

SARASOTA COUNTY GOVERNMENT
Planning & Development Services Business Center

MEMORANDUM

TO: Allan Garrett
2424 Yorkshire Drive
Sarasota, FL 34231

Emergency Services, Fire Department (Rick Fulwider)
Environmental Services, Utilities (Mike Mylett)
Environmental Services, Water Resources (Joe Kraus)
Health/Human Services (Rich Cantin)
Planning & Development Services, Code Enforcement (Jim LeGay)
Planning & Development Services, Teri Owen
Planning & Development Services, Land Dev. (Raz Alexe)
Planning & Development Services (Steve Brown)
Planning & Development Services, Res. Protection (Luana Guio)
Planning & Development Services, Res. Protection (Jim Dierolf)
Planning & Development Services, Zoning (Brad Bailey)
Planning & Development Services, Zoning (Donna Thompson)
Property Appraiser (Jim Todora)
Public Works, Watershed (Candace Hendrickson)
Public Works, Transportation (Rick Musior)
School Board (Micki Ryan)
SCAT (Elise Cohen)

FROM: Carol McConway

SUBJECT: RZ 08-03

DATE: September 22, 2008

PLANNER: Jack Wilhelm

PID#: 0067-01-0001

ORD. #: 2008-104

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On the 26th day of August, 2008, the Sarasota County Board of County Commissioners approved Rezone Petition No. 08-03 to rezone approximately 19.07 acres, located northeast of the Cattlemen Road/Wilkinson Road intersection, in Sarasota County, Florida, from RMF-3 (Residential, Multifamily, 13 units/acre) and RMH (Residential, Manufactured Home, 5 units/acre) to OPI (Office, Professional and Institutional) zone district.

A copy of Ordinance No. 2008-104 is attached for your information.

ORDINANCE NO. 2008- 104

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; PROVIDING FOR THE ADOPTION OF AN AMENDMENT TO THE BEE RIDGE ROAD/I-75 SECTOR PLAN NO. 83-01-SP-B-SOUTH; AND PROVIDING AN EFFECTIVE DATE.

603200 08/27/08
PLANNING DEPARTMENT
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COUNTY OF SARASOTA, FL

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. 08-03, 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 RMH (Residential Manufactured Home, 5 units/acre) and RMF-3 (Residential Multi-Family, 13 units/acre) to District OPI (Office, Professional, and Institutional) on the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being: east of Cattlemen Road and northeast of the Cattlemen Road/Wilkinson

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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Road intersection, and being more particularly described as follows:

(PARCEL 2)

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 37 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 37 SOUTH, RANGE 18 EAST; THENCE ALONG THE SOUTH LINE OF SAID SECTION 1 TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE CENTERLINE OF SURVEY OF CATTLEMEN ROAD AS RECORDED IN ROAD PLAT BOOK 2, PAGE 31, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, N89°29'39"W A DISTANCE OF 1347.29'; THENCE ALONG THE SAID CENTERLINE OF SURVEY N00°30'45"E A DISTANCE OF 75.00'; THENCE TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF CATTLEMEN ROAD, S89°29'39"E A DISTANCE OF 30.00'; THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF CATTLEMEN ROAD N00°30'45"E A DISTANCE OF 1703.65' TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE OF SAID CATTLEMEN ROAD, N00°30'45"E, 672.64' TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE IN A NORTHEASTERLY DIRECTION, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 5713.27' AND A CENTRAL ANGLE OF 01°31'52", 152.67'; THENCE, LEAVING SAID EASTERLY RIGHT OF WAY LINE, S89°36'11"E, 991.63' TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 75, STATE ROAD 93, AS RECORDED IN ROAD PLAT 2, PAGES 37 AND 37A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID INTERSTATE 75 S02°29'45"W A DISTANCE OF 825.84'; THENCE, LEAVING SAID WESTERLY RIGHT OF WAY LINE, N89°36'11"W, 965.09' TO THE POINT OF BEGINNING AND CONTAINING 18.55 ACRES, MORE OR LESS.

TOGETHER WITH:

(PARCEL 1)

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 37 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 1,

TOWNSHIP 37 SOUTH, RANGE 18 EAST; THENCE ALONG THE SOUTH LINE OF SAID SECTION 1 TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE CENTERLINE OF SURVEY OF CATTLEMEN ROAD AS RECORDED IN ROAD PLAT BOOK 2, PAGE 31, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, N89°29'39"W A DISTANCE OF 1347.29'; THENCE ALONG THE SAID CENTERLINE OF SURVEY N00°30'45"E A DISTANCE OF 75.00'; THENCE TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF CATTLEMEN ROAD, S89°29'39"E A DISTANCE OF 30.00'; THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF CATTLEMEN ROAD N00°30'45"E A DISTANCE OF 1703.65' TO THE POINT OF BEGINNING; THENCE, LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF CATTLEMEN ROAD, S89°36'11"E, 197.97'; THENCE S09°33'30"W, 38.52'; THENCE S29°46'26"W, 104.68'; THENCE S90°00'00"W, 140.75' TO ITS INTERSECTION WITH THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF SAID CATTLEMEN ROAD; THENCE, ALONG SAID EASTERLY RIGHT OF WAY LINE, N00°30'45"E, 130.22' TO THE POINT OF BEGINNING AND CONTAINING 0.52 ACRES, MORE OR LESS.

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 development of the subject parcel shall be consistent with applicable conditions of the Bee Ridge Road/Cattlemen Road Village Activity Center (Sector Plan No. 83-01-SP-B-South).
2. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
3. Prior to Construction Authorization for development on the subject parcel that generates more than 198 net new PM peak hour trips, it shall be demonstrated that Cattlemen Road from Proctor Road to Bee Ridge Road and the intersection of Bee Ridge Road and Cattlemen Road have available transportation facility capacity consistent with the Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code).
4. Prior to or concurrent with the development of the subject parcel, the developer shall modify the existing traffic signal at no cost to the County at the intersection of Cattlemen Road and

Wilkinson Road to accommodate the proposed access at eastern leg of the intersection. The improvements shall be included in the construction plans for the proposed development.

5. Prior to or concurrent with development of the subject parcel, the developer shall construct an ADA-accessible bus stop shelter and bus stop pad with bike racks along the frontage of Cattlemen Road, including a bus bay/bus pull off. The exact location and design of the facilities will be determined during the Site and Development review process in coordination with Sarasota County Area Transit (SCAT).
6. Prior to receiving Construction Authorization, the Developer shall have a Water Quality Plan, approved by Sarasota County, which will demonstrate how the development will maintain water quality within the development without the need for flushing of the water lines.
7. Prior to receiving Construction Authorization, the Developer shall submit a Lift Station Plan and hydraulic model of the wastewater collection system. The Developer shall be responsible for any off-site improvements necessary to accommodate the additional flows within the wastewater system.
8. The Developer shall provide locations for cross-access along the northern and southern property lines of the subject parcel.
9. The development shall provide an internal roadway with sidewalks extending Wilkinson Road through the subject parcel connecting with the parcel to the north. Vehicular and pedestrian connectivity to the internal roadway shall also be provided to the property south of the subject parcel.

Section 4. Adoption of an Amendment to the Bee Ridge Road/I-75 Sector Plan No. 83-01-SP-B-South. Pursuant to the Sarasota County Comprehensive Plan and the Critical Area Planning Regulations adopted by Sarasota County Ordinance No. 97-074, Article IV, Chapter 94 of the Sarasota County Code and based upon the evidence and testimony and forgoing findings, the Board hereby redesignates the subject parcel from Moderate Density Residential (4.6 units per acre) to Office Multi-Family Residential and adopts the revised "Exhibit 1."

Section 5. 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 21st day of August, 2008.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

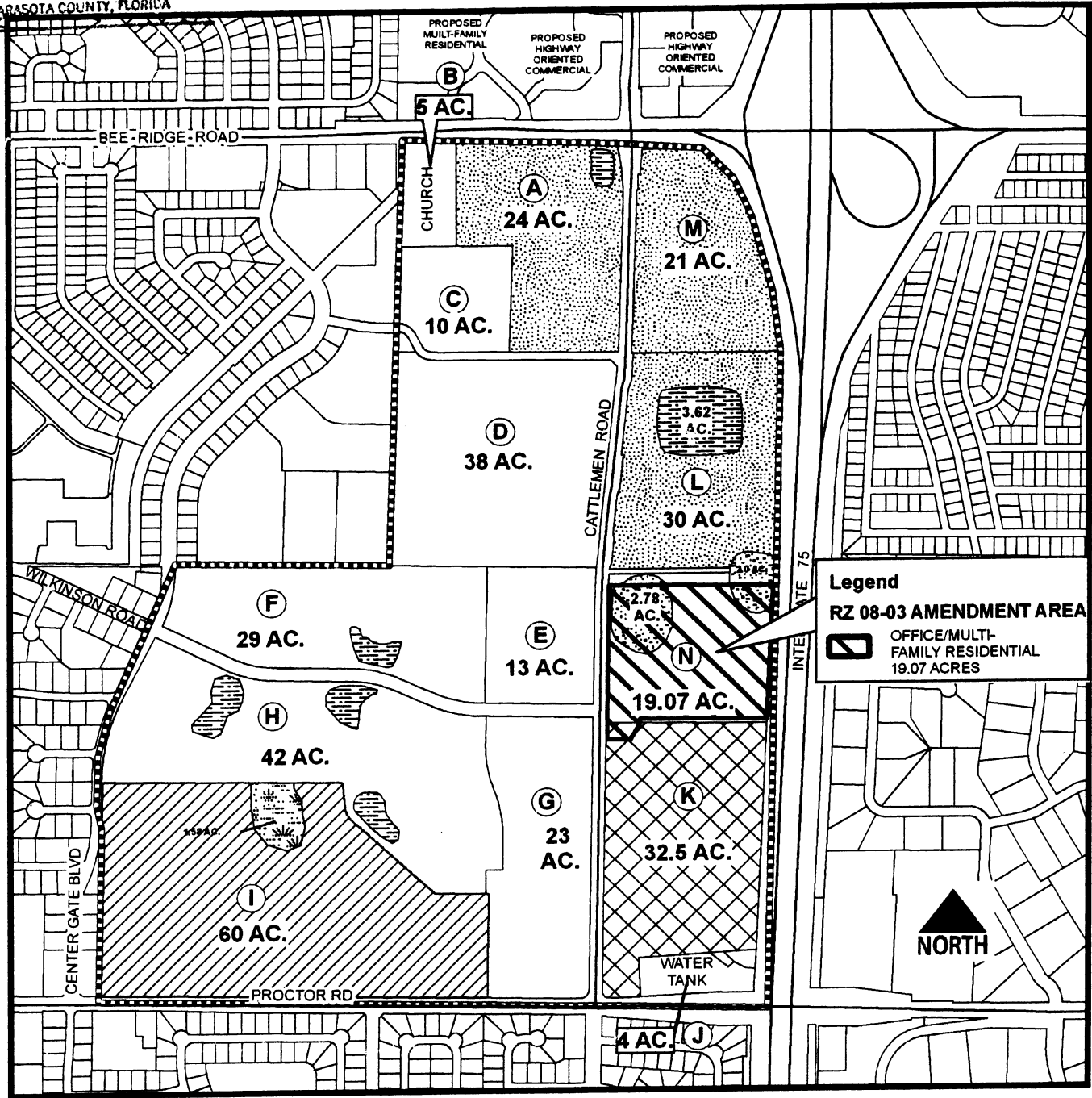

Chair

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

STATE OF FLORIDA)
 COUNTY OF SARASOTA)
 I HEREBY CERTIFY THAT THE FOREGOING IS A
 TRUE AND CORRECT COPY OF THE ORIGINAL FILED
 IN THIS OFFICE. WITNESS MY HAND AND OFFICIAL
 SEAL THIS DATE September 4, 2008
 KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
 EX-OFFICIO CLERK TO THE BOARD OF COUNTY
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA
 BY: [Signature]
 DEPUTY CLERK



**PROPOSED AMENDMENT TO BEE RIDGE/I-75
 SECTOR PLAN 83-01-SP-B-SOUTH**
 --- SECTOR PLAN BOUNDARY

- (A) PARCEL LETTER
- COMMERCIAL SHOPPING CENTER
- MODERATE DENSITY RESIDENTIAL
4.6 - 6.0 UNITS PER ACRE
- LOW DENSITY RESIDENTIAL
1.0 - 4.5 UNITS PER ACRE
- OFFICE/MULTI-FAMILY RESIDENTIAL
- SWAMPS
- WET PRAIRIES
- WETLAND FRINGING HAMMOCK
- RETENTION/DETENTION AREAS

AMENDED AUGUST 26, 2008
 RZ 08-03

EXHIBIT 1