

Date: 5/4/2021

MARION COUNTY GROWTH SERVICES

P&Z: 4/26/2021 BCC Transmittal: 5/18/2021 [Tentative BCC Adoption: 7/20/2021]

Amendment No: 2021-L01

Type of Application Large-Scale Comp Plan Amendment

Request:

1) FLUMS Map 1 Future Land Use Designation Amendment:

From: Commercial (±19.64 acres) and Medium Residential (±19.64 acres) To: Employment Center (±39.28 AC)

Concurrent Zoning Case: 20210501Z

Development Agreement: OR Bk/Pg: 3450/484-487

Parcel #/Acreage: 48320-000-00 / ±39.28 AC

Owner:

J.R. & D.T. Schilling & New Direction IRA

Applicant(s):

David Tillman, Tillman & Associates Engineering

Location: 9494 SE Hwy 42, south side of SE Hwy 42, ±1/2 mile west of S. US Hwy 441.

Staff Recommendation Approval

P&Z Recommendation Approval

Approval Vote 3 to 2

Project Planner Christopher D. Rison, AICP, Senior Planner

Existing Use:
Mobile home w/field & trees

Code Enforcement Actions On-site: None.



RECOMMENDATIONS & HEARINGS HELD FOR THIS AMENDMENT

Action	Result
Staff Recommendation	APPROVAL
P&Z Recommendation	APPROVAL
BCC Transmittal	PEND
BCC Adoption	PEND

Notice of Public Hearing
Property Owners within 300 feet of
the subject property: 125.

A companion PUD Rezoning Application (20210501Z) has been submitted for concurrent consideration with this Amendment request. Approval of this Amendment request would be necessary in order for that PUD Rezoning Application to be approved.

PROJECT INFORMATION

Plan Amend to change FLUM Land Use Designation from Commercial and Medium Residential to Employment Center on ±39.28 AC.

Water/Sewer: Central water and central sewer services are available from Marion County Utilities from Hwy 42.

Environmental: No areas of 100-Year Flood Plain or wetlands, although a Flood Prone area has been identified; listed species are possible due to site's sandhill nature; County-wide Secondary Springs Protection Zone; not in an Environmentally Sensitive Overlay Zone.

Transportation: Access via Hwy 42, a limited narrow right-of-way. Cross access opportunities are available. Final traffic study to determine needed improvements. Further coordination with design and surroundings will be necessary with rezoning and development review.

LOCATION

The site consists of 39.28 acres located at 9494 SE Hwy 42, on the south side of SE Hwy 42 adjoining the residential Hilltop Estates & Villages of Marion Phillips Villas Subdivision, along with the commercial Villages of Marion Mulberry Grove East Phase 2 Subdivision. Portions of the Orange Blossom Hills Subdivision are located north across SE Hwy 42 from the site.

Current & Proposed FLUM Development Eligibility*

Eligibility*			
CATEGORY	MAXIMUM INTENSITY		
CURRENT*			
Medium	78 DU*		
Residential	(187 persons)		
±19.64 AC			
@ 4 DU/AC			
Commercial	256,590 GSF*		
±19.64 AC			
@ 1 FAR	855,518 GSF		
PROF	POSED		
Employment Center	±39.28 AC		
@ 16 DU/AC	628 DU		
	(1,507		
	persons)		
@ 2 FAR	3,422,073		
<u></u>	GSF		
Cha	ange		
DU &	+550 DU		
Population	(+1,320		
	persons)		
Com/Ind	+3,165,483		
	GSF		
	DU = Dwelling		
	oor Area Ratio,		
	Square Foot		
*A Developer's	Agreement		

Site Historic Information: Plan Amendment: 2001-L04. Zoning Case: 20160115Z (P-MH).

limits the site's maximum

will require modifying or

terminating the current Developer's Agreement.

residential and non-residential

listed in BOLD type above. Any

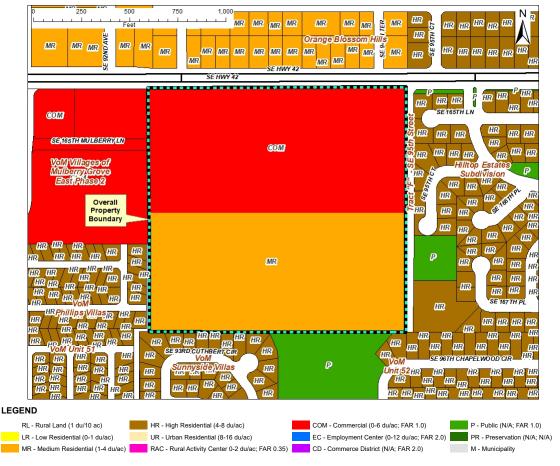
increase above those amounts

development to the amounts

Existing and Requested Land Use Designations:

Policy 2.1.18: Medium Residential (MR): Intended to recognize areas suited for primarily single-family residential units within the UGB, PSAs and Urban Area. However, the designation allows for multi-family residential units in certain existing developments along the outer edges of the UGB or Urban Area. The density range shall be from one (1) dwelling unit per one (1) gross acre to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.

CURRENT FUTURE LAND USE DESIGNATION



PROPOSED FUTURE LAND USE DESIGNATION



Policy 2.1.22: Commercial (COM): Intended to provide for mixed-use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to eight (8) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP). This land use designation is an Urban Area land use.

Policy 2.1.23: Employment Center (EC): Intended to provide a mix of business, enterprise, research and development, light to moderate intensity commercial, and light industrial, activities. This designation also allows residential uses, campgrounds and recreational vehicle parks (RVP). - This land use designation will allow for and encourage mixed use buildings. The density range for residential units shall be up to sixteen (16) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 2.0, as further defined by the LDC. This land use designation is an Urban Area land use.

REQUEST/BACKGROUND

The applicant is requesting to amend the site's future land use designation from a combination of Commercial and Medium Residential to Employment Center. A Comprehensive Plan Future Land Use Map (FLUM) Amendment (2001-L04) approved in 2001 designated the north ½ of the site Commercial and the south ½ Medium Residential. That approval was accompanied by a companion Developer's Agreement (Official Record Book 3450, Pages 484-487, copy attached) that established maximum development amounts for the resulting Commercial and Medium Residential portions of the site. Staff notes that at the time the Amendment was approved, the Villages of Marion project within Marion County was in its beginning stages, only having its primary Development Order approved in October 1999. The Hilltop Estates Subdivision (1985) to the east was being developed, and the majority of the Orange Blossom Hills Subdivision (1959) roadways on the north side of SE Hwy 42 were unpaved, with the exception the isolated area directly across SE Hwy 42 from the site that extends east to S. US Hwy 441, and that isolated area remains "disconnected" from the remainder of Orange Blossom Hills to the west and north at this time.

EXISTING CONDITIONS

The ±39.28 acre site includes a mobile home (1972/576 SF) with a mix of former fields/pasture and trees. The site slopes generally southeast and is essentially a "sandy" habitat (Candler) that may make the site suitable habitat for some listed species, and no wetlands are located on-site. No formal flood zones are present, however the Marshall Swamp Watershed Basin Management Plan identifies a flood prone area in the southeast corner of the site that corresponds to the site's existing contours. The site is not in an Environmentally Sensitive Overlay Zone (ESOZ), but is in the general Countywide Secondary Springs Protection Zone.

The site is located outside the formal Urban Growth Boundary (UGB) but is considered to be part of the existing "Urban Area" as identified in Future Land Use Element Table 2-1 and Policy 3.1.6. This "Urban Area" is generally focused around the S. US Hwy 441 and SE Hwy 42 intersection. A variety of existing uses, "Urban Area" land use designations, and zoning districts surround the site. The site's existing surrounding future land use designations, zonings, and uses are further listed below:

Table 1 -	- Adjacent Propert	y Characteristics	
Direction	FLUM Designation	Zoning	Existing Use per MCPA Property Code
N	Medium Residential	R-1 (Single-Family Dwelling)	Orange Blossom Hills Subdivision – SFR & Vacant lots
S-W	High Residential	PUD (Planned Unit Development)	VoM Unit 51
S-E	High Residential	PUD (Planned Unit Development)	VoM Villas of Sunnyside
E	Medium Residential	R-4 (Mixed Use Residential)	Hilltop Estates Subdivision
W-N	Commercial	PUD (Planned Unit Development)	VoM Mulberry Grove East Ph. 2
W-S	High Residential	PUD (Planned Unit Development)	VoM Phillips Villas
VoM = Villa	ges of Marion		

DEVELOPMENT CONTEXT

The requested future land use designation is intended to allow for higher density and intensity residential and commercial uses. The increased residential densities may accommodate a variety of housing types and increase opportunities for housing diversity. The increased commercial intensities may accommodate uses that provide diverse services and employment opportunities for surrounding areas and potential companion residential uses, particularly as

potential mixed use sites and mixed-use structures. The overall Villages project to the south along with historic and new projects in the area continue to develop as well; however many of those projects continue to focus on less dense single-family residential detached dwelling units. This uniform development pattern limits housing diversity as the area's population continues to grow and contributes to increasing urban sprawl concerns. The potential mix of increased residential and commercial use opportunities may compliment and support the existing commercial area of the Villages and the continuing increase in population in the Orange Blossom Hills Subdivision. Currently, approximately 1,830 single-family detached residential units are present in Orange Blossom Hills/Pinehurst; however, based on the subdivisions' current zoning and land use allowances, 2,800 to 3,500 dwelling units may be accommodated, all as single-family detached dwellings.

The site will access SE Hwy 42 that was 4-laned by the Villages of Marion developer under a Roadway Improvement Agreement with Marion County. The SE Hwy 42 location, adjoining commercial areas, and surrounding residential areas allow the site to function as an infill opportunity in this "Urban Area" to provide an opportunity to diversifying housing and support creating a central place for the surrounding communities that may ultimately be accessed in a variety of means.

Central water and central sewer services are available from Marion County Utilities. Site development will be the responsibility of the developer which may form partnerships with additional entities providing for infrastructure coordination consistent with the County's Land Development Code (LDC). An existing Marion County Fire/EMS Station and Sheriff Substation are a short distance to the west off SE Hwy 42.

The proposed Employment Center future land use designation does allow a variety of uses, although the final uses will be dependent on the ultimate uses chosen by the developer and enabled through the site's final zoning classification. Marion County's LDC addresses buffering between the adjoining properties and those ultimately established on the site. Further, other site development characteristics such as outdoor lighting are also addressed to ensure compatibility.

The requested Employment Center future land use designation will increase the potential development diversity of land in an existing "Urban Area" where existing central utilities, transportation routes, and emergency services are present.

PUBLIC FACILTIES AND SERVICES

Environmental: The site has does not appear to have been actively managed for many years and has become somewhat overgrown. At the time of development, an Environmental Assessment for Listed Species will be required and its review will be conducted in conjunction with jurisdictional state and regional agencies (FDEP/USFWS). The site is essentially a sandhill habitat site without any 100-Year Flood Plain or wetland areas. According to the Soil Survey of Marion County, Florida, the site is Candler sandy soil that includes potential risk for sinkhole activity which is consistent with the surrounding lands and Marion County's karst terrain. Site development will also require a stormwater and karst analysis conducted in conformance with Marion County's Primary

Springs Protection Overlay Zone requirements in coordination with jurisdictional regional agencies (e.g., SJRWMD).

School Facilities: School facilities may be impacted by the proposed amendment due to the increase in potential residential units. Marion County Public Schools (MCPS) staff commented that adequate capacity exists at the District Wide Level; however localized overcrowding occurs in certain areas. Stanton Weirsdale Elementary, Lake Weir Middle, and Belleview High Schools serve the area. Stanton Weirsdale and Lake Weir Middle are currently below capacity, while Belleview High School is currently at 105% capacity; however, school demands fluctuate and MCPS does actively manage district and school capacities to address such fluctuations.

Public Safety: The County's Villages Fire Station #10 is located ±1 mile west of the site at 8220 SE 165th Mulberry Lane, while the Sheriff's North Multi-District Office is located ±1 mile to the west at 8230 SE 165th Mulberry Lane. Limited public system hydrants are currently located within the area; however 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 Code (LDC).

Potable Water & Sanitary Sewer: The site is in Marion County's Stonecrest SE Regional Utility Service Area.

TABLE 2. Water & Sanitary Sewer Capacity - Maximum Demand in Gallons Per Day (GPD)						
Utility Service LOS Standard	Existing FLU	Proposed FLU	Net Change			
Residential (# of Units)	78 units	628 units	+550 units			
Non-Residential (acres)	±19.64 acres	±39.28 acres	+19.64 acres			
Water (PWE Policy 1.1.1) Residential (150 GPD/person/unit*) Non-Residential (2,750 GPD/acre)	28,080 GPD	226,080 GPD	+198,000 GPD			
	54,010 GPD	108,020 GPD	+ 54,010 GPD			
Sewer (SSE Policy 1.1.1) Residential (110 GPD/person/unit*) Non-Residential (2,000 GPD/acre)	20,592 GPD	165,792 GPD	+145,200 GPD			
	39,280 GPD	78,560 GPD	+ 39,280 GPD			
*2.4 persons/unit Sources: Marion County Growth Services & Florida Statistical Abstract 2006-13.						

Table 3 – Potable Water and Wastewater System Capacities				
Marion County Stonecrest	WATER	WASTEWATER		
SE Regional Utilities	(MGD)	(MGD)		
DESIGNED/CONSTRUCTED CAPACITY	12.004	1.000		
CURRENT CAPACITY/FLOW	3.369			
AND RESERVED CAPACITY		0.670		
CURRENT AVAILABLE CAPACITY	8.635	0.335		
AMENDMENT MAX CAPACITY DEMAND	0.226	0.166		
REMAINING AVAILABLE CAPACITY		0.160		

Development of the site will require centralized utility services, which are available from central water and central sewer service lines within SE Hwy 42. Finally, participation by the developer through development agreements and/or partnerships with the County may occur, particularly in relation to accessing the existing service lines.

Stormwater/Drainage: The site does not include 100-Year Flood Plain areas or wetlands, and its sandy habitat nature is well suited for stormwater drainage. A limited Flood Prone Area on-site has been identified by the Marshall Swamp Watershed Management Plan. All proposed development is required to hold stormwater on-site, up to and including a 100-year storm event, along with other specialized requirements to address and discourage on-site or off-site flooding concerns including compliance with Marion County's Springs Protection Overlay Zone requirements. If this amendment is granted, 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).

Recreation: As with schools, the proposed land use change would increase potential residential use of the site. Recreation facilities would potentially be impacted by the potential development increase (628 DUs potentially 1,507 persons). However, it is not expected to adversely affect recreation facilities generally as Marion County has ample Federal, State, and County owned lands available for recreational activity and exceeds the currently established LOS standard. No common public community recreation facilities are available within the immediate area; however the County currently provides the Carney Island park to the east, along with other limited park sites, and the County currently holds a property in reserve for a potential public/park use within the Orange Blossom Hills Subdivision. [For reference, the companion PUD Rezoning Application to this request proposes providing some internal residential community amenities.]

Solid Waste: The LOS is 6.2 pounds per person per day (Solid Waste Element, Policy 1.1.2). The proposed land use change would increase potential residential and/or use of the site, but may not significantly affect the County's solid waste operations. The County has identified and arranged for short-term and long-term disposal needs by obtaining a long-term contract reserving capacity with a private landfill in Sumter County. Additionally, the County has recently expanded the Weirsdale Recycling Site located ±4.5 miles east of the site. Further, the County continues to pursue recycling opportunities and other avenues to address solid waste needs based on existing and projected conditions.

Transportation: Amendment 21-L01 was analyzed using the Institute of Transportation Engineers (ITE) Trip Generation Handbook, 10th Edition and/or the Marion County 2015 Transportation Impact Fee Schedule as based on the ITE Trip Generation Handbook, 9th Edition. At maximum residential or maximum commercial development levels, significant impacts may result from the ±39.28 acre site with a residential maximum of ±2,600 daily trips and ±11 PM peak hour trips and a commercial maximum of ±33,785 daily trips and ±15,490 PM peak hour trips. (See Amendment Trip Generation Table). However, the concurrent PUD Rezoning Application proposes a limited scope of development; further, Marion County has been experiencing significantly lower commercial build-out levels in the area more typically at a 0.30 floor area ratio (FAR) rather than a 2.0 FAR.

SE Hwy 42 is a limited and constrained right-of-way. The site is potentially constrained by limited cross access opportunities that may result in a "cul-de-sac" development effect for the site; however, additional alternative access may be arranged in coordination with formal development of the site. The coordination of vehicle and other multi-modal access forms in this area is a continuing concern for the area. Development proposals associated with this application will be subject to review and approval under the County's LDC including concurrency and access review processes which may require additional specialized access improvements.

Table 4 – Immedia	ate Roadway Network S	Status					
			Existing Conditions				
Road	Class	Maint. Entity	Surface	No. Lanes	R/W Width	R/W Deficiency	
SE Hwy 42	Arterial	County	Paved	4	±85'	±35'	
SE 89 th Terrace	Subdivision Local	County MSBU	Paved	2	±50	±0-10'	
SE 164 th Place	Subdivision Local	County MSBU	Paved	2	±50	±0-10'	

Table 5 – Pro	jected Amendment Trip	Generation	1		
Scenario	Land Use	Acres (±)	Potential Max Development	Daily Trips	PM PK HR. Trips
Existing	Medium Residential	220	78	514 DU	52
	Commercial		838 KSF	33,785	15,940
Proposed	High Residential	221	628	2,600 DU	257
	Commercial		3.4 MSF	23,852	10,936

Projections based on Marion County 2015 Transportation Impact Fee Study and/or ITE 10th Edition. ITE 210 = SFR; ITE 220 = Low Rise MF (1-2 stories); ITE 221 = Mid Rise MF (3-4 stories). KSF = Thousand Square Feet; MSF = Million Square Feet

RECOMMENDATIONS:

STAFF RECOMMENDATION:

Growth Services recommends **APPROVAL** of **CPA 21-L01** 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, subject to final traffic concurrency compliance at the time of development review.

PLANNING & ZONING COMMISSION RECOMMENDATION - April 26, 2021:

The Planning & Zoning Commission recommends **APPROVAL** of **CPA 21-L01** 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, subject to final traffic concurrency compliance at the time of development review.

BOARD OF COUNTY COMMISSIONERS – TRANSMITTAL – May 18, 2021:

The Board of County Commissioners acted to **APPROVE** transmitting **CPA 21-L01** for agency review under the *expedited state review* process.

REVIEW AGENCY COMMENTS – [Tentative – July, 2021]:

Amendment reviewed by state and regional agencies via Expedited State Review pending.

BOARD OF COUNTY COMMISSIONERS - ADOPTION - [Tentative - July, 2021]:

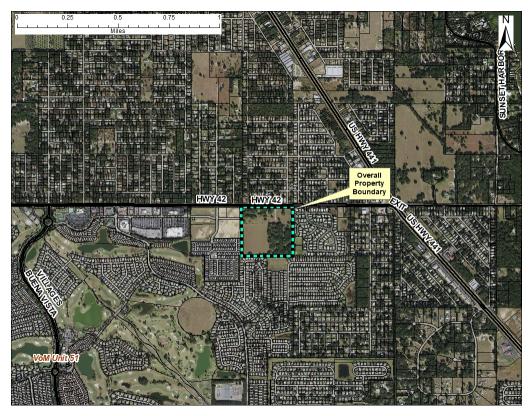
The Board of County Commissioners [_____] CPA 21-L01 on the following basis:

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

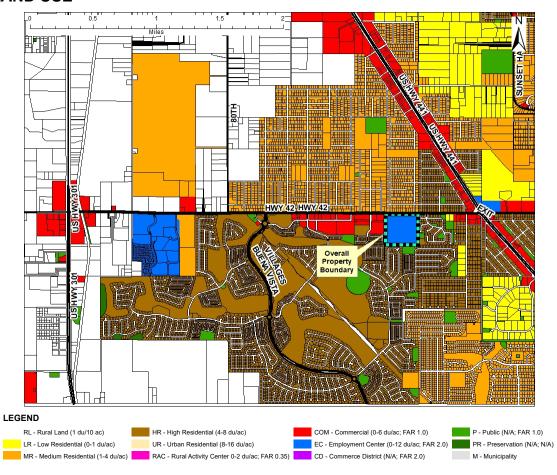
CURRENT ZONING



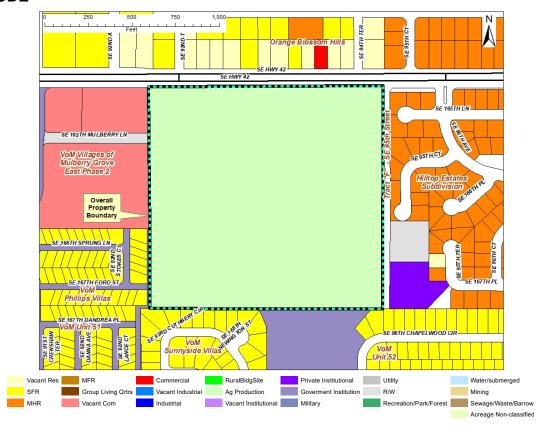
EXPANDED AERIAL VIEW



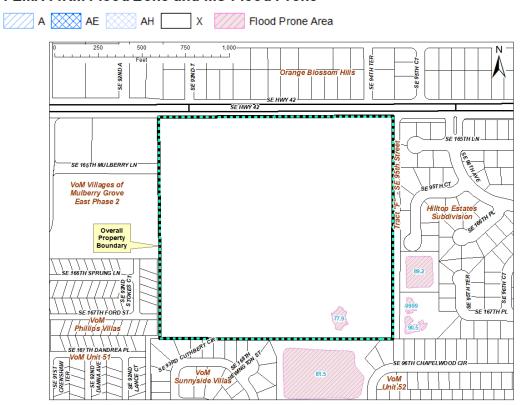
EXPANDED FUTURE LAND USE MAP VIEW WITH PROPOSED FUTURE LAND USE



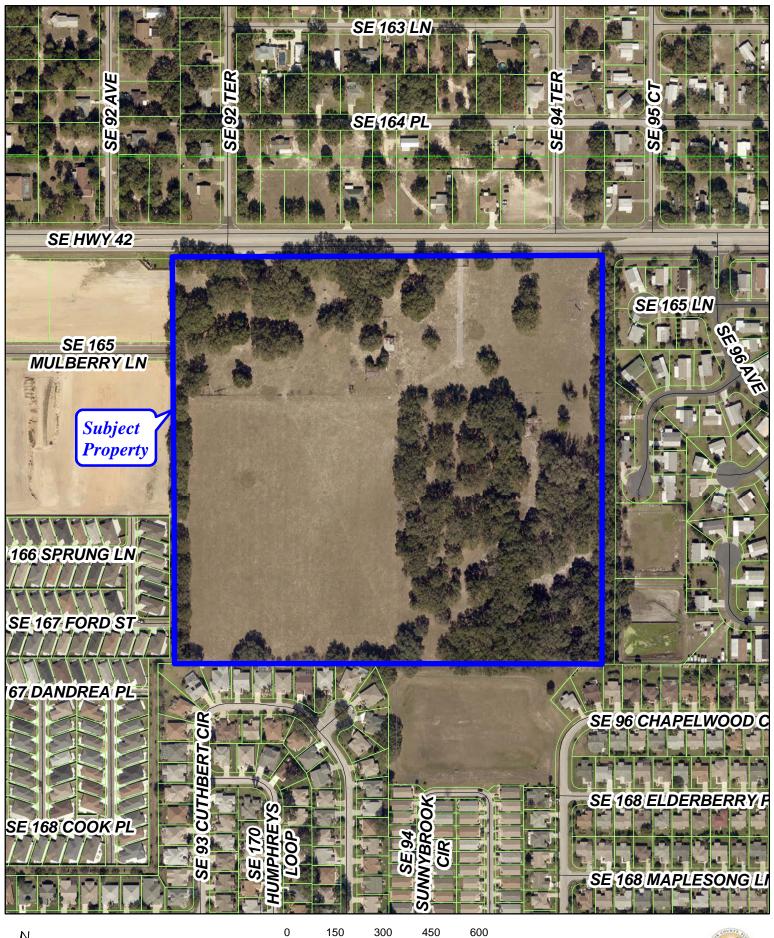
EXISTING USE PER MARION COUNTY PROPERTY APPRAISER LAND USE CODE



FEMA FIRM Flood Zone and MC Flood Prone



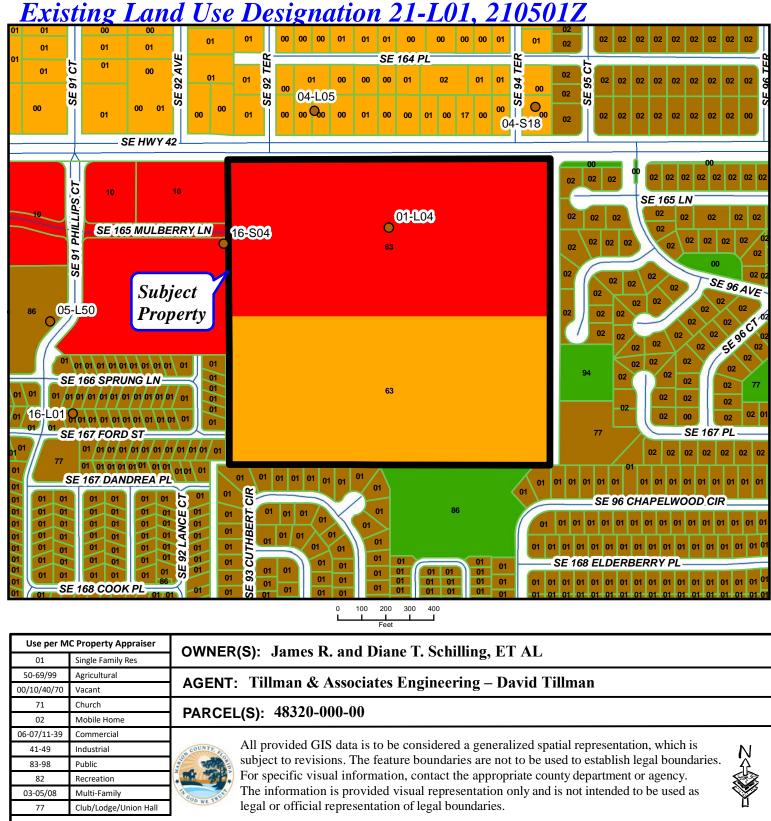
Aerial: 21-L01, 210501Z

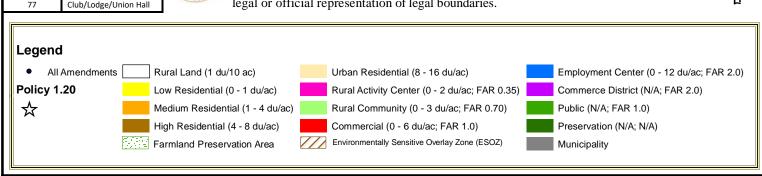


Feet











Marion County Board of County Commissioners

Growth Services ♦ Planning & Zoning

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

	CASE NUMBER:	
	ceived: 03 / 03 / 202	_
Time Re	seeived: 3:39 am/6m	
Concurr	ent Zoning Case (if any):	

COMPREHENSIVE PLAN AMENDMENT APPLICATION

PLEASE CHE	CK THE APPLICABLE AME	NDMENT APPLICATION TYPE BELOW:		
	E MAP AMENDMENT	SMALL-SCALE MAP AMENDMENT*		
LARGE-SCALE TEXT AMENDMENT		SMALL-SCALE TEXT AMENDMENT**		
*Map Amendment site must be **Text amendment must be dire	10 acres <u>or less.</u> ectly associated with, and only be applicab	le to, an accompanying Small-Scale Map Amendment		
APPLICATION FEE:	SMALL-SCALE AMENDMENT (Ma LARGE-SCALE AMENDMENT (Ma	up or Map with Text) = \$3,000 up or Text) = \$5,000		

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 <u>must</u> include the acreage.
- 2) Copy of the most recent deed covering the property included within the proposed amendment.
- 3) Notarized owner/applicant 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, the applicant and/or authorized agent contact information must be completed as requested on this page, then proceed to the bottom of Page 2.)

Marion County Parcel		Future Land Use Designation per FLUMS		
Tax Roll Parcel Number(s) Involved	Acreage	Current	Proposed/Requested	
48320-000-00	39.28	commercial & med den	employment center	
· (-)	-			

Please add an additional sheet(s) if more table entries are required.

Property owner/applicant	Authorized agent (if not the owner/applicant)
James R. Schilling, Diane T. Schilling &	Tillman & Associates Engineering
New Direction IRA FBO Richard J. Schilling IRA	David Tillman
7524 N Chief Lake Rd	1720 SE 16th Ave, Bldg 100
Hayward, WI 54843-4236	Ocala, FL 34471

Project #: 1999 004402

S T Q

66-11-76

"Meeting Needs by Exceeding Expectations"

AR + 26354

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HR 363

CONCEPTUAL PLAN FOR SITE AVAILABLE?	VES	/	NO	
(IF YES, PLEASE ATTACH TO APPLICATION)	120			

vacant	USE OF SITE:
, 404.11	
PROPOSED	USE OF SITE (IF KNOWN):
Commerc	cial and multi-family
WHICH UTI	LITY SERVICE AND/OR FACILITY WILL BE UTILIZED FOR THE SITE?

Well	Centralized water Provider Marion Utility Department
Well	
Well	Centralized water Provider Marion Utility Department Centralized sewer Provider Marion Utility Department
Well Septic ROVIDE DIR	Centralized water Provider Marion Utility Department
Well Septic ROVIDE DIR 710 E. SILVE	Centralized water Provider Marion Utility Department Centralized sewer Provider Marion Utility Department ECTIONS TO THE SITE FROM THE GROWTH SERVICES BUILDING
Well Septic ROVIDE DIR 710 E. SILVE	Centralized water Provider Marion Utility Department Centralized sewer Provider Marion Utility Department ECTIONS TO THE SITE FROM THE GROWTH SERVICES BUILDING CR SPRINGS BLVD., OCALA):
Well Septic ROVIDE DIR 710 E. SILVE	Centralized water Provider Marion Utility Department Centralized sewer Provider Marion Utility Department ECTIONS TO THE SITE FROM THE GROWTH SERVICES BUILDING CR SPRINGS BLVD., OCALA):

TEXT AMENDMENTS: If applying for a text amendment, provide the proposed text amendment in an underline (<u>new text</u>) and strike-out (deleted text) format. The text amendment must include the appropriate citation for the amendment's location within the Comprehensive Plan (e.g., goal, objective, policy, map series, etc.) if amending an existing Plan item, or proposing a new item's location within the Plan. The text amendment must also be accompanied by data and analysis describing the purpose, intent, effect, and impact of the proposed text amendment.

