



## Agenda Memo

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### AGENDA ITEM:

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/16/2021

**FROM:** John A. Peters, III, PE, Acting City Manager **AGENDA ITEM:**

**SUBJECT:**

Report - Determination by the City Commission to allow an on-site advanced wastewater treatment and disposal system in lieu of a central sewer connection at 988 Elkcam Blvd. for a proposed redevelopment plan to accommodate a daycare. Ron A. Paradise, Director, Planning and Development Services (386) 878-8610.

Strategic Goal: Infrastructure - utilities

**LOCATION:**

988 Elkcam Blvd.

**BACKGROUND:**

For many years the site at 988 Elkcam Blvd. was used as a house of worship. However, the property was recently purchased by Trinity Assembly of God to accommodate a standalone daycare use. The intent is Trinity would transfer the existing daycare operation from the campus located at 875 Elkcam Blvd. to 988 Elkcam Blvd. The daycare will be processed as a Conditional Use which will be heard by the City Commission at a later date.

The redevelopment of the 988 Elkcam site involves the conversion of the property from a house of worship use to a daycare facility use. The daycare facility use does require some modification to the site including rearrangement of the parking area and the demarcation of internal circulation. These parameters trip the threshold for site plan review. Therefore, according to the following provision of the Comprehensive Plan, the daycare repurposing of the site would need to be served by central sewer unless otherwise determined:

**Policy I2-SS1.5**

Deltona is serviced by centralized utilities including sanitary sewer. The City has an interest in protecting environmental resources and the public health, safety and welfare of its citizens as well as maximizing the investment in sanitary sewer infrastructure. Therefore the requirement to connect to centralized sewer system and the use of individual septic tanks are subject to the following criteria:

1. For existing, legally subdivided or platted lots that are eligible for building permit issuance, zoned or used for single family residential use where there are no suitable sewer facilities immediately available, a septic tank may be used consistent with applicable regulations. A suitable sewer facility shall be a gravity sewer system. Immediately available means adjacent to the property boundary.

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2. New lots created consistent with the City exempt subdivision regulations (no more than four lots) zoned and used for residential purposes, may use septic tanks, if a suitable sewer facility is not immediately available. A suitable sewer facility shall be a gravity sewer system. Immediately available means adjacent to the property boundary.

3. New residential or non-residential subdivisions involving the creation of a plat shall be served by centralized sewer system.

4. Projects involving site plan review consistent with City Land Development regulations shall be served by a centralized sewer system.

5. Notwithstanding sections 2-4 above, if the requirement to connect to a centralized sewer system creates a situation where the connection burden imposed is out of proportion to the benefits of maintaining and/or enhancing the wastewater system, an applicant may request a determination from the Development Review Committee (DRC) regarding the appropriateness of connecting. The Public Works Department shall submit a written recommendation to the DRC regarding the request. The DRC determination shall be subject to the following guidelines:

- a. The impact on present and future sewer infrastructure and related operations;
- b. Reasonableness of the request in light of present and future service capacity and obligations;
- c. Decisions shall not be based solely on an economic hardship claimed by an applicant;
- d. Whether the circumstances warrant a cost sharing agreement for service expansion or other arrangement beneficial to the City; and
- e. Other technical requirements as applicable.

A request to review the possibility to use an on-site treatment and disposal system (OSTDS) was submitted by the applicant to the City Development Review Committee (DRC) consistent with subsection 5 of above Policy I2-SS1.5. As per the policy, Public Works did issue a report and recommendation to the DRC. The report found central sewer is not available with the nearest sewer line being located about 2 miles to the east at the intersection of Elkcarn Blvd. and Providence Blvd. As part of request, the applicant proposed to use an advanced treatment, aerobic, on-site wastewater management system. In addition, staff indicated the installation of infrastructure to ensure a quick and seamless connection to a central system when such service becomes immediately available would be appropriate.

On July 19, 2021, the DRC determined the use of an on-site treatment and disposal system at 988 Elkcarn Blvd. should be decided by the City Commission with a recommendation the on-site treatment and disposal system be approved subject to the following conditions:

- 1)The on-site treatment disposal system shall be an advanced, aerobic design and type;
- 2)The applicant/owner shall install on-site infrastructure to facilitate seamless connection to a central system when available; and

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- 3)The applicant, current owner, or any future owner shall connect at the request of the City when a central sewer system becomes immediately available.

For more information see the attached DRC staff report.

The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

## OPTIONS:

1. Deny the request to use an advanced, aerobic system.

### Advantages:

- a) The house of worship property, at the present square footage, use would remain the most probable use.

### Disadvantages:

- a) Denial would preclude redevelopment options on the property.
- b) The use of a non-advanced treatment septic system would be inconsistent with the Blue Springs basin protection regulations regarding nutrient reduction goals.

2. Approve the request to allow an on-site sewage treatment and disposal system subject to the following parameters and conditions:

- a. The use of an aerobic on-site treatment and disposal system would allow a level of development/redevelopment to occur on the property;
- b. The high wastewater treatment standards afforded by the planned aerobic OSTDS is consistent with City environmental protection goals and will result in less nutrient loading. Less nutrient loading will in turn help safeguard the Blue Spring basin; and
- c. The installation of a central sewer connection will allow for a more ready connection with a central system when available and there would be a requirement of the landowner of the property to connect to the central system when immediately available.

### Advantages:

- a) Redevelopment and repurposing of the property can occur besides a house of worship of the property can occur.
- b) The interim use of an aerobic, advanced treatment system is consistent with the Blue Springs basin protection regulations and is a more ecologically appropriate method of managing on site waste water flow.

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- c) The installation of on-site infrastructure and a commitment to connect to central sewer when immediately available will ensure a City return on infrastructure investment.

Disadvantages:

- a) The allowance of on-site treatment disposal systems, even advanced treatment units, could militate against the expansion of central sewer service.

**COST:**

N/A

**SOURCE OF FUNDS:**

N/A

**ORIGINATING DEPARTMENT:**

Planning and Development Services

**STAFF RECOMMENDATION PRESENTED BY:**

Ron A. Paradise, Director Planning and Development Services - Staff recommends the City Commission approve the use of an advanced, aerobic on-site treatment disposal system at 988 Elkcam Blvd. subject to the following conditions:

- 1) The on-site treatment disposal system shall be an advanced, aerobic design and type;
- 2) The applicant/owner shall install on-site infrastructure to facilitate seamless connection to a central system when available; and
- 3) The applicant, current owner, or any future owner shall connect at the request of the City when a central system becomes immediately available. Immediately available shall mean within any right of way abutting the property (either side of the road) or adjacent to any property boundary.

**POTENTIAL MOTION:**

"I hereby move to approve the use of an advanced, aerobic on-site treatment disposal system at 988 Elkcam Blvd. subject to the following conditions:

- 1) The on-site treatment disposal system shall be an advanced, aerobic design and type;
- 2) The applicant/owner shall install on-site infrastructure to facilitate seamless connection to a central system when available; and
- 3) The applicant, current owner, or any future owner shall connect at the request of the City when a central system becomes immediately available. Immediately available shall mean within any right of way abutting the property (either side of the road) or adjacent to any property boundary.

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