

MANATEE COUNTY ORDINANCE NO. Z-86-101

DUKE AND BENEDICT, INC.

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1 (SUBURBAN AGRICULTURE, 1 DU/ACRE) TO PDC (PLANNED COMMERCIAL DEVELOPMENT), REMOVING THE WP/ST (WATERSHED PROTECTION/SPECIAL TREATMENT) OVERLAY DISTRICTS AND RETAINING THE AF (AGRICULTURAL FRINGE) OVERLAY DISTRICT AND THE APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN TO ALLOW A 260,000 SQUARE FOOT SHOPPING CENTER; PROVIDING AN EFFECTIVE DATE.

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-1 (Suburban Agriculture, 1 du/acre) to PDC (Planned Commercial Development), removing the WP/ST (Watershed Protection/Special Treatment) Overlay Districts and retaining the AF (Agricultural Fringe) Overlay District and the approval of a Conceptual Development Plan to allow a 260,000 square foot shopping center.

B. The said Board of County Commissioners held Public Hearings on January 29, February 12, March 26, April 23, May 7, and May 14, 1987, regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND 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. 80-4, THE MANATEE PLAN.

Section 2. The Conceptual Development Plan titled The Centre at University Parkway is hereby APPROVED to allow a 260,000 square foot shopping center with the following stipulations:

1. Duke and Benedict, Inc., its successors, assigns or transferees, shall prepay all transportation component impact fees for all construction indicated by the Conceptual Development Plan, less any transportation component impact fees previously paid, in accordance with a Fee Agreement to be entered into with Manatee County, which shall require prepayment of fees sixty (60) days prior to advertising for bid for the multi-laning of University Parkway.

Such impact fees shall be credited against transportation component fees subsequently due Manatee County. Such payment shall not prevent Manatee County from revising or increasing the impact fees due from the developer as provided in Ordinance 86-09, to which these advance sums are applied.

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2. In accordance with Policy 9-1.c of The Manatee Plan, and Policy III (f) and (g) of The Southeast Resolution Area, an adequate Level of Service shall be maintained in the area of impact. No development will be finally authorized that would generate traffic, which in conjunction with existing traffic and traffic anticipated as a result of other development approvals and open circumstances upon which the County may have traffic projections, will have the likely result of causing or contributing to a degradation of the Level of Service, for the area of impact, to a level below "C" or "D" at peak levels.
3. If the Center of University Parkway does not receive Final Site Plan approval within two years, an update to the Market Analysis already submitted, which demonstrates current demand for the shopping center, shall be provided.
4. Excluding all environmental policies pertaining to drainage and the Evers Watershed, all applicable Southeast Area Resolution policies (adopted May 8, 1986) must be met at the required stages of development.
5. The Preliminary Development Plan shall conform with all design and landscape standards formulated for development along University Parkway.
6. Screening and buffering to meet the Land Development Code standards must be provided along the entire northern property line to insure compatibility with future development.
7. Per Section 205B.6c2(a)(2) of the Land Development Code, the Preliminary Development Plan shall include architectural sketches of typical proposed structures, including lighting fixtures and signage. In addition, a three dimensional presentation of the entire site shall be submitted.
8. With the submittal of a Preliminary Development Plan, a tree survey must be provided showing the locations of all trees to be removed or relocated and the location of replacement trees, in accordance with Section 205F.1, Land Development Code.
9. A five foot wide sidewalk along both Lockwood Ridge Road and University Parkway.
10. Due to this project, a change will be required to the completed and approved construction plans for the intersection of Lockwood Ridge Road and University Parkway. These revisions will become the responsibility of the developers.
11. Cross-access shall be provided to the north, west, and outlots A, B, and C; locations shall be settled upon the Preliminary Plan.
12. A fee agreement shall be required with this project, exact payments, credits and timing should be determined prior to presenting a final plan to the Board.

Section 3. AMENDMENT OF OFFICIAL ZONING ATLAS The official Zoning Atlas of Manatee County Ordinance No. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from A-1 (Suburban Agriculture, 1 du/acre) to PDC (Planned Commercial Development), removing the WP/ST (Watershed Protection/Special Treatment) Overlay Districts and retaining the AF (Agricultural Fringe) Overlay District, and the approval of a Conceptual Development Plan to allow a 260,000 square foot shopping center, and the Clerk of the Circuit Court, as Clerk to the Board of County Com-

missioners, as well as the Planning and Development Department are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. Legal Description:

From the S.W. corner of Section 33, Township 35 South, Range 18 East, run S 89°15'10" E, along the south line of said Section 33, a distance of 1,532.62 feet; thence N 00°44'50" E, a distance of 173.00 feet to the northerly right of way line of University Parkway (State Road 610 F.D.O.T. Section 13001-2502) for the point of beginning; thence continue N 00°44'50" E, a distance of 880.00 feet; thence N 50°31'00" E, a distance of 750.99 feet; thence S 89°15'10" E, a distance of 490.03 feet to the west maintained right of way line of Lockwood Ridge Road; thence along said right of way line the following four courses: S 01°27'01" W, a distance of 38.00 feet; thence S 00°52'38" W, a distance of 400.00 feet; thence S 00°35'27" W, a distance of 400.00 feet; thence S 00°52'38" W, a distance of 339.06 feet to the aforesaid northerly right of way line of University Parkway; thence along said right of way line the following nine courses; N 89°19'40" W, a distance of 37.43 feet; thence S 00°40'20" W, a distance of 169.30 feet; thence S 57°47'43" W, a distance of 35.71 feet to a point on the arc of a curve to the left whose radius point bears S 01°41'47" W, at a distance of 5,832.58 feet; thence westerly along the arc of said curve through a central angle of 00°56'58", a distance of 96.65 feet to the P.T. of said curve; thence N 89°15'10" W, a distance of 482.50 feet; thence N 00°44'50" E, a distance of 27.00 feet; thence N 89°15'10" W, a distance of 310.00 feet; thence S 00°44'50" W, a distance of 27.00 feet; thence N 89°15'10" W, a distance of 106.00 feet to the point of beginning, lying and being in Section 33, Township 35 South, Range 18 East, Manatee County, Florida.

Subject to pertinent easements, rights of way, and restrictions of record.

Containing 29.75 acres, more or less.

Section 5. EFFECTIVE DATE This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 14th day of May, 1987.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Edward W. Chance  
Vice-Chairman

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

Richard B. Shore  
Clerk of the Circuit Court

STATE OF FLORIDA

COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 14th day of May, 1987.

SUBJECT: Z-86-101:

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1 (SUBURBAN AGRICULTURE, 1 DU/ACRE) TO PDC (PLANNED COMMERCIAL DEVELOPMENT), REMOVING THE WP/ST (WATERSHED PROTECTION/SPECIAL TREATMENT) OVERLAY DISTRICTS AND RETAINING THE AF (AGRICULTURAL FRINGE) OVERLAY DISTRICT AND THE APPROVAL OF A CONCEPTUAL DEVELOPMENT PLAN TO ALLOW A 260,000 SQUARE FOOT SHOPPING CENTER; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 15th day of May, 1987, in Bradenton, Florida.

R. B. Shore  
R. B. Shore, Clerk of Circuit Court  
Manatee County, Florida

By: Richard H. Ashley  
Richard H. Ashley, Chief Deputy Clerk

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P.D. SE,  
CLERK OF CIRCUIT COURT  
MANATEE CO. FLORIDA

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FLORIDA DEPARTMENT OF STATE  
George Firestone  
Secretary of State

P.D. SE,  
CLERK OF CIRCUIT COURT  
MANATEE CO. FLORIDA

Dorothy W. Joyce  
~~Deputy Secretary For Elections~~  
Deputy Secretary For Elections  
1802-E The Capitol

May 21, 1987

Honorable R. B. Shore  
Clerk of Circuit Court  
Manatee County Courthouse  
Post Office Box 1000  
Bradenton, Florida 33506

Attention: Mr. R. H. Ashley, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of letter/s of May 14, 1987  
and certified copy/ies of Manatee  
County Ordinance(s) 87-17 and 87-18 together with  
Z-86-101, Z-87-09, Z-87-10, Z-87-11 (Zoning Ordinances)
2. Receipt of \_\_\_\_\_ County Ordinance(s)  
relative to:  
(a) \_\_\_\_\_  
which we have numbered \_\_\_\_\_  
(b) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
3. We have filed ~~this~~/these ordinances in this office  
on May 20, 1987.
4. The ~~original~~/duplicate copy/ies showing the filing date  
is/are being returned for your records.

Cordially,

*Liz Cloud*  
(Mrs.) Liz Cloud, Chief  
Bureau of Administrative Code

LC/mb

DIVISION OF ELECTIONS, Room 1801, The Capitol, Tallahassee, Florida 32301

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