

FILED FOR RECORD
R.B. SHORR
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA
DEC 8 7 38 AM '00

MANATEE COUNTY ZONING ORDINANCE
PDR-00-04(Z)(P) - CLYDE & STELLA YANCEY/LA MIRADA
APARTMENTS/MANATEE COUNTY

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 FROM RSF-4.5 (RESIDENTIAL SINGLE-FAMILY, 4.5 DWELLING UNITS PER ACRE), GC (GENERAL COMMERCIAL), and HC (HEAVY COMMERCIAL) to PDR (PLANNED DEVELOPMENT RESIDENTIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW 144 MULTI-FAMILY UNITS, A 4,500 SQUARE FOOT CLUBHOUSE WITH POOL, A 4,000 SQUARE FOOT DAYCARE AND LAUNDROMAT FACILITY, WITH A PLAYFIELD, EXERCISE TRAIL, TWO TOT LOTS, AND A VOLLEYBALL AND BASKETBALL COURT, AND GRANTING SPECIAL APPROVAL FOR: 1) A PROJECT THAT EXCEEDS 6 DWELLING UNITS PER ACRE WITHIN THE RES-9 FLUC; 2) A PROJECT WITH AN AFFORDABLE HOUSING BONUS OF 9.38 DWELLING UNITS PER ACRE WITHIN THE RES-9 AND ROR FLUC; AND 3) A PROJECT LOCATED ADJACENT TO A PERENNIAL STREAM.

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 RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre), GC (General Commercial), and HC (Heavy Commercial) to PDR (Planned Development Residential).

B. The Board of County Commissioners held a public hearing on October 24, 2000 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 Preliminary Site Plan is hereby APPROVED to allow 144 multi-family units, a 4,500 square foot clubhouse with pool, a 4,000 square foot daycare and laundromat facility, with a playfield, exercise trail, two tot lots, and a volleyball and basketball court, and granting Special Approval for: 1) a project that exceeds 6 dwelling units per acre within the RES-9 FLUC; 2) a project

THIS IS A CORRECTIVE DOCUMENT

FILED
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA
DEC 4 11 31 AM '00

with an affordable housing bonus of 9.38 dwelling units per acre within the RES-9 and ROR FLUC; and 3) a project located adjacent to a perennial stream with the following stipulations and specific approval:

STIPULATIONS

1. DESIGN AND LAND USE CONDITIONS:

- a.) The design for the multi-family buildings shall be in substantial conformance with the elevation view entered into the record for this case.
- b.) A 30' buffer with enhanced landscaping shall be provided along the entire length of the south property line. This buffer shall be planted with two staggered rows of canopy trees (3" caliper, 10' in height and 4' spread) with trees in each row 40 feet on center. At least two different species of trees shall be used. Existing canopy trees meeting this criteria may remain and may count to satisfy this condition.
- c.) To the maximum extent possible, existing indigenous vegetation shall remain within the required landscape buffers.
- d.) All required landscaping located within the buffers shall be located outside of the required drainage easements.
- e.) The dumpster shall be relocated so as not to be visible from 55th Avenue East or 16th Street East.
- f.) A 6 foot high chain link fence shall be installed along the east property line, adjacent to the railroad track.
- g.) The applicant shall enter into a Land Use Restriction Agreement with the County to insure that the units are retained as affordable units in accordance with the LDC. The Agreement shall be approved by the County prior to Final Site Plan approval.
- h.) The laundromat and daycare facility shall be utilized by the residents of La Mirada only. No free-standing signs shall be permitted for the laundromat and daycare facility; wall signs shall be limited to 8 square feet.
- i.) The applicant and their heirs, assigns, or transferees, are hereby notified that a payment of an impact fee for school purposes shall be required if such impact fee is adopted by the School Board of Manatee County or the Board of County Commissioners.
- j.) Lighting on site shall comply with Section 709.2.3 of the LDC which states that the illumination of adjacent premises by spill light shall not exceed a value of one-foot candle measured in the horizontal or vertical plan at a point five feet inside any adjacent residential property.

2. PUBLIC SAFETY AND TRANSPORTATION CONDITIONS:

- a.) The boulevard entrance shall be constructed with a 22-foot wide median.
- b.) The design of this project is dependent upon a vacation of public right-of-way by the Board of County Commissioners. Nothing in the approval of the Preliminary Site Plan for this project shall, in any way, assure the approval of such vacation as the vacation application will be the subject of separate public hearing. Should the Board not vacate the right-of-way, the project shall be redesigned accordingly and an application for a revised Preliminary Site Plan shall be submitted for review and consideration by the Planning and Transportation Departments with the Final Site Plan.
- c.) Should the public right-of-way be vacated, the applicant must develop a traffic management plan to ensure that public use of 16th Street East and 55th Avenue East is not unreasonably impeded during construction of the relocated roadway. The traffic management plan shall be approved by the Transportation Department prior to Final Site Plan approval.
- d.) Prior to Final Site Plan approval, 50 feet (25 feet half-width) right-of-way shall be dedicated to Manatee County.
- e.) 55th Avenue East and 16th Street East (from 15th Street East to the end of the existing pavement on 16th Street East) shall be paved and constructed to County standards in accordance with one of the following options:
 - e.(1) A 20 foot paved roadway with curbs and gutters;
 - OR
 - e.(2) A 22 foot paved roadway with no curb or gutter. Adequate room for roadside ditch and swale system shall be included.

The design option selected must be approved by the Transportation Department with Final Site Plan approval.
- f.) The Developer shall provide speed tables on 55th Avenue East and 16th Street East in locations and design as directed and approved by the Transportation Department.
- g.) The intersection of 15th Street East and 55th Avenue East shall be reconfigured to accommodate the following traffic movements:
 - g.(1) A west bound to south bound left turn lane on 55th Avenue East.
 - g.(2) A west bound to north bound right turn lane on 55th Avenue East.
- h.) The applicant shall be responsible for any additional on-site or off-site related safety improvements or capacity improvements attributable to this project, as determined by the Planning Department, based on the findings of the traffic study report.

Copy to:
Kim Speaks, Planning

12-8-00
RU



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and
correct copy of the documents on file in my office.

Witness my hand and official seal this 30 day of

November, 20 00

R.B. SHORE
Clerk of Circuit Court

By: Robin Liberty, ac.

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
Division of Licensing
MEMBER OF THE FLORIDA CABINET



HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

DIVISION OF ELECTIONS

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

DEC 8 7 38 AM '00

December 5, 2000

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

Attention: Janene Kearney, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated November 30, 2000 and corrected certified copy of Manatee County Ordinance No. PDR-00-04(Z)(P), which was filed in this office on December 4, 2000.

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

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

Enclosure

BUREAU OF ADMINISTRATIVE CODE

The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (850) 488-8427
FAX: (850) 488-7869 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: election@mail.dos.state.fl.us