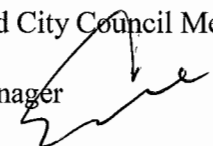
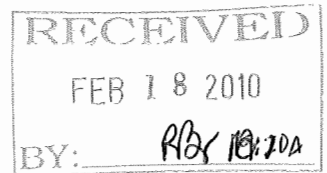


## MEMORANDUM

**TO:** Honorable Mayor Strickland and City Council Members  
**FROM:** Eugene Miller, Interim City Manager   
**DATE:** February 17, 2010  
**SUBJECT:** Miller Road Centre Site Plan –Extension of Development Order



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
**Introduction:** To approve a second 12- month extension to the development order for the site of plan of Miller Road Centre.

**Background:** The subject property, is a 2.52 acre parcel located on Miller Road approximately 315 feet west of South Volusia Avenue which is vacant and undeveloped. The applicant proposes 17,900 square feet of office/storage. This project was reviewed and approved by the Technical Review Committee in February 2008, a 12 –month extension was granted by the Development Services Director in February 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 a 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. Considering this, 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 596-10, thereby approving a second 12- month extension of the Miller Road Centre development order, subject to any outstanding conditions.

**Reviewed by:** Elaine Wilson, Interim Development Services Director 

**Prepared by:** Wendy A. Hickey, Planning & Zoning Analyst I 

# MEMORANDUM

DATE: February 17, 2010

TO: Honorable Mayor Strickland and City Council Members

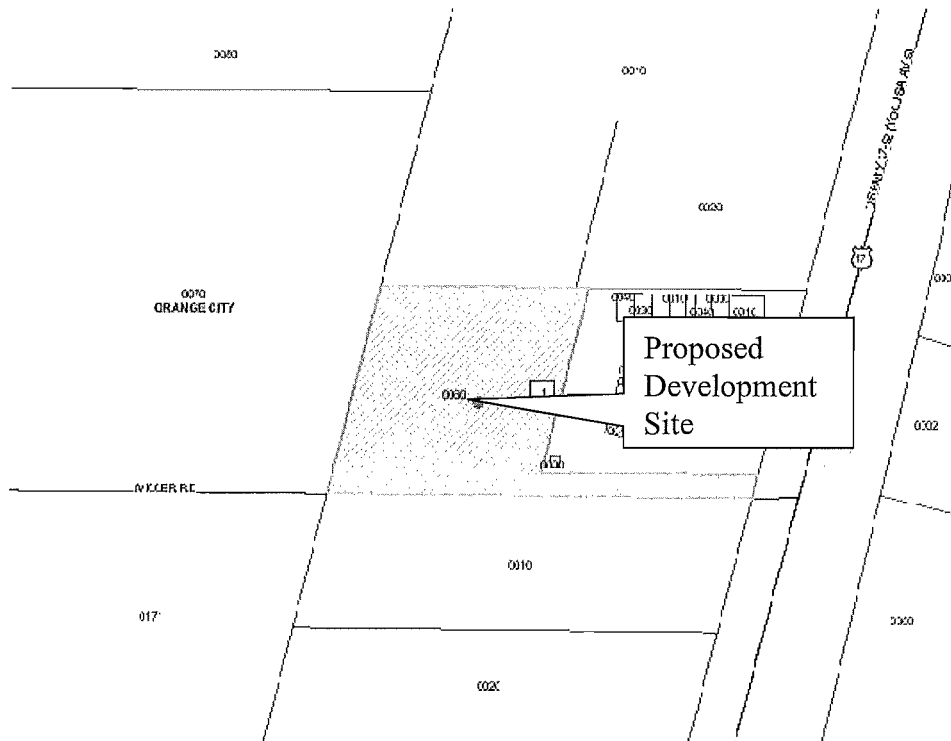
FROM: Wendy Hickey, Planning & Zoning Analyst I

RE: Miller Road Centre Site Plan – Extension of Development Order.

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## Project Analysis

The proposed project consists of three buildings with a total of 17,900 square feet of office storage. The subject property is located on Miller Road approximately 315 west of South Volusia Avenue. Identified as parcel 8015-10-02-0060.



## Type of Project

The specific proposed use for the center is for professional offices with storage for such tenants as architects, engineers, surveyors etc..

## 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 changes, 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**

Miller Road Centre 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 stipulations:

The City Council may wish to take the following action:

⇒ Create a motion to approve Miller Road Centre development order extension subject to the following stipulations.

1. Dedication of Right- of Way easement along Miller Road.
2. Compliance with newly adopted Ordinance 355, which requires compliance with the National Pollutant Discharge Elimination System.

## **RESOLUTION NO. 596-10**

**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 MILLER ROAD CENTRE A 2.52 ACRE, SAID PARCEL LOCATED ON MILLER ROAD APPROXIMATELY 315 FEET WEST OF SOUTH VOLUSIA AVENUE, 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 Miller Road Centre site plan, was originally approved at a public meeting held on February 14, 2008 by the Technical Review Committee of the City of Orange City, said site plan containing the specifications to construct the improvements necessary to sustain three proposed Commercial Office/Storage buildings on a 2.52-acre parcel said parcels located on Miller Road approximately 315 feet west of South Volusia Avenue, and

**WHEREAS**, in February of 2009 the applicant, Lee Munizzi requested the first extension to the approved Miller Road Centre site plan, which said extension was approved by the Development Services Director on March 5, 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 Miller Road Centre, 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 Miller Road Centre, consisting of the improvements necessary to sustain three Commercial Office/Storage buildings on a 2.52-acre parcel located on Miller Road approximately 315 feet west of South Volusia 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. 596-10):**

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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
Harley Strickland, Mayor

This Resolution approved  
as to form and legal sufficiency:

\_\_\_\_\_  
William Reischmann, City Attorney

# **Exhibit A**

## **Resolution No. 596-10**

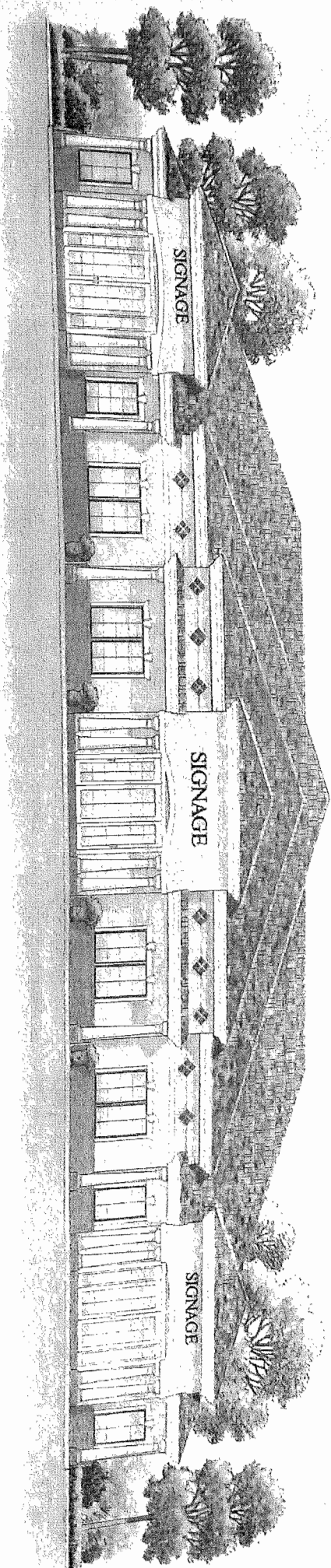
### **Miller Road Centre Site Plan Conditions**

**Condition No. 1 – Right - of- Way Dedication**

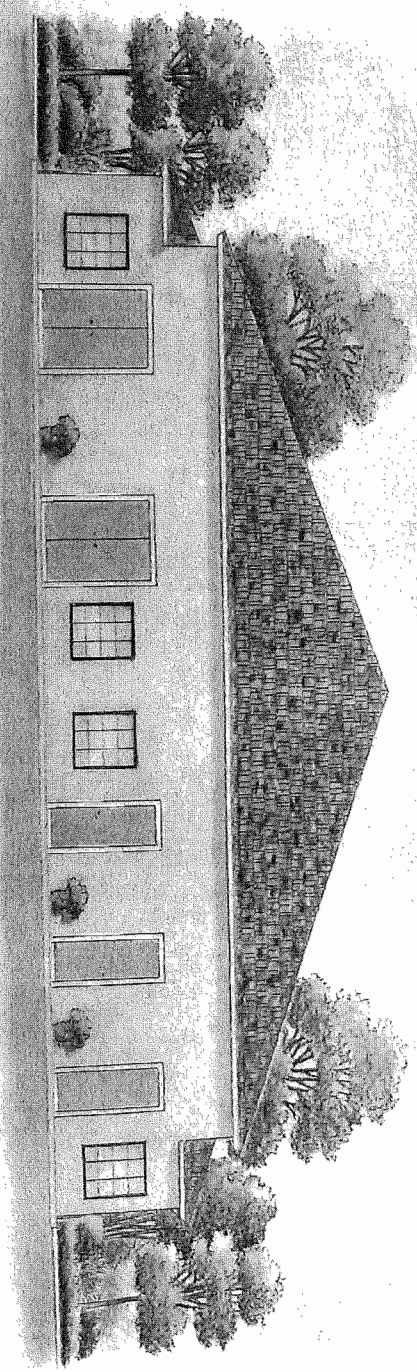
Right- of Way along Miller Road must be dedicated to the City.

**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.



FRONT ELEVATION  
MILLER ROAD CENTRE



REAR ELEVATION  
MILLER ROAD CENTRE

9/26/2007 9:27