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2006 SEP -7 PM 3:22

CLERK OF DISTRICT COURT
MANATEE COUNTY
FLORIDA

MANATEE COUNTY ZONING ORDINANCE

DPI-06-35(P) - MANATEE TECHNICAL INSTITUTE LAKEWOOD RANCH
SATELLITE CAMPUS

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING A PRELIMINARY SITE PLAN FOR A 64,826 SQUARE FOOT TECHNICAL COLLEGE EXPANSION THAT INCLUDES: 50,000 SQUARE FEET OF CLASS ROOM AND OFFICE SPACE, 4,460 SQUARE FEET OF CANOPY AREA FOR THE LAW ENFORCEMENT ACADEMY, A 7,900 SQUARE FOOT FIRE APPARATUS BUILDING, AND A 2,466 SQUARE FOOT FIRE TOWER ON APPROXIMATELY 10.39 ACRES; GENERALLY LOCATED ON THE WEST SIDE OF LAKEWOOD RANCH BOULEVARD, IMMEDIATELY SOUTH OF THE EXISTING MTI CAMPUS; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; GRANTING SPECIAL APPROVAL FOR A PROJECT: 1) IN THE EVERS WATERSHED PROTECTION OVERLAY; AND 2) A NON-RESIDENTIAL PROJECT EXCEEDING 30,000 SQUARE FEET IN A RESIDENTIAL FUTURE LAND USE CATEGORY; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Manatee County School Board (the "Applicant") has filed an application for a Preliminary Site Plan for approximately 10.39 acres described in Exhibit "A", attached hereto, (the "Property") for 50,000 square feet of classroom and office space, 4,460 square feet of canopy area for the Law Enforcement Academy, a 7,900 square foot Fire Apparatus Building, and 2,466 square foot Fire tower; and

WHEREAS, the Applicant has also requested Special Approval for a project: 1) in the Evers Watershed Protection Overlay District; and 2) a non-residential project exceeding 30,000 square feet in a residential Future Land Use Category, 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 August 10, 2006 to consider the Preliminary Site Plan and Special Approval applications, received the staff's 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 of the application, subject to the stipulations contained in the staff report.

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

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FLORIDA

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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.

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 August 22, 2006 regarding the proposed Preliminary Site Plan 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 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 No. 89-01, the 2020 Manatee County Comprehensive Plan.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved for 50,000 square feet of classroom and office space, 4,460 square feet of canopy area for the Law Enforcement Academy, a 7,900 square foot Fire Apparatus Building; and a 2,466 square foot Fire Tower subject to stipulations below. The Board hereby grants Special Approval for a project: 1) in the Evers Watershed Protection Overlay District; and 2) a non-residential project exceeding 30,000 square feet in a residential Future Land Use Category, with the following stipulations:

STIPULATIONS

1. The applicant shall provide a 25 ft. screening buffer along the south property line. It shall contain a minimum of 3 canopy trees, 2 understory trees, and 33 3 ft. shrubs at planting within each 100 l.f. This shall be shown on the Final Site Plan.
2. Prior to Final Site Plan approval, the entire site shall be evaluated for potential hazardous material locations (i.e., 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 measures.
3. All trees within the area proposed for construction activities that are to be preserved shall have protective barricades constructed at their driplines prior to commencement of construction. No improvements fill, grade changes, or compaction of soil due to heavy machinery will be permitted within the dripline of trees proposed to be preserved. Trees that cannot be protected completely to the dripline should be accounted for in the tree removal/replacement matrix.

Tree barricades for trees to be preserved shall be located at the drip line. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip

line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height.

4. A Water Well Construction Permit must be obtained from the EMD prior to construction of any proposed well(s).
5. A lighting plan, meeting the requirements of Section 709 of the Land Development Code shall be submitted with the Final Site plan for review and approval.
6. No activity shall take place on the burn pad or burn tower on any Sunday.
7. The applicant shall obtain necessary local, state, and federal burn and air quality permits prior to operation.
8. The emergency access gate shall remain open during school hours.
9. Parking bumpers shall be required where parking stalls meet concrete sidewalks, that are not at least 8' wide, and around landscaping. (LDC Section 710.1.5.5.5.3).
10. No adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and site runoff as demonstrated on the "Final Site Plans" and "Construction Plans".
11. Prior to occupancy and use of the school, it must be demonstrated that all improvements including roadway and stormwater systems have been installed and accepted by all entities.
12. Prior to occupancy and use of the school, the applicant must demonstrate that all right-of-way and easement dedications have been completed and accepted by Manatee County. The confirmation of the dedication referenced above must be provided by the Transportation Department.
13. There shall be a full 25-year attenuation on all stormwater ponds within the development.
14. Routing and modeling of the existing conditions shall be provided with the Drainage Model and Construction Plan for all natural drainage systems within and surrounding this project taking into consideration all wetland storage and ground depressions.
15. Existing wells shall be kept in a watertight manner and be protected during all construction activities.
16. An ERP approved by SWFWMD shall be provided to the NRD for review prior to Final Site Plan approval.
17. All unused wells found during construction shall be abandoned in accordance with SWFWMD Rule 40D-3.531.

18. Underground/aboveground pollutant storage tank installation/removal must conform to the requirements of Chapter 62-761, Florida Administrative Code.
19. If burning of trees or branches is required for land clearing, a burn permit must be first obtained from the Environmental Management Department. No burn permits will be issued until Final Site Plans/Construction Plans are approved.
20. All classes shall be scheduled so that there will be no additional entering or exiting trips during the PM peak hour until Lakewood Ranch Boulevard is four laned, the improvements to S. R. 64, from Lena Road to Lakewood Ranch Boulevard are complete, and the required intersection improvements at S. R. 64 and Lakewood Ranch Boulevard are in place. The required intersection improvements at Lakewood Ranch Boulevard and S. R. 64 are dual northbound to westbound turn lanes, dual eastbound to northbound turn lanes and dual north and south thru lanes on Lakewood Ranch Boulevard. The applicant shall signalize the intersection of Lakewood Ranch Boulevard and the Lakewood Ranch High School entry when warranted by the Director of Transportation.
21. The height of the training tower shall not exceed 35 feet.

Section 3. 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 4. 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 August, 2006.

BY: BOARD OF COUNTY
COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY: *Joe McClash*

Chairman

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

BY: *Ausar Romine*

Deputy Clerk



EXHIBIT "A"
LEGAL DESCRIPTION OF THE PROPERTY

THAT PORTION OF MANATEE COUNTY SCHOOL BOARD PARCELS 1, 2, AND 3, LYING IN THE NORTH ½ OF SECTION 18, TOWNSHIP 35 SOUTH, RANGE 19 EAST AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

FROM THE EAST ¼ CORNER OF SAID SECTION 18, RUN N00°34'52"E, ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 524.96 FT. TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF "LAKEWOOD RANCH BOULEVARD", A 120 FOOT WIDE RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 1429, PAGE 3703 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID INTERSECTION POINT BEING ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES N77°49'40"E, 2310.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID RIGHT-OF-WAY AND THE ARC OF SAID CURVE, BEING CONCAVE TO THE EAST, THROUGH A CENTRAL ANGLE OF 05°44'17", A DISTANCE OF 231.34 FT., TO THE POINT OF BEGINNING; THENCE, LEAVING SAID WEST RIGHT-OF-WAY LINE, N89°57'17"W, 610.72 FT.; THENCE NORTH 90.77 FT.; THENCE WEST 78.20 FT.; THENCE NORTH 170.00 FT.; THENCE EAST, 78.20; THENCE NORTH 483.39 FT.; THENCE EAST 574.69 FT. TO THE WEST RIGHT-OF-WAY LINE OF AFOREMENTIONED WAY LINE, 579.36 FT. TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE EAST, THROUGH A CENTRAL ANGLE OF 04°07'27", A DISTANCE OF 166.27 FT. AND HAVING A CORD OF 166.23 FT. ON A BEARING OF S04°22'20"E, TO THE POINT OF BEGINNING.

CONTAINING 10.30 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 30 day of August, 2006

R.B. SHORE
Clerk of Circuit Court

By: Robert Liberty D.C.



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2006 SEP -7 PM 3: 22

FLORIDA DEPARTMENT OF STATE

Sue M. Cobb

Secretary of State

DIVISION OF LIBRARY AND INFORMATION SERVICES

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

September 1, 2006

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

Attention: Robin Liberty, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 29, 2006 and certified copies of Manatee County Ordinance No. PDPI-06-35(P), which was filed in this office on August 31, 2006.

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

Sincerely,

Liz Cloud
Program Administrator

LC/bpn

Enclosure

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