

## AFTER ACTION AGENDA

**REGULAR CITY COMMISSION MEETING**  
**MONDAY, MAY 5, 2014**  
**6:30 P.M.**

**DELTONA COMMISSION CHAMBERS**  
**2345 PROVIDENCE BLVD.**  
**DELTONA, FLORIDA**

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### AGENDA

1. CALL TO ORDER
2. ROLL CALL - CITY CLERK
3. INVOCATION AND PLEDGE TO THE FLAG:
  - A. Invocation Presented by Commissioner Nabicht - Pastor Brad Stephenson from Deltona Alliance Church.
4. APPROVAL OF MINUTES & AGENDA:
  - A. Approval of Minutes - Regular City Commission Meeting of April 21, 2014.

[The Commission voted unanimously to approve the minutes of the Regular City Commission Meeting of April 21, 2014 as amended.](#)
  - B. Additions or Deletions to Agenda.
5. PRESENTATIONS/AWARDS/REPORTS:
  - A. Presentation - Super Star Student of the Month Certificates for April 2014.
  - B. Proclamation - National Teachers Appreciation Week, May 5-9, 2014.
  - C. Proclamation - National Association of Letter Carriers "Stamp Out Hunger" Food Drive Day.
  - D. Proclamation - Emergency Medical Services Week May 18-24, 2014.

**E. Proclamation - National Police Week May 11-May 17, 2014.**

**F. Presentation - Quarterly Reports of City Advisory Boards/Committees.**

**6. PUBLIC FORUM – Citizen comments for any items.  
(4 minute maximum length)**

**CONSENT AGENDA:** All items marked with an \* will be considered by one motion unless removed from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

**7. CONSENT AGENDA:**

**8. ORDINANCES AND PUBLIC HEARINGS:**

**A. Public Hearing - Ordinance No. 02-2014, Zoning Map Amendment for three (3) lots from Mixed Planned Unit Development (MPUD) to the Business Planned Unit Development (BPUD) for the Saxon Sterling Silver project, at second and final reading.**

*The subject property (site) has a long entitlement history in Deltona (the City), briefly summarized as follows:*

- 1. In 2005, the subject site was rezoned as the Retirement Community at Sterling Park MPUD and the rezoning was consistent with the underlying Commercial future land use designation.*
- 2. The rezoning allowed for a four (4) lot subdivision and lot 3 of that site was developed as the Sterling Court retirement facility that includes 118 multi-family units with detached duplexes/triplexes.*
- 3. In 2006, a Final Plat was approved for the MPUD that created four (4) legal lots of record.*
- 4. In 2006, the Development Agreement and Cross Access Easement (DA) for the MPUD was adopted that approved development rights for the property that allows for commercial or office uses on lot 1 and office uses only on lots 2 and 4, as follows:*

*Lot 1 approvals:*

- Permitted land uses - C-1 zoning permitted uses, except bars/nightclubs, gas stations and convenience stores, fast food restaurants, automobile service stations type C, and any other land use that is not listed as a permitted use in the C-1 zoning district.*
- Permitted intensity - 0.25 floor area ratio (FAR).*
- Permitted lot coverage - 0.65 impervious surface ratio (ISR).*

- Access - right-in/right-out along Saxon Blvd. with median construction on Saxon Blvd. Access from Sterling Silver Blvd.
- Commitments/encumbrances - six (6) foot high masonry screen wall and landscaping along the north and west property lines, 15-ft. wide utility easement along Saxon Blvd., 1-ft. wide non-vehicular ingress and egress easement along roadway frontages, and utility easement at the northeast corner of the lot.

*Lot 3 approvals: Lot 3 is the constructed retirement center and not included in this BPUD application.*

*Lots 2 and 4 approvals:*

- Permitted land uses - business office or medical office development.
- Permitted intensity - 0.25 FAR (business office) or 0.12 FAR (medical office).
- Permitted lot coverage - 0.65 ISR.
- Access - three (3) driveways were permitted along Alabaster Way into lots 2 and 4.
- Commitments/encumbrances - Tract B is 44-ft. wide for common area, drainage, and utility easement (DUE), and ingress/egress; 10-ft. DUE extending from Tract B to Road B; 24-ft. wide access and utility easement from Alabaster Way to the Saxon Medical Park; Tract C common area; Road B (vacated by Ordinance No. 02-2008); 20-ft. wide School Board easement; 15-ft. wide utility easement along Saxon Blvd., and 1-ft. wide non-vehicular ingress and egress easement along Saxon Blvd. and Sterling Silver Blvd.

*Other:*

- 8-ft. wide sidewalks (only 5-ft. wide sidewalks constructed on Saxon Blvd.; need 8-ft.)
- Landscape medians constructed by Owner/Developer to be maintained by a POA (medians not landscaped; POA not created).
- Pedestrian crosswalks (partially striped/need completed).
- Turn-lane arrows internal to project (done).
- Mast arm traffic signal installation (not installed).

*Following the Planning and Zoning Board (Board) hearing for this ordinance on February 19, 2014, and the first reading of the ordinance at the April 7, 2014, City Commission public hearing, the DA, the Master Development Plan (MDP), the Staff Report, and this Agenda Memo was updated and revised to meet the Board and City Commissioner comments and Conditions of Approval, as follows:*

1. Only one MDP option (formerly Option 2). Option 1 was withdrawn by the applicant.
2. Mast traffic signalization commitment remains per ordinance and 2006 DA.
3. Cross-access to the Saxon Medical Plaza is maintained (co-located at the existing plaza driveway).
4. FAR cap remains at 0.25 for lot 1 and is proposed at 0.182 for lots 2 and 4 combined.

5. *ISR remains at 0.65 for lot 1 and is increased for lots 2 and 4 from 0.65 to 0.67.*
6. *Driveway for access to the City's lift station will be paved at 12-ft. wide in a 20-ft. wide easement.*
7. *Sidewalks along Saxon Boulevard will be increased from 5-ft. to 8-ft. wide, as required.*
8. *Proposed sidewalk connection between the Saxon Boulevard and Alabaster Way sidewalks.*

*Per the City's Code of Ordinances, the DA and the MDP shall be consistent with each other. Staff also worked with Volusia County Traffic Engineering and a peer review consultant for access management and traffic signalization, as well as with the applicant for land use compatibility issues; understanding that the site is already entitled for commercial and office development.*

**After discussion, the Commission voted 4 to 3 (Commissioner Barnaby, Commissioner Denizac and Commissioner Lowry voted against the motion) to adopt Ordinance No. 02-2014, a rezoning of Saxon-Sterling Silver lots 1, 2, and 4 from MPUD to BPUD, at second and final reading with the amended Development Agreement to include a specific location on Saxon and Sterling Silver Blvds for a mast arm traffic signal.**

- B. Public Hearing - Ordinance No. 08-2014, Amending the City Charter and Authorizing proposed Charter amendment questions to be submitted to the electors at the November 4, 2014 General Election for a referendum on the questions of approval of the proposed amendments, at second and final reading.**

*The City's Charter Review Committee, over the past year, has conducted a complete review of the City Charter and presented its recommendations to the City Commission on proposed changes to the City Charter at a Joint Workshop held on March 10, 2014.*

*The City Commission at a workshop held on March 27, 2014, reviewed and discussed the proposed recommendations of the Charter Review Committee. The proposed ordinance reflects the changes that were discussed and agreed to by a consensus of the City Commission at the workshop.*

**After discussion, the Commission voted unanimously against adopting Ordinance No. 08-2014 at second and final reading.**

**After discussion, the Commission voted 4 to 3 (Commissioner Barnaby, Commissioner Denizac and Vice Mayor Herzberg voted against the motion) to adopt Ordinance No. 08-2014 at second and final reading with the amended verbiage to Question #1 to read as follows "Charter amendment removing initial incorporation / transition provisions, boundary descriptions, and language changing candidate qualifying provisions."**

**9. OLD BUSINESS: None.**

**10. NEW BUSINESS:**

**A. Request for approval of the City of Deltona FY 2014 HOPWA Grantee Re-Designation Agreement.**

*The City of Deltona qualifies as an Entitlement community through the U.S. Department of Housing and Urban Development (HUD). Through this designation, it receives Community Development Block Grant (CDBG) funding. For Fiscal Year (FY) 2014, the City is allocated \$440,094 in CDBG funds.*

*On a national level and primarily through the Ryan White CARE Act, HUD also focuses on Housing Opportunities for Persons with AIDS (HOPWA) grant funds. The City was allocated \$372,602 for the Deltona Metropolitan Statistical Area (MSA) for FY 2014 to administer HOPWA funds for the MSA; which includes areas outside of Deltona, as well. While housing for persons with AIDS or being HIV positive is also a high priority locally, the City does not have an established program in place to administer HOPWA funds. The funds are typically administered by established agencies, such as the State of Florida Department of Health (State) and the Health Planning Council of Northeast Florida (Council), which includes the counties of Volusia and Flagler in their service areas.*

*In concert with HUD, staff is requesting a re-designation of this FY 2014 HOPWA allocation to effectively administer the funds for the benefit of people in need of assistance. The proposed re-designation with HUD to the State is for FY 2014, and the grant management activities and administrative operation, including monitoring, will be the responsibility of the State. The State will partner with a regionally serving sponsor (i.e. the Council) and has committed to focusing on expenditures from the re-designated funds to the region serving Volusia and Flagler counties. For future potential HOPWA allocations for the Deltona MSA, staff will work with HUD to develop a plan that provides the greatest assistance to the local population.*

**After discussion, the Commission voted unanimously to approve the City of Deltona Fiscal Year 2014 HOPWA Grantee Re-Designation Agreement with HUD and the State of Florida.**

**11. CITY ATTORNEY COMMENTS:**

**12. CITY MANAGER COMMENTS:**

**A. Lobbyist Update.**

**13. CITY COMMISSION COMMENTS:**

**14. ADJOURNMENT:**

**NOTE:** If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.