

MANATEE COUNTY ORDINANCE NO. PDC-98-02(P)(R)

KAJEM INC. / 14TH STREET CAR WASH 2005 JUN -3 AM 11:12

A ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AMENDING THE APPROVAL OF PRELIMINARY SITE PLAN NO. PDC-98-02(P)(R) PERTAINING TO THE PROPERTY LOCATED AT 2850 14TH STREET WEST IN THE PDC (PLANNED DEVELOPMENT COMMERCIAL) ZONING DISTRICT; APPROVING REVISED PRELIMINARY SITE PLAN NO. PDC-98-02(P)(R) TO BE SUBSTITUTED FOR THE PRELIMINARY SITE PLAN APPROVED ON JUNE 16, 1998 TO ALLOW AN APPROXIMATE 2,400 SQUARE FOOT EXPANSION OF AN EXISTING SELF-SERVICE CAR WASH FACILITY; AMENDING EXISTING STIPULATIONS AND ADDING NEW STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, KAJEM, INC. has filed an application to revise a Preliminary Site Plan previously approved on June 16, 1998 (the "1998 Preliminary Site Plan") pertaining to property located at 2850 14TH Street in the PDC (PLANNED DEVELOPMENT COMMERCIAL) zoning district, said property being more specifically described in Exhibit A, attached hereto; and

WHEREAS, the revised Preliminary Site Plan depicts the addition of approximately 2,400 square feet to an existing self-service car wash facility; and,

WHEREAS, the Planning Staff has recommended the amendment of the stipulations contained in the 1998 Preliminary Site Plan approval and the addition of certain new stipulations to address issues in the Planning Staff report; and,

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on April 14, 2005 to consider the revised preliminary site plan PDC-98-02(P)(R) and received the Planning Staff's recommendation for approval subject to the stipulations in the Planning Staff report, and,

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the revised preliminary site plan for PDC-98-02(P)(R) to be consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval subject to the stipulations contained in the Planning Staff report; and,

WHEREAS, the Board of County Commissioners of Manatee County held public hearings on April 26, 2005 and May 24, 2005, after due notice, received and considered the recommendations of the Planning Department and the Manatee County Planning Commission, having considered the criteria set forth in the Manatee County Land Development Code, approved the revised preliminary site plan, subject to the stipulations set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY THAT:

Section 1. Findings: The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

Section 2. Amendment of 1998 Preliminary Site Plan Approval:

- (a) The 1998 Preliminary Site Plan Approval is hereby amended to substitute Preliminary Site Plan No. PDC-98-02(P)(R) for the previously approved preliminary site plan so as to allow for the expansion of a self-service car wash facility upon the property described in Exhibit A, subject to the stipulations contained herein. Said expansion to be constructed in accordance with the revised Preliminary Site Plan date stamped as received by the Planning Department on April 6, 2005, a copy of which is on file at the Planning Department.
- (b) The 1998 Preliminary Site Plan Approval is hereby amended to delete in their entirety Stipulations 1-9 and to substitute the following Stipulations Nos. 1-20 to read as follows:
1. No outdoor speakers shall be utilized on this site. Complete
 2. The dumpster shall be located to conform with the northern access to be approved by the Public Works Department. This change shall be shown on the Final Site Plan. Complete
 3. Additional landscaping trees (e.g., Flowering Crabapple, Hawthorn, Witch Hazel, etc.) at least six feet in height and one inch at breast height shall be planted offset from the proposed canopy trees to further screen the facility and provide some additional noise abatement to nearby residential properties. Three said trees shall be planted evenly spaced along west side of carwash between it (car wash) and the dry retention. Two said trees shall be planted on south side of carwash between proposed canopy trees in the southeast corner of the property. In addition, perimeter landscaping shall be extended west around the dry retention facility. Foundation landscaping shall also be provided along the north and south walls of the structure. Said trees, foundation landscaping, and additional perimeter landscaping shall be shown on the Final Site Plan. Complete
 4. Lights for the facility shall be designed in accordance with Section 709 of the L.D.C. and utilized only during hours of operation with the exception of security lights. Complete
 5. The design of the facility shall be in substantial conformance with the design submitted into the record at the Planning Commission public hearing for this case. Design elements shall be reviewed for compliance by staff at Final Site Plan approval. Complete
 6. The site shall have no access to 29th Avenue West. The driveway to 29th Avenue West shall be replaced with roadway buffer landscaping. Complete
 7. The sign shall be located in the northeast corner of the property. Complete
 8. The site shall have access to 14th Street West as approved by FDOT. Complete
 9. The applicant shall connect to reuse water, if available for washing of autos, when it becomes available at a lower cost.
 10. Prior to development related land clearing activities, all County approvals must be obtained from the Planning Department. If burning of trees or branches is required for

land clearing, an open burning permit must first be obtained from the Environmental Management Department. No burn permits will be issued until Final Site Plans and Construction Plans are approved.

11. The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project.
13. The facility must demonstrate compliance with the Manatee County Noise Ordinance #99-20, as amended, prior to issuance of a Certificate of Occupancy.
14. Prior to the Certificate of Occupancy, the design and shielding of on-site lighting shall comply with LDC Section 709.2.2. In addition, pole and building mounted lights shall be limited to 20 feet in height and directed to the interior of the development using horizontal cutoffs. A photometric plan shall be submitted to the Planning Department along with the Final Site Plan for approval.
15. The applicant shall install a 3 foot high solid fence or wall along the north property line where the 29th Street West driveway was proposed.
16. A row of 2.5" caliper canopy trees shall be planted 30' on center and a two (2) foot high hedge shall be planted along the northern property line. Palm trees shall be planted in lieu of canopy trees in the northeast corner of the property.
17. The facility shall utilize a baffled (quiet) vacuum system.
18. Electronic digital surveillance of the site at locations approved on the Final Site Plan shall be performed by the owner. Digital tapes of the surveillance shall be available for review by Law Enforcement and Code Enforcement Officials at all times. The digital tapes shall be kept for the length of time as recommended by the Sheriff's Office.
19. Signs shall be posted on the site prohibiting playing of music and other loud noise on the property. These signs shall also state that the site is under video surveillance.
20. No vehicular ingress or egress is permitted along 29th Avenue West.

Sec. 3. Legal Description of Property:

The preliminary site plan approval contained herein is applicable to the real property located at 2850 14th Street and specifically described in Exhibit A, a copy of which is attached hereto and made a part hereof by reference.

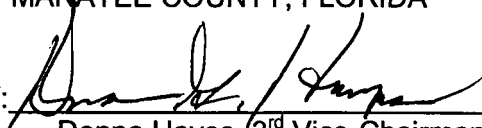
EXHIBIT A. LEGAL DESCRIPTION

Lots 25, 26, 27, 28, 29, 30, 31, 32, 33, Less St Rd R/W Ferrell Park Pi#48578.0005/8

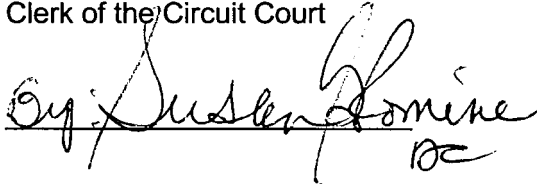
Sec. 4. Effective Date: This ordinance shall take effect immediately upon adoption.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting this 24th day of May, 2005.

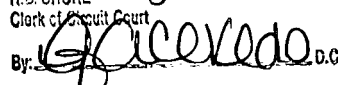
BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: 
Donna Hayes, 3rd Vice-Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court


RC



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 25th day of May 2005
R.B. SHORE
Clerk of Circuit Court
By:  D.C.



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

May 31, 2005

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

FILED FOR RECORD
R. B. SHORE
2005 JUN -3 AM 11:12
CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

Attention: Nancy Harris, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated May 25, 2005 and certified copies of Manatee County Ordinance Nos. PDC-98-02(P)(R), PDMU-99-07(R4), PDMU-03-20(Z)(P), PDPI-04-50(G), Z-04-07, 05-34 and 05-35, which were filed in this office on May 31, 2005.

As requested, the date stamped copies are being returned for your records.

Sincerely,

Liz Cloud
Program Administrator

LC/kcs

Enclosures