

**ORDINANCE NO. 2008 - 007**

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 2003-052, 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.

PLANNING DEPARTMENT  
SARASOTA COUNTY  
JAN 20 10 44  
BOARD RECORDS  
SARASOTA COUNTY

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 Rezone Petition No. 07-37, 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. 2003-052, 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 Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification from District CHI (Commercial Highway Interchange) with stipulations to District CHI (Commercial Highway Interchange) with amended stipulations on a portion of Lots 12A and 12B, Jacaranda Commercial Center for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being west of Jacaranda Blvd. and Southwesterly of I-75, known as

the Jacaranda Commercial Center development and being more particularly described as follows:

A tract of land lying in Sections 3 and 10, Township 39 South, Range 19 East, Sarasota County, Florida.

Commence at the intersection of the Northerly line of the Southeast  $\frac{1}{4}$  of said Section 10 with the Easterly right-of-way line of Delray Road extended Northerly as said road is designated upon the Plat of Venice Farms recorded in Plat Book 2, Page 179 of the Public Records of Sarasota County, Florida; thence N  $00^{\circ} 45' 33''$  W along the Southerly extension of the Easterly line of Venice Acres Unit 2 recorded in Plat Book 25, Pages 20 through 20C of said Public Records and along said Easterly line a distance of 2657.90 feet to the Northerly line of said Section 10; thence N  $00^{\circ} 16' 07''$  W continuing along said Easterly line of Venice Acres Unit 2 a distance of 90.54 feet to the POINT OF BEGINNING; thence S  $34^{\circ} 13' 43''$  E a distance of 1247.31 feet; thence S  $72^{\circ} 21' 09''$  E a distance of 571.25 feet to the Westerly line of premises described in instrument dated September 13, 1976 by T. Joseph Constantine and wife to the State of Florida, recorded in O.R. Book 1137, Page 231 of the aforementioned Public Records said point lies 250.00 feet N  $00^{\circ} 13' 43''$  W of an angle point in said Westerly line (the following 6 calls are along the lines of said premises); thence N  $00^{\circ} 13' 43''$  W a distance of 649.63 feet; thence N  $02^{\circ} 31' 09''$  W a distance of 748.13 feet; thence N  $20^{\circ} 30' 37''$  W a distance of 114.90 feet; thence N  $38^{\circ} 30' 04''$  W a distance of 1175.99 feet to the PC of a curve to the left having a central angle of  $06^{\circ} 12' 15''$  and a radius of 3695.72 feet; thence Northwesterly along the arc a distance of 400.18 feet; thence N  $44^{\circ} 42' 19''$  W a distance of 256.67 feet to the aforementioned Easterly line of Venice Acres Unit 2; thence S  $00^{\circ} 16' 07''$  E along said Easterly line a distance of 1702.05 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. Future development approvals (i.e., site and development plans and special exceptions) shall be consistent with the future land use plan and conditions of the adopted Sector Plan 83-3-SP for the designated Commercial Highway Interchange area at I-75 and Jacaranda Boulevard;
2. Consistent with Sector Plan Condition No. 10, both native habitat areas existing within the

southwestern and northwestern portions of the subject parcel shall be designated on the site and development plan as "areas preserved as open space in native habitat". The northern native habitat area shall be a minimum of 4 acres and the portion of the southern native habitat area lying within the CHI zoning district shall be a minimum of 5.5 acres;

3. Prior to site and development plan approval, a master drainage plan for the entire parcel showing designs of all drainage control structures and stormwater retention lakes shall be submitted to both the County Transportation Department and the Senior Ecologist for review and approval to ensure that stormwater runoff is managed on the site in such a manner as to not increase the existing off-site surface water levels and to maintain/restore the natural hydroperiods of the on-site Wet Prairies;
4. A water quality monitoring program, approved by the Sarasota County Pollution Control Division of the Environmental Services Department, shall be conducted by the developer to establish a pre-development water quality history. Prior to site and development plan approval, the developer shall coordinate with the County Pollution Control Division of the Environmental Services Department in establishing an acceptable monitoring program;
5. Prior to site and development plan approval, the developer shall submit to both the County Transportation Department and the County Planning Department a plan showing internal access points on the proposed access road and adequate space for vehicular turning. These internal access points shall be aligned with any access points created on the opposite side of the access road. Common access points and provisions for circulation between adjacent parcels shall be encouraged whenever possible. To ensure adequate traffic circulation in the vicinity of the intersection of Jacaranda Boulevard and the proposed access road, the first internal access point(s) on the access road shall be a minimum of 50 feet from the western right-of-way line of Jacaranda Boulevard. The separating distance between the first and second internal access points along the same side of the access road near the Jacaranda Boulevard intersection shall be a minimum of 70 feet. There shall be no direct access from individual parcels onto Jacaranda Boulevard. At the Jacaranda Boulevard intersection, two separate lanes one for right and one for left turns shall be installed at the proposed access road approach to allow convenient and safe vehicular egress from the CHI area onto Jacaranda Boulevard. In addition, a cul-de-sac at the end of the access road shall be considered to provide adequate space for vehicular turning. Traffic control devices and other intersection improvements (e.g., turning lanes) for the intersection of Jacaranda Boulevard and the proposed access road shall be installed when deemed necessary by the County Engineer, at no expense to Sarasota County;
6. Prior to site and development plan approval, the developer shall contact the officials from the Florida Department of Community Affairs (DCA) to discuss the potential regional implications of the project thereby allowing DCA to determine whether or not the developer should seek a Binding Letter of Interpretation, in accordance with Chapter 380 of the Florida Statutes; and
7. All development shall be required to connect to the existing franchise (Curry Creek Utilities)

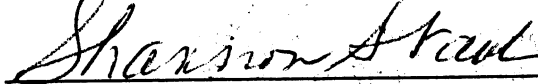
which would provide both a central water service and a central sewer service for the subject property.

8. Office uses within the Jacaranda Commercial Center shall be limited to areas designated on the Development Concept Plan dated "August 21, 2007", and attached hereto as Exhibit "A". The parcels depicted for office uses on Exhibit "A" may also contain underlined permitted uses in the CHI zone district.

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 22<sup>ND</sup> day of JANUARY, 2008

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

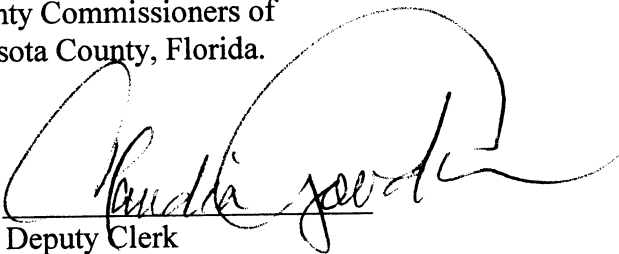


Chair

ATTEST:

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

By:



Deputy Clerk

02008-007



