

MANATEE COUNTY ZONING ORDINANCE
PDI-95-01(Z)(G)/95-S-19(P) - SMR, INC.(GATES CREEK BUSINESS PARK)

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 (GENERAL AGRICULTURE) AND LM (LIGHT MANUFACTURING) TO PDI (PLANNED DEVELOPMENT INDUSTRIAL); PROVIDING AN EFFECTIVE DATE AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO ALLOW A BUSINESS/ INDUSTRIAL PARK TO ALLOW UP TO A MAXIMUM 2,096,319 SQUARE FEET.

FILED FOR RECORD
R.D. SHORE
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA
SEP 7 3 58 PM '95

SECRET
SEP 5 10 30 AM '95

FILED

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 (General Agriculture) and LM (Light Manufacturing) to PDI (Planned Development Industrial).

B. The said Board of County Commissioners held a public hearing on August 24, 1995 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 General Development Plan is hereby APPROVED to allow a business/ industrial park to allow up to a maximum 2,096,319 square feet with the following Stipulations and Specific Approvals:

STIPULATIONS

1. This project shall require a Binding Letter of Interpretation (BLI) to determine if the project is a Development of Regional Impact (DRI) if the total number of parking spaces exceeds 1999.
2. All lots immediately adjacent to State Road 64 or Lakewood Ranch Boulevard (aka Upper Manatee River Road) shall have buildings with a front finished facade adjacent to the roadway.
3. No driveways shall be allowed onto Lakewood Ranch Boulevard (aka Upper Manatee River Road) for lots 5 and 6.
4. No trees shall be removed from the designated open space, adjacent to State Road 64, unless necessary for construction of road improvements (including sidewalks).
5. Deceleration lanes shall be provided by the developer on State Road 64, at the intersection of Upper Manatee River Road and State Road 64, and at the intersection of the projects second access road located east of Upper Manatee River Road and State Road 64, at the time each of the internal project roadways connect to State Road 64. Furthermore, a signal shall be installed at the developers expense at the intersection of Upper Manatee River Road and State Road 64 whenever any of the signalization criteria contained in the Manual on Uniform Traffic Control Devices (MUCTCD) are warranted.
6. The applicant shall execute an agreement to defer completion of the required sidewalk prior to issuance of a final plat for the project. In no circumstance shall the sidewalk be constructed later than December 31, 2000 unless the agreement to defer is amended by the Board of County Commissioners.

7. A thirty foot wetland buffer shall be observed from all post-development jurisdictional wetlands.
8. No loading zones, loading docks, dumpsters or compactors shall be located adjacent to Lakewood Ranch Blvd.

SPECIFIC APPROVALS:

1. Specific Approval for an alternative to Section 722.1.4.1 of the Land Development Code for sidewalk requirements for major thoroughfare streets.
2. Specific Approval for an alternative to Section 702.6.7 of the Land Development Code, yards adjacent to agricultural operations.

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 (General Agriculture) and LM (Light Manufacturing) to PDI (Planned Development Industrial), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning, Permitting and Inspections Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. **LEGAL DESCRIPTION.**

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 34 S., RANGE 19 E., FOR A POINT OF BEGINNING: THENCE S 89°23'23" E, ALONG THE SECTION LINE COMMON TO SECTIONS 29 AND 32, TOWNSHIP 34 S., RANGE 19 E., A DISTANCE OF 1501.03 FT.; THENCE N 01°14'16" W, A DISTANCE OF 219.78 FT. TO THE INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF STATE ROAD NO. 64, THENCE EASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID S.R. NO. 64, THE FOLLOWING COURSES: S 87°46'17" E, A DISTANCE OF 460.81 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 5679.58 FT.; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°29'00", A DISTANCE OF 642.68 FT. TO THE P.T. OF SAID CURVE; THENCE S 81°17'18" E, A DISTANCE OF 995.80 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5779.58 FT.; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°11'29", A DISTANCE OF 321.92 FT.; THENCE S 00°38'41" W, LEAVING SAID STATE ROAD NO. 64 RIGHT-OF-WAY, A DISTANCE OF 738.91 FT.; THENCE N 89°34'38" W, 756.76 FT.; THENCE S 00°42'08" W, 466.80 FT.; THENCE N 89°35'55" W, 176.03 FT.; THENCE S 00°42'08" W, 674.64 FT.; THENCE N 89°35'55" W, 450.01 FT.; THENCE S 00°42'08" W, A DISTANCE OF 377.62 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 150.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°54'29", A DISTANCE OF 235.38 FT. TO THE P.T. OF SAID CURVE, THENCE N 89°23'23" W, A DISTANCE OF 420.00 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 975.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG TO ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 31°55'43", A DISTANCE OF 543.33 FT. TO THE P.T. OF SAID CURVE; THENCE S 58°40'54" W, A DISTANCE OF 302.00 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1025.00 FT.; THENCE RUN SOUTHWESTERLY AND NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 44°57'45", A DISTANCE OF 804.36 FT. TO THE P.T. OF SAID CURVE; THENCE N 76°21'21" W, A DISTANCE OF 307.14 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 35.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG TO ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 88°28'27", A DISTANCE OF 54.05 FT.; THENCE N 74°48'59" W, RADIAL WITH LAST DESCRIBED CURVE, A DISTANCE OF 237.31 FT.; THENCE N 00°16'06" E, 1201.71 FT.; THENCE N 89°34'44" W, 1389.83 FT.; THENCE N 00°15'13" E, A DISTANCE OF 1566.55 FT. TO THE INTERSECTION WITH THE SECTION LINE COMMON TO SECTIONS 30 AND 31, TOWNSHIP 34, RANGE 19 E; THENCE S 89°35'40" E, ALONG THE SECTION LINE COMMON TO SAID SECTIONS 30 AND 31, A DISTANCE OF 1578.05 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 29, 31 AND 32, TOWNSHIP 34 S, RANGE 19 E, MANATEE COUNTY, FLORIDA.

LESS RIGHT-OF-WAY FOR UPPER MANATEE RIVER ROAD.

CONTAINING 252.04 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.

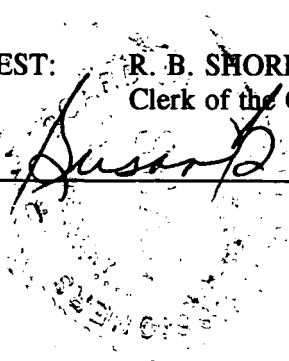
PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 24th day of August, 1995.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Stan Stephen

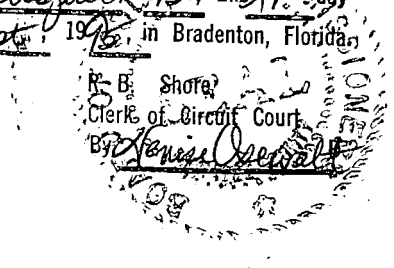
ATTEST: R. B. SHORE
Clerk of the Circuit Court

Bt. Susan P. Ronicae
DR



STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. PDI 95-01(Z)(G)/95-S-19P adopted by the Board of County Commissioners of said County on the 24th day of August, 1995; this 29th day of August, 1995, in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: Louis Oswald





FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham
Secretary of State

DIVISION OF ELECTIONS
Bureau of Administrative Code
The Elliot Building
401 South Monroe Street
Tallahassee, Florida 32399-0250
(904) 488-8427

September 5, 1995

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

Attention: Susan G. Romine, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of August 29, 1995 and certified copy of Manatee County Ordinance No. PDI-95-01(Z)(G)/95-S-19(P), which was filed in this office on September 5, 1995.

The duplicate copy showing the filing date is being returned for your records.

We notice that you did not include the Data Retrieval System Coding form for Ordinance Nos. PDR-95-05(Z)(P)/95-S-20(P), Z-95-07, Z-95-10, and 95-28. Please send those to us at your earliest convenience.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

Enclosure

FILED FOR RECORD
R. B. SHORE
CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA
SEP 7 3 58 PM '95