



Marion County Board of County Commissioners

Date: 10/4/2021

P&Z: 9/27/2021 BCC: 10/19/2021

Item Number
211007Z

Type of Application
Rezoning

Request

Applicant requests to change PUD (Expired) to PUD (Active).

Owner/ Applicant
D32 Investment LLC

Agent
Tillman & Associates,
LLC

Parcel #/Acreage
45446-002-00/16.00

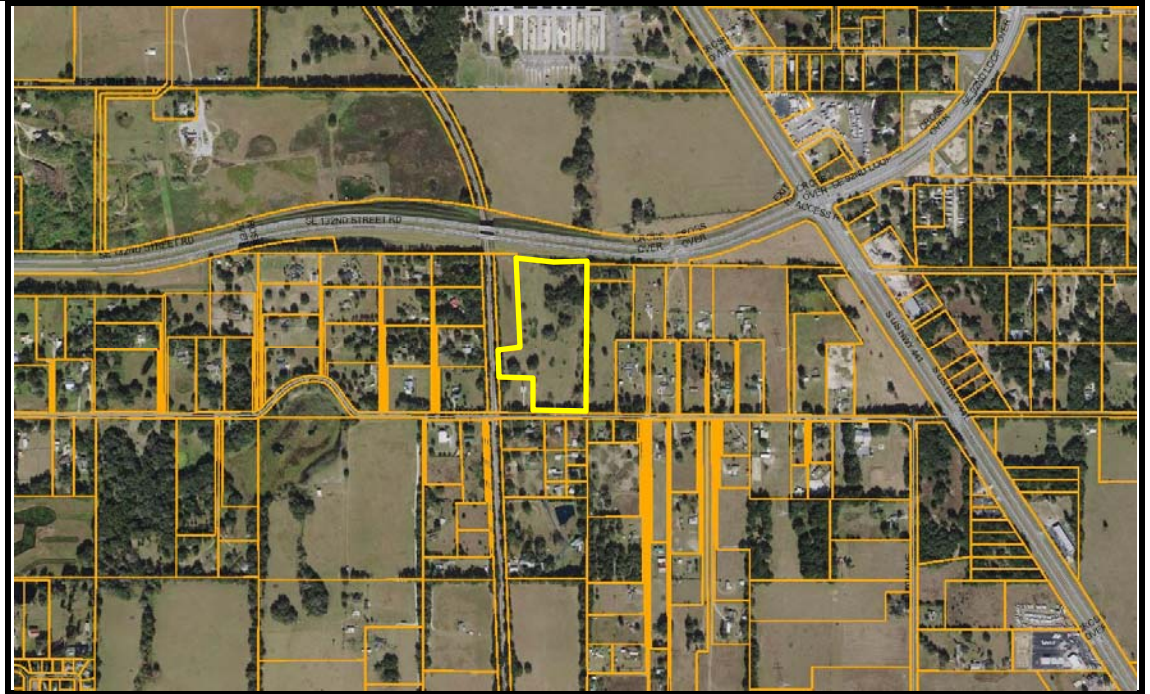
Future Land Use
Employment Center

Existing Zoning
PUD: Planned unit
Development

**Staff
Recommendation**
Approval with
Development
Conditions

**P&Z
Recommendation:**
Tied vote
(No recommendation)

Project Planner
Kenneth Odom,
Transportation Planner



Item Summary

Staff is recommending **Approval with Development Conditions** of the rezoning of this property from PUD (Expired) to PUD (Active) in order to establish a single-family residential community.

Public Notice

Notice of public hearing was mailed to 16 property owners within 300 feet of the subject property. This item was pulled off the consent agenda at the P&Z Commission Public Hearing.

Location

The subject parcel is located on the north side of SE 135th Street, approximately one-half mile west of US 441.

Additional Information

N/A

Comprehensive Plan Amendment:

N/A

Code Case: None

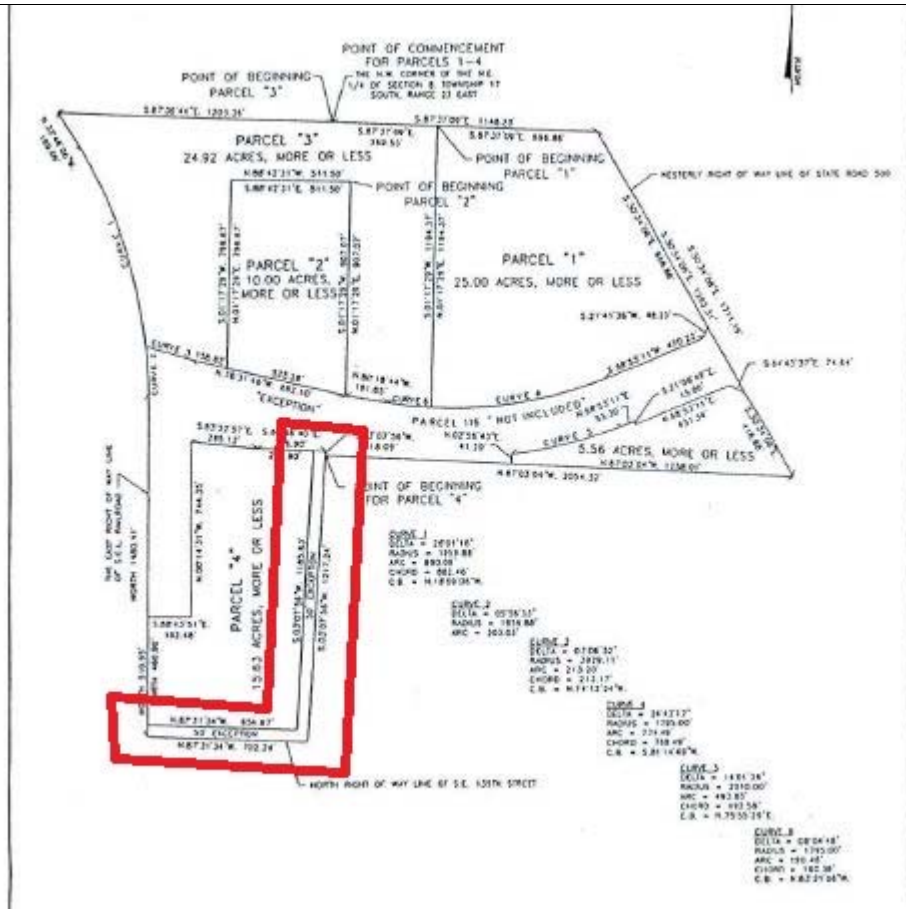
The following table summarizes adjacent future land use designations, zoning districts and existing uses:

ADJACENT PROPERTY CHARACTERISTICS			
Direction of Adjacency	Future Land Use Designation	Zoning	Existing Use/MCPA Property Class
North	Employment Center	PUD Planned Unit Development	(01) Improved Residential & (60-65) Grazing
South	Rural Land	A-1 General Agriculture	(01) Improved Residential & (60-65) Grazing
East	Employment Center	A-1 General Agriculture	(01) Improved Residential
West	Rural Land	A-1 General Agriculture	Cell Tower & DRA

Request

The applicant is requesting that the property be rezoned from PUD (Expired) to PUD (Active) in order to develop forty-three (43) single-family residential homes. The applicant proposes to develop twenty-five (25) of those parcels as 70' x 120' lots and the remaining eighteen (18) parcels as 60' x 120' lots. Minimum setbacks for all lots will be Front: 20', Rear: 15', Side: 5' and building heights shall not exceed 40' and the applicant is proposing a total of 4.57 acres of open space, part of which will be a dog park as an added amenity which exceeds the required 3.2 acres.

Type 'C' buffers are proposed along the north and west boundaries of the subject parcel consisting of a 15-foot wide landscape strip without a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turf grass, shall comprise at least 50 percent of the required buffer and form a layered landscape screen with a minimum height of three feet achieved within one year. A modified Type 'A' buffer is required on the south and east boundaries, per Exhibit 'A' of previous PUD Developer's Agreement# 05-L69, which shall consist of a 50-foot wide landscape strip without a buffer wall. The buffer shall contain at least three shade trees and five accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turf grass, shall comprise at least 50 percent of the required buffer area and shall form a layered landscape screen with a minimum height of three feet achieved within one year of planting. The modification is the expansion of the buffer from 30-foot wide to 50-foot wide.



Utilities

City of Belleview water and sewer service are within connection distance to the subject parcel. The subject parcel lies within the service area of SECO Energy Company. The subject parcel lies within the Urban Growth Boundary.

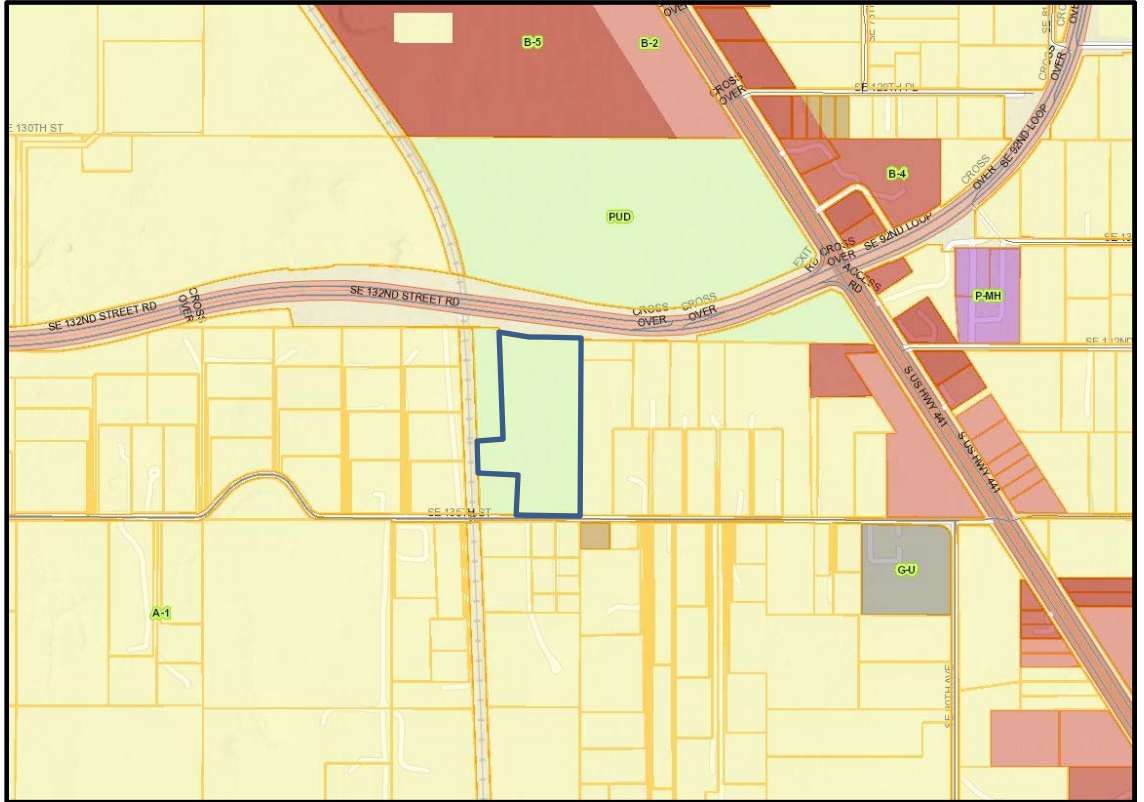
Traffic & Transit

According to the *Institute of Traffic Engineers Trip Generation Manual Version 10*, forty-three (43) Single Family Residential homes are projected to produce approximately four-hundred and six (406) trips per day. Traffic counts are not currently recorded on SE 132nd Street Road where the proposed primary access for this development is located. While the proposed development is in close proximity to SE 132 Street Road to the north, it will not be able to access that corridor because of extreme difference in grade as the SE 132nd Street Road corridor is elevated at this point to transit over the CSX 'S' line. The nearest functionally classified corridor that would be immediately impacted by the proposed development is US 301. Current daily traffic counts on the corridor are recorded at 14,300 vehicles per day which represents a LOS of 'B'. Only 22% of the US 301 corridor capacity is utilized at this segment. Ample capacity exists to accommodate the proposed trips from this development.

Fixed route transit services are not available in this part of Marion County.

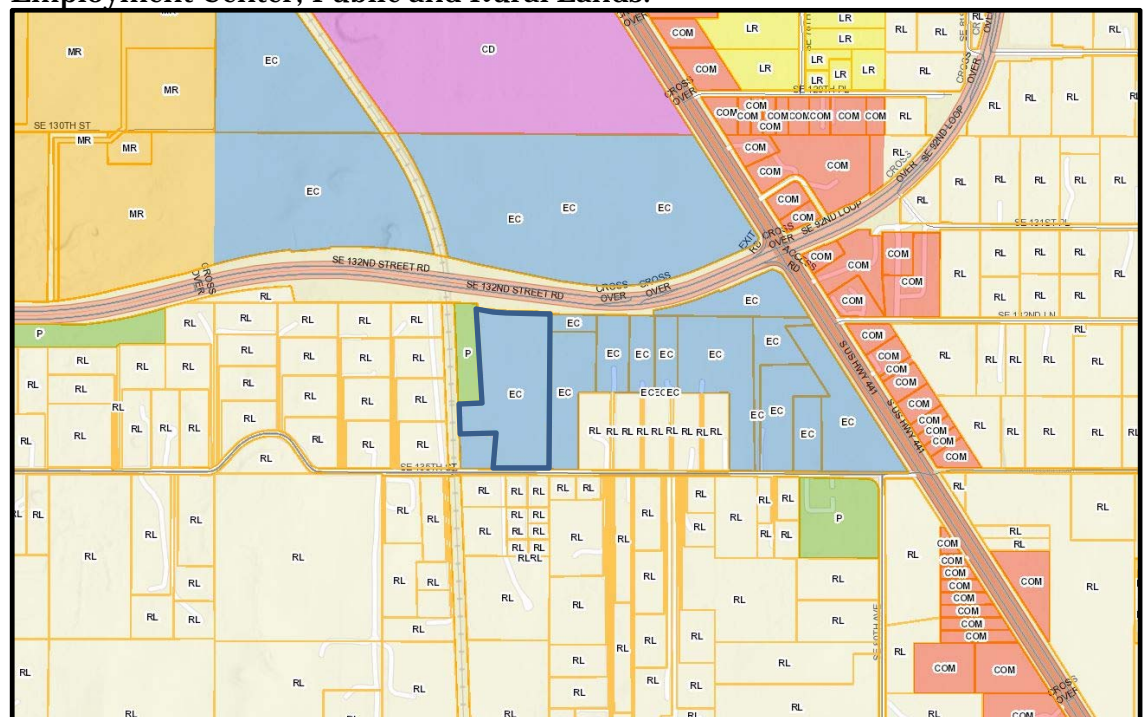
Zoning

Applicant's parcel is currently zoned as an expired PUD. It is adjacent to PUD to the north and A-1 to the south, east and west.



Land Use

Applicant's parcel is designated as Employment Center and is surrounded by Employment Center, Public and Rural Lands.



Analysis

In reaching its decision, the Board of County Commissioners will find:

- a. Granting the proposed Zoning change will not adversely affect the public interest.**
Rezoning this property to a residential PUD is consistent with the underlying Employment Center land use for the subject parcel.
- b. The proposed Zoning Change is consistent with the current Comprehensive Plan.** The FLU Map 1: Marion County 2035 Future Land Use Map of the Comprehensive Plan designates this property as Employment Center. The proposed rezoning is consistent with the Comprehensive Plan.
- c. The proposed Zoning Change is compatible with land uses in the surrounding area.** The site is Employment Center surrounded by Employment Center and Rural land uses. The proposed use is consistent with the Employment Center land use designation.

Staff Recommendation: **APPROVAL WITH DEVELOPMENT CONDITIONS**

1. The project shall be developed consistent with the PUD Application, the approved PUD Concept Plan, and the conditions as provided in this approval.
2. The project shall contain up to 43 single-family residential lots, with up to 25 lots having a minimum size of 70' x 120', and up to 18 lots having a minimum size of 60' x 120', as outlined on the approved Conceptual Plan.
3. Lot setbacks shall be as follows: Front: 20', Rear: 15', Side: 5' and building heights shall not exceed 40'.
4. Project buffers shall be provided consistent with those in the approved Concept Plan, including a Modified Type 'A' buffer on the south and east boundaries, of at least 50' in width. No accessory or mechanical structures for the units or buffers may be located within the buffers (e.g., wells, irrigation pump house, trails, etc.) other than irrigation system lines. The buffers may "overlap" with project drainage retention areas (DRAs) provided the vegetation and any fence and wall requirements are satisfied.
5. The Concept Plan proposes to exceed the 20% open space requirement of 3.2 acres by including 4.57 acres of open space, part of which will be a Dog Park, as an additional amenity. These areas must be available for use for residents prior to occupancy of the residential units.
6. A traffic study will be required, pursuant to LDC standards.

7. All project-wide walls, fences, berms, and buffers, including all vegetative plantings, shall be installed and maintained in perpetuity consistent with professionally accepted landscape practices, unless & until modified through the appropriate Land Development Code (LDC) PUD Amendment Process.
8. All project development shall be served by central potable water and central sanitary sewer services prior to the issuance of any project Certificates of Occupancy or equivalent final inspection; with the services installed and/or developed consistent with the LDC. Adequate capacity shall be demonstrated prior to approval of Improvement Plans.
9. The project's final PUD Master Plan, or equivalent, shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the LDC's notice provisions at the applicant's expense.

Photos



SE 135th Street – Facing West



SE 135th Street – Facing East



Facing North from SE 135th Street

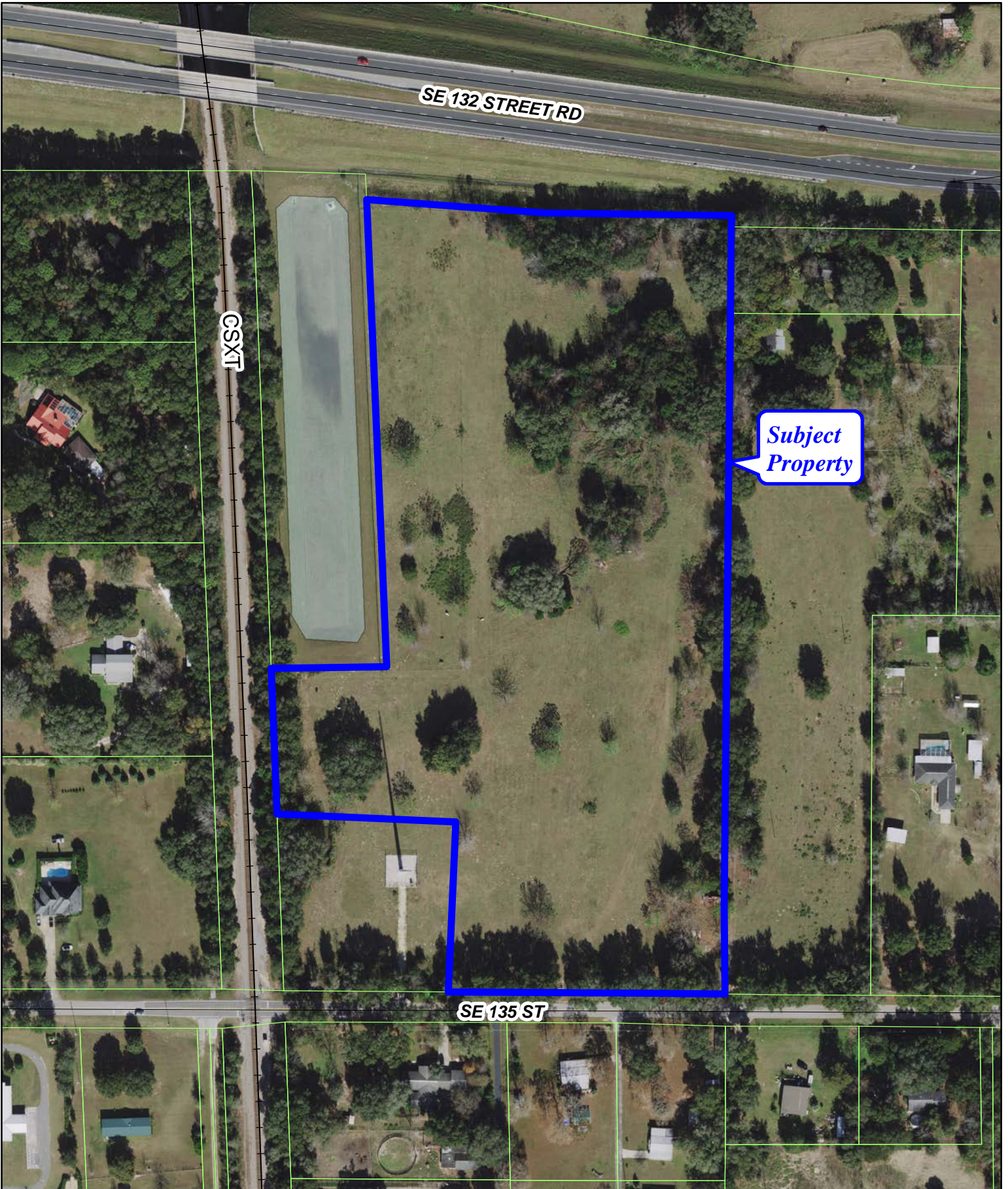


Cell Tower



South of Subject Parcel (Both Photos)

Aerial: 211007Z

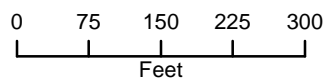


SE 132 STREET RD

CSXT

*Subject
Property*

SE 135 ST





Marion County Board of County Commissioners

Growth Management • Zoning

2710 E. Silver Springs Blvd. Ocala, FL 34470 Phone: 352-438-2675 Fax: 352-438-2676

2110073 AR# 27183

PA#: 45446-002-00

PUD

APPLICATION FOR REZONING

Application No.: 2110073

The undersigned hereby requests a zoning change of the Marion County Land Development Code, Article 4, Zoning, on the below described property and area, from PUD (Expired) ✓

to PUD (Active) _____, for the intended use of:

Reactivating and modifying portion of previously approved PUD 090405Z "Carissa Oaks" w/ 43 SFR units

Legal description: (please attach a copy of the deed and location map)

Parcel account number(s): 45446-002-00 ✓

Property dimensions: _____ Total acreage: 16.00 ✓

Directions: Take US 441 south to SE 132nd Street Road, turn R; subject property on and south side of SE 132nd Street Road

The property owner must sign this application unless he has attached written authorization naming an agent to act on his/her behalf.

D32 Invest LLC c/o: Property owner name (please print) 7988 Via Dellagio Way, Suite 206, Mailing address Orlando, FL 32819 City, state, zip code 954 2051300 Phone number (please include area code)

Tillman & Associates Engineering, LLC. Applicant or agent name (please print) 1720 SE 16th Avenue, Bldg. 100 Mailing address Ocala, FL 34471 City, state, zip code 352-387-4540 Phone number (please include area code)

Signature

Signature

Please note: the zoning change will not become effective until 14 days after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is \$1,000.00, and is non-refundable. For more information, please contact the Zoning Division at 352-438-2675.

FOR OFFICE USE ONLY

RECEIVED BY: CRW/KN DATE: 8/4/21 ZONING MAP NO.: 237 S 8 T 17 R 23 ✓

Rev. 07/02/2019

Proj. # 2021080021

"Meeting Needs by Exceeding Expectations"

