



# CITY COUNCIL AGENDA FORM

REQUESTED COUNCIL MEETING DATE 8/16 /05




**SUBJECT: ANNEXATION/JAMES G. CORACI**  
Northeast corner of Williamson Blvd. & Madeline Ave.  
**CASE NO. 05-1000003**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**RECOMMENDED MOTION:**  
To adopt Ordinance No. <sup>2005-32</sup>, annexing approximately 69 acres of land located on the east side of Williamson Boulevard and the north side of Madeline Avenue,

**SUMMARY:**  
If the annexation request is approved, the applicant is proposing to develop the property as multi-family housing under PUD zoning with a density of approximately 8 units/acre, also to include a 5-acre City park site.

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

**DEPARTMENT HEAD**  Donna J. Steinebach    Date 08-05-05  
**FINANCE DEPARTMENT** N/A    Approved as to Budget Requirements    Date  
**CITY ATTORNEY**  Approved as to Form and Legality    Date 8.04.05  
**CITY MANAGER**  Approved Agenda Item For:    8/16/05

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

ORDINANCE NO. 2005-32

(Coraci)

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, ANNEXING PROPERTY LOCATED ON THE EAST SIDE OF WILLIAMSON BOULEVARD AND THE NORTH SIDE OF MADELINE AVENUE, TOGETHER WITH THE ADJOINING WILLIAMSON BOULEVARD RIGHT-OF-WAY EXTENDING FROM THE SOUTHLINE OF PELICAN BAY GOLF COURSE, SOUTHERLY TO ITS INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 32 EAST; BEING CONTIGUOUS TO THE CITY OF PORT ORANGE; REDEFINING BOUNDARIES OF THE CITY OF PORT ORANGE TO INCLUDE SAID PROPERTY; ASSIGNING ANNEXED PROPERTY TO CITY COUNCIL DISTRICT 2; DIRECTING CITY CLERK TO PUBLISH NOTICE OF ANNEXATION AND TO PROVIDE COPY OF NOTICE TO VOLUSIA COUNTY COUNCIL; DIRECTING CITY CLERK TO FILE ORDINANCE WITH CLERK OF CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND DEPARTMENT OF STATE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owners of real property in an unincorporated area of Volusia County, Florida, which is contiguous to the boundary of the City of Port Orange and reasonably compact, have petitioned the governing body of the City of Port Orange that said property be annexed to and become part of Port Orange, Florida; and

WHEREAS, the City Council of the City of Port Orange, Florida, has determined that the petition is a bona fide request by the owners of real property in the area proposed to be annexed; and

WHEREAS, the City Council of the City of Port Orange, Florida, finds that it is in the best interest of the citizens of the City of Port Orange to annex said territory into the corporate limits of the City of Port Orange; and

WHEREAS, the Volusia County Generalized Land Use Plan designates the property as Urban Low Density Residential; and

WHEREAS, the property is contiguous and adjacent to City Council District 2.

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

Section 1. The parcel of land described on Exhibit "A", attached hereto and incorporated herein by reference, being in the County of Volusia and contiguous to the boundary lines of the City of Port Orange, is hereby annexed into the City of Port Orange and shall be subject to the jurisdiction, obligations, benefits and privileges of the City of Port Orange.

Section 2. The boundary lines of the City of Port Orange are hereby changed and redefined so as to include the land described in Exhibit "A".

Section 3. The Volusia County Generalized Land Use Plan designations and restrictions shall apply to the subject property annexed hereby pending amendment of the Future Land Use Plan Element of the Port Orange Comprehensive Plan.

Section 4. The above described property is hereby assigned to the City of Port Orange City Council District 2.

Section 5. Upon approval at first reading, the City Clerk is hereby directed to publish Notice of Annexation as required by Section 171.044(2), Florida Statutes (2002), at least once each week for two (2) consecutive weeks in a newspaper of general circulation in the City of Port Orange or Volusia County and to provide a copy of said notice via certified mail to the Volusia County Council.

Section 6. After adoption of this ordinance, the City Clerk is directed to file the original of said ordinance with the Clerk of the Circuit Court and the chief administrative officer of Volusia County and the Department of State.

Section 7. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 8. If any provision of this ordinance or the application thereof to any

(ORD. NO. 2005- )

person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 9. This ordinance shall become effective as provided by general law.

\_\_\_\_\_  
MAYOR ALLEN GREEN

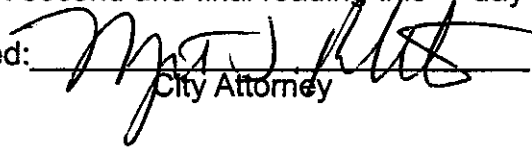
ATTEST:

\_\_\_\_\_  
Kenneth W. Parker, City Manager

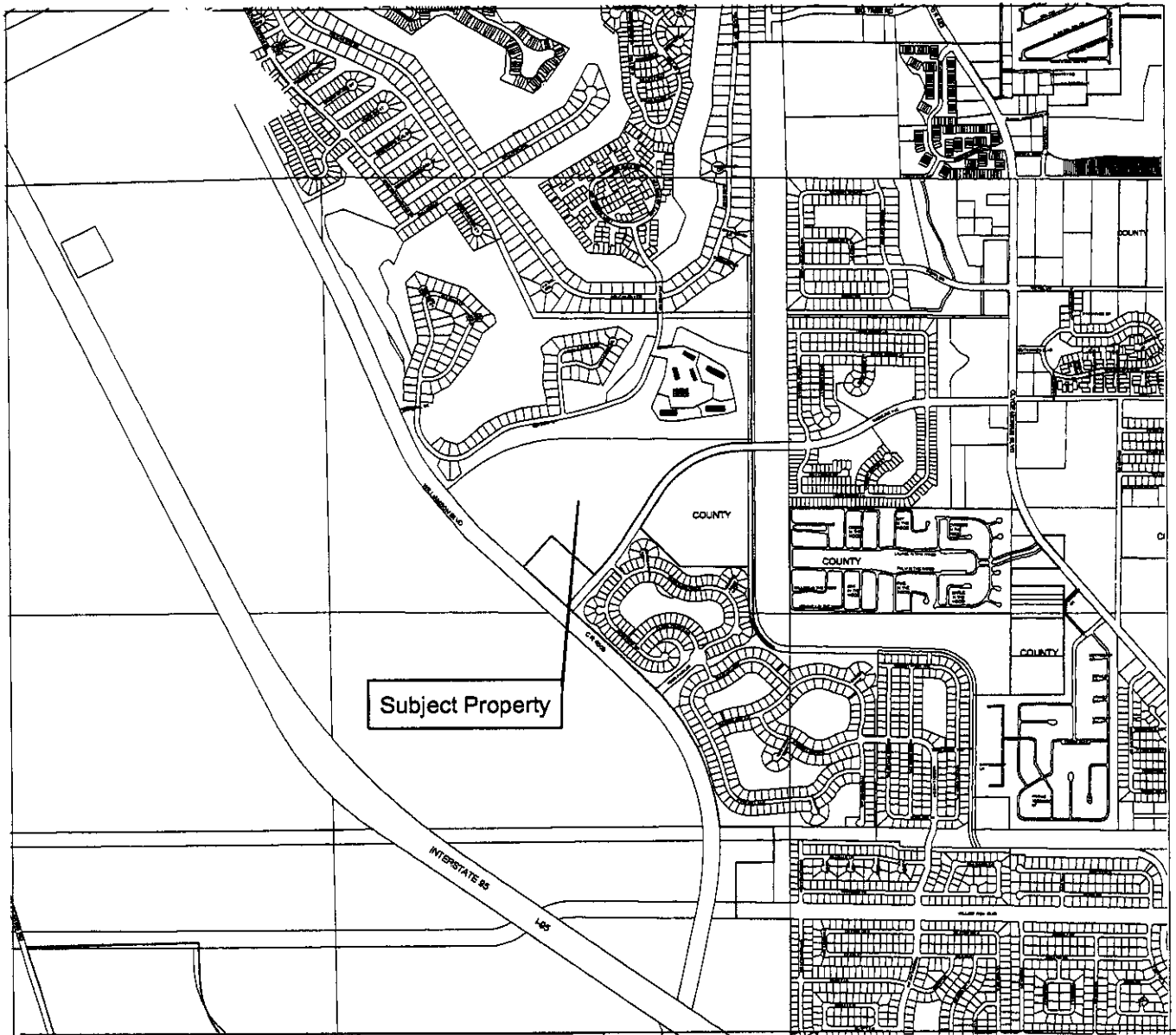
Passed on first reading this      day of

Passed and adopted on second and final reading this      day of

Reviewed and Approved:

  
\_\_\_\_\_  
City Attorney

C:\Legal\ORD\annex coraci property 69 acres.wpd



**Case No.:** 05-1000003

**Applicant:** James G. Coraci

**Location:** Northeast of intersection of  
Williamson Blvd. & Madeline Ave.

**Requested Action:**

**ANNEXATION**



Exhibit "A"

LOCATION MAP

**CITY OF PORT ORANGE**

DEPARTMENT OF COMMUNITY DEVELOPMENT



**LEGAL DESCRIPTION**

**A PORTION OF SECTION 1, TOWNSHIP 16 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

COMMENCE AT THE SOUTHWEST CORNER OF THE GROVES PHASE "C", AS RECORDED IN MAP BOOK 44, PAGE 18 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID CORNER BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF MADELINE AVENUE, A 100 FOOT RIGHT OF WAY; THENCE N88°48'41"W ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 434.83 FEET TO THE CENTERLINE OF THE EAST VOLUSIA COUNTY MOSQUITO CONTROL DISTRICT MAIN DRAINAGE CANAL EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 847, PAGE 438, SAID PUBLIC RECORDS; THENCE N00°11'27"E ALONG SAID CENTERLINE, 100.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID MADELINE AVENUE; THENCE N88°47'50"W ALONG SAID NORTHERLY RIGHT OF WAY LINE, 68.89 FEET TO THE POINT OF BEGINNING AND THE BEGINNING OF A CURVE CONCAVE SOUTHEAST HAVING A RADIUS OF 1,250.00 FEET AND A CENTRAL ANGLE OF 57°45'00"; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, 1,260.27 FEET; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE S32°26'10"W, 883.72 FEET TO THE BEGINNING OF CURVE CONCAVE NORTHWEST HAVING A RADIUS OF 2,450.00 FEET AND A CENTRAL ANGLE OF 09°55'00"; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, 424.04 FEET; THENCE S42°21'10"W ALONG SAID RIGHT OF WAY LINE, 207.85 FEET; THENCE DEPART SAID NORTHERLY RIGHT OF WAY LINE, N47°38'59"W, 700.00 FEET; THENCE S42°21'10"W, 500.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF WILLIAMSON BOULEVARD, A 200 FOOT RIGHT OF WAY; THENCE N47°38'59"W ALONG SAID EASTERLY RIGHT OF WAY LINE, 746.27 FEET TO THE BEGINNING OF CURVE CONCAVE NORTHEAST HAVING A RADIUS OF 3,728.32 FEET AND A CENTRAL ANGLE OF 08°40'17"; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, 564.26 FEET; THENCE DEPART SAID EASTERLY RIGHT OF WAY LINE, N50°28'29"E, 308.84 FEET TO THE BEGINNING OF CURVE CONCAVE SOUTH HAVING A RADIUS OF 1,837.10 FEET AND A CENTRAL ANGLE OF 39°43'41"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, 1,343.16 FEET; THENCE S89°47'50"E, 2,138.13 FEET TO THE POINT OF BEGINNING.  
CONTAINING 3,008,217.51 SQUARE FEET OR 68.058 ACRES, MORE OR LESS.

Together with the 200 foot right of way known as Williamson Boulevard adjoining the City of Port Orange and commencing at a point on the east right of way line of Williamson Boulevard and being approximately 1446 feet north of the north line of the Madeline Avenue Right of Way and extending in a southerly direction along the east right of way line to its intersection with the South line of the NE 1/4 of Section 12, Township 16 South, Range 32 E, Volusia County, Florida.



## **STAFF REPORT**

**CASE NO. 05-10000003**

### **ANNEXATION**

Proposed Villa Park PUD property,  
Northeast corner of Williamson Blvd. & Madeline Ave.  
James G. Coraci, applicant  
August 2, 2005

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#### **INTRODUCTION:**

M. Dwight DuRant, applicant, on behalf of James G. Coraci, d.b.a. DSC of Newark Enterprises, Inc., property owner, requests the annexation of approximately 69 acres into the City of Port Orange. If annexed, the property owner intends to sell the property for the purpose of multi-family residential development. The subject property is located on the east side of Williamson Boulevard and the north side of Madeline Avenue, north of Town Park PUD (Exhibit "A").

#### **CHARACTER OF AREA:**

The subject property consists of a single 69-acre (approx.) parcel, more or less triangular in shape, under corporate ownership as stated above. This property is currently vacant and unbuilt. Wetlands totaling slightly more than 14 acres are located on the west and central portions of the lot, and a ditch traverses the eastern half of the site, running north-south. Two retention ponds are located at the southern and eastern "points" of the tract. The remainder of the site is open grassland and scrub.

The City of Port Orange's Future Land Use map designates the subject property as *Urban Low Density Residential (4-8 units/acre)*. City future land use has already been assigned to the property through an Interlocal Planning Agreement with Volusia County. This agreement anticipated the eventual annexation of the property into Port Orange and its development according to Port Orange standards. The property is zoned Volusia County "A-2" (Rural Agriculture). The surrounding future land use designations and zoning classifications are described below.

The property is located on the east side of Williamson Road, immediately across Madeline Avenue from Town Park PUD and adjacent to the Word of Faith church construction site, both of which are within the City of Port Orange. The parcels adjoining the subject property to the north are located within the City of Daytona Beach. These properties are developed with single-family homes in Pelican Bay; a substantial part of this boundary (over 2000 feet) adjoins the Pelican Bay golf course. Across Williamson to the southwest is undeveloped land, with I-95 about ½-mile beyond; this land is mostly within the City of Daytona Beach, but appears to be unplatted according to county records.

There is also an undeveloped 35-acre (approx.) parcel across Madeline Avenue to the east, north of Town Park PUD. This land lies in unincorporated Volusia County; however, the Villa Park applicant has applied for annexation of this territory as well, with future plans to develop under single-family zoning. The latter annexation is expected to be on Council's agenda in September.

**SURROUNDING PORT ORANGE DESIGNATION, LAND USES & ZONING:**

	<i>Present Land Use</i>	<i>Future Land Use</i>	<i>Zoning</i>
<b>North:</b>	<i>Golf course, single-family residential</i>	<i>DB* Golf Course</i>	<i>DB* RPUD</i>
<b>East:</b>	<i>Undeveloped land, open &amp; wooded; retention pond</i>	<i>Suburban Residential (2-4 units/acre)</i>	<i>VC* A-2 Rural Agriculture</i>
<b>Southeast:</b>	<i>Single-family residential</i>	<i>Suburban Residential (2-4 units/acre)</i>	<i>R-10SF (Single-Family Residential)</i>
<b>Southwest:</b>	<i>Undeveloped woodland</i>	<i>DB* Level 1 Residential</i>	<i>DB* Agriculture</i>

\* VC = Volusia County; DB = Daytona Beach

**STATE REQUIRED LOCATIONAL CRITERIA:**

Florida law requires that unincorporated parcels meet three locational criteria in order to be eligible for annexation by a municipality. Pursuant to Section 171.043(1) Florida Statutes, this report certifies that the area to be annexed is, or will be at the time of final reading by the Port Orange City Council: 1) contiguous to the City of Port Orange boundaries; 2) is reasonably compact (does not contribute to urban sprawl); and 3) is not currently part of the incorporated area of another municipality.

**FUTURE LAND USE AND ZONING COMPATIBILITY:**

Once a property has been annexed, its zoning and (if necessary) future land use must be changed from the Volusia County designations to appropriate City designations. Pursuant to section 171.062(2), Florida Statutes: "If the area annexed was subject to a county land use plan and county zoning or subdivision regulations, these regulations remain in full force and effect until the municipality adopts a comprehensive plan amendment that includes the annexed area."

As noted above, the subject property is already included in the City's Future Land Use map as *Urban Low Density Residential (4-8 units/acre)*. Regarding zoning, the contract purchaser wishes to rezone the property to PUD (Planned Unit Development). Staff is currently reviewing the proposed Master Development Agreement (MDA) and Conceptual Development Plan (CDP) for the PUD. Depending on timing and completeness of the applicant's response to staff comments, the rezoning might appear on Council's agenda this autumn.

According to the City's land use/zoning consistency matrix, the PUD request would be compatible with the future land use designation, provided density standards are met. Preliminary analysis indicates that the proposed multi-unit density is slightly less than 8 units/acre.

**IMPACT TO CITY SERVICES:**

A distribution memo was sent to City staff on June 8, 2005, requesting an analysis of the potential impacts annexation of the proposed property would have on the services provided by each department. The following discussion is based on responses to this



memo. A lack of response is interpreted to mean that the department sees no appreciable impact to its services.

In its present rural state, the annexation of the subject property into the City of Port Orange will have a minimal impact on City services, as explained below. However, a more detailed review of concurrency issues will be conducted during the site plan process.

### **Potable Water, Sanitary Sewer, and Reclaimed Water**

Per information provided by the Public Utilities Department, there is a 12" potable water line adjacent to the property on the south side of Madeline Avenue. Sanitary sewer is available to the property via a lift station along the south side of Madeline. The Utilities Department notes that the lift station appears to be adequately sized for this property with possible minor pump modifications. Reclaimed water will require a 2000-foot extension from an existing 12" main on the east side of Williamson, south of the subject property. Overall, the Public Utilities Department foresees neither adverse impacts nor any difficulty serving this property in the future.

The property is within the City's Utility Service Area, as shown in the Potable Water Sub-Element of the City's *Comprehensive Plan – Update '98*. There is adequate reserve capacity at the City's water and wastewater treatment plants to service the property.

### **Roads**

The Conceptual Development Plan submitted as part of the PUD rezoning request indicates that the residential property has two primary access points, one from Williamson and the other from Madeline. Williamson Boulevard is a two-lane principal arterial roadway under County jurisdiction. Per the 2004 Concurrency Management Report, Williamson Boulevard north of Taylor Road has an adopted Level of Service (LOS) standard of "E", with a maximum capacity of 15,600 trips per day. According to the most recent information shown on the Volusia County Traffic Engineering Division website, as of spring 2003, the daily volume on Airport Road between Roscoe Turner Trail and Pioneer Trail was 14,050 trips per day, with the roadway segment operating at LOS "D".

Additional information regarding Williamson Boulevard's capacity is available from the Traffic Impact Analysis submitted in June 2004 as part of the Sunset Cove Phase II subdivision request. This study included data showing that the afternoon PHPD (peak hour, peak direction) traffic volume on Williamson Boulevard between Beville Road and Madeline Avenue is 1,088 vehicles per hour. Including the Sunset Cove traffic, this volume translates to LOS "E" in the near future.

The County's adopted Five-Year Road Program does not include any planned improvements for this part of Williamson Boulevard. However, the Program does include construction of the Madeline Avenue West project, which will connect the current terminus of Madeline at Williamson to Tomoka Farms Road via a two-lane road. Construction of this expansion is scheduled to begin in FY 08/09. The Concurrency Management Report notes that a traffic signal will be added at the Madeline/Williamson intersection as a condition of approval for the Coquina Cove development.

This portion of Madeline Avenue is a Major Arterial road with an adopted LOS of "E". In 1993 this part of Madeline carried 8,670 trips per day and is currently LOS "C". However, these statistics will likely change significantly when the extension west of Williamson is completed. The Sunset Cove study estimates current PHPD traffic on Madeline Avenue between Williamson Boulevard and the proposed Sunset Cove entrance (just east of the Villa Park property to be 476 vehicles per hour. Factoring in Sunset Cove yields LOS "D" for this part of Madeline Avenue.

The Sunset Cove study also examined current LOS for the intersection of Williamson Boulevard and Madeline Avenue. With the current traffic controls (a stop sign on Madeline Avenue), the LOS is "B" for the Williamson traffic flow, but the Madeline Avenue approach is already failing (LOS "F"). The proposed signalization is designed in part to alleviate this failure.

It is anticipated that the Williamson Boulevard extension and signalization of the Williamson/Madeline intersection will help mitigate some of the level-of-service concerns along this segment of Williamson Boulevard. However, the Concurrency Management Report states that these improvements will only solve the issues of this roadway for a limited time, and Williamson will need to be widened to increase overall capacity. The Villa Park developers will need to demonstrate adequate capacity and level-of-service in their traffic study, including bearing their share of the cost of additional improvements if indicated.

### **Police and Fire**

The Police Department has not indicated to Staff that the proposed annexation would create deficiencies in law enforcement coverage for the area. The Department of Fire and Rescue also has not indicated to staff that the annexation of this property would adversely impact the delivery of services in this area of the City. If voters approve a City bond referendum this fall, a new police station and new fire station west of I-95 will add to the LOS safety margin. For the reasons cited, staff does not foresee any adverse impacts to fire and rescue service as a result of this annexation.

### **Recreation**

The City's *Comprehensive Plan-Update '98* contains a specific requirement that this property include a new City park. The CDP does in fact show a 5-acre park along Williamson Boulevard, immediately adjacent to the former Word of Faith property. In discussions with the applicants, the Parks and Recreation Department favored this park concept but expressed concern about a possible driveway entrance onto Williamson, due to traffic volume and speed. An alternative entrance from Madeline was discussed; this option was preliminarily agreeable to all parties, pending further detailed study. It is anticipated that the proposed park will satisfy the public recreational needs generated by development of the property.

### **ANALYSIS OF REVENUE:**

The Finance Department indicates that the subject property has a just value of \$2,001,025; however, because of exemptions, the taxable value is \$10,294. This appears to be an agricultural exemption. Leaving all things constant the impact of

Case No. 05-10000003

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annexation is negligible and of very small cost. As no structures are present on the property the total cost differential would be less than \$50.

**RECOMMENDATION:**

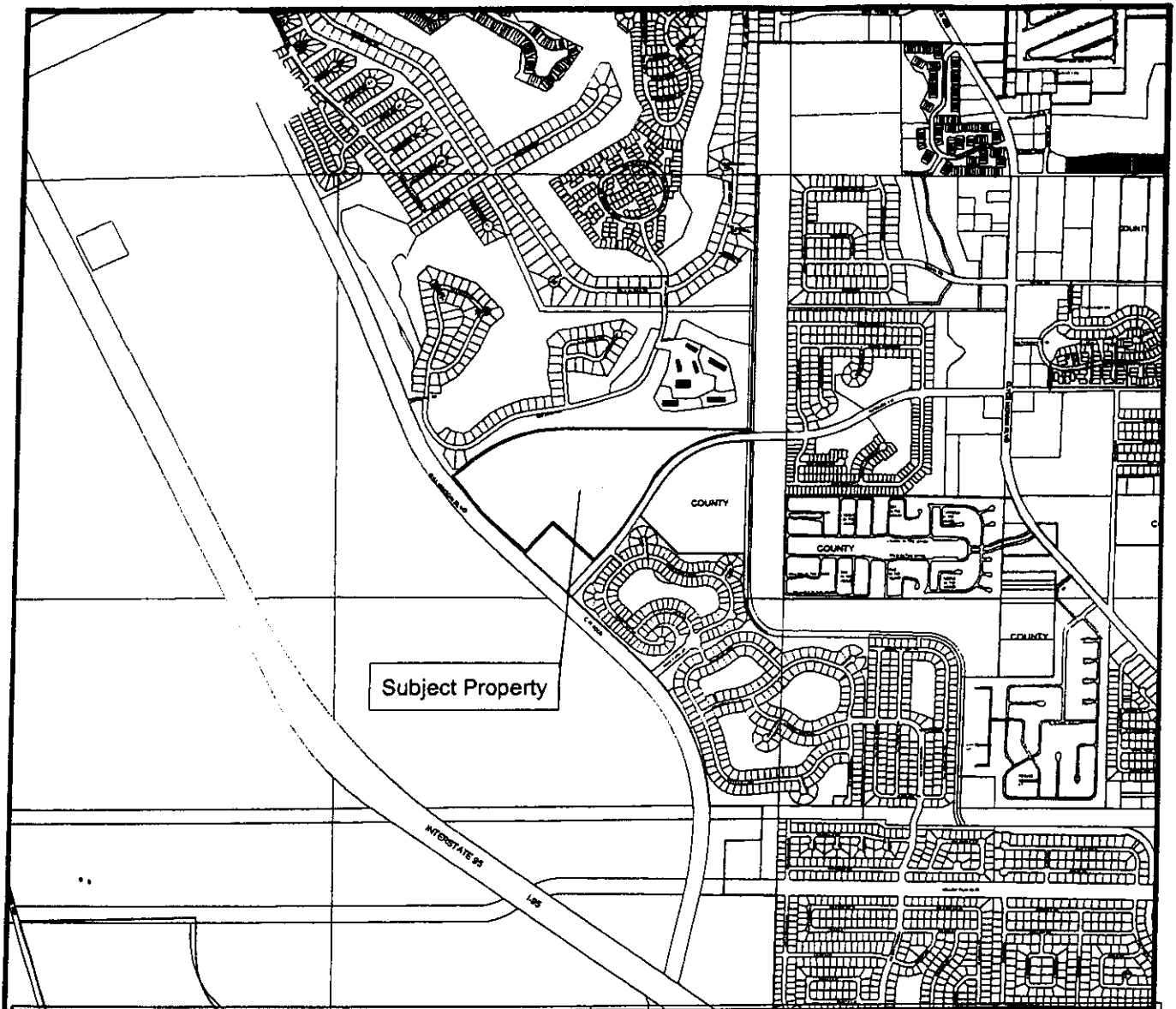
Based on the findings of this report, Staff recommends **approval** of this request to annex approximately 69 acres of property, located on the east side of Williamson Road and the north side of Madeline Avenue, into the City of Port Orange.

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Prepared by: Randy Hunt, Senior Planner  
City of Port Orange Department of Community Development

(386) 506-5672  
(386) 506-5600

PLANNING COMMISSION DATE: n/a  
CITY COUNCIL DATE: August 16, 2005



**Case No.:** 05-1000003

**Applicant:** James G. Coraci

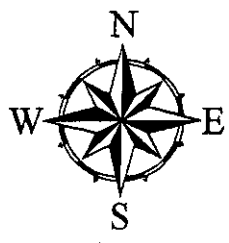
**Location:** Northeast of intersection of  
Williamson Blvd. & Madeline Ave.

**Requested Action:**

ANNEXATION



Exhibit "A" LOCATION MAP  
**CITY OF PORT ORANGE**  
 DEPARTMENT OF COMMUNITY DEVELOPMENT





# CITY OF PORT ORANGE

1000 CITY CENTER CIRCLE  
PORT ORANGE, FLORIDA 32129  
TELEPHONE 386-756-5200  
TELEPHONE 386-506-5500  
FAX 386-756-5290  
[www.Port-Orange.org](http://www.Port-Orange.org)

August 22, 2005

James S. Morris  
Storch & Morris, P.A.  
420 S. Nova Road  
Daytona Beach, FL 32114

Dear Mr. Morris:

At its regular meeting on Tuesday, August 16, 2005, the Port Orange City Council approved Ordinance No. 2005-32 on first reading, which will annex into the City of Port Orange approximately 69 acres of land located on the east side of Williamson Boulevard and the north side of Madeline Avenue. The second and final reading of Ordinance No. 2005-32 will be scheduled for consideration at the same time the PUD comes forth. Please remain in contact with the Community Development Department to ascertain when this will occur.

Should you have any questions, please contact the Community Development Department at 506-5600.

Very truly yours,

Shirley M. Kelly, CMC  
Deputy City Clerk

cc: Donna Steinebach, Director of Community Development  
Mike Disher, Planning & Development Director