



Marion County Planning & Zoning Commission

Date: 5/13/2021

P&Z: 5/24/2021 BCC: 5/18/2021

Application No:
210607Z

Type of Application:
Rezoning

Request:

From: PUD, Planned Unit Development (Expired)

To: PUD, Planned Unit Development (89 single family dwelling units)

Future Land Use

Designation:

Medium Density Residential

Parcel #/Acreage:

23304-001-00/±27.89

Existing Use:

Portions vacant. Phase 1 WWTP on NE side

Owner/Applicant(s):

CMH Parks Inc./ Isabelle Albert, AICP- Halff Associates Inc.

Staff

Recommendation

Approval with Development Conditions

P&Z

Recommendation:

TBD

Project Planner

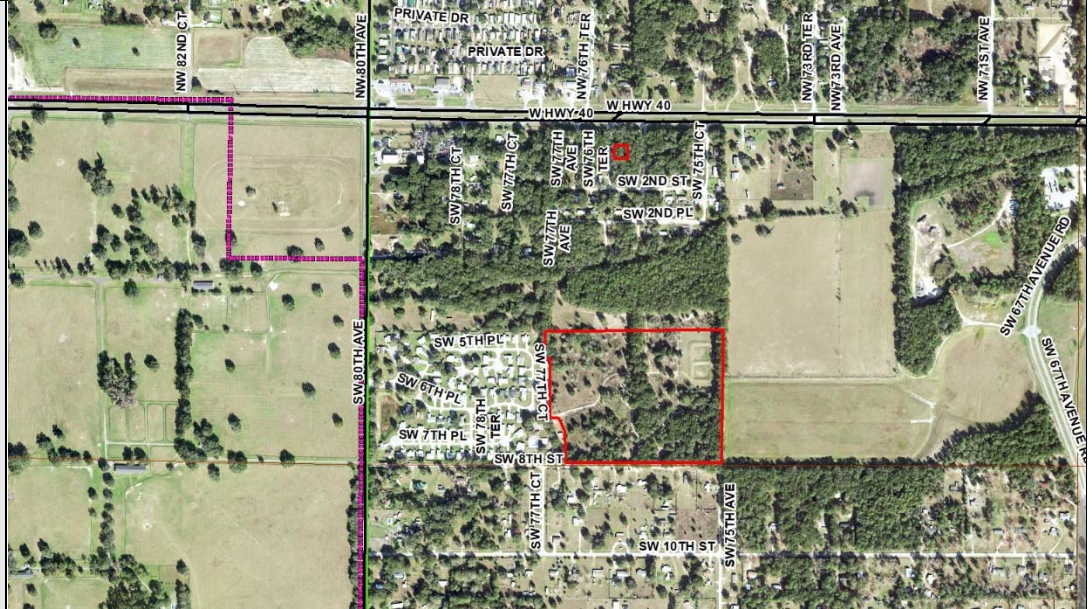
Kimberleigh Dinkins,
Senior Planner

Code Enforcement

Action:

None.

Previous Rezoning Applications:



Item Summary

Staff is recommending **APPROVAL WITH DEVELOPMENT CONDITIONS** for a rezoning from PUD (Planned Unit Development) to PUD (Planned Unit Development) on ±27.89 acres, in accordance with Marion County Land Development Code, Article 2, Division 7, *Zoning Change*. This request is proposing 89 residential units. The project is .

Public Notice

Notice of the public hearing was mailed to 32 property owners within 300 feet of the subject property.

Location

The property is located at 7745 SW 6th Place which is east of Ocala Falls Unit I and will access through that phase. It is just east of SW 80th Ave and south of West HWY 40.

Request

The applicant is requesting to reactivate a PUD to allow for 89 residential units on 27.89 acres, consistent with the site's Medium Density Residential future land use designation and previous approvals for the development.

<p><i>Pre 1986 PUD as Phase II of Falls of Ocala</i></p> <p>Previous Comp. Plan Amendments: None</p>	
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Analysis

The proposed PUD is requesting 89 residential units. A conceptual plan for the development has been submitted as part of the application. Prior to this request, the property obtained approval of a preliminary plat for up to 89 units (2005), but that plan has expired. Additionally, significant changes to the Land Development Code (LDC) makes it necessary to review the PUD as a rezoning application.

Internal Circulation

The project proposes sidewalks to meet LDC standards. Primary access is proposed from SW 80th Ave through Unit 1. The property abuts a section line on its southern boundary along SW 8th St, and a 30ft easement exists on the northern boundary of the subdivision to the south (Ocala Thoroughbred Farms). The conceptual plan shows a 30ft ROW easement adjacent and connected to Ocala Thoroughbred Farms, and a future connection SW 8th St. Staff recommends additional coordination with the Office of the County Engineer to determine a timeline for construction of that additional access point.

Open Space

The project proposes only a 12% buffer, and the buffer surrounding the wastewater treatment plant is shown internal to the development, rather than surrounding the perimeter. Sidewalks that are consistent with the Marion County Land Development Code are proposed, which will increase the overall open space calculation. Based on conversations with the applicant, residents will have access to the existing clubhouse and amenities in Unit 1. Conditions are proposed to ensure that minimum open space is met.

Vicinity

The subject property is adjacent to two existing subdivisions, Falls of Ocala and Ocala Thoroughbred Acres. The Falls of Ocala was one of the first PUD developments in the area, and this project has been contemplated as the second unit of that development since its approval. The vicinity is rapidly changing, with Golden Ocala/World Equestrian Center to the North, and On Top of the World expansion to the south along 80th Ave.

In reaching its decision, the Commission must address the following:

- a. **Granting the proposed zoning change will not adversely affect the public interest.** The subject property is adjacent and connected to Falls of Ocala Unit 1. It is consistent with the design of Unit II approved in 1986. There are outstanding questions related to requirements to connect with central water and sewer and timing of the roadway construction and connection to SW 8th St. Development conditions have been recommended in order to ensure that the project complies with County LDC.
- 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 these properties as Medium Density Residential. Rezoning the site to PUD for residential uses is consistent with the Comprehensive Plan.
- c. **The proposed zoning change is compatible with land uses in the surrounding area.** The subject property has been designated PUD since at least 1986. The proposed plan does not demonstrate a substantial deviation from the plan approved at that time, and staff has recommended development conditions to ensure compliance with the existing LDC.

The following tables summarize the adjacent future land use designations, zoning districts, and existing uses:

ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning	Existing Use per MCPA Property Code
N	Low Residential	A-1, General Agriculture	Pasture
S	Low Residential	A-1, General Agriculture	SFR/Mobile Home
E	Public	A-1, General Agriculture	Pasture/Industrial
W	Rural Land	A-1, General Agriculture	Pasture

Access to the property is from 80th Ave, over SW 6th PL. A secondary access to SW 80th Ave, through SW 8th St is proposed as a “future acces”. The parcel also abuts a N-S half section line along its eastern boundary. It will be necessary to coordinate with Engineering regarding timing of construction of the secondary access points.

SURROUNDING ROADWAY CONDITIONS						
Road	Class	Maint.	Existing Conditions			
			Surface	No. Lanes	R/W Width	R/W Deficiency
SW 6 th PL	Subdivisi on Local (public)	County	Paved	2	60’+	0

Infrastructure

The site is in the Marion County Utilities Service Area for both water and sewer. However, there is an existing wastewater treatment plant onsite. It will be necessary to coordinate with Marion County Utilities to determine if connection to central sewer is required.

Planning and Zoning Commission Recommendation:

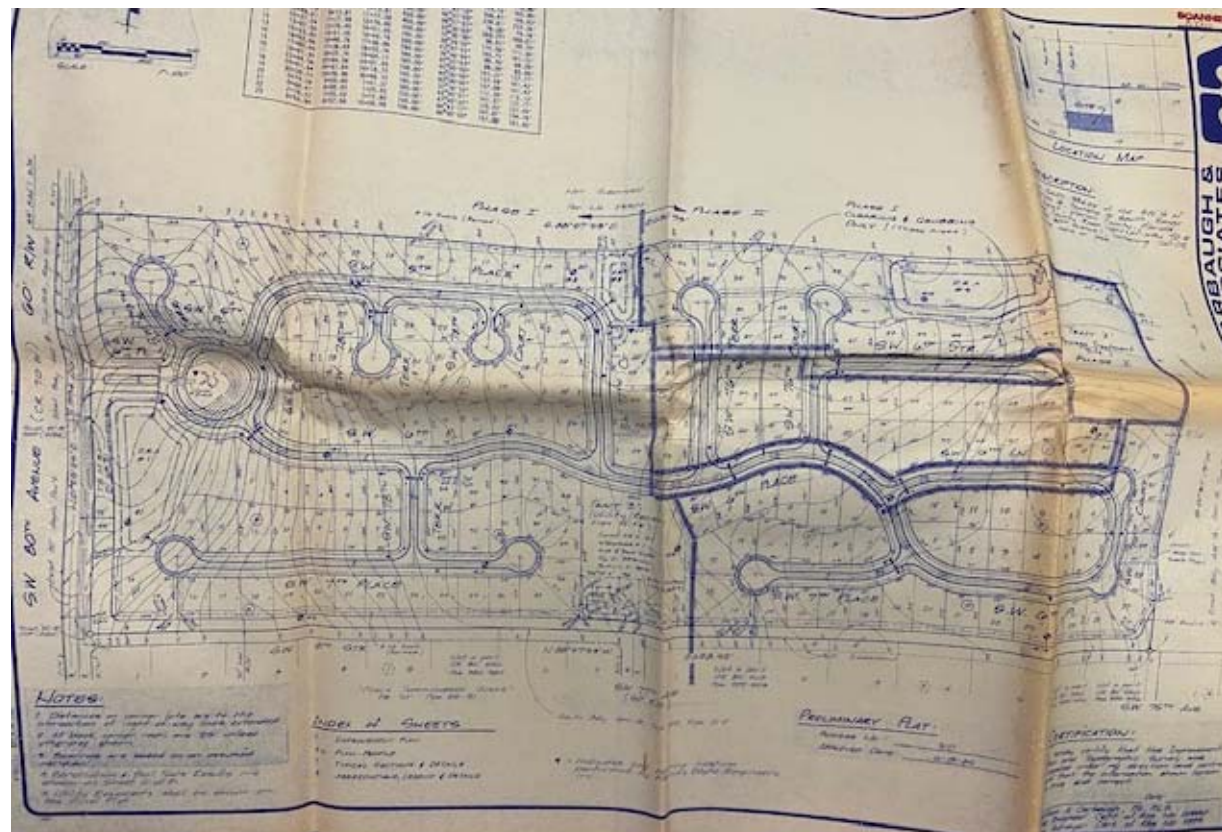
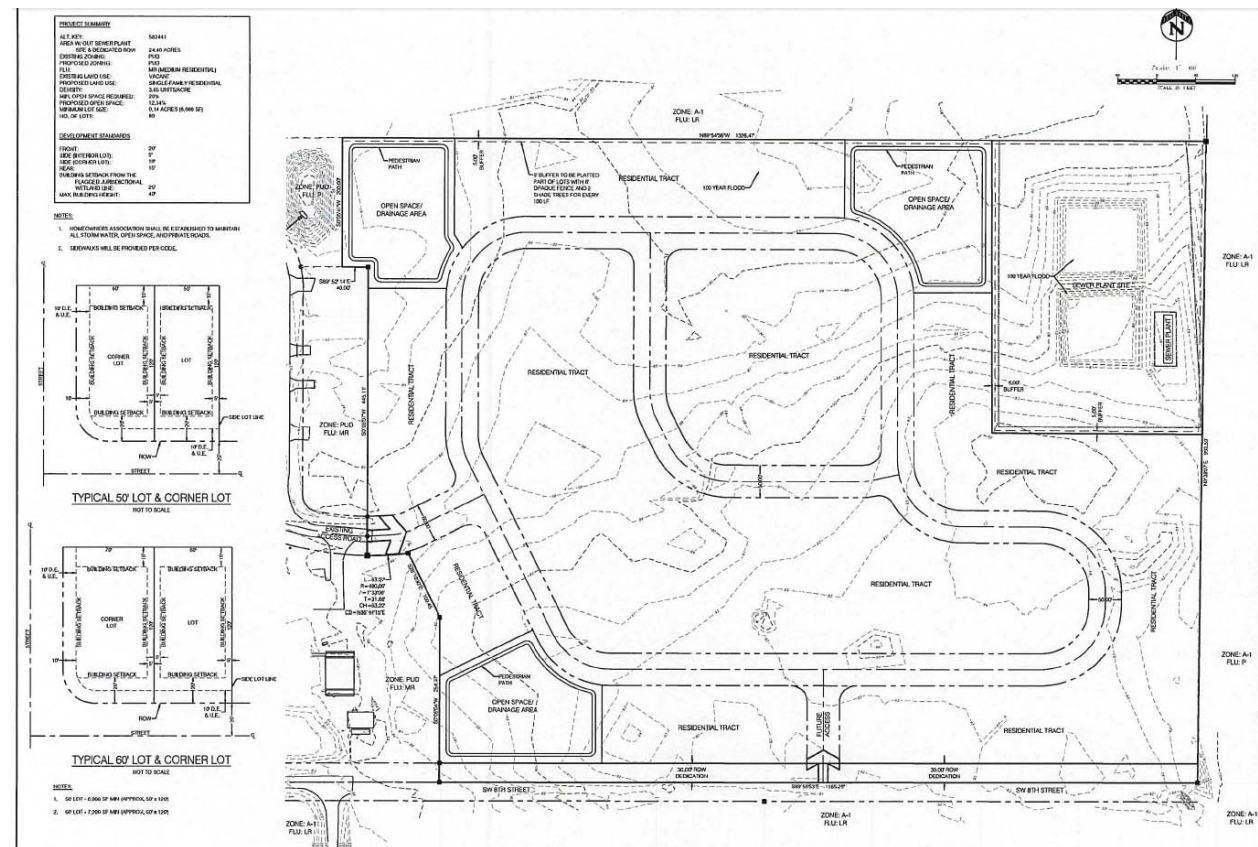
TBD

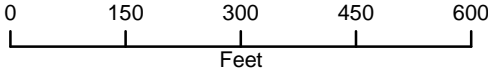
Staff Recommendation: Approval with Conditions

1. The project shall be developed consistent with the application and LDC unless otherwise revised by these conditions of approval.
2. The project shall comply with the minimum requirement for 20% open space, unless it can be affirmatively demonstrated that the existing community amenities are available to, and have capacity for, the new residential development. The project can use TDCs for a maximum of 25% of the required open space as per the Marion County Comprehensive Plan, Policy 9.1.8.
3. The project shall be limited to a maximum total of 89 dwelling units.
4. The project shall work through the development review process to provide secondary access as required by the Marion County Land Development Code.
5. All roads, parking lots, and sidewalks shall meet the requirements of the Marion County Land Development Code.
6. The project shall be served by central potable water and central sanitary sewer services consistent with the LDC. If the development is to be served by the existing wastewater treatment facility, adequate capacity shall be demonstrated prior to the approval of Improvement Plans. Further, there shall be no violations to FDEP permit requirements and the plant must meet minimum requirements of LDC Sec. 6.16.3 at the time of development.
7. Buffers shall be as required in the Land Development Code. A minimum E-type buffer must be provided around the wastewater treatment facility perimeter abutting the adjacent properties.

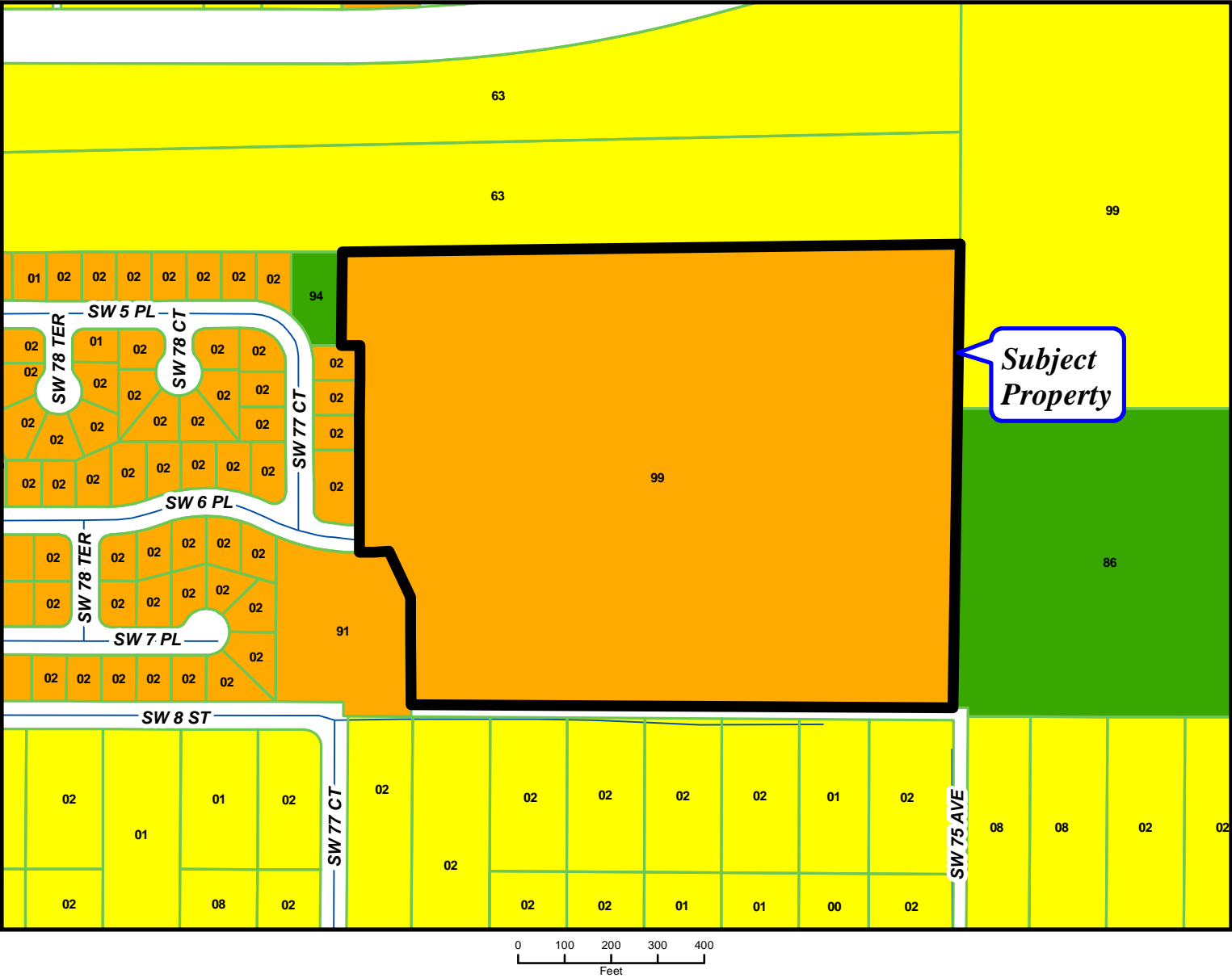
PLANNING & ZONING COMMISSION RECOMMENDATION:



TBD





Existing Land Use Designation 210607Z



Use per MC Property Appraiser		OWNER: CMH PARKS, INC / Clayton Properties Group	
01	Single Family Res	AGENT: Isabelle Albert, AICP, Halff Associates, Inc.	
50-69/99	Agricultural	PARCEL(S): 23304-001-00	
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	<div>Legend</div> <div><div><div><div>• All Amendments</div><div>☆ Policy 1.20</div></div><div><div><div><div><div>Rural Land (1 du/10 ac)</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></div>	
77	Club/Lodge/Union Hall		



Marion County
Board of County Commissioners

Growth Services ■ Planning & Zoning

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

2106073

AR#: 26565

PA#: 23304-001-00

APPLICATION FOR REZONING

Application No.: #2106073

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 0.26 miles east of SW 80th Avenue PUD (PD08) to north of SW 75th Ave PUD, for the intended use of:

89 single-family residential units. - Falls of Ocala

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

Parcel account number(s): 23304-001-00

Property dimensions: _____ **Total acreage:** 28.58 27.89 per P.A.

Directions: The property is located on SW 8th Street and immediately east of Falls of Ocala residential development.

Site: 7745 SW 6th Place, Ocala, FL

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

CMH PARKS INC / CLAYTON PROPERTIES GROUP

Property owner name (please print)

5000 CLAYTON ROAD

Mailing address

MARYVILLE, TN 37804

City, state, zip code

Phone number (please include area code)

SEE AFFIDAVIT

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.

Isabelle Albert, AICP, Halff Associates, Inc.

Applicant or agent name (please print)

1000 N ASHLEY DRIVE, SUITE 900

Mailing address

TAMPA, FL 33602

City, state, zip code

(813) 620-4500

Phone number (please include area code)

Isabelle Albert

Signature

FOR OFFICE USE ONLY

RECEIVED BY: YLB DATE: 4/7/21 ZONING MAP NO.: 128

Rev. 01/11/2021

MDR, PUD, 18/15/21

AR: 26565 Project: 2005040074

Empowering Marion for Success

www.marioncountyfl.org

April 5, 2021

Kimberleigh Dinkins
Senior Planner
Growth Services Department
2710 East Silver Springs Blvd.
Ocala, FL 34470

Sent via Email: kimberleigh.dinkins@marionfl.org

Dear Ms. Dinkins,

The applicant is seeking to rezone approximately 28.58 acres (parcel number 23304-001-00) to a Planned Unit Development (PUD) zoning district to allow for an 89-unit single-family residential community. The developable acreage of the site consists of 24.4 acres without the existing Wastewater Treatment Plant (WWTP) and 30-foot right-of-way dedication on SW 8th Street.

The subject area is located to the north of SW 8th Street and immediately east of the Falls of Ocala residential development. The property was originally phase II of the Falls of Ocala PUD. Phase I, adjacent to the west of the subject site, was constructed in 1985 with single-family residential units. The subject site, Phase II, had construction plans permitted in 2003 that have since expired. The subject site is currently vacant with an existing access to the west through the existing Falls of Ocala residential development.

Adjacent zoning to the north, south and east of the subject site is General Agriculture (A-1). The property to the north has a Low Residential (LR) future land use category with one existing mobile home residence located more than 840 feet west from the subject site property boundary. The development is proposing a 5-foot-wide buffer with a 6-foot opaque fence and 2 shade trees for every 100 linear feet (LF) to the north as part of the platted lots to meet the buffering requirement intent per Section 6.8.6. in the Land Development Code. To the northeast adjacent to the wastewater treatment plant has a land use category of LR and is currently vacant land. There is an existing buffer along the site for this portion. To the east has a future land use category of Public (P) and is in use as a recycling center owned by Marion County. To the south across SW 8th Street has a land use category of LR and is developed with single-family residential units.

There is an existing WWTP with an existing chain-link fence buffer on the northeast corner of the subject site servicing the Falls of Ocala development to the west. The WWTP will also be servicing the proposed new development. The future land use category for this site is Medium Residential (MR) which allows for four (4) dwelling units per one (1) gross acre. Our request for 89 single-family units is compatible with the MR category.

The applicant has submitted a Traffic Assessment Methodology to the County and the Traffic Study is currently in progress. The site will be accessed through the existing Falls of Ocala development on the west which leads to SW 80th Avenue. The development will also have an emergency access only to the south on SW 8th Street where the applicant is proposing a 30-foot right-of-way dedication. For non-vehicular/pedestrian access, the site will provide internal sidewalks, as well as walking paths around the

drainage areas for residents to use recreationally and for walking their dogs. Adding the walking paths, as well as the landscape buffer throughout the development, provides 3.01 acres of open space which is 12.34 percent of the total acreage. Although it is required in the LDC to provide a minimum of 20 percent open space, we believe the applicant has in the best of their ability met the intent by working closely with Marion County growth services staff to provide as much open space as possible within the developments limitations due to the WWTP on site and stormwater requirements.

The project will be built in compliance with all applicable regulations of the Land Development Code and other applicable regulations, unless shown otherwise by this PUD.

Sincerely,

Isabelle Albert

Isabelle Albert, AICP

PUD CONCEPTUAL PLAN FOR FALLS OF OCALA

SECTION 18 TOWNSHIP 15S RANGE 21E

#2106073

DATE	ISSUE	BY

LEGAL DESCRIPTION:
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARION, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:
THE SOUTH 88.04 FEET OF THE SW 1/4 OF SECTION 18, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, LESS AND EXCEPT THE FALLS OF OCALA UNIT NO. 1, RECORDED IN PLAT BOOK V, PAGE 8, OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, AND ALSO LESS AND EXCEPT THE WESTERLY 30.00 FEET FOR COUNTY ROAD RIGHT OF WAY,
CONTAINING 0.04 ACRES, MORE OR LESS.



VICINITY MAP
1" = 1,000'



INDEX OF SHEETS

- 1 COVER SHEET
- 2 PUD MASTER PLAN

OWNER/DEVELOPER/APPLICANT:

HIGHLAND HOMES
3020 S. FLORIDA AVENUE
SUITE 101
LAKELAND, FL 33803
MILTON ANDRADE, DIRECTOR OF LAND DEVELOPMENT
PHONE: (863) 619-7103 EXT. 334
M.ANDRADE@HIGHLANDHOMES.ORG

ENGINEER/SURVEYOR:

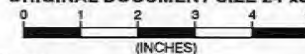
BESH HALFF
902 SINCLAIR AVENUE
TAVARES, FL 32778
BRETT TOBIAS, P.E.
(352) 343-8451
BTOBIAS@HALFF.COM



902 North Sinclair Ave.
Tavares, Florida 32778
Office: 352.343.8451
Fax: 352.343.8495

Certificate of Authorization Number: 35369

ORIGINAL DOCUMENT SIZE 24"x36"



FALLS OF OCALA PUD CONCEPTUAL PLAN

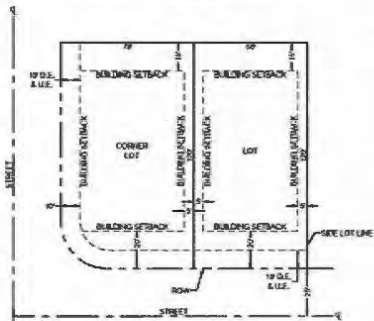
#2106072

PROJECT INFORMATION	
ALC KEY:	50441
AREA IN OUT SEWER PLANT	14.40 ACRES
EXISTING ZONING	PUD
PROPOSED ZONING	PUD
PLU	MED MEDIUM RESIDENTIAL
EXISTING LAND USE	VACANT
PROPOSED LAND USE	SINGLE-FAMILY RESIDENTIAL
DENSITY	10.5 UNITS/ACRE
MIN. OPEN SPACE REQUIRED	20%
PROPOSED OPEN SPACE	12.34%
MINIMUM LOT SIZE	0.14 ACRES (6,068 SF)
NO. OF LOTS	85

- DEVELOPMENT STANDARDS
- | | |
|---|-----|
| FRONT: | 20' |
| SIDE (BETWEEN LOTS): | 10' |
| SIDE (CORNERS): | 15' |
| REAR: | 20' |
| BUILDING SETBACK FROM THE FLAGGED FUNDATIONAL WETLAND LINE: | 20' |
| MAX. BUILDING HEIGHT: | 40' |
- NOTES:
1. HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED TO MAINTAIN ALL STORM WATER, OPEN SPACE, AND PRIVATE ROADS.
 2. SEWERAGE WILL BE PROVIDED PER CODE.

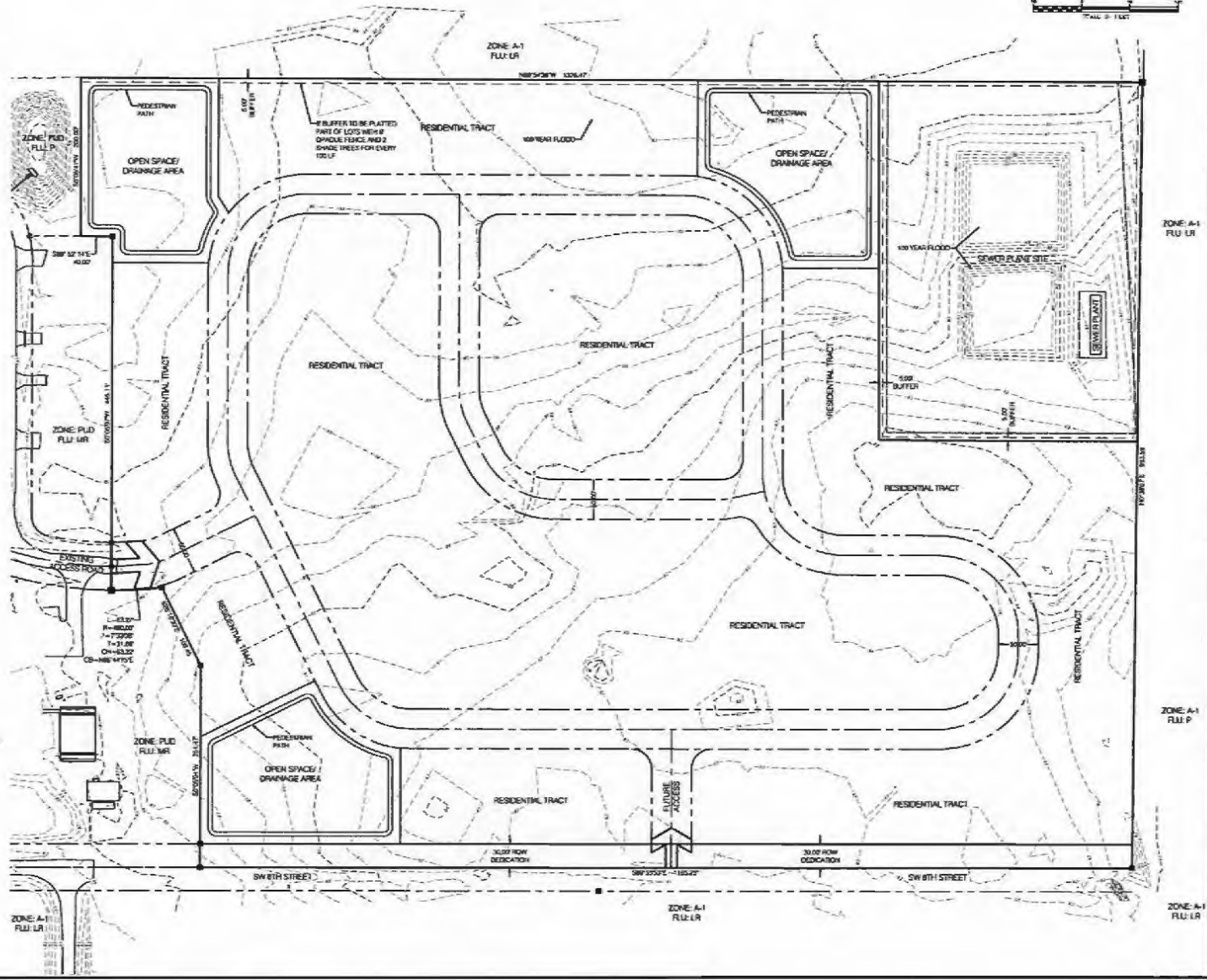


TYPICAL 50' LOT & CORNER LOT
NOT TO SCALE



TYPICAL 60' LOT & CORNER LOT
NOT TO SCALE

- NOTES:
1. 50' LOT - 6,068 SF MIN (APPROX. 50' x 120')
 2. 60' LOT - 7,200 SF MIN (APPROX. 60' x 120')



FALLS OF OCALA PUD CONCEPTUAL PLAN	
DATE:	APRIL 08, 2021
DESIGNED BY:	BUT
DRAWN BY:	TBA
CHECKED BY:	BUT
JOB NO.:	201005.0000
FILE NAME:	FALLS OF OCALA
Sheet 2	
BRETT J. TOBAS, PE Registered L&E 000117	



DATE:	
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	
JOB NO.:	
FILE NAME:	

FALLS OF OCALA
MARION COUNTY
SECTION 16, TOWNSHIP 15 SOUTH, RANGE 21 EAST
50' & 60' x 120'



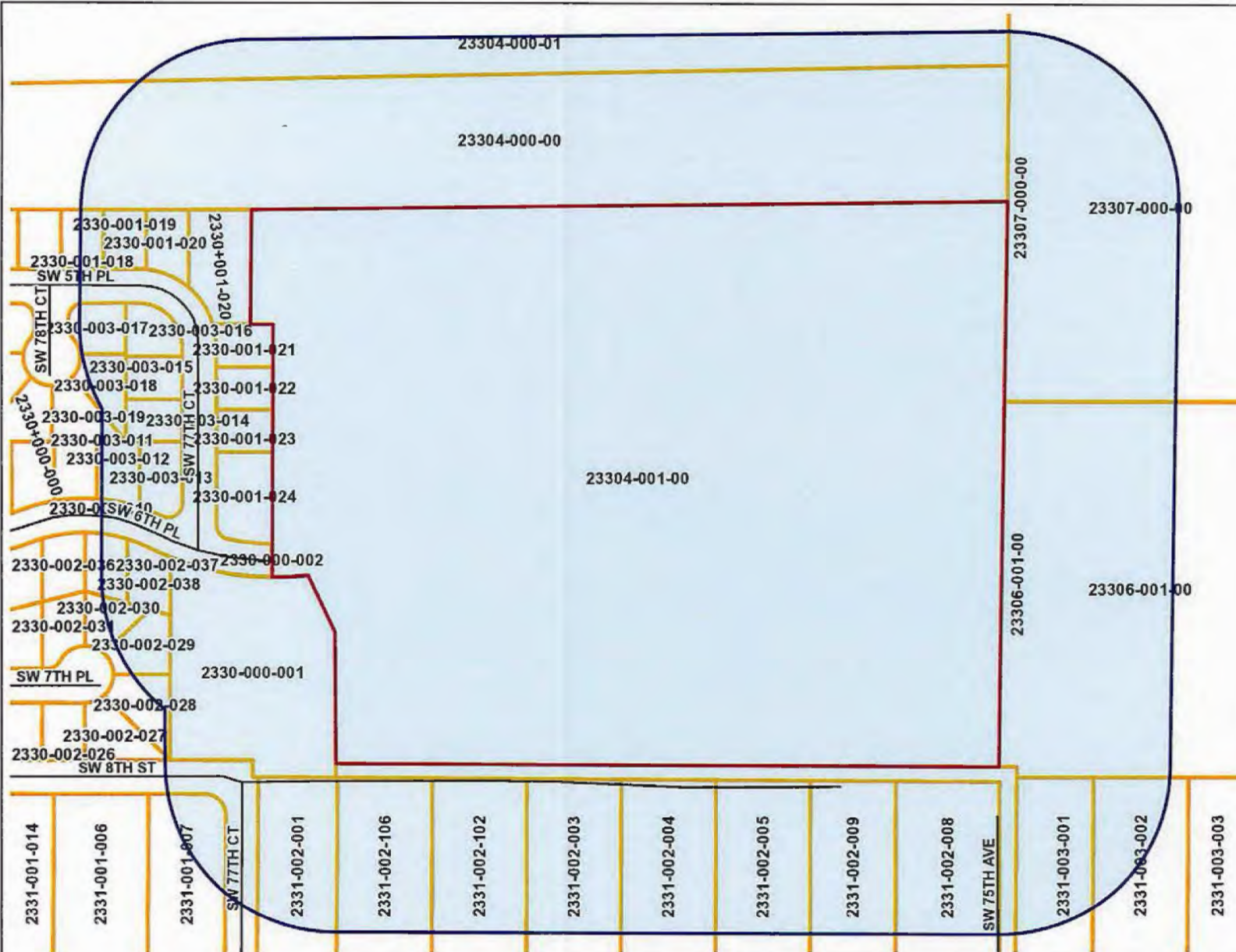
DATE: _____
DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____
JOB NO.: _____
FILE NAME: _____

Sheet 1

**Falls of Ocala PUD
Architectural Renderings**







Legend

- Urban Growth Boundary
- Address Search Results
- Streets
- Parcels
- Municipalities
- Marion County

1: 3,156

1 in = 0.05 Miles



Notes

c/o: D. JOEL ADAMS, VP
Agent: ISABELLA ALBERT, AICP
c/o: HALFF ASSOCIATES, INC.

0.1 0 0.05 0.1 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

Created By: dp

This map was produced by a Marion County employee using an online internal mapping viewer. All GIS features provided through the Marion County online internal mapping viewer are to be considered a generalized spatial representation which is subject to revisions. The GIS features shown hereon are not to be used as legal descriptions. For confirmation of details related to the GIS features, please contact the appropriate department or constitutional office.

Creation Date: 4/8/2021