

## MEMORANDUM

**TO:** Honorable Mayor and City Council Members

**FROM:** J.H.Kerr III, City Planner *JHK*

JUL 15 2008

**DATE:** July 14, 2008

BY: *RB* 3:00 pm

**SUBJECT:** Shadow Ridge Subdivision Phase 2 – Subdivision Plat Extension

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### PURPOSE

To approve a 12-month extension to the preliminary subdivision plat for Shadow Ridge Subdivision Phase 2, to be located immediately north of Shadow Ridge Subdivision Phase 1, Orange City, Florida.

### BACKGROUND

The subject property consists of 32.7 acres, and is currently vacant and undeveloped. The applicant proposes to divide the property into 77 residential building lots. At the time Phase 1 was developed, this property was proposed to be developed as a second phase.

The 77-lot subdivision application was submitted to the City Council at a regular meeting held on July 24, 2007, in accordance with Section 6.4.4 of the City's Land Development Code, and was approved by the City Council via Resolution 418-07.

Since this development was approved in July 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 preliminary subdivision plat.

### RECOMMENDATION

Staff recommends City Council adoption of Resolution 487-08, thereby approving a 12-month extension of the Shadow Ridge Subdivision Phase 2 preliminary subdivision plat, subject to any outstanding conditions.

## **RESOLUTION NO. 487-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, ACKNOWLEDGING AND APPROVING A 12-MONTH EXTENSION TO THE PRELIMINARY SUBDIVISION PLAT FOR SHADOW RIDGE SUBDIVISION PHASE 2, THEREBY DIVIDING A 32.7 ACRE PARCEL INTO 77 RESIDENTIAL LOTS, SAID PARCEL LOCATED IMMEDIATELY NORTH OF SHADOW RIDGE SUBDIVISION PHASE 1, ORANGE CITY, FLORIDA; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the applicant, Jay Chaudhari, has requested an extension to the approved preliminary subdivision plat for Shadow Ridge Subdivision Phase 2, which will divide a 32.7 acre parcel into 77 proposed residential lots, said parcel located immediately north of Shadow Ridge Subdivision Phase 1, and

**WHEREAS**, it is necessary for the City Council of the City of Orange City, Florida, to consider an extension to the approved preliminary subdivision plat for Shadow Ridge Subdivision Phase 2, 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 Shadow Ridge Subdivision Phase 2, thereby dividing a 32.7 acre parcel into 77 subdivision lots, said parcel located immediately north of Shadow Ridge Subdivision Phase 1, attached hereto as Exhibit A, is by reference incorporated herein and approved for a 12-month extension, subject to the conditions listed in the attached Exhibit B.

**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. 487-08):**

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 B**

## **Resolution No. 487-08**

### **Shadow Ridge Phase 2 Preliminary Subdivision Plat Conditions**

#### **Condition No. 1 – Utility Easements**

The applicant must depict the drainage utility easements on the final subdivision plat as being 7.5 feet, and not 7.0 feet as depicted.

#### **Condition No. 2 – Harty Access Easement**

The applicant must submit an easement document or deed which provides proper access to the drainage retention area in the northeast corner of the subdivision (behind Tract F) which must be acceptable to City staff and the City Attorney.

#### **Condition No. 3 – Compliance with New Ordinance**

Compliance with the newly 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

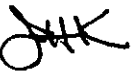
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# MEMORANDUM

DATE: July 14, 2008

TO: Honorable Mayor and City Council members

FROM: J.H.Kerr III, City Planner 

SUBJECT: **REQUEST FOR SHADOW RIDGE PHASE 2 SUBDIVISION EXTENSION**  
**PARCEL NO. 8014-00-00-0020, 8014-00-00-0022, 8014-00-00-0023,**  
**AND 8014-00-00-0140** **EXPIRATION DATE IS JULY 24, 2008**

### Recommendation

City staff has reviewed the Shadow Ridge Phase 2 request for an extension to the development order for the Shadow Ridge Phase 2 preliminary subdivision plat, and recommends that the City Council create a motion as follows:

The City Council of Orange City approves a 12-month extension to the preliminary subdivision plat for the proposed Shadow Ridge Phase 2 subdivision to be developed on a 32.7-acre property located north of the existing Shadow Ridge Phase 1, parcel numbers 8014-00-00-0020, 8014-00-00-0022, 8014-00-00-0023, and 8014-00-00-0140, and subject to the following conditions. Resolution No. 487-08

1. The applicant shall depict the drainage utility easements on the final subdivision plat as being 7.5 feet, and not 7.0 feet as depicted.
2. The applicant shall submit an easement document or deed which provides proper access to the drainage retention area in the northeast corner of the subdivision (behind Tract F) which must be acceptable to City staff and the City Attorney.
3. Compliance with the newly adopted Ordinance No. 355, which requires compliance with the National Pollutant Discharge Elimination System.

### Background

The subject property is located on South Leavitt Avenue immediately north of Shadow Ridge Phase 1, and was annexed into the City in 1989. Shadow Ridge Phase 1 was developed shortly thereafter. The subject property maintains an RM Residential Medium land use designation and an R-2 Medium Density Residential zoning classification. The subject property is currently vacant and undeveloped.

On July 24, 2007, the City Council approved the preliminary subdivision plat subject to those conditions listed above.

### 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 IL Industrial Limited land use designation and an I-1 Light Industrial zoning classification. The property to the north is currently vacant and undeveloped, but is proposed and being reviewed for development as a business warehouse.

**South:** The property adjoining to the south of the subject property is in the City's jurisdiction, and maintains an RM Residential Medium land use designation and an R-2 Medium Density Residential zoning classification. The property to the south is 100 percent developed as Shadow Ridge Phase 1, containing 60 lots.

**East:** The property adjoining to the east of the subject property is in the City's jurisdiction, and maintains a GU Government Use land use designation and a CR Commercial Recreation zoning classification. The property to the east is currently developed as the Bennett Memorial Park, a regional park owned by Volusia County.

**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 currently developed as single family residential.

### Overview of Land Use and Zoning Status

	Zoning Classification	Designated Land Use	Existing Land Use	Percent Developed	Jurisdiction
<b>SUBJECT PROPERTY</b>	<b>R-2 Medium Density Residential</b>	<b>RM Residential Medium</b>	<b>Vacant</b>	<b>None</b>	<b>City</b>
<b>ADJOINING TO NORTH</b>	<b>I-1 Light Industrial</b>	<b>IL Industrial Limited</b>	<b>Vacant</b>	<b>None</b>	<b>City</b>
<b>ADJOINING TO SOUTH</b>	<b>R-2 Medium Density Residential</b>	<b>RM Residential Medium</b>	<b>Residential</b>	<b>100</b>	<b>City</b>
<b>ADJOINING TO EAST</b>	<b>CR Commercial Recreation</b>	<b>GU Government Use</b>	<b>Bennett Park</b>	<b>95</b>	<b>City</b>
<b>ADJOINING TO WEST</b>	<b>ULI Urban Low Intensity</b>	<b>R-4 Urban Single Family Residential</b>	<b>Residential</b>	<b>98</b>	<b>County</b>

### Application

Jay Chaudhari has submitted a request for an extension to the approved development order for the Shadow Ridge Phase 2 preliminary subdivision plat, to develop a 77-lot subdivision on approximately 32.7 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, water and sewer facilities, drainage retention area, park, etc., and to subdivide and develop the 77 proposed lots. A park will be provided containing

park benches, picnic tables, and playground equipment; and a nature walking trail. 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 77-lots will be for residential purposes, and said proposed residential use is consistent with the surrounding residential land use and consistent with the R-2 Medium Density Residential zoning district requirements. The 77-lots meet the minimum size requirements, and the development will maintain a single family residential density (2.3 DU/AC) rather than a medium residential density (5 to 8 DU/AC).

### **Extension of Development Order**

According to Section 5.4.A of the City's land development code, development orders for subdivision preliminary plats 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 the newly adopted Ordinance No. 355.***

- 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**

Shadow Ridge Phase 2 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 and lot sizes consistent with Phase 1, and will possess treed streetscapes, street lighting, a well equipped community park amenity, and a nature walk.