


MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: J.H.Kerr III, City Planner 
DATE: April 16, 2008
SUBJECT: Sparkman Ridge Subdivision – Preliminary Subdivision Plat

PURPOSE

To approve the preliminary subdivision plat for the Sparkman Ridge Subdivision.

BACKGROUND

The subject property consists of a 50.72-acre parcel which is currently vacant and undeveloped, and located within the northwest quadrant of West Rhode Island Avenue and South Sparkman Avenue. The applicant proposes to divide the property into 94 single family residential lots and 108 townhouse lots.

The 202-lot Sparkman Oaks subdivision application and preliminary subdivision plat was submitted to the Planning Commission at a regular meeting held on March 5, 2008, in accordance with Section 6.4.3.A.4 of the City's Land Development Code, in order for the Commission to present a recommendation to the City Council. The Commission voted unanimously to recommend that the City Council approve the preliminary subdivision plat.

Attached is a copy of the staff report submitted to the Planning Commission, and the preliminary subdivision plat, and a copy of Resolution No. 469-08.

RECOMMENDATION

Staff and the Planning Commission recommend City Council approval of Resolution 469-08, thereby authorizing the approval of the Sparkman Ridge preliminary subdivision plat, subject to any outstanding conditions.

RESOLUTION NO. 469-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, ACKNOWLEDGING AND APPROVING THE SPARKMAN RIDGE PRELIMINARY SUBDIVISION PLAT, THEREBY DIVIDING A 50.72-ACRE PARCEL INTO 94 SINGLE FAMILY RESIDENTIAL LOTS AND 108 TOWNHOUSE RESIDENTIAL LOTS, SAID PARCEL LOCATED WITHIN THE NORTHWEST QUADRANT OF WEST RHODE ISLAND AVENUE AND SOUTH SPARKMAN AVENUE, ORANGE CITY, FLORIDA; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Ron Schwartz, has applied for approval of a preliminary subdivision plat for the Sparkman Ridge Preliminary Subdivision Plat, requesting to divide a 50.72-acre parcel into 94 proposed single family residential lots and 108 townhouse lots, said parcel located within the northwest quadrant of West Rhode Island Avenue and South Sparkman Avenue, and

WHEREAS, the Planning Commission of the City of Orange City, held a regular meeting on March 5, 2008, and voted unanimously to recommend approval of the Sparkman Ridge preliminary subdivision plat to the City Council, and

WHEREAS, it is necessary for the City Council of the City of Orange City, Florida, to consider rendering preliminary subdivision plat approval for Sparkman Ridge Subdivision, as per Section 6.4.4 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 the Sparkman Ridge Subdivision, thereby dividing a 50.72-acre parcel into 94 single family residential subdivision lots and 108 townhouse residential lots, said parcel located within the northwest quadrant of West Rhode Island Avenue and South Sparkman Avenue and described in Exhibit A, said plat attached hereto as Exhibit B, is by reference incorporated herein and approved.

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. 469-08):

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

ADOPTED THIS _____ DAY OF _____, 2008.

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 469-08
Legal Description

Sparkman Ridge Subdivision

Name: **Sparkman Ridge LLC**

Street Address: **West Rhode Island Avenue**

Parcel ID: **8010-00-00-0020**

Acreage: **50.72**

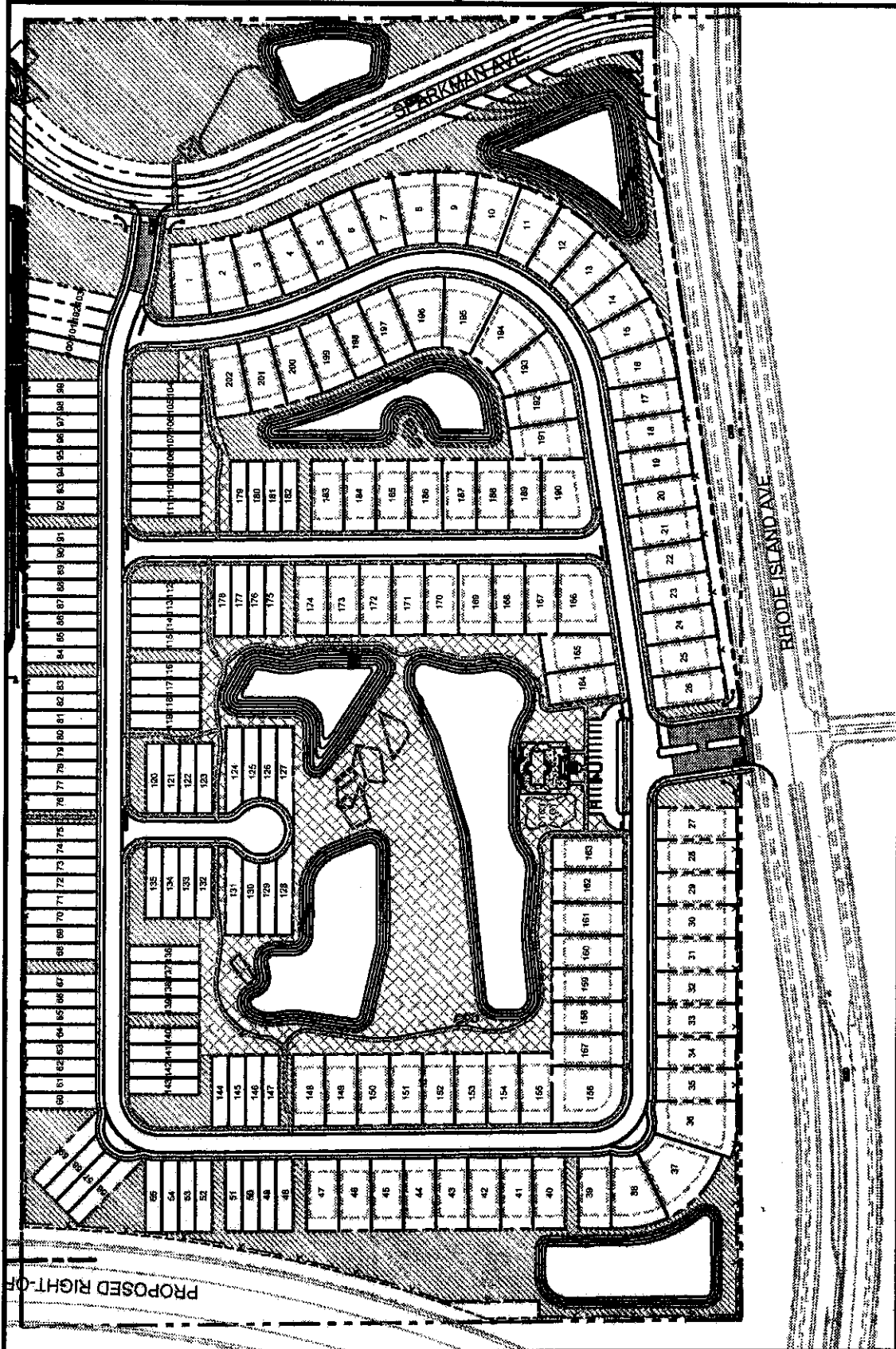
Legal Description: **A portion of Section 10, Township 18 South, Range 30 East, being in Volusia County, Florida, being more particularly described as follows:**

Begin at the south quarter corner of Section 10, Township 18 South, Range 30 East, being in Volusia County, Florida; thence run S 89°38'34" W, along the south line of the southwest quarter of said Section 10 for a distance of 1998.87 feet to the east line of the west 660.00 feet of the southwest quarter of said Section 10; thence N 00°37'21" W, along the east line of the west 660.00 feet of the southwest quarter of said Section 10 for a distance of 1109.76 feet; thence N 89°52'06" E, along the south line of the north 216.50 feet of the south half of the southwest quarter of said Section 10 for a distance of 1997.29 feet to a point on the centerline of Sparkman Avenue, Block 30, Map of Orange City as recorded in Map Book 3, page 86, of the Public Records of Volusia County, Florida, and also being the east line of the southwest quarter of said Section 10; thence S 00°42'33" E along the east line of the southwest quarter of Section 10 for a distance of 1101.91 feet to the point of beginning.

And less the following:

Beginning at the southeast corner of the southwest 1/4 (one-quarter) of said Section 10; thence S 89°38'34" W, along the south line of said southwest out 1/4 (one-quarter), a distance of 1060.83 feet; thence, departing said south line, N 81°19'43" E, a distance of 413.18; thence N 81°48'17" E, a distance of 240.76 feet; thence N 87°11'51" E, a distance of 102.59 feet to a point of curvature of a curve concave southeasterly, said curve having a radius of 2,148.00 feet; thence run easterly, along the arc of said curve, through a central angle of 8°10'08", an arc distance of 306.24 feet to the point of tangency of said curve; thence N 89°29'51" E, a distance of 6.03 feet to a point on the east line of aforesaid southwest 1/4 (one-quarter); thence S 00°42'33" E, along said east line, a distance of 130.00 feet to the point of beginning. Containing 1.807 acres more or less.

Exhibit B
Resolution 469-08
Sparkman Ridge Subdivision





Orange City Development Services Department
205 East Graves Avenue, Orange City, Florida 32763-5299
Phone 386 775-5414 - Fax 386 775-5420
E-mail: jkerr@ci.orange-city.fl.us

MEMORANDUM

DATE: February 26, 2008

To: Chairman Seaman and members of the Planning Commission

Prepared by: J.H.Kerr III, City Planner *JHK*

SUBJECT: **CONSIDERATION OF SPARKMAN RIDGE PRELIMINARY SUBDIVISION PLAT
PARCEL NO. 8010-00-00-0020 – Subdivision Plat Dated: February 7, 2008**

Planning Department Recommendation

Following an extensive review and analysis of the application, the Technical Review Committee has determined that the Sparkman Ridge Preliminary Subdivision Plat meets the minimum standards per the City's Land Development Code, is consistent with the property zoning, and is compatible with the adjoining residential community. Therefore, based on competent substantial evidence, planning staff recommends the Planning Commission consider a recommendation to City Council for approval of the Sparkman Ridge Preliminary Subdivision Plat as follows:

Based upon competent substantial evidence provided by the applicant and City staff, the Planning Commission recommends that City Council approve the Sparkman Ridge Preliminary Subdivision Plat, consisting of a maximum of 94 single family residential houses and 108 townhouses to be constructed on a 50.72 acre property located within the northwest quadrant of West Rhode Island Avenue and South Sparkman Avenue, and identified as Parcel Number 8010-00-00-0020. Resolution 469-08

Background

The 50.72-acre subject property is located within the northwest quadrant of West Rhode Island Avenue and South Sparkman Avenue. This property was annexed into the City in 1986, and was rezoned to an R-1 Single Family Residential zoning classification in 1992. In 2006, the Sparkman Ridge R-PUD residential planned unit development was reviewed and considered by City Council, which resulted in the approval of a maximum of 94 single family residential houses and 108 townhouses. The subdivision plat under review is consistent with the original planned unit development, and this subdivision plat does meet all the conditions imposed during the PUD review and approval.

Detailed Property Land Use and Zoning Description

Subject: The subject property is in the City's jurisdiction, and maintains an RL Residential Low land use designation and an R-PUD Residential Planned Unit Development zoning classification. The subject property is currently vacant and undeveloped.

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-PUD zoning classification. The property to the north is developed as the new Manatee Cove elementary school, and the new middle school, which is currently under construction, and which is scheduled to open in August of this year, 2008.

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-PUD zoning classification. The property to the south is developed as the new high school, which is currently under construction, and which is scheduled to open in August of 2009.

East: 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 Single Family Residential zoning classification. The property to the east is developed as single family residential.

West: The property adjoining to the west of the subject property 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. The property to the west is developed as the Channel 2 television tower.

Table 1 OVERVIEW OF LAND USE AND ZONING STATUS

	Designated Land Use	Zoning Classification	Existing Land Use	Percent Developed	Jurisdiction
SUBJECT PROPERTY	RL Residential Low	R-PUD	Vacant and undeveloped	None	City
ADJOINING TO NORTH	RL Residential Low	R-PUD	Elementary and middle school	100	City
ADJOINING TO SOUTH	RL Residential Low	R-PUD	High School	100	City
ADJOINING TO EAST	RL Residential Low	R-1 Single Family Residential	Residential	50	City
ADJOINING TO WEST	ULI Urban Low Intensity	R-4 Urban Single Family Residential	Channel 2 Tower	100	County

Application

Ron Schultz (aka Demetree Development), authorized agent for the owner, has submitted a request for approval of a preliminary subdivision plat for a 202-lot subdivision consisting of a maximum of 94 single family residential houses and 108 townhouses on approximately 50.72 acres. The request is made per the City's subdivision process, as outlined in Section 6 of the City's land development code, and as defined in Section 2.2 of the City's Land Development Code. This definition is as follows:

Subdivision. Any division of a parcel of land, whether improved or unimproved, for the purpose, whether immediate or future, of transfer of ownership. The term includes a resubdivision and, where appropriate to the context, relates to the process of subdividing and to the land subdivided. The subdivision of land shall meet the minimum lot requirements established in chapter 8 of this code. A subdivision includes the following types only:

A. **Major subdivision.** A subdivision into six or more contiguous lots or parcels abutting an existing street or any subdivision that requires the establishment of a new street or streets and/or public water and/or sewer facilities.

Project Analysis

The applicant intends to subdivide and develop the 202 proposed lots and eventually turn the subdivision over to the homeowners association. The applicant will install several streets, potable water conveyance facilities, drainage retention area, and recreational areas. Two recreation areas will be provided, containing a pool, cabana, kiosk pavilion, an event lawn and recreational equipment. A mail kiosk will be erected for centralized mail delivery. The development will include sidewalks, drainage retention area, streetlights, and a treed streetscape on all streets.

The Technical Review Committee (TRC) met on August 24, 2006, to thoroughly review this project for issues related to those listed in Section 7 of the City's land development code, including design of the two driveway entrances, traffic circulation, potable water and wastewater, stormwater drainage retention, parking, landscaping, lighting, etc. The TRC has recommended that the Sparkman Ridge site plan be approved subject to any conditions that may be listed in this report.

City Engineer

The City Engineer has reviewed the proposed preliminary subdivision plat and has recommended approval subject to two minor corrections on the plat for it to be consistent with Orange City's requirements.

Type Of Project

The specific proposed use will be for the purpose of developing 94 single family residential houses and 108 townhouse units, and said proposed residential use is consistent with the surrounding residential land use and consistent with the R-PUD zoning requirements. The 202-lots meet the minimum size requirements of the approved R-PUD, and the development will maintain a single family residential density of 3.9 dwelling units per acre, thereby complying with the maximum density of 4.0 dwelling units per acre within the RL Residential Low land use designation.

Utility Easements

According to the City's land development code, the applicant is required to provide utility easements, which will permit the installation of utility facilities to provide service to each individual proposed lot. The applicant has provided said utility easements on the plat, and all utilities within the subdivision will be installed underground.

Potable Water and Wastewater

The proposed development lies within the Orange City Utilities water and wastewater service area. According to Orange City Utilities, sufficient capacity exists to meet the water and wastewater demands of the proposed residential project.

Subdivision Access

There are two street entrances into the proposed 50.72-acre project, one entrance is connected to South Sparkman Avenue, and the other entrance connects to West Rhode Island Avenue, as depicted on the subdivision plat, both of which meet the minimum standards as per the City's Design Standards manual.

Declaration of Covenants

The applicant has submitted the declaration of covenants and said documents are being reviewed by the City Attorney at this time.

6.4.3.A.4 Planning commission review and approval process.

The DSD will discuss the TRC comments and recommendations at the planning commission meeting. After the planning commission has considered any applicant, staff and/or public comments, and the TRC recommendations, the commission may recommend approval, approval with conditions or denial of the preliminary plat application. If additional time is needed to allow for the resolution of outstanding issues, the commission may table the application until the next meeting, at which time the commission shall recommend approval, approval with conditions or denial of said application. The DSD shall forward the commission's recommendation to the city council as specified in section 6.4.4. of this chapter.

6.4.4 City council review and approval process.

After the city council has considered any applicant, staff and/or public comments, and the planning commission recommendations, the city council may approve, approve with conditions or deny the preliminary plat. If additional time for a decision is needed to allow for the resolution of outstanding issues, the city council may table the application for a period not to exceed 45 days. Failure of the applicant to respond to the outstanding issues shall result in a denied preliminary plat application. A preliminary plat application that receives unconditional or conditional approval may be issued a development order in accordance with the provisions of chapter 5 of this code.



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

RECEIVED

MAY 31 2006

Subdivision Application

Date Received **DEVELOPMENT SERVICES**

Name of Proposed Subdivision Sparkman Ridge Subdivision

Applicant Information

Applicant's Name Ron Schwartz Phone 407-488-8191

Business Address 3348 Edgewater Dr.

City Orlando State FL Zip Code 32804

Mailing Address Same as Above Email address _____

City _____ State _____ Zip Code _____

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 Refer to attached plan for legal description

The subject property is located on the **N E S W** side of W. Rhode Island Ave
(circle one)

approximately 1/4 mile feet / miles from its intersection with S. Carpenter Ave.
(circle one)

Parcel # 10-18-30-00-00-0020 Acres 50.72

Width 1,100'/- Depth 2,100'+/-

Property Zoning Classification PUD

Legal Description Refer to attached plan

Current Use of Property (check all that apply) Vacant Residential Developed Non-Residential Undeveloped Partially Developed

Proposed use of property Residential Subdivision

Are there any easements of record on the property? Yes No

If YES, please describe Refer to plans

Information to Accompany Application

- Copy of Warranty Deed, indicating verification of property ownership
- Copy of certified survey of property
- Letter of authorization if applicant is not property owner

Notarization

Print Name

Print Name

Signature

Signature

Subscribed and sworn to (or affirmed) before me on this the 31st day of May 2006
who is/are personally known to me or has/have produced
as identification.

Jill A. Alwine
Signature, Notary Public



JILL A. ALWINE
MY COMMISSION # DD 480792
EXPIRES: February 11, 2010
Bonded Thru Budget Notary Services

Notary Stamp