

ORDINANCE NO. 2003-030

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 75-38, CODIFIED IN APPENDIX A TO THE SARASOTA COUNTY CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF THE ZONING ATLAS; PROVIDING RESTRICTIONS, STIPULATIONS AND SAFEGUARDS; AND PROVIDING AN EFFECTIVE DATE.

KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

2003 SEP 15 AM 10: 19

BOARD RECORDS  
FILED FOR RECORD

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

Section 1. Findings. The Board of County Commissioners, hereinafter referred to as the "Board," hereby makes the following findings:

A. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 03-04, requesting rezoning of the property described herein.

B. The Board has held a public hearing on the proposed rezoning of the property described herein in accordance with the requirements of Sarasota County Ordinance No. 75-38, codified in Appendix A of the Sarasota County Code (hereinafter "the Zoning Ordinance"), and has considered the information received at said public hearing.

C. The rezoning herein granted is consistent with the Sarasota County Comprehensive Plan and meets the requirements of the Zoning Ordinance.

D. Pursuant to the provisions of Article VII of Chapter 94 of the Sarasota County Code, an evaluation has been completed of the impacts that the proposed rezoning of the property described herein will have on the levels of service for parks, drainage, solid waste, roads, mass transit and water and sewer systems. With the exception of the provisions of Section 3 of this Ordinance, adequate levels of service are anticipated to be available.

Section 2. Amendment of the Zoning Ordinance. The Official Zoning Atlas, adopted under Section 2 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 29.52 acres ± from OUE-1 (Open Use Estate, 1 unit/5 acres) to CSC (Commercial Shopping Center) for the following described property located in Sarasota County, Florida:

On the northeast corner of Central Sarasota Parkway and Honore Avenue, being more particularly described as follows:

A parcel lying in Sections 25 and 36, Township 37 South, Range 18 East, Sarasota County, Florida, described as follows:

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2003 SEP 22 AM 9: 13

FILED

Commence at the westernmost corner of Tract 603, Turtle Rock, Unit 1, as recorded in Plat Book 36, Pages 34 through 34T, Public Records of Sarasota County, Florida; thence S.88°44'45"E., a distance of 525.79 feet to a point on the easterly line of an access easement (Proposed Honore Avenue -150-foot wide) as recorded in Official Record Instrument Number 2001002559 of said Public Records, also being the **POINT OF BEGINNING**, said point being the point of curvature of a curve to the right, of which the radius point lies N.01°15'15"E., a radial distance of 50.00 feet; thence along said easterly line of recorded access easement for the following two (2) calls; (1) thence northwesterly along the arc of said curve, through a central angle of 90°00'00", an arc length of 78.54 feet to the point of tangency of said curve; (2) thence N.01°15'15"E., a distance of 1,647.23 feet to a point of intersection with the westerly line of a Public Drainage Easement as recorded in Official Record Instrument Number 2001075551 of said Public Records; thence along said westerly line of the Public Drainage Easement for the following three (3) calls; (1) thence S.65°46'13"E., a distance of 727.32 feet to the point of curvature of a curve to the right having a radius of 225.00 feet and a central angle of 58°45'20"; (2) thence southeasterly along the arc of said curve, an arc length of 230.73 feet to the point of tangency of said curve; (3) thence S.07°00'53"E., a distance of 1,050.78 feet to a point on the northerly line of a proposed extension to the right-of-way for Central Sarasota Parkway; thence along said proposed north right-of-way line for the following three (3) calls; (1) thence S.68°43'38"W., a distance of 229.82 feet to the point of curvature of a curve to the right having a radius of 1,450.00 feet and a central angle of 22°31'37"; (2) thence westerly along the arc of said curve, an arc length of 570.10 feet to the point of tangency of said curve; (3) thence N.88°44'45"W., a distance of 137.77 feet to the **POINT OF BEGINNING**

Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations shall be covenants running with the land. The use of the property described in Section 2 of this Ordinance, in addition to the applicable restrictions imposed by the Zoning Ordinance, is hereby further limited by and subject to the following restrictions, stipulations and safeguards:

1. All delivery trucks servicing the shopping center shall load and unload within the designated loading areas generally located on the eastern side of the shopping center buildings. The parking, standing, loading or unloading of delivery and/or service vehicles shall be prohibited on all other sides of the center.
2. Outside storage or display of any materials, including recyclables such as pallets and cardboard, shall be prohibited at all times.

3. The following design elements shall be provided in compliance with the Palmer Ranch Internal Commercial Design Guidelines, attached hereto as Exhibit "B":
  - Landscaping;
  - Parking lot lighting;
  - Signage; and,
  - Building Design Criteria.
4. The Central Sarasota Parkway and Honore Avenue frontages shall consist of landscape planters across the front of the stores where not precluded by canopies.
5. Signs and banners shall not be attached to the outside of the buildings.
6. All outside customer carts shall be stored in cart corrals providing visual screening for customer carts at the front of the shopping center building. The cart corral areas shall not contain signage or advertising.
7. There shall be no outdoor loudspeaker or paging systems.
8. All development shall occur in substantial accordance with the Development Concept Plan, date stamped August 12, 2003, and attached hereto as Exhibit "A." This does not imply or confer any deviations from applicable zoning or land development regulations, unless expressly granted in the footnote on said Development Concept Plan titled "Variances to Sarasota County Zoning Regulations – CSC District."
9. All development on the subject parcel shall comply with the Development Order for Palmer Ranch Increment XVI, as may be amended.
10. All mechanical equipment, including, but not limited to heating, ventilating, and air conditioning machinery, public utility service fixtures such as potable water and sewer facilities; telephone and electrical switching equipment; and natural or propane gas tanks, shall be screened from public view. Such screening may include any combination of landscaping and building materials. Any building materials used for screening shall be consistent with the architectural design of the principal structure. Screening shall extend at least one foot above the object to be screened.
11. The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations. At the time of recording a plat or prior to final construction approval, the Owner shall be required to record in the public records a *Notice to Purchaser*, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility.
12. Outdoor refuse areas and loading areas of all structures shall be screened from the Village Walk residential development with an 8' high stuccoed wall. This wall can be placed in the eastern landscape buffer area, or between the pavement and lake shown on the Development Concept Plan.

13. Newspaper boxes shall be permitted only in a uniform bank provided by the developer of the project.
14. Refuse areas shall be set back at least 50 feet from any residentially zoned property line and visually screened in accordance with Section 11.16 of the Sarasota County Zoning Ordinance.
15. Outdoor loading areas, for all outparcels, shall be screened in accordance with Section 11.6.k. of the Zoning Ordinance.
16. A buffer, 50 feet in width and landscaped with a four (4) foot high berm and containing plantings as required by the Palmer Ranch Internal Commercial Design Guidelines, shall be provided along Honore Avenue and Central Sarasota Parkway rights-of-way.
17. A buffer, 20 foot in width, and landscaped in accordance with Section 13.14 "H," including a 6 foot high wall, shall be provided along the eastern property line of the subject parcel from Central Sarasota Parkway north to the south boundary of Restoration Area "D." All required plant material shall be located on the eastern side of the wall and to avoid the removal of mature trees.
18. After obtaining approval from the Palmer Ranch Planning and Architectural Review Board (PARB), the developer shall submit the architectural building design, landscape, lighting and signage plans to the appropriate County staff for review and approval.

**Section 4. Effective Date.** This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 9<sup>th</sup> day of September, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

Sharon Faulk  
Chairman

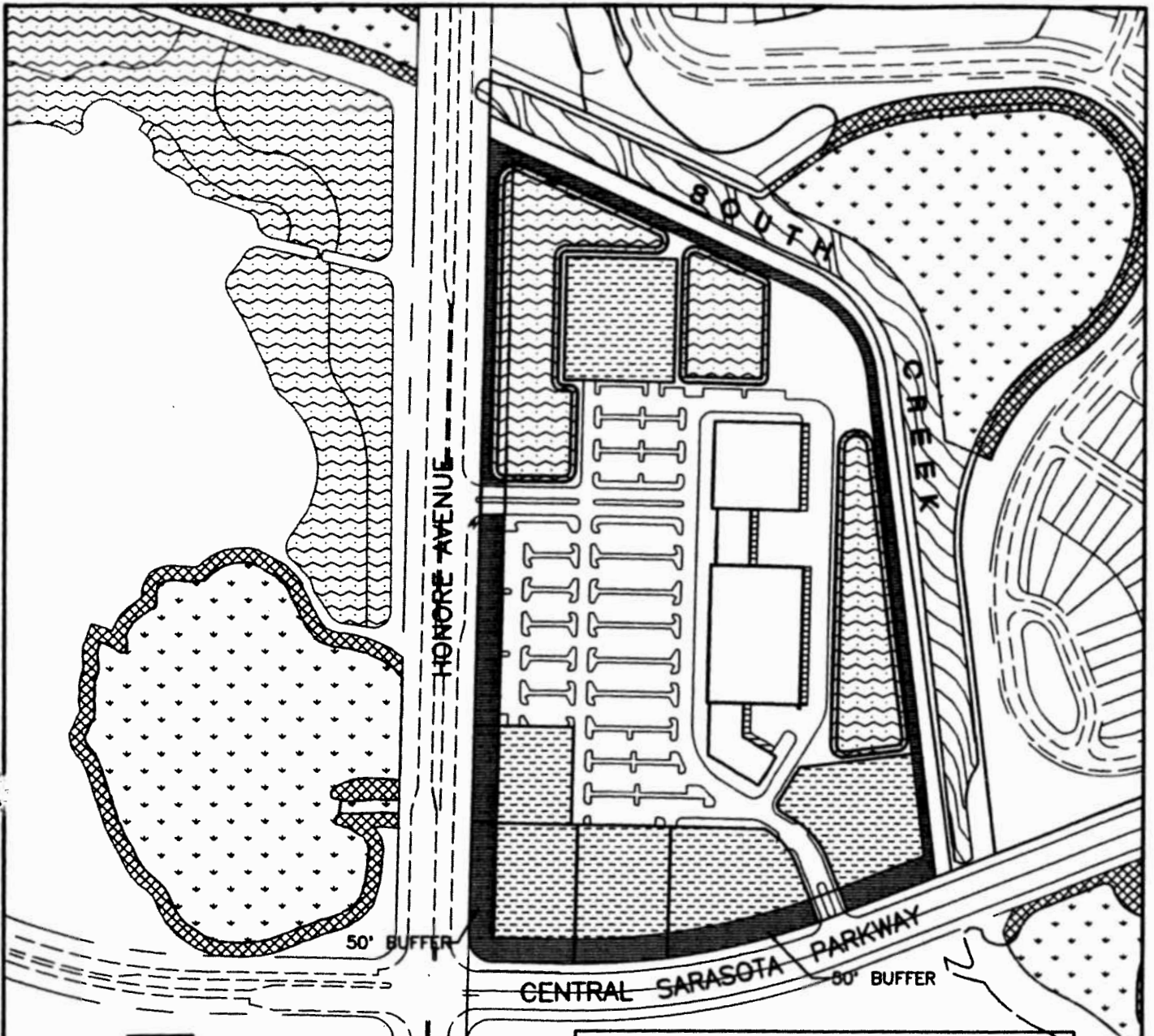
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




KAREN E. RUSHING, Clerk of  
the Circuit Court and Ex-  
Officio Clerk of the Board of  
County Commissioners of  
Sarasota County, Florida.

By: Cynthia A. Struth  
Deputy Clerk

**EXHIBIT "A"**  
**DEVELOPMENT CONCEPT PLAN FOR PARCEL P-3**

02003-030



-  PERIMETER BUFFER
-  OUT PARCEL DEVELOPMENT
-  LAKE AND LITTORAL AREAS
-  WETLAND PRESERVATION
-  UPLAND PRESERVATION (WETLAND BUFFER)
-  POTENTIAL LOADING/REFUSE/STORAGE AREAS FOR MAIN SHOPPING CENTER
-  MESIC HAMMOCK

SITE DATA		
DEVELOPMENT POD	ACRES	USE
P3	17.24	COMMERCIAL
OPEN SPACE	4.14	LAKE AND LITTORAL AREAS
OPEN SPACE	7.99	PERIMETER BUFFER AREAS/ OTHER OPEN SPACE
<b>TOTAL AREA</b>	<b>29.37</b>	

- NOTES:**
- 1) MAXIMUM COMMERCIAL SQUARE FOOTAGE SHALL BE 200,000 SF.
  - 2) OPEN SPACE EQUALS 41%.

 <p><small>Planners • Engineers • Ecologists • Surveyors Landscape Architects • Transportation Consultants Wilson Miller, Inc. Arling • Fort Myers • Sarasota • Bradenton • Tampa • Tallahassee 688 Professional Parkway Blvd, Suite 200 • Sarasota, Florida 34230-4200 Phone 941-557-0200 • Fax 941-557-0202 • Web 941-557-0203</small></p>	<p><b>PALMER RANCH PARCEL P3 ANCREMENT 003XVI</b></p>	<p><b>DEVELOPMENT CONCEPT PLAN</b></p>	<p><b>MAP C-3 1 OF 2</b></p>
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**Fixed Development Criteria:**

- 1) **Maximum Commercial Square Footage shall be 200,000 square feet.**
- 2) **Open Space shall be 30% (+) or 9.10 acres.**
- 3) **Location of access point to Honore Avenue.**
- 4) **Potential Areas for Outdoor Refuse Areas, Loading Locations, and Storage Areas.**
- 5) **Lighting and Signage in conformance with Palmer Ranch Design Guidelines.**
- 6) **Additional landscaping shall be constructed in accordance with the agreement between Palmer Ranch Holdings and DiVosta and Company. (See Exhibit "C".)**

**Requested Modifications to Sarasota County Zoning Regulations:**

- 1) **CSC District – Section 1.2 – Elimination of Six Foot Perimeter Wall Requirement, except as provided in Stipulation No. 17 of Ordinance No. 2003-030.**

**Other Modifications and Notes:**

- 1) **Prior to Site and Development Plan approval for specific uses, information on outdoor refuse areas, off-street parking and loading locations, storage areas, lighting and internal access shall be provided to the County.**
- 2) **Site Plan shall be binding to the extent committed by this plan.**



# **PALMER RANCH INTERNAL COMMERCIAL DESIGN GUIDELINES**

**January 2003**

**PALMER RANCH HOLDINGS, LTD.**

**8588 POTTER PARK DRIVE, SUITE 500  
SARASOTA, FLORIDA 34238**

**Page 1**

**B-1**

**INSTRUMENT # 2003223975  
50 PGS**

02003-030

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INSTRUMENT # 2003223975  
50 PGS

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## DESIGN PRINCIPLES

I

The purpose of the design guidelines is to provide a framework within which designers and purchasers can relate to specific design intensities and work with the Planning and Architectural Review Board (PARB) to strive towards acceptable design solutions that will enhance the overall community. Design guidelines serve to protect the overall quality of development and aesthetics within Palmer Ranch. Adherence to these design principles through the implementation of design guidelines enhances real estate value by maintaining continuity within the development.

The purpose of these design guidelines is to provide a basic structure of design issues from which all parties involved in the development of Palmer Ranch can obtain direction governing the aesthetics, quality and compatibility of individual site developments relative to the overall community. Design guidelines are established to carry out selected design principles throughout the property build out period. These principles must be strong enough to guide development in the desired direction but must also be flexible enough not to inhibit growth.

Design guidelines are part of a contractual agreement that is made when the builder accepts a deed that includes a covenant requiring compliance. The principles underlying the design guidelines will serve to shape the future of the development as they impact each and every property owner. Therefore, it is important that design guidelines be adaptable to changes in the market and changes in construction materials and technology.

Among the general design principles, it is of the utmost importance that the Palmer Park Plaza is designed to be compatible with the residential character of the Palmer Ranch community. This intention may be accomplished in several ways by using high quality design standards with attention to detail. As well, compatibility may be achieved with the strategic placement of the different land uses within the development.

The design principals that will be governed by those guidelines shall deal with the following elements:

1. Building Design
2. Site Development
3. Landscape Design
4. Lighting Design
5. Signage Design

In general, the commercial development areas must work with the other areas of Palmer Ranch to present a unified theme seen in the architecture, landscape, and site features. Architecture can be controlled through the suggested use of material, color and articulation. Landscape joins the building to the site and can be regulated by plant palette, buffer treatments, screening requirements and plant specifications. Site development encompasses building size requirements, associated use areas and their relation to the site. These features can be controlled by height restrictions, building set-backs, parking area requirements, and use area orientation.

The aesthetic quality of the development may be maintained by the scheme of the landscape architecture. Careful attention must be taken to create interesting landscapes with the use of vegetative screenings and plantings, consistent signage, lighting and street furniture. The style of the development buildings must integrate with the surrounding community. Contemporary "post modern" or ultra contemporary styled buildings will be discouraged. Buildings which are predominantly reflective glass will also be discouraged.

Establishment of binding guidelines allows Palmer Ranch to select the criteria, over and above Sarasota County Land Development Standards that will best direct the development of the commercial areas toward the character already established in the residential neighborhoods. Consistent style and quality shall help to preserve the value of the community.