

FILED FOR RECORD  
R. B. SHORE

2008 DEC -1 PM 3:52  
PDPI-00-03(P)(R) – YMCA @ LAKEWOOD RANCH BUILDING EXPANSION

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING ORDINANCE NO. PDPI-00-03(P) PERTAINING TO APPROXIMATELY 16.15 ACRES AT 5100 LAKEWOOD RANCH BOULEVARD IN THE PDPI/WP-E/ST (PLANNED DEVELOPMENT PUBLIC INTEREST/EVERS WATERSHED/SPECIAL TREATMENT AREA) ZONING DISTRICT; APPROVING A REVISED PRELIMINARY SITE PLAN FOR A 23,350-SQUARE-FOOT ADDITION AND AMENDING AND RESTATING THE APPROVAL OF THE PRELIMINARY SITE PLAN APPROVED PURSUANT TO ORDINANCE PDPI-00-03(Z)(P), SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE ( $\pm$  280.61 ACRES).

**WHEREAS**, Manatee Family YMCA, Inc. (the "Applicant") filed an application for a revised Preliminary Site Plan for approximately 16.15 acres described in Exhibit "A", attached hereto, (the "Property") to approve a revised Preliminary Site Plan for a 23,350-square-foot addition and amending and restating the approval of the Preliminary Site Plan approved pursuant to Ordinance PDPI-00-03(Z)(P); and

**WHEREAS**, the applicant filed a request for a project that was previously GRANTED Special Approval for: 1) a project in the Evers Watershed Protection District and the Evers Watershed Protection District/Special Treatment Overlay District and 2) a non-residential project exceeding 30,000 square feet in the RES-1 FLUC; and

**WHEREAS**, Planning Department staff recommended approval of the Preliminary Site Plan and Special Approval applications subject to the stipulations contained in the staff report; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on October 9, 2008 to consider the Preliminary Site Plan, received the staff recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

**WHEREAS**, the Manatee County Planning Commission, as the County's Local Planning Agency, found the Preliminary Site Plan and Special Approval applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code, recommended approval subject to the stipulations contained in the staff report.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:**

**Section 1. FINDINGS OF FACT.** The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

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The Board of County Commissioners, after considering the testimony, evidence, documentation, the recommendation and findings of the Planning Commission, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

- A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for a Preliminary Site Plan as it relates to the real property described in Exhibit "A" of this Ordinance.
- B. The Board of County Commissioners held a duly noticed public hearing on November 6, 2008 regarding the proposed Preliminary Site Plan described herein in accordance with the requirements of Manatee County Ordinance 90-01, (the Manatee County Land Development Code), and has further considered the information received at the public hearing.
- C. The proposed Preliminary Site Plan regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance 89-01, the 2020 Manatee County Comprehensive Plan.
- D. The Board hereby finds that the project will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

**Section 2. PRELIMINARY SITE PLAN.** The General Development Plan is hereby approved to amend and restate the approved Preliminary Site Plan [Ordinance PDPI-00-03(Z)(P)] to allow a 23,350-square-foot addition subject to the following Stipulations:

**STIPULATIONS**

- 1. Building setbacks shall be 50 feet.
- 2. The design of the structure shall be in substantial conformance with the elevations entered into the record for this case.
- 3. Applicant shall provide intersection sight distance in accordance with AASHTO at each proposed access driveway. **(Completed)**
- 4. A northbound left-turn lane on Lakewood Ranch Blvd. at the intersection of the YMCA entrance (future) road shall be provided, utilizing FDOT Standard Index #301. **(Completed)**
- 5. Exclusive eastbound left and right-turn lanes shall be provided on the YMCA road intersecting at Lakewood Ranch Blvd. **(Completed)**
- 6. The access roadway along the south boundary of the YMCA site shall be built to urban standards, to the two points of access, prior to C.O. (Certificate of Occupancy) or T.C.O. (Temporary Certificate of Occupancy) of the YMCA facility. **(Completed)**

7. The boundaries of the wetland buffer shall be marked with signs indicating that this is a wetland protection area. The number and placement of such signs shall be approved by the Environmental Management Department with Final Site Plan approval. **(Completed)**
8. That portion of the parcel lying within 15 feet of the westerly right-of-way line of Lakewood Ranch Boulevard shall be dedicated prior to C.O. (Certificate of Occupancy) or T.C.O. (Temporary Certificate of Occupancy) of the YMCA facility in phase 1.
9. A copy of the Environmental Resource Permit (ERP) approved by SWFWMD shall be submitted to the Planning Department for review prior to Final Site Plan approval.
10. All traffic concurrency-related transportation improvements and required traffic safety and operational improvements shall be shown on the Final Site Plan(s) and Construction Plan(s).

**Section 3. SPECIAL APPROVAL.** Special Approval is hereby granted for a project that was previously GRANTED Special Approval for: 1) a project in the Evers Watershed Protections District and the Evers Watershed Protection District/Special Treatment Overlay District; and 2) a non-residential project exceeding 30,000 square feet in the RES-1 FLUC. The Special Approval shall continue in effect and shall expire concurrent with the General Development Plan for the project approved pursuant to Section 2 hereof.

**Section 4. SEVERABILITY.** If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

**Section 5. CODIFICATION.** Pursuant to §125.68(1), *Florida Statutes*, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification

**Section 6. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

**PASSED AND DULY ADOPTED**, by the Board of County Commissioners of Manatee County, Florida on the 6<sup>th</sup> day of November, 2008.

**BY: BOARD OF COUNTY  
COMMISSIONERS  
MANATEE COUNTY, FLORIDA**

BY: *Joe W. Halmer*  
Chairman

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



BY: *Susan B. Romine*  
Deputy Clerk

EXHIBIT "A"

Description of YMCA at Lakewood Ranch

Commence at the southwest corner of the North 1/2 of Section 17, Township 35 S., Range 19 E., same being the Southeast corner of the North 1/2 of Section 18, Township 35 S., Range 19 E.; thence S.89°34'40"E., along the Southerly line of the North 1/2 of said Section 17, a distance of 187.55 feet to the intersection with the Westerly Right-of-way of Lakewood Ranch Boulevard (formerly Upper Manatee River Road Extension), a 120 feet wide public Right-of-way as described and recorded in Official Record Book 1429, Page 3703 of the Public Records of Manatee County, Florida, said point being a point on the arc of a curve to the right, whose radius point lies N.63°58'46"E., a radial distance of 2310.00 feet; thence run Northwesterly, along said Westerly Right-of-way and the arc of said curve, passing through a central angle of 23°42'37", a distance of 955.93 feet to the point of tangency of said curve; thence N.02°18'37"W., along said Westerly Right-of-way, a distance of 1736.20 feet to the intersection with the common section line to Sections 7 and 18, Township 35 S., Range 19 E., said point lying N.88°45'31"W., 141.64 feet from the section corner common to said Sections 7 and 18; thence continue N.02°18'37"W., along said Westerly Right-of-way, a distance of 339.27 feet to the point of curvature of a curve to the right, having a radius of 4060.00 feet; thence run Northerly along said Westerly Right-of-way and the arc of said curve, passing through a central angle of 06°37'24" a distance of 469.34 feet to the POINT OF BEGINNING, said point being a point on a curve to the right of which the radius point lies N.85°41'31"W., a radial distance of 35.00 feet; thence along the arc in a southwesterly direction, passing through a central angle of 85°45'56", an arc length of 52.37 feet to the point of tangency of said curve; thence N.89°57'17"W. a distance of 1046.73 feet; thence N.00°02'43"E. a distance of 491.66 feet; thence S.69°34'00"E. a distance 15.41 feet; thence N.80°14'14"E. a distance of 85.82 feet; thence N.52°19'36"E. a distance of 78.68 feet; thence N.74°46'02"E. a distance of 49.13 feet; thence N.64°45'44"E. a distance of 31.01 feet; thence N.27°51'22"E. a distance of 67.05 feet; thence N.49°57'25"E. a distance of 51.21 feet; thence N.04°07'23"E. a distance of 13.40 feet; thence S.88°30'09"E. a distance of 824.59 feet to the aforementioned west right-of-way line of Lakewood Ranch Boulevard; thence S.04°40'41"W., along said west right-of-way line, a distance of 603.79 feet to the point of curvature of a curve to the left having a radius of 4060.00 feet, and a central angle of 0°21'54"; thence along the arc of said curve, an arc length of 25.86 feet to the POINT OF BEGINNING.

Tract contains: 703,616 square feet or 16.1528± acres more or less.



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 18th day of November, 2008  
R.B. SHORE  
Clerk of Circuit Court  
*[Signature]* D.C.

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CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA



## FLORIDA DEPARTMENT of STATE

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

November 25, 2008

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

Attention: Ms. Vicki Tessmer, D.C.

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated November 18, 2008 and certified copies of Manatee County Ordinance Nos. PDR-03-32[P] [R2], Z-08-04, Z-08-05, PDMU-06-86[Z] [P], Z-07-19 and PDPI-00-03[P] [R], which were filed in this office on November 21, 2008.

As requested, one date stamped copy is being returned for your records.

Sincerely,

Liz Cloud  
Program Administrator

LC/srd  
Enclosure

### DIRECTOR'S OFFICE

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