

TAB 3

Point Paper
Sanctuary Cove
Rezone & Amended General Development Plan

Ordinances 08-972, 08-973 and 08-974

BACKGROUND:

The subject property is located north of the Manatee River, south of US 301, west of 25th Drive East and east of 15th Avenue Drive East. On September 10, 2005, a General Development Plan (GDP) for Sanctuary Cove was approved by the City Commission. In 2006, Sanctuary Development Partners, LLC requested the annexation of the 8.44 acre BOMA parcel and the 1.15 acre Rogers parcel, both adjacent to the Sanctuary Cove project. The annexation and comprehensive plan amendments for these parcels were approved by the City Commission. With the addition of these two parcels, a revised GDP is proposed that now includes the parcels in the overall plan. This General Development Plan provides for an increase in the total number of multifamily and single family units to 1,026. The total unit count remains below the originally approved unit count of 1,189. This is a request to rezone the BOMA and Rogers parcels from Manatee County zoning to Planned Development-Mixed Use and revise the Sanctuary Cove GDP.

REQUESTED ACTION:

The City Commission should **APPROVE, APPROVE WITH CONDITIONS, or DENY** the proposed zoning for the BOMA and Rogers Parcels, and the Amended General Development Plan for Sanctuary Cove.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed rezones, and **APPROVAL WITH CONDITIONS** of the proposed Amended General Development Plan. Subsequent to review by the Planning and Zoning Board, staff discussed with the applicant a number of proposed revisions to the stipulations contained in the Sanctuary Cove Amended Conceptual/General Development Plan GDP-05-03 ordinance . It is staff's understanding that the applicant will present these proposed revisions to the Commission at the time of public hearing. Provided that the presented revisions are consistent with those previously discussed with staff, staff approves of the proposed revisions.

PLANNING AND ZONING BOARD RECOMMENDED APPROVAL WITH CONDITIONS (to be explained at the public hearing; see also below P&Z minutes).

1. Sanctuary Cove Amended Conceptual/General Development Plan GDP-05-03

2. BOMA Tract Rezone Z-08-02

3. Rogers Tract Rezone Z-08-03

Chair Jennings opened the Public Hearing for Items #3, Sanctuary Cove, #4, BOMA Tract, and #5, Rogers Tract.

Mr. Schmitt removed himself from the meeting. Mr. McCollum, ZNS, Presented a Power Point presentation on agenda items 3, 4 and 5 as related to the Staff Report.

Mr. Grimes and Mr. Vining gave an overview of the projects and received questions and comments.

Chair Jennings closed the Public Hearing.

Discussion ensued.

Regarding the boardwalk discussion, Mr. Lukowiak stated for the record “the proposed boardwalk” is pending Southwest Florida Water Management District (SWFWMD) approval.

Mr. Moore stated for the record, he saw this project come in and metamorphosis very early and it is marvelous what has been done, it just gets better and better. It is going to be an asset to Palmetto.

Chair Jennings called for a motion on each agenda item.

Item #3, Sanctuary Cove Amended Conceptual/General Development Plan (GDP-05-03) - MOTION: Mr. Burton moved and Mr. Ugarte seconded the motion to approve the Sanctuary Cove Amended Conceptual/General Development Plan (GDP-05-03). For the record Mr. Burton amended the motion to approve the Sanctuary Cove Amended Conceptual/General Development Plan (GDP-05-03) amending stipulation #3 of the Staff Report, adding the word “proposed” boardwalk and striking stipulation #6 which reads: All corner lots along Sanctuary Cove Way (Boulevard) shall maintain two front yard setbacks and two side yard setbacks. **MOTION CARRIED UNANIMOUSLY.**

Item #4, BOMA Tract Rezone (Z-08-02) - MOTION: Mr. Bennett moved and Mr. Smith seconded the motion to approve the BOMA Tract Rezone (Z-08-02). **MOTION CARRIED UNANIMOUSLY.**

Item #5, Rogers Tract Rezone (Z-08-03) - MOTION: Mr. Bennett moved and Mr. Moore seconded the motion to approve the Rogers Tract Rezone (Z-08-03). **MOTION CARRIED UNANIMOUSLY.**

**CITY OF PALMETTO
ORDINANCE NO. 08-972**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO DESIGNATE THE ZONING OF THE PROPERTIES DESCRIBED IN EXHIBIT "A" AS PDMU (PLANNED DEVELOPMENT-MULTI-USE); AMENDING THE ZONING MAP OF THE CITY OF PALMETTO PERTAINING TO THE PROPERTIES DESCRIBED HEREIN; APPROVING AN AMENDED GENERAL DEVELOPMENT PLAN FOR THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (GDP 05-08 Sanctuary Residential Partners, LLC/Sanctuary Development Partners East, L.L.C./Sanctuary Development Partners, L.L.C./Manatee Island Partners, LLC, PID # 1015725159, # 1015725259, # 1015725209, # 2607800159, # 1016400359, and # 1016400409, approx. 225.22 acres).

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and,

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and,

WHEREAS, the City Commission of the City of Palmetto has certain regulatory authority granted to it by the Florida Constitution, the Florida Statutes and the City Charter to regulate the use of land within its corporate boundaries; and,

WHEREAS, the City of Palmetto has received a complete and timely application for approval of a proposed Amended General Development Plan for Sanctuary Cove to include, PID #1015725159, #1015725259, #1015725209, #2607800159, #1016400359, and #1016400409, approx. 225.22 acres (“Project”), more particularly described in **Exhibit A**; and,

WHEREAS, the Planning and Zoning Board of the City of Palmetto reviewed the proposed Amended General Development Plan, held a properly noticed public hearing on March 10, 2008, received public comment and testimony, and provided its recommendation to the City Commission of the City of Palmetto; and,

WHEREAS, the City Commission of the City of Palmetto held a properly noticed public hearing on June 16, 2008, and received public comment and testimony at said hearing; and,

WHEREAS, the City Commission of the City of Palmetto finds that approval of the proposed Amended General Development Plan benefits the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:

Section 1. Finding of Fact.

- A. The above-referenced “WHEREAS” clauses are adopted herein as findings of fact.
- B. The Planning and Zoning Board, acting as the Local Planning Agency, has recommended approval of the proposed Amended General Development Plan, a copy of which is attached hereto and incorporated herein as **Exhibit B**.
- C. The proposed Amended General Development Plan, read together with Stipulation No. 5 set forth below, is consistent with the City of Palmetto’s Comprehensive Plan.

D. The proposed Amended General Development Plan is compatible with adjacent land uses and complies with all pertinent provisions of the City of Palmetto's Zoning Code.

Section 2. Plan Approval. The proposed Amended General Development Plan is hereby approved with the following stipulations:

1. Construction drawings must be submitted and approved by the City.
2. No Certificate of Occupancy shall be issued for any units within the Project unless and until all applicable requirements of Chapter 17, Article III, Division 1, Sections 17-47 through 17-97 of the City of Palmetto Code of Ordinances, pertaining to the provision of attainable housing, have been satisfied.
3. A boardwalk shall be constructed along the perimeter of the property fronting on the Manatee River and will be tied to the existing Manatee Riverwalk.
4. An interface for Manatee County transit shall be established on the northernmost section of the property adjacent to US 301 and currently reserved for commercial/mixed use.
5. Side yard setbacks for non-corner 50' wide lots of the single family detached units shall be no less than 5'.
6. All corner lots along Sanctuary Cove Way (Boulevard) shall maintain two front yard and two side yard setbacks.
7. At time of construction plan approval, the Dock Plan must be approved consistent with the City of Palmetto Ordinance No. 07-946.

All such improvements must be complete and accepted by the City prior to issuance of any certificates of occupancy.

Section 3. Repeal of Ordinance. This Ordinance hereby repeals all ordinances and parts of ordinances in conflict herewith to the extent of such conflict.

Section 4. Severability. If any section, sub-section, paragraph, sentence, clause or phrase in this Ordinance shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions hereof.

Section 5. Effective Date. This Ordinance shall take effect as provided for by law and by City Charter, Section 14 upon execution by the Mayor, or if disapproval occurs, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes.

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this 16th day June, 2008.

First Reading: June 2, 2008
Publication: June 6, 2008
Second Reading and
Public Hearing: June 16, 2008

CITY OF PALMETTO, FLORIDA, BY
AND THROUGH THE CITY
COMMISSION OF THE CITY OF
PALMETTO

By: _____
LAWRENCE E. BUSTLE, JR., MAYOR

ATTEST: James R. Freeman
City Clerk

By: _____
City Clerk/Deputy Clerk

LEGAL DESCRIPTION (MASTER LAYOUT WITH BOMA)

A PARCEL OF LAND LYING AND BEING IN SECTIONS 18 AND 19, TOWNSHIP 34 SOUTH, RANGE 18 EAST AND SECTIONS 13 AND 24, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE N.00°07'57"E. ALONG THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 660.51 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N.00°07'57"E., ALONG SAID WEST LINE, A DISTANCE OF 1,947.52 FEET TO THE INTERSECTION OF SAID WEST LINE AND THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 301 (STATE ROAD 43); THENCE N.89°05'42"E., ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 1,318.44 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE S.00°04'23"W., A DISTANCE OF 39.17 FEET TO A POINT OF CURVATURE OF A NON-TANGENTIAL CURVE, CONCAVE EAST, OF WHICH THE RADIUS POINT LIES S.89°53'02"E., A RADIAL DISTANCE OF 530.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°46'55", A DISTANCE OF 266.24 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS S.14°16'30"E., A DISTANCE OF 263.45 FEET TO A POINT OF CURVATURE OF A NON-TANGENTIAL CURVE, CONCAVE SOUTHWEST, OF WHICH THE RADIUS POINT LIES S.61°20'59"W., A RADIAL DISTANCE OF 3,486.07 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°29'03", A DISTANCE OF 333.67 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS S.25°54'30"E., A DISTANCE OF 333.54 FEET; THENCE S.23°08'56"E., A DISTANCE OF 93.27 FEET TO A POINT OF CURVATURE OF A NON-TANGENTIAL CURVE, CONCAVE WEST, OF WHICH THE RADIUS POINT LIES S.66°47'49"W., A RADIAL DISTANCE OF 375.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°02'30", A DISTANCE OF 111.54 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS S.14°40'56"E., A DISTANCE OF 111.13 FEET; THENCE S.00°07'33"W., A DISTANCE OF 699.28 FEET; THENCE S.89°59'12"E., A DISTANCE OF 774.03 FEET; THENCE S.00°00'02"W., A DISTANCE OF 250.59 FEET; THENCE S.89°58'24"E., A DISTANCE OF 397.18 FEET; THENCE S.00°00'48"W., A DISTANCE OF 823.94 FEET; THENCE S.89°48'21"E., A DISTANCE OF 750.98 FEET; THENCE S.00°00'20"E., A DISTANCE OF 174.11 FEET; THENCE S.64°40'54"W., A DISTANCE OF 51.50 FEET; THENCE S.20°41'44"W., A DISTANCE OF 15.39 FEET; THENCE S.45°26'47"W., A DISTANCE OF 74.42 FEET; THENCE S.42°54'25"W., A DISTANCE OF 23.43 FEET; THENCE N.57°34'10"W., A DISTANCE OF 30.28 FEET; THENCE S.39°25'31"W., A DISTANCE OF 26.42 FEET; THENCE S.38°35'12"W., A DISTANCE OF 46.53 FEET; THENCE S.09°22'44"W., A DISTANCE OF 59.83 FEET; THENCE S.73°11'37"W., A DISTANCE OF 15.36 FEET; THENCE S.23°44'01"W., A DISTANCE OF 27.70 FEET; THENCE S.04°56'33"E., A DISTANCE OF 21.82 FEET; THENCE S.09°55'38"W., A DISTANCE OF 67.46 FEET; THENCE S.10°36'23"E., A DISTANCE OF 50.64 FEET; THENCE S.13°05'16"W., A DISTANCE OF 42.35 FEET; THENCE S.06°13'46"E., A DISTANCE OF 45.71 FEET; THENCE S.14°07'02"W., A DISTANCE OF 9.35 FEET; THENCE S.75°06'20"W., A DISTANCE OF 106.37 FEET; THENCE N.87°31'59"W., A DISTANCE OF 56.81 FEET; THENCE S.08°12'26"E., A DISTANCE OF 12.61 FEET; THENCE S.69°11'23"W., A DISTANCE OF 33.50 FEET; THENCE N.89°09'48"W., A DISTANCE OF 14.38 FEET; THENCE N.07°03'18"W., A DISTANCE OF 20.27 FEET; THENCE N.00°54'02"W., A DISTANCE OF 22.90 FEET; THENCE N.11°42'49"W., A DISTANCE OF 40.93 FEET; THENCE S.59°22'45"W., A DISTANCE OF 9.17 FEET; THENCE N.22°16'10"W., A DISTANCE OF 32.06 FEET; THENCE S.65°13'43"E., A DISTANCE OF 20.86 FEET; THENCE N.01°51'14"E., A DISTANCE OF 35.86 FEET; THENCE N.00°25'50"E., A DISTANCE OF 15.97 FEET; THENCE S.72°52'59"W., A DISTANCE OF 20.90 FEET; THENCE N.65°24'33"W., A DISTANCE OF 31.29 FEET; THENCE N.82°57'58"W., A DISTANCE OF 33.56 FEET; THENCE N.59°55'53"W., A DISTANCE OF 31.39 FEET; THENCE N.44°07'49"W., A DISTANCE OF 20.49 FEET; THENCE S.84°50'14"W., A DISTANCE OF 78.46 FEET; THENCE S.65°19'50"W., A DISTANCE OF 39.34 FEET; THENCE S.26°48'57"W., A DISTANCE OF 37.82 FEET; THENCE N.87°04'28"W., A DISTANCE OF 23.12 FEET; THENCE S.10°44'12"E., A DISTANCE OF 27.64 FEET; THENCE S.44°14'41"W., A DISTANCE OF 42.10 FEET; THENCE S.00°00'48"W., A DISTANCE OF 122.28 FEET TO THE INTERSECTION WITH THE MEAN HIGH WATER LINE OF THE NORTHERLY SHORE OF THE MANATEE RIVER AS ESTABLISHED BY GEORGE F. YOUNG 05/15/03; THENCE

ALONG SAID NORTHERLY SHORE IN A WESTERLY DIRECTION THE FOLLOWING NINETY FIVE COURSES; THENCE S.75° 54'29"W., A DISTANCE OF 64.70 FEET; THENCE S.59° 28'26"W., A DISTANCE OF 32.35 FEET; THENCE S.75° 46'39"W., A DISTANCE OF 59.11 FEET; THENCE S.42° 31'58"W., A DISTANCE OF 72.97 FEET; THENCE S.75° 47'56"W., A DISTANCE OF 45.72 FEET; THENCE S.77° 50'37"W., A DISTANCE OF 48.76 FEET; THENCE N.55° 08'56"W., A DISTANCE OF 45.67 FEET; THENCE S.58° 01'06"W., A DISTANCE OF 76.81 FEET; THENCE S.86° 05'35"W., A DISTANCE OF 49.04 FEET; THENCE S.66° 35'11"W., A DISTANCE OF 43.26 FEET; THENCE N.85° 05'52"W., A DISTANCE OF 50.60 FEET; THENCE S.70° 05'53"W., A DISTANCE OF 81.61 FEET; THENCE S.53° 41'01"W., A DISTANCE OF 53.79 FEET; THENCE S.54° 25'33"W., A DISTANCE OF 56.20 FEET; THENCE S.54° 58'42"W., A DISTANCE OF 65.48 FEET; THENCE S.62° 25'55"W., A DISTANCE OF 42.55 FEET; THENCE S.58° 37'17"W., A DISTANCE OF 57.71 FEET; THENCE S.68° 35'50"W., A DISTANCE OF 70.71 FEET; THENCE S.53° 19'19"W., A DISTANCE OF 60.82 FEET; THENCE S.67° 48'50"W., A DISTANCE OF 61.68 FEET; THENCE S.64° 42'39"W., A DISTANCE OF 61.56 FEET; THENCE S.36° 10'42"W., A DISTANCE OF 34.33 FEET; THENCE S.54° 21'47"W., A DISTANCE OF 232.40 FEET; THENCE S.54° 09'35"W., A DISTANCE OF 179.97 FEET; THENCE S.66° 18'21"W., A DISTANCE OF 17.59 FEET; THENCE S.85° 02'55"W., A DISTANCE OF 14.20 FEET; THENCE N.85° 05'52"W., A DISTANCE OF 19.58 FEET; THENCE N.66° 41'21"W., A DISTANCE OF 147.08 FEET; THENCE N.66° 26'07"W., A DISTANCE OF 182.11 FEET; THENCE N.28° 25'21"W., A DISTANCE OF 46.26 FEET; THENCE N.72° 40'49"W., A DISTANCE OF 66.73 FEET; THENCE N.73° 29'51"W., A DISTANCE OF 56.18 FEET; THENCE N.46° 40'21"W., A DISTANCE OF 75.26 FEET; THENCE N.58° 27'25"W., A DISTANCE OF 67.39 FEET; THENCE N.80° 24'56"W., A DISTANCE OF 71.73 FEET; THENCE N.58° 14'35"W., A DISTANCE OF 70.96 FEET; THENCE N.50° 34'03"W., A DISTANCE OF 55.34 FEET; THENCE N.10° 58'04"W., A DISTANCE OF 38.12 FEET; THENCE N.72° 07'55"W., A DISTANCE OF 57.93 FEET; THENCE S.73° 06'53"W., A DISTANCE OF 31.89 FEET; THENCE N.82° 30'25"W., A DISTANCE OF 70.78 FEET; THENCE N.59° 58'50"W., A DISTANCE OF 42.15 FEET; THENCE N.36° 52'12"W., A DISTANCE OF 63.87 FEET; THENCE N.47° 45'55"W., A DISTANCE OF 62.35 FEET; THENCE N.12° 24'46"E., A DISTANCE OF 94.47 FEET; THENCE N.01° 09'40"W., A DISTANCE OF 162.78 FEET; THENCE N.31° 01'12"W., A DISTANCE OF 136.34 FEET; THENCE N.69° 59'27"W., A DISTANCE OF 196.93 FEET; THENCE S.86° 25'13"W., A DISTANCE OF 120.63 FEET; THENCE N.03° 30'54"W., A DISTANCE OF 87.57 FEET; THENCE N.04° 33'31"E., A DISTANCE OF 28.59 FEET; THENCE N.07° 07'06"E., A DISTANCE OF 32.68 FEET; THENCE S.89° 51'26"W., A DISTANCE OF 99.54 FEET; THENCE S.41° 41'41"W., A DISTANCE OF 62.03 FEET; THENCE S.79° 33'41"E., A DISTANCE OF 91.77 FEET; THENCE S.01° 34'02"E., A DISTANCE OF 21.71 FEET; THENCE S.86° 38'17"W., A DISTANCE OF 161.96 FEET; THENCE S.07° 53'56"E., A DISTANCE OF 107.59 FEET; THENCE N.85° 35'15"E., A DISTANCE OF 95.07 FEET; THENCE S.86° 14'58"E., A DISTANCE OF 104.83 FEET; THENCE S.21° 38'48"E., A DISTANCE OF 100.95 FEET; THENCE S.04° 13'16"E., A DISTANCE OF 112.20 FEET; THENCE S.01° 42'28"E., A DISTANCE OF 94.17 FEET; THENCE N.87° 44'10"E., A DISTANCE OF 36.42 FEET; THENCE S.87° 51'16"E., A DISTANCE OF 42.19 FEET; THENCE S.62° 45'37"E., A DISTANCE OF 180.99 FEET; THENCE S.80° 12'39"W., A DISTANCE OF 26.98 FEET; THENCE N.84° 56'31"W., A DISTANCE OF 70.95 FEET; THENCE N.56° 43'03"W., A DISTANCE OF 53.30 FEET; THENCE N.89° 36'46"W., A DISTANCE OF 66.59 FEET; THENCE S.88° 47'50"W., A DISTANCE OF 45.66 FEET; THENCE S.88° 34'39"W., A DISTANCE OF 46.09 FEET; THENCE N.72° 25'39"W., A DISTANCE OF 77.67 FEET; THENCE N.73° 38'52"W., A DISTANCE OF 71.36 FEET; THENCE N.87° 39'29"W., A DISTANCE OF 87.84 FEET; THENCE N.87° 12'21"W., A DISTANCE OF 57.45 FEET; THENCE N.83° 49'13"W., A DISTANCE OF 62.50 FEET; THENCE N.53° 22'26"W., A DISTANCE OF 45.10 FEET; THENCE N.72° 59'51"W., A DISTANCE OF 60.95 FEET; THENCE N.86° 59'35"W., A DISTANCE OF 71.36 FEET; THENCE N.82° 22'09"W., A DISTANCE OF 34.83 FEET; THENCE N.65° 24'26"W., A DISTANCE OF 67.56 FEET; THENCE N.49° 02'28"W., A DISTANCE OF 79.68 FEET; THENCE N.35° 15'03"W., A DISTANCE OF 55.45 FEET; THENCE N.54° 26'36"W., A DISTANCE OF 116.19 FEET; THENCE N.58° 37'44"W., A DISTANCE OF 73.45 FEET; THENCE S.71° 19'45"W., A DISTANCE OF 122.93 FEET; THENCE S.35° 13'51"W., A DISTANCE OF 61.16 FEET; THENCE S.33° 13'10"W., A DISTANCE OF 53.56 FEET; THENCE S.10° 42'23"W., A DISTANCE OF 77.03 FEET; THENCE S.45° 18'37"W., A DISTANCE OF 59.28 FEET; THENCE S.48° 36'21"W., A DISTANCE OF 49.60 FEET; THENCE S.77° 25'23"W., A DISTANCE OF 43.14 FEET; THENCE S.72° 05'57"W., A DISTANCE OF 47.65 FEET; THENCE S.70° 06'51"W., A DISTANCE OF

60.72 FEET; THENCE LEAVING SAID NORTHERLY SHORE, N.00°12'30"W., A DISTANCE OF 35.93 FEET; THENCE N.01°53'00"E., A DISTANCE OF 389.85 FEET; THENCE N.00°56'28"E., A DISTANCE OF 393.21 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 13, TOWNSHIP 34 SOUTH, RANGE 17 EAST; THENCE ALONG SAID SOUTH LINE S.89°22'20"E., A DISTANCE OF 670.55 FEET TO A POINT ON THE EAST LINE OF HAMMOCKS AT RIVIERA DUNES AS RECORDED IN PLAT BOOK 44, PAGE 20, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N.00°01'00"E., ALONG SAID EAST LINE, A DISTANCE OF 770.72 FEET; THENCE S.89°23'56"E., A DISTANCE OF 27.28 FEET; THENCE N.04°09'41"E., A DISTANCE OF 97.59 FEET; THENCE N.05°43'21"E., A DISTANCE OF 102.58 FEET; THENCE S.89°26'12"E., A DISTANCE OF 248.15 FEET; THENCE S.03°56'05"W., A DISTANCE OF 99.93 FEET; THENCE S.02°41'46"W., A DISTANCE OF 100.04 FEET; THENCE S.89°23'45"E., A DISTANCE OF 48.42 FEET; THENCE S.00°07'29"W., A DISTANCE OF 112.01 FEET; THENCE S.89°35'52"E., A DISTANCE OF 342.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,810,736 SQUARE FEET OR 225.22 ACRES, MORE OR LESS.
SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

VARIANCES REQUESTED:

- REQUIRED SINGLE FAMILY SIDE SETBACKS - WE REQUEST THAT SIDE SETBACKS FOR ALL PROPOSED 50' WIDE LOTS BE REDUCED TO 5'.
- MAXIMUM CUL DE SAC LENGTH: WE REQUEST THAT THE MAXIMUM CUL DE SAC LENGTH BE INCREASED TO 2,315'.
- FRONT SETBACKS FOR CORNER LOTS - WE REQUEST THAT THE TWO REQUIRED FRONT SETBACKS FOR CORNER LOT NOS. 1, 7, 8 AND 14, LOCATED WITHIN THE THREE BLOCKS OF FOURTEEN LOTS BE REDUCED TO ONE FRONT SETBACK ALONG THE NORTH SIDE OF LOT NOS. 1 & 7, AND ALONG THE SOUTH SIDE OF LOT NOS. 8 & 14. THE EAST SIDE OF LOTS 1 & 14 WOULD HAVE THE SIDE SETBACK OF 7.5' APPLIED TO THEM AND THE WEST SIDE OF LOTS 7 & 8 WOULD HAVE THE SIDE SETBACK OF 7.5' APPLIED TO THEM AS WELL.

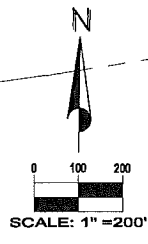
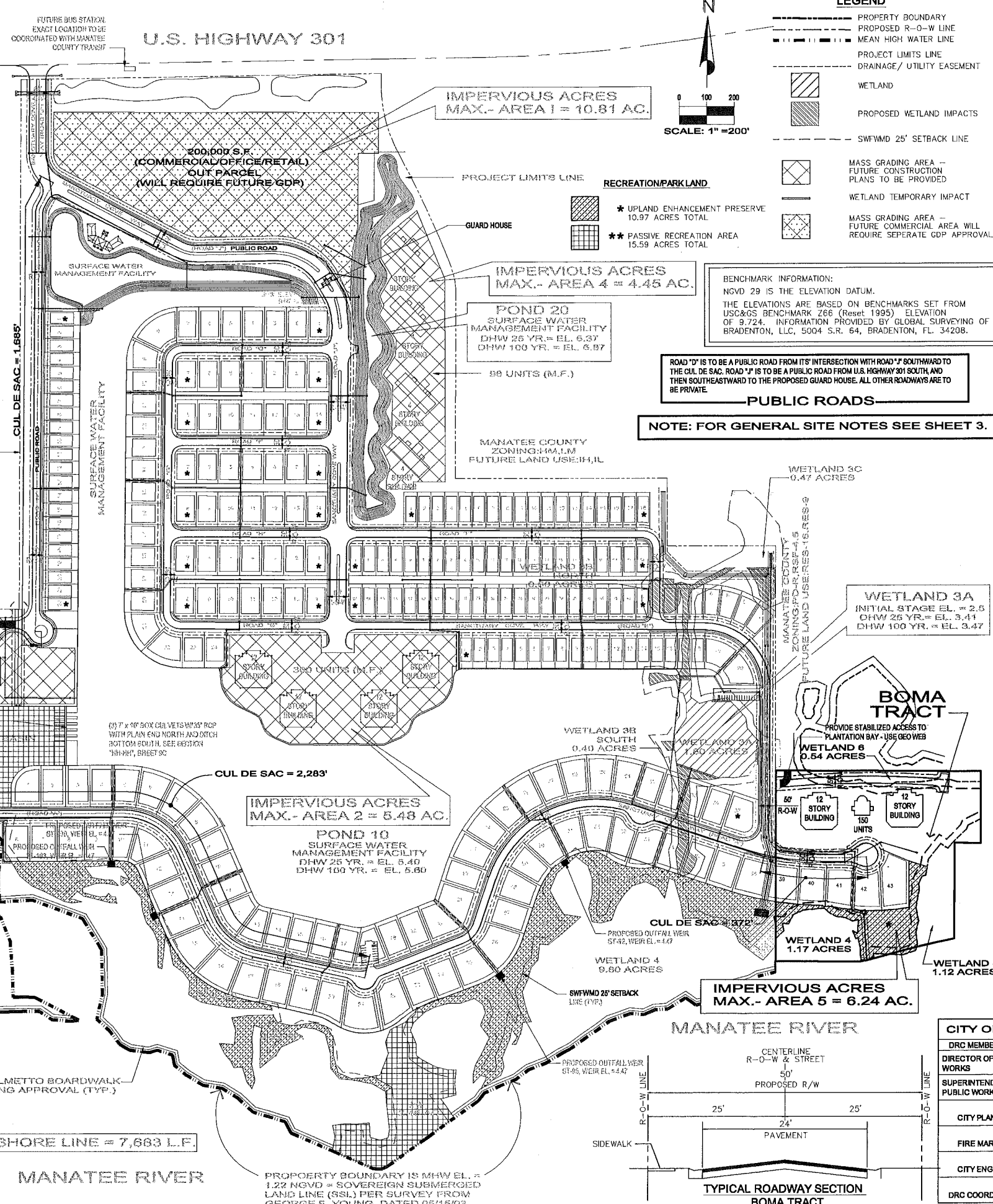
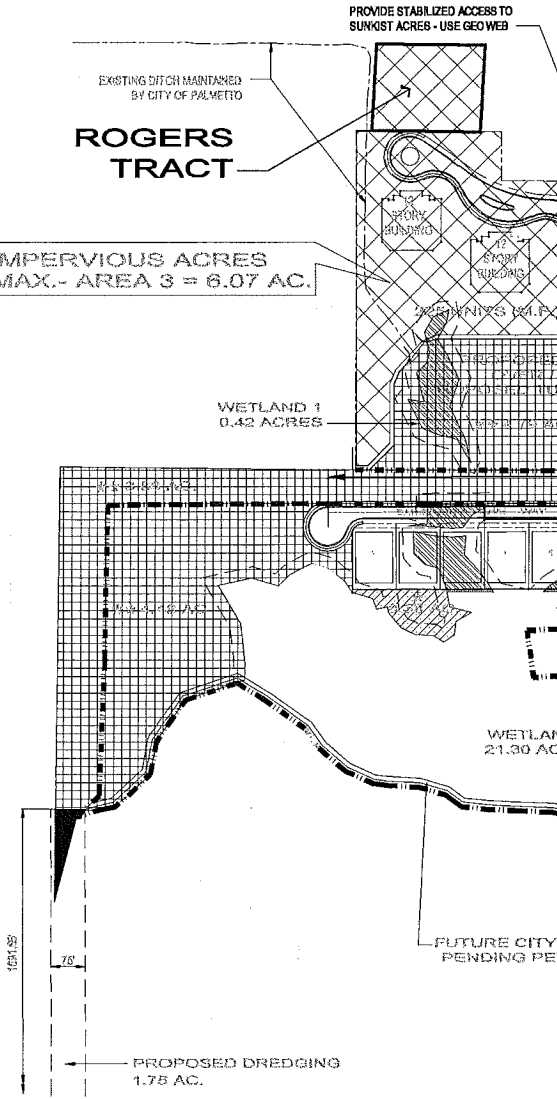
WE REQUEST THAT THE TWO REQUIRED FRONT SETBACKS FOR CORNER LOTS 1, 22, 23 AND 44 LOCATED ON THE EAST SIDE OF SANCTUARY COVE WAY BE REDUCED TO ONE FRONT SETBACK ALONG THE NORTH SIDE OF LOTS 1 AND 22 AND ALONG THE SOUTH SIDE OF 23 AND 44. THE WEST SIDE OF LOTS 1 AND 23 WOULD HAVE THE SIDE SETBACK OF 5' APPLIED TO THEM AND THE EAST SIDE OF LOTS 22 AND 44 WOULD HAVE THE 5' SIDE SETBACK APPLIED TO THEM AS WELL.

NOTE:
AREAS 1,2,3,4 AND 5 ARE TO BE MASS GRADED ALONG WITH UTILITY EXTENSIONS. PROPOSED FUTURE MAX. IMPERVIOUS AREAS ARE REFLECTED.

DEVELOPMENT SCHEDULE

PHASE	START CONSTRUCTION	CONSTRUCTION DURATION
SINGLE FAMILY	5/15/07	7 YEARS
4-STORY MULTI FAMILY	CONCURRENT WITH ABOVE	7 YEARS
12-STORY TOWERS WEST	CONCURRENT WITH ABOVE	7 YEARS
12-STORY TOWERS CENTRAL	CONCURRENT WITH ABOVE	7 YEARS
12-STORY TOWERS SOUTH	CONCURRENT WITH ABOVE	7 YEARS
COMMERCIAL	CONCURRENT WITH ABOVE	7 YEARS

APPROVED SWFWMD ERP# 43022864-003
1-30-07



LEGEND

- PROPERTY BOUNDARY
- PROPOSED R-O-W LINE
- MEAN HIGH WATER LINE
- PROJECT LIMITS LINE
- DRAINAGE/UTILITY EASEMENT
- WETLAND
- PROPOSED WETLAND IMPACTS
- SWFWMD 25' SETBACK LINE
- MASS GRADING AREA - FUTURE CONSTRUCTION PLANS TO BE PROVIDED
- WETLAND TEMPORARY IMPACT
- MASS GRADING AREA - FUTURE COMMERCIAL AREA WILL REQUIRE SEPARATE GDP APPROVAL

- SITE INFORMATION**
- SITE DATA:** (SECTIONS 13,18,19 & 24, T 34 SOUTH, R 18 EAST)
 - TOTAL AREA: 227.52 ACRES MOL
 - PROJECT AREA: 225.22 ACRES MOL
 - ZONING JURISDICTION: CITY OF PALMETTO
 - EXISTING LAND USE: VACANT
 - EXISTING ZONING: HM/CH
 - PROPOSED LAND USE: SINGLE FAMILY, MULTIFAMILY, COMMERCIAL
 - ADJACENT ZONING: NORTH-US 301 EAST-HMLM, SOUTH-MANATEE RIVER WEST-POMU
 - ADJACENT LAND USE: NORTH-ROAD EAST-LIGHT INDUSTRIAL, SOUTH-MANATEE RIVER WEST-RESIDENTIAL
 - FLOOD ZONE: B,C & A8(ELB) #120153 0193 B (DATED 3/15/84)
 - BUILDING DATA:**
 - MULTI FAMILY - 13 BUILDINGS - 771 UNITS TOTAL
 - BLDG. HEIGHT (9 BLDGS.) - 160 FT., 12 STORIES MAX. MULTI-FAMILY EACH BLDG. - 1ST FLR PARKING, 2ND FLR AMENITIES, 3RD-12TH UNITS
 - BUILDING HEIGHT (4 BLDGS.) - 50 FEET, 4 STORY MULTI-FAMILY
 - DENSITY MULTI FAMILY - 771 UNITS/227.52 AC. = 3.39 UNITS/AC.
 - DENSITY SINGLE FAMILY - 255 UNITS/227.52 AC. = 1.11 UNITS/AC.
 - REQUIRED LANDSCAPE BUFFER:** - 25' MINIMUM ALONG ALL AREAS OF DEVELOPMENT.
 - REQUIRED BUILDING TO BUILDING SETBACK:** - 25' MINIMUM
 - REQUIRED SINGLE FAMILY SETBACKS:**
 - FRONT: 20' MIN.
 - SIDE: 7.5' MIN.
 - REAR: 15' MIN.
 - MAXIMUM BUILDING HEIGHT:** - 160' (12 STORIES) MAXIMUM
 - REQUIRED BUILDING TO RIGHT OF WAY SETBACK:** - 20' FOR THE 4-STORY 50' HIGH BUILDINGS
 - MAXIMUM CUL-DE-SAC LENGTH:** - MAXIMUM CUL-DE-SAC LENGTH 2,283'

BENCHMARK INFORMATION:
NGVD 29 IS THE ELEVATION DATUM.
THE ELEVATIONS ARE BASED ON BENCHMARKS SET FROM USC&GS BENCHMARK Z66 (Reset 1995) ELEVATION OF 9.724. INFORMATION PROVIDED BY GLOBAL SURVEYING OF BRADENTON, LLC, 5004 S.R. 64, BRADENTON, FL. 34208.

NOTE: FOR GENERAL SITE NOTES SEE SHEET 3.

AREA CALCULATIONS (TOTAL SITE):

BUILDING AREA:	38.30 AC.	16.83%
IMPERVIOUS AREA:	45.62 AC.	20.05%
OPEN SPACE:	57.79 AC.	25.40%
PERVIOUS AREA:	51.10 AC.	22.46%
SURFACE WATER MANAGEMENT AREA:	34.71 AC.	15.26%
TOTALS:	227.52 AC.	100.00%

* - PERVIOUS AREA FOR COMMERCIAL & MULTI-FAMILY PARCELS DETERMINED USING: PARCEL AREA - MAX. BLDG. AREA x 15%
** - 25% OPEN SPACE IS REQUIRED

- PARKING CALCULATIONS (MULTI FAMILY):**
 - TOTAL REQUIRED: 1542 SPACES (2 PER UNIT)
 - TOTAL PROVIDED: 1542 SPACES (AT GRADE AND BELOW BUILDING PARKING AREAS)
- OWNER:** SANCTUARY DEVELOPMENT PARTNERS, LLC
ATTN: LINDA SVENSON
1707 US HIGHWAY 301 NORTH
PALMETTO, FLORIDA 34221
PH: (941) 722-2690 FAX: (941) 729-9421
- ENGINEER / APPLICANT:** FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
ATTN: DAVID W. BARTELT, P.E.
4519 GEORGE ROAD, SUITE 130
TAMPA, FLORIDA 33634
PH: (813) 880-9106 FAX: (813) 880-9055
- BOUNDARY, TOPOGRAPHIC & TREE SURVEY PROVIDED BY:** GLOBAL SURVEYING
ATTN: MR. TONY PURSLEY
5004 STATE ROAD 64
BRADENTON, FLORIDA 34204
PH: (941) 746-1512 FAX: (941) 747-2450

8) ALL OPEN SPACE OF WHICH THE PARK LAND IS A PART OF, WILL BE DEDICATED TO THE SANCTUARY COVE COMMUNITY. MAINTENANCE TO BE DONE BY H.O.A.

INFRASTRUCTURE IMPACTS

POTABLE WATER			
LOS(GAL)	PERSONS/UNIT	UNITS	DEMAND(GAL)
105	2.2	1,026	237,006
105	2.2	86.58*	20,000
			257,006
WASTEWATER			
LOS(GAL)	PERSONS/UNIT	UNITS	DEMAND(GAL)
100	2.2	1,026	225,720
100	2.2	90.91**	20,000
			245,720
RECREATION			
LOS(ACRES)	PERSONS/UNIT	UNITS	DEMAND(ACRES)
4/1000 PEOPLE	2.2	1,026	9.00
SOLID WASTE			
LOS(POUNDS)	PERSONS/UNIT	UNITS	DEMAND(POUNDS)
7.1 LBS/DAY	2.2	1,026	16,026

COMMERCIAL COMPONENT CONVERSION TO EQUIVALENT RESIDENTIAL CONNECTIONS (ERCs).
200,000 S.F. @ 0.10 G.P.D./S.F. = 20,000 G.P.D.
* POTABLE WATER 20,000 G.P.D. => 20,000 / (2.2 * 105) = 86.58 ERC
** WASTEWATER 20,000 G.P.D. => 20,000 / (2.2 * 100) = 90.91 ERC

CITY OF PALMETTO SIGNATURE BLOCK

DRC MEMBER	OK	SIGNATURE	DATE
DIRECTOR OF PUBLIC WORKS			
SUPERINTENDENT OF PUBLIC WORKS			
CITY PLANNER			
FIRE MARSHALL			
CITY ENGINEER			
DRC COORDINATOR			

DAVID W. BARTELT, P.E.
PROFESSIONAL ENGINEER
NO. 35466

PR. NO.: E06-028.07 DATE: 7/23/07
9/28/07 REV'D PER CITY OF PALMETTO COMMENTS
10/24/07 REV'D PER CITY OF PALMETTO COMMENTS

REUSE OF DOCUMENT
THE IDEAS AND DESIGN INCORPORATED HEREON, AS AN INSTRUMENT OF SERVICE, IS THE PROPERTY OF FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC. (F.E.E.S.) AND IS NOT TO BE REPRODUCED OR USED WITHOUT THE WRITTEN AUTHORIZATION OF F.E.E.S.

FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
CERTIFICATE OF AUTHORIZATION: ER 5804
4519 GEORGE ROAD, SUITE 130
TAMPA, FLORIDA 33634
Tel: (813) 880-9106 Fax: (813) 880-9055

**SANCTUARY COVE
CITY OF PALMETTO, FLORIDA**

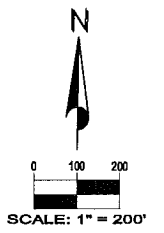
**ROGERS & BOMA TRACTS
GENERAL DEVELOPMENT PLAN**

2 OF 3

EXHIBIT B
ORD 08-972

POTABLE WATER CONNECTION AND SANITARY SEWER FORCE MAIN MAINFOLD FOR SANCTUARY COVE TO BE COORDINATED WITH THE CITY OF PALMETTO

TIE THE PROPOSED SANCTUARY COVE UTILITIES TO EXISTING CITY OF PALMETTO SYSTEMS



GENERAL SITE NOTES

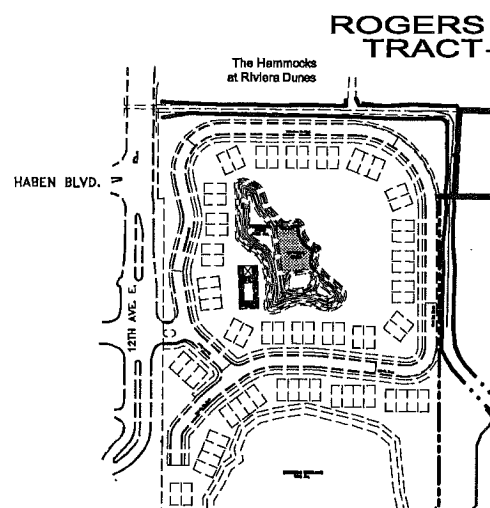
- LANDSCAPING & IRRIGATION SHALL BE IN ACCORDANCE WITH THE CITY OF PALMETTO REQUIREMENTS.
- FINAL DUMPSTER LOCATION SHALL BE APPROVED BY THE CITY OF PALMETTO FOR MULTI-FAMILY AND COMMERCIAL PARCELS.
- SIDEWALKS SHALL BE CONSTRUCTED ON THE NORTH OR WEST SIDE OF ALL ROADS WITHIN THE PROPOSED RIGHT OF WAYS.

FIRE PROTECTION:

- PROJECT SHALL MEET ALL FIRE PROTECTION REQUIREMENTS OF THE NORTH RIVER FIRE DISTRICT.
- EACH OF THE MULTI FAMILY RESIDENTIAL BUILDINGS SHALL HAVE AN AUTOMATIC FIRE SPRINKLER SYSTEM AND A STANDPIPE SYSTEM. EACH OF THE AFOREMENTIONED SYSTEMS MUST COMPLY WITH THE RESPECTIVE NFPA CODES.
- APPROPRIATE FIRE FLOW SHALL BE PROVIDED TO MEET CONCURRENCE REQUIREMENTS: (1500 GPM MIN.)
- THE GATED ENTRANCE/EXIT ARRANGEMENT SHALL BE IN COMPLIANCE WITH THE FIRE PREVENTION CODE (accessibility into the development for emergency services providers). PLANS INDICATING SPECIFIC DETAILS OF THE AFOREMENTIONED ENTRANCE/EXIT ARRANGEMENT SHALL BE SUBMITTED TO THE NFRD FOR REVIEW & APPROVAL.
- FIRE HYDRANTS AND BACKFLOW PREVENTION DEVICES FOR THE FIRE PROTECTION SYSTEMS SHALL BE SHOWN ON THE FINAL SITE PLAN.

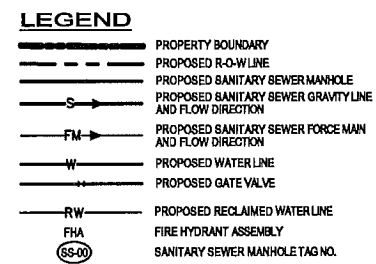
UTILITY INFORMATION:

- EXISTING UTILITIES ARE LOCATED IN THE EXISTING RIGHT-OF-WAY.
- THE PROPOSED PROJECT SHALL CONNECT TO ALL UTILITIES IN THE R/W ADJACENT TO THE PROJECT OR IN AN APPROVED EASEMENT ON THE PROJECT. THESE UTILITIES ARE WATER, SEWER, GAS, TELEPHONE AND CABLE TV. ALL UTILITIES SHALL BE UNDERGROUND.
- STORMWATER WILL BE COLLECTED IN THE STREETS WITH INLETS AND DISCHARGED DIRECTLY INTO CANAL/SURFACE WATER MANAGEMENT AREA.
- WATER AND SANITARY SEWER SYSTEMS WILL BE INSTALLED WITHIN THE PROPOSED ROAD RIGHT-OF-WAYS AND DEDICATED TO THE CITY OF PALMETTO.
- ALL SITE LIGHTING SHALL BE IN CONFORMANCE WITH THE CITY OF PALMETTO REQUIREMENTS.



UTILITIES TO BE PROVIDED BY THE CITY OF PALMETTO AND SHALL BE PRIVATELY OWNED AND MAINTAINED.
NOTE

NO SANITARY SEWER SERVICE CONNECTIONS ARE PERMITTED WITHIN C900 INSTALLATIONS.
SANITARY SEWER SERVICES



CITY OF PALMETTO SIGNATURE BLOCK

DRG MEMBER	OK	SIGNATURE	DATE
DIRECTOR OF PUBLIC WORKS			
SUPERINTENDENT OF PUBLIC WORKS			
CITY PLANNER			
FIRE MARSHALL			
CITY ENGINEER			
DRG COORDINATOR			

David W. Bartel
DAVID W. BARTELT, P.E.
PROFESSIONAL ENGINEER
NO. 35466

PR. NO.: E06-029.07 DATE: 7/23/07
 REUSE OF DOCUMENT: 07/23/07 REVISED BY: PALMETTO COMMENTS: []
 THE IDEAS AND DESIGN INCORPORATED HEREIN, AS AN INSTRUMENT OF SERVICE, IS THE PROPERTY OF FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC. (FEES) AND IS NOT TO BE REPRODUCED OR USED WITHOUT THE WRITTEN AUTHORIZATION OF FEES.

FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
 CERTIFICATE OF AUTHORIZATION: EB 5804
 4519 George Road, Suite 130
 Tampa, Florida 33634
 Tel: (813) 880-9106 Fax: (813) 880-9055

SANCTUARY COVE
CITY OF PALMETTO, FLORIDA

ROGERS & BOMA TRACTS
GENERAL DEVELOPMENT PLAN
OVERALL UTILITY PLAN

3 OF 3

EXHIBIT B
 ORD 08-972

**CITY OF PALMETTO
ORDINANCE NO. 08-973**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO DESIGNATE THE ZONING OF THE PROPERTIES DESCRIBED IN EXHIBIT "A" AS PDMU (PLANNED DEVELOPMENT-MULTI USE); AMENDING THE ZONING MAP OF THE CITY OF PALMETTO PERTAINING TO THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z0803, Sanctuary Development Partners, L.L.C. PID # 2607800159, approx. 1.15 acres).

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and,

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and,

WHEREAS, the City Commission of the City of Palmetto has certain regulatory authority granted to it by the Florida Constitution, the Florida Statutes and the City Charter to regulate the use of land within its corporate boundaries; and,

WHEREAS, the City of Palmetto has received a complete and timely application for approval of a proposed Amended General Development Plan for Sanctuary Cove including Parcel PID # 2607800159 ("Rogers), approx. 1.15 acres ("Project"), more particularly described in **Exhibit A**; and,

WHEREAS, the Planning and Zoning Board of the City of Palmetto reviewed the proposed Amended General Development Plan, held a properly noticed public hearing on March 10, 2008, received public comment and testimony, and provided its recommendation to the City Commission of the City of Palmetto; and,

WHEREAS, the City Commission of the City of Palmetto held a properly noticed public hearing on June 16, 2008, and received public comment and testimony at said hearing; and,

WHEREAS, the City Commission of the City of Palmetto finds that approval of the proposed Amended General Development Plan benefits the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:

Section 1. Finding of Fact.

- A. The above-referenced "WHEREAS" clauses are adopted herein as findings of fact.
- B. The Planning and Zoning Board, acting as the Local Planning Agency, has recommended approval of the proposed Amended General Development Plan, a copy of which is attached hereto and incorporated herein as **Exhibit B**.
- C. The proposed Amended General Development Plan is compatible with adjacent land uses and complies with all pertinent provisions of the City of Palmetto's Zoning Code.

Section 2. Zoning Amendment. The zoning for the real property described in **Exhibit A** is hereby changed from Residential Single Family-4.5 (RSF-4.5) to Planned Development-Multi Use (PDMU).

Section 4. Repeal of Ordinance. This Ordinance hereby repeals all ordinances and parts of ordinances in conflict herewith to the extent of such conflict.

Section 5. Severability. If any section, sub-section, paragraph, sentence, clause or phrase in this Ordinance shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions hereof.

Section 6. Effective Date. This Ordinance shall take effect as provided for by law and by City Charter, Section 14 upon execution by the Mayor, or if disapproval occurs, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes.

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this 16th day June, 2008.

First Reading: June 2, 2008
Publication: June 6, 2008
Second Reading and
Public Hearing: June 16, 2008

CITY OF PALMETTO, FLORIDA, BY
AND THROUGH THE CITY
COMMISSION OF THE CITY OF
PALMETTO

By: _____
LAWRENCE E. BUSTLE, JR., MAYOR

ATTEST: James R. Freeman
 City Clerk

By: _____
City Clerk/Deputy Clerk

Rogers

EXHIBIT "A"

PARCEL ONE:
COMMENCE AT THE NE CORNER OF LOT 21, SUNKIST ACRES SUBDIVISION,
AS PER PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 96, OF THE
PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE ALONG THE NORTH
LINE OF SAID LOT TO THE NW CORNER OF SAID LOT FOR A POINT OF
BEGINNING; THENCE CONTINUE ON AN EXTENSION OF SAID LOT LINE 251
FEET MORE OR LESS TO THE BANK OF A CANAL; THENCE SOUTHERLY ALONG
BANK OF CANAL 100 FEET TO A POINT 252.46 FEET MORE OR LESS WEST
OF SW CORNER OF SAID LOT 21; THENCE EAST ALONG THE EXTENDED
SOUTH LINE OF SAID LOT 21, A DISTANCE OF 252.46 FEET MORE OR
LESS TO THE SW CORNER OF SAID LOT 21; THENCE ALONG THE WESTERLY
LINE OF SAID LOT 21, NORTHERLY, A DISTANCE OF 100.15 FEET TO THE
P.O.B., LYING AND BEING IN SECTION 13, TOWNSHIP 34 SOUTH, RANGE
17 EAST, MANATEE COUNTY, FLORIDA.

PARCEL TWO:
COMMENCE AT THE NE CORNER OF LOT 21, SUNKIST ACRES SUBDIVISION,
AS PER PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 96, OF THE
PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE ALONG THE
NORTH LINE OF SAID LOT TO THE NW CORNER OF SAID LOT FOR A POINT
OF BEGINNING; THENCE CONTINUE ON AN EXTENSION OF SAID LOT LINE
251 FEET MORE OR LESS TO THE BANK OF A CANAL; THENCE NORTHERLY
ALONG BANK OF CANAL 100 FEET TO A POINT 246.8 FEET MORE OR LESS
WEST OF NW CORNER OF LOT 22, THENCE EAST ALONG THE EXTENDED
NORTH LINE OF SAID LOT 22, A DISTANCE OF 246.8 FEET MORE OR LESS
TO THE NW CORNER OF SAID LOT 22; THENCE ALONG THE WESTERLY LINE
OF SAID LOT 22 SOUTHERLY A DISTANCE OF 100.15 FEET TO THE POINT
OF BEGINNING. LYING AND BEING IN SECTION 13, TOWNSHIP 34 SOUTH,
RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

TOGETHER WITH:
A 20' EASEMENT FOR INGRESS/EGRESS ACROSS THE SOUTHERLY 20'
OF LOT 22, SUNKIST ACRES SUBDIVISION, AS PER PLAT THEREOF
RECORDED IN PLAT BOOK 9, PAGE 96, OF THE PUBLIC RECORDS OF
MANATEE COUNTY, FLORIDA.

CITY OF PALMETTO
ORDINANCE NO. 08-974

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 387, THE ZONING ORDINANCE OF THE CITY OF PALMETTO, TO DESIGNATE THE ZONING OF THE PROPERTIES DESCRIBED IN EXHIBIT "A" AS PDMU (PLANNED DEVELOPMENT-MULTI USE); AMENDING THE ZONING MAP OF THE CITY OF PALMETTO PERTAINING TO THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Z0802, Sanctuary Development Partners East, L.L.C. and Sanctuary Residential Partners, LLC, PID # 1016400359 and # 1016400409 respectively, approx. 8.44 acres).

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and,

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and,

WHEREAS, the City Commission of the City of Palmetto has certain regulatory authority granted to it by the Florida Constitution, the Florida Statutes and the City Charter to regulate the use of land within its corporate boundaries; and,

WHEREAS, the City of Palmetto has received a complete and timely application for approval of an Amended General Development Plan for Sanctuary Cove including Parcel PID

#1016400359 and #1016400409 (“BOMA”), approx. 8.44 acres (“Project”), more particularly described in **Exhibit A**; and,

WHEREAS, the Planning and Zoning Board of the City of Palmetto reviewed the proposed Amended General Development Plan, held a properly noticed public hearing on March 10, 2008, received public comment and testimony, and provided its recommendation to the City Commission of the City of Palmetto; and,

WHEREAS, the City Commission of the City of Palmetto held a properly noticed public hearing on June 16, 2008, and received public comment and testimony at said hearing; and,

WHEREAS, the City Commission of the City of Palmetto finds that approval of the proposed Amended General Development Plan benefits the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:

Section 1. Finding of Fact.

- A. The above-referenced “WHEREAS” clauses are adopted herein as findings of fact.
- B. The Planning and Zoning Board, acting as the Local Planning Agency, has recommended approval of the proposed Amended General Development Plan, a copy of which is attached hereto and incorporated herein as **Exhibit B**.
- C. The proposed Amended General Development Plan is compatible with adjacent land uses and complies with all pertinent provisions of the City of Palmetto’s Zoning Code.

Section 2. Zoning Amendment. The zoning for the real property described in **Exhibit A** is hereby changed from Planned Development Residential (PDR) to Planned Development-Multi Use (PDMU).

Section 3. Repeal of Ordinance. This Ordinance hereby repeals all ordinances and parts of ordinances in conflict herewith to the extent of such conflict.

Section 4. Severability. If any section, sub-section, paragraph, sentence, clause or phrase in this Ordinance shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions hereof.

Section 5. Effective Date. This Ordinance shall take effect as provided for by law and by City Charter, Section 14 upon execution by the Mayor, or if disapproval occurs, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes.

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this 16th day of June, 2008.

First Reading:	June 2, 2008
Publication:	June 6, 2008
Second Reading and Public Hearing:	June 16, 2008

CITY OF PALMETTO, FLORIDA, BY
AND THROUGH THE CITY
COMMISSION OF THE CITY OF
PALMETTO

By: _____
LAWRENCE E. BUSTLE, JR., MAYOR

ATTEST: James R. Freeman
City Clerk

By: _____
City Clerk/Deputy Clerk

Sanctuary Dev. Partners East
1016400359

LEGAL DESCRIPTION (PHASE D EAST)(REV. 05-21-07)

A PARCEL OF LAND LYING AND BEING IN SECTION 19, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

COMMENCE AT THE SOUTHWEST CORNER SECTION 18, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE N.00°07'57"E., A DISTANCE OF 76.30 FEET; THENCE S.89°48'21"E., A DISTANCE OF 2,769.09 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S.89°48'21"E., A DISTANCE OF 751.56 FEET; ; THENCE S.00°00'20"E., A DISTANCE OF 174.11 FEET; THENCE S.64°40'54"W., A DISTANCE OF 51.50 FEET; THENCE S.20°41'44"W., A DISTANCE OF 15.39 FEET; THENCE S.45°26'47"W., A DISTANCE OF 74.42 FEET; THENCE S.42°54'25"W., A DISTANCE OF 23.43 FEET; THENCE N.57°34'10"W., A DISTANCE OF 30.28 FEET; THENCE S.39°25'31"W., A DISTANCE OF 26.42 FEET; THENCE S.38°35'12"W., A DISTANCE OF 3.02 FEET; THENCE S.88°54'21"W., A DISTANCE OF 200.88 FEET TO A POINT OF CURVATURE OF A NON-TANGENTIAL CURVE, CONCAVE SOUTH, OF WHICH THE RADIUS POINT LIES S.74°56'40"W., A RADIAL DISTANCE OF 56.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 118°40'48", A DISTANCE OF 116.00 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS N.74°23'44"W., A DISTANCE OF 96.34 FEET TO A POINT OF REVERSE CURVATURE, CONCAVE NORTH, HAVING A RADIUS OF 100.00 FEET, AND A CENTRAL ANGLE OF 43°26'52"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.83 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS S.67°59'18"W., A DISTANCE OF 74.03 FEET TO A POINT OF COMPOUND CURVATURE, CONCAVE NORTH, HAVING A RADIUS OF 1,478.00 FEET, AND A CENTRAL ANGLE OF 07°29'49"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 193.39 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS N.86°32'22"W., A DISTANCE OF 193.26 FEET TO A POINT OF COMPOUND CURVATURE, CONCAVE NORTHEAST, HAVING A RADIUS OF 50.00 FEET, AND A CENTRAL ANGLE OF 40°27'14"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.30 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS N.62°33'50"W., A DISTANCE OF 34.57 FEET; THENCE N.00°00'48"E., A DISTANCE OF 267.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 204,912 SQUARE FEET OR 4.70 ACRES, MORE OR LESS.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

Sanctuary Residential Partners - 1016400409

LEGAL DESCRIPTION (PHASE B-C-G-H #2)(REV 05/21/07)

A PARCEL OF LAND LYING AND BEING IN SECTION 19, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

COMMENCE AT THE SOUTHWEST CORNER SECTION 18, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE N.00°07'57"E., A DISTANCE OF 76.30 FEET; THENCE S.89°48'21"E., A DISTANCE OF 2,769.09 FEET; THENCE S.00°00'48"W., A DISTANCE OF 267.05 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S.00°00'48"W. ALONG SAID LINE, A DISTANCE OF 348.33 FEET; THENCE N.44°14'41"E., A DISTANCE OF 42.10 FEET; THENCE N.10°44'12"W., A DISTANCE OF 27.64 FEET; THENCE S.87°04'28"E., A DISTANCE OF 23.12 FEET; THENCE N.26°48'57"E., A DISTANCE OF 37.82 FEET; THENCE N.65°19'50"E., A DISTANCE OF 39.34 FEET; THENCE N.84°50'14"E., A DISTANCE OF 78.46 FEET; THENCE S.44°07'49"E., A DISTANCE OF 20.49 FEET; THENCE S.59°55'53"E., A DISTANCE OF 31.39 FEET; THENCE S.82°57'58"E., A DISTANCE OF 33.56 FEET; THENCE S.65°24'33"E., A DISTANCE OF 31.29 FEET; THENCE N.72°52'59"E., A DISTANCE OF 20.90 FEET; THENCE S.01°24'55"W., A DISTANCE OF 51.83 FEET; THENCE N.65°13'43"W., A DISTANCE OF 20.86 FEET; THENCE S.22°16'10"E., A DISTANCE OF 32.06 FEET; THENCE N.59°22'45"E., A DISTANCE OF 9.17 FEET; THENCE S.11°42'49"E., A DISTANCE OF 40.93 FEET; THENCE S.00°54'02"E., A DISTANCE OF 22.90 FEET; THENCE S.07°03'18"E., A DISTANCE OF 20.27 FEET; THENCE S.89°09'48"E., A DISTANCE OF 14.38 FEET; THENCE N.69°11'23"E., A DISTANCE OF 33.50 FEET; THENCE N.08°12'26"W., A DISTANCE OF 12.61 FEET; THENCE S.87°31'59"E., A DISTANCE OF 56.81 FEET; THENCE N.75°06'20"E., A DISTANCE OF 106.37 FEET; THENCE N.14°07'02"E., A DISTANCE OF 9.35 FEET; THENCE N.06°13'46"W., A DISTANCE OF 45.71 FEET; THENCE N.13°05'16"E., A DISTANCE OF 42.35 FEET; THENCE N.10°36'23"W., A DISTANCE OF 50.64 FEET; THENCE N.09°55'38"E., A DISTANCE OF 67.46 FEET; THENCE N.04°56'33"W., A DISTANCE OF 21.82 FEET; THENCE N.23°44'01"E., A DISTANCE OF 27.70 FEET; THENCE N.73°11'37"E., A DISTANCE OF 15.36 FEET; THENCE N.09°22'44"E., A DISTANCE OF 59.83 FEET; THENCE N.38°35'12"E., A DISTANCE OF 43.51 FEET; THENCE S.88°54'21"W., A DISTANCE OF 200.88 FEET TO A POINT OF CURVATURE OF A NON-TANGENTIAL CURVE, CONCAVE SOUTH, OF WHICH THE RADIUS POINT LIES S.74°56'40"W., A RADIAL DISTANCE OF 56.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 118°40'48", A DISTANCE OF 116.00 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS N.74°23'44"W., A DISTANCE OF 96.34 FEET TO A POINT OF REVERSE CURVATURE, CONCAVE NORTH, HAVING A RADIUS OF 100.00 FEET, AND A CENTRAL ANGLE OF 43°26'52"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.83 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS S.67°59'18"W., A DISTANCE OF 74.03 FEET TO A POINT OF COMPOUND CURVATURE, CONCAVE NORTH, HAVING A RADIUS OF 1,478.00 FEET, AND A CENTRAL ANGLE OF 07°29'49"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 193.39 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS N.86°32'22"W., A DISTANCE OF 193.26 FEET TO A POINT OF COMPOUND CURVATURE, CONCAVE NORTHEAST, HAVING A RADIUS OF 50.00 FEET, AND A CENTRAL ANGLE OF 40°27'14"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.30 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS N.62°33'50"W., A DISTANCE OF 34.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 162,840 SQUARE FEET OR 3.74 ACRES, MORE OR LESS.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.