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2003 MAY -2 PM 12:44

DEPARTMENT OF
TALLAHASSEE, FLORIDA

MANATEE COUNTY ZONING ORDINANCE
PDPI-03-09(Z)(P) - MANATEE COUNTY SCHOOL BOARD/MIDDLE SCHOOL

FILED FOR RECORD
R. B. SHORE

2003 MAY -9 AM 9:53

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE NO. 90-01 (THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A/WPE/ST (GENERAL AGRICULTURE, 1 DWELLING UNIT PER 5 ACRES/WATERSHED PROTECTION EVERS/SPECIAL TREATMENT OVERLAY DISTRICTS) TO PDPI/WPE/ST (PLANNED DEVELOPMENT PUBLIC INTEREST/WATERSHED PROTECTION EVERS/SPECIAL TREATMENT OVERLAY DISTRICTS); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A 145,900 SQ.FT. MIDDLE SCHOOL FOR 1,152 STUDENTS, AND GRANTING SPECIAL APPROVAL FOR A PROJECT IN THE WATERSHED PROTECTION EVERS OVERLAY DISTRICT AND A NON-RESIDENTIAL PROJECT OVER 30,000 SQUARE FEET IN A RESIDENTIAL FUTURE LAND USE CATEGORY.

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

Section 1. FINDINGS OF FACT. The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of said County, as well as all other matters presented to said 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 Official Zoning Atlas Amendment as it relates to the real property described in Section 4 of this Ordinance from A/WPE/ST (General Agriculture, 1 dwelling unit per 5 acres/Watershed Protection Evers/Special Treatment Overlay Districts) to PDPI/WPE/ST (Planned Development Public Interest/Watershed Protection Evers/Special Treatment Overlay Districts)

B. The Board of County Commissioners held a public hearing on April 22, 2003 regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, the Manatee County Land Development Code, and has further considered the information received at said public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Section 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan.

Section 2. The Preliminary Site Plan is hereby APPROVED to allow a 145,900 sq.ft. middle school for 1,152 students, and GRANTING Special Approval for a project in the Watershed Protection Evers Overlay District and a non-residential project over 30,000 sq.ft. in a residential Future Land Use Category, with the following stipulations:

STIPULATIONS

1. A complete landscape and irrigation plan for the perimeter screening buffers shall be submitted with the Final Site Plan. The buffers on the west and south boundaries shall be a minimum of 15 ft. wide and the buffer on the east boundary shall be 10 ft. wide, and include four canopy trees, 3 understory trees and 33 shrubs per 100 l.f. The trees shall be planted in two rows with offset centers. The applicant shall propose a mixture of tree species within these buffers. Plant materials shall be of native (xeric) varieties where feasible. This screening shall reach eighty (80) percent opacity within two years of installation. The buffer for the east boundary may be eliminated if the proposed future park is approved and constructed. The applicant may propose an alternative buffer for the south and west boundaries with the Final Site Plan.
2. The applicant shall provide a pedestrian circulation plan with submittal of the Final Site Plan that clearly shows how internal pedestrian systems tie into existing and proposed sidewalks within the rights- of- way.
3. All access points shall be constructed prior to the middle school opening. The portions of Greenbrook Blvd. and Lorraine Road used as access to the middle school shall be completed prior to opening of the middle school for students and faculty.
4. Fire hydrants shall be required to be located within 400 ft. of the entrance to any building, spaced no more than 800 ft. apart. The location of the hydrants will be approved by the Fire Marshall and shown on the Final Site Plan.
5. This site lies in the Braden River Drainage Basin, a known flood prone area, and will require a 25% reduction of the predevelopment flow rate discharge, which shall be shown on the Final Site Plan.
6. Final engineering drainage design must be approved prior to Final Site Plan approval.
7. Prior to Final Site Plan approval, the Engineer of Record/Architect must provide documentation to prove that concurrency has been met relative to fire flow per the Comprehensive Plan.
8. Prior to Final Site Plan approval, the entire site shall be evaluated for potential hazardous material locations (e.g., historical cattle dipping vats, underground/aboveground storage tanks, or buried drums), by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation/mitigative mitigation. All contaminated areas shall be remediated in accordance with FDEP requirements, prior to Final Site Plan approval.
9. The applicant shall design the core facility areas to serve as public shelters in accordance with Section 1013.372, F.S. and shall meet the criteria of Section 423.35 of the Florida Building Code. Details shall be shown on the Final Site Plan.

10. This facility must meet or exceed Sections 1013.37-1013.38, F. S., Building Codes and Construction for Education Facilities.
11. A traffic signal shall be installed at Lorraine Road and Greenbrook Boulevard prior to the opening of the middle school. The School Board shall be responsible for it's proportionate share of the signal if not fully funded by SMR.
12. The Traffic Study for Lorraine Road Schools is approved with the following conditions:
 - a. Prior to the opening of the first school building, the following intersection and roadway improvements will be constructed by Schroeder-Manatee Ranch:
 1. Construction of Lorraine Road from SR 70 to Greenbrook Boulevard East. The construction of an eastbound right-turn lane with a queue length of 75 feet and a northbound left-turn lane with a queue length of 250 feet at the intersection of SR 70 and Lorraine Road.
 2. Construction of Greenbrook Boulevard East to the Main School Access. This construction will include improvements at the intersection of Lorraine Road and Greenbrook Boulevard. The intersection improvements will include a southbound left-turn lane with a queue length of 300 feet, a northbound right-turn lane with a queue length of 75 feet, a westbound left-turn lane with a queue length of 125 feet, and a westbound right-turn lane with a queue length of 25 feet.
 3. Construction of a southbound left-turn lane with a queue length of 150 feet at the intersection of Lorraine Road and the northwest project access.
 4. Construction of an eastbound left-turn lane with a queue length of 150 feet at the intersection of Greenbrook Boulevard East and the southwest project driveway (bus only).
 5. Construction of an eastbound left-turn lane with a queue length of 550 feet at the intersection of Greenbrook Boulevard East and the southeast project (main) driveway.
 - b. Prior to the opening of the 2nd School Building, the following improvements will be constructed by Schroeder-Manatee Ranch:
 1. Construction of turn lanes at the remaining approaches of the intersection of SR 70 and Lorraine Road. The intersection will require signalization whenever warranted and approved by FDOT.
- All improvements involving SR 70 will require FDOT approval.
13. Prior to the opening of the middle school the vacation of the existing alignment of Lorraine Road shall be complete.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from A/WPE/ST (General Agriculture, 1 dwelling unit per 5 acres/Watershed Protection Evers/Special Treatment Overlay Districts) to PDPI/WPE/ST (Planned Development Public Interest/Watershed Protection Evers/Special Treatment Overlay Districts), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

A TRACT OF LAND LYING IN SECTION 22, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA AND DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 35 SOUTH, RANGE 19 EAST; THENCE S. $89^{\circ} 24' 47''$ E. ALONG THE NORTHERLY LINE OF SAID SECTION 21, A DISTANCE OF 5,379.98 FEET TO THE NORTHWEST CORNER OF SAID SECTION 22; THENCE S. $89^{\circ} 16' 51''$ E. ALONG THE NORTHERLY LINE OF SAID SECTION 22, A DISTANCE OF 1,328.13 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE S. $00^{\circ} 24' 05''$ W. ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22, A DISTANCE OF 1,322.87 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE S. $89^{\circ} 20' 05''$ E. ALONG SAID SOUTH LINE, A DISTANCE OF 49.90 FEET TO THE NORTHWEST CORNER OF THE PROPERTY OF THE SCHOOL BOARD OF MANATEE COUNTY, FLORIDA AS RECORDED IN OFFICIAL RECORD BOOK 1750, PAGE 7067 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N. $89^{\circ} 06' 35''$ W., A RADIAL DISTANCE OF 2,735.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, ALSO BEING THE WEST LINE OF THE ABOVE MENTIONED PROPERTY OF THE SCHOOL BOARD OF MANATEE COUNTY, FLORIDA, THROUGH A CENTRAL ANGLE OF $15^{\circ} 30' 04''$, AN ARC LENGTH OF 739.94 FEET TO THE POINT OF BEGINNING; THENCE S. $89^{\circ} 20' 05''$ E., A DISTANCE OF 1,156.12 FEET; THENCE S. $00^{\circ} 39' 03''$ W., A DISTANCE OF 477.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 549.89 FEET AND A CENTRAL ANGLE OF $34^{\circ} 54' 41''$; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 335.06 FEET TO THE SOUTH LINE OF THE ABOVE MENTIONED PROPERTY OF THE SCHOOL BOARD OF MANATEE COUNTY, FLORIDA, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N. $34^{\circ} 22' 35''$ W., A RADIAL DISTANCE OF 1,350.00 FEET; THE FOLLOWING 5 CALLS ARE ALONG THE SOUTH AND WEST LINES OF THE ABOVE MENTIONED PROPERTY OF THE SCHOOL BOARD OF MANATEE COUNTY, FLORIDA; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $66^{\circ} 42' 10''$, AN ARC LENGTH OF 1,571.65 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N. $57^{\circ} 40' 25''$ W., A DISTANCE OF 88.97 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF $90^{\circ} 00' 00''$; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 78.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N. $32^{\circ} 19' 35''$ E., A DISTANCE OF 30.16 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 2,735.00 FEET AND A CENTRAL ANGLE OF $15^{\circ} 56' 06''$;

THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 760.66 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 1,306,803 SQUARE FEET OR 30.000 ACRES, MORE OR LESS.

Section 5. 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 22nd day of April, 2003.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

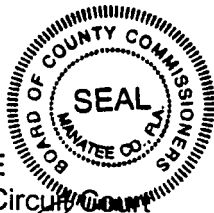
BY: _____

Chairman

ATTEST:

R. B. SHORE

Clerk of the Circuit Court



By: Susan P. Fomine



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 30th day of

April, 2003.

R.B. SHORE
Clerk of Circuit Court

By: Diane E. Vellmer D.C.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF ELECTIONS

HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

May 7, 2003

Honorable R. B. Shore
Clerk of the Circuit Court and Comptroller
Manatee County
Post Office Box 1000
Bradenton, Florida 34206

Attention: Diane E. Vollmer

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated April 29, 2003 and certified copies of Manatee County Ordinance Nos. Z-86-30(G)(R11), PDR-01-20(Z)(P), PDMU-02-20(Z)(P), PDPI-03-09(Z)(P) and 03-30, which were filed in this office on May 2, 2003.

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

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

Enclosure

FILED FOR RECORD
R. B. SHORE

2003 MAY -9 AM 9:50

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA