

ORDINANCE NO. 2019 – 26

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, CHANGING THE ZONING FROM VOLUSIA COUNTY’S B-4/B-4C, GENERAL COMMERCIAL/THOROUGHFARE/OVERLAY; R-4C, URBAN SINGLE FAMILY RESIDENTIAL/THOROUGHFARE OVERLAY TO DELAND SS PD, PLANNED DEVELOPMENT, ON PROPERTY LOCATED AT SOUTH STATE ROAD 15-A AND SOUTH ADELLE AVENUE; APPROVING A PLANNED DEVELOPMENT PLAN CONSISTING OF APPROXIMATELY 6.44 ACRES OF PROPERTY; MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the applicant, Phillip Hollis, of Flagship Companies Group, LLC (hereinafter referred to as “Applicant”) on behalf of the owners, Norman and Victoria Todd of approximately 6.44 acres of land located at South State Road 15-A and South Adelle Avenue, which is more particularly described in the legal description attached hereto as Exhibit “A”, and which by this reference is made a part hereof; and

WHEREAS, the Applicant has applied for a change of zoning from the present zoning classification of Volusia County’s B-4/B-4C (General Commercial/Thoroughfare Overlay) and R-4C (Urban Single-Family Residential/Thoroughfare Overlay) to DeLand SS PD, Planned Development; and

WHEREAS, said rezoning as a PD District is consistent with both the Comprehensive Plan and the purpose and intent of Section 33-32 of the Code of Ordinances of the City of DeLand (the “Code”); and

WHEREAS, the Applicant has submitted an application for the approval of a development plan in order to amend the property’s zoning designation and change certain development standards for the property described in Exhibit “A” (hereinafter the “Property” or the “Project”); and

WHEREAS, the proposed development plan meets or exceeds the minimum conditions and standards for the PD District with respect to minimum development size, perimeter setbacks, comprehensive plan consistency, internal compatibility, external compatibility, open spaces, sidewalks, environmental constraints, internal access and circulation, external transportation access, off-street parking, public facilities and unified control; and

WHEREAS, the proposed development plan is consistent with the Highway Commercial future land use designation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:

Section 1. The City Commission has held a public hearing to approve the change of zoning from Volusia County's B-4/B-4C (General Commercial/Thoroughfare Overlay) and R-4C (Urban Single-Family) to DeLand SS PD, Planned Development on property located at South State Road 15-A and South Adelle Avenue.

Section 2. Pursuant to the determination made at a public hearing, the City Commission hereby amends the Comprehensive Zoning Map of the City to include the land described in Exhibit "A" as DeLand SS PD, Planned Development District.

Section 3. The zoning of the Property as PD, Planned Development District, is made pursuant to Section 33-32 of the Code and the development of the Property shall take place in accordance with that Section and in substantial compliance with the Development Plan Agreement, Maps and other supporting documentation submitted by the Applicant which shall be filed and retained for public inspection in the office of the City Planning Department and constitute a supplement to the official Zoning Map of the City.

Section 4. The approved Development Plan for DeLand SS PD, Planned Development District, including the Development Plan Agreement, Map and other supporting documentation (on file with the City Planning Department), are attached hereto as Exhibit "B" and by this reference made a part hereof.

Section 5. The failure of the approved Development Plan to address a particular permit, condition, term or restriction shall not relieve the Applicant of the necessity of complying with any law governing said permitting requirements, conditions, terms or restrictions, as same may be amended or enacted from time to time in the future. All current land development regulations of the City are applicable to the PD District except to the extent that they conflict with a specific provision of the approved Development Plan.

Section 6. At the time of development, the Applicant shall comply with all relevant building codes and development standards contained in the City's Code of Ordinances or in the Development Plan; provided, however, that the development standards contained in the adopted Development Plan shall supersede comparable standards contained in the Code of Ordinances.

Section 7. Pursuant to Article 5 of the City's Land Development Regulations, the Applicant shall comply with all applicable infrastructure regulations.

Section 8. The City Commission may rezone any portion of the Project which has not obtained a site plan approval within five years from the date of adoption of this Ordinance.

Section 9. Prior to the issuance of a building permit, Applicant shall submit an easement document, acceptable to the City of DeLand, permitting additions to shared access, parking, utilities, and stormwater.

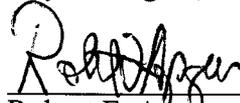
Section 10. The City Engineer and Planning Director are hereby directed to change the Comprehensive Zoning Map of the City of DeLand to conform with the change of zoning enacted in this Ordinance.

Section 11. No rights to obtain final development orders nor any rights to develop the property have been granted or implied by this Ordinance. Final development orders for the property including, but not limited to, site plan approval shall be subject to a determination of concurrency.

Section 12. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

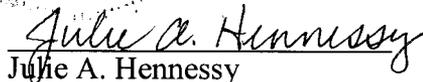
Section 13. This Ordinance shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED this 19th day of August, 2019.



Robert F. Appgar
Mayor - Commissioner

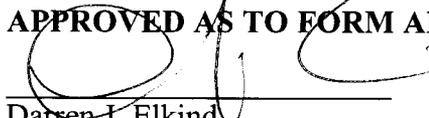
ATTEST:



Julie A. Hennessy
City Clerk - Auditor

Passed on first reading: June 17, 2019
Adopted on second reading: August 19, 2019

APPROVED AS TO FORM AND LEGALITY:



Darren J. Elkind
City Attorney

Property Description

The Southwest 1/4 of the Southeast 1/4 of Section 20, Township 17 South, Range 30 East, Volusia County, Florida, lying East of State Road 15-A, except the North 419.00 feet thereof and except that portion described as follows:

From the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 20, Township 17 South, Range 30 East, Volusia County, Florida, run North 00°49'36" West 130.41 feet along the East boundary of said Southwest 1/4 of the Southeast 1/4 for the Point of Beginning, said Point of Beginning being a point on the Northeasterly right of way line of State Road 15A, as said Northeasterly right of way line as now laid out and exists, said Northeasterly right of way line being a non tangent curve concave Northeasterly and having a radius of 1860.08 feet; thence from a tangent bearing of North 70°54'43" West, run Northwesterly 774.05 feet along the arc of said curve and said Northeasterly right of way line through a central angle of 23°50'35" to the end of said curve; thence run North 42°55'52" East 10.00 feet along said Northeasterly right of way line to a point on a non tangent curve concave Northeasterly and having a radius of 1850.08 feet; thence from a tangent bearing of North 47°04'08" West, run Northwesterly 420.00 feet along the arc of said curve and said Northeasterly right of way line through a central angle of 13°00'26" to the end of said curve; thence run North 34°03'42" West 66.61 feet along said Northeasterly right of way line; thence run South 55°56'18" West 10.00 feet along said Northeasterly right of way line; thence run North 34°03'42" West 9.09 feet along said Northeasterly right of way line to a point on the South boundary of the North 419.00 feet of the aforesaid Southwest 1/4 of the Southeast 1/4; thence run South 89°53'41" East 663.18 feet along said South boundary thence run South 00°03'52" West 120.83 feet; thence run South 38°46'04" West 418.06 feet to a point on a non tangent curve concave Northeasterly and having a radius of 1853.08 feet, said curve being 7.00 feet Northeasterly of and parallel with the aforesaid Northeasterly right of way line of State Road 15A; thence from a tangent bearing of South 50°21'52" East, run Southeasterly 631.08 feet along the arc of said curve through a central angle of 19°30'45" to a point on a non tangent curve concave Northwesterly and having a radius of 22.00 feet thence from a tangent bearing of North 36°12'20" East, run Northeasterly 14.23 feet along the arc of said curve through a central angle of 37°03'19" to the end of said curve; thence run North 01°08'30" West 95.36 feet; thence run North 89°09'31" East 25.07 feet to a point on the aforesaid East boundary of the Southwest 1/4 of the Southeast 1/4; thence run South 00°49'36" East 126.89 feet to the Point of Beginning.

Subject property contains 6.44 acres more or less.

LEGAL DESCRIPTION FLAGSHIP STORAGE S.R. 15A DELAND

PARKER MYNCHENBERG
& ASSOCIATES, INC.
PROFESSIONAL ENGINEERS * LANDSCAPE ARCHITECTS
1728 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
(386) 677-6891 FAX (386) 677-2114
E-MAIL: info@parkermynchenberg.com

EXHIBIT "A"

1 "EXHIBIT B"

2 PLANNED DEVELOPMENT AGREEMENT

3 IN THE CITY COMMISSION OF THE

4 CITY OF DELAND, FLORIDA

5 IN RE: *Case #Z-19-37*, Application of

6 FLAGSHIP COMPANIES GROUP, LLC

7 ORDINANCE # 2019-26

8
9 ORDER AND RESOLUTION GRANTING A REQUEST FOR CHANGE OF ZONING FROM
10 VOLUSIA COUNTY B-4C TO CITY OF DELAND, FLORIDA, DELAND SS PLANNED
11 DEVELOPMENT (PD)

12
13 The application of FLAGSHIP COMPANIES GROUP, LLC, hereinafter, "Applicant",
14 for rezoning was heard by and before the City Commission, DeLand Florida, on June 17,
15 2019. Based upon the verified Application and other supporting documents, maps, charts,
16 overlays, other evidence and instruments; the advice, report, and recommendations of the
17 Community Development, and other Departments and agencies of DeLand, Florida; and
18 the testimony adduced and evidence received at the Public Hearing on this Application by
19 the Planning Board on May 15, 2019, and otherwise being fully advised, the City Commission
20 does hereby find and determine as follows:

GENERAL FINDINGS

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A. That the application of Flagship Companies Group, LLC was duly and properly filed herein on March 18, 2019 as required by law.

B. That all fees and costs which are by law, regulation, or Ordinance required to be borne and paid by the applicant have been paid.

C. That the applicant is the contract purchaser of a 6.44+/- acre parcel of land which is situated in DeLand, Florida. This parcel of land is described more particularly in the survey and legal description, a true copy of which is attached hereto as Exhibit "A".

D. That the Applicant has complied with the concept plan provision as required by Land Development Regulations Ordinance #2013-11, as amended.

E. That the Applicant has complied with the "Due Public Notice" requirements of the City Commission, Land Development Regulations Ordinance #2013-11, as amended.

F. That the owners of the property, Norman Todd and Victoria L. Todd, husband & wife, agree with the provisions of this Development Agreement.

FINDINGS REGARDING REZONING

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2
3 A. That the Applicant has applied for a change of zoning from the present
4 zoning classification of the parcel described in Exhibit "A" from existing County B-4C to
5 (PD) Planned Development.

6
7 B. That the said rezoning to PD is consistent with both the City of DeLand
8 Comprehensive Plan Ordinance # 1990-04, as amended, and the intent and purpose of the
9 City of DeLand Land Development Regulations Ordinance #2013-11, as amended, and
10 does promote the public health, safety, morals, general welfare and orderly growth of the
11 area affected by the rezoning request.

12
13 NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY OF
14 DELAND, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE CITY
15 COMMISSION CHAMBERS, 120 SOUTH FLORIDA AVENUE, DELAND, FLORIDA, THIS
16 19th DAY OF August, A.D., 2019, AS FOLLOWS:

17
18 A. That the Application of Flagship Companies Group, LLC for the rezoning of
19 the subject parcel is hereby granted.

20
21 B. That the zoning classification of the subject parcel described in Exhibit "A"
22 attached hereto is hereby amended from Volusia County B-4C to DeLand SS PD as
23 described in Article VII of the City of DeLand, Land Development Regulations Ordinance
24 #2013-11, as amended.

1
2 C. That the Official Zoning Map of the City of DeLand, is hereby amended to
3 show the rezoning of said parcel to DeLand SS Planned Development (PD).

4
5 D. That the City of DeLand Land Development Regulations Ordinance #2013-
6 11, as amended, is consistent with the provisions of the Development Agreement as
7 hereinafter set forth in this Ordinance and with respect to any conflict between Land
8 Development Regulations Ordinance #2013-11, as amended, and the Development
9 Agreement, the provisions of the Development Agreement shall govern. Ordinance #2013-
10 11, as amended, shall govern with respect to any matter not covered by the Development
11 Agreement. The City of DeLand, will ensure overall compliance with this Ordinance.

12
13 E. Unless otherwise provided for herein the City of DeLand, Land Development
14 Regulations Ordinance #2013-11, as amended, shall apply to the PD in the same manner
15 as the C-2 (Highway Commercial) zoning classification.

16
17 F. Nothing in this Ordinance shall abridge the requirements of any City of
18 DeLand Ordinance other than Ordinance #2013-11, as amended. Timing and review
19 procedures contained in this Order and Resolution may be modified to comply with the City
20 of DeLand Land Development Regulations, Ordinance #2013-11, as amended. Further,
21 nothing in the Development Agreement is intended to abridge the requirements of
22 Ordinance #2013-11, as amended, and any other City Ordinances.

23 DEVELOPMENT AGREEMENT

1 A. Development Concept The property shall be developed as a PD
2 substantially in accordance with the Planned Development Plan. The Planned
3 Development Plan shall govern the development of the property as a PD and shall regulate
4 the future land use of this parcel.

5 1. Planned Development Plan The Planned Development Plan shall
6 consist of the Development Plan Map prepared by Parker Mynchenberg, Inc. and dated
7 March 18, 2019 and this Development Agreement. The Planned Development Plan is
8 hereby approved and incorporated in this Ordinance by reference as Exhibit "B". The
9 Planned Development Plan shall be filed and retained for public inspection in the Planning
10 Department and it shall constitute a supplement to the Official Zoning Map of the City of
11 DeLand.

12 2. Amendments. All amendments of the Planned Development Plan,
13 other than those deemed by the Planning Department to be minor amendments as set out
14 in Ordinance #2013-11, as amended, shall require the review and recommendation of the
15 Planning Board and action by the City Commission in the same manner as a rezoning of
16 the parcel.

17 3. Final Site Plan Approval After the Planned Development Plan is
18 recorded, and prior to issuance of any permits for construction, including clearing and
19 landfill, a Final Site Plan shall be prepared and submitted for review and approval in the
20 manner required by Article XII of the City of DeLand, Land Development Regulations
21 Ordinance #2013-11, as amended.

22
23 B. Unified Ownership. The Applicant or his successors shall maintain unified
24 ownership of the subject parcel until after issuance of the Final Site Plan Development

1 Order.

2
3 C. Phases of Development. As identified on the Development Plan Map, Exhibit
4 "B", this project will be developed in one phase.

5
6 D. Land Uses Within the PD. The development of the parcel shall be consistent
7 with the permitted and allowable uses prescribed for each area within the proposed PD.
8 The location and size of said land use areas are shown on the Development Plan Map,
9 Exhibit "B". The following land uses shall be allowed as permitted principal uses and
10 structures along with their customary accessory uses and structures:

11 • Personal storage & mini-warehouses (both conditioned & non-conditioned)
12 • Vehicle and/or R/V Storage (within a screened compound)• *Maker Space* – A
13 work space, workshop, or studio, in a fully enclosed structure and not exceeding 5,000 square feet, for artists,
14 artisans, craftspersons, furniture-makers, microbrewers/distillers, bakers, technology, software, electronics and
15 similar small-production uses with on-site sales. Allowable uses shall not produce excessive noise, vibration,
16 odors, waste, smoke, glare, particulate, or combustible materials that negatively affect adjacent businesses or
17 properties.

18
19 • Business Incubator/General/professional/medical offices
20 • General retail
21 • Restaurant & fast-food establishments
22 • All other allowable non-residential uses listed for C-2 zoning district under
23 Table 33-17.23, City of DeLand Land Development Regulations, as amended

24 No uses, other than mini-warehouse uses, may be conducted in any units designed and

1 approved on a site plan for mini-warehouses.

2 E. Development Standards. The minimum site design regulations that will be
3 used to govern development within the PD will be as specified in Section 33-17.16. C-2—
4 General Commercial District as amended, except as modified by the specific Planned
5 Development Plan as show in Exhibit “B” hereof and as set forth herein:

6 Parking - Self-storage parking requirements shall be 1 (one) parking space for each
7 50 (fifty) storage units, including storage office, rounded up to the nearest whole number.
8 Parking for all other uses will conform to Section 33-17.16. C-2—General Commercial
9 District, as amended. Impervious area shall be 70% maximum as based on the highway
10 commercial land use designation.

11 Retail Front – The retail component of this project facing SR 15-A is a business
12 incubator, which will rely upon independent entry features and brand identity signage. This
13 will be accomplished by discontinuing the 5’ overhang awning/canopy between each entry
14 and providing an 8” pilaster vertically (ground-up) between each business.

15 Landscape - Buffers are required along street frontages where proposed (article VIII
16 of chapter 33). Additional buffer and sign requirements apply to developments within
17 and/or along special overlay districts (article IV of chapter 33):

- 18 • North: Buffer Standard “C” (including either vegetative* or fence/wall
19 screening; if a fence/wall is utilized, it shall be a minimum height of 6 ft &
20 located a minimum of 10 ft. from the property boundary)
- 21 • South (frontage facing SR 15-A): Buffer Standard “D” with a minimum buffer
22 width of 40 ft. (and consistent with the standards required for the Emerging
23 Gateway Corridor)
- 24 • East: Buffer Standard “C” (including either vegetative* or fence/wall

1 screening along the right-of-way only where opposite of residential uses; if a
2 fence/wall is utilized, it shall be a minimum height of 6 ft. & located a
3 minimum of 20 ft. from the right-of-way)

- 4 • West: 5' Landscaped buffer in foundation plantings, against the west side of
5 the 3-story building with tall cypress trees.

6 * Vegetative screening shall be designed to provide at least 80% visual coverage
7 within 5 years from planting.

8 Signage - *Ground-mounted monument signs* are permitted; however, pole-mounted
9 signs are specifically prohibited. Ground-mounted monument signs shall comply
10 with the following criteria:
11

- 12 • Size of sign. Total area of more than five-acre site may have one double-
13 faced sign per street frontage, with a maximum of 128 square feet of sign
14 area per side.
- 15 • Height of sign. The maximum height of any monument sign shall be eight
16 feet above grade, including base, sign area, supporting structure, and/or
17 architectural embellishments.
- 18 • Setback of sign. 5' setback from the R/W line, with driveway site triangles as
19 required in the applicable driveway permit.

20 *Building signs, wall and other.* Building wall signs and other signs, such awning
21 signs are permitted and shall comply with the relevant portions of Article VII.

22 Building signs, as amended below:

- 1 ○ Rear setback, abutting residentially zoned property 25 feet

2

3 F. Environmental Considerations. Historic trees and trees utilized to meet the
4 minimum tree protection requirement or trees located inside a designated tree protection
5 area, as defined in article VI of chapter 33, may not be removed without application and
6 approval of a permit by the City. Dedication of 15 percent of the property for tree
7 preservation is required. The minimum requirements of the Land Development Regulations
8 Ordinance #2013-11, as amended, shall be met except for the following considerations:
9 Applicant has incurred site specific hardships and provided extraordinary additional tree
10 preservation areas in-spite of those hardships:

- 11 • Applicant has substantially exceeded the required 15 percent tree
12 preservation area by an additional 19,285 sf of tree preservation area,
13 equaling nearly half (46%) more than required by code, as shown on Exhibit
14 “B”.
- 15 • Applicant has overcome a severe-slope-hardship to transition the 20 feet of
16 vertical fall from the NE corner of site to SW corner of the site, as shown on
17 Exhibit “B”, having to clear more treed site area than normal, in spite of also
18 using retaining walls to preserve historic and specimen trees, in order to
19 create an ADA accessible site.
- 20 • Applicant has also dealt with an extraordinary-tree-density-hardship of 85.71
21 trees per acre, an existing unhealthy density. A healthy tree canopy, as
22 required by current City code, to replant the entire site with a canopy at 40’
23 on center, yields 4 trees per 6,400 sf or 27.23 trees per acre. Mitigating the
24 315% disparity seems an undue hardship.

1 Therefore, in consideration of Applicant, 1) providing 46% more than required tree
2 preservation area, 2) overcoming the 20' severe-slope-hardship and 3) attempting to
3 overcome a 315% extraordinary-tree-density-hardship by planting as many trees as
4 possible and 4) incurring additional development and operating costs to develop and
5 maintain a required for retail element to the project, including Business Incubator and
6 Maker Space, which are uses that the Applicant generally would not incorporate in its mini-
7 warehouse developments. The tree mitigation fee due for the site plan approved
8 concurrently with this Development Agreement is reduced to and shall be \$68,530.00.

9 G. Sewage Disposal and Potable Water. Provision for sewage disposal and
10 potable water needs of the PD will be provided in accordance with the Comprehensive
11 Plan, Ordinance No.1990-04, as amended, the Land Development Regulations Ordinance
12 #2013-11, as amended, and State of Florida Administrative Code 64E-6.

13

14 H. Stormwater Drainage. Provision for stormwater retention shall be in
15 accordance with the Land Development Regulations Ordinance #2013-11, as amended.
16 Stormwater generated by, during and after construction or improvement must be contained
17 on-site or within a communal stormwater collection and management system permitted by
18 the State.

19

20 I. Access and Transportation System Improvements. All access and
21 transportation system improvements shall be provided in accordance with the Land
22 Development Regulations, Ord. #2013-11, as amended. The parcel shall be developed in
23 substantial accordance with the following access and transportation system improvements:

24

1 1. Access. Access to the site as ingress and egress will be provided by
2 one bi-directional driveway to both South Adelle Avenue and South SR-15A per Exhibit "B"
3 or as may permitted by the Florida Department of Transportation, Volusia County and the
4 City of DeLand.

5 2. Transportation System Improvements. Driveway apron improvements
6 will be provided as required to ensure safe ingress and egress to the proposed
7 development. Additional right of way dedication or reservation on South Adelle Avenue will
8 be reviewed in the Final Site Plan approval process.

9
10 J. Internal Roadways. Onsite private drive improvements will be provided as
11 required to ensure safe ingress and egress to the proposed development and access to
12 facilities.

13
14 K. Building or Property Owners Association. As a single owner rental facility,
15 there is no property owner's association.

16
17 L. Utility Easements. Under-ground electrical and cable/fiber/telephone utility
18 lines, will be covered in private onsite easements.

19
20 M. Reverter Provision: The City Commission may rezone any portion of the
21 project which has not secured a final development order on or before 5 years from the
22 effective date of this ordinance, as may be necessary or appropriate to protect adjoining
23 properties or the public health, safety and welfare, unless the City Commission, for good
24 cause shown, shall extend the time period indicated in this paragraph.

1
2 N. Binding Effect of Plans; Recording; and Effective Date. The Planned
3 Development Plan, including any and all amendments shall bind and inure to the benefit of
4 the Applicant and his successor in title or interest. The PD zoning, provisions of this
5 Development Agreement, and all approved plans shall run with the land and shall be
6 administered in a manner consistent with Article XII of the City of DeLand Land
7 Development Regulations Ordinance #2013-11, as amended.

8
9 This Ordinance and all subsequent amendments shall be filed with the Clerk of the
10 Court and recorded within forty-five (45) days following execution of the document by the
11 City Commission, in the Official Records of Volusia County, Florida. One copy of the
12 document, bearing the book and page number of the Official Record in which the
13 document was recorded, shall be submitted to the Planning Department for placement in
14 the public file. The date of recording of this document shall constitute the effective date of
15 the DELAND SS PD or its subsequent amendments. The applicant shall pay all filing
16 costs for recording documents.

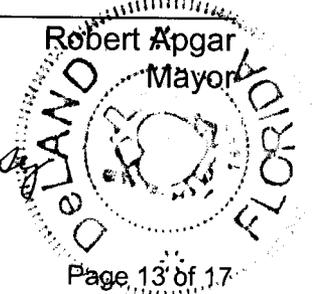
17
18 DONE and ORDERED by the City Commission, City of DeLand, Florida, this
19 19th day of AUGUST, 2019.

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21
22 ATTEST:

City Commission of DeLand Florida

23
24 Michael Pleus
25 Michael Pleus
26 City Manager
27

Robert Apgar
Robert Apgar
Mayor
ATTEST:
Julie A. Hennessy
Julie A. Hennessy, MMC
City Clerk - Auditor

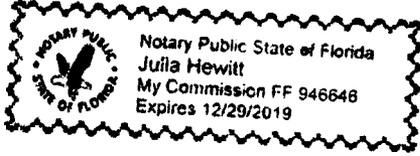


Page 13 of 17

28 STATE OF FLORIDA
29 CITY OF DELAND

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The foregoing instrument was acknowledged before me this 19th day of 2019, by Michael Pleus and Robert Apgar, as City Manager and Mayor, City of DeLand, respectively, on behalf of the City of DeLand, and who are personally known to me.



NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name:

Julia Hewitt

Commission No.: FF 946648

My Commission Expires: 12/29/19

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WITNESSES:

Vivian Belana

Phillip C. Hollis
Flagship Companies Group, LLC
Applicant's Name, Title & Corporation

Phillip C. Hollis

Applicant's Name, Title & Corporation

Owner of Property (if other than applicant)

The foregoing instrument was acknowledged before me this 27 day of
August (mo/yr), by (NAME), who is personally
known to me or who has produced FL H420-663-51-335-0 as
identification.

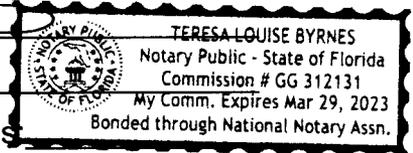
NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name:

[Signature]

Commission No.:

My Commission Expires



Property Description

The Southwest 1/4 of the Southeast 1/4 of Section 20, Township 17 South, Range 30 East, Volusia County, Florida, lying East of State Road 15-A, except the North 419.00 feet thereof and except that portion described as follows:

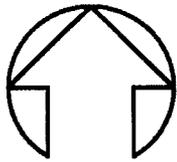
From the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 20, Township 17 South, Range 30 East, Volusia County, Florida, run North 00°49'36" West 130.41 feet along the East boundary of said Southwest 1/4 of the Southeast 1/4 for the Point of Beginning, said Point of Beginning being a point on the Northeastly right of way line of State Road 15A, as said Northeastly right of way line as now laid out and exists, said Northeastly right of way line being a non tangent curve concave Northeastly and having a radius of 1860.08 feet; thence from a tangent bearing of North 70°54'43" West, run Northwestly 774.05 feet along the arc of said curve and said Northeastly right of way line through a central angle of 23°50'35" to the end of said curve; thence run North 42°55'52" East 10.00 feet along said Northeastly right of way line to a point on a non tangent curve concave Northeastly and having a radius of 1850.08 feet; thence from a tangent bearing of North 47°04'08" West, run Northwestly 420.00 feet along the arc of said curve and said Northeastly right of way line through a central angle of 13°00'26" to the end of said curve; thence run North 34°03'42" West 66.61 feet along said Northeastly right of way line; thence run South 55°56'18" West 10.00 feet along said Northeastly right of way line; thence run North 34°03'42" West 9.09 feet along said Northeastly right of way line to a point on the South boundary of the North 419.00 feet of the aforesaid Southwest 1/4 of the Southeast 1/4; thence run South 89°53'41" East 663.18 feet along said South boundary thence run South 00°03'52" West 120.83 feet; thence run South 38°46'04" West 418.06 feet to a point on a non tangent curve concave Northeastly and having a radius of 1853.08 feet, said curve being 7.00 feet Northeastly of and parallel with the aforesaid Northeastly right of way line of State Road 15A; thence from a tangent bearing of South 50°21'52" East, run Southeastly 631.08 feet along the arc of said curve through a central angle of 19°30'45" to a point on a non tangent curve concave Northwestly and having a radius of 22.00 feet thence from a tangent bearing of North 36°12'20" East, run Northeastly 14.23 feet along the arc of said curve through a central angle of 37°03'19" to the end of said curve; thence run North 01°08'30" West 95.36 feet; thence run North 89°09'31" East 25.07 feet to a point on the aforesaid East boundary of the Southwest 1/4 of the Southeast 1/4; thence run South 00°49'36" East 126.89 feet to the Point of Beginning.

Subject property contains 6.44 acres more or less.

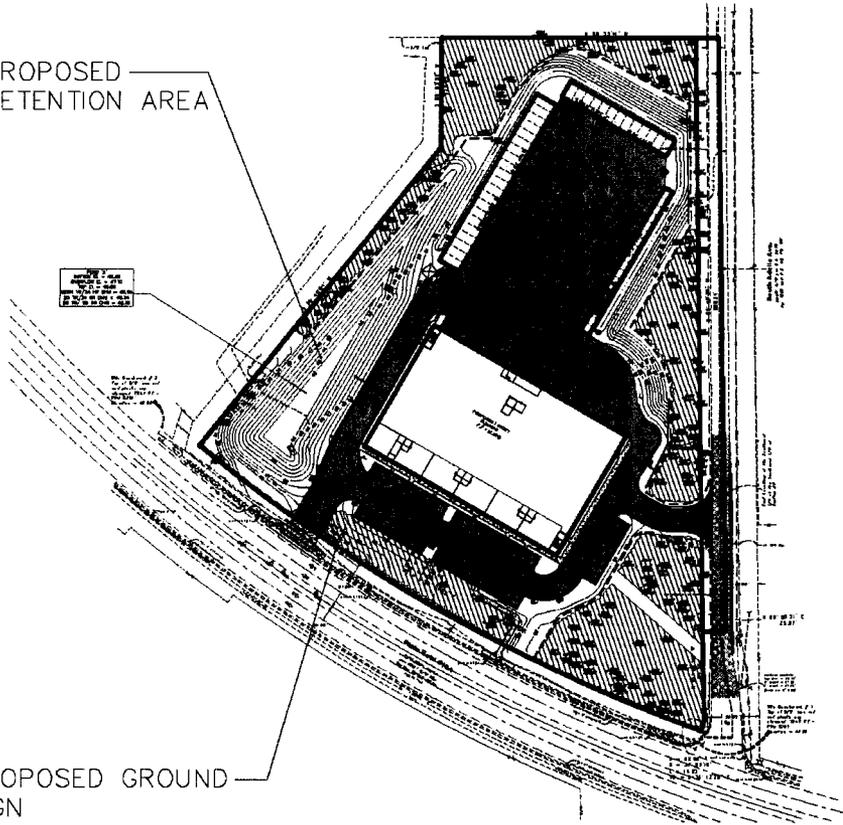
LEGAL DESCRIPTION FLAGSHIP STORAGE S.R. 15A DELAND

PARKER MYNCHENBERG
& ASSOCIATES, INC.
PROFESSIONAL ENGINEERS * LANDSCAPE ARCHITECTS
1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
(386) 677-6891 FAX (386) 677-2114
E-MAIL: info@parkermynchenberg.com

EXHIBIT "A"



PROPOSED
RETENTION AREA



PROPOSED GROUND
SIGN

PLANNED DEVELOPMENT PLAN FLAGSHIP STORAGE S.R. 15A DELAND

**PARKER MYNCHENBERG
& ASSOCIATES, INC.**

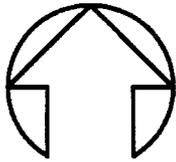
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CERTIFICATION OF AUTHORIZATION NUMBER: 00003910

EXHIBIT "B"

1 OF 2

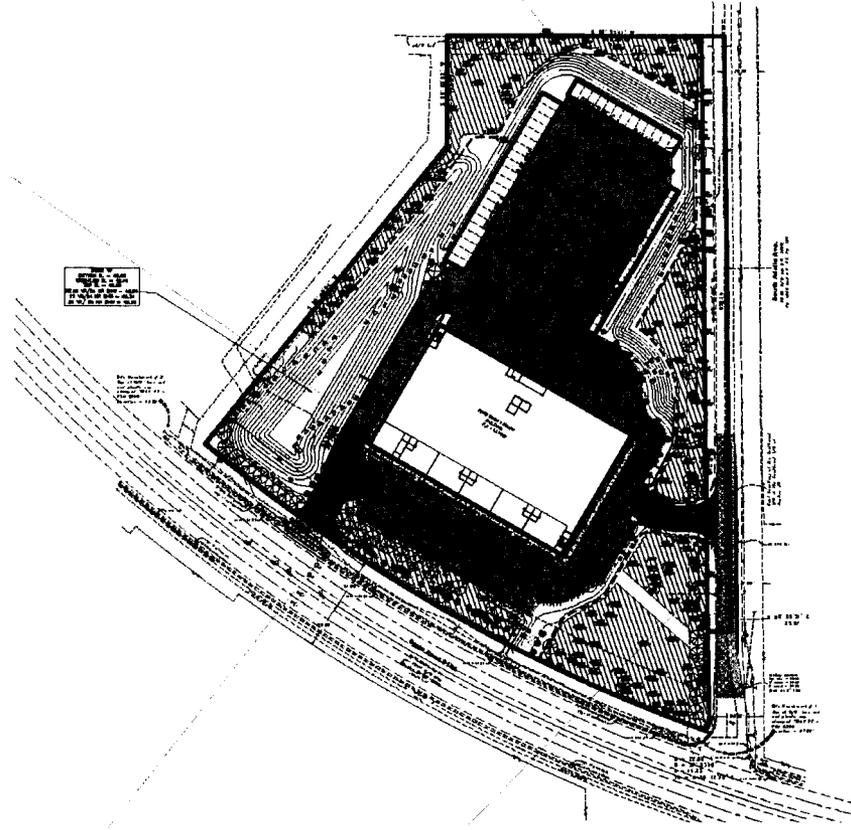
Z:\Flagship Storage SR15A-Deland - 18-42\DRAWINGS\EXHIBITS\EXHIBIT 3A AND 3B - 08-08-2019.dwg, 8/9/2019 1:26:48 PM, DWG To PDF.pc3

1
2
3



PROPOSED 20' LANDSCAPE BUFFER

ITALIAN CYPRESS 20' O.C.



PROPOSED 40' LANDSCAPE BUFFER

PROPOSED 20' LANDSCAPE BUFFER

⊗ PROPOSED TREE

○ EXISTING TREE

LANDSCAPE PLAN FLAGSHIP STORAGE S.R. 15A DELAND

**PARKER MYNCHENBERG
& ASSOCIATES, INC.**

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EXHIBIT "B"

2 OF 2

Z:\Flagship Storage S.R.15A-Deland - 18-42\DRAWINGS\EXHIBITS\EXHIBIT 3A AND 3B - 08-08-2019.dwg, 8/8/2019 1:24:52 PM, DWG To PDF.pc3

THE NEWS-JOURNAL

Published Daily and Sunday
Daytona Beach, Volusia County, Florida

**State of Florida,
County of Volusia**

Before the undersigned authority personally appeared

Irene Zucker

who, on oath says that she is

LEGAL COORDINATOR

of The News-Journal, a daily and Sunday newspaper,
published at Daytona Beach in Volusia County, Florida; the
attached copy of advertisement, being a
.....

NOTICE OF PUBLIC HEARING

L 2336703

in the Court,
was published in said newspaper in the issues.....

AUGUST 9, 2019

Affiant further says that The News-Journal is a newspaper
published at Daytona Beach, in said Volusia County, Florida,
and that the said newspaper has heretofore been continuously
published in said Volusia County, Florida, each day and
Sunday and has been entered as second-class mail matter at
the post office in Daytona Beach, in said Volusia County,
Florida, for a period of one year next preceding the first
publication of the attached copy of advertisement; and affiant
further says that he has neither paid nor promised any person,
firm or corporation any discount, rebate, commission or
refund for the purpose of securing this advertisement for
publication in the said newspaper

Irene Zucker

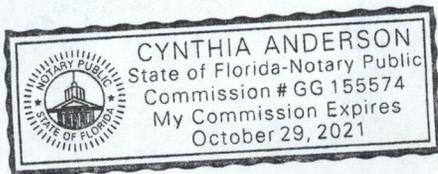
Sworn to and subscribed before me

This **9TH** of **AUGUST**

A.D. 2019

Cynthia Anderson

49D



DF-0002336703-01

**NOTICE OF
PUBLIC HEARING
CITY COMMISSION
CITY OF DELAND,
FLORIDA**

NOTICE IS HEREBY GIVEN that there will be
a Public Hearing on the following Ordinance on
Monday, August 19, 2019 at a regular meeting of the
DeLand City Commission. The meeting will take
place at 7:00 P.M. in the City Commission Chambers,
120 South Florida Avenue, City Hall. All interested
parties are invited to attend and be heard on the matter.

Any person who wishes to appeal any decision made
by the City Commission with respect to any matter
considered at this meeting will need a record of the
proceeding and, thus, may need to ensure that a
verbatim record of the proceeding is made, including
the testimony and evidence upon which an appeal may
be based.

The original of the ordinance is on file in the office of
the City Clerk and may be inspected Monday through
Friday from 8:00 A.M. to 5:00 P.M.

ORDINANCE NO. 2019 - 26

**AN ORDINANCE OF THE CITY COMMISSION
OF DELAND, FLORIDA, CHANGING THE
ZONING FROM VOLUSIA COUNTY'S B-4/B-4C,
GENERAL COMMERCIAL/THOROUGHFARE/
OVERLAY; R-4C, URBAN SINGLE FAMILY
RESIDENTIAL/THOROUGHFARE
OVERLAY TO DELAND SS PD, PLANNED
DEVELOPMENT, ON PROPERTY LOCATED
AT SOUTH STATE ROAD 15-A AND SOUTH
ADELLE AVENUE; APPROVING A PLANNED
DEVELOPMENT PLAN CONSISTING OF
APPROXIMATELY 6.44 ACRES OF PROPERTY;
MAKING FINDINGS OF CONSISTENCY WITH
THE COMPREHENSIVE LAND USE PLAN
FOR THE CITY OF DELAND; DIRECTING
CHANGE IN THE COMPREHENSIVE ZONING
MAP; PROVIDING FOR SEVERABILITY AND
AN EFFECTIVE DATE.**

