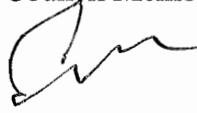
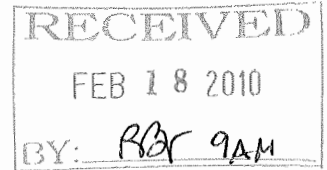


MEMORANDUM

TO: Honorable Mayor Strickland and City Council Members
FROM: Eugene Miller, Interim City Manager 
DATE: February 16, 2010



SUBJECT: Chinchor Electric Industrial Complex Site Plan- Extension of Development Order

Introduction: To approve a second 12 month extension to the development order of the site plan for the Chinchor Electric Industrial Complex.

Background: The subject property is a 5.54 acre parcel located on South Leavitt Avenue approximately 450 feet south of East Rhode Island Avenue. The property is vacant and undeveloped. The applicant proposes three industrial buildings with a total of 36,194 square feet of warehouse. This project was reviewed and approved by the City Council in December of 2007, via resolution 460-08, a 12-month extension was granted by the Development Services Director in January of 2009. Since the approval of this site plan, the economy has gone through some drastic changes, making securing financing for commercial development extremely difficult. The applicant is requesting 12-month extension in the anticipation of an economic turnaround. This extension, if approved, will be the second of a possible seven extensions.

Discussion: On April 28, 2009, the City Council adopted Ordinance No. 379, which allows Council to approve a development order extension beyond the first request which is reviewed and considered by the Development Services Director for up to one year, thereafter an applicant may request an additional one year extension of a development order only from the City Council. However no development order shall extend seven years from the original date of expiration. Attached is a staff report to the City Council.

Budget Impact: At this time the financial impact of this extension has not yet been determined.

Recommendations: The Interim City Manager recommends City Council adopt Resolution 595-10, thereby approving a second 12-month extension of the Chinchor Electric Industrial Complex site plan, subject to any outstanding conditions.

Reviewed by: Elaine Wilson, Interim Development Services Director 

Prepared by: Wendy Hickey, Planning & Zoning Analyst I 

MEMORANDUM

DATE: February 17, 2010

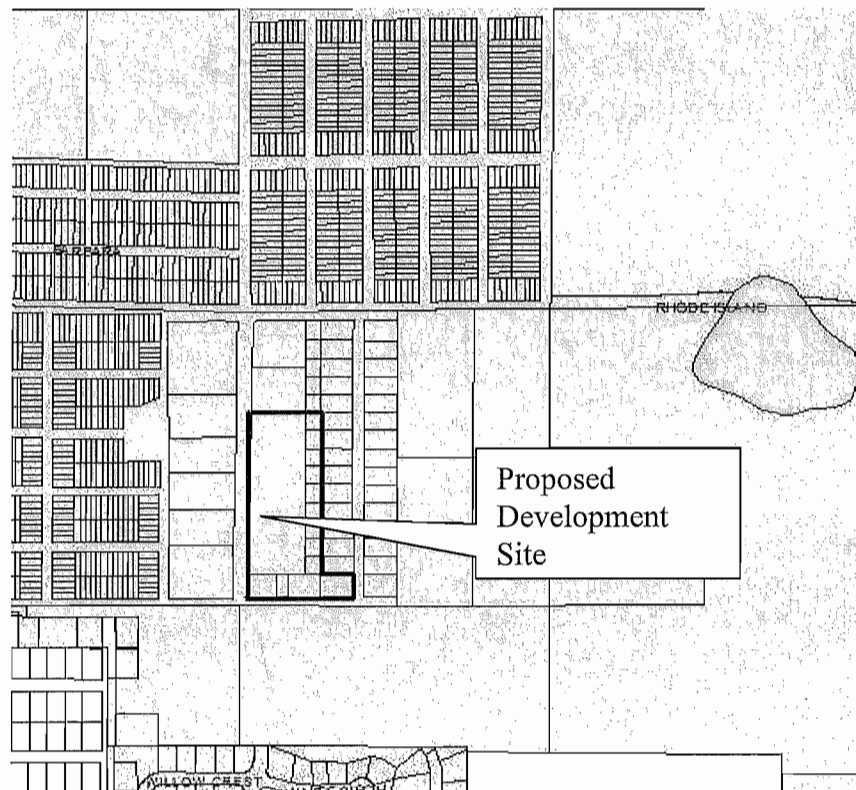
TO: Honorable Mayor Strickland and City Council Members

FROM: Wendy Hickey, Planning & Zoning Analyst I

RE: Chinchor Electric Industrial Complex –Extension of Development Order

Project Analysis

The proposed project consists of three buildings with a total of 36,194 square feet of warehouse. The subject property is located on the east side of South Leavitt Avenue 450 feet from the intersection with Rhode Island Avenue. Identified as parcels 8014-25-00-0030, 8014-01-02-0160, 8014-01-03-0150 and 8014-01-03-0160.



Type of Project

The specific proposed use for the industrial complex is to house Chinchor Electric, an electrical contractor for commercial and industrial electric specializing in signalization and roadway lighting.

Extension of Development Order

According to Section 5.5 of the City's Land Development Code, development orders for a site plan shall expire one year from the date of issuance, and may be extended beyond the one year by the City Council. Section 5.5 requires that special consideration be given to the following criteria.

- A. If any amendment to this code made after approval of the original development order and would necessitate modification to 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. 244, 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 change, 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 requirement 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 site plan.

STAFF RECOMMENDATION

Chinchor Electric Industrial Complex has proposed a site plan that meets or exceeds the City's Code of Ordinances as far as appearance, open space and design standards. Staff recommends approval of the project subject to the following one stipulation:

The City Council may wish to take the following action:

⇒ Create a motion to approve Chinchor Electric Industrial Complex development order extension subject to the following stipulations.

1. A wall must be constructed on the south end of the property at the time Shadow Ridge Phase II is completed that will match adjoining properties.
2. Compliance with newly adopted Ordinance 355, which requires compliance with the National Pollutant Discharge System.

RESOLUTION NO. 595-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, ACKNOWLEDGING AND APPROVING A SECOND 12- MONTH EXTENSION TO THE DEVELOPMENT ORDER FOR THE SITE PLAN OF CHINCHOR ELECTRIC INDUSTRIAL COMPLEX, ON A 5.54 ACRE, SAID PARCEL LOCATED ON SOUTH LEAVITT AVENUE APPROXIMATELY 450 FEET SOUTH OF EAST RHODE ISLAND AVENUE, ORANGE CITY, FLORIDA; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Chinchor Electric Industrial Complex site plan, was originally approved at a public meeting held on January 8, 2008 by the City Council of the City of Orange City, via Resolution 460-08 said site plan containing the specifications to construct the improvements necessary to sustain three proposed industrial buildings on a 5.54-acre parcel said parcels located on South Leavitt Avenue approximately 450 feet south of East Rhode Island Avenue, and

WHEREAS, in January of 2009 the applicant, Timothy Chinchor requested the first extension to the approved Chinchor Electric Industrial Complex site plan, which said extension was approved by the Development Services Director on February 4, 2009 which granted a 12- month extension to the site plan, and

WHEREAS, it is necessary for the City Council of the City of Orange City, Florida, to consider this second extension to the approved site plan for Chinchor Electric Industrial Complex, as per Section 5.5 (as amended by Ordinance No. 379 on April 28, 2009) 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 for Chinchor Electric Industrial Complex, consisting of the improvements necessary to sustain three Industrial buildings on a 5.54-acre parcel located on South Leavitt Avenue approximately 450 feet south of East Rhode Island Avenue, is by reference incorporated herein and approved, subject to the conditions listed in the attachment A.

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. 595-10):

Gary Blair	_____	Jeff H. Allebach	_____
Jeff H. Allebach	_____	Tom Abraham	_____
O. William Crippen	_____	Tom Laputka Vice Mayor	_____
Harley Strickland, Mayor	_____		

ADOPTED THIS _____ DAY OF _____, 2010.

ATTEST TO:

Deborah J. Renner, City Clerk

Authenticated this _____ day of _____, 2008.

Harley Strickland, Mayor

This Resolution approved
as to form and legal sufficiency:

William Reischmann, City Attorney

Exhibit A

Resolution No. 595-10

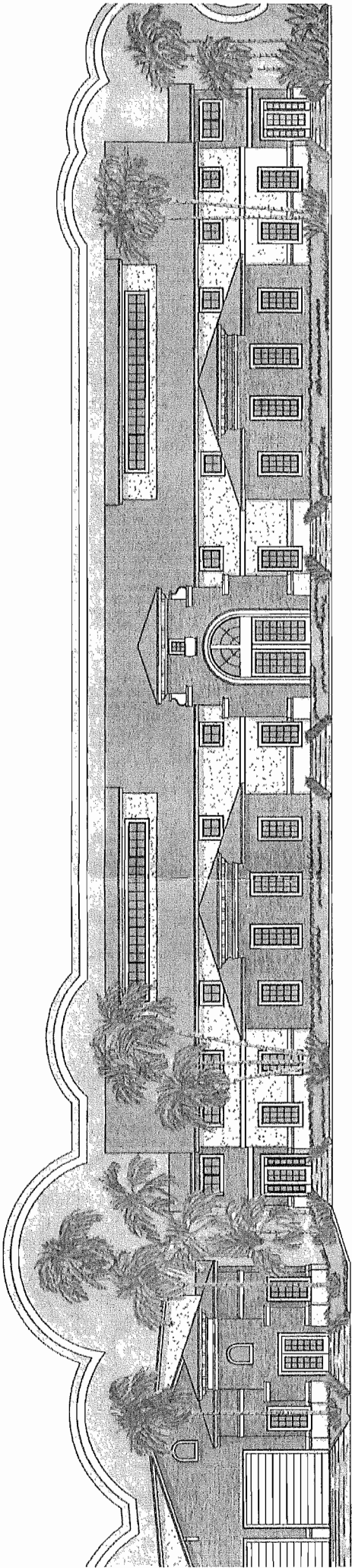
Chinchor Electric Industrial Complex Site Plan Conditions

Condition No. 1 – Wall Buffer

A wall must be constructed on the south end of the property at the time Shadow Ridge Phase II is completed, this wall shall match walls that will be erected on adjoining properties.

Condition No. 2 – Compliance with New Ordinance

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



CHINCHOR ELECTRICAL
Shirley P. Bunker, Architect