



**Marion County
Board of County Commissioners**

Growth Services

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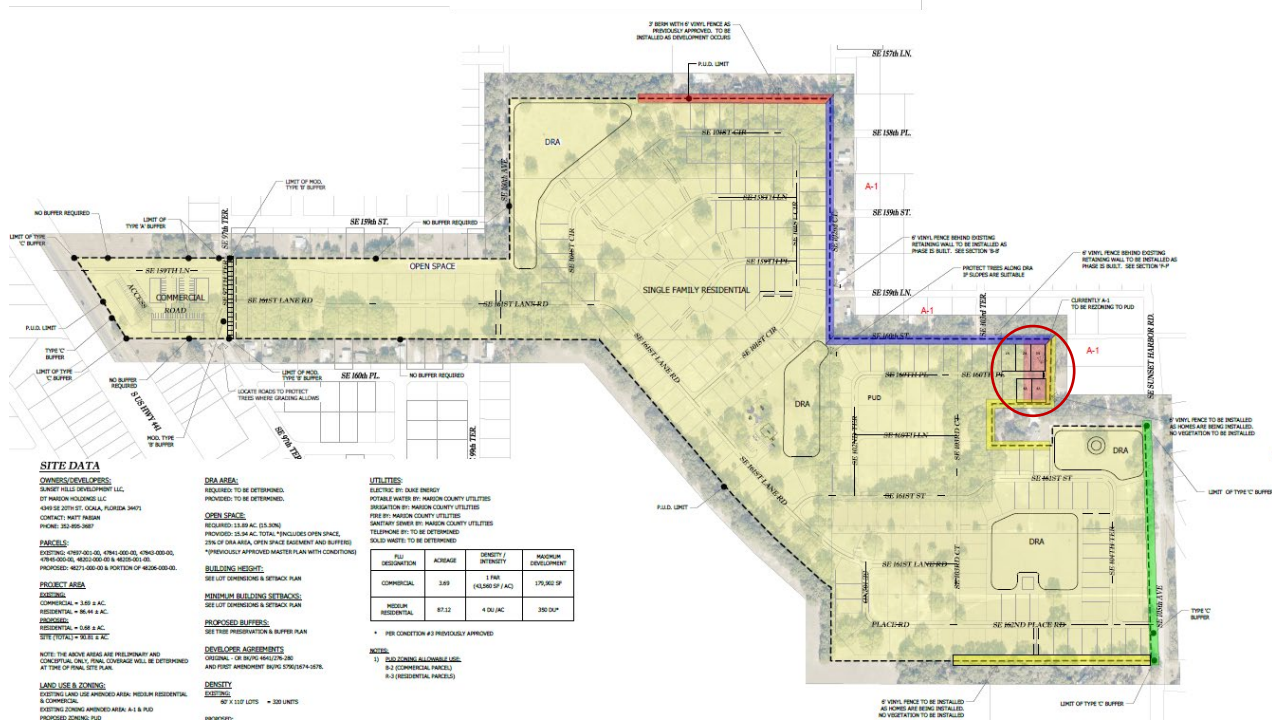
**PLANNING & ZONING SECTION
STAFF REPORT**

	P&Z Date: 08/26/2024	BCC Date: 09/17/2024
Case Number	240908ZP	
CDP-AR	31775	
Type of Case	Rezoning from General Agriculture (A-1) to Planned Unit Development (PUD).	
Owner	DT Marion Holdings LLC and Sunset Hills Development LLC	
Applicant	Tillman and Associates Engineering, LLC	
Street Address/Site Location	Not assigned.	
Parcel Number(s)	48271-000-00 and portion of 48206-000-00	
Property Size	±0.68 acres	
Future Land Use	Medium Residential (MR)	
Existing Zoning Classification	General Agriculture (A-1)	
Overlays Zones/Special Areas	Urban Growth Boundary and Secondary Springs Protection Zone	
Staff Recommendation	Approval with Conditions	
P&Z Recommendation	TBD	
Project Planner	Xinyi Cindy Chen	
Related Cases	N/A	

I. BACKGROUND:

Tillman and Associates Engineering, LLC, on behalf of the owners DT Marion Holdings LLC and Sunset Hills Development LLC, filed a Rezoning application to change from General Agriculture (A-1) to PUD on June 27th, 2024 to amend the PUD Master Plan to include five (5) additional lots, not to exceed allowed maximum 350 units of Sunset Hills PUD (see Attachment A). The Parcel Identification Number for the property is 48271-000-00, and a portion of 48206-000-00. The legal description is provided within the application. The subject property sits in Medium Residential (MR) and is surrounded by Medium Residential (MR). The site is located outside of the Urban Growth Boundary and within the Silver Springs Secondary Springs Protection Zone.

The original PUD was approved in 2007 for 222 single-family detached residential lots on 62.29 acres. The Culasassa PUD expired, and the project was brought back to the Board of County Commissioners under the name Sunset Hills in February of 2020. Sunset Hills was approved for a total of 4.13 acres of commercial along HWY 441 and up to 304 dwelling units (from the conceptual plan) on a land use that allowed for up to 350 dwelling units. After Sunset Hills was approved, the PUD modifications were requested to expand the overall size and increase it in June 2020 and April 2022.



Now the new request is asking to expand the overall size of the PUD from 90.13 acres to 90.81 acres to add five (5) new lots, each to accommodate one (1) residential unit. These are the only changes between the currently approved PUD and the proposed modifications to the PUD. The maximum allowed residential units remains at 350 units. The current Master Plan shows 325 units. Buffers along the new addition area are

proposed as 6' vinyl fence and no vegetation to be installed. This is consistent with previous approved Master Plan. Other buffers are also consistent with previous approved Master Plan. All utilities, ingress/egress, and signs are the same as currently approved.

Sunset Hills PUD	200206Z	200606Z	220403Z	240908ZP
Application Request	PUD (expired) to PUD (Sunset Hills)	PUD Modification – Expanding overall size and increasing the max. residential units to 350.	PUD Modification – Eliminating specific buffer requirements, expanding overall size and adding 4 units.	PUD Modification – Expanding overall size and adding 5 units.
Total Acres	84.03	89.61	90.13	90.81
Commercial Acres	3.69	4.13	3.69	3.69
Residential Acres	80.34	85.48	86.44	87.12 (86.44+0.68)
Max. Residential Units	350	350	350	350
Residential Density	3.8 du/ac	4.1 du/ac	4.1 du/ac	4.0 du/ac
	Approval with Conditions	Approval with Conditions	Approval with Conditions	TBD

II. ANALYSIS:

A. Compliance with Zoning and Land Use Regulations:

- The proposed modification maintains the overall density of the PUD within the limits stipulated by the county zoning ordinance and previous approved PUD resolutions.
- The addition of 5 units does not exceed the maximum allowable unit count of 350 for the PUD. The current plan shows 325 dwelling units.
- Granting the proposed Rezoning will not adversely affect the public interest. The proposed Planned Unit Development (PUD) has both a commercial area and a separated single-family residential component behind the commercial area. The Commercial area of the proposed PUD has commercial land use and currently is B-2, the permitted development on this portion would not change. The residential area is consistent with the surrounding area and adjacent uses.
- The proposed Rezoning is consistent with the current Comprehensive Plan.

- The proposed Rezoning is compatible with land uses in the surrounding area. The area surrounding the subject property is mostly developed single-family residential areas. The proposed PUD is compatible with the surrounding land uses in the developing area.

B. Impact on Infrastructure and Services:

- **Roads and Traffic:** The addition of 5 units is not expected to significantly impact traffic volumes or road capacities. A Traffic Impact Analysis (TIA) submitted by the applicant with this PUD modification application has studied the proposed Sunset Hills development including 350 single-family residential dwelling units and 31,283 square feet of commercial retail. According to the TIA, the proposed development is expected to generate 4,893 new daily external trips, including 422 new PM peak hour external trips for the buildout conditions. According to the DRC Review Comments, "The increase of five additional SFR units will not significantly increase the traffic from this development."
- **Utilities:** Preliminary assessments indicate that existing water, sewer, and electrical services can accommodate the additional units without requiring substantial upgrades. According to the DRC Review Comments, the Utility recommends the following condition:
 - If these parcels are broken into 5 residential lots, the offsite water & gravity sewer mains will need to be extended at developer's expense. MCU service area with water & sewer within 2000' (5 ERCs).
- **Emergency Services:** The modification will not adversely impact response times or service levels for police or emergency medical services. However, the project shall address the Fire Marshall's comments regarding Fire Department Access Roads and Fire Flow/Fire Hydrant. Staff recommends the following conditions:
 - Per NFPA 1 Chapter 18 for fire department access. Where fire department access roads exceed 150 feet, a fire department turnaround shall be required.
 - Please attach utility plan to show fire department water supply within 600 feet of the building. Per NFPA 1 Chapter 18.5.2 the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet. The measurement shall be taken by a fire department access roadway from the fire department water supply to the building.

C. Environmental Considerations:

- There are no FEMA Special Flood Hazard Areas or Flood Prone Areas on the property.
- No significant impact on local wildlife habitats or water resources is anticipated.

D. Community Impact:

- The addition of 5 units is not expected to alter the character of the community or impose undue strain on community resources.

E. Consistency with PUD Objectives:

- The proposed modification aligns with the overall vision and objectives of the PUD.
- The addition of 5 units contributes to housing availability without compromising the quality of the planned development.

III. STAFF RECOMMENDATION

Staff recommends the Board enter into the record the Staff Report, and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **APPROVE WITH FOLLOWING CONDITIONS**. Conditions are same as the conditions from previous PUD modification approval, except #3, 8, 10, 11, and 12.

1. The project shall be developed consistent with the conditions outlined herein and the project PUD Conceptual Plan minimum development standards as listed within this staff report.
2. This approval does not apply to any future developments or expansion of this project.
3. The project shall be limited to **90.81 acres** with a maximum total of 350 Dwelling Units, and up to 3.69 acres of commercial use.
4. Development along the boundaries shall conform to the height limitations of LDC Section 4.2.31.E(4)(b) 1.a and b, and (4)(b) 2.a and b.
5. Building heights shall be limited to 40' for single-family residential and 65' for multiple-family, group living, and commercial regardless of the number of stories.
6. The Commercial areas shall only access streets or roads internal to the development.
7. The northernmost boundary behind the homes (not where the DRA is) shall include a 3' berm and a 6' vinyl fence.
8. Buffers shall be consistent with the revised master plan dated **June 8th, 2024**.
9. Each residential lot shall have one (1) shade tree, this will be included within the HOA documents.
10. Per NFPA 1 Chapter 18 for fire department access. Where fire department access roads exceed 150 feet, a fire department turnaround shall be required.
11. Provide utility plan for Fire Marshall's approval to show fire department water supply within 600 feet of the building. Per NFPA 1 Chapter 18.5.2 the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet. The measurement shall be taken by a fire department access roadway from the fire department water supply to the building.

12. If these parcels are broken into 5 residential lots, the offsite water & gravity sewer mains will need to be extended at developer's expense. MCU service area with water & sewer within 2000' (5 ERCs).
13. All roads, parking lots, and sidewalks shall meet the requirements of the Marion County Land Development Code.
14. Prior to completion and approval of the final PUD Master Plan, the project Traffic Study shall be completed and adequate provision shall be made to provide for the completion and connectivity of the project to S US HWY 441 and SE 105th Ave. This traffic study must include the intersections of 105th Ave and HWY 42 as well as 104th Terrace and HWY 42.
15. Any additional connections to S. US HWY 441, other than the one proposed, shall require DRC approval.
16. The Amenity area shall include basketball courts with tennis court adaptations, a playground with swings, and outdoor exercise equipment, as proposed in the previous approved PUD.
17. This approval does not act in place of the developer's agreement or any requirements in the Marion County Land Development Code.
18. All construction and/ or day-to-day development access for the project shall be provided via the project's main ingress/egress.
19. The final PUD Master Plan shall be amended through the Development Review Committee to include the approved changes within the PUD.

IV. LIST OF ATTACHMENTS

- A. Proposed revised Master Plan dated 06/08/2024.
- B. DRC Comments
- C. Rezoning application filed 06/27/2024, including Master Plan, deeds, previous PUD modification approval letter, and support documents
- D. Site Photos