



MARION COUNTY GROWTH SERVICES

Date: 05/5/2022

P&Z: 2/21/2022 BCC Adoption: 5/17/2022

Amendment No:

22-S05

[CDP – AR 27857]

Type of Application

Small-Scale Comp Plan
FLUM Amendment

Request: Future Land
Use Designation Change
From: Commercial
To: Urban Residential

Concurrent Rezoning:
220307Z

Historic Applications:

05-L07, Commercial to MF
High Residential (Urban
Residential) – Denied.
081211SU – 95 Bed ALF –
Approved.

Parcel #/Acreage:

35770-055020 ± 4.9 ac.
35770-055-20 ± 12.5 ac.

Owner: PC 200-1 LLC,
PC 200-2 LLC
c/o Todd Rudnianyn

Applicant: Joe London
c/o Kimley-Horn

Location:

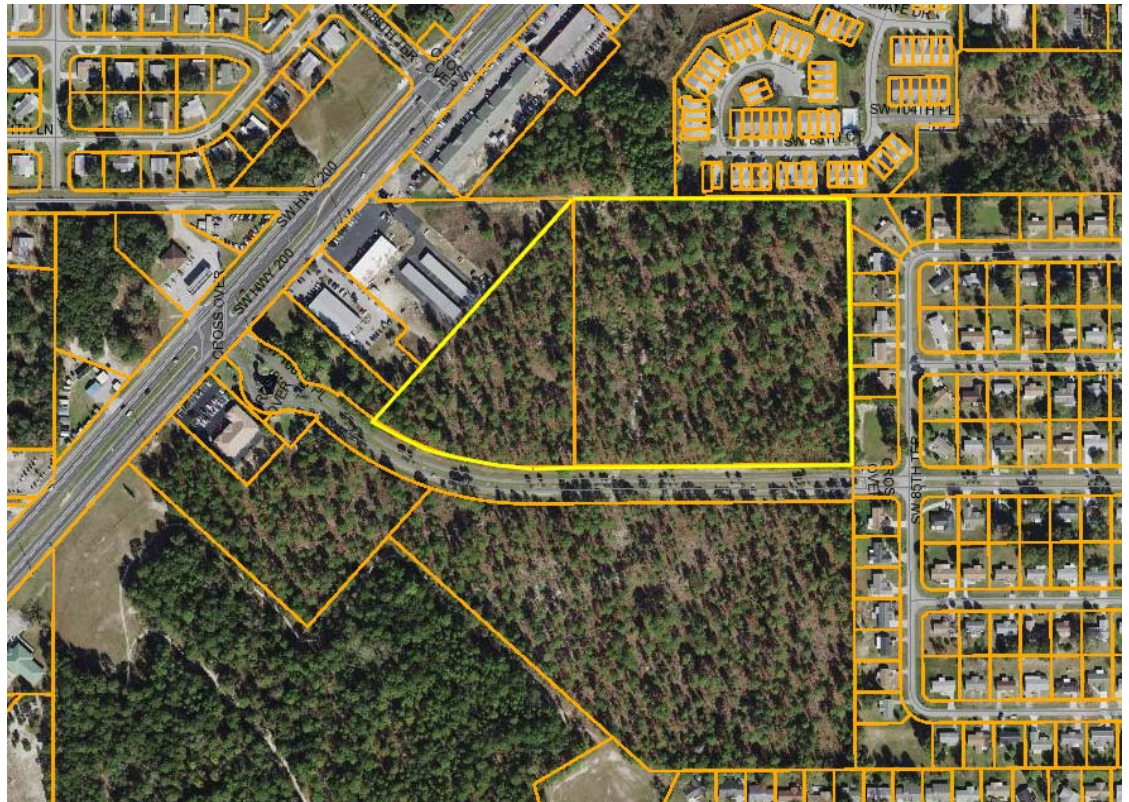
The site is located on the
north side of SW 106th
Place, ±500' east of SW
Hwy 200

Staff Recommendation:
Approval

P&Z Recommendation
Approval

Project Planner

Kathleen Brugnoli,
Planner II



SUMMARY

Staff is recommending **Approval** to amend the future land use designation for ± 17.4-acre site from Commercial to Urban Residential. The applicant is seeking to increase the development potential of the site that consists of two parcels. The parcel is part of a larger area proposed for development as the Palm Cay Planned Unit Development (PUD). A companion rezoning application to establish the companion PUD (220307Z) has been submitted and is dependent upon obtaining approval of this application.

Public Notice

Notice of public hearing was mailed to (108) property owners within 300 feet of the overall subject property.

LOCATION

The site is located on the north side of SW 106th Place, ±500' east of SW Hwy 200, abutting the Palm Cay Subdivision.

<p>Existing Use: Vacant</p> <p>Code Enforcement Action: None</p> <p>Development Eligibility:</p> <p><i>CURRENT FLUM:</i> Commercial ±17.4 ac.@ 8 DU/AC = 139 DU</p> <p><i>PROPOSED:</i> Urban Residential ±17.4 ac.@ 16 DU/AC = 278 DU</p>	<p>BACKGROUND/EXISTING CONDITIONS</p> <p>The site is part of the proposed Palm Cay Planned Unit Development. The developer is seeking to modify the land use designation to increase the potential number of dwellings that may be developed on the site. This property represents the northern portion of the PUD intended for apartments, with the southern portion being townhomes.</p> <p>To the east of the site is the Palm Cay Subdivision comprised of single-family residences. North of the site is the existing Oak Trace PUD townhome community. To the south is a portion of the proposed PUD that is not being included in the map amendment request followed by the Oak Run project with Commercial land use and some single-family residences. West of the site is a strip of Commercial with B-4 zoning that includes various businesses and self-storage.</p> <p>The site is located in the Urban Growth Boundary along the Hwy 200 corridor and within the active Hwy 200 “Triangle” bounded by Hwy 200, I-75, and the Cross Florida Greenway. As such, the site represents an opportunity for infill development within the Urban Area where services and facilities are readily available.</p> <p>PUBLIC FACILTIES AND SERVICES</p> <p>Environmental: The site is vacant and heavily wooded with an agriculture classification for timberland through Marion County Property Appraisers. There are no areas of flood zone and only a small portion of the parcel fronting SW Hwy 200 has flood prone area. The <i>Soil Survey of Marion County, Florida</i>, indicates Candler and Arredondo soils are present which are considered well drained, permeable soils. Being a vacant, wooded area, Listed Species may be present. All development proposals are required to address Listed Species along with stormwater/floodplain impacts and address how any such factors will be managed consistent with local, state, and federal requirements.</p> <p>School Facilities: The proposed land use change may affect school capacities due to the increased residential potential for the site. However, Marion County Public Schools district wide capacities are generally sufficient and the Public Schools provided the following “Adequate capacity exists for this project from a districtwide perspective, however, two of the three schools serving this proposed development are experiencing persistent localized overcrowding. The extent of the project’s adverse impacts to already overcrowded schools is subject to specifics (e.g., age-restricted or all ages, market rate, project timing, phasing, absorption rate and extent of buildout.)”</p> <p>Public Safety: The County’s Friendship Fire Station #21 is located ±2.4 miles to the northwest at 7884 SW 90th Street. The Ray Lloyd, Jr. Fire Station #31 is located southwest ±2.81 miles at 11240 SW Hwy 484. The Sheriff’s Southwest Marion District Sub-Station is located ±0.2 miles to the south at 9048 SW Hwy 200. Public system hydrants are currently located within the immediate area surrounding these parcels and site development will be required to address public safety requirements. Public safety service response times will vary based on whether the response units are at the stations or on the road, and service may also be provided by other surrounding facilities. Final conformance with all public safety needs will be coordinated with any site development proposals as part of the development review processes for the site, consistent with Marion County’s Land Development Regulations.</p> <p>Potable Water & Sanitary Sewer: The amendment site is in Marion County’s Utility Service Area and services are located within the vicinity. Based on the land use change requested, maximum demand for potable water would be 127,440 gallons per day (GPD) while sanitary sewer demand would be up to 93,456 GPD. Development of the site will require centralized utility services to be constructed by the owner or subsequent developer.</p>
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Stormwater/Drainage: The amendment site is not affected by designated flood plain areas with limited flood prone areas. Development of the site will be required to address potential flood impacts with the completion of the improvements, potentially including reducing the form, intensity, and/or density of development proposed (e.g., units, building SF, impervious SF). All proposed development is required to hold stormwater on-site, up to and including a 100-year storm event, along with other site specific conditions in compliance with the County's Land Development Regulations in order to address concerns regarding on-site and off-site flooding.

Recreation: Recreation facilities are not expected to be adversely impacted by the proposed amendment as ample Federal, State, and County owned lands are available for recreational activity and exceed the currently established LOS standard. The subject properties are ±2.00 miles north of trails and paths available through Cross Florida Greenways Ross Prairie Trailhead.

Solid Waste: LOS is 6.2 pounds per person per day (Solid Waste Element, Policy 1.1.2). This amendment does not adversely impact the County's LOS for solid waste as the County has identified and arranged for short-term and long-term disposal needs. The County continues to pursue recycling opportunities and other avenues to address solid waste needs based on existing and projected conditions.

Transportation: Access to the amendment site is from SR 200, a designated service level C arterial roadway. SR 200 is currently at 61% utilization with 2020 traffic counts at 36,700 trips and an overall capacity of 59,900 trips. Based on the ITE Trip Generation Manual (10th Edition), the amendment would increase potential traffic generated by ±2,636 daily trips or ±159 peak AM trips and ±182 peak PM trips, based on a low rise multiple-family residential development of 354 units, as proposed in the project's current companion PUD Rezoning Application. That PUD has been accompanied by a traffic statement providing updated traffic referencing information for the amendment site and overall PUD Rezoning Application. While SW 106th place is recognized as an easement/private road, and not a county-maintained road, there's an unofficial capacity for the divided, two-lane road of 14,820 daily trips to be within level of service 'E' standards.

Development proposals associated with this application will be subject to review and approval under the County's Land Development Code including concurrency, access, and appropriate traffic study review processes which may require additional specialized access improvements.

STAFF RECOMMENDATION

Growth Services recommends **APPROVAL** of **CPA 22-S05** for the proposed Future Land Use Map Amendment on the following basis:

1. The granting of the amendment will not adversely affect the public interest.
2. The proposed amendment is compatible with land uses in the surrounding area.
3. The proposed amendment is consistent with Chapter 163, Florida Statutes and the Marion County Comprehensive Plan.

PLANNING & ZONING COMMISSION RECOMMENDATION – February 21, 2022:

The Planning & Zoning Commission recommends **APPROVAL** of **CPA 22-S05** for the proposed Future Land Use Map Amendment on the following basis:

1. The granting of the amendment will not adversely affect the public interest.
2. The proposed amendment is compatible with land uses in the surrounding area.
3. The proposed amendment is consistent with Chapter 163, Florida Statutes and the Marion County Comprehensive Plan.

BOARD OF COUNTY COMMISSIONERS – ADOPTION – May 17, 2022:

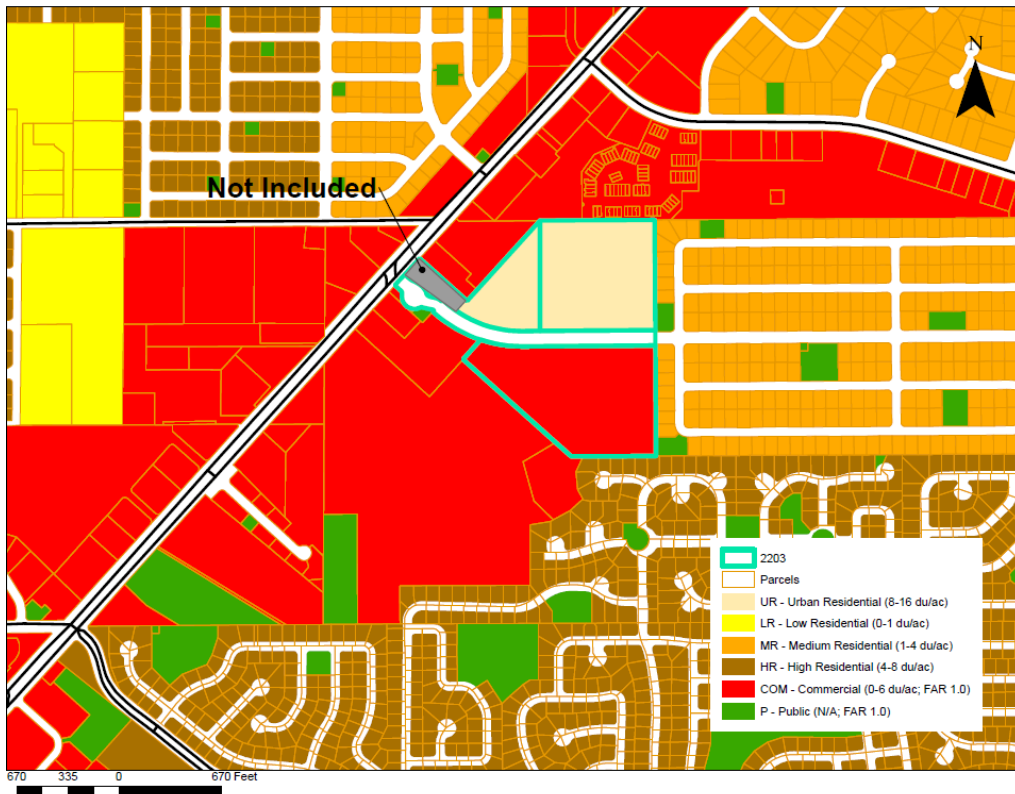
The Board of County Commissioners acted to _____ the **CPA 22-S05** for the proposed Future Land Use Map Amendment on the following basis:

1. The granting of the amendment ____ adversely affect the public interest.
2. The proposed amendment ____ compatible with land uses in the surrounding area.
3. The proposed amendment ____ consistent with Chapter 163, Florida Statutes and the Marion County Comprehensive Plan.

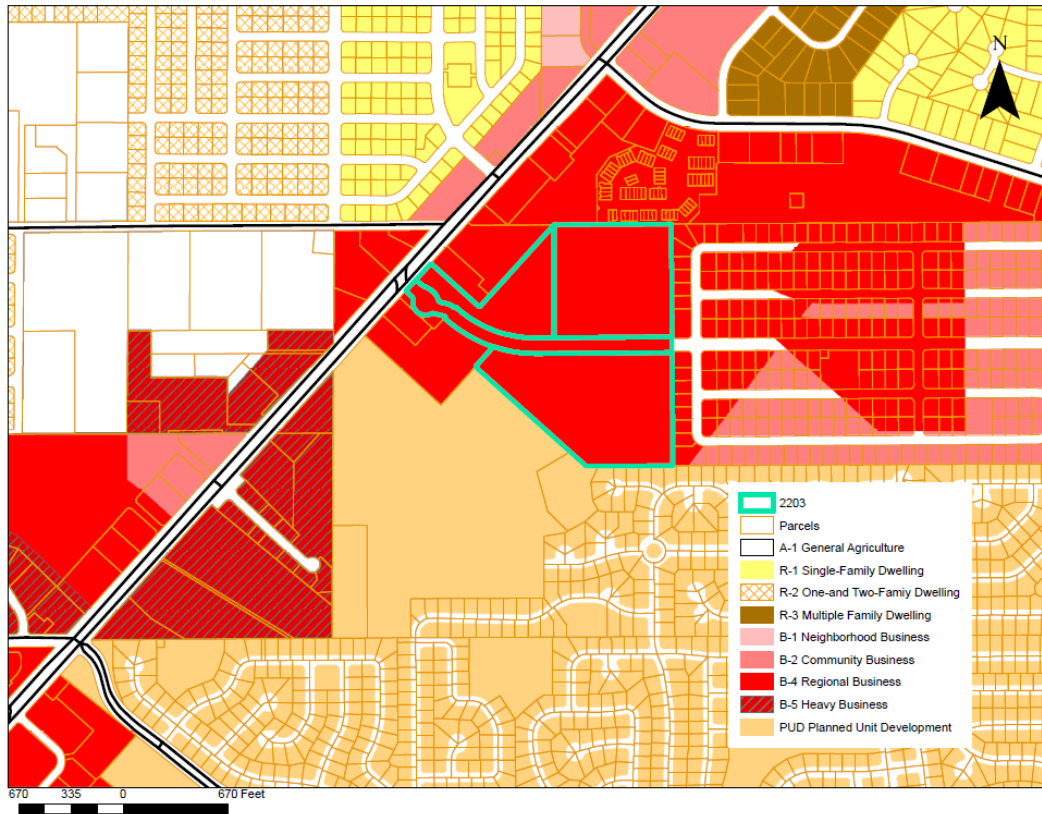
CURRENT FUTURE LAND USE DESIGNATION



PROPOSED FUTURE LAND USE DESIGNATION



CURRENT ZONING



Photos



Southbound Hwy 200 – Entrance of Palm Cay



Looking West towards Hwy 200 from SW 106th Place



Looking North towards property requesting change in land use



Looking East from SW 106th Place to the entrance of existing subdivision of Palm Cay

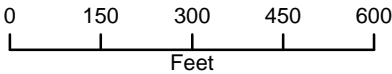


Vegetation on the easternmost boundary line of property and existing Palm Cay Water retention area

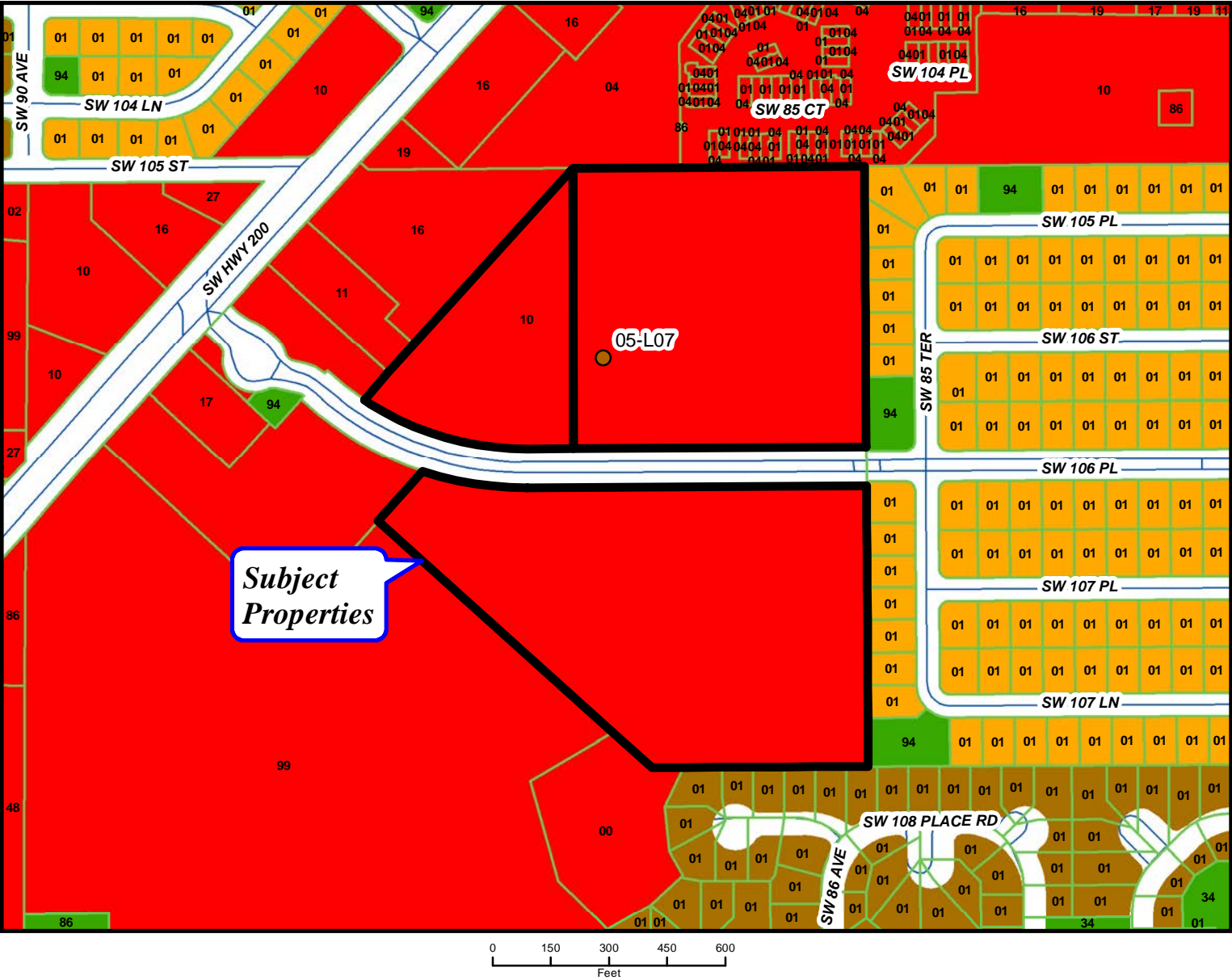




Exit from SW 106th Place on to Hwy 200

Aerial: 22-S05, 220307Z



Existing Land Use Designation 22-S05, 220307Z



Use per MC Property Appraiser		OWNER(S): PC200-1 LLC, PC200-2 LLC, and PC200-3 LLC - Todd Rudnianyn	
01	Single Family Res	AGENT: Joe London – Kinley-Horn	
50-69/99	Agricultural	PARCEL(S): 35770-055020, 35770-055-15, 35770-055-20, 35700-055-21	
00/10/40/70	Vacant	<div><p>All provided GIS data is to be considered a generalized spatial representation, which is subject to revisions. The feature boundaries are not to be used to establish legal boundaries. For specific visual information, contact the appropriate county department or agency. The information is provided visual representation only and is not intended to be used as legal or official representation of legal boundaries.</p></div> <div></div>	
71	Church		
02	Mobile Home		
06-07/11-39	Commercial		
41-49	Industrial		
83-98	Public		
82	Recreation		
03-05/08	Multi-Family	Legend	
77	Club/Lodge/Union Hall		
Policy 1.20		<div><div><div>• All Amendments</div><div>☆</div></div><div><div><div><div><div>Low Residential (0 - 1 du/ac)</div><div>Medium Residential (1 - 4 du/ac)</div><div>High Residential (4 - 8 du/ac)</div><div>Farmland Preservation Area</div></div><div><div><div>Urban Residential (8 - 16 du/ac)</div><div>Rural Activity Center (0 - 2 du/ac; FAR 0.35)</div><div>Rural Community (0 - 3 du/ac; FAR 0.70)</div><div>Commercial (0 - 6 du/ac; FAR 1.0)</div><div>Environmentally Sensitive Overlay Zone (ESOZ)</div></div><div><div><div>Employment Center (0 - 12 du/ac; FAR 2.0)</div><div>Commerce District (N/A; FAR 2.0)</div><div>Public (N/A; FAR 1.0)</div><div>Preservation (N/A; N/A)</div><div>Municipality</div></div></div></div></div></div></div></div>	



**Marion County
Board of County Commissioners**

Growth Services

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

Revised 01/09/2020

**MARION COUNTY APPLICATION FORM FOR LARGE- AND SMALL-SCALE
COMPREHENSIVE PLAN AMENDMENTS**

Staff Use Only: Case # 22-S05

PLEASE CHECK THE APPROPRIATE APPLICATION TYPE BELOW:	
LARGE-SCALE MAP AMENDMENT _____	SMALL-SCALE MAP AMENDMENT <input checked="" type="checkbox"/>
TEXT AMENDMENT _____	TEXT AMENDMENT _____ (Text amendment must be associated with submitted small-scale map amendment)

REQUIRED DOCUMENTS TO ATTACH TO APPLICATION (add additional pages if necessary):

- 1) Certified legal description with a boundary sketch signed by a Florida registered surveyor for the specific property proposed to be amended. Certified legal description must include the acreage.
 - 2) Copy of the most recent deed covering the property included within the proposed amendment.
 - 3) Notarized owner affidavit(s) – see third page of this form.
 - 4) Application fee – cash or check made payable to “Marion County Board of County Commissioners.”
 - 5) Additional information, including proposed text amendment language, necessary to complete application.
- (NOTE: If applying for text amendment only, skip filling out the rest of the form except for applicant and/or authorized agent contact information requested on this page.)

Marion County Tax Roll Parcel Number(s) Involved	Parcel Section, Township, Range (S-T-R)	Acreage of Parcel(s)	Current Future Land Use Category	Proposed Future Land Use Category
35770-055020/055-20	25-16-20	17.45	Commercial	Rural Residential
(35770-055-20)				

CONTACT INFORMATION (NAME, ADDRESS, PHONE NUMBER, FAX AND EMAIL)	
Property owner/applicant	Authorized agent (if not the owner/applicant)
PC 200-1, LLC, PC 200-2, LLC & PC 200-3, LLC Todd Rudniansky, MGR 2441 NE 3rd St #201 Ocala, FL 34470 352-629-6101 toddrud@gmail.com	Joe London Kimley-Horn 101 E Silver Springs Boulevard, Suite 400 Ocala, FL 34470 352 438 3033 Joe.London@kimley-horn.com

Staff Use Only: Application Complete – Yes Received: Date ____/____/____ Time ____:____ a.m. / p.m. **Page 1 of 3**

Project: 2021060062

AR: 27857

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www.marioncountyfl.org

CONCEPTUAL PLAN FOR SITE AVAILABLE? YES X NO ____
(IF YES, PLEASE ATTACH TO APPLICATION)

EXISTING USE OF SITE:

Vacant/Agricultural/Forestry

PROPOSED USE OF SITE (IF KNOWN):

Residential

WHICH UTILITY SERVICE AND/OR FACILITY WILL BE UTILIZED FOR THE SITE?

Well ____ Centralized water X Provider Marion County
Septic ____ Centralized sewer X Provider Marion County

DIRECTIONS TO SITE FROM GROWTH SERVICES BUILDING (2710 E. SILVER SPRINGS BLVD., OCALA):

Take SE 3rd St to S Pine Ave.

Follow FL-200 to SW 106th Pl

PROPERTY OWNER AFFIDAVIT

Revised 01/09/2020 -

STATE OF Florida
COUNTY OF Marion

BEFORE ME THIS DAY PERSONALLY APPEARED PC 200-1, LLC, PC 200-2, LLC, and PC 200-3, LLC,
Property owner's name, printed

WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner of the real property legally identified by Marion County Parcel numbers:
35570-05520, 35570-055-20, _____.
2. He/she duly authorizes and designates Todd Rudniansyn and Joe London to act in his/her behalf for the purposes of seeking a change to the future land use map designation of the real property legally described by the certified legal description that is attached with this amendment request;
3. He/she understands that submittal of a Comprehensive Plan map and/or text amendment application in no way guarantees approval of the proposed amendment;
4. The statements within the Comprehensive Plan map and/or text amendment application are true, complete and accurate;
5. He/she understands that all information within the Comprehensive Plan map and/or text amendment application is subject to verification by county staff;
6. He/she understands that false statements may result in denial of the application; and
7. He/she understands that he/she may be required to provide additional information within a prescribed time period and that failure to provide the information within the prescribed time period may result in the denial of the application.
8. He/she understands that if he/she is one of multiple owners included in this amendment request, and if one parcel is withdrawn from this request, it will constitute withdrawal of the entire amendment application from the current amendment cycle.

[Signature]
Property owner's signature

1/5/22
Date

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 5th day of January, 2022 (year),
by Todd Rudniansyn (name of person making statement).
He/she is personally known to me or has produced _____ as
identification. (Driver's license, etc.)

[Signature]
Notary public signature

State of Florida County of Marion
My commission expires: June 18, 2022

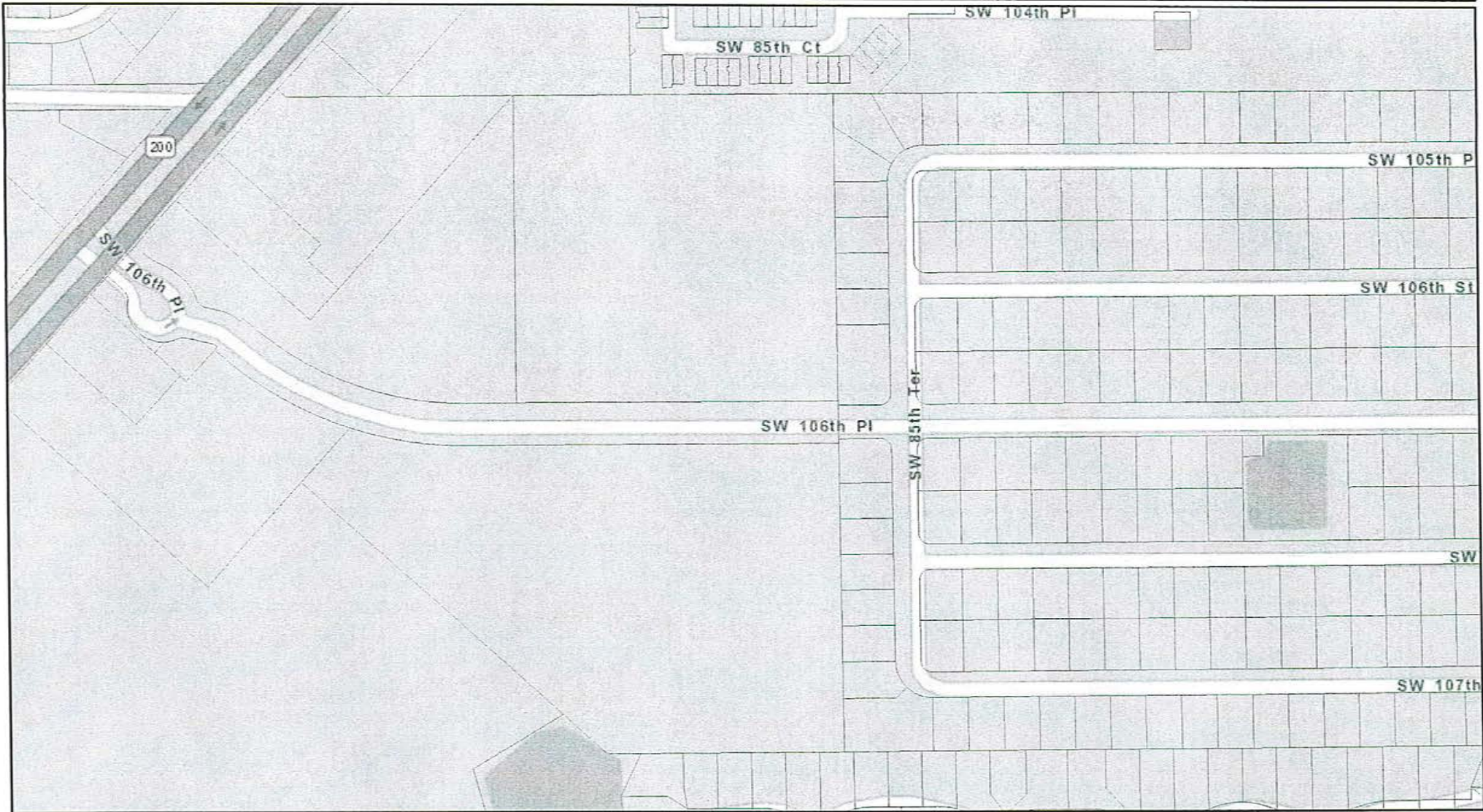


PATRICIA A. KARNEY
Commission # GG 187703
Expires June 18, 2022
Bonded Thru Budget Notary Services



Jimmy H. Cowan, Jr., CFA
Marion County Property Appraiser

Updated every 24 hours

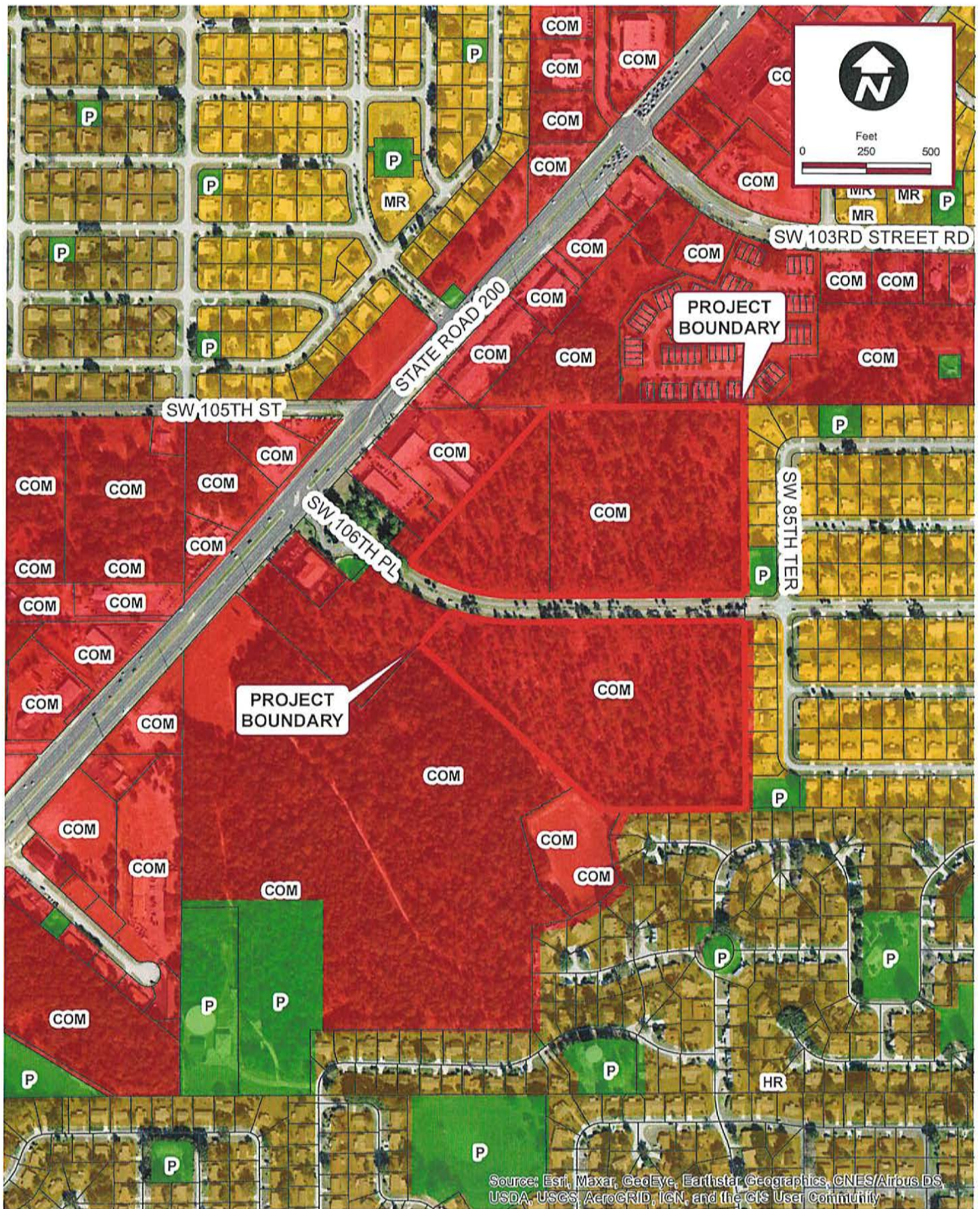


1:4,514
0 180 360 720 ft
0 50 100 200 m

Print Date: 01/05/2022

Sources: Esri, HERE, Garmin, USGS, Intermap,
INCREMENT P, NRCan, Esri Japan, METI, Esri
China (Hong Kong), Esri Korea, Esri (Thailand),

DISCLAIMER: This is a work in progress. This application was compiled by the Marion County Property Appraiser's Office solely for the governmental purpose of property assessment. These are NOT surveys. Our goal is to provide the most accurate data available, however, no warranties, expressed or implied are provided with this data, its use, or interpretation. All information subject to change without notice. Use at your own risk.



Kimley»Horn

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www.kimley-horn.com Registry No. 696

4 - MARION COUNTY FUTURE LAND USE

PALM CAY APARTMENT & TOWNHOME DEVELOPMENT
MARION COUNTY, FLORIDA

Scale: As Noted

Project No.: 142191000

January 2022

Figure 4