



CITY COUNCIL AGENDA FORM

REQUESTED COUNCIL MEETING DATE 4/17/07

**SUBJECT: REZONING/CITY OF PORT ORANGE
4545 CLYDE MORRIS BLVD.
CASE NO. 07-60000001**

DEPARTMENT: COMMUNITY DEVELOPMENT

RECOMMENDED MOTION:

To adopt Ordinance No. 2007-21, rezoning approximately 7.147 acres located at 4545 Clyde Morris Blvd. from "R-3L" (Low Density Multi-Family Residential) to "GPU" (Government Public Use), as recommended by the Planning Commission.

SUMMARY:

Planning Commission Action:

Recommend approval, (5-0, Commissioners Barker and Booth, excused) to rezone approximately 7.147 acres located at 4545 Clyde Morris Blvd. from "R-3L" to "GPU". If the rezoning request is approved, the City of Port Orange intends to use the property as the site of a new police station.

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

DEPARTMENT HEAD  Wayne Clark
Community Development Director Date 4/5/05

CITY ATTORNEY  Approved as to Form and Legality Date 4.4.05

CITY MANAGER  Approved Agenda Item For: 4/17/07

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

ORDINANCE NO. 2007-21

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, ADMINISTRATIVELY REZONING PROPERTY CONSISTING OF APPROXIMATELY 7.147 ACRES LOCATED AT 4545 CLYDE MORRIS BOULEVARD FROM R-3L (LOW DENSITY MULTI-FAMILY RESIDENTIAL) TO GPU (GOVERNMENT PUBLIC USE); ESTABLISHING BOUNDARIES; AUTHORIZING REVISION OF THE OFFICIAL ZONING ATLAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property to be rezoned is located at 4545 Clyde Morris Boulevard, and is zoned R-3L (Low Density Multi-Family Residential); and

WHEREAS, the City of Port Orange has petitioned the Planning Commission to rezone said property from R-3L (Low Density Multi-Family Residential) to GPU (Government Public Use); and

WHEREAS, a public hearing was held following public notice and mail to affected property owners as prescribed by ordinance and Section 166.041, Florida Statutes; and

WHEREAS, the Planning Commission has by a majority vote recommended approval of the proposed rezoning; and

WHEREAS, the City Council has approved by a majority vote of the members present the rezoning of the described property; and

WHEREAS, the rezoning to GPU (Government Public Use) is consistent with the City of Port Orange Comprehensive Land Use Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. The City Council of the City of Port Orange does hereby rezone the following described property from R-3L (Low Density Multi-Family Residential) to GPU (Government Public Use).

Section 2. The property rezoned consists of approximately 7.147 acres and is

located at 4545 Clyde Morris Boulevard, more particularly described on Exhibit A attached hereto.

Section 3. The City Council of the City of Port Orange does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification for the area as hereby rezoned as shown on Exhibit B attached hereto.

Section 4. This ordinance shall become effective as provided by general law.

ATTEST:

MAYOR ALLEN GREEN

Kenneth W. Parker, City Manager

Passed on first reading on the day of

Passed and adopted on second and final reading on the day of


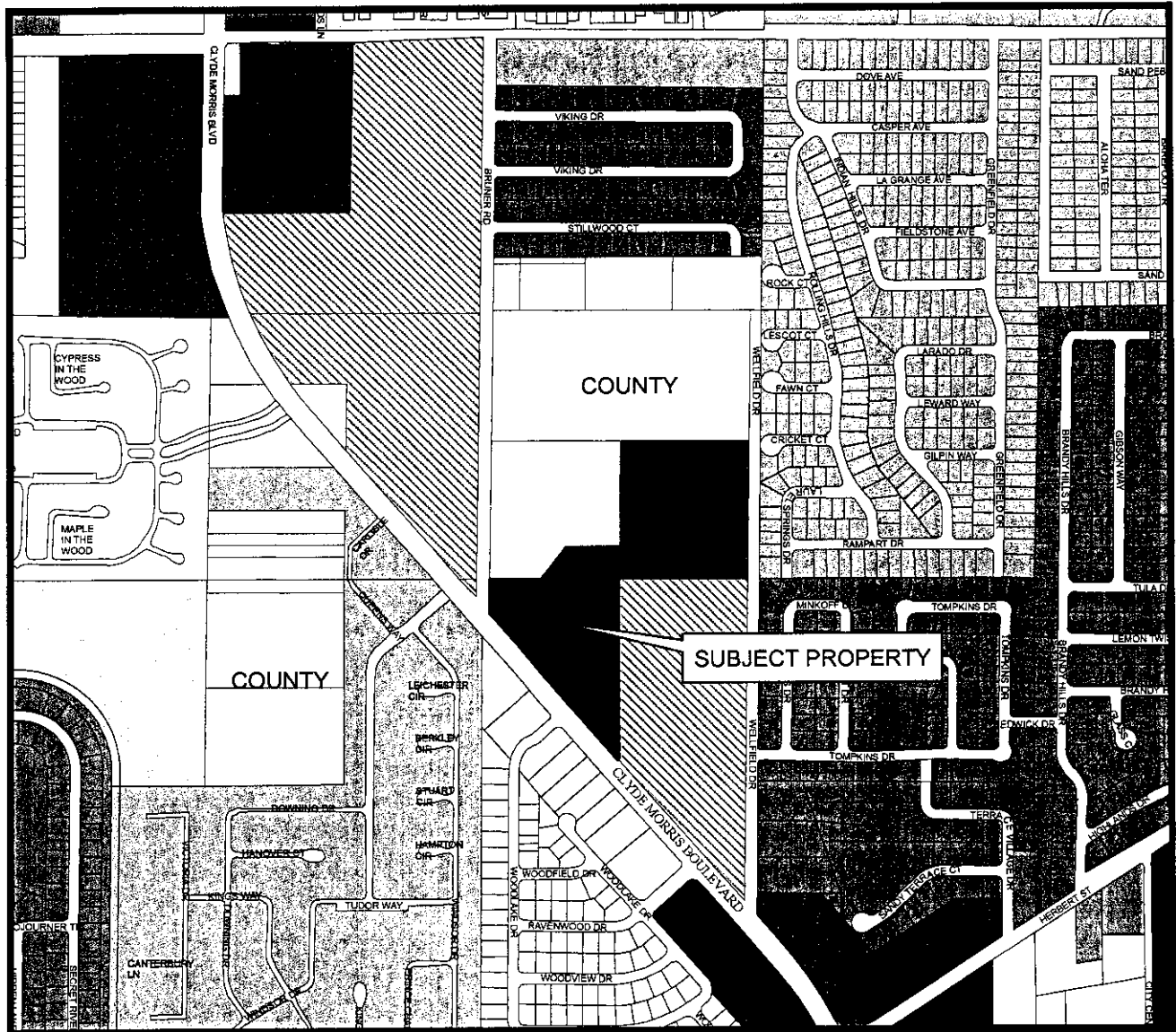
Reviewed and Approved: 
City Attorney

EXHIBIT "A"

THE WESTERLY 631.5 FEET OF THE EASTERLY 1290 FEET OF THE NORTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 16 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, AS LIES NORTHERLY AND EASTERLY OF THE PROPOSED LOCATION OF CLYDE MORRIS BOULEVARD (A 100 FOOT PROPOSED RIGHT-OF-WAY); BEING MORE PARTICULARLY DESCRIBED AS;

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7, RUN S89°19'34"W ALONG THE NORTH LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 7, A DISTANCE OF 658.50 FEET TO THE EAST LINE OF THE WESTERLY 631.5 FEET OF THE EASTERLY 1290 FEET OF THE NORTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 7 AND TO THE POINT OF BEGINNING; THENCE S00°17'47"W ALONG SAID EAST LINE, 855.74 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF CLYDE MORRIS BOULEVARD, A 100 FOOT RIGHT OF WAY; THENCE N41°09'54"W ALONG SAID NORTHERLY RIGHT OF WAY LINE, 953.63 FEET TO THE WEST LINE OF THE EASTERLY 1290 FEET OF THE NORTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 7; THENCE N00°17'47"E ALONG SAID WEST LINE, 130.40 FEET TO THE NORTH LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 7; THENCE N89°19'34"E ALONG SAID NORTH LINE, CONTAINING 7.147 ACRES, MORE OR LESS.



Case No.: 07-60000001

Applicant: City of Port Orange

Location: 4545 Clyde Morris Blvd.

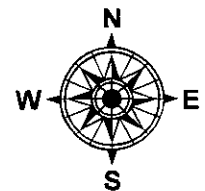
PROPOSED ZONING

- | | |
|----------------------------------|------------------------------------|
| GPU Government/Public Use | PUD Planned Unit Development |
| A Agriculture | PCD Planned Commercial Development |
| R-10SF Single Family Residential | PO Professional Office |
| R-8SF Single Family Residential | CC Community Commercial |
| R-3L Multi-Family Residential | ROW Right-of-Way |
| RMH Residential Mobile Home | Volusia County A-2 |

EXHIBIT "B"

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





STAFF REPORT
CASE NO. 07-60000001
Rezoning/ "R-3L" to "GPU"
CITY OF PORT ORANGE, applicant
4545 Clyde Morris Blvd.
March 13, 2007

INTRODUCTION:

The City of Port Orange, owner/applicant, requests approval to rezone +/- 7.147 acres from "R-3L" (Low Density Multi-Family Residential) to "GPU" (Government Public Use). The subject property is located at 4545 Clyde Morris Blvd. (Exhibit "A"). If the rezoning is approved, the City of Port Orange is proposing to develop a new police station.

BACKGROUND:

The City acquired the property in September 2005 with the intention of developing the new police station to accommodate officers and City staff. The existing City police station located at 1395 Dunlawton was constructed in 1985. Since then, the City's population has grown significantly, resulting in the need for more City staff and policemen. In November 2005, Port Orange residents voted to approve a bond issue to appropriate \$17 million toward a new police station.

A pre-application meeting was held on February 7th, 2007 with City staff including Chief Weber, Chief Monahan, and the City's hired engineering and architectural consultants. It was determined the property must be rezoned from "R-3L" to "GPU" for the development to be compatible with the zoning district.

PROPERTY OVERVIEW:

Currently the property is a vacant, wooded lot with approximately 0.66 acres of wetland. The future land use of the property is split with *Office/Residential Transition* and *Urban Low Density Residential (4 – 8 Units Per Acre)*. The surrounding zoning and future land uses are listed below, and are shown graphically on Exhibits "A" and "B".

North

Future Land Use – *Urban Low Density Residential (4 – 8 Units Per Acre)*

Existing Land Use – Single-Family Residential

Existing Zoning – "R-3L" (Low Density Multifamily Residential)

East

Future Land Use – *Public/Quasi Public* and *Urban Low Density Residential (4 – 8 Units Per Acre)*

Existing Land Use – City Water Plant and Commercial Campground/RV Park

Existing Zoning – "GPU" and "Volusia County A-2"

West

Future Land Use – *Office/Residential Transition*

Existing Land Use – Vacant

Existing Zoning – "PUD" (Planned Unit Development)

South

Future Land Use – *Office/Residential Transition*

Existing Land Use – Office and Commercial Developments

Existing Zoning – "PO" (Professional Office)

DISCUSSION:

The rezoning request was reviewed according to the criteria established in Chapter 3, Section 5 of the Land Development Code, in terms of consistency with the Future Land Use Map and consistency with the surrounding land uses and zoning.

Compatibility with Surrounding Uses and Zoning:

According to Chapter 17, section 26 of the LDC, the purpose and intent of the "GPU" zoning district is to "provide for public and quasi-public uses in a setting which recognizes the special character and location requirements of such facilities." By rezoning this property to "GPU", a facility which will ultimately serve the public, will be located on a major arterial road which may be accessed by residents and City staff as easily as the current police station.

The property is situated across from commercial uses and abuts a city-owned property to the east, the Garnsey water plant. Additionally, the City may have the option of acquiring the north parcel and possibly expand some facilities in the future.

A formal site plan has not yet been submitted but preliminary plans provided to Staff indicate traffic to and from the site will occur along Clyde Morris Boulevard and an access drive on Bruner Road. The building will be located along Clyde Morris Boulevard for easy access by pedestrians and to accommodate the wetland area on the site.

Consistency with the Future Land Use Map:

According to the Future Land Use/Zoning Consistency Matrix, the "GPU" zoning district is compatible with the future land use designations of *Office/Residential Transition* and *Urban Low Density Residential (4 – 8 Units Per Acre)*. Typically, the appropriate future land use would be *Public/Quasi-Public*. However, there are currently other developments zoned "GPU" with underlying land uses other than *Public/Quasi Public* that support the existing development. In this case, since the station will be located on the portion of the property with *Office/Residential Transition* designation and the residential use portion of the lot is wetland and will remain vacant, Staff concludes the future land use does not need to change in order to support the use.

RECOMMENDATION:

Based on the findings of this report, staff recommends approval of the rezoning to change the designation of approximately 7.147 acres of land located at 4545 Clyde Morris Boulevard from "R-3L" to "GPU".

Prepared by Gwen Perney, Planner
City of Port Orange Department of Community Development

(386) 506-5673
(386) 506-5600

Planning Commission Date:
City Council Date:

March 22, 2007
April 17, 2007



CITY OF PORT ORANGE

Department of Community Development
Planning Division

CASE NO. <u>07-60000001</u>
DATE APPLICATION RECEIVED <u>3-5-07</u>

1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129 (386) 506-5600 (www.port-orange.org)

REZONING APPLICATION

(Chapter 3, Article 1, Land Development Code)

Property Address/Location: 4545 Clyde Morris Blvd

Contact Person Name/Address: Tom Weber, Project Mgr., 1090 City Center Blvd

Port Orange, FL Zip Code: 32129 Phone: (386) 506-5900

Parcel No.: 6307-00-00-0012 -
6306-00-00-0064

Property Size: 16.720 ACRES +-

Current Zoning: R-3L

Requested Zoning: GPU

Existing Use: VACANT LAND

Future Land Use Designation: Split - urban

low density residential / office residential transition

Legal Description (Lengthy descriptions may be attached): Attached

REQUIRED ATTACHMENTS

- Letter outlining request
- Deed
- Legal Description
- If contact person/agent/applicant is not the owner, provide a separate notarized authorization from the owner authorizing that person to represent the property owner
- Survey of property (11" X 17" maximum size)
- Completed Volusia County School Development Summary form
- Processing and review fee - \$6,500 (Fee does not include the legal advertising cost. Advertising fee will be billed separately by the City Clerk's office. For an estimate of the advertising cost, contact the Deputy City Clerk at (386) 506-5566).

Owner's Name: City of Port Orange
Address: 1000 City Center Circle, Port Orange, FL
Zip Code: 32129 Phone: (386) 506-5900

Owner's Signature: _____ Date: _____

Applicant's Name (if other than owner): Tom Weber, Project Mgr.
Address: 1090 City Center Blvd.
Port Orange, FL Zip Code: 32129 Phone: (386) 506-5900

Applicant is: Contract Purchaser Agent

Applicant's Signature: [Signature] Date: 3/2/7

**STATE OF FLORIDA
COUNTY OF VOLUSIA**

The foregoing instrument was acknowledged before me this March 2, 2007 by Thomas G. Weber, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

[Signature] Notary Public, Commission No. _____
Anna M. Cady
(Name of Notary typed, printed or stamped)



NOTE TO APPLICANT

All information on this application must be completed and all exhibits attached in order for the application to be accepted as complete for processing. If you would like assistance in completing this form, please call or stop by the Department of Community Development, (386) 506-5600. Our offices are located on the second floor of City Hall, 1000 City Center Circle. Office hours are Monday through Friday 8:00 a.m. to 4:00 p.m.



CITY OF PORT ORANGE DEPARTMENT OF FIRE & RESCUE

1090 City Center Blvd.
Port Orange, Florida 32129
(386) 506-5900
FAX (386) 756-5405

Thomas G. Weber, CFO
Fire Chief

February 11, 2007

City of Port Orange
Community Development Department
1000 City Center Circle
Port Orange, FL 32129

Ladies and Gentlemen:

On behalf of the Port Orange I am submitting an application for rezoning from R-3L to GPU to allow for the construction of the future Police Department.

If you have any questions, please feel free to contact my office at (386) 506-5900.

Sincerely,

A handwritten signature in black ink, appearing to read "T. G. Weber", is written over a light-colored background.

Thomas G. Weber, CFO
Fire Chief
Project Manager

TGW/ly



The Volusia County Property Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The values shown in the Total Values section at the end of the Property Record Card are "Working Tax Roll" values, as our valuations proceed during the year. These Working Values are subject to change until the Notice of Proposed Taxes (TRIM) are mailed in mid-August. For Official Tax Roll Values, see the History of Values section within the property record card below.

Last Updated: 03-13-2007 Today's Date: 3-13-2007		Volusia County Property Appraiser's Office			
		Morgan B. Gilreath Jr., M.A., A.S.A., C.F.A. Property Appraiser			
Full Parcel ID	06-16-33-00-00-0064	Mill Group	402 PORT ORANGE		
Short Parcel ID	6306-00-00-0064				
Alternate Key	6508925	Millage Rate	21.41598		
Parcel Status	Active Parcel	PC Code	89		
Date Created	06 OCT 2005				
Owner Name	CITY OF PORT ORANGE				
Owner Name/Address 1					
Owner Address 2	1000 CITY CENTER CR				
Owner Address 3	PORT ORANGE FL				
Owner Zip Code	32129				
Location Address	BRUNER RD PORT ORANGE				

LEGAL DESCRIPTION	GO TO ADD'L LEGAL
6 16 33 IRREG PARCEL IN W 10 AC OF S 1/2 OF SE 1/4 OF SE 1/4	
MEAS 150 FT ON N/L & MEAS 304.78 FT ON W/L PER OR 5655 PG	

SALES HISTORY							
#	BOOK	PAGE	DATE	INSTRUMENT	QUALIFICATION	IMPROVED?	SALE PRICE
1	5655	4508	9/2005	Warranty Deed	Multi parcel sale	No	1,448,000

HISTORY OF VALUES							
YEAR	LAND	BUILDING	MISC	JUST	ASSESSED	EXEMPTION	TAXABLE VALUE
2006	117,800	0	0	117,800	117,800	117,800	0

LAND DATA											
TYPE OF LAND USE	FRONTAGE	DEPTH	# OF UNITS	UNIT TYPE	RATE	DPH	LOC	SHP	PHY	JUST VAL	
MUNICIPAL	No Data	No	1.90	ACREAGE	62000.00	100	100	100	100	117,800	

		Data							
NEIGHBORHOOD CODE	5328	TWP 16 S RNG 33 E SEC 06							
TOTAL LAND CLASSIFIED									0
TOTAL LAND JUST									117,800

BUILDING CHARACTERISTICS

MISCELLANEOUS IMPROVEMENTS

TYPE	NUMBER UNITS	UNIT TYPE	LIFE	YEAR IN	GRADE	LENGTH	WIDTH	DEPR. VALUE
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PLANNING AND BUILDING

PERMIT NUMBER	PERMIT AMOUNT	DATE ISSUED	DATE COMPLETED	DESCRIPTION	OCCUPANCY NBR	OCCUPANCY BLDG
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NONE

TOTAL VALUES		The values shown in the Total Values section at the end of the Property Record Card are "Working Tax Roll" values, as our valuations proceed during the year. These Working Values are subject to change until the Notice of Proposed Taxes (TRIM) are mailed in mid-August. For Official Tax Roll Values, see the History of Values section above.			
Land Just Val	117,800	New Construction		0	
Buildings	0	City Econ Dev / Historic Taxable		0	
Miscellaneous	0				
Total Just	117,800				
Total Assesd	117,800	Previous Assesd Val		117,800	
Exemptions	117,800				
Total Taxable	0	Previous Taxable Val		0	

MapIT PALMS Map Kiosk

Parcel Notes

MapIT: Your basic parcel record search including sales.

PALMS: Basic parcel record searches with enhanced features.

Map Kiosk: More advanced tools for custom searches on several layers including parcels.





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Last Updated: 02-06-2007 Today's Date: 2-9-2007		Volusia County Property Appraiser's Office Morgan B. Gilreath Jr., M.A., A.S.A., C.F.A. Property Appraiser			
Full Parcel ID Short Parcel ID		07-16-33-00-00-0012 6307-00-00-0012		Mill Group 402 PORT ORANGE	
Alternate Key		3591470		Millage Rate 21.41598	
Parcel Status		Active Parcel		PC Code 10	
Date Created		30 DEC 1981			
Owner Name		CITY OF PORT ORANGE			
Owner Name/Address 1					
Owner Address 2		1000 CITY CENTER CR			
Owner Address 3		PORT ORANGE FL			
Owner Zip Code		32129			
Location Address		4545 CLYDE MORRIS BLVD PORT ORANGE			

LEGAL DESCRIPTION
 7 16 33 W 631.50 FT OF E 1290 FT OF NE 1/4 N & E OF CLYDE MORRIS BLVD PER OR 1479 PG 278 PER OR 5655 PG 4508-4509

SALES HISTORY

#	BOOK	PAGE	DATE	INSTRUMENT	QUALIFICATION	IMPROVED?	SALE PRICE
1	5655	4508	9/2005	Warranty Deed	Multi parcel sale	No	1,448,000
2	1479	278	9/1972	Warranty Deed	Unqualified Sale	No	13,800
3	1479	0278	9/1972	Warranty Deed	Qualified Sale	No	13,800

HISTORY OF VALUES

YEAR	LAND	BUILDING	MISC	JUST	ASSESSED	EXEMPTION	TAXABLE VALUE
2006	820,540	0	0	820,540	820,540	820,540	0
2005	103,500	0	0	103,500	103,500	0	103,500

LAND DATA

TYPE OF LAND USE	FRONTAGE	DEPTH	# OF UNITS	UNIT TYPE	RATE	DPH	LOC	SHP	PHY	JUST VAL
VACANT COMMERCIAL	No Data	No Data	300564.00	SQUARE FEET	4.55	100	100	60	100	820,540

NEIGHBORHOOD CODE	C5543	COMMERCIAL PARCELS W/S CLYDE
		TOTAL LAND CLASSIFIED
		0
		TOTAL LAND JUST
		820,540

BUILDING CHARACTERISTICS

MISCELLANEOUS IMPROVEMENTS

TYPE	NUMBER UNITS	UNIT TYPE	LIFE	YEAR IN	GRADE	LENGTH	WIDTH	DEPR. VALUE
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PLANNING AND BUILDING

PERMIT NUMBER	PERMIT AMOUNT	DATE ISSUED	DATE COMPLETED	DESCRIPTION	OCCUPANCY NBR	OCCUPANCY BLDG
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NONE

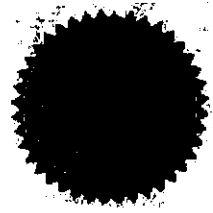
TOTAL VALUES

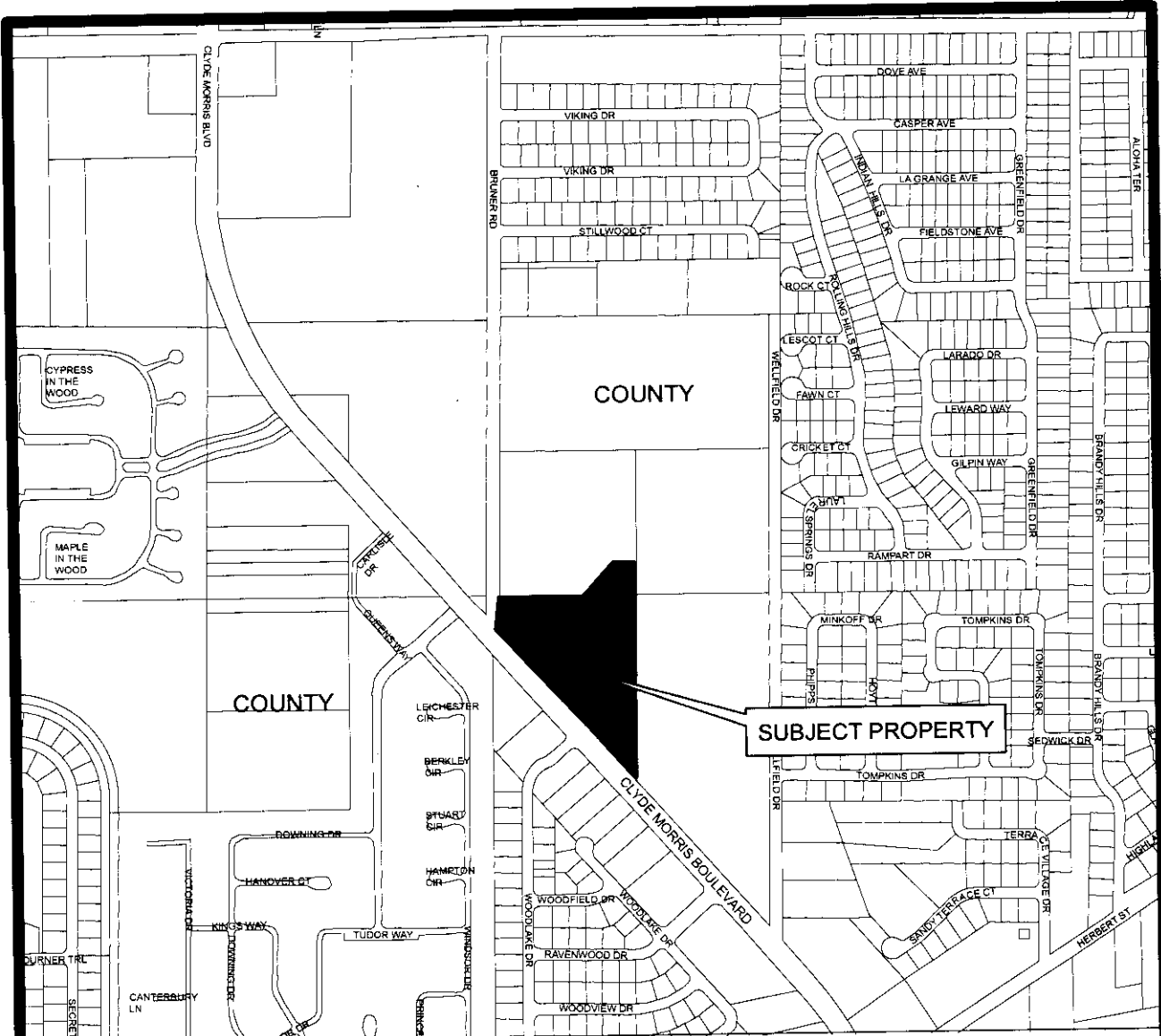
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Land Just Val	820,540		New Construction	0
Buildings	0		City Econ Dev / Historic Taxable	0
Miscellaneous	0			
Total Just	820,540			
Total Assessd	820,540		Previous Assessd Val	820,540
Exemptions	820,540			
Total Taxable	0		Previous Taxable Val	0



- MapIT:** Your basic parcel record search including sales.
- PALMS:** Basic parcel record searches with enhanced features.
- Map Kiosk:** More advanced tools for custom searches on several layers including parcels.





Case No.: 07-6000001

Applicant: City of Port Orange

Location: 4545 Clyde Morris Blvd.

Requested Action:

Approval of a request to rezone approximately 8.75 acres from "R-3L" to "GPU".



Exhibit "A"

LOCATION MAP

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT



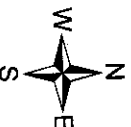
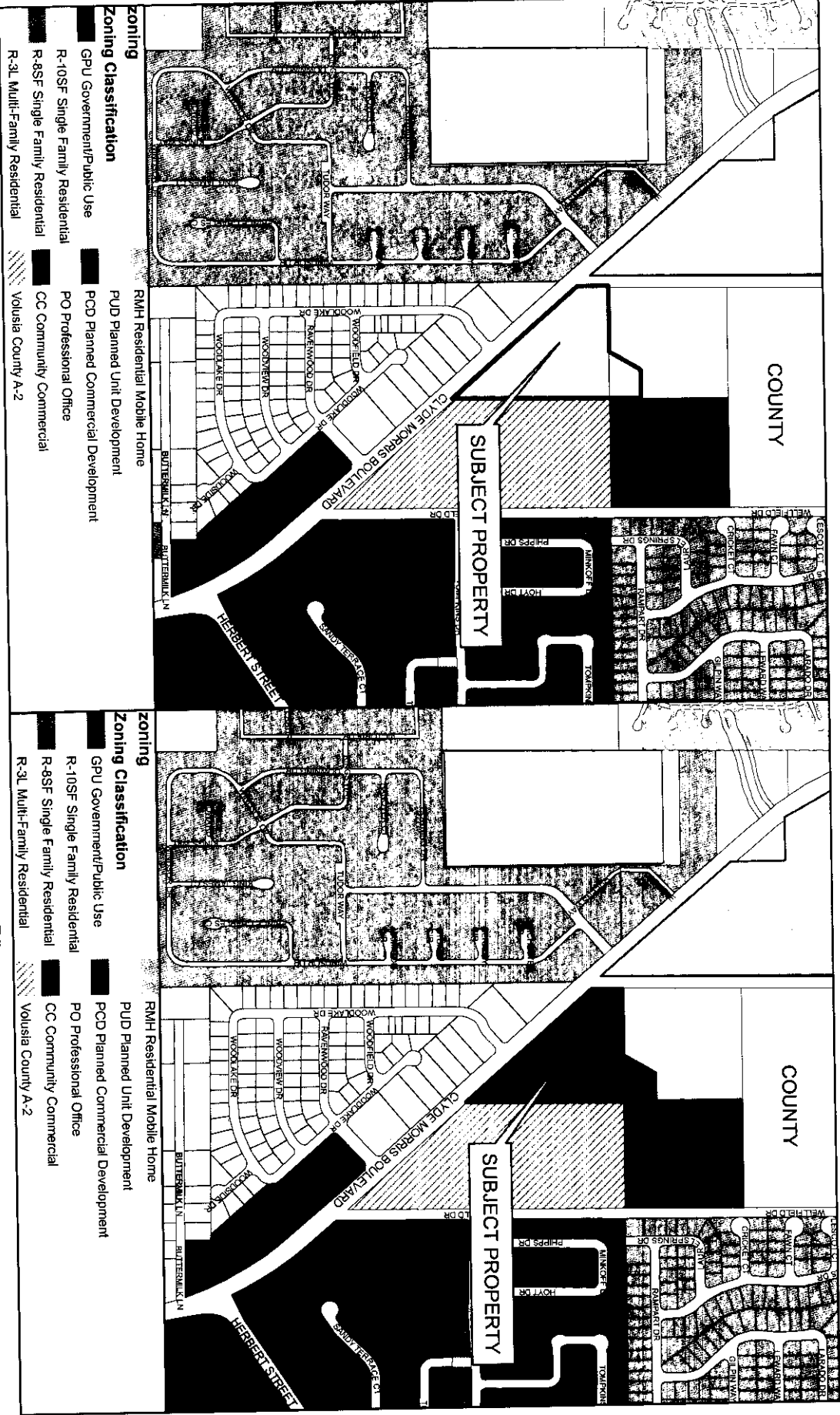


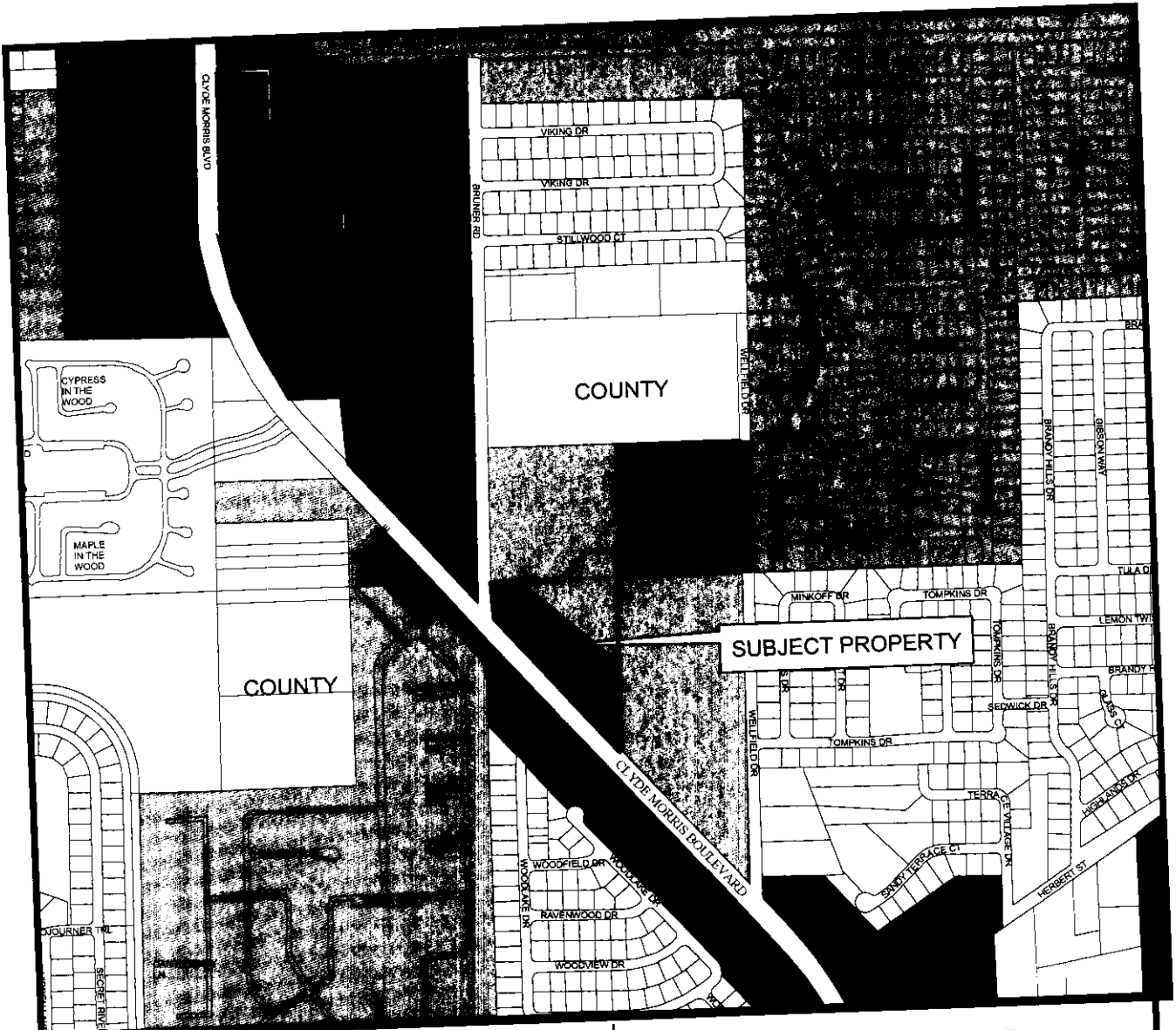
DEPARTMENT OF COMMUNITY DEVELOPMENT

CURRENT AND PROPOSED ZONING

CASE NO. 07-60000001

EXHIBIT "B"





Case No.: 07-6000001

Applicant: City of Port Orange

Location: 4545 Clyde Morris Blvd.

FUTURE LAND USE







-  Public/QuasiPublic
-  Residential 2-4 Units/Acre
-  Residential 4-8 Units/Acre
-  Residential 8-16 Units/Acre
-  Office/Residential Transition
-  Commercial

EXHIBIT "C"

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT

