



# CITY COUNCIL AGENDA FORM

REQUESTED COUNCIL MEETING DATE 03/06/2007

**SUBJECT: FINAL PLAT/SYFORD ACRES SUBDIVISION  
CASE NO. 06-5000009**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**RECOMMENDED MOTION:**

To approve the Final Plat for the Syford Acres Subdivision, as recommended by the Planning Commission. The Planning Commission's recommendation for approval is subject to the approval of the subdivision variance referenced in the attached staff report.

**SUMMARY:**

**Planning Commission Action: 01/25/2007**

At the meeting of January 25, 2007, the Planning Commission recommended approval, 6-0 (Commissioner Atwood excused) of the Final Plat for the Syford Acres Subdivision. If approved, the 1.68-acre site, located on the north side of Buttermilk Lane, west of Clyde Morris Boulevard, will be subdivided into four single-family lots. The Planning Commission's recommendation for approval is subject to City Council approval of the subdivision variance referenced in the revised February 19, 2007 staff report. Please note that there is not a Subdivision Improvement Agreement (SIA) with this plat since a majority of required subdivision improvements were constructed with the Buttermilk Lane road/utility project and the remaining improvements will either be constructed on each lot at the time of development or waived if the variance is approved.

**ATTACHMENTS:**     Ordinance     Resolution     Budget Resolution  
 Other     Support Documents/Contracts Available for Review in Manager's Office

<b>DEPARTMENT HEAD</b>	Wayne Clark <i>Wayne Clark</i> Community Development Director for	Date 2-23-07
<b>FINANCE DEPARTMENT</b> N/A	Approved as to Budget Requirements	Date
<b>CITY ATTORNEY</b> <i>M. D. White</i>	Approved as to Form and Legality	Date 2-23-07
<b>CITY MANAGER</b> <i>[Signature]</i>	Approved Agenda Item For:	3/6/07

**COUNCIL ACTION:**     Approved as Recommended     Disapproved  
 Tabled Indefinitely     Continued to Date Certain     Approved with Modification



## **REVISED STAFF REPORT**

**CASE NO. 06-50000009**

### **PRELIMINARY & FINAL PLAT / SYFORD ACRES SUBDIVISION**

Gregg Cullum, Cullum Land Surveying, Inc., applicant  
North side of Buttermilk Lane, west of Clyde Morris Boulevard  
February 19, 2007

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#### **INTRODUCTION:**

Greg Cullum, Cullum Surveying, applicant, on behalf of Sandra Syford, property owner, requests approval of the proposed preliminary and final plat and plans for Syford Acres Subdivision. If approved, the property will be split into 4 lots on 1.68 acres, at a density of 2.32 units/acre. The subject property is located on the north side of Buttermilk Lane, west of Clyde Morris Boulevard (Exhibit "A").

#### **OVERVIEW:**

The subject property, which is currently improved with one single-family residence, is zoned "R-10SF" (Single-Family Residential) and has a future land use designation of *Suburban Residential (2-4 units/acre)*. The single-family dwelling will remain on one of the four proposed lots (see Survey). The future land use and zoning designations of the parcels immediately surrounding the subject property are noted below.

#### **North**

Future Land Use: *Suburban Residential (2-4 Units/Acre)*  
Existing Land Use: Single Family Dwelling (Ravenwood Subdivision)  
Existing Zoning: "R-10SF" (Single-Family Residential)

#### **East**

Future Land Use: *Suburban Residential (2-4 Units/Acre)*  
Existing Land Use: Single Family Dwelling  
Existing Zoning: "R-10SF" (Single-Family Residential)

#### **South**

Future Land Use: *Suburban Residential (2-4 Units/Acre)*  
Existing Land Use: Single Family Dwelling (Carter Woods Subdivision)  
Existing Zoning: "R-10SF" (Single-Family Residential)

#### **West**

Future Land Use: *Suburban Residential (2-4 Units/Acre)*  
Existing Land Use: Single Family Dwelling  
Existing Zoning: "R-10SF" (Single-Family Residential)

On January 23, 2006, the official pre-application meeting was held to discuss the proposed plat prior to the actual submittal. A complete Preliminary and Final subdivision plat application was submitted on August 15, 2006. Since the original submittal, two resubmittals have been reviewed by City Staff. The plat, plans, and supporting

documentation have since been revised such that the project is close to being in final form, and is now ready for review by the Planning Commission.

## **DISCUSSION:**

### **Development Proposal Overview:**

The proposed plat would subdivide the property into four single-family lots on 1.68 acres. All four lots will have frontage on Buttermilk Lane and would be accessed from Buttermilk Lane. Please note that according to the LDC, if more than 3 lots are created as part of a subdivision it is classified as a major site plan, which requires approval of a final plat by the Planning Commission and City Council. Therefore, LDC classifies the Syford Acres Subdivision as a major subdivision since 4 lots are proposed

Please note that on the subject property there is a 30' X 30' Utility Easement granted to the City of Port Orange by the current owner, which was acquired as part of the Buttermilk Lane project completed in 2006 by the City. Located within the easement is a lift station installed as part of the Buttermilk Lane improvements, which included the installation of City sewer and water lines along with the paving of Buttermilk Lane. The easement will remain and will be located on Lot 2 after the subdivision is completed. In addition, cable, phone, and electric are already available along Buttermilk Lane; therefore additional infrastructure to service the proposed lots is not required. The City is also planning on installing streetlights at a later date along Buttermilk Lane.

### **Consistency with the Comprehensive Plan:**

The future land use designation of the property is *Suburban Residential 2-4 units/acre*. The density of the Syford Acres Subdivision is 2.32 units/acre, which is consistent with the future land use designation. Given the density, and the fact that the City's concurrency provisions and Land Development Code requirements are being met, the proposed subdivision is found to be consistent with the City's Comprehensive Plan.

### **Consistency with the Land Development Code:**

#### *Dimensional Requirements:*

The property is currently zoned "R-10SF" (Single-Family Residential). Within the "R-10SF" zoning district, single-family detached residences are required to have a minimum lot width of 90 feet and a minimum lot size of 10,000 square feet. The preliminary and final plat for which approval is being sought have been designed according to the dimensional standards outlined in Chapter 17, Section 27, of the City's Land Development Code (LDC).

#### *Required Subdivision Improvements:*

The first issue relates to Chapter 5, Section 4(a)(3)(c), of the LDC, which requires a minimum four-foot concrete sidewalk to be constructed along Buttermilk Lane in front of the four proposed lots. The applicant is seeking a subdivision variance to waive this code requirement, due to the lack of sidewalk connectivity to the property. Currently, there is no sidewalk system along Buttermilk Lane, and there are no current plans of extending a sidewalk from Clyde Morris Boulevard down Buttermilk Lane. Therefore, if

required, the sidewalk along the four lots would not be connected to any of the City's sidewalk networks. Due to its location and inability to connect to the City's sidewalk network, staff believes that a variance should be *approved* to allow the applicant to waive this subdivision requirement. If this variance is approved a note will be added to the plat stating that this requirement was waived through a subdivision variance.

In addition, the right-of-way design of Buttermilk Lane does not leave room for the installation of a sidewalk within the public right-of-way, without interfering with the swales located on each side of Buttermilk Lane. On each side, there is a 15-foot wide swale designed to capture run-off from the road (Exhibit "B"). If sidewalks are installed within the swales, the sidewalk could have a negative impact on the how the swales function. Requiring a sidewalk within the swale along the subject property could lead to additional design work to assure that the swale will function properly with a sidewalk located within the swale.

Please note that in the fall of 2005 subdivision a variance from this requirement was granted for the Carter Woods Subdivision (CASE NO. 05-50000007) located directly across the street from the subject property for the same reasons mentioned above.

Due to this sites infill location and the existing overhead lines on either side of Buttermilk Lane a waiver from the underground installation of all electric lines associated within this new subdivision has been granted. The underground utilities requirement is intended for subdivisions that are being developed on large undeveloped tracts of land, where the goal is to create a subdivision without the visual impact of overhead electric lines. However, according to Chapter 11, Section 8(b), of the LDC the underground installation required may be waived as part of the final subdivision approval, when established and extraordinary physical conditions and distances, service demands, or other site planning requirements result in economic impact or other circumstances that justify relief from this requirement. Currently, overhead electric lines are located on both the south and north side of Buttermilk Lane and serve all of the lots along Buttermilk Lane. The subject property is currently provided with power through an overhead line crossing Buttermilk Lane. Therefore, if required, the electric lines to serve the new lots would only be buried along the front of new lots, while the other lots along Buttermilk Lane will continue to be served by overhead power lines.

**CONCURRENCY REVIEW:**

Concurrency is the finding that the public facilities and services necessary to support new development are available, or will be made available, concurrent with the impacts of the development. As mandated by State law, all municipalities must conduct concurrency reviews on development proposals and make a finding of concurrency before any development orders or permits can be issued. Concurrency reviews evaluate a project's impact on the following six public facilities and services.

- |                   |                        |
|-------------------|------------------------|
| 1. Transportation | 4. Solid Waste         |
| 2. Sanitary Sewer | 5. Stormwater Drainage |
| 3. Potable Water  | 6. Recreation          |

The concurrency management system for the City of Port Orange is established by policy in the City's Comprehensive Plan, and administered through regulations contained within the City's Land Development Code. The following discussion and table examine the impact the proposed development will have on the public facilities and services listed above.

**Table 1  
Infrastructure Impact Assessment**

DEVELOPMENT VARIABLE	IMPACT
Residential Units	4
Population <sup>1</sup>	10
Daily Trips <sup>2</sup>	38
A.M./P.M. Peak Hour Trips <sup>2</sup>	3 / 4
Sanitary Sewer (gallons per day) <sup>3</sup>	920
Potable Water (gallons per day) <sup>4</sup>	1020
Stormwater Drainage <sup>5</sup>	N/A
Solid Waste (lbs. Per day) <sup>6</sup>	35.31
Recreation & Open Space (acres) <sup>7</sup>	0.04

Notes:

- |                             |  |
|-----------------------------|--|
| 1. Population:              | 2.6 persons/single-family unit.  |
| 2. Transportation:          | Rates for A.M. and P.M. peak hour of adjacent street traffic. A.M. peak-hour trips = 0.75 trips/unit. P.M. peak-hour trips – 1.01 trips/unit.<br>Daily trip generation per Dwelling Unit = 9.57 trips/unit |
| 3. Sanitary Sewer:          | 230 gallons per day per Equivalent Residential Unit.   |
| 4. Potable Water:           | 255 gallons per day per Equivalent Residential Unit.   |
| 5. Stormwater Drainage:     | Drainage plan on file with the City of Port Orange   |
| 6. Solid Waste Collection:  | 3.21 pounds per day per capita.  |
| 7. Recreation & Open Space: | 1 acre/250 persons (0.004 acres/person)  |

Sources:

2005 Port Orange Concurrency Management Report.  
ITE Trip Generation Manual, 7<sup>th</sup> Edition.

Transportation

Per the Institute of Transportation Engineers *Trip Generation Manual, 7<sup>th</sup> Edition*, the Syford Acres Subdivision will generate approximately four (3) AM peak-hour (0.75 trips x 4 units), four (4) PM peak-hour trips (1.01 trips x 4 units) and thirty-eight (38) daily trips (9.57 trips X 4 units). There are no proposed roadway improvements for Buttermilk Lane, as stated this roadway was recently paved. A traffic study was not required for the proposed subdivision.

#### Water, Sewer, Reclaimed Water, and Solid Waste

Sanitary lines and potable water lines were extended down Buttermilk Lane in the spring of 2005. Based on the number of lots proposed, the Syford Acres Subdivision is expected to consume 1,020 gallons of water per day. It will generate 920 gallons of wastewater per day and 35.3 pounds of solid waste (garbage) per day. The City's utility and waste collection system is capable of handling this demand. Reclaimed water is not available along Buttermilk Lane.

#### Stormwater Drainage

The City's Comprehensive Plan and Land Development Code require that there be no net loss of stormwater retention function as a result of development. The parcel must have the same ability to store and discharge water after development as it does before development occurs. A lot grading plan was reviewed and approved by the City's Engineering staff, which outlines the on-site stormwater drainage system. All new homes built on the four lots will need to demonstrate compliance with the approved on-site stormwater drainage system during the review of each separate building permit (See Survey). A note appears on the plat, as general note #11, stating this requirement.

#### Recreation and Open Space

The Syford Acres Subdivision would generate the need for an additional 0.006 acres of parkland. Per the City's 2005 Concurrency Management Report, the City currently has a surplus of parkland City-wide. Therefore, no additional parkland must be acquired by the City in order to meet the recreation and open space levels of service outlined in the City's *Comprehensive Plan – Update '98*. However, while the City may have surplus parkland City-wide, there should also be parkland located nearby to serve the residents of the area. Residents of Syford Woods Subdivision will be able to bike or walk to the City Center Complex.

#### School Capacity

The latest class size counts available from the '06-'07 school year show that Horizon Elementary now has 921 students, which is almost double its official capacity of 543 students. Horizon Elementary is the nearest elementary school to the Syford Acres subdivision, which will contribute a small number of students. The Syford Acres Subdivision will result in a small increase of students into the Volusia County schools. According to the single-family residential multiplier (0.396 students per single-family residential unit) provided by the Volusia County School Board for cities to estimate the number of school age children that can be expected from new residential development, the Syford Acres subdivision is expected to only generate an additional 2 students (4 units X 0.396 students).

#### Summary of Outstanding Comments:

The outstanding technical comment for this project, as of February 19, 2007 deals with the subdivision variance requested. If the variance is approved the remaining comment will be eliminated (Exhibit "C").

**RECOMMENDATION:**

Because the proposed plat and plans meet the requirements found in the LDC. Staff must recommend **approval**. However, staff's recommendation is subject to the following condition:

1. City Council approval of the subdivision variances from Chapter 5, Section 4(a)(3)(c), of the LDC.

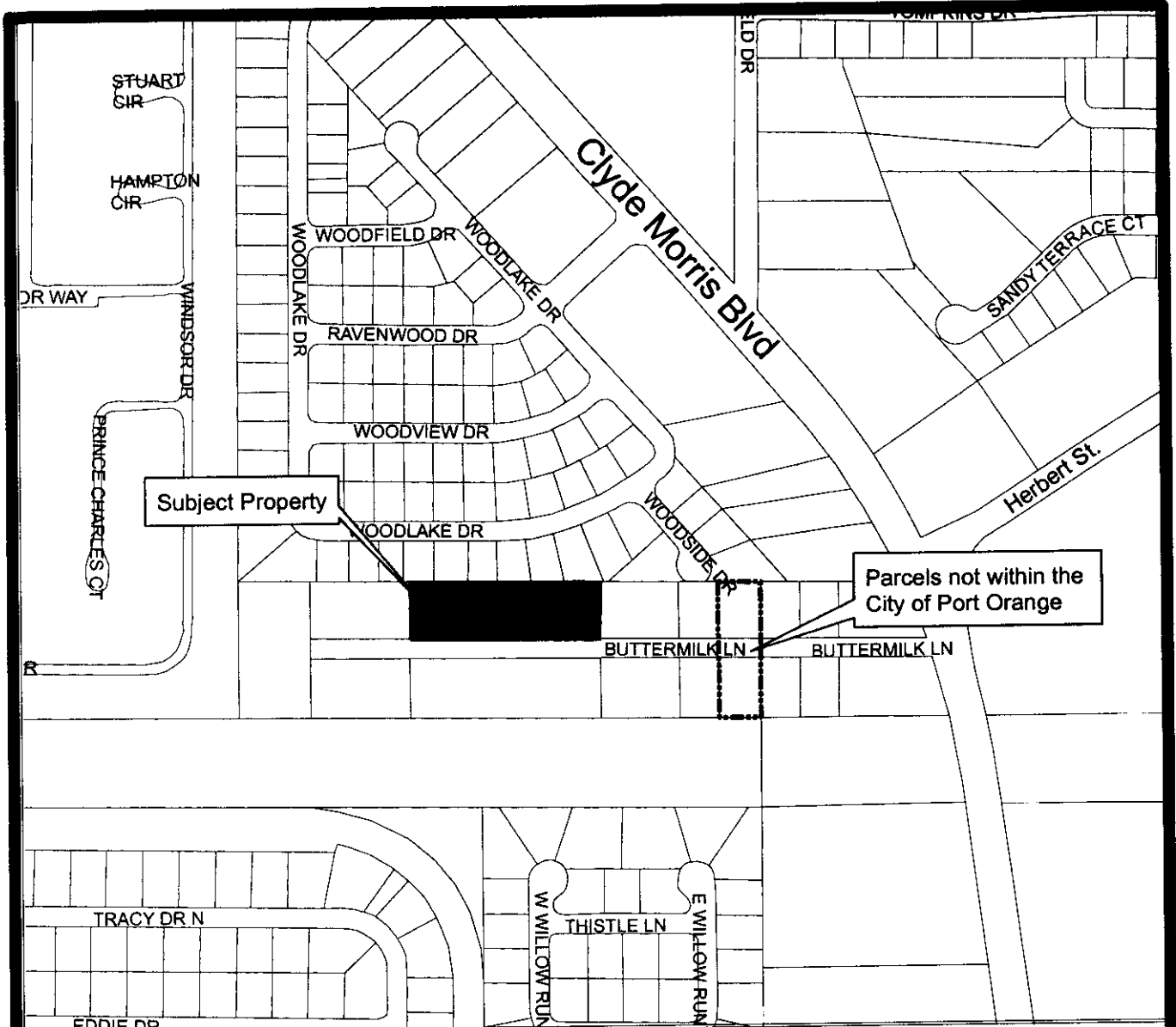
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Prepared by: Tim Burman, Senior Planner  
City of Port Orange Department of Community Development

(386) 506-5675  
(386) 506-5600

PLANNING COMMISSION DATE:  
CITY COUNCIL DATE:

January 25, 2007  
March 6, 2007



**Case No.:** 06-5000009

**Applicant:** Greg Cullum, Cullum Surveying

**Location:** North side of Buttermilk Lane, west of Clyde Morris Blvd.

**Requested Action:**

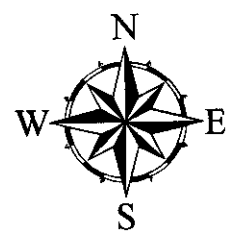
Approval of the proposed final plat and plans for the Syford Acres Subdivision. If approved, the property will be split into four single-family lots.

Exhibit "A"

LOCATION MAP

CITY OF PORT ORANGE

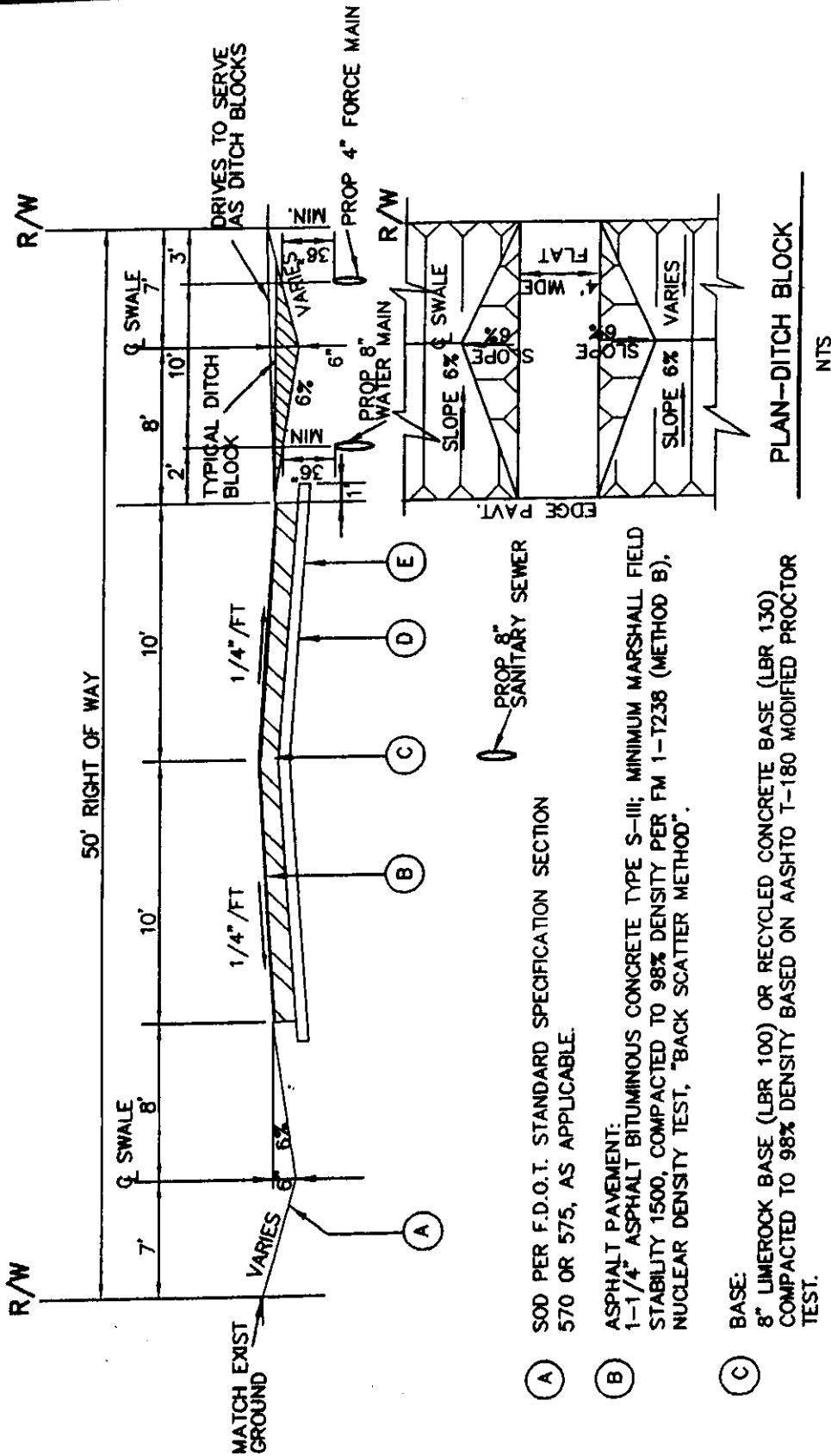
DEPARTMENT OF COMMUNITY DEVELOPMENT





2. CONTRACTOR SHALL PROVIDE SILT FENCES AND HAY BALES AT ALL STORMWATER DISCHARGE POINTS FOR EROSION CONTROL AND SEDIMENT CONTROL DURING CONST.

4. COMMUNICATOR SHALL MEET ALL PERMIT CONDITIONS AS ESTABLISHED BY THE CITY OF PORT ORANGE AND ALL OTHER APPLICABLE AGENCIES, INCLUDING BUT NOT LIMITED TO COUNTY, FDOT, AND THE SURVMD.



(A) SOD PER F.D.O.T. STANDARD SPECIFICATION SECTION 570 OR 575, AS APPLICABLE.

(B) ASPHALT PAVEMENT: 1-1/4" ASPHALT BITUMINOUS CONCRETE TYPE S-III; MINIMUM MARSHALL FIELD STABILITY 1500, COMPACTED TO 98% DENSITY PER FM 1-T238 (METHOD B), NUCLEAR DENSITY TEST, "BACK SCATTER METHOD".

(C) BASE: 8" LIMEROCK BASE (LBR 100) OR RECYCLED CONCRETE BASE (LBR 130) COMPACTED TO 98% DENSITY BASED ON AASHTO T-180 MODIFIED PROCTOR TEST.

(D) SUB-BASE: 6" SUB-BASE COMPACTED TO 98% DENSITY BASED ON AASHTO T-180 MODIFIED PROCTOR TEST WITH MINIMUM LBR 40.

(E) SUBGRADE: COMPACT TO 98% DENSITY BASED ON AASHTO T-180 MODIFIED PROCTOR TEST

**NOTES:**

1. ALL MATERIALS ARE TO BE APPROVED BY THE CITY'S DESIGNATED SITE INSPECTOR AND THE DEVELOPER'S LICENSED SOILS ENGINEER PRIOR TO PLACEMENT.

**SUBDIVISION FINAL PLAT & PLANS**  
**SYFORD SUBDIVISION**  
**CASE NO. 06-5000009**  
**OUTSTANDING TECHNICAL COMMENTS AS OF 2/19/07**

**PLANNING:** (Tim Burman 386.506.5675/tburman@port-orange.org):

1. Approval of the plat and plans shall be contingent on approval of a variance from Chapter 5, Section 4(a)(3)(C), of the Land Development Code, waiving the sidewalk requirement for a new subdivision. If the subdivision variance is granted, a note will be required on the plat stating that this requirement was waived through a subdivision variance. This note needs to reference the Staff Report for case number **(06-5000009)**.