



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, April 21, 2025

6:30 PM

Deltona Commission Chambers

PUBLIC FORUM: 6:00 PM - 6:30 PM

The Mayor opened the public forum and Richard Bellach, Chris Collier, Lori Warnicke, Tim Blodgett, Courtney Cross-Burgos, and Pat Gibson addressed the City Commission.

BUSINESS MEETING - 6:30 PM

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

Present: 7 - Mayor Avila
Vice Mayor Heriot
Commissioner Avila-Vazquez
Commissioner Colwell
Commissioner Howington
Commissioner Lulli
Commissioner Santiago

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by the District #1 Commissioner. Honoring Veterans:

4. ADDITIONS AND DELETIONS:

5. PRESENTATIONS/AWARDS/REPORTS:

A. Super Star Student Awards for the second grading period of school year 2024/2025

6. DELTONA COMMUNITY EVENTS:

7. CONSENT AGENDA:

Motion by Commissioner Avila-Vazquez, seconded by Vice Mayor Heriot, to approve the Consent Agenda. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

A. Request for approval of minutes of the Executive Session and Regular Commission Meeting of April 7, 2025, as presented.

Approved by Consent - to approve the minutes of the Executive Session and Regular Commission Meeting of April 7, 2025, as presented.

B. Request for approval of recommendations for scholarship awards from the William S. Harvey Deltona Scholarship Advisory Board (WSHDSAB) for the 2024-2025 school year.

Approved by Consent - to approve the 2025 William S. Harvey Deltona Scholarship award recipients as presented.

C. Request for recognitions for the month of April.

Approved by Consent - to approve the requested recognitions for the month of April.

8. ORDINANCES AND PUBLIC HEARINGS:

A. Public Hearing - Request for approval of Ordinance No. 12-2024, amending the Official Zoning Map to rezone + 36.46 acres of land located along the North Normandy Boulevard Corridor, south and east of the I-4 Logistics Park IPUD within the Activity Center from single-family residential (R1-AA) to Mixed Use Planned Unit Development (MPUD), at first reading.

City Attorney Good stated this is a quasi-judicial hearing and to please be advised that the following items on the agenda are quasi-judicial in nature. If you wish to comment on any of these item(s), please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony including public testimony and evidence will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be cross-examined or sworn in, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions on their behalf. The full agenda packet on each agenda item is hereby entered into the record. Persons representing organizations must present evidence of their authority to speak for the organization. Further details of the quasi-judicial procedures may be obtained from the City Clerk. At this time, Commissioners must disclose any ex-parte

communications concerning items on the agenda and that is for this agenda item only, the public hearing regarding the rezoning.

Each Commissioner disclosed their ex-parte communications.

City Attorney Good swore in everyone that wished to speak on this item.

City Attorney Good read into the record the title of Ordinance No. 12-2024.

The Assistant Planning & Development Director gave a PowerPoint presentation to include Background, Comprehensive Plan Guidance, Site Plan Overview, Non-Residential Component, Architectural Controls & Development Standards (Non-Residential), Residential Component, Infrastructure Coordination, Transportation Systems & Traffic Impact, and Traffic Impact Analysis (TIA).

The Commission and the Planning & Development Services Director spoke about the Rhode Island Extension, buildable lot, reasons for rezoning, additional Activity Center development, PUD (Planned Unit Development) zoning, additional right-of-way, proportionate fair share, overlay requirements, current units per acres, multi-family component, unbuildable with current zoning, exits and entrances, updated TIA (Traffic Impact Analysis), the gas station and landscaping, architectural design standards, and the Development Order.

Applicant Scott Banta gave a PowerPoint presentation to include Synergy at Normandy, Deltona Activity Center, Synergy - Immediate Area, PVE - Owners - Blocks - Lots, PVE - Recap Blocks Lots Owners, Synergy - Property Tax Recap, Synergy - Master Development Plan, and Synergy MPD Use Recap.

The Commission, City Attorney and the applicant spoke about buffers, exits and entrances, warehouses, Volusia County regulations, the preliminary design, commercial traffic, Amazon, signage, I-4 Logistics Park, box trucks not tractor trailers, the 160 foot buffer from residential, Rhode Island Extension, tax revenue, the apartments, impact fees for parks, extending water lines, the direction of traffic, commercial parking, emergency situations, ingress/egress, apartment access, pedestrian safety, apartment amenities, identified businesses, industrial vs. the mixed use, different zonings and mixed uses, parking requirements, a down town and walkability, other options, number of trips, adhering to County recommendations, and the impact to infrastructure.

Attorney Mike Woods with Cobb Cole, 231 N. Woodland Blvd., DeLand, for the applicant, spoke about no ability to go to a granular level, the process of setting policy and holding the applicant accountable for the TIA requirements, and the applicant cannot currently move forward with anything on the land as it stands.

The Mayor opened the public hearing for those people with standing and Daryl Spradley with Charles Wayne Consulting, Inc., 2300 Maitland Center Parkway, Suite 212, Maitland, and Russell Maynard with Central Florida Engineering Consultants, LLC, 500 North Maitland Avenue, #102, Maitland, addressed the City Commission.

The Mayor opened the public hearing for those people without standing and Elbert Bryan addressed the City Commission.

The Commission and the City Attorney spoke about types of PUDs (Planned Unit Development) allowed.

Attorney Woods spoke about a letter of support from Mr. Luck, he summarized where we are, forward thinking, paying for sins of Volusia County, the proposal checks all the boxes, applicant working for four (4) years on the project, consistency, transitioning, setbacks and landscape buffer, rezoning must take place, overall goals and objectives, and reasons for the Activity Center.

Motion by Commissioner Santiago, seconded by Vice Mayor Heriot, to approve Ordinance No. 12-2024, amending the official zoning map to rezone 36.46-acres of land from R1-AA to MPUD, at first reading.

City Attorney Good read three (3) conditions based on today's discussion to be included in the motion if it is the will of the Commission as follows: Request for buildings that are located along Normandy Blvd. and Rhode Island frontages to include store front elevations that promote human scale and walkability and/or enhanced landscaping to mitigate visual impacts; For the enter and exit turning of trucks on Normandy Blvd. to be directed away from residential areas; and for a minimum of 160 feet distance between the existing residential neighborhood and the front elevation of any multi-family buildings.

Amended motion by Commissioner Santiago, seconded by Vice Mayor Heriot, to include the following conditions: Request for buildings that are located along Normandy Blvd. and Rhode Island frontages to include store front elevations that promote human scale and walkability and/or enhanced landscaping to mitigate visual impacts; For the enter and exit turning of trucks on Normandy Blvd. to be directed away from residential areas; and for a minimum of 160 feet distance between the existing residential neighborhood and the front elevation of any multi-family buildings. The amended motion carried by the following vote:

For: 6 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

Against: 1 - Commissioner Colwell

9. ACTION ITEMS:

- A. Request for rehearing of Resolution No. 2025-24, accepting the Final Plat for Phase 1 on the Vineland Reserve RPUD for a 126-lot single-family townhouse subdivision on approximately 20.3-acres of property located**

east of Peach Creek Drive.

City Attorney Good explained this is just the request for rehearing and this will not be hearing any of the merits of the project.

Motion by Commissioner Lulli, seconded by Commissioner Colwell, to deny the motion for rehearing of Resolution No. 2025-24, accepting the Vineland Reserve Phase 1 Final Plat.

The Mayor opened the public comments and Lori Warnicke addressed the City Commission.

Attorney McGregor Love with Lowndes Law, 215 N. Eola Drive, Orlando, spoke about the basis for the request, addressing concerns if granted a rehearing, Phases 2 & 3 not affiliated with this developer, the Commission having questions and he has answers, the Pegasus memo and providing improvements, engineering plans and the plat will not change.

The Commission and Attorney Love spoke about a demand letter, meeting/hearing attendance, issues with the final plat, opportunity to answer questions, engineering issues, documents received, pushing the process through as fast as possible, valuing developers who work with the City, bad business relationship, being on the same page as staff, no changes to the final plat, and providing a bond and other things.

The motion failed by the following vote:

For: 3 - Commissioner Avila-Vazquez, Commissioner Colwell, and Commissioner Lulli

Against: 4 - Mayor Avila, Vice Mayor Heriot, Commissioner Howington, and Commissioner Santiago

Amended motion by Vice Mayor Heriot, seconded by Commissioner Howington, to grant the rehearing only because the gentleman representing the developer showed up tonight, with the understanding that you guys will be here at the rehearing to answer every single question. You saw how lengthy the discuss was without you and he hopes you will be prepared to have an even longer discussion with you guys. There is seven or eight people behind you that are just a small portion of the people that will be here for your rehearing, if it gets approved, so please be prepared to answer every single question. The amended motion carried by the following vote:

For: 4 - Mayor Avila, Vice Mayor Heriot, Commissioner Howington, and Commissioner Santiago

Against: 3 - Commissioner Avila-Vazquez, Commissioner Colwell, and Commissioner Lulli

B. Request for approval of Resolution No. 2025-51 to Activate the Ordinance Review Committee.

City Attorney Good read the title of Resolution No. 2025-51 for the record.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Lulli, to approve the item.

The Commission, City Attorney and City Manager spoke about hiring and funding a consultant, slowing down the process and costing more money, the Commission's role, the budget, keeping the current momentum, this pushing things out 2-3 months, transparency, goals, sunseting after a year, a consistent stream of ordinance updates or removals, start during budget conversations, whether a consultant is needed, and the previous ORC (Ordinance Review Committee).

Commissioner Heriot stated building this into the budget with the sunset being October 1st and sunset at the end of the fiscal year to coincide with the consultant and City Attorney Good replied whomever is the maker of the motion to include that as part of the motion. The way the resolution is drafted is that after twelve months there would be a sunset unless the Commission extends.

Amended motion by Commissioner Avila-Vazquez, seconded by Commissioner Lulli, to build this into the budget with the sunset being October 1st, sunseting at the end of the fiscal year to coincide with the consultant and after twelve months there would be a sunset unless the Commission extends.

City Attorney Good read the motion, this is a motion to approve Resolution No. 2025-51 with an amendment to the sunset provision that the board shall automatically sunset and be dissolved twelve months following October 1, 2025, unless the life of the board is extended by resolution of the City Commission.

The amended motion carried by the following vote:

For: 4 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, and Commissioner Lulli

Against: 3 - Commissioner Colwell, Commissioner Howington, and Commissioner Santiago

C. Request approval of the Charter Officer evaluation process.

The Mayor opened the public comments and Courtney Cross-Burgos addressed the City Commission.

City Attorney Torcivia stated the Commission requested that this item be moved forward, this was on the workshop agenda, but we were not able to get to it on the day of the workshop. The City Manager elected to add it to this agenda to move it forward. It is spelled out in the City Manager's contract and in the City Attorney's contract

presumably the Commission will decide what direction they want to take with respect to process because there isn't a clear process defined in either contract. We have laid out a process for the City Manager and a process for the City Attorney evaluations.

The City Manager stated according to his contract he would bring an evaluation process to the Commission for the Commission to decide to utilize or not so the ICMA (International City/County Management Association) process is before you that is used throughout the country. The City Attorneys looked at a number of valuations in the region and put together something similar, but more dedicated towards them. His would start between May 10th and June 10th, the Commission would have an entire month and July possibly for the City Attorneys. So, we are asking the Commission tonight to go through these processes if acceptable then the Commission would answer these questions and forward them to the City Clerk's Office. The Clerk would tabulate all the scores and then the Charter Officers would receive the scores and information which would then be made available to the public.

City Attorney Torcivia stated if the Commission wanted to do the process differently they would be happen to accommodate that.

Motion by Commissioner Santiago, seconded by Commissioner Howington, to approve the Charter Officer evaluation process as presented. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

10. CITY ATTORNEY COMMENTS:

City Attorney Torcivia stated the noise ordinance that was discussed at the workshop is in process. The drafted ordinance has been presented to VSO (Volusia Sheriff's Office) who they are meeting with tomorrow morning to ensure they are comfortable with the revision. Depending on that meeting she expects to bring the ordinance forward at the next meeting or the meeting after.

11. CITY MANAGER COMMENTS:

The City Manager wished everyone a Happy Easter season. Also, looking at the budget list of meetings next Saturday, May 3rd at 9:00 a.m. in the chambers will be the first of the budget meetings. It will be for the CIP (Capital Improvement Projects) and equipment which is expected to be a few hours.

12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:

Commissioner Avila-Vazquez spoke about the noise ordinance and the curfew policy, CompStat meetings, update on the welcome sign off I-4 and Saxon Blvd., update on Lakeshore Drive, and using tree funds for Lakeshore.

Commissioner Lulli requested a consensus to draft a letter to FDOT (Florida

Department of Transportation) District 5 to ask FDOT to advance the I-4 projects through our City limits, Sanford area all the way up to Howland Blvd. and the Commission concurred.

Commissioner Howington spoke about Eggstravaganza, Dupont Lakes clean up, Wes Crile sign, Picasso Road stormwater, list of stormwater projects, and to post the budget scheduled.

Commissioner Santiago spoke about the County's Howland Blvd. improvements, Deltona High School ROTC (Reserve Officers' Training Corps) Military Ball, and Eggstravaganza.

Vice Mayor Heriot spoke about Eggstravaganza, Celtic Fest, Pickleball Tournament, Arbor Day, speeding on Danforth Avenue.

The Mayor spoke about VSO monitoring school traffic and holes on Saxon Blvd.

Commissioner Howington spoke about asking the County to clean the stormwater area on Saxon Blvd.

The Mayor continued to speak about updates on road work being done.

The Mayor requested a consensus that within the next 4 Commission meetings add a discussion with the TPO (Transportation Planning Organization) representative to discuss what the Commission would like to see pushed quicker with the Rhode Island extension so Commissioner Lulli can be a more effective advocate and the Commission concurred.

The Mayor asked for a consensus to build a lobbyist registration with some suggestions from the City Attorney at the next possible Commission meeting. City Attorney Torcivia asked if the Mayor was requesting that the attorney bring forward a draft ordinance that establishes a lobbyist registration process based on other comparable cities and the Mayor replied yes.

The Commission and City Attorney spoke about the process of drafting an ordinance vs. bringing options forward to the Commission before drafting an ordinance, what this would accomplish, transparency, and registration fee/revenue stream.

The Commission concurred to build a lobbyist registration with some suggestions from the City Attorney at the next possible Commission meeting.

13. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:55 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK