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Dock Blanchard [◇]^{*}[†][#]
Dennis A. Fried, M.D. ^s
Edwin A. Green, III [◇]
R. Colt Kirkland [◇]
Lauren E. Merriam, III [◇]
Bradford J. Trepello [◇]

BLANCHARD MERRIAM ADEL
KIRKLAND AND GREEN, P.A.
ATTORNEYS AT LAW SINCE 1974

June 15, 2021

Via Hand Delivery

Marion County Board of
County Commissioners

ATTN: Jeff Gold, Chairman (Via Email: jeff.gold@marionfl.org)

Craig Curry (Via Email: craig.curry@marionfl.org)

Kathy Bryant (Via Email: Kathy.bryant@marionfl.org)

Carl Zalak, III (Via Email: carl.zalak@marionfl.org)

Michelle Stone (Via Email: michelle.stone@marionfl.org)

601 SE 25th Avenue

Ocala, FL 34471

RE: Zoning Application No. 210502Z – Maro Investment Ocala, LLC

Dear Commissioners:

I represent Summerglen Owners Association, Inc., which has requested that I object on behalf of its homeowners including the in excess of 600 homeowners who signed the petition objecting to this zoning request. I also specifically request additional time as such will facilitate your careful consideration of this application and your receipt of public comment and reduce the amount of time for this hearing. The Board should be aware of the following:

1. The previous PUD has expired. This is a new request and should be evaluated accordingly. It is not a modification of an existing PUD.
2. While I understand that the applicant wants to preserve some flexibility, it has been difficult to formulate a written response as the application keeps changing and lacks specificity in key areas; traffic study, open space, concurrency review/certification. The most recent request seems to be for 891 units. This is 50 more units than was narrowly recommended by a 3 to 2 vote of the Planning and Zoning Commission.
3. Open Space Requirements. Your staff points out that the open space requirement has not been met because of multiple use DRAs.

[◇] Shareholder
^{*} Board Certified Civil Trial Lawyer
[†] Board Certified Appellate Practice
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Marion County Board of County Commissioners
ATTN: Jeff Gold, Chairman
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4. The application also fails two items of your three-part test:
 - a. The Public Interest. The requested PUD zoning (at the requested density of over 4 per acre) is not compatible with the surrounding area and will adversely affect the public interest.
 - b. The proposed PUD zoning/density is not compatible with in the surrounding area. My clients to the south, Summer Glen, have 1,024 residential units on approximately 453 acres for a density of approximately 2.25 per acre. Marion Oaks to the west is approximately 28,000 units on approximately 14,800 acres for a density of 1.9 per acre. The property immediately north is agricultural with very limited density.

5. Marion County Code Section 4.2.31D.B states: "The final maximum density/intensity permitted shall be established by the Board ... the Board is not obligated to authorize the maximum density/intensity as potentially allowed by the comprehensive plan future land use designation. The criteria for establishing a maximum density/intensity includes existing zoning, adequacy of existing and proposed public facilities and services ... with additional focus on the compatibility of the PUD's proposed uses with the adjoining and surrounding properties."

Marion County Code Section 4.2.31D.F states: "Perimeter buffer. Whenever a perimeter buffer abuts an existing development with lower density ... (such as the case here) ... the Board may impose special perimeter buffer requirements to maintain compatibility with the existing adjoining use."

6. The most recent conceptual plan includes a direct connection with Marion Oaks which was added after notice was provided to the owners in Marion Oaks. The connection is to a road which already is in poor condition.

7. TRAFFIC! It is impossible to overestimate the traffic problems. Your staff report states: "There are major concerns with long term traffic management".

The proposed PUD will generate an estimated 5,000 to 6,000 additional daily trips. Hwy. 484 already has a 2019 estimated average daily trips count of 32,500, per Ocala Marion TPO. Hwy. 484, the only east/west connector will need to be widened at the interchange.

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ATTN: Jeff Gold, Chairman
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To put it simply, the I-75/484 interchange is a mess. It is very difficult to increase capacity because as stated by County Engineer Tracy Straub on April 26, 2021, at the P&Z meeting, the project is about to go out for bid with DOT for the next fiscal year which will hopefully improve the ramp flow and the turn lanes. However, the ultimate need is additional lanes and such cannot be added the way the bridge is constructed. (See attached "Page 9").

Conclusion:

Just because a development might be legally permissible, does not mean that it is in the best interest of the citizens of Marion County. As this Board has observed in the past, the problem with a PUD zoning application such as this is a lot more information is needed than is shown on a conceptual plan.

This PUD application is basically a request for maximum density, with details to follow. The density alone renders this application adverse to the public interest and not compatible with the surrounding area.

This Board has also observed on other recent applications, such as Schilling just south of Hwy. 42, which gave a lot more information, with a lot more detail, but still ended up being the wrong project in the wrong place. That applies even more here where much more detail is lacking. Also, the surrounding properties here do not approach anywhere near the density at the Villages where this Board recently determined another zoning application to be incompatible.

As requested by the residents at Summerglenn, this rezoning application should be denied.

Sincerely,

Blanchard, Merriam,
Adel, Kirkland & Green, P.A.



Lauren E. Merriam, III

LEM:mls
xc: Client (Via Email)

15. 210502Z-- Maro Investment Ocala, LLC, c/o Rock Cloutier, 132 Olivera Way, Palm Beach Garden, FL 34418, request a **Modification and Renewal of Zoning Change #140807Z**, Articles 2 and 4, of the Marion County Land Development Code, from PUD (Planned Unit Development) to PUD (Planned Unit Development), for the intended use of a proposed single family residential subdivision with 980 units, and neighborhood commercial, on approximately 221.75 Acres, on Parcel Account Nos. 41201-000-00, 41338-001-00, 44639-001-00 and 44645-002-00.

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 137= 0%

Ken Weyrauch, Growth Services, presented this request:

- Request from expired PUD (Residential and Commercial) to PUD (Residential and Commercial)
- Located on SW 20th Avenue, south of HWY 484
- Size is 221-75 Acres
- Current Land Use is Medium Density and Commercial
- Staff Concerns:
 - o Traffic Study/Access:
 - A traffic study has not been completed for this project. Project has access on SW 20th Avenue, a 2-Lane road that dead ends to the south. To the north, SW 20th ends at SW Hwy 484. A constrained roadway with more traffic is a concern. At Buildout, the residential component of the proposed PUD would add 4,814-5,987 new daily trips (according to ITE).
 - o Multiple Concept Plans:
 - Applicant submitted three (3) concept plans, the differences being the 24.03 acres of commercial area along SW 20th. Two plans propose commercial uses (1 large plaza vs 4 commercial parcels) and one plan proposes multifamily in the area.
 - This causes concerns when it comes to use, buildout, and the traffic study.
 - All other PUDs are bound by one plan and with the option to come back to modify the PUD through the public hearing process.
 - o Open Space Requirement not met:
 - PUD proposes 22 acres or 11.3% open space for the residential area. Nothing is proposed for the commercial area. For residential area only, this is 17.54 acres (8.87%) short. Commercial area needs 20% open space as well.
 - o Parallel access for commercial areas is required by the LDC.
 - Area to the north is not developed nor is it proposed to develop commercially. Future development would need parallel access to allow for proper access management in this constrained area.
- Staff recommends denial with alternative approval conditions (proposal does not meet minimum LDC requirements)

Tracy Straub, County Engineer:

- 484 and I-75 is about to go out to bid with DOT. They will do that project in their new fiscal year which begins in July. You are going to see them improve the on ramp flow and off flow as well as the turn lanes to get on and off of those on ramps. Moving all the way up to the signal at 475-A. There has been an ultimate need that has been realized to put additional lanes underneath it, but they cannot do that because of the way the bridge is constructed. At this time they can change all the turn lane configurations and the link for the turn lanes. What happens now is you want to take the turn onto the interstate and the turn lane is not long enough so you are stacking out into the freeway. They are going to lengthen all of that, they are going to lengthen the ability of the turn lanes to receive traffic going into the interstate. All of that motion is to be corrected. They are going to put that out for bid in July. It is at least a year's worth of construction activity.

→ 1505022

COMMENTS FOR MARO MIXED USE DEVELOPMENT – APRIL 26, 2021

Good afternoon – I'm Jan Lemon, 1824 SW 158th Lane in SummerGlen.

I am here as a resident of our community. I believe there will be other speakers from our community and Marion Oaks next door to us.

I recognize the developer of this parcel is entitled to request a PUD because it is within the development code of the Master Plan for the County. But, there are many concerns about this project.

TRAFFIC – There is a huge concern about the traffic flow on CR 484. A million square foot distribution center is approved and building. That commerce center still has many acres to develop. The truck traffic from these projects continues to grow.

The interchange on I-75 (Exit 341) will start new construction this year. The exits north and south will start this year with a bridge rebuild to follow...Lane rebuilds and turns lanes on CR 484 from CR 475a and SW 20th Lane Road are included in this project..That construction is projected to take 30+ months.

It seems that traffic light signals from CR 475a and SW 20th Lane Road could be better synchronized. Many times in left turn lanes vehicles are beyond stacking points and block adjacent lanes when lights change it barely allows 3 cars to make it through. Because of the Pilot gas station the amount of trucks using SW 20th is huge. Back up at peak times is extreme. (And just as an aside if you have to leave our community early in the AM around 7:00. tractor trailers are using the roadside for sleeping. That should be prohibited)

Now we will be dealing with construction vehicles for this new residential project on SW 20th.This is a small local road. Our road will need turn lanes, shoulders and widening. More construction.

PROJECT DESIGN – Every design plan that was submitted has the main entrance right next to SummerGlen. I would request that entrance be moved to the north end of this project on SW 20th. That would allow for more space between the two subdivisions for ingress and egress.

The only green space depicted on these plans appear to be DRAs. The amount of open space around the multi-family buildings appears to be minimum. How many apartments units are there?

Summer Glen has an 8 foot fence around most of our border. We would want that same fencing along this property that borders our community. It is difficult to see the setbacks from the SG border. How far is it? What plans will be approved to provide a barrier with SG?

Does the developer know what price range these homes will be? Not one of the lot sizes is the size of home lots in SG. There was mention of "waivers" granted with the previous PUD expired request. What were they?

It seems the density of this project might meet allowances but the removal of multi family units would make the project more compliant with the existing area. This area is out of the way. Now we would be dealing with School buses and children that really have no where to go if they leave their community except my car. The concern is that they will be attracted to SG and its amenities. Our community is very safe and we would like to keep it that way.

There are folks that would like the extra people for the purpose of golf play and customers to our restaurant. Those are attractive possibilities but the overall concern has to be for the people who live there now. For the ability to accommodate the traffic this will bring and what will follow with approvals of this community. Marion County is growing by leaps and bounds and planning approvals must be done with the future in mind. Growth is a red herring. What we gain and what we end up paying should balance. .

How soon will we know what the recommendation will be to the County Commissioners and will this packet be available to the public before that meeting for comment purposes?

Thanks for your time.

4.26.21

Dear Council,

I am writing to express my very strong opposition to 210502Z, The proposed housing project near the Age Restricted Retirement Community of Summer Glen near the intersection of 20th Avenue Road and County 484.

My family owns 2 homes in The Summer Glen Community which we purchased as our retirement and forever homes, and this project will impact us as well as our neighbors in a very adverse way:

While the local community may be unable to prevent development, this project will be very detrimental to the area. Nearly all residents in the Summer Glen neighborhood are completely opposed to the addition of a nonage restricted, multi-family housing, industrial mixed or commercial development project that will destroy habitats, create a 2+ year construction zone, cause additional traffic and safety problems, and significantly and negatively affect our property values and the peaceful enjoyment of our homes.

Wildlife is prevalent on 20th Avenue Road as it now is a quiet 2 lane, essentially dead-end road and home to a Horse farm and Tree farm, a Place of Worship, a handful of single-family homes on large lots and our retirement community of 1000 homes. Unless rezoned as possibly agricultural, additional large-scale development of the bordering property will contribute to the destruction of trees, local wildlife habitats and will decrease the property values of our existing community causing great hardship in our retirement years.

Traffic and safety are also major areas of concern. As we share 20th Avenue Road already with The Pilot Truck Stop Exit, traffic jams during commuting hours near 484 / 20th Avenue Road spans over 1 mile from 175-Marion Oaks Boulevard. The intersection at 484 & 20th Avenue Road is routinely blocked by cross traffic whereas you may expect to sit through multiple light cycles while waiting for Big Rigs to pull out onto 484. There is also another very large interchange reconstruction project scheduled to begin this summer and continuing for the next 3 years from 20th Avenue Road to 475A; in addition to the congestion already created by the pending opening of the new Dollar Tree Distribution Center.

I request the council to not approve another large-scale project that proposes to add multiple family residences, busses and school age drivers to an already overwhelmed system. There are numerous other land site options within Marion County for this project.

In closing I additionally feel inadequate notice was distributed in reference to this meeting and this project to the residents of Summer Glen and the surrounding communities that will be impacted.

Most of my neighbors said they received no notice unless your property directly bordered the PUD by 300 feet.

The effect this project will have should be fully investigated by the appropriate agency prior to approving development. I urge you to disapprove this project until further consideration and study is given, and more impact statements can be submitted.

I know my opinions are shared by many who have not managed to attend this meeting or yet write letters and emails. Thank you for your continued service and support of our communities.

Respectfully,

Debra Cressey Within 300'

1510 SW 152nd Place, Ocala FL 34473

Reginald & Patricia Cressey

15180 SW 14th Avenue Road, Ocala FL 34473

Soucey, Stephanie

From: Bryant, Kathy
Sent: Monday, April 26, 2021 8:49 AM
To: Griffis, Nadja
Subject: FW: Board Proposal Comments

Follow Up Flag: Follow up
Flag Status: Completed

~ Nadja

Nadja M. Griffis
Executive Assistant to Commission
Marion County Board of County Commission
601 SE 25th Ave.
Ocala, FL 34471
352-438-2323
352-438-2324 (f)
www.marionfl.org

Please note, the Marion County Board of County Commissioners' website has moved. The new web address (and ending to our emails) is now marionfl.org. Please update your bookmark and contacts as necessary. If you have any questions related to this change, please contact Marion County Public Relations at 352-438-2300.

From: noreply@marionfl.org <noreply@marionfl.org>
Sent: Saturday, April 24, 2021 10:47 AM
To: Bryant, Kathy <Kathy.Bryant@marionfl.org>
Subject: Board Proposal Comments

Message submitted from the <Marion County, FL> website.

Site Visitor Name: Roger Wright
Site Visitor Email: roger.wright@gmail.com

As residents of SummerGlen in southwest Ocala, my wife and I are very concerned about recent reports that a developer has requested the parcel, once the Purple Carrot Farm, be rezoned to a PUD (Planned Unit Development). The parcel is 221+ acres bordering SummerGlen and Marion Oaks along SW 20th Avenue Road. We understand the proposal requests 788-980 residential units with single family, multi plex units and three story apartments.

We realize the benefit in increasing the tax base for the county, but the negative impact on the lives of existing residents, as well as those travelling in the area, and the necessary infrastructure requirements and costs make

the proposal before the board an undesirable choice for many reasons.

Such development would push the population density far beyond what the area road system can reasonably handle. The intersection of SR484 and I75 is slated to begin soon and will take 2-3 years. Although needed, this construction will be a major disruption for an already heavily congested area road system. In addition, SW 20th Avenue Road, the two mile corridor to and from SummerGlen is only a two-lane road, without shoulders or lighting. It is also impacted by large semi-truck traffic leaving from the nearby Pilot station. The increased population residing in 1000 or more family residences traveling this road would triple or quadruple its utilization in short order. In conjunction with the SR484 intersection construction, this is not going to be a well-thought out plan with a negative impact lasting for years.

We would suggest that another age-restricted community similar to SummerGlen or others in the Ocala area, may be a better consideration for this parcel. This would lessen the traffic burden in the area (older residents do not need to drive as often) while still providing a stream of development and property taxes.

Thank you for your time and commitment to serve your constituents.

Soucey, Stephanie

From: Bryant, Kathy
Sent: Monday, April 26, 2021 1:19 PM
To: Griffis, Nadja
Subject: FW: Email contact from Marion County, FL

~ Nadja

Nadja M. Griffis
Executive Assistant to Commission
Marion County Board of County Commission
601 SE 25th Ave.
Ocala, FL 34471
352-438-2323
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From: noreply@marionfl.org <noreply@marionfl.org>
Sent: Monday, April 26, 2021 11:38 AM
To: Bryant, Kathy <Kathy.Bryant@marionfl.org>
Subject: Email contact from Marion County, FL

Message submitted from the <Marion County, FL> website.

Site Visitor Name: Gary Mathews
Site Visitor Email: gam_sta47@msn.com

Kathy, I live in SG an remember years ago the developer at the purple carrot tried to build houses but the road issue came up then and the availability of a back entrance like we have. I am not opposed to people developing their land but it must be done in a manner is not to adversity affect the other surrounding residents in our development and down the road from us the traffic will be horrendous because the need for four-lane road. I hope the commission, Votes this down,Till the road issue can be resolved. Thank you very much. Gary

Soucey, Stephanie

From: Bryant, Kathy
Sent: Monday, April 26, 2021 8:48 AM
To: Griffis, Nadja
Subject: FW: Proposed development on 20th Ave Rd 34473

Follow Up Flag: Follow up
Flag Status: Completed

~ Nadja

Nadja M. Griffis
Executive Assistant to Commission
Marion County Board of County Commission
601 SE 25th Ave.
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From: noreply@marionfl.org <noreply@marionfl.org>
Sent: Sunday, April 25, 2021 6:25 PM
To: Bryant, Kathy <Kathy.Bryant@marionfl.org>
Subject: Proposed development on 20th Ave Rd 34473

Message submitted from the <Marion County, FL> website.

Site Visitor Name: NANCY C WALKER
Site Visitor Email: nwalker306@gmail.com

Hello,

I am writing in reference of the proposed development of homes and apartments on 20th Ave Rd near Summerglen 55+ community. This land should be rezoned agricultural. 20th Ave Rd is a 2 lane road to get to Summerglen. We already have semi trucks coming out of the back of the truck stop clogging and tearing up our road. Often, it takes quite some time for residents to get to the red light at 484. With the upcoming work at I75 at 484 it will be extremely difficult to navigate. There is already increased traffic with new building within Marion Oaks and the new dollar tree warehouse. This road cannot take anymore traffic. I am asking that you decline any proposed community on 20th Ave Rd.

Thank you for your consideration.
Nancy Walker

Soucey, Stephanie

2105022

From: Griffis, Nadja
Sent: Friday, April 23, 2021 4:46 PM
To: Soucey, Stephanie; Burgess, Mary Elizabeth
Subject: FW: *NEW SUBMISSION* Contact us - Commissioners

~ Nadja

Nadja M. Griffis
Executive Assistant to Commission
Marion County Board of County Commission
601 SE 25th Ave.
Ocala, FL 34471
352-438-2323
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www.marionfl.org

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From: Marion County, FL website <noreply@marionfl.org>
Sent: Friday, April 23, 2021 4:06 PM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject: *NEW SUBMISSION* Contact us - Commissioners

Contact us - Commissioners

Submission #: 895239
IP Address: 68.202.166.181
Submission Date: 04/23/2021 4:05
Survey Time: 17 minutes, 55 seconds

You have a new online form submission.
Note: all answers displaying "*****" are marked as sensitive and must be viewed after your login.

Email your comments, questions, and suggestions.

You can use this form to email your comments or notify us of any concerns which you may have. Please enter a valid email address where we may contact you. If you do not wish to be contacted via email, you may include your address and phone number in the comments area. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Email address

suz3411@yahoo.com

no name / no address

Comments

I understand The Board of Commissioners will be meeting April 26, 2021 to conduct a public hearing for rezoning. This property is on SW 20th Ave. RD. and borders SummerGlen Development. My concern, with the addition of 900+ housing units, is the impact on SW 20th Ave Rd. This road is shared with the very busy truck stop at the Pilot Station. All semi trucks exit onto SW 20th and do not safely navigate the tricky turn on this road up to SR 484. Please consider the increased traffic hazard.

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Thank you,
Marion County, FL

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Soucey, Stephanie

215022

From: Marion County, FL website <noreply@marionfl.org>
Sent: Friday, April 23, 2021 5:45 AM
To: County Commissioners
Subject: *NEW SUBMISSION* Contact us - Commissioners

Follow Up Flag: Follow up
Flag Status: Completed

Contact us - Commissioners

Submission #: 894234
IP Address: 97.102.52.246
Submission Date: 04/23/2021 5:45
Survey Time: 15 seconds

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Email your comments, questions, and suggestions.

You can use this form to email your comments or notify us of any concerns which you may have. Please enter a valid email address where we may contact you. If you do not wish to be contacted via email, you may include your address and phone number in the comments area. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Email address

sag3491@yahoo.com NO NAME.

Comments

no address

Dear Board of Commissioners This letter is in response to your upcoming consideration of adding 1000-2000 new residents off of 20th Ave Road. How could you even think about adding that many new residents into a death trap with only one way in and out that is already JAMMED with traffic that comes to a stand still from 8-9AM and again from 2:30-6PM EVERY week day!?? I live off of 20th Ave Road, there is only one entrance and one exit – 20th Ave Rd! I have sat thru at least 5 lights to make a rig

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Thank you,
Marion County, FL

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