

BOARD RECORD
FOR RECORD

ORDINANCE NO. 2010 - 081

FILED
2010 NOV 16 AM 11:05
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

KAREN E. WISHING
CLERK OF DISTRICT COURT
SARASOTA COUNTY, FL

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.

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. 10-11, 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 OPI (Office, Professional and Institutional) and CG (Commercial General) to CG (Commercial General) zone district for the following described property located in Sarasota County, Florida:

Parcel 1

All that certain property lying and being in Sarasota County, Florida described as follows:

Commence at the Northwest corner of the Northwest 1/4 of the Southwest 1/4 of Section 27, Township 37 South, Range 18 East, Sarasota County, Florida; thence S. 00 degrees 02' 22" E. along the West line of said Section 27, said line also being the centerline of Vamo Road, 104.88 feet; thence N.

89 degrees 57' 38" E. 15.00 feet to the original East R/W line of Vamo Road; thence N. 64 degrees 43' 58" E., 16.58 feet to the existing East right of way line of Vamo Road, for a Point of Beginning; thence continue N. 64 degrees 43' 58" E. 21.70 feet to a point on the Southwesterly right of way line of U.S. Highway No. 41; thence S. 44 degrees 42' 58" E. along said right of way line 210.92 feet to the P.C. of a curve concave to the Southwest and having a radius of 2773.66 feet; thence Southeasterly along the arc of said curve 874.61 feet (Chord - S. 35 degrees 40' 58" E. 870.99 feet); thence S. 62 degrees 32' 20" W., 39.97 feet; thence S. 00 degrees 02' 22" E., 140.46 feet; thence S. 30 degrees 02' 22" E., 96.66 feet; thence S. 59 degrees 57' 38" W., 20.00 feet; thence S. 30 degrees 02' 22" E. 119.00 feet; thence N. 89 degrees 52' 35" E., 17.14 feet; thence N. 70 degrees 11' 46" E., 72.10 feet to the aforesaid right of way line of U.S. Highway No. 41; thence S. 19 degrees 48' 14" E., along said right of way line 63.00 feet to a point on the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 27; thence S. 89 degrees 52' 35" W. along said South line, 836.82 feet to the existing right of way line of Vamo Road; said point lying 30.00 feet Easterly from the West line of aforesaid Section 27; thence N. 00 degrees 02' 22" W., along said right of way line and also along a line 30.00 feet East of the West line of aforesaid Section 27, a distance of 1240.29 feet to the Point of Beginning.

LESS the following described parcel:

From the Northwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 27, Township 37 South, Range 18 East, Sarasota County, Florida, run South 00 degrees 02' 22" East, 104.88 feet along the West line of said Section 27, same being the centerline of Vamo Road; thence leaving said West line of Section 27, run North 89 degrees 57' 38" East, 15.00 feet; thence North 64 degrees 43' 58" East, 38.28 feet to a point on the Southwesterly right of way line of U.S. Highway No. 41; thence South 44 degrees 42' 58" East along said right of way line 210.92 feet to a point of curvature; thence continuing along said right of way line by a curve to the right, having a radius of 2773.66 feet, an arc distance of 256.22 feet, a delta angle of 5 degrees 17' 34", a chord bearing of South 42 degrees 04' 11" East, a chord distance of 256.13 feet; thence South 49 degrees 54' 50" West, 57.82 feet for a Point of Beginning; thence North 40 degrees 05' 20" West, 6.0 feet; thence South 49 degrees 54' 50" West, 153.0 feet; thence South 01 degrees 01' 15" West, 40.00 feet; thence North 89 degrees 54' 50" East, 223.79 feet; thence North 37 degrees 24' 15" West, 168.17 feet to the Point of Beginning.

Parcel 2

Together with a non-exclusive easement for vehicular and pedestrian traffic, as set forth in and created by Declaration of Easements, dated March 12, 1991, recorded in Official Records Book 2282, Page 646, Public Records of Sarasota County, Florida, over and across the following real property:

From the Northwest corner of the Northwest 1/4 of the Southwest 1/4 of Section 27, Township 37 South, Range 18 East, Sarasota County, Florida, run South 00 degrees 02' 22" East, 104.86 feet along the West line of said Section 27, same being the centerline of Vamo Road; thence leaving said West line of Section 27, run North 89 degrees 57' 38" East, 15.00 feet; thence North 64 degrees 43' 58" East, 38.28 feet to a point on the Southwesterly right of way line of U.S. Highway No. 41; thence South 44 degrees 42' 58" East, along said right of way line 210.92 feet to a point of curvature; thence continuing along said right of way line by a curve to the right, having a radius of 2773.66 feet, an arc distance of 256.22 feet, a delta angle of 5 degrees 17' 34", a chord bearing of South 42 degrees 04' 11" East, a chord distance of 256.13 feet; thence South 49 degrees 54' 50" West, 57.82 feet for a Point of Beginning; thence North 40 degrees 05' 20" West, 6.0 feet; thence South 49 degrees 54' 50" West, 153.0 feet; thence South 01 degrees 01' 15" West, 40.00 feet; thence North 89 degrees 54' 50" East, 223.79 feet; thence North 37 degrees 24' 15" West, 168.17 feet to the Point of Beginning.

Parcel 3

Together with a permanent non-exclusive easement for use of Retention Ponds as set forth in that certain Declaration of Easements recorded in Official Records Book 2262, Page 625 and Modification of Declaration of Easements recorded in Official Records Book 2621, Page 1053, of the public records of Sarasota County, Florida.

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 accordance with the Development Concept Plan, date-stamped October 22, 2010, and attached hereto as Exhibit "A", except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. Prior or concurrent with the development of the subject parcel, a bus stop facility shall be provided. The developer/owner shall construct American with Disabilities Act (ADA) accessible bus stop deployment and bus stop shelter pads, pedestrian connections to the bus stop pads, and install a bus stop shelter and bicycle racks. The facility shall be located wholly within the Florida Department of Transportation (FDOT) right-of-way. Final location of said facility and acceptance of the bus stop shelter pad, ADA deployment pad and associated sidewalk and drainage shall be subject to FDOT review and approval.
3. The Master Surface Water Management Plan shall be consistent with the Clower Creek Basin Master Plan.
4. All stormwater treatment shall be open and above ground.

5. Access to Vamo Road shall be limited to pedestrian and bicycle traffic only.
6. The area between Clower Creek and the intersection of U.S. 41 and Vamo Road shall remain undeveloped.
7. A landscaping buffer shall be provided along Vamo Road from Clower Creek to the south property line. The landscape buffer shall be a minimum of 35 feet in width and a minimum opacity of 0.5, and shall be landscaped and maintained in accordance with the attached Pelican Plaza Landscape Buffer, with pedestrian crossing, date stamped "Received October 7, 2010" and the Pelican Plaza Plant Schedule – Vamo Road Buffer date stamped "Received October 7, 2010" attached hereto. The existing non-landscaped 35 foot wide buffer area along Vamo Road, north of Clower Creek shall remain in its present state consistent with stipulation number 6.
8. No structures shall exceed 35 feet in height except for rooftop appurtenances and decorative features permitted by code.

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 10th day of November, 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:

Paula Clintonman

Deputy Clerk

RECEIVED
10/22/2010

DATA PAGE
(See Below)

SITE DATA:

EXISTING USE - OFFICE/RETAIL
PROPOSED USE - OFFICE/RETAIL
EXISTING ZONING - OPI/CG
PROPOSED ZONING - CG
ACREAGE - 14.11 ACRES
EXISTING SQUARE FOOTAGE - 111,728 S.F.
PROPOSED SQUARE FOOTAGE - 121,344 S.F.
EXISTING FLOOR AREA RATIO - 0.182
PROPOSED FLOOR AREA RATIO - 0.197

**EXISTING PARKING TO REMAIN: 243 SPACES
REQUIRED PARKING:**

RETAIL - 108,522/250 = 434 SPACES
OFFICE - 12,822/250 = 52 SPACES
TOTAL = 486 SPACES

PROVIDED PARKING:

EXISTING PARKING TO REMAIN - 243 SPACES
PROPOSED PARKING - 350 SPACES
TOTAL = 593 SPACES

EXISTING IMPERVIOUS AREA - 422,970 S.F.
PROPOSED IMPERVIOUS AREA - 436,811 S.F.
NET INCREASE IN IMPERVIOUS AREA - 13,841 S.F.

DEVELOPMENT CONCEPT PLAN

DATE: 10/22/10
DRAWN BY: JPC
CHECKED BY: JPC
DATE: 10/22/10
SHEET: 2
OF 2

RAMCO GERSHENSON INC.
31520 Northwestern Highway, Suite 300
Farmington Hills, MI 48334

PELICAN PLAZA
Sarasota, Florida

AVOLI Engineering, Inc.
Consulting Civil Engineers
11001 E. Bay Road, Suite 100, Sarasota, FL 34238
Tel: 941.557.1100 Fax: 941.557.1101
www.avoliengineering.com

RECEIVED
October 7, 2010

Pelican Plaza Plant Schedule-Vamo Road Buffer

Code	Item	Quantity
	TREES	
JS	<i>Juniperus silicicola</i> , Southern Redcedar, FG, 8'-10' Ht Min	122
MC2	<i>Myrica cerifera</i> , Wax Myrtle, FG, 2" Min, 8' Ht Min	46
PS6	<i>Pinus elliotii</i> , Slash Pine, FG, 4" Cal, 14' Ht Min	22
QV4	<i>Quercus virginiana</i> , Southern Live Oak, FG, 4" Cal	3
SS2	<i>Sabal palmetto</i> , Cabbage Palm, 15' Ht	23
TC	<i>Tabebuia chrysostricha</i> , Golden Trumpet Tree, FG, 14' Ht, 3" Cal	12
	SHRUBS	
CV2	<i>Callicarpa americana</i> , American Beautyberry 3 Gal., 24" Ht min	157
DG	<i>Duranta repens</i> 'Gold Mound Dewdrop', Golden Dewdrop 3 Gal., 24" Ht Min	60
MC	<i>Muhlenbergia capillaris</i> , Muhly Grass, 1 Gal., 18" Ht	195
PN	<i>Psychotria nervosa</i> , Wild Coffee, 3 Gal., 24" Ht Min	128
RE	<i>Russelia equisetiformis</i> , Firecracker Plant, 3 Gal., 24" Ht Min	57
SR	<i>Serenoa repens</i> , Saw Palmetto, 3 Gal., 24" Ht	270
VO2	<i>Viburnum obovatum</i> , Walters Viburnum, FG, 6'-8' Ht Min	52
ZF	<i>Zamia floridana</i> , Coontie, 3 Gal., 18" Min	87

NOTE:

The Landscape Architect has no control over the availability of plant materials. Species, quantity and sizes provided herein are based on the information known to Landscape Architect at the time Project was designed and represent only the Landscape Architect's judgment as a design professional familiar with the construction industry. The Landscape Architect cannot and does not guarantee that species, quantity, or sizes won't be modified due to availability, construction costs, and/or potential regulatory requirements.

