staff shall inventory the trees proposed to be preserved to evaluate their quality. Overall, 4-inch live oaks shall be installed (filled in) midway within this 10-foot landscape buffer to meet the 40-foot minimum spacing requirement.

Condition No. 6 – New Ordinances

Compliance with the recently adopted Ordinance No. 355, which requires compliance with the National Pollutant Discharge Elimination System.



Orange City Planning & Zoning Department

205 East Graves Avenue, Orange City, Florida 32763-5299

Phone 904-775-5415 - Fax 904 775-5420

E-mail: jkerr@ci.orange-city.fl.us

MEMORANDUM

DATE: February 09, 2009

TO: Honorable Mayor and City Council members

FROM: J.H.Kerr III, City Planner

SUBJECT: **CONSIDER EXTENSION OF LANSDOWNE OAKS DEVELOPMENT ORDER
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 site plan and preliminary subdivision plat, and recommends that the City Council create a motion as follows:

**Based upon competent substantial evidence provided by the applicant and staff, the City Council of Orange City approves a 12-month extension to the site plan and 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, and subject to the following condition.
Resolution No. 530-09**

Condition No. 1 – Street Lighting

The street lights located on (1) the south end of Tortoise Shell and (2) on the north end of Bonnet Creek and (3) on the north end of Shrike Hill shall be relocated to provide lighting at the intersections following City staff approval as to their revised locations.

Condition No. 2 – Park Equipment

During the construction phase of the subdivision, recreation and equipment specifications shall be provided by the developer, and City staff will review and approve said equipment which shall be installed by the developer following the completion and occupancy of seven homes, equaling 20 percent of the 35-lots.

Condition No. 3 – Tree Requirement

As each lot is constructed, the builder shall meet the tree ordinance requirement at that time for that specific lot, including an underground landscape irrigation system.

Condition No. 4 – Tree Preservation

Following the clearing of trees from the property, the Tract areas shall be cleared of underbrush and dead trees. An inventory of remaining trees shall be conducted by staff to assure compliance with the tree requirement within the Tract areas and within the tree preservation areas.

Condition No. 5 – Tree Buffer Requirement

During or following the clearing of trees from the property, the 10-foot buffer facing the south and north sides of East Lansdowne Avenue shall possess 4-inch Live Oaks spaced 40-feet apart amongst the existing trees proposed to be preserved. Staff shall inventory the trees proposed to be preserved to evaluate their quality. Overall, 4-inch live oaks shall be installed (filled in) midway within this 10-foot landscape buffer to meet the 40-foot minimum spacing requirement.

Condition No. 6 – New Ordinances

Compliance with the recently adopted Ordinance No. 355, which requires compliance with the National Pollutant Discharge Elimination System.

Background

The subject property is located on East Lansdowne Avenue, approximately 600 feet east of South 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 the original Orange City 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 and undeveloped.

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	None	City
ADJOINING TO SOUTH	RL Residential Low	R-1 Low Density Residential	Residential	100	City
ADJOINING TO EAST	CR Commercial Recreation	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

David Hill has submitted a request for an extension to the approved development order for the Lansdowne Oaks site plan, to construct the infrastructure to support 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 install several roads, potable water and septic facilities, drainage retention area, park, etc., and to subdivide and develop the 35 proposed lots. A park will be provided containing picnic tables and playground equipment, and a mail kiosk will be erected for centralized mail delivery. The development will include sidewalks, drainage retention area, streetlights, and a treed streetscape.

Type of Project

The specific proposed use for the 35-lots will be for residential purposes, and said proposed residential use is consistent with the R-1 Low Density Residential zoning district requirements. The 35-lots meet the minimum size requirements, and the development will maintain a single family residential density (2.3 DU/AC).

Extension of Development Order

According to Section 5.4.A of the City's land development code, development orders for site plans shall expire one year from the date of issuance. 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.



City of Orange City
205 E. Graves Avenue, Orange City, FL 32763
386-775-5415, Fax 386-775-5420

RECEIVED

Residential Development
Site Plan Extension Application

JAN 27 2009

DEVELOPMENT SERVICES

Date Received _____

Applicant Information

Name of Proposed Development Lansdowne Oaks Subdivision

Applicant's Name David Hill Phone 386-775-8100

Business Name Equitable Gain, Inc. & Lansdowne Development, Inc. Phone _____

Business Address 1801 S. Volusia Avenue Fax 386-775-8100

City Orange City State FL Zip Code 32763

Mailing Address 1801 S. Volusia Av. Email address hillfamilyfl@cf1.cc.com

City Orange City State FL Zip Code 32763

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

Address East Lansdowne Avenue, Orange City

Original Development approval was issued on 1-8-08

Anticipated construction and completion date Not known

Parcel # 8002-00-00-0660/0710 Acres 15

Width _____ Depth _____

Justification

A Development Extension is necessary for the following reasons

The economy will not support the constructions of new homes at this time.

Notarization

Oliver David Hill

Print Name

Print Name

Oliver

Signature

Signature

Subscribed and sworn to (or affirmed) before me on this the 27 day of JANUARY 2009
who is/are personally known to me or has/have produced _____
as identification.

Betty Goad
Signature, Notary Public

NOTARY PUBLIC-STATE OF FLORIDA
Betty Goad
Commission # DD833993
Expires: DEC. 13, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

Notary Stamp