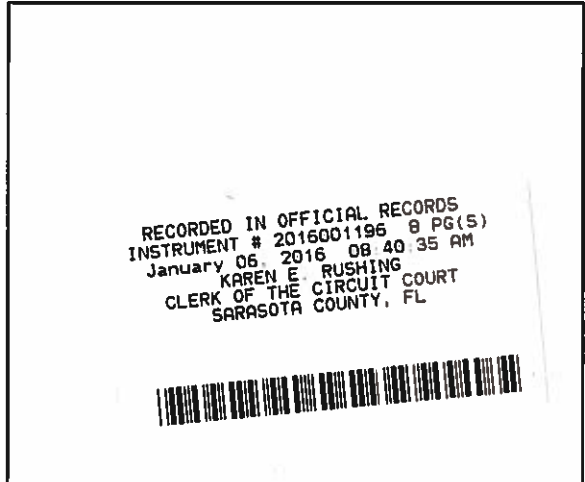


2

Please record and return to: (Via Inter-Office Mail)
Cynthia Spraggins, Administrative Specialist
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

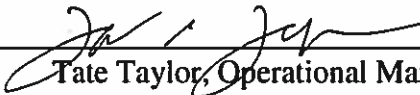
Customer ID# 5223
Charge to: Planning Services
Account# 51810000500489

NOTICE OF STIPULATIONS
AND LIMITATIONS ENCUMBERING
REAL PROPERTY PURSUANT TO
THE SARASOTA COUNTY ZONING CODE



The following property, located at the Southwest quadrant of University Parkway and Tuttle Avenue in Sarasota County, Florida, owned by Hubbell Trustees and described in Ordinance No. 2015-082 attached hereto, has been rezoned to a OPI/PD (Office, Professional, and Institutional/Planned District), zone district pursuant to Rezone Petition No. 15-19, filed by Brian Lichterman, Agent, and granted by Sarasota County on December 9, 2015, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

(Stipulations and limitations are those described in Section 3 of Ordinance No. 2015-082, attached hereto)


Tate Taylor, Operational Manager

STATE OF FLORIDA
COUNTY OF SARASOTA

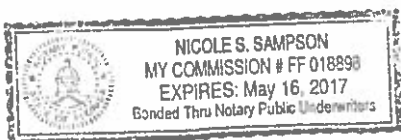
Before me, the undersigned Notary Public, personally appeared Tate Taylor, Operational Manager, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 4th day of

January, 2016.



Notary Public
State of Florida at Large



This instrument prepared by:
CMS



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 11, 2015

Honorable Karen E. Rushing
Clerk of the Circuit Court
Board Records Department
Sarasota County
1660 Ringling Boulevard, Suite 210
Sarasota, Florida 34236

Attention: Cheryl Dexter, Recording Secretary

Dear Ms. Rushing:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Sarasota County Ordinance No. 2015-082, which was filed in this office on December 10, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2015-082

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.

2015 DEC 9 11:23
FILED FOR THE RECORD
BOARDS RECORDS
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, 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:

1. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 15-19, requesting rezoning of the property described herein.
2. 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.
3. The rezoning herein granted is consistent with the Sarasota County Comprehensive Plan and meets the requirements of the Zoning Ordinance.
4. 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 OPI/PD (Office, Professional, and Institutional/Planned District) to OPI/PD (Office, Professional, and Institutional/Planned District) for the following described property located in Sarasota County, Florida:

02015-082

2610, 2630, and 2700 University Parkway, Sarasota, Florida, and being more particularly described as follows:

A parcel of land being a portion of the Northeast Quarter, of the Northeast Quarter, of Section 5, Township 36 South, Range 18 East, Sarasota County, Florida, more particularly described as follows:

The East 163.75 feet of the West 491.25 feet of the North 299.75 feet of the NE ¼ of the NE ¼ of Section 5, Township 36 South, Range 18 East. LESS: The North 33 feet for road right-of-way, being & lying in Section 5, Township 36 South, Range 18 East, Sarasota County, Florida.

AND

The East 163.75 feet of the West 327.50 feet of the North 299.75 feet of the NE ¼ of the NE ¼ of Section 5, Township 36 South, Range 18 East. LESS: The North 33 feet thereof for South ½ of right-of-way of County Line Road, Sarasota County, Florida.

Together with the following:

The East 327.50 feet of the West 818.75 feet of the North 299.75 feet of the NE ¼ of the NE ¼ of Section 5, Township 36 South, Range 18 East, Sarasota County, Florida; LESS 33 feet off the North side thereof for the South 1/2 of County Line Road (now University Parkway)

AND

The East 163.75 feet of the West 818.75 feet of the South 321.25 feet of the North 621.0 feet of the NE ¼ of the NE ¼ of Section 5, Township 36 South, Range 18 East. Sarasota County, Florida

AND

The East 163.75 feet of the West 665 feet of the South 321.25 feet of the North 621 feet of the NE ¼ of the NE ¼ of Section 5, Township 36 South, Range 18 East, Sarasota County, Florida.

LESS therefrom the following:

The East 163.75 feet of the West 818.75 feet of the South 321.25 feet of the North 621.0 feet of the NE ¼ of the NE ¼ of Section 5, Township 36 South, Range 18 East. Sarasota County, Florida.

AND

The East 163.75 feet of the West 665 feet of the South 321.25 feet of the North 621 feet of the NE ¼ of the NE ¼ of Section 5, Township 36 South, Range 18 East, 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 compliance with the Development Concept Plan date stamped October 16, 2015, and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
2. All development shall be consistent with the Conditions for Development Approval contained within the University Parkway Corridor Plan – West, No. 92-01-SP-West (Ordinance No. 96-076).
3. The Developer/Owner shall provide a cross-access easement as depicted on the binding Development Concept Plan dated October 16, 2015.
4. The existing temporary right-in/right-out access to the adjacent western parcel (PID# 0022-01-0012) shall be closed once the access to the subject parcel is opened.
5. Prior to or concurrent with development of the subject parcel, the Owner shall construct an eastbound to southbound right-turn deceleration lane at the intersection of the access driveway and University Parkway. The improvements shall be included in the construction plans for the development.
6. The Owner shall install a 10-foot wide landscape buffer with opacity of 70 percent along the southern property line of the subject parcel in accordance with the Zoning Ordinance. The landscape buffer shall include a six (6)-foot wall, four (4) canopy trees, and four (4) accent trees, alternating with forty-nine (49) shrubs per 100 linear feet. All plantings shall be located on the residential side (southern side) of the wall.
7. No building shall be more than one story.

These stipulations supersede the stipulations in Ordinance Nos. 2000-031 and 2014-055 as to the property described above.

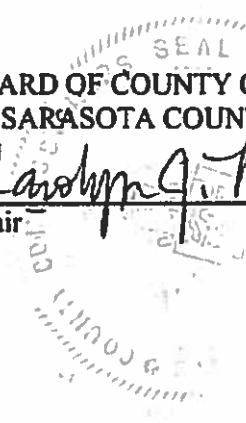
Section 4. Critical Area Plan Waiver. The Provisions of the University Parkway Corridor Plan – West Critical Area Plan adopted by Ordinance No. 96-076, as amended, ("the CAP") are hereby waived as follows:

1. Development Condition No. 25.B. of the CAP is waived to allow a 34 foot rear setback instead of a 50 foot rear setback.
2. Development Condition No. 27.F.2. of the CAP is waived to allow a 10 foot wide landscape buffer instead of a 20 foot wide landscape buffer.
3. Development Condition No. 20 of the CAP is waived to allow a 23 foot wide access easement in front of the building instead of a 30 foot wide access easement.

Section 5. 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 9 day of December, 2015.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

A circular seal is partially visible behind the signature. It contains the text "SEAL OF THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA".
Carolyn J. Mason
Chair

ATTEST:

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

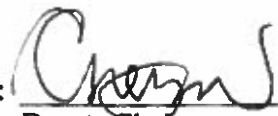
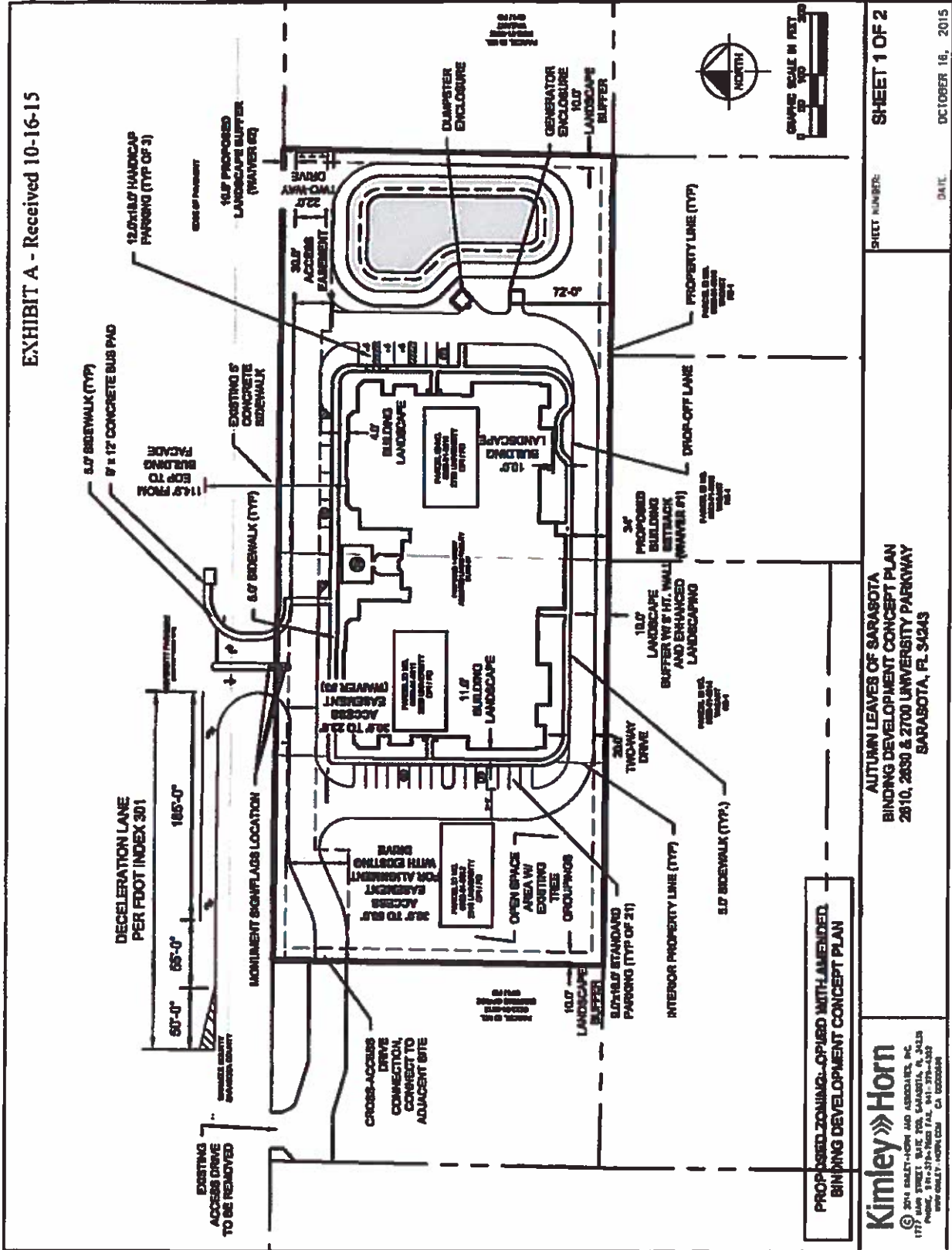
By: 
Deputy Clerk

EXHIBIT A - Received 10-16-15



PROPOSED ZONING - OPUSO WITH AMENDED BINDING DEVELOPMENT CONCEPT PLAN

Kimley»Horn

© 2014 KIMLEY-HORN AND ASSOCIATES, INC.
 1777 MAIN STREET, SUITE 200, SARASOTA, FL 34230
 PHONE: 941-551-1000 FAX: 941-551-1339
 WWW.KIMLEY-HORN.COM CA 0000049

AUTUMN LEAVES OF SARASOTA
 BINDING DEVELOPMENT CONCEPT PLAN
 2810, 2830 & 2700 UNIVERSITY PARKWAY
 SARASOTA, FL 34243

SHEET NUMBER: SHEET 1 OF 2
 DATE: OCTOBER 16, 2015

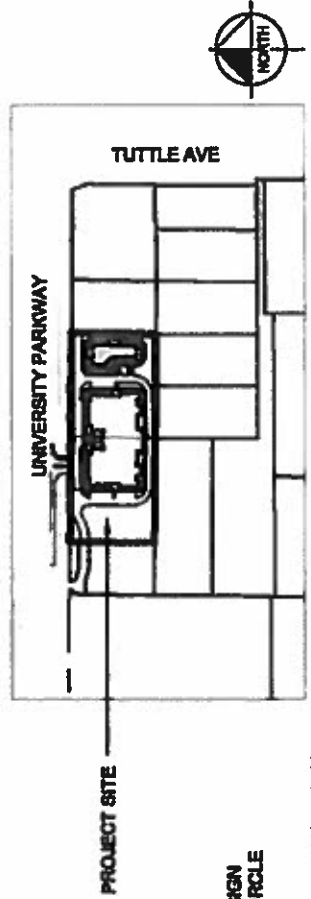
02015-082

EXHIBIT A - Received 10-16-15

AUTUMN LEAVES OF SARASOTA
BINDING DEVELOPMENT CONCEPT PLAN

SITE DATA SUMMARY:

1. PROPERTY ADDRESS: 2610, 2630 AND 2700 UNIVERSITY PARKWAY, SARASOTA, FL 34243
2. PARCEL ID NO'S.: 0022-01-0010, 0022-01-0011 & 0022-01-0012
3. TOTAL GROSS SITE AREA: 176,500 SF OR 4.01 ACRES ±
4. FUTURE LAND USE PLAN: LIGHT OFFICE
5. EXISTING ZONING: OPI / PD (OFFICE PROFESSIONAL INSTITUTIONAL / PLANNED DEVELOPMENT)
6. PROPOSED REZONING: OPI / PD (OFFICE PROFESSIONAL INSTITUTIONAL / PLANNED DEVELOPMENT), WITH AN AMENDED BINDING DEVELOPMENT CONCEPT PLAN
7. EXISTING USE: ONE-SINGLE FAMILY HOME / ONE-OFFICE BUILDING (ALL EXISTING STRUCTURES TO BE REMOVED)
8. PROPOSED USE: 37,676 SF ASSISTED LIVING FACILITY WITH 65 BEDS
9. REQUIRED PARKING: 0.5 SPACES PER BED - 27 SPACES
10. PROPOSED PARKING: 27 SPACES
11. FLOOD ZONE: X, AREA THAT IS DETERMINED TO BE OUTSIDE THE 200-YR FLOOD ZONE
12. APPROXIMATE NEW IMPERVIOUS COVERAGE: BUILDING - 25%, PAVING -26%
13. STORMWATER MANAGEMENT: 12%
14. OPEN SPACE: REQUIRED = 30%, PROVIDED = 46%
15. UTILITIES: WATER - SARASOTA COUNTY
SEWER - SARASOTA COUNTY
GAS - TECO ENERGY, INC.
16. ADJACENT ZONING / LAND USE:
NORTH - MANATEE COUNTY / COMMERCIAL
SOUTH - RS-1 / RESIDENTIAL / VACANT
EAST - (OPI / PD) / VACANT / OFFICE
WEST - (OPI / PD) / OFFICE
17. ADJACENT ROADWAY: UNIVERSITY PARKWAY
18. REQUESTED CRITICAL AREA PLAN WAIVERS:
18.1. REDUCTION OF REAR BUILDING SETBACK FROM 50' TO 34'
18.2. REDUCTION OF FRONT LANDSCAPE BUFFER FROM 20' TO 10'
18.3. REDUCTION OF FRONT CROSS ACCESS EASEMENT FROM 30' TO 23' IN FRONT OF BUILDING
19. PROVIDE 0.70 OPA CITY LANDSCAPE BUFFER ALONG REAR PROPERTY LINE CONSISTENT WITH APPLICANT PREFERRED STIPULATIONS
20. MAXIMUM BUILDING HEIGHT: ONE STORY PROPOSED, TWO STORIES ALLOWED PER ZONING CODE



LAND PLANNING BY:
VISION PLANNING & DESIGN
8578 KNIGHTSBRIDGE CIRCLE
SARASOTA, FL 34238
PHONE: 841-780-4168
EMAIL: BRUAL@VISIONPLANNING1.COM

Kimley»Horn
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11100 KIMLEY-HORN DRIVE, SUITE 100
FREMONT, CA 94538
PHONE: 916-779-1000 FAX: 916-779-1333
WWW.KIMLEY-HORN.COM CA 00009184

AUTUMN LEAVES OF SARASOTA
BINDING DEVELOPMENT CONCEPT PLAN
2610, 2630 & 2700 UNIVERSITY PARKWAY
SARASOTA, FL 34243

SHEET NUMBER: SHEET 2 OF 2
DATE: OCTOBER 16, 2015

