

RECEIVED
FEB 10 2010
BY: _____

ORDINANCE NO. 2009- 057

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.

KARLIE STUBBING
CLERK OF COUNTY COURT
SARASOTA COUNTY, FLORIDA
2009 FEB 07 11:13
BOARD RECORDS
REF TOP RECORD

BE IT ORDAINED BY THE SARASOTA COUNTY COMMISSION 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. 08-19, 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 roads, drainage, solid waste, 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 OUE-1 (Open Use Estate, 1 unit/5 acre) to District RMF-2/PUD (Residential Multi-Family, 9 units/acre/Planned Unit Development Overlay) on the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being west of Mauna Loa Boulevard and approximately 2000 feet north of Bee Ridge Road and being more particularly described as follows:

2009 057

Parcel 1

A PARCEL OF LAND, BEING PART OF SECTION 36, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA AND PART OF TRACTS 1 AND 3, PALMER FARMS, THIRD UNIT, RECORDED IN PLAT BOOK 3, PAGE 39, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, LYING IN SECTION 31, TOWNSHIP 36 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA AND PART OF VACATED FERROL ROAD (SARASOTA COUNTY COMMISSION MINUTES BOOK 14, PAGE 137), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 36 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE S 89°38'21" E, ALONG THE SOUTH LINE OF SAID SECTION 31, A DISTANCE OF 1654.77 FEET; THENCE N 04°13'35" E, A DISTANCE OF 1183.63 FEET FOR A POINT OF BEGINNING; THENCE N 85°46'25" W, A DISTANCE OF 510.93 FEET TO A POINT ON A CURVE HAVING: A CENTER WHICH BEARS S 89°32'58" E, A RADIUS OF 1065.45 FEET, A CENTRAL ANGLE OF 14°08'21", A CHORD LENGTH OF 262.26 FEET AND A CHORD BEARING OF N 07°31'13" E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 262.93 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING: A RADIUS OF 1395.00 FEET, A CENTRAL ANGLE OF 06°00'29", A CHORD LENGTH OF 146.21 FEET AND A CHORD BEARING OF N 11°35'09" E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 146.28 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT HAVING: A RADIUS OF 245.00 FEET, A CENTRAL ANGLE OF 97°44'52", A CHORD LENGTH OF 369.10 FEET AND A CHORD BEARING OF N 40°17'31" W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 417.98 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT HAVING: A RADIUS OF 5000.00 FEET, A CENTRAL ANGLE OF 05°32'35", A CHORD LENGTH OF 483.54 FEET AND A CHORD BEARING OF S 88°03'45" W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 483.73 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT HAVING: A RADIUS OF 142.50 FEET, A CENTRAL ANGLE OF 85°08'50", A CHORD LENGTH OF 192.81 FEET AND A CHORD BEARING OF S 42°43'02" W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 211.77 FEET; THENCE S 00°08'38" W, A DISTANCE OF 186.60 FEET TO THE NORTHEAST CORNER OF PARCEL A, RIDGELAKE, A LAND CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 39, PAGE 43, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S 89°07'27" W, ALONG THE NORTH LINE OF SAID PARCEL A, A DISTANCE OF 383.02 FEET TO A POINT ON THE EAST LINE OF A CANAL RIGHT-OF-WAY SHOWN ON FLORIDA

17069-037

DEPARTMENT OF TRANSPORTATION MAP SECTION 17075-2408, SAID POINT LYING ON A CURVE HAVING: A CENTER WHICH BEARS N 88°19'02" E, A RADIUS OF 1700.86 FEET, A CENTRAL ANGLE OF 00°48'25", A CHORD LENGTH OF 23.95 FEET AND A CHORD BEARING OF N 01°16'45" W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 23.95 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°18'31" E, A DISTANCE OF 62.07 FEET TO THE NORTHEAST CORNER OF SAID CANAL RIGHT-OF-WAY; THENCE N 89°43'48" W, ALONG THE NORTH LINE OF SAID CANAL RIGHT-OF-WAY, A DISTANCE OF 116.30 FEET TO THE POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 75 SHOWN ON SAID MAP SECTION 17075-2408; THENCE N 00°52'33" W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 635.25 FEET; THENCE N 87°46'44" E, A DISTANCE OF 348.27 FEET; THENCE N 87°45'10" E, A DISTANCE OF 1143.32 FEET; THENCE N 86°43'10" E, A DISTANCE OF 405.33 FEET; THENCE S 04°13'35" W, A DISTANCE OF 1178.43 FEET TO THE POINT OF BEGINNING.

LESS LANDS CONVEYED TO SARASOTA COUNTY, FLORIDA, RECORDED IN OFFICIAL RECORDS INSTRUMENT 2006140880, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

Parcel 2

A PARCEL OF LAND, BEING PART OF PARCEL E, RIDGELAKE, A LAND CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 39, PAGES 43 THROUGH 43-D, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, LYING IN THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 36 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF PARCEL A, RIDGELAKE, A LAND CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 39, PAGES 43 THROUGH 43-D, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE NORTHERLY, EASTERLY AND SOUTHERLY ALONG THE BOUNDARY OF PARCEL E OF SAID RIDGELAKE, THE FOLLOWING SIX COURSES:

1) N 00°08'38" E, A DISTANCE OF 186.60 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING: A RADIUS OF 142.50 FEET, A CENTRAL ANGLE OF 85°08'50", A CHORD LENGTH OF 192.81 FEET AND A CHORD BEARING OF N 42°43'02" E

2) NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 211.77 FEET TO THE POINT OF COMPOUND CURVATURE OF A

CURVE HAVING: A RADIUS OF 5000.00 FEET, A CENTRAL ANGLE OF 05°32'35", A CHORD LENGTH OF 483.54 FEET AND A CHORD BEARING OF N 88°03'45" E

3) EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 483.73 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE HAVING: A RADIUS OF 245.00 FEET, A CENTRAL ANGLE OF 97°44'52", A CHORD LENGTH OF 369.10 FEET AND A CHORD BEARING OF S 40°17'31" E

4) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 417.98 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE HAVING: A RADIUS OF 1395.00 FEET, A CENTRAL ANGLE OF 06°00'29", A CHORD LENGTH OF 146.21 FEET AND A CHORD BEARING OF S 11°35'09" W

5) SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 146.28 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE HAVING: A RADIUS OF 1065.45 FEET, A CENTRAL ANGLE OF 14°08'21", A CHORD LENGTH OF 262.26 FEET AND A CHORD BEARING OF S 07°31'13" W

6) SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 262.93 FEET TO THE NORTHWEST CORNER OF PARCEL D OF SAID RIDGELAKE; THENCE N 66°41'31" W, A DISTANCE OF 859.69 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. Development shall take place in substantial compliance with the Development Concept Plan date stamped December 16, 2009 and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
2. The following modifications pursuant to Section 6.11.2.f., PUD Modification Provision, as shown on the Development Concept Plan, Exhibit "A" date stamped December 16, 2009, shall be permitted:

- reduction of two building setbacks for the building located in the southeast corner of the property to 140' 1" from the eastern boundary and 34' 4" from the southern boundary (Section No. 6.11.2.e.2.)
 - reduction of one building setback for the building located in the southwest corner of the property to 33' 8" from the southern boundary (Section No. 6.11.2.e.2.)
 - reduction in the number of parking spaces required under Section 7.1.7.b. (*Required Parking Ratios*) to allow only 1.5 parking spaces per one or two-bedroom unit in buildings that are restricted to elderly residents
3. A twenty-five (25) foot (0.5) opacity landscape buffer shall be located along the northern property boundary as depicted on the binding Development Concept Plan.
 4. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
 5. All stormwater treatment shall be open and above ground.
 6. Prior to Construction Authorization for the proposed development, it shall be demonstrated that the intersection of Bee Ridge Road and Mauna Loa Boulevard has available transportation facility capacity consistent with the Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code).
 7. Prior to receiving Construction Authorization, Owner shall have a Water Quality Plan, approved by Sarasota County that will demonstrate how the development will maintain water quality in accordance with applicable regulations without the need for flushing of the water lines.
 8. All Grand Trees designated by Resource Protection staff shall be preserved, unless Resource Protection determines that the trees adversely affect the public's health, safety and welfare.
 9. The Owner shall record a cross-access easement for an emergency access point, to and from the Subject Parcel, through the property to the south, and connecting the Subject Parcel to a public or private road, prior to site and development plan approval, consistent with the Development Concept Plan attached as Exhibit A.

Section 4. Effective Date. This Ordinance shall take effect upon filing with the Department of State.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 26th day of January, 2010.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chair

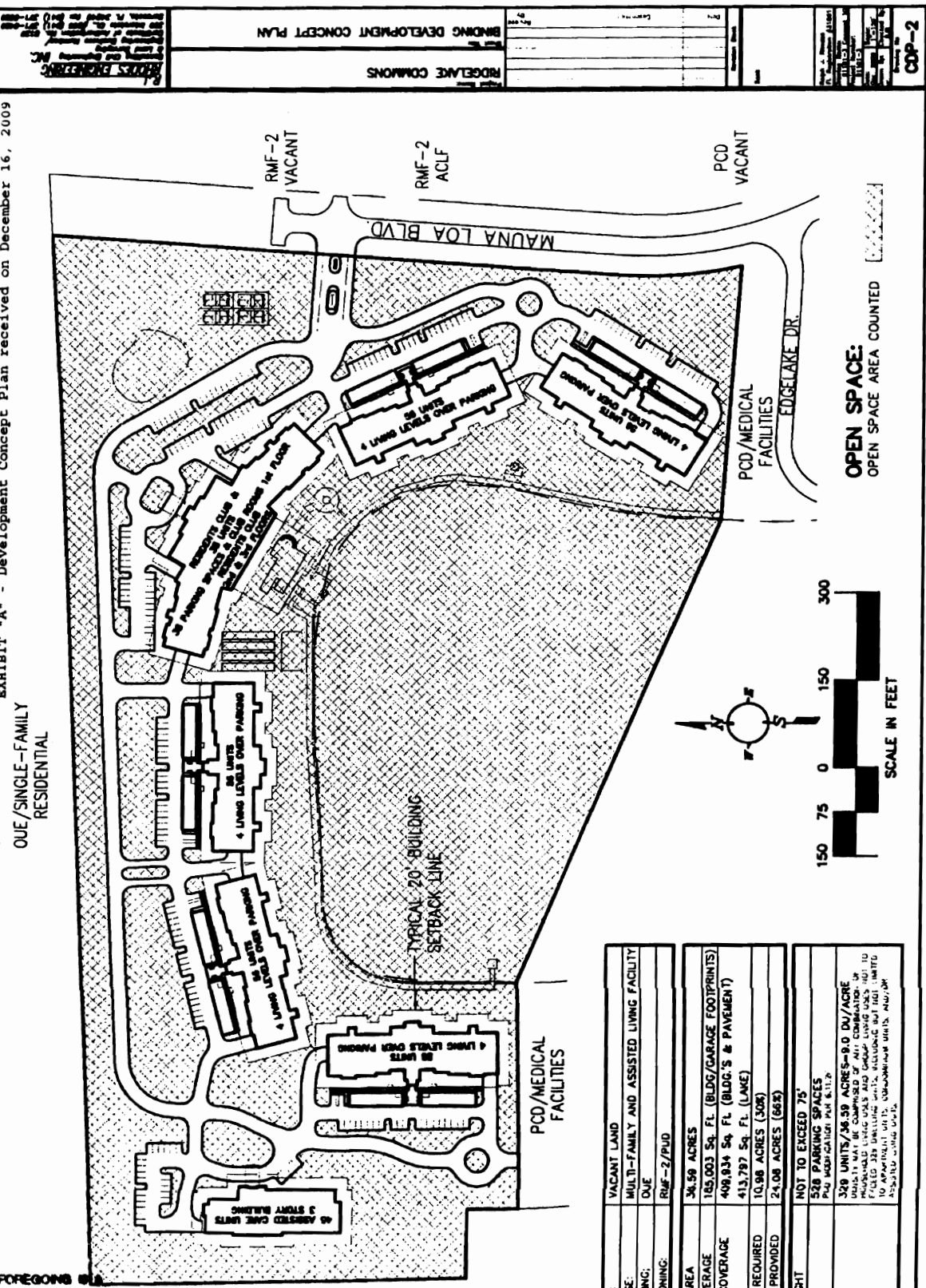
ATTEST:

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 FILES
 IN THIS OFFICE WITNESS MY HAND AND OFFICIAL
 SEAL THIS DATE January 27, 2010
 KAREN S. RUSHING, CLERK OF THE CIRCUIT COURT
 EX-OFFICIO CLERK TO THE BOARD OF COUNTY
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA
 BY [Signature]
 DEPUTY CLERK

EXHIBIT "A" - Development Concept Plan received on December 16, 2009
 OUE/SINGLE-FAMILY
 RESIDENTIAL
 RIDGE LAKE COMMONS
 BINDING DEVELOPMENT CONCEPT PLAN
 COP-2



EXISTING USE:	VACANT LAND
PROPOSED USE:	MULTI-FAMILY AND ASSISTED LIVING FACILITY
EXISTING ZONING:	DUE
PROPOSED ZONING:	RMF-2/PUD
TOTAL SITE AREA	34.59 ACRES
BUILDING COVERAGE	185,003 Sq. Ft. (BLDG/GARAGE FOOTPRINTS)
IMPERVIOUS COVERAGE	408,834 Sq. Ft. (BLDG.'S & PAVEMENT)
OPEN SPACE REQUIRED	413,797 Sq. Ft. (LAWN)
OPEN SPACE PROVIDED	10,98 ACRES (306)
BUILDING HEIGHT	NOT TO EXCEED 75'
PARKING	538 PARKING SPACES PLA MEDICAL UNIT #11.2
DENSITY	328 UNITS/34.59 ACRES=9.5 DU/ACRE UNITS MAY BE COMPRISED OF ANY COMBINATION OF MULTIFAMILY LIVING UNITS AND GROUP LIVING UNITS (G) TO TOTAL 328 UNITS PER ACRE, INCLUDING BUT NOT LIMITED TO ASSISTED LIVING UNITS, TRANSITIONAL UNITS, AND/OR