

MANATEE COUNTY ZONING ORDINANCE  
PDC-98-11(Z)(G) - NORTH RIVER INTERCHANGE PARK

FILED FOR RECORD  
R.B. SHORE  
CLERK CIRCUIT COURT  
MANATEE CO. FLORIDA

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AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE NO. 90-01 (THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND ( $\pm$  4.37 ACRES) FROM PDMU (PLANNED DEVELOPMENT MIXED USE) TO PDC (PLANNED DEVELOPMENT COMMERCIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO ALLOW 86,600 SQUARE FEET OF COMMERCIAL USE ON  $\pm$  11.90 ACRES; AND GRANTING SPECIAL APPROVAL FOR A PROJECT LOCATED IN AN ENTRANCEWAY.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. FINDINGS OF FACT. The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of said County, as well as all other matters presented to said Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 4 of this Ordinance from PDMU (Planned Development Mixed Use) to PDC (Planned Development Commercial).

B. The Board of County Commissioners held a public hearing on February 23, 1999 regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, the Manatee County Land Development Code, and has further considered the information received at said public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Section 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan.

Section 2. The General Development Plan is hereby APPROVED to allow 86,600 square feet of commercial use with the following stipulations:

STIPULATIONS

1. The building facades visible from other properties outside the project shall exhibit an aesthetically attractive appearance. Exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, glass, stucco, ceramic tile, stone, wood, or similar materials. Painted or exposed concrete block, or corrugated metal shall not be permitted. Architectural metals in conjunction with other permitted building materials shall be allowed, provided

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that at least fifty percent (50%) of the building face is constructed from other permitted materials.

2. The sides of buildings visible from I-75, U.S. 301 North and 60<sup>th</sup> Avenue East shall have minimal blank walls no longer than 40 feet in length. In order to insure that the buildings do not project a massive blank wall, design elements including prominently visible architectural details (e.g., bumpouts, reveals, projecting ribs, offsets, windows, shutters, etc.) shall be applied to the walls of buildings visible from the above-referenced streets. Design elements shall be reviewed for compliance by staff at Final Site Plan.
3. A coordinated sign plan for the development shall be approved by the Planning Department as part of the Preliminary Site Plan approval. All signs must provide concealment of main support structure (e.g., pole) between 20% and 100% of sign width with materials consistent with those in the development.
4. All roof mounted H.V.A.C. equipment, loading areas, and dumpsters for structures shall be screened from view from I-75, U.S. 301 North and 60<sup>th</sup> Avenue East, and adjacent properties. Screening shall be provided by materials consistent with the exterior finish materials of the buildings, landscaping, or other opaque materials consistent with the standards of the entranceway.
5. The landscape buffer along the western property line of Lot 4 shall be 20' wide.
6. Uses in this development shall be limited to office, general retail, motel, eating establishments, and drive-through eating establishments.
7. A non-ingress/egress easement shall be recorded along 60<sup>th</sup> Avenue East for the remainder of Lot 6, with one (1) right-in, right-out access, with a design approved by the Planning Department, shall be allowed prior to approval of any Final Site Plan or Final Plat for this lot.
8. The preservation of significant trees within the landscape buffers and parking areas of the development sites shall be a condition of Preliminary and Final Site Plan approvals. Every reasonable attempt shall be made to preserve trees over 12 inches in caliper. Tree preservation shall be reviewed on each Preliminary Development Plan. Sufficient area around the trees, as determined by a registered Landscape Architect, shall be provided to reasonably guarantee their survival.
9. Applicant shall install a 5' wide sidewalk along the west side of 60<sup>th</sup> Avenue East from Gulf Coast Factory Boulevard to US 301, where sufficient right-of-way exists or is within the project boundaries, prior to the next Certificate of Occupancy..
10. Wetland buffer compensation shall be provided within the boundaries of this project in accordance with Section 719 of the Land Development Code and shall be delineated on all Final Site Plans.
11. The maximum height shall be 35 feet for all uses other than hotels. The maximum height for hotel uses shall be 57 feet.
12. The location of the driveway/access on Parcel 1 will be determined with the review of the traffic analysis.

13. All parcels fronting on 20<sup>th</sup> Street Court East must have access to 20<sup>th</sup> Street Court East.
14. The easement for 20<sup>th</sup> Street Court East may be extended to the west end of the subdivision providing cross access to the west, or in the alternative a cross access easement may be provided through Lot 4 to the adjoining parcel to the west connecting it to 20<sup>th</sup> Street Court East.
15. The design for the motel use shall be in substantial conformance with the plans entered into the record for this case.
16. The hotel shall be placed so as to most effectively utilize existing vegetation for screening buffers.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from PDMU (Planned Development Mixed Use to PDC (Planned Development Commercial), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

Lot 6, less and except the north 125.00 feet of the east 225.00 feet of Lot 6, of North River Interchange Park Subdivision, a subdivision according to the plat thereof recorded in Plat Book 26, pages 93 and 94, of the Public Records of Manatee County, Florida;

Together with a non-exclusive perpetual easement for ingress and egress for pedestrian and vehicular traffic over and across the following described property:

The east 39.00 feet of the south 32.00 feet of the north 125.00 feet of Lot 6, North River Interchange Park Subdivision, according to the plat thereof recorded in Plat Book 26, pages 93 and 94, of the Public Records of Manatee County, Florida.

Description

All of lot 5, North River Interchange Park Subdivision as recorded in Plat Book 26, Page 93, Public Records of Manatee County, Florida;

Description

All of lot 4, North River Interchange Park Subdivision as recorded in Plat Book 26, page 93, Public Records of Manatee County, Florida;

Description

All of lot 3, North River Interchange Park Subdivision as recorded in Plat Book 26, page 93, Public Records of Manatee County, Florida;

Description Parcel 1 (Per Title Commitment)

From that northwest corner of south 1/2 of the northwest 1/4 of the southeast 1/4 of Section 9, Township 34 South, Range 18 East, run N 89°37'26" E along the center line of William Street also being the north line of the north 1/2 of the south 1/2 of the northwest 1/4 of the southeast 1/4 of said Section 9, a distance of 675.68 feet; thence S 00°30'30" E, a distance of 36.00 feet to the point of beginning; thence N 89°37'26" E, a distance of 625.31 feet to the P.C. of a curve to the right whose radius point lies S 00°22'34" E, a distance of 25.00 feet; thence southeasterly along arc of said curve a distance of 39.37 feet through a central angle of 90°14'11" to the P.T. of said curve and west right-of-way line of 60<sup>th</sup> Avenue East; thence S 00°08'23" E along said west right-of-way line, a distance of 267.85 feet to the north line of Block 1, Phillips and Allen Resubdivision, Plat Book 1, Page 308A; thence S 89°31'17" W along said north line, a distance of 648.53 feet to the northwest corner of said Block 1; thence N 00°30'30" W, a distance of 294.11 feet to the point of beginning. Lying and being in Section 9, Township 34 South, Range 18 East, Manatee County, Florida

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 23rd day of February, 1999.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: J. M. Clast  
2<sup>nd</sup> Vice - Chairman

ATTEST: R. B. SHORE  
Clerk of the Circuit Court

R. B. Shore  
CLERK OF THE CIRCUIT COURT  
MANATEE COUNTY, FLORIDA

STATE OF FLORIDA - COUNTY OF MANATEE  
I hereby certify that the foregoing is a true copy of ORDINANCE NO. PDC-98-11(Z)(G) adopted by the Board of County Commissioners of said County on the 23 day of February, 1999, this 2<sup>nd</sup> day of March, 1999, in Bradenton, Florida.

R. B. Shore  
Clerk of Circuit Court  
BY: Patricia J. J. J.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE  
Office of the Secretary  
Division of Administrative Services  
Division of Corporations  
Division of Cultural Affairs  
Division of Elections  
Division of Historical Resources  
Division of Library and Information Services  
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FLORIDA DEPARTMENT OF STATE  
**Katherine Harris**  
Secretary of State  
DIVISION OF ELECTIONS

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March 5, 1999

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BOARD RECORDS

Honorable R. B. Shore  
Clerk of the Circuit Court and Comptroller  
Manatee County  
Post Office Box 1000  
Bradenton, Florida 34206

Attention: Susan G. Romine,  
Board Records Supervisor

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters dated March 2, 1999 and certified copy of Manatee County Ordinance No. Z-98-11(Z)(G), which was filed in this office on March 5, 1999.

As requested, the date stamped copy is being returned for your records.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/bn

Enclosure