

RESOLUTION NO. 24-R-183

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A PLANNED UNIT DEVELOPMENT ON ±8.78 ACRES FOR ON A. SALDARRIAGA TRUST, ZONING CASE NUMBER 240506ZP; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Planned Unit Development was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on April 29, 2024; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, May 21, 2024. Now therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. PLANNED UNIT DEVELOPMENT APPLICATION 240506ZP – A. Saldarriaga Trust The application requesting a Planned Unit Development, Articles 2 and 4 of the Marion County Land Development Code, as submitted by CORTA Ocala, LLC., Neptune Beach, FL 32266, from Community Business (B-2) to Planned Unit Development (PUD), on approximately 8.78 Acre Tract, on Numerous Parcel Account Numbers, No Address Assigned.

SECTION 2. FINDINGS AND DEVELOPMENT CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission recommending approval of the Planned Unit Development and the Board approves the Planned Unit Development subject to the following development conditions:

1. The PUD is restricted to a total of 30 dwellings units multifamily and 7.1-acre commercial uses consistent with the Marion County Land Development Code, the PUD Application, and PUD Concept Plan.
2. Buffers shall be provided as shown on the submitted conceptual plan and the following requirements:
 - A. Buffers along SW Highway 200 shall be Type-C per LDC,
 - B. Buffers along the property boundary of multifamily area shared with the existing adjoining commercial uses on the west side of the property shall be Type-A per LDC,
 - C. Buffers between proposed parcel 5 (multi-family) and parcels 2 & 3 (commercial) shall be modified Type B/C as 10' wide on each lot totaling 20' wide landscape strip without a 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 turfgrass, shall comprise at least 50 percent of the required buffer, subject to the approval of the Marion County Landscape Architect,

D. Buffers along SW 84th Road Avenue shall require approval by the Marion County Board of County Commissioners at PUD Master Plan phase. The applicant shall include two buffer options in the PUD Master Plan for the Board to consider: 1) Save the mature trees and natural vegetation and increase buffering along the multifamily portion. 2) Modified Type C Buffer with 8' wall along the SW 84th Avenue Road behind the commercial area and DRA area,

E. Increase plantings and buffering in the DRA area of the development along SW 84th Avenue Rd.

F. Buffer types and illustrations shall be submitted with the site plan phase for approval.

3. No access to the subject property from SW 84th Avenue Rd.
4. No sidewalk along the SW 84th Avenue Rd.
5. Before submitting the site plan, the Operational Traffic Study shall be completed to the satisfaction of the County Traffic Engineer and Planning Director, and adequate provision shall be made for the coordination of improvements with the PUD.
6. Submit the traffic methodology for approval. A review of PUD will not be completed until the traffic methodology is properly approved.
7. The necessity of ingress and egress at the Wendy's property for the development of the subject parcel will depend on the results and recommendations from the Traffic Methodology Study and the Traffic Operational Study. If the Traffic Methodology Study and Traffic Operational Study indicate the necessity for cross-access and drive-in/out at Wendy's, the developer must secure agreement with Wendy's prior to Site Plan approval. The Traffic Methodology Study and Traffic Operational Study are subject to the review and approval by the County Traffic Engineer.
8. All access point locations shall be worked out to the satisfaction of the Development Review Committee during the time of Development Review before the Site Plan approval.
9. All internal and external vehicle circulation shall be paved.
10. Show multimodal facilities on the PUD Master Plan. Include multimodal path for pedestrians, bikes, and golf carts externally and internally.
11. Show accessible pedestrian connections from PUD area to all adjacent land uses on the site plan.
12. Show accessible sidewalks along at least one side of internal roads and connections to multimodal paths.
13. Show parking calculation on the site plan.
14. The PUD shall connect to Marion County Utilities. Developer shall work with Marion County Utilities regarding water and sewer connection extension during the site plan phase of the project. The owner will be responsible for funding the extension of the utility lines to the property.
15. A Major Site Plan submittal will need to be reviewed and approved through DRC for the proposed development of the site.

16. Stormwater review during the Development Review phase will determine the size and depth of the retention area needed to serve the development. Please ensure LDC 6.13 is met with the Major Site Plan.
17. An easement agreement with the property owners to use the cross access through adjacent properties shall be obtained before the site plan is approved.
18. On the Master Plan provide a typical illustration and table showing all setbacks.
19. Overhangs such as building pop-outs, cantilevers, and/or other extensions that project outward from the principal structure shall be reviewed similar to the Multiple Family Dwelling (R-3) zoning classification of the LDC.
20. On the Master Plan provide a typical illustration and table showing a maximum height limits for principal and accessory structures.
21. The multiple-family structure within 100 feet of the boundary edge of the PUD may not exceed a height that is twice the height of the closest existing single-family residence.
22. If single-family residential classification zoned land directly adjacent to the PUD is vacant land, then the height of a multiple-family structure within the PUD shall not exceed the maximum height allowed in the abutting residential single-family residential classification.
23. The final PUD Master Plan shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the Applicant's expense.

SECTION 3. COMPLIANCE/REVOCATION. Violation or failure to comply with one or more condition(s) of this Planned Unit Development shall be grounds for code enforcement action and/or repeal, in part and/or total, as related to this Planned Unit Development by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 21st day of May, 2024.

ATTEST:



GREGORY C. HARRELL, CLERK

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**



MICHELLE STONE, CHAIR