

Ocala Planning & Zoning Commission Agenda Monday, April 14, 2025

Meeting Information

Location City Hall City Council Chambers (2nd Floor) 110 SE Watula Avenue Ocala, FL 34471

Time 5:30 PM

Board Members

Jamie Boudreau Tucker Branson Elgin Carelock Kevin Lopez, Chairman Daniel London Justin MacDonald Buck Martin Allison Campbell (non-voting), School Board Representative

Staff Jeff Shrum, AICP Director Growth Management Department

Aubrey Hale Planning Director Growth Management Department

Endira Madraveren Chief Planning Official Staff Liaison

Gabriela Solano Committee Secretary

WELCOME!

We are very glad you have joined us for today's meeting. The Planning and Zoning Commission (P & Z) comprises citizen members who voluntarily and without compensation devote their time and expertise to a variety of zoning and land development issues in the community. For many types of cases, the P& Z acts in an advisory capacity to the Ocala City Council with its recommendations subject to final action by Council.

GENERAL RULES OF ORDER

The P & Z is pleased to hear all non-repetitive comments. However, since a general time limit of five (5) minutes is allotted to the proponents/opponents of an issue, large groups are asked to name a spokesperson.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the P & Z Recording Secretary at (352) 629-8404 at least 48 hours in advance of the meeting.

APPEALS

Any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is made.

This meeting and past meetings may be viewed by selecting it https://www.ocalafl.gov/meetings.

1. Call to Order

- a. Pledge of Allegiance
- b. Roll Call for Determination of a Quorum
- c. Agenda Notes:

Cases heard by the Planning and Zoning Commission will be presented to City Council in accordance with the schedule provided after each case in the agenda. Please note that the City Council meetings will begin at 4:00 p.m.

2. Proof of Publication

It was acknowledged that a Public Meeting Notice was posted at City Hall (110 SE Watula Avenue, Ocala, Florida 34471) and published in the Ocala Star Banner on March 28, 2025.

a. <u>Ocala Gazette Ad</u>

Attachments: <u>4-14-25 PZ PROOF</u> 4-14-25 PZ PROOF DMA

3. Approval of Minutes

a. <u>March Agenda Minutes</u>

Attachments: March 10, 2025 Meeting Minutes

4. Subdivisions

a. <u>Approve SUB25-0007 Winding Oaks Commercial Phase 2 Conceptual</u> <u>Subdivision Plan</u>

<u>Attachments</u>: <u>Memo Conceptual.pdf</u> <u>Case Map.pdf</u> <u>Conceptual Subdivision Plan.pdf</u> <u>Survey.pdf</u>

5. Rezoning

a. <u>Public Hearing to rezone approximately 1.00 acre of property located</u> <u>at 3640 SW 7th Place from INST, Institutional, to M-2, Medium</u> <u>Industrial (Case ZON25-0004) (Quasi-Judicial).</u>

Attachments:ZON25-0004 Fidelity Staff ReportZON25_0004_Fidelity Case MapZON25_0004_Fidelity Aerial Map

Development Agreement

 Public Hearing :consider an amendments to the Amended and Restated Site and Concurrency Development Agreement pursuant to Chapter 163, Florida Statutes (Grand Oaks Town Center PUD, F/K/A Stolen Hours PUD) for approximately 56.72 acres located approximately 850-feet north and 1,200-feet east of the intersection at SW 27th Avenue and SW 42nd Street (Parcels 23930-000-00, 23930-002-00, 23930-003-00, 23930-003-01, 23930-003-03, and 23930-005-00) (DMA25-0001). This is the first of two public hearings; the second will be held on May 6, 2025, before the City Council.

Attachments: Amendment to 163K JG 3-5-25 Letter to City staff re Amendment 163 K REV DMA25_0001_Case DMA25_0001_Aerial

- 6. Public Comment
- 7. Staff Comments
- 8. Board Comment
- 9. Next meeting: May 12, 2025
- 10. Adjournment



Ocala

Legislation Text

110 SE Watula Avenue Ocala, FL 34471

www.ocalafl.gov

File #: 2025-1060

Ocala Gazette

Agenda Item #: 1.

Ocala

4



NOTICE OF PUBLIC HEARING OCALA PLANNING AND ZONING COMMISSION

The Ocala Planning & Zoning Commission will consider the following petitions at its meeting on Monday, April 14, 2025, commencing at 5:30 pm, in the City Council Chambers located on the Second Floor of City Hall at 110 SE Watula Avenue. The meeting may be viewed live by selecting it at https://www.ocalafl.gov/meetings.

NORTHEAST

Petitioner: Fidelity Manufacturing, LLC; Case: ZON25-0004; A request to rezone from INST, Institutional, to M-2, Medium Industrial, for property located at 3640 SW 7th Place (Parcel 23458-000-01), approximately 1 acre.

SOUTHWEST

Petitioner: Florida Hospital Ocala, Inc and Marion County Hospital District; Case: ABR24-0019; A request to abrogate a portion of a 12-foot-wide alley lying east of Lots 10 through 18 and west of Lots 1 through 9, Block 7 of the Meadow View Plat as recorded in Plat Book B, Page 233, of the public records of Marion County, Florida. (Parcel 28574-007-01, 28574-007-03, 28574-07-10 and 28574-007-14), approximately 1.12 acres.

JEFF SHRUM, AICP DIRECTOR, GROWTH MANAGEMENT DEPARTMENT

The agenda and material related to items on each agenda will be available in advance online at <u>www.ocalafl.gov</u>.

Interested parties may appear at the meeting and be heard regarding their opinion of the proposed cases. Copies of the proposed cases are available and may be reviewed at the Growth Management Department, 201 SE 3rd Street, Second Floor, Ocala, telephone (352) 629-8404, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

If reasonable accommodations are needed for you to participate in this meeting, contact the Growth Management Department at (352) 629-8404, 48 hours in advance, so those arrangements can be made.

Any person who decides to appeal any decision of the Ocala Planning and Zoning Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made.

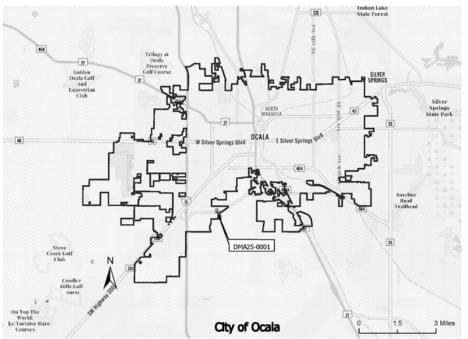


Monday, April 14, 2025 5:30 P.M. (or, as soon thereafter as possible) City Hall City Council Chambers (2nd Floor) 110 SE Watula Avenue

NOTICE OF PUBLIC HEARING OCALA PLANNING & ZONING COMMISSION AND NOTICE OF INTENT TO CONSIDER AN AMENDMENT TO A SITE AND CONCURRENCY DEVELOPMENT AGREEMENT [GRAND OAKS TOWN CENTER PUD, F/K/A STOLEN HOURS PUD] (Pursuant to Sections 163.3220 - 163.3243, Florida Statutes)

The Ocala Planning & Zoning Commission will hold a first public hearing on Monday, April 14, 2025, to consider a first amendment to a Development Agreement to be entered into pursuant to Sections 163.3220 through 163.3243, inclusive, Florida Statutes, between the City of Ocala (City), Ocala 42nd Street Commercial, LLC, and Ocala 42nd Street Residential, LLC, project DMA25-0001. The public hearing will start at 5:30 PM or as soon thereafter as possible and will be held at the Ocala City Hall - City Council Chambers (2nd Floor), 110 SE Watula Avenue, Ocala, Florida. This is the first of two public hearings regarding this Amendment to the Site and Concurrency Development Agreement. The second and final public hearing is scheduled with the Ocala City Council for Tuesday, May 6, 2025, at 4:00 pm or soon thereafter at the same location. Interested parties may appear at the meetings and be heard regarding their opinion of the proposed First Amendment.

The entire property is approximately 56.72 acres located approximately 850-feet north and 1,200-feet east of the intersection at SW 27th Avenue and SW 42nd Street. A detailed legal description of the property is on file with the Growth Management Department of the City, which is located at 201 SE 3rd Street, 2nd Floor, Ocala, Florida. The location of the property is further shown on the following map:



In February 2025, the Owner made an application to the City to propose an Amendment to the Site and Concurrency Development Agreement. The agreement addresses memorializing changes approved by rezoning to Planned Development (PD24-45565), including increased building height and density and resubmittal of the approved Traffic Study.

A copy of the proposed Amendment to the Site and Concurrency Development Agreement may be obtained at the City of Ocala Growth Management Department at 201 SE 3rd Street, 2nd Floor, Ocala, Florida; telephone (352) 629-8404; between the hours of 8:00 AM and 5:00 PM, Monday through Friday. If reasonable accommodations are needed for you to participate in this meeting, please contact the City of Ocala Growth Management Department at (352) 629-8404 forty-eight (48) hours in advance of the hearing, so arrangements can be made.

Any person who decides to appeal any decision of the Ocala City Council with respect to any matter considered at the second hearing will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made.



Ocala

Legislation Text

110 SE Watula Avenue Ocala, FL 34471

www.ocalafl.gov

File #: 2025-1097

March Agenda Minutes

Agenda Item #: a.

7



Ocala Planning & Zoning Commission Minutes

www.ocalafl.gov

Monday, March 10, 2025	5:30 PM

1. Call to Order

- a. Pledge of Allegiance
- b. Roll Call for Determination of a Quorum

Present	Jamie Boudreau, Tucker Branson, Daniel London, Justin	
	MacDonald, Buck Martin, Elgin Carelock, and Kevin Lopez	
Absent	Allison Campbell	

c. Agenda Notes:

Cases heard by the Planning and Zoning Commission will be presented to City Council in accordance with the schedule provided after each case in the agenda. Please note that the City Council meetings will begin at 4:00 p.m.

2. **Proof of Publication**

It was acknowledged that a Public Meeting Notice was posted at City Hall (110 SE Watula Avenue, Ocala, Florida 34471) and published in the Ocala Gazette on February 21, 2025. **a.**

Attachments: <u>3-10-25 PZ Proof</u>

3. Approval Minutes

a.

Attachments:	February 10, 2025 Meeting Minutes.pdf
RESULT:	APPROVED
MOVER:	Elgin Carelock
SECONDER:	Jamie Boudreau
AYE:	Boudreau, Branson, London, MacDonald, Martin, Carelock, and Lopez

4. Zoning

a. Public Hearing to rezone approximately 1.34 acres of property located at 1533 and 1541 NE 14th Street (Parcel 26486-000-00 and 26486-001-00) from RO, Residential Office, to R-3, Multi-Family Residential (Case ZON25-0003) (Quasi-Judicial)

Attachments:ZON25-0003 Ocala Opportunity Investment LLC Staff Report
ZON25-0003 Ocala Opportunity Investment I, LLC Case Map
ZON25-0003 Ocala Opportunity Investment I, LLC Aerial Map

Planner II Breah Miller displayed maps and various photos of the property and adjacent properties while providing staff comments and the finding of fact for ZON25-0003.

Motion to approve ZON25-0003 to rezone approximately 1.34 acres of property located at 1533 and 1541 NE 14th Street (Parcel 26486-000-00 and 26486-001-00) from RO, Residential Office, to R-3, Multi-Family Residential.

RESULT:	APPROVED
MOVER:	Buck Martin
SECONDER:	Justin MacDonald
AYE:	Boudreau, Branson, London, MacDonald, Martin, Carelock, and Lopez

5. Public Comment

None.

6. Staff Comment

None.

7. Board Comment

Mr. McDonald said the links were not on the tablet, but the links were on the agenda packet that was emailed to the Board.

8. Next meeting: April 14, 2025.

9. Adjournment

The meeting adjourned at 5:38 pm.



Ocala

www.ocalafl.gov

Legislation Text

File #: 2025-1058

Agenda Item #: a.

Approve SUB25-0007 Winding Oaks Commercial Phase 2 Conceptual Subdivision Plan

Presentation by Karen Cupp

City Council Tentative Schedule: Upon recommendation of approval or denial by the P & Z Commission, this item will be presented to City Council at the **Tuesday**, **May 6**, **2025**, City Council meeting.



CITY OF OCALA Interdepartmental Correspondence Engineering and Water Resources Department

DATE:	March 28,	2025
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TO: Planning & Zoning Commission

FROM: Sean Lanier, PE, CFM, City Engineer

SUBJECT: SUB25-0007 WINDING OAKS COMMERCIAL PH 2 CONCEPTUAL SUBDIVISION PLAN

Presented for your consideration is the conceptual subdivision plan for Winding Oaks Commercial Phase 2. The plan proposes eight lots and five tracts for this commercial subdivision on 46.59 acres with Planned Development (PD) zoning. The plan was prepared by Kimley-Horn and Associates and the developer is Matthew Oaks Investments, LLC.

Access to the subdivision will be via three publicly maintained roadways, SW 54th Court Road, which is currently under construction, SW 60th Avenue and SW College Road. Internal lot access will be through 24 feet cross access drives to be maintained by a Property Owner's Association and will connect to the publicly maintained roadways. Water, and sanitary sewer are proposed for public maintenance following the standard one-year maintenance period. The drainage system and retention areas will be maintained by a Property Owner's Association and flowage easements will be provided for any runoff from the adjacent publicly maintained roadways into the private drainage retention areas. Tract 1 is for the internal access drives, Tract 2 is for future right of way along SW 60th Avenue, Tracts 3, 4, 5, and 6 are for open space and drainage. The eight lots will require a site plan at the time of development.

The City Engineer's Office is recommending approval of the conceptual subdivision plan.

CASE MAP

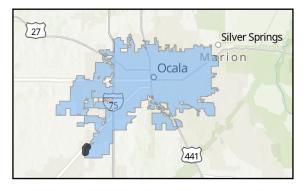
Case Number:

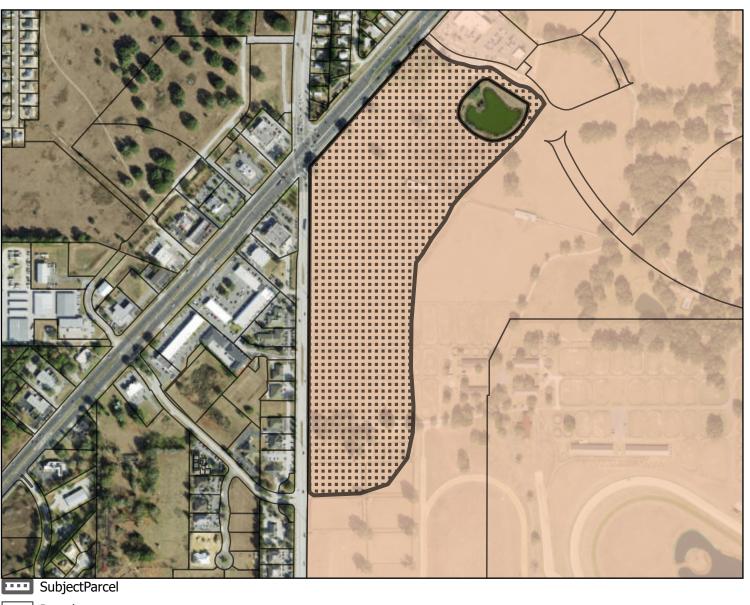
Parcel:

Property Size: Land Use Designation: Zoning: Proposal: 47.70 Acres Low Intensity PD, Planned Development A request is for approval of the conceptual subdivision plan

SUB25-0007

35512-001-00





Parcels Planned Development

500

0

1,000

2,000 Feet



This information is provided as a visual representation only and is not intended to be used as a legal or official representation of legal boundaries. All GIS data which is Growth Management Department provided by the City of Ocala should be considered a generalized spatial representation which may be subject to revisions. The feature boundaries are not to be used to by ekrepps on 4/3/2025 by ekrepps on 4/3/2025

CENIEDAL NOTES

	ELOPMENT DATA		
PARCEL IDENTIFICAT	ION NUMBER: 35512-001-00		
PRESENT ZONING:	PD (20-0007)		
ABUTTING ZONING:	NORTH - RIGHT OF WAY (SW COLLEGE ROA EAST - PD/FUTURE CITY ROW (SW 54TH CO SOUTH - PD/FUTURE CITY ROW (SW 54TH C WEST - RIGHT OF WAY (SW 60TH AVENUE [I	URT ROAD) OURT ROAD)	67TH LANE ROAD [C
LAND USE:	LI - (LOW INTENSITY)		
PROJECT AREA:	46.59 ACRES		
PROPOSED LOTS:	8 PARCELS 5 TRACTS		
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SEWER WASTEWATER WILL	BE PROVIDED BY THE CITY OF OCALA.		
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	F THE PROPERTY AS SHOWN ON THIS PLAN IS (S PLANNED DEVELOPMENT PLAN.	SUBJECT TO THE TER	MS AND CONDITIONS
	ID OTHER DATA IS BASED ON A SURVEY BY JO TO BE VERIFIED BY THE CONTRACTOR PRIOR		P, INC. DATED 10/8/20
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- COMMERCIAL SOL PERMANENT ELEC	LID WASTE IMPACT FEE SHALL BE CALCULATE	D, DUE AND PAYABLE V	VITHIN 30 DAYS OF
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-40

1544

442

NOTE: As design progresses, efforts will be made to preserve as many viable shade trees beyond the minimum

requirement as possible. A tree preservation and removal plan will be provided with the project's forthcoming Site

NOTE: If the minimum is reduced due to hardship, then the diameters of the largest existing shade trees that had to be removed will be made up with replacement 3-1/2" cal. proposed shade trees. These will be planted in addition to the

NOT MET

IN

Trees

Difference / Requirement Met

Development Review submittal.

Total DBH of largest 40 removed trees

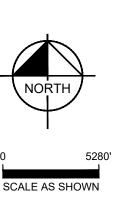
Resulting Replacement Trees, in addition to above requirements

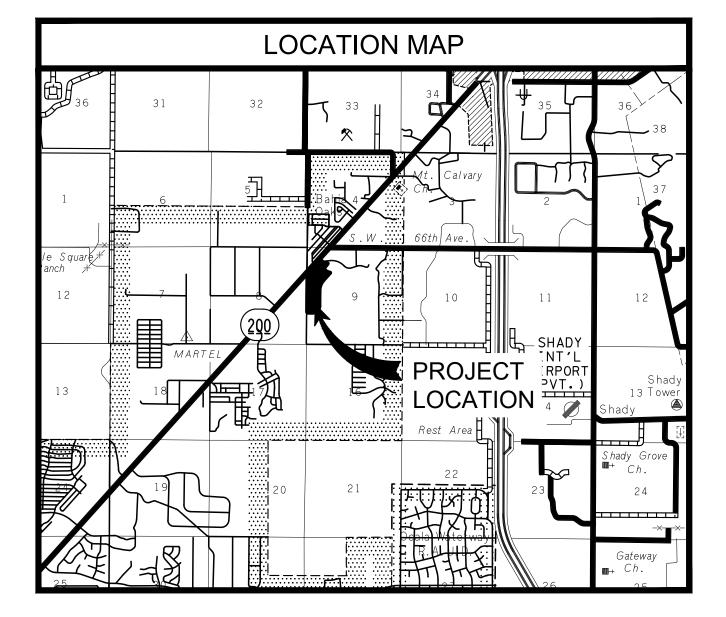
above requirements.

WINDING OAKS PD **CONCEPTUAL SUBDIVISION PLAN COMMERCIAL PHASE 2**

CITY OF OCALA, FLORIDA

SECTION 9, **TOWNSHIP 16 SOUTH, RANGE 21 EAST**





UTILITY CONTACT LISTING

ELECTRIC SUMTER ELECTRIC COOPERATIVE 330 S. US HWY 301 SUMTERVILLE, FL 33585 JACOB HUTTO (352) 569-9882

WATER & SEWER 2100 NE 30TH AVE OCALA, FL 34470 STACEY FERRANTE (352) 351-6775

COMMUNICATIONS 1325 BLAIRSTONE RD RM 113 TALLAHASSEE, FL 32301 BILL MCCLOUD (850) 599-1444

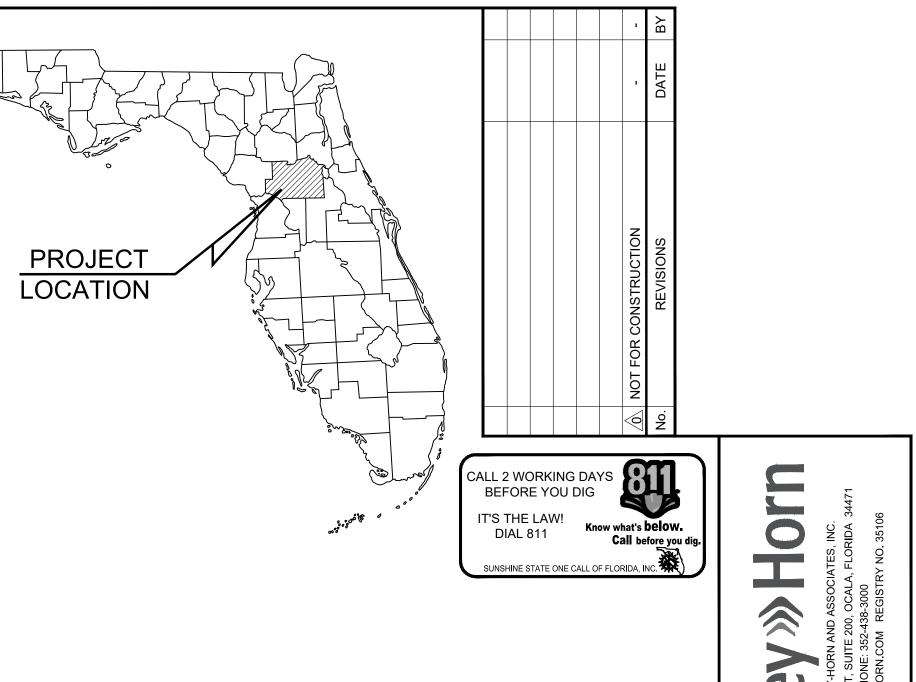
COMMUNICATIONS 4040 NE 49TH AVE OCALA, FL 34470 MICHELLE OSBORNE (478) 314-3577

PROJECT OWNER AND CONSULTANTS

OWNER/APPLICANT: KOLTER MIXED-USE, LLC 14025 RIVEREDGE DRIVE, SUITE 175 TAMPA, FL 33637

CIVIL ENGINEERING CONSULTANT: KIMLEY-HORN AND ASSOCIATES, INC. 1700 SE 17TH STREET, SUITE 200 OCALA, FLORIDA 34471 (352) 438-3000

SURVEYOR: JCH CONSULTING GROUP, INC. 426 SW 15TH STREET, OCALA, FLORIDA 34471 (352) 405-1482



DRAWING INDEX

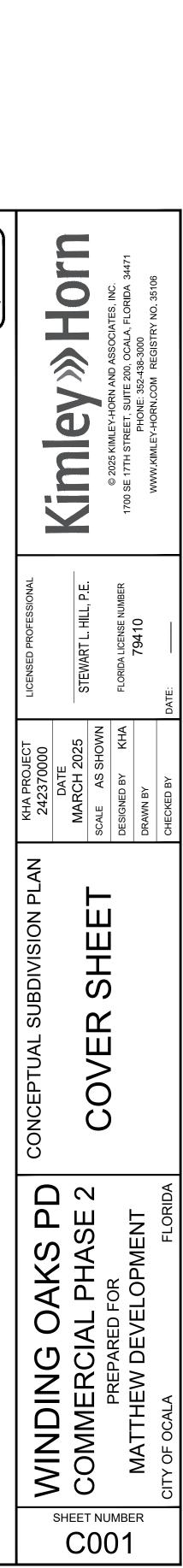
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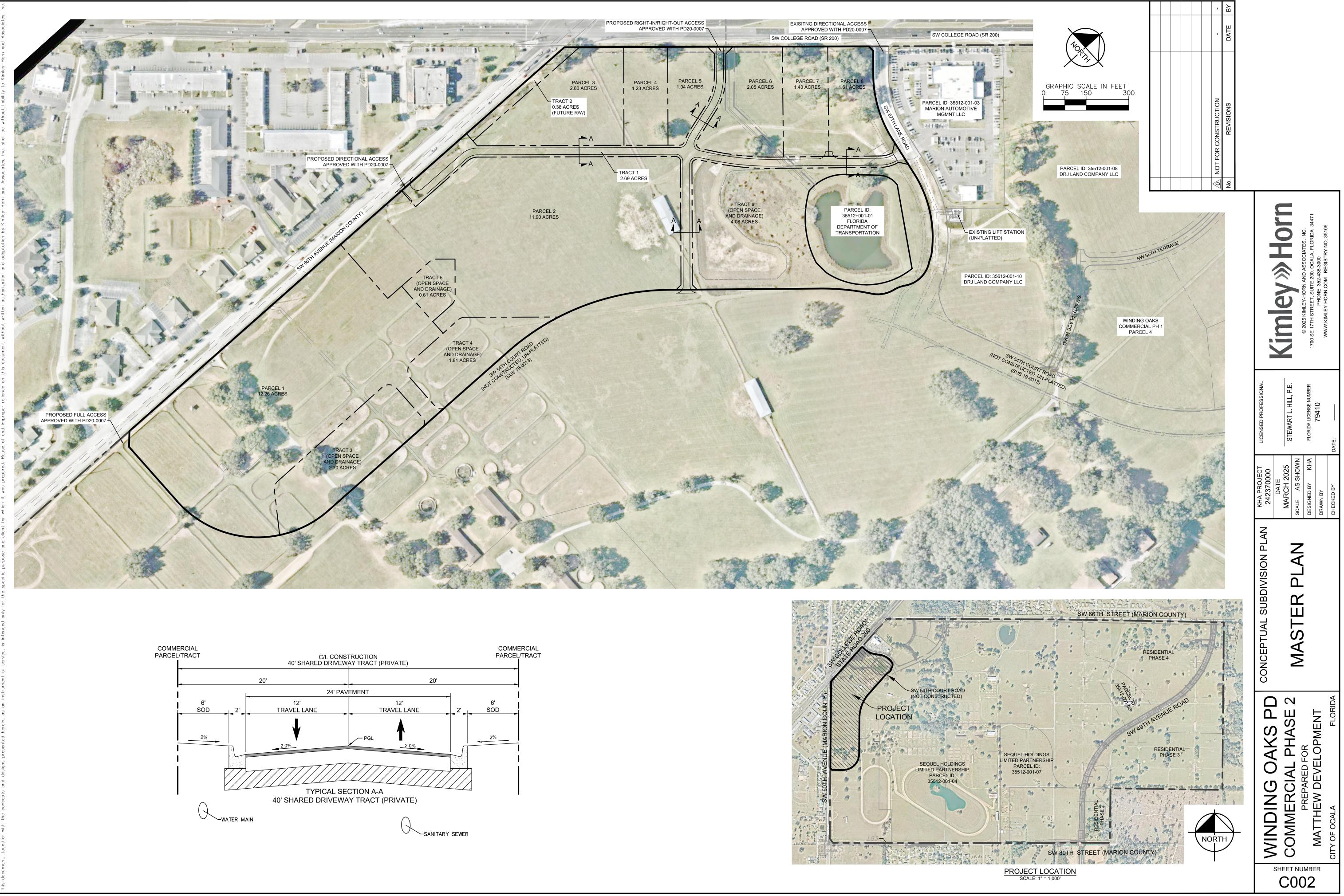
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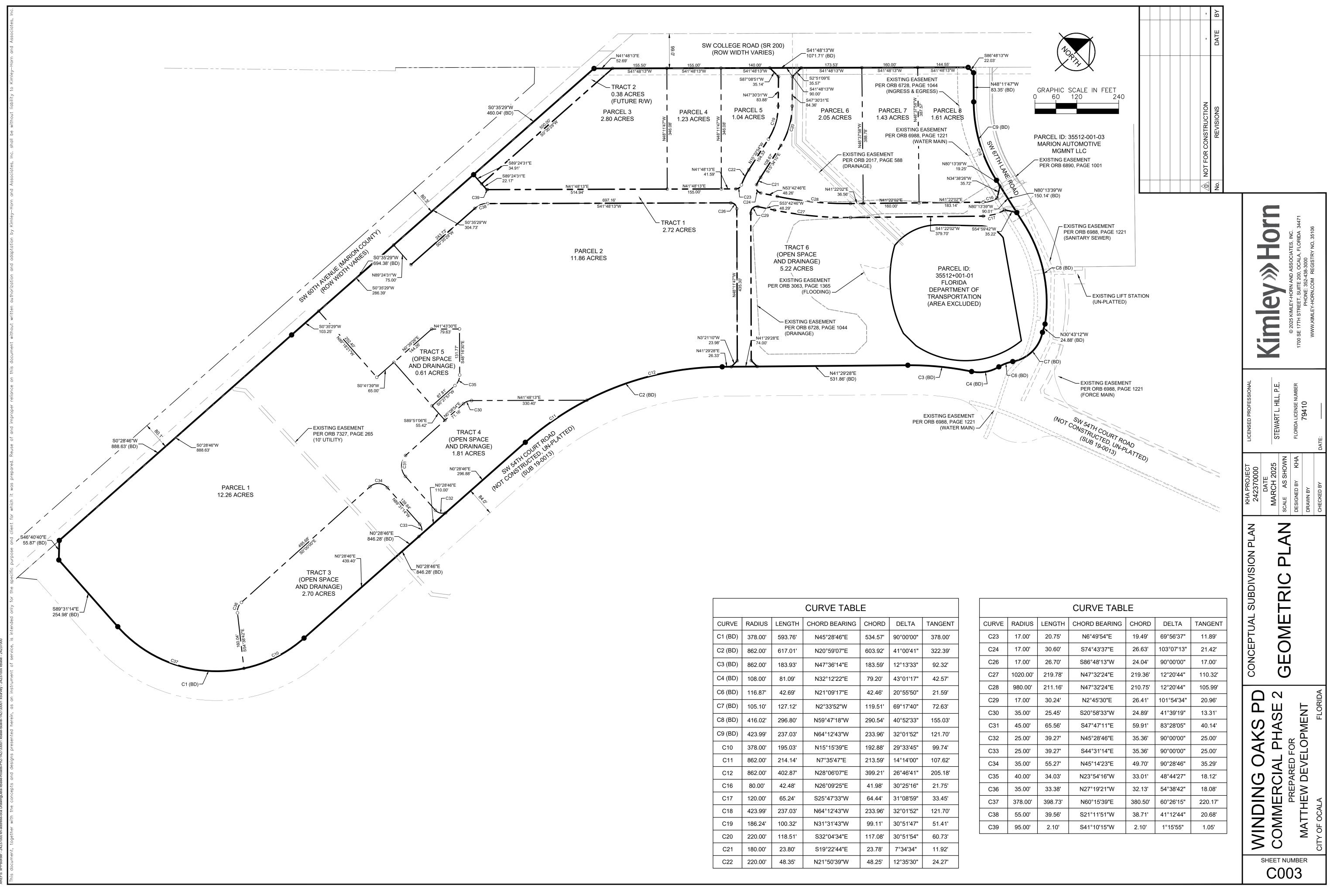
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C004

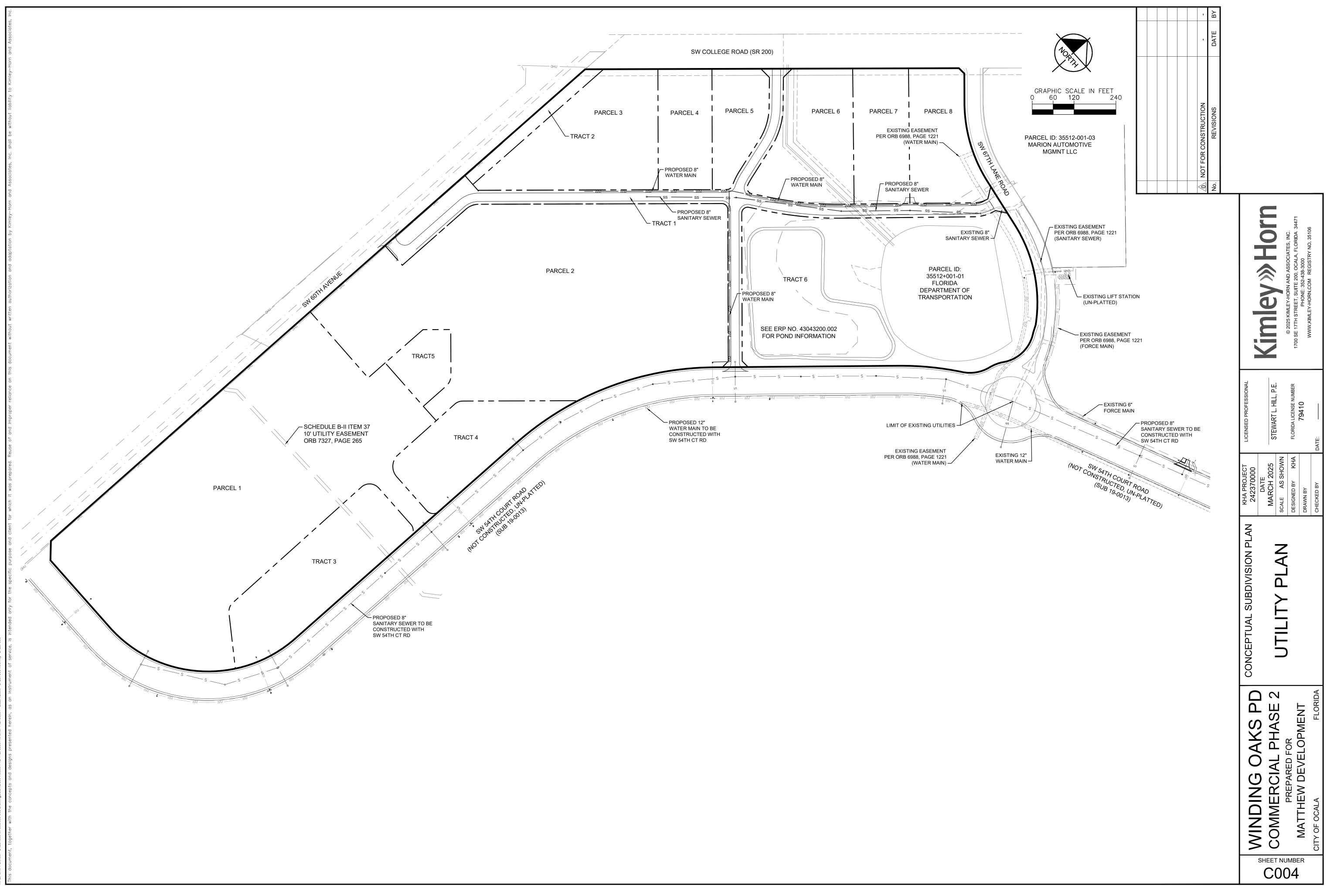
- TITLE SHEET
 - COVER SHEET
 - MASTER PLAN
 - GEOMETRIC PLAN
 - UTILITY PLAN
- S001-S019 SURVEY BY JCH CONSULTING GROUP, INC.







			CURVE TABL	E		
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	Т
C1 (BD)	378.00'	593.76'	N45°28'46"E	534.57'	90°00'00"	
C2 (BD)	862.00'	617.01'	N20°59'07"E	603.92'	41°00'41"	
C3 (BD)	862.00'	183.93'	N47°36'14"E	183.59'	12°13'33"	
C4 (BD)	108.00'	81.09'	N32°12'22"E	79.20'	43°01'17"	
C6 (BD)	116.87'	42.69'	N21°09'17"E	42.46'	20°55'50"	
C7 (BD)	105.10'	127.12'	N2°33'52"W	119.51'	69°17'40"	
C8 (BD)	416.02'	296.80'	N59°47'18"W	290.54'	40°52'33"	
C9 (BD)	423.99'	237.03'	N64°12'43"W	233.96'	32°01'52"	
C10	378.00'	195.03'	N15°15'39"E	192.88'	29°33'45"	
C11	862.00'	214.14'	N7°35'47"E	213.59'	14°14'00"	
C12	862.00'	402.87'	N28°06'07"E	399.21'	26°46'41"	
C16	80.00'	42.48'	N26°09'25"E	41.98'	30°25'16"	
C17	120.00'	65.24'	S25°47'33"W	64.44'	31°08'59"	
C18	423.99'	237.03'	N64°12'43"W	233.96'	32°01'52"	
C19	186.24'	100.32'	N31°31'43"W	99.11'	30°51'47"	
C20	220.00'	118.51'	S32°04'34"E	117.08'	30°51'54"	
C21	180.00'	23.80'	S19°22'44"E	23.78'	7°34'34"	
C22	220.00'	48.35'	N21°50'39"W	48.25'	12°35'30"	



K:\OCA_Civii\242370000-Winding Oaks Commercial Phase 2\CAD\Prel Plat\C004 UTILITY PLAN.dwg. Layout:C004 UTILITY PLAN_Mar 07, 2025 darryl.c XREFS: xPPBorder - 24237000 Kh-address-oca DrawingData Xbase-Roads-Ph2-142733001 Xheiral-142733001 - 2020 XBase - 24237000 XSurvey - 24237

LEGAL DESCRIPTION:

PARCEL 1:

(PER SHORE TO SHORE TITLE, LLC TITLE COMMITMENT FILE NO. 21201179, ISSUING OFFICE FILE NO. S210654, BEARING A COMMITMENT DATE OF FEBRUARY 23, 2022, REVISION 'A' DATED MARCH 08, 2022)

THE WEST 1/2, LYING SOUTH AND WEST OF STATE ROAD #200 AND THE WEST 10 ACRES OF THE EAST 1/2, ALL IN SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA; BEING ALSO DESCRIBED AS THE WEST 85 FEET OF THE EAST 1/2 AND ALL OF THE WEST 1/2 EXCEPT THAT PART OF THE NW 1/4 OF THE NW 1/4 THEREOF LYING NORTH AND WEST OF STATE HIGHWAY #200 AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 1083.00 FEET SOUTH AND 20.00 FEET EAST OF THE NORTHWEST CORNER OF SECTION 9, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF A COUNTY GRADED ROAD, THENCE SOUTH 211.30 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 200, THENCE N.41 20'E. 210.70 FEET ALONG SAID STATE ROAD RIGHT OF WAY LINE, THENCE N.69'06'W. 149.00 FEET TO THE POINT OF BEGINNING, ALL IN SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21 EAST; IESS AND EXCEPT

TRACT A: BEGIN AT THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, THENCE S.89'57'48"E., ALONG THE SOUTH BOUNDARY OF SAID SECTION 9, A DISTANCE OF 2021.84 FEET, THENCE N.00°02'12"E. 24.57 FEET, THENCE N.89°53'04"W. 821.84 FEET, THENCE N.89°50'37"W. 1173.91 FEET, THENCE N.00°25'39"E. 1171.66 FEET, THENCE N.00°29'05"E. 1466.16 FEET, THENCE N.00°35'12"E. 1231.04 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 200, THENCE S.41°49'12"W., ALONG SAID RIGHT OF WAY LINE 43.83 FEET TO THE WEST BOUNDARY OF AFORESAID SECTION 9, THENCE S.00°27'00"W., ALONG SAID WEST BOUNDARY, 1198.14 FEET TO THE NORTHWEST CORNER OF THE SW 1/4 OF SAID SECTION 9, THENCE CONTINUE ALONG THE WEST BOUNDARY OF SECTION 9 A BEARING AND DISTANCE OF S.00°27'22"W. 2666.16 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT ANY PORTION LYING WITHIN THE MAINTAINED RIGHT OF WAY OF SW 60TH AVENUE AND SW 80TH STREET.

ALSO LESS AND EXCEPT: THE SOUTH 25 FEET OF SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21 EAST, EXCEPT THE SOUTH 25.00 FEET OF THE WEST 2021.84 FEET THFRFOF

ALSO LESS AND EXCEPT ANY PORTION LYING WITHIN THE MAINTAINED RIGHT OF WAY OF SW 80TH STREET.

ALSO LESS AND EXCEPT: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 9. TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, SAID CORNER BEING AT THE CENTERLINE INTERSECTION OF S.W. 80TH STREET AND S.W. 60TH AVENUE, THENCE N.00°27'22"E., ALONG THE WEST LINE OF SAID SECTION. A DISTANCE OF 27.98 FEET, THENCE S.89'50'37"E. A DISTANCE OF 25.88 FEET TO THE POINT OF BEGINNING; THENCE N.00'25'10"E., ALONG THE EAST LINE OF THE EXISTING RIGHT OF WAY OF S.W. 60TH AVENUE A DISTANCE OF 100.00 FEET; THENCE S.36°32'42"E. TO A POINT ON THE NORTH LINE OF THE EXISTING RIGHT OF WAY OF S.W. 80TH STREET (HAVING A RIGHT OF WAY OF 50.00 FEET) A DISTANCE OF 124.72 FEET; THENCE N.89 50'37"W., ALONG SAID EAST RIGHT OF WAY A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING:

ALSO LESS AND EXCEPT PART 'A' ROAD RIGHT OF WAY:

COMMENCE AT THE POINT OF INTERSECTION OF THE BASE LINE OF SURVEY OF STATE ROAD NO. 200 AND THE WEST LINE OF SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, SAID POINT BEING 1270.49 FEET N.00"11'53"E. OF THE WEST 1/4 CORNER OF SAID SECTION 9 AS SHOWN ON STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 36100-2521; THENCE N.41°33'00"E., ALONG SAID BASE LINE OF SURVEY, 43.97 FEET TO ITS INTERSECTION WITH THE NORTHERLY PROJECTION OF THE EXISTING EASTERLY RIGHT OF WAY LINE OF S.W. 60TH AVENUE (SAID RIGHT OF WAY LINE PER OFFICIAL RECORDS BOOK 1559, PAGE 586, PUBLIC RECORDS OF MARION COUNTY, FLORIDA) FOR THE POINT OF BEGINNING: THENCE CONTINUE N.41'33'00"E., ALONG SAID BASE LINE OF SURVEY, 1822.27 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 9, SAID POINT BEING 1233.01 FEET N.89'56'35"E. OF THE NORTHWEST CORNER OF SAID SECTION 9; THENCE N.89'56'35"E., ALONG SAID NORTH LINE 144.75 FEET; THENCE S.00'03'25"E. 33.00 FEET; THENCE S.77'54'57"W. 57.59 FEET TO A POINT BEING 96.00 FEET SOUTHEASTERLY OF AS MEASURED PERPENDICULAR TO SAID BASE LINE SURVEY; THENCE S.41*33'00"W. PARALLEL WITH SAID BASE LINE OF SURVEY 579.15 FEET; THENCE S.48'27'00"E. 3.00 FEET TO A POINT BEING 99.00 FEET SOUTHEASTERLY OF AS MEASURED PERPENDICULAR TO SAID BASE LINE OF SURVEY, THENCE S.41°33'00"W., PARALLEL WITH SAID BASE LINE OF SURVEY, 1381.20 FEET TO SAID EXISTING EASTERLY RIGHT OF WAY LINE OF S.W. 60TH AVENUE; THENCE N.00'19'51"E., ALONG SAID EASTERLY RIGHT OF WAY LINE AND ITS NORTHERLY PROJECTION THEREOF, 150.24 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT PART 'B' WATER RETENTION AREA:

COMMENCE AT THE POINT OF INTERSECTION OF THE BASE LINE SURVEY OF STATE ROAD NO. 200 AND THE WEST LINE OF SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, SAID POINT BEING 1270.49 FEET N.00"11'53"E. OF THE WEST 1/4 CORNER OF SAID SECTION 9 AS SHOWN ON STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 36100-2521; THENCE N.41°33'00"E., ALONG SAID BASE LINE OF SURVEY, 500.79 FEET; THENCE S.47*45'44"E. 99.01 FEET TO A POINT ON THE NEW RIGHT OF WAY LINE OF STATE ROAD NO. 200 AS DESCRIBED AND LOCATED IN PART 'A' ABOVE, SAID POINT BEING 99.00 FEET SOUTHEASTERLY OF AS MEASURED PERPENDICULAR TO SAID BASE LINE AND ALSO BEING THE SOUTHWESTERLY CORNER OF A STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION 30 FOOT STORM SEWER EASEMENT AND MAINTENANCE ROAD RIGHT OF WAY AS SHOWN ON SAID RIGHT OF WAY MAP; THENCE CONTINUE S.47*45'44"E., ALONG THE SOUTHERLY LINE OF SAID EASEMENT 222.93 FEET; THENCE N.85*46'34"E., CONTINUING ALONG SAID SOUTHERLY EASEMENT LINE, 410.43 FEET FOR THE POINT OF BEGINNING: SAID POINT BEING ON A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 158.16 FEET, A CENTRAL ANGLE OF 52'16'21" AND A CHORD BEARING OF N.16 51'39"E.; THENCE FROM A TANGENT BEARING OF N.09"16'32"W., RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 144.29 FEET TO THE POINT OF TANGENCY; THENCE N.42'59'49"E. 119.59 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 81.56 FEET, A CENTRAL ANGLE OF 53'07'03" AND A CHORD BEARING OF N.69'33'21"E; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, 75.61 FEET TO A POINT OF NON-TANGENCY; THENCE S.5817'34"E. 299.45 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 254.02 FEET, A CENTRAL ANGLE OF 72'57'02' AND A CHORD BEARING OF S.39'00'17"W; THENCE FROM A TANGENT BEARING OF S.02'31'46"W., RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 323.42 FEET TO A POINT OF NON-TANGENCY; THENCE S.86'05'47"W. 50.16 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 338.62 FEET, A CENTRAL ANGLE OF 43'57'44" AND A CHORD BEARING OF N.53'56'40"W; THENCE FROM A TANGENT BEARING OF N.75'55'32"W., RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE 259.82 FEET TO A POINT OF NON-TANGENCY AND THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT (JAGUAR/LAND ROVER PARCEL):

A PORTION OF LAND LYING IN SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21, EAST, MARION COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 9: THENCE ALONG THE EAST BOUNDARY OF THE NORTHEAST 1/4 OF SAID SECTION 9. S.00°31'56"W. 40.16 FEET TO THE SOUTH RIGHT OF WAY LINE OF S.W. 66 STREET PER MARION COUNTY BOARD OF COUNTY COMMISSIONERS ENGINEERING DEPARTMENT MAINTENANCE MAP AS RECORDED IN ROAD MAP BOOK 2, PAGES 37 THROUGH 41, INCLUSIVE OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY BOUNDARY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF S.W. 66TH STREET THE FOLLOWING FIVE (5) COURSES, (1.) N.89°47'49"W., 1,277.93 FEET; (2.) THENCE N.89°47'51" W., 1278.08 FEET; (3.) THENCE N.89°48'41"W., 84.99 FEET; (4.) THENCE N.89°48'30"W., 1,312.50 FEET; (5.) THENCE S.79°10'56"W., 20.99 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF S.R. 200 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 36100-2521, DATED 06/14/1994 (RIGHT OF WAY WIDTH VARIES); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE OF S.W. 66TH STREET, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF S.R. 200, S.41*48'24"W., 415.75 FEET TO THE POINT OF BEGINNING. THENCE DEPARTING SAID SOUTHEASTERLY RIGHT OF WAY LINE OF S.R. 200, S.48*43'58"E., 573.43 FEET; THENCE S.41"16'02"W. 211.13 FEET TO THE BEGINNING OF A NON- TANGENT CURVE CONCAVE SOUTHERLY. HAVING A RADIUS OF 470.00 FEET, A CENTRAL ANGLE OF 19'50'32". AND A CHORD BEARING AND DISTANCE OF N.70'18'23"W., 161.95 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 162.77 FEET TO A POINT OF TANGENCY; THENCE N.8013'39"W., 150.14 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF 32'01'52", AND A CHORD BEARING AND DISTANCE OF N.64'12'43"W., 204.16 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 206.85 FEET TO A POINT OF TANGENCY; THENCE N.4811'47"W., 98.88 FEET TO THE AFORESAID SOUTHEASTERLY RIGHT OF WAY LINE OF S.R. 200; THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF S.R. 200 THE FOLLOWING THREE (3) COURSES, (1.) N.41 '48'13"E., 239.03 FEET; (2.) THENCE N.43'22'03"W., 2.96 FEET; (3.) THENCE N.41°48'24"E., 163.39 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

(A) THE NW 1/4; (B) THE WEST 1/2 OF THE NE 1/4; (C) THE NW 1/4 OF THE SE 1/4; (D) THE NORTH 1/2 OF THE SW 1/4; ALL IN SECTION 10, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA.

LESS AND EXCEPT (SCHOOL BOARD PARCEL): A PORTION OF THE N.W. 1/4 OF SECTION 10, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 10; THENCE ALONG THE SOUTH BOUNDARY OF THE N.W. 1/4 OF SAID SECTION 10, S.89'07'24"E., A DISTANCE OF 1644.73 FEET; THENCE DEPARTING SAID SOUTH BOUNDARY, N.00°52'36"E., A DISTANCE OF 158.53 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF S.W. 49TH AVENUE (BEING A 120 FOOT PROPOSED RIGHT OF WAY), SAID POINT BEING THE POINT OF BEGINNING. THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, N.30°08'30'W., A DISTANCE OF 1166.50 FEET; THENCE N.29'51'30"E., A DISTANCE OF 438.57 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF A 120 FOOT PROPOSED RIGHT OF WAY, SAID POINT BEING ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2023.00 FEET, A CENTRAL ANGLE OF 35'53'04" AND A CHORD BEARING AND DISTANCE OF S.48°05'02"E., 1246.40 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND PROPOSED RIGHT OF WAY, A DISTANCE OF 1267.01 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID PROPOSED RIGHT OF WAY, S.30'08'30"E., A DISTANCE OF 200.00 FEET TO A POINT ON AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF S.W. 49TH AVENUE; THENCE DEPARTING SAID SOUTHWESTERLY PROPOSED RIGHT OF WAY, ALONG THE NORTHERLY RIGHT OF WAY LINE OF S.W. 49TH AVENUE, S.59*51'30'W., A DISTANCE OF 763.78 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THE SW 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA.

LESS AND EXCEPT ROAD RIGHT-OF-WAY OVER THE SOUTH BOUNDARY FOR S.W. 80TH STREET.

PARCEL 4:

THE EAST 1/2 OF SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, EXCEPT THE WEST 85.00 FEET THEREOF, AND EXCEPT ROAD RIGHT-OF-WAY OVER THE NORTH BOUNDARY FOR S.W. 66TH STREET, AND THE SOUTH BOUNDARY FOR S.W. 80TH STREET.

EXCEPT FROM PARCEL 2(A), 2(B) AND 4(A) ROAD RIGHT-OF-WAY OVER THE NORTH BOUNDARY FOR S.W. 66TH STREET.

EXCEPT FROM PARCEL 3, ROAD RIGHT-OF-WAY OVER THE SOUTH BOUNDARY FOR S.W. 80TH STREET

LESS AND EXCEPT FROM ALL THE FOREGOING:

(SEQUEL PARCEL I):

A PORTION OF LAND LYING IS SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 OF SAID SECTION 9; THENCE ALONG EAST BOUNDARY OF THE WEST 1/2 OF SAID SECTION 9, N.00'03'09"W 25.17 FEET TO THE NORTHERLY MAINTENANCE RIGHT OF WAY LINE OF S.W. 80TH STREET (RIGHT OF WAY WIDTH VARIES), AND THE POINT OF BEGINNING. THENCE DEPARTING SAID EAST BOUNDARY, ALONG THE SAID NORTHERLY MAINTENANCE RIGHT OF WAY LINE OF S.W. 80TH STREET THE FOLLOWING THREE (3) COURSES, (1) N.89'57'43"W., 621.74 FEET; (2.) THENCE S.01'44'53"E., 0.43 FEET; (3.) THENCE N.89*53'40"W., 550.98 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, N.00*06'20"E., 787.81 FEET; THENCE N.89*52'31"W., 290.86 FEET; THENCE N.00*07'51"E., 1,536.48 FEET; THENCE N.89°40'51"E., 12.47 FEET; THENCE N.00'06'51"E., 222.88 FEET; THENCE N.26°41'10"E., 296.29 FEET; THENCE S.89°58'29"E., 2,709.32 FEET; THENCE S.00'01'51"W., 2,813.15 FEET TO THE AFORESAID NORTHERLY MAINTENANCE RIGHT OF WAY LINE OF S.W. 80TH STREET; THENCE ALONG SAID NORTHERLY MAINTENANCE RIGHT OF WAY LINE, N.89'58'09"W, 1,395.18 FEET TO THE POINT OF BEGINNING.

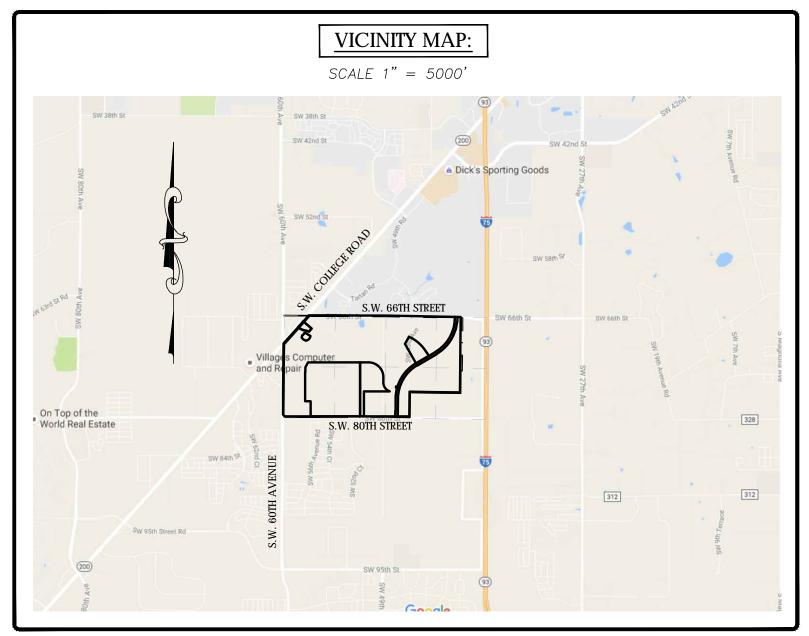
AND ALSO LESS AND EXCEPT:

(SEQUEL PARCEL II):

A PORTION OF LAND LYING IN SECTION 9, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 OF SAID SECTION 9; THENCE ALONG EAST BOUNDARY OF THE WEST 1/2 OF SAID SECTION 9, N.00'03'09"W 25.17 FEET TO THE NORTHERLY MAINTENANCE RIGHT OF WAY LINE OF S.W. 80TH STREET (RIGHT OF WAY WIDTH VARIES); THENCE DEPARTING SAID EAST BOUNDARY, ALONG THE SAID NORTHERLY MAINTENANCE RIGHT OF WAY LINE OF S.W. 80TH STREET, S.89'58'09"E., 1395.18 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, N.00'01'51"E., 2,813.15 FEET; THENCE S.89'58'29"E., 450.12 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 770.00 FEET, A CENTRAL ANGLE OF 89'58'29", AND A CHORD BEARING AND DISTANCE OF S.44'59'15"E., 1,088.70 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE. A DISTANCE OF 1.209.17 FEET TO A POINT OF TANGENCY: THENCE S.00'00'00"E.. 290.68 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 470.00 FEET, A CENTRAL ANGLE OF 71°49'46", AND A CHORD BEARING AND DISTANCE OF S.35'54'53"E., 551.39 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 589.22 FEET TO A POINT OF TANGENCY; THENCE N.89'58'09"W., 1,344.03 FEET; THENCE S.00'01'51"W., 1,306.54 FEET TO THE AFORESAID NORTHERLY MAINTENANCE RIGHT OF WAY LINE OF S.W. 80TH STREET; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, N.89°58'09"W., 200.00 FEET TO THE POINT OF BEGINNING.

SECTIONS 9 & 10, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA "WINDING OAKS PLANNED DEVELOPMENT"



R/W = RIGHT OF WAY LINEORB = OFFICIAL RECORDS BOOK OF MARION COUNTY NAVD = NORTH AMERICAN VERTICAL DATUM \bigcirc = FOUND 5/8" IRON ROD & CAP (LB 2893) UNLESS OTHERWISE NOTED = FOUND NAIL & DISK (AS NOTED) ■ = FOUND CONCRETE MONUMENT (AS NOTED) = FOUND 5/8" IRON ROD & CAP (LB 6895) = FOUND 4"X4" CONCRETE MONUMENT (NO I.D.) = SET 5/8" IRON ROD & CAP (LB 8071) = FOUND 8" CONCRETE MONUMENT W = WATER METER = IRRIGATION CONTROL VALVE = HOSE BIBB = TELEPHONE BOX = FIBER OPTIC CABLE MARKER = ELECTRIC BOX E (TV) = CABLE BOX $- \odot = GAS LINE MARKER$ ---- = S/GN \bigcirc = WOOD POWER POLE = METAL LIGHT POLE \leftarrow = GUY ANCHOR $\square = MAIL BOX$ = FLAG POLE \blacktriangleright = WATER VALVE \bigcirc = FIRE HYDRANT W = WELL = SANITARY MANHOLE = SANITARY CLEANOUT = DRAINAGE MANHOLE

 \mathcal{Q} = CENTERLINE OF RIGHT OF WAY

- = STORM DRAINAGE INLET
- = STORM DRAINAGE GRATE

NOTES:

11/09/1993

APPROXIMATE.

CABLE T.V.:

CABLE T.V.:

FIBER OPTIC:

WATER & SEWER:

SHEET 1 OF 19
ONE IS NOT COMPLETE WITHOUT THE OTHERS

NOTES CORRESPONDING TO SCHEDULE B-2 ITEMS:

ABSTRACT INFORMATION WAS PROVIDED BY SHORE TO SHORE TITLE, LLC TITLE COMMITMENT FILE NO. 21201179, ISSUING OFFICE FILE NO. S210654. BEARING A COMMITMENT DATE OF FEBRUARY 23, 2022, REVISION 'A' DATED MARCH 08, 2022. THE FOLLOWING SCHEDULE B-II ITEMS ARE NOTED RELATIVE TO PARCEL ITEM 7: EASEMENT RECORDED IN DEED BOOK 264, PAGE 292, AFFECTS THE SUBJECT PARCEL, IS BLANKET IN NATURE, AREA AFFECTED IS DEPICTED HEREON ITEM 8: EASEMENT RECORDED IN DEED BOOK 264, PAGE 330, AFFECTS THE SUBJECT PARCEL, IS BLANKET IN NATURE, AREA AFFECTED IS DEPICTED HFRFON ITEM 9: EASEMENT RECORDED IN DEED BOOK 283, PAGE 224 AFFECTS THE SUBJECT PARCEL, IS BLANKET IN NATURE AND IS DEPICTED HEREON. ITEM 10: EASEMENT RECORDED IN BOOK 157, PAGE 614 AFFECTS THE SUBJECT PARCEL, IN BLANKET IN NATURE AND IS NOT DEPICTED HEREON. ITEM 11: EASEMENT RECORDED IN BOOK 173, PAGE 433, AFFECTS THE SUBJECT PARCEL IS BLANKET IN NATURE AND IS DEPICTED HEREON. ITEM 12: EASEMENT RECORDED IN BOOK 282, PAGE 408, AFFECTS THE SUBJECT PARCEL, IS BLANKET IN NATURE AND IS NOT DEPICTED HEREON ITEM 13: EASEMENT RECORDED IN BOOK 288, PAGE 327, AFFECTS THE SUBJECT PARCEL IS BLANKET IN NATURE AND IS NOT DEPICTED HEREON. ITEM 14: EASEMENT RECORDED IN BOOK 402, PAGE 330, AFFECTS THE SUBJECT PARCEL, IS BLANKET IN NATURE AND IS NOT DEPICTED HEREON. ITEM 15: EASEMENT RECORDED IN BOOK 687, PAGE 178, AS AFFECTED BY BOOK 1858, PAGE 99 AND BOOK 2053, PAGE 1738. EASEMENT IN BOOK 2053, PAGE 1733 AFFECTS THE SUBJECT PARCEL AND IS BLANKET IN NATURE AND IS NOT DEPICTED HEREON. ITEM 16: EASEMENT RECORDED IN BOOK 858, PAGE 486 AFFECTS THE SUBJECT PARCEL, IS BLANKET IN NATURE AND IS DEPICTED HEREON. EASEMENT RECORDED IN BOOK 1735, PAGE 1310, AND BOOK 2009, PAGE 1823 DOES NOT AFFECT THE SUBJECT PARCEL AND IS DEPICTED HEREON. EASEMENT RECORDED IN BOOK 2009, PAGE 1815 AFFECTS THE SUBJECT PARCEL, AND IS DEPICTED HEREON. ITEM 17: EASEMENT RECORDED IN BOOK 1089, PAGE 919, AFFECTS THE SUBJECT PARCEL IS BLANKET IN NATURE, AREA AFFECTED IS DEPICTED HEREON. ITEM 18: EASEMENT RECORDED IN BOOK 1178, PAGE 875, AFFECTS THE SUBJECT PARCEL IS BLANKET IN NATURE AND IS NOT DEPICTED HEREON. ITEM 19: DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS RECORDED IN BOOK 1197, PAGE 878 AS AFFECTED BY BOOK 2489, PAGE 256 AFFECTS THE SUBJECT PARCEL AND IS DEPICTED HEREON. ITEM 20: EASEMENT RECORDED IN BOOK 1233, PAGE 1083, AFFECTS THE SUBJECT PARCEL IS BLANKET IN NATURE, AREA AFFECTED IS DEPICTED HEREON. ITEM 21: EASEMENT RECORDED IN BOOK 1401, PAGE 116, AS AFFECTED BY BOOK 6849, PAGE 1896 AND BOOK 6835, PAGE 236, AFFECTS THE SUBJECT PARCEL AND IS DEPICTED HEREON. ITEM 22: EASEMENT RECORDED IN BOOK 1416, PAGE 667 AS AFFECTED BY BOOK 5649, PAGE 1962, BOOK 6858, PAGE 764 AND EASEMENT RECORDED IN BOOK 1735, PAGE 1310 AND BOOK 2009, PAGE 1823, AFFECTS THE SUBJECT PARCEL AND IS DEPICTED HEREON. ITEM 23: UNRECORDED AGREEMENT REGARDING HORSE CEMETERY, POSSIBLE/APPROXIMATE LOCATION IS NOTED HEREON. ITEM 24: EASEMENTS RECORDED IN BOOK 2029, PAGE 1275, BOOK 2017, PAGE 588, BOOK 1990, PAGE 1877, BOOK 1922, PAGE 1083, BOOK 1922, PAGE 1092 AND IN BOOK 4228, PAGE 255 AFFECT THE SUBJECT PARCEL AND ARE DEPICTED HEREON. ITEM 25: EASEMENT AS EVIDENCED IN BOOK 2058, PAGE 1269 AFFECTS THE SUBJECT PARCEL AND IS NOT DEPICTED HEREON. ITEM 26: EASEMENT AS EVIDENCED IN BOOK 2058, PAGE 1279 AFFECTS THE SUBJECT PARCEL AND IS NOT DEPICTED HEREON. ITEM 27: GRANT OF FLOODING EASEMENT AS SET FORTH IN INSTRUMENT RECORDED IN BOOK 3063, PAGE 1365, AFFECTS THE SUBJECT PARCEL AND IS DEPICTED HEREON. ITEM 28: RIGHT OF WAY AGREEMENT RECORDED IN BOOK 6123, PAGE 1155, AFFECTS THE SUBJECT PARCEL BUT HAS INSUFFICIENT INFORMATION TO DETERMINE EXACT LOCATION AND IS NOT DEPICTED HEREON. ITEM 29: RESOLUTIONS RECORDED IN BOOK 6657, PAGE 1883, IN BOOK 7060, PAGE 1704 AND IN BOOK 7448, PAGE 1653 AFFECT SUBJECT PARCEL AND ARE NOT DEPICTED HEREON. RESOLUTIONS RECORDED IN BOOK IN BOOK 6703, PAGE 968 AND IN BOOK 6727, PAGE 1133, DO NOT AFFECT THE SUBJECT PARCEL AND ARE NOT DEPICTED HEREON. ITEM 30: EASEMENTS CREATED BY AGREEMENT RECORDED IN BOOK 6728, PAGE 1044 AFFECT SUBJECT PROPERTY AND ARE DEPICTED HEREON. ITEM 31: INTENTIONALLY DELETED ITEM 32: EASEMENT RECORDED IN BOOK 6858, PAGE 765 AFFECTS THE SUBJECT PARCEL AND IS DEPICTED HEREON. ITEM 33: EASEMENT RECORDED IN BOOK 6890, PAGE 1001 AFFECTS THE SUBJECT PARCEL AND IS DEPICTED HEREON. ITEM 34: DRAINAGE EASEMENTS RECORDED IN BOOK 6933, PAGE 1904, BOOK 6933, PAGE 1917 AND BOOK 6933, PAGE 1921 AFFECT THE SUBJECT PARCEL AND ARE DEPICTED HEREON. ITEM 35: EASEMENT RECORDED IN BOOK 6988, PAGE 1221 AFFECTS THE SUBJECT PARCEL AND IS DEPICTED HEREON. ITEM 36: DECLARATION OF COVENANTS AND RESTRICTIONS AS RECORDED IN BOOK 7196, PAGE 835 AFFECTS THE SUBJECT PARCEL, AND IS DEPICTED HEREON. ITEM 37: EASEMENT RECORDED IN BOOK 7327, PAGE 265 AFFECTS THE SUBJECT PARCEL AND IS DEPICTED HEREON. ITEM 38: DECLARATION OF COVENANTS, RESTRICTIONS AND USE AGREEMENTS AS RECORDED IN BOOK 7351. PAGE 1651 AND BOOK 7103. PAGE 337 DO NOT AFFECT THE SUBJECT PARCEL, CONTAIN SEVERAL EASEMENTS AND USE AGREEMENTS WHICH BENEFIT THE SUBJECT PARCEL, BUT DO NOT CONTAIN EXACT LOCATIONS AND ARE NOT DEPICTED HEREON. ITEMS CONTAINING MORE SPECIFIC LOCATION DETAILS ARE DEPICTED HEREON. NOTE: ENVIRONMENTAL RESOURCE PERMIT AS RECORDED IN BOOK 6773, PAGE 588 AFFECTS THE SUBJECT PARCEL AND IS NOT DEPICTED HEREON.

FLOOD CERTIFICATION:

PROPERTY LIES IN FLOOD ZONES "X" - AN AREA OF MINIMAL FLOODING, ZONE "X 0.2%" - AN AREA OF 1% ANNUAL CHANCE OF FLOOD WITH AN AVERAGE DEPTH LESS THAN ON FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE AND ZONE "AE" - AN AREA OF SPECIAL FLOOD HAZARD PER THE FLOOD INSURANCE RATE MAP NUMBER 12083C0702E, REVISED PRELIMINARY APRIL 19, 2017.

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND	UNLESS OTHER	WISE NOTED
DN COUNTY 1 3 2893)	F.L.S. P.S.M. L.B. (D) (C)	 CONTROL/BENCHMARK AS DESCRIBED REGISTERED LAND SURVEYOR PROFESSIONAL SURVEYOR & MAPPER LICENSED BUSINESS DEED DIMENSION CALCULATED DIMENSION
NOTED) 3 6895) IT (NO I.D.) 2071)	(F) (MRW) (DOTRW)	 FIELD MEASUREMENT BASED ON FLORIDA STATE PLANE GRID MARION COUNTY RIGHT OF WAY MAP FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY
		= MARION COUNTY CONSTRUCTION RIGHT OF WAY = EDGE OF PAVEMENT = STATION = INVERT = FINISH FLOOR ELEVATION = POLYVINYL CHLORIDE = REINFORCED CONCRETE PIPE = CORRUGATED METAL PIPE = HIGH DENSITY POLYETHYLENE = HIGH PERFORMANCE POLYPROPYLENE
	Е WM ВFOC FM	 CORRUGATED PLASTIC PIPE OVERHEAD UTILITY LINE UNDERGROUND ELECTRIC UNDERGROUND WATERMAIN UNDERGROUND FIBER OPTIC CABLE UNDERGROUND FORCEMAIN UNDERGROUND GAS LINE BROKEN LINE; NOT DRAWN TO SCALE DENOTES CONCRETE

SHEET INDEX		
SHEET/S	CONTENTS	
1	DESCRIPTIONS, NOTES, LEGEND, SURVEYOR'S CERTIFICATION	
2	OVERALL BOUNDARY, B-2 ITEMS, CURVE & LINE TABLES	
3	OVERALL TOPOGRAPHY & FLOOD ZONE DELINEATION	
4–15	PROPERTY DETAILS	
16–18	S.W. 49TH AVENUE ROAD DETAILS	
19	S.W. 66TH STREET	

1. DATE OF FIELD SURVEY: JANUARY 13. 2022 2. UNLESS OTHERWISE SHOWN, UNDERGROUND IMPROVEMENTS NOT LOCATED.

= DENOTES PAVEMENT

3. SUBJECT TO RIGHTS OF WAY, RESTRICTIONS, EASEMENTS AND RESERVATION OF RECORD. PUBLIC RECORDS. PUBLIC RECORDS NOT SEARCH BY JCH CONSULTING GROUP, INC. 4. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE FLORIDA WEST GRID NAD-83, (CORS96)(EPOCH: 2002.0000)(2011 ADJUSTMENT), BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK. 5. ORIENTATION FOR THE IMPROVEMENTS SHOWN HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

6. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES. 7. THIS SURVEY DEPICTS THE PROPERTY AS IT EXISTED ON THE SURVEY DATE, NOT NECESSARILY THE SIGNATURE DATE. 8. THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE BENEFIT OF THE PARTY(IES) NAMED HEREON, AND SHALL NOT BE DUPLICATED OR RELIED UPON BY ANY OTHER INDIVIDUAL OR ENTITY WITHOUT AUTHORIZATION FROM JCH CONSULTING GROUP, INC.

9. UTILITY INFORMATION SHOWN HEREON IS BASED ON IRTH ONE CALL TICKET NO: 225608225. LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON WERE NOT VERIFIED BY JCH CONSULTING GROUP. INC 10. ACCESS TO THE SUBJECT PROPERTY IS OBTAINED FROM STATE ROAD 200 (A PUBLIC RIGHT OF WAY), S.W. 66TH STREET (A PUBLIC RIGHT OF WAY), S.W. 60TH AVENUE (A PUBLIC RIGHT OF WAY), AND S.W. 80TH STREET (A PUBLIC RIGHT OF WAY). 11. THERE WAS NO APPARENT WETLAND DELINEATION DONE ON THE SUBJECT PARCEL AT THE TIME OF THE SURVEY.

2. ALL BEARINGS AND DISTANCE SHOWN HEREON ARE BASED ON GRID BEARINGS AND DISTANCES. TO CONVERT TO GROUND DISTANCE APPLY SCALE FACTOR OF 0.999945934, AND A CONVERGENCE OF -00°05'53.56". 13. RIGHT OF WAY FOR S.W. 80TH STREET AS DEPICTED ON MARION COUNTY BOARD OF COUNTY COMMISSIONERS, OFFICE OF THE COUNTY ENGINEER MAINTAINED RIGHT OF WAY MAP FOR S.W. 80TH STREET AS RECORDED IN MAP BOOK 2, PAGES 82 THROUGH 86 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA DID NOT MATCH PERVIOUS BOUNDARY SURVEY COMPLETED BY LAWRENCE E. BLAND WITH BERRYMAN & HENIGAR, JOB NO: 91222.00, DATED 01/22/2002. RIGHT OF WAY DEPICTED HEREON FOR S.W. 80TH STREET IS BASED ON FOUND MONUMENTATION, PREVIOUS SURVEYS AND THE DIRECTION OF MARION COUNTY SURVEYOR JOHN ARCHER. 14. RIGHT OF WAY FOR S.W. 60TH AVENUE IS BASED ON BOARD OF COUNTY COMMISSIONERS, OFFICE OF THE COUNTY ENGINEER DEPARTMENT S.W. 60TH AVENUE CONSTRUCTION RIGHT OF WAY MAP, FILE MAST-SW 60TH AVE, COMPLETED JANUARY 03, 2003.

15. RIGHT OF WAY FOR S.W. 66TH STREET IS BASED ON BOARD OF COUNTY COMMISSIONERS, OFFICE OF THE COUNTY ENGINEER DEPARTMENT MAINTAINED RIGHT OF WAY MAP FOR S.W. 66TH STREET AS RECORDED IN MAP BOOK 2, PAGES 37 THROUGH 41 OF THE PUBLIC RECORDS OF MARION COUNTY. FLORIDA. 16. RIGHT OF WAY FOR STATE ROAD 200 IS BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 36100–2521, DATED

17. THE LEGAL DESCRIPTION AS DEPICTED HEREON DESCRIBES THE SAME LANDS AS DESCRIBED IN THE PROVIDED TITLE COMMITMENT ISSUED BY SHORE TO SHORE TITLE, LLC TITLE COMMITMENT FILE NO. 21201179, ISSUING OFFICE FILE NO. S210654, BEARING A COMMITMENT DATE OF FEBRUARY 23, 2022. REVISION 'A' DATED MARCH 08, 2022.

18. VERTICAL DATUM SHOWN HEREON IS BASED ON CITY OF OCALA ENGINEERING CONTROL POINT COED 0013, ELEVATION 84.75' (NAVD 1988). 19. INFORMATION FOR STORM STRUCTURES ALONG S.W. 49TH AVENUE ROAD IS BASED ON AS-BUILT SURVEY PREPARED BY KIMLEY HORN AND ASSOCIATES, INC., DATED JULY 28, 2020 AS PROVIDED ON MARION COUNTY BOARD OF COUNTY COMMISSIONERS OFFICE OF THE COUNTY ENGINEER FINAL DRAWINGS FOR S.W. 49TH/40TH AVENUE PHASE 3 (FROM S.W. 80TH STREET TO S.W. 66TH STREET), FINANCIAL PROJECT ID 4.35549-1-54-02 20. THERE ARE EXISTING IMPROVEMENTS THAT WERE NOT LOCATED AS PART OF THIS PROJECT PER CLIENT'S REQUEST. BUILDINGS SHOWN HEREON ARE

21. SURVEY DATA ALONG S.W. COLLEGE ROAD IS OUT OF DATE AND WAS COLLECTED PRIOR TO THE JAGUAR/LAND ROVER DEALERSHIP BEING BUILT. 22. LIFT STATION - PARCEL NO. 35512-001-06, OWNED BY THE CITY OF OCALA, IS INCLUDED IN THE PROPERTY DESCRIBED IN THE TITLE COMMITMENT SHOWN HEREON. IN THIS FIRM'S OPINION, SAID LIFT STATION PROPERTY SHOULD NOT BE INCLUDED AND IS NOT INCLUDED IN THE ACREAGE SHOWN HEREON.

UTILITY CONTACTS:

ELECTRIC:	OCALA ELECTRIC UTILITY CONTACT: OEU LOCATOR 1–352–351–6650
CABLE TV:	CABLEVISION OF MARION COUNTY CONTACT: JASON TORRES 1–352–854–0408

PROPERTY DATA:

OWNER: CRADLE HOLDINGS, INC.

PARCEL NO: 35512-001-00

740.44 ACRES, MORE OR LESS

ADDRESS: 7411 SW 60TH AVENUE, OCALA, FL

FIBER, ELECTRIC: SUMTER ELECTRIC COOPERATIVE FIRFR CONTACT: TRACEY COTTRELL 1*—352—569—9665*

PHONE & FIBER OPTIC: CENTURYLINK-OCALA CONTACT: DISPATCH 1*–855–742–6062* TECO PEOPLES GAS-OCALA

CONTACT: DEE MACDONALD 1-407-420-6650

CERTIFIED TO:

1.) D.R. HORTON, INC., A DELAWARE CORPORATION 2.) OCALA DEVELOPMENT GROUP, LLC 3.) PRIME HOMES OF OCALA 4.) CRADLE HOLDINGS, INC. 5.) SHORE TO SHORE TITLE, LLC

COX CABLE

CONTACT: USIC

1-800-778-9140

1-352-516-3073

1*–352–690–0009*

1*–352–438–2381*

1–877–366–8344

BRIGHT HOUSE NETWORKS, LLC

SOUTHWEST OCALA WATER AND SEWER

CONTACT: LAUREN GRIFFIN

CONTACT: DIRK LEEWARD

MARION COUNTY UTILITIES

CONTACT: MARK WILLIAMS

LEVEL 3 COMMUNICATIONS

CONTACT: TECH ON DUTY

6.) OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THIS SURVEY MEETS THE APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J17.050-.052, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

GAS, GAS LINES:

DATE CHRISTOPHER J. HOWSON FLORIDA LICENSED SURVEYOR & MAPPER NO. 6553

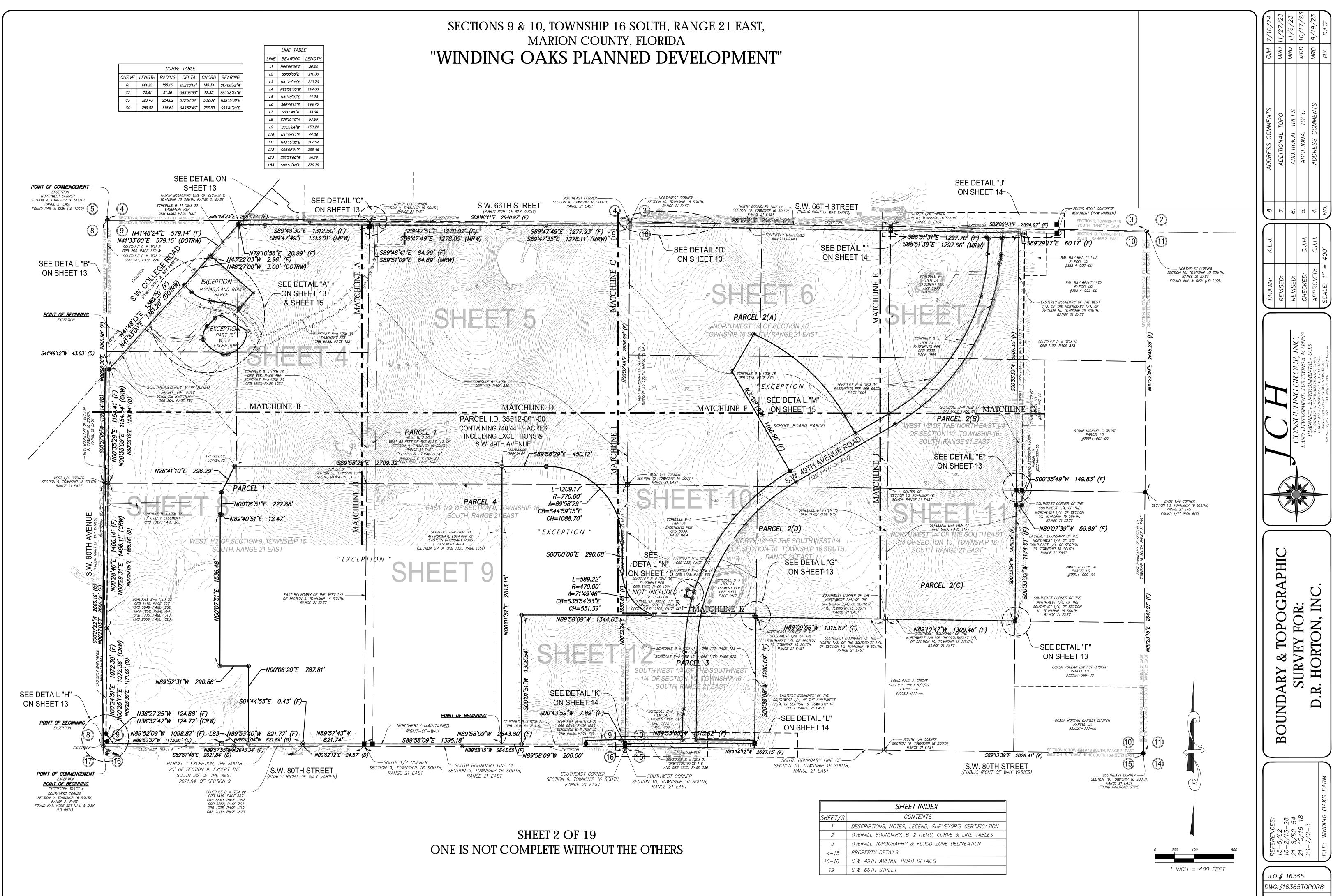
(CERTIFICATE OF AUTHORIZATION NO. LB 8071)

CJH 7/10/24	MRD 11/27/23	MRD 11/6/23	MRD 10/17/23	MRD 9/19/23	BY DATE
ADDRESS COMMENTS	ADDITIONAL TOPO	ADDITIONAL TREES	ADDITIONAL TOPO	ADDRESS COMMENTS	
 8.	7.	6.	5.	4.	NO.
K.L.J.			С. Ј. Н.	С. Ј.Н.	
DRAWN:	RE VISED:	RE VISED:	CHECKED:	APPROVED:	SCALE:
		CONSTITUNG GROUP INC	LAND DEVELOPMENT+ SURVEYING & MAPPING	PLANNING + ENVIRONMENTAL + G.I.S. CRYINGCATE OF AUTHONIZATIONNO, I B8071 CHIRTONHER I HOWKON R VI CEN 156833	$\frac{426 SW 157H5 TREET, OCALA, FLORIDA 34771}{PHONE (352) 405-1482 FAX (888) 272-8335 www.JCHcg.com$
	BOUNDARY & TOPOGRAPHIC	CLIDI/EV EOD.	JUNVEI FOR.	D.R. HORTON. INC.	
REFERENCES:	15-5/62	16-2/13-28 21-8/52-54	21-10/15-18	6-2/1-62	FILE: WINDING OAKS FARM

J.O.# 16365

DWG.#16365TOPORE

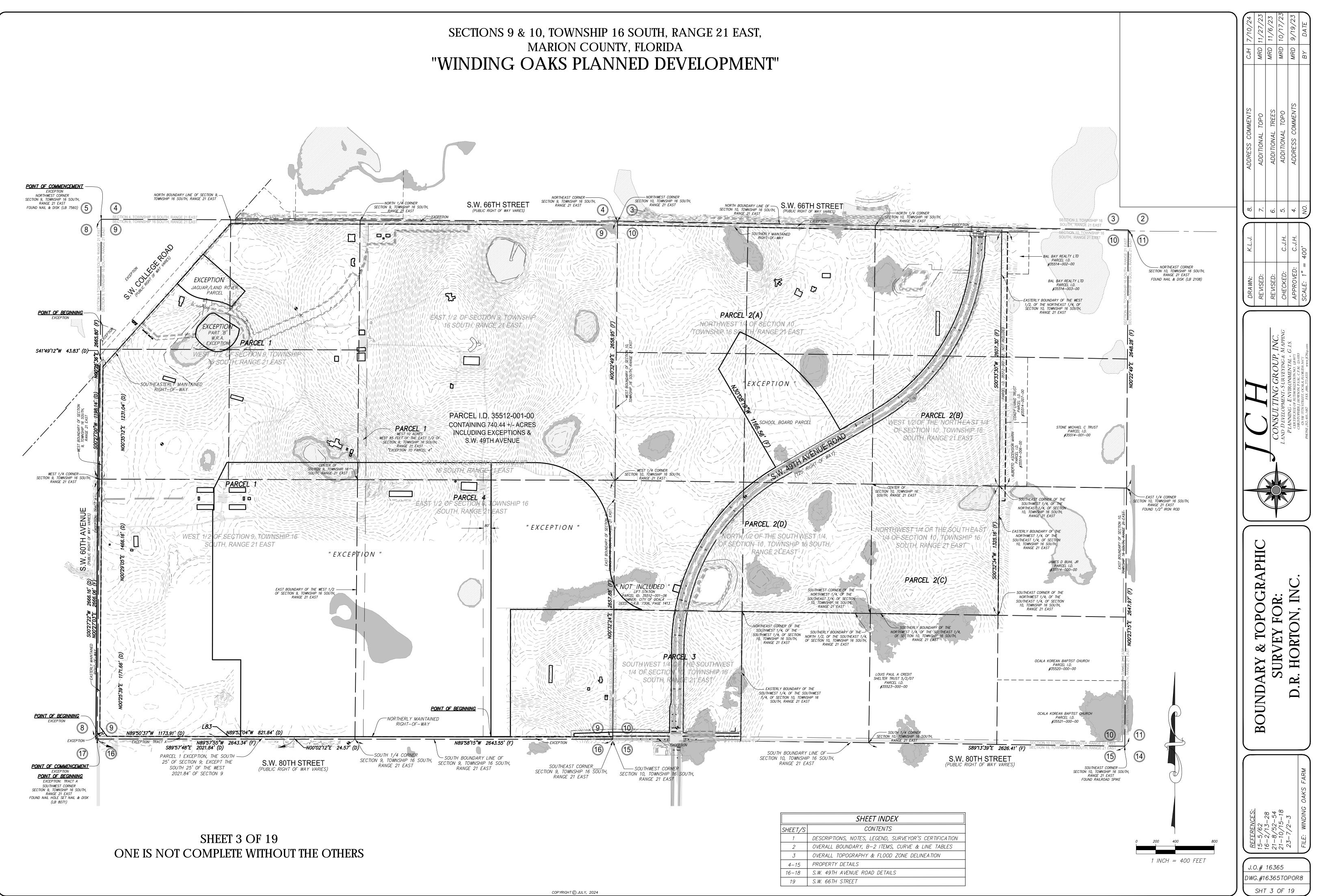
SHEET 1 OF 19

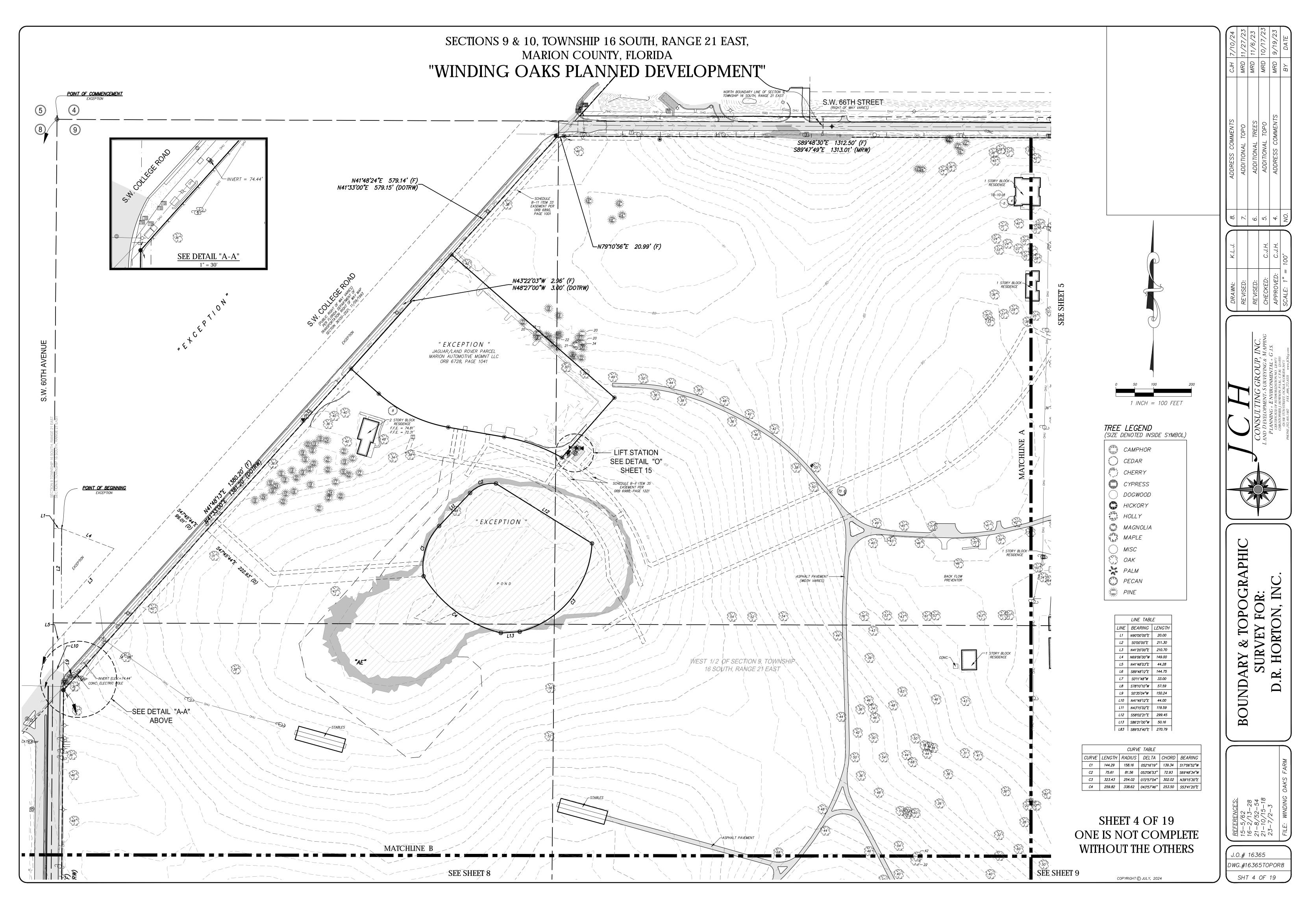


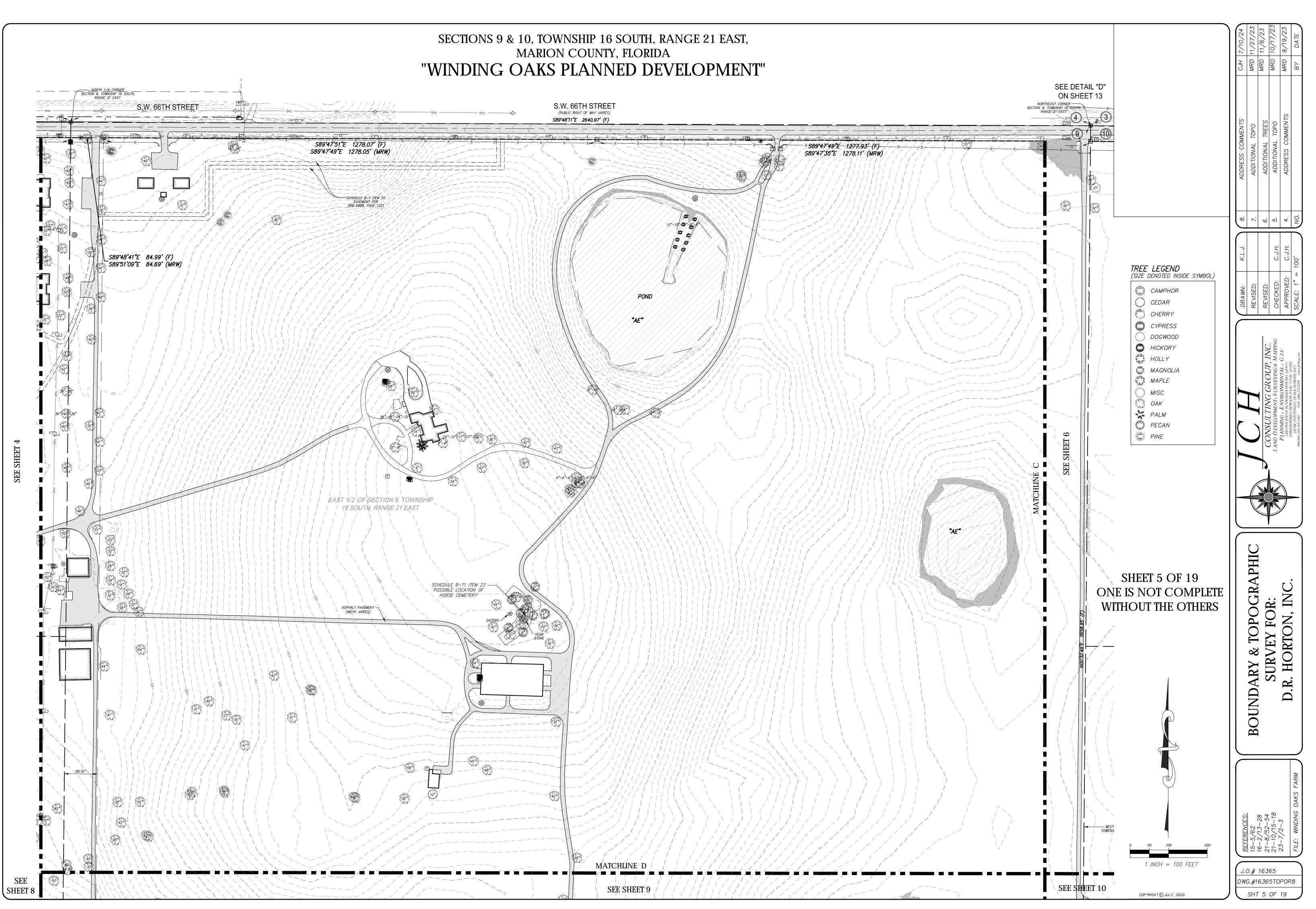
	SHEET INDEX
SHEET/S	CONTENTS
1	DESCRIPTIONS, NOTES, LEGEND, SUI
2	OVERALL BOUNDARY, B-2 ITEMS, C
3	OVERALL TOPOGRAPHY & FLOOD Z
4-15	PROPERTY DETAILS
16–18	S.W. 49TH AVENUE ROAD DETAILS
19	S.W. 66TH STREET

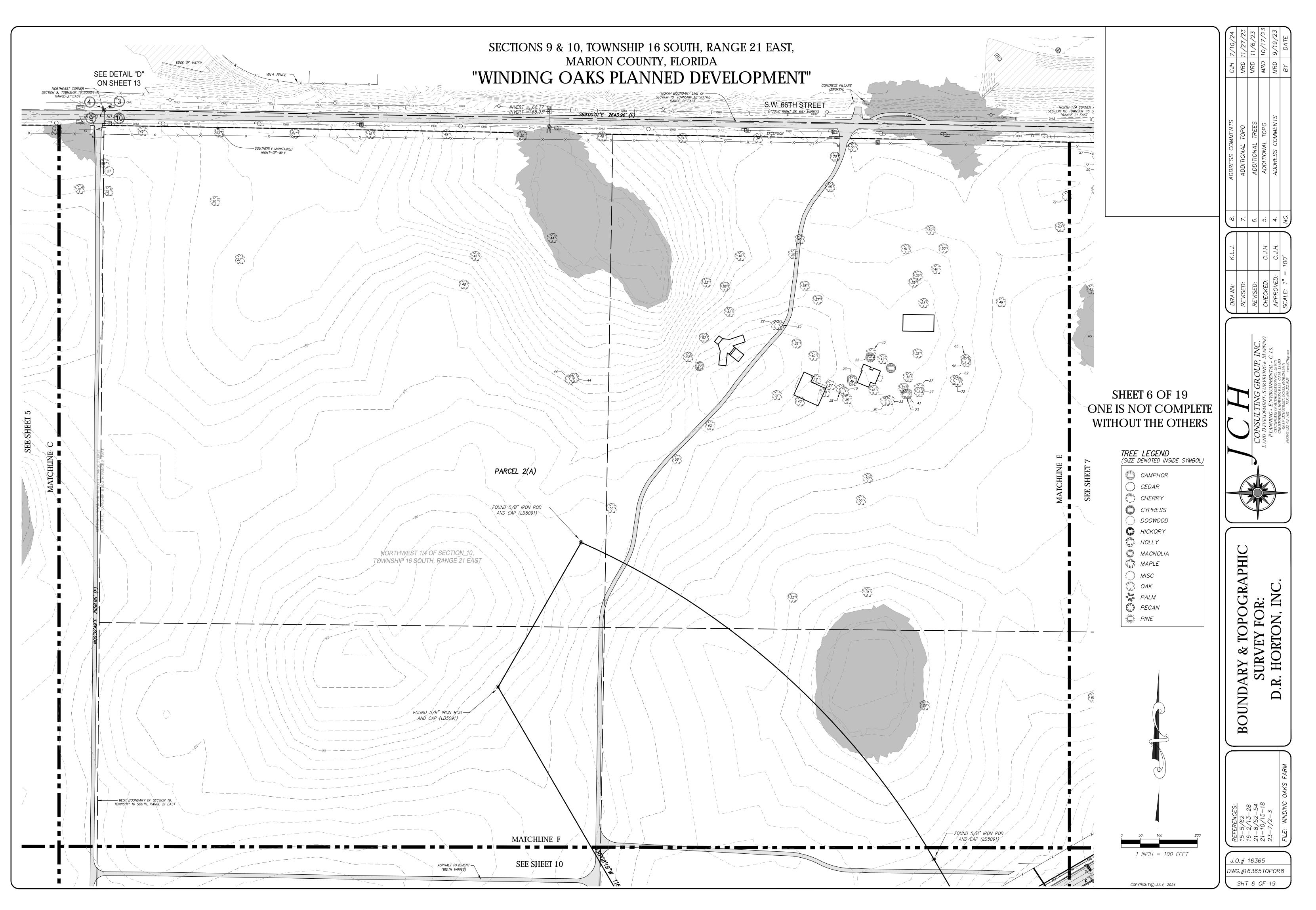
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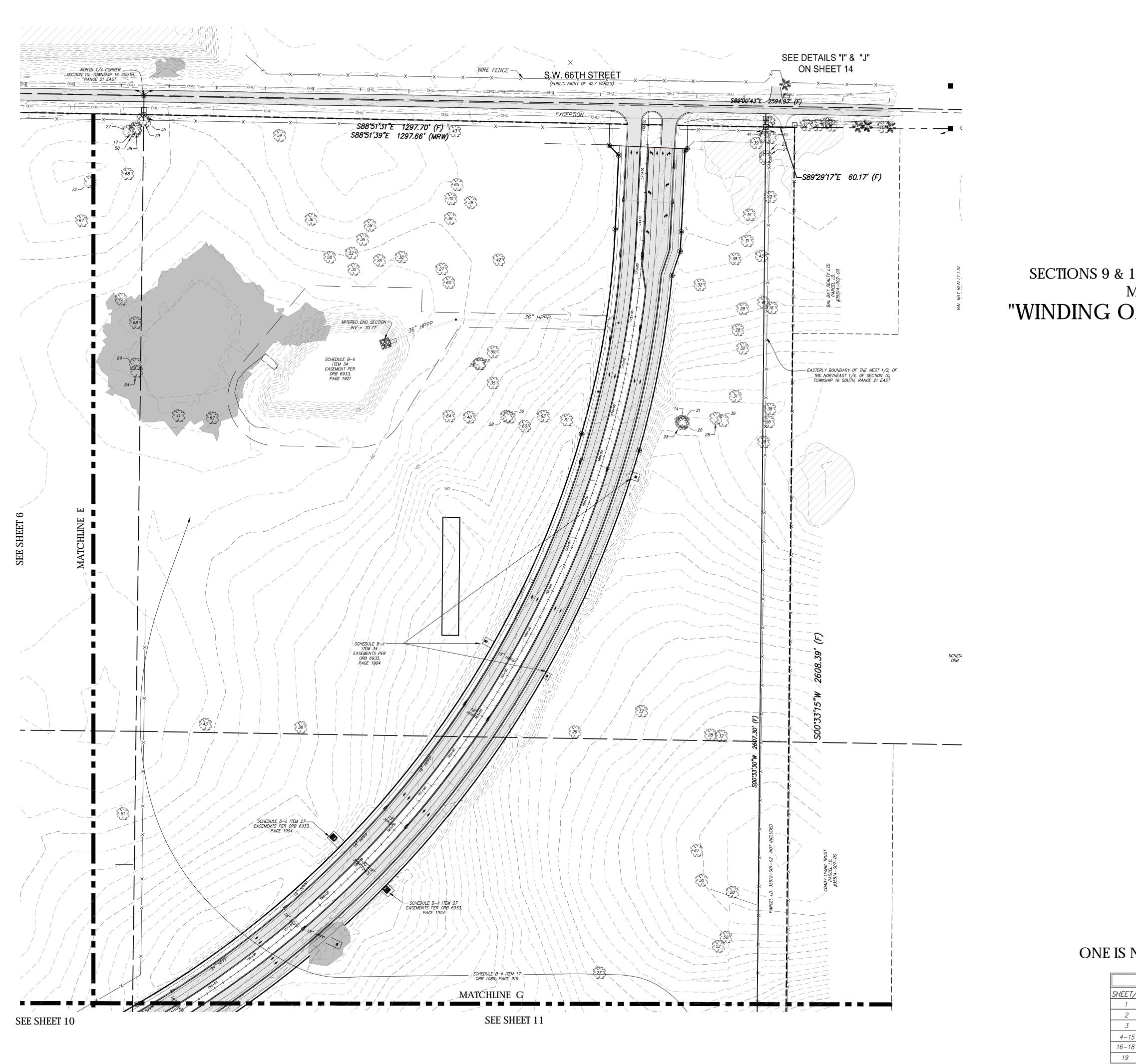
SHT 2 OF 19











	CJH 7/10/24 MRD 11/27/23 MRD 11/6/23 MRD 10/17/23 MRD 9/19/23 BY DATE
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	CONSULTING GROUP, INC. LAND DEVELOPMENT+ SURVEYING & MAPING PLANNING + ENTHRURATION NED BUIL CRUTHCATE OF ATHARING NON LB801 GRUTHATHE ATHARTER I ADVING AS M APPING PLANNING + ENTHALTON NED LB801 GRUTHATHE ATHARTER I OCALA, FLORIDA 3471 PHONE (353) 405-1482 FAX (888) 272-8335 wwy/CHgrcon
$ \begin{array}{c} \begin{array}{c} \begin{array}{c} \begin{array}{c} \end{array} \\ \end{array} \\ \end{array} \\ \end{array} \\ \begin{array}{c} \end{array} \\ \end{array} \\ \end{array} \\ \begin{array}{c} \end{array} \\ \end{array} \\ \end{array} \\ \end{array} \\ \begin{array}{c} \end{array} \\ \end{array} $ } \\ \end{array} \\ \end{array} \\ } \\ \end{array} \\ } \\ \end{array} \\) \\) \\) \\) \\) \\) \\) \\)	BOUNDARY & TOPOGRAPHIC SURVEY FOR: D.R. HORTON, INC.
	REFERENCES: 15-5/62 16-2/13-28 21-8/52-54 21-10/15-18 23-7/2-3 FILE: WINDING OAKS FARM

DWG.#16365TOPOR8

SHT 7 OF 19

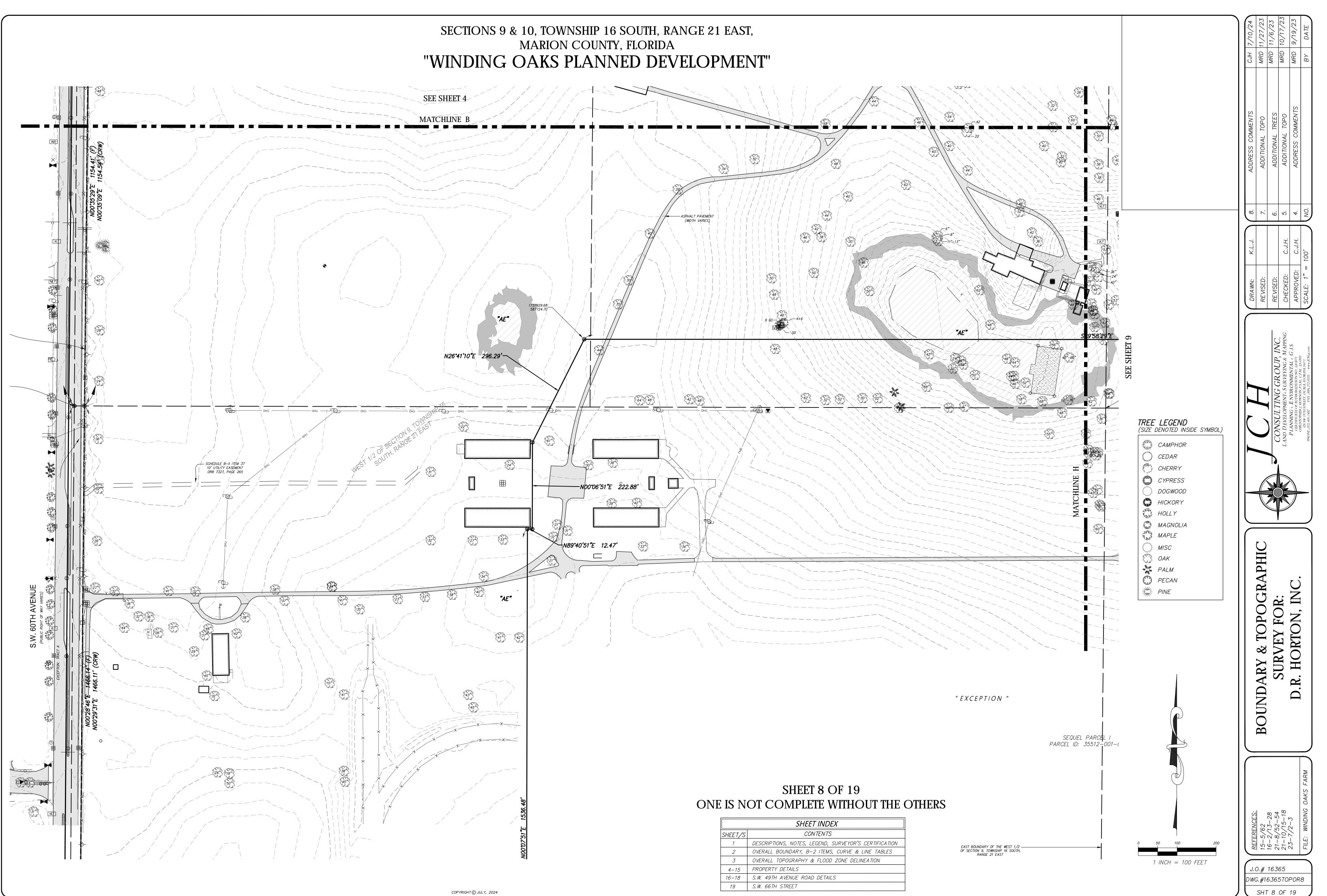
SECTIONS 9 & 10, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA "WINDING OAKS PLANNED DEVELOPMENT"

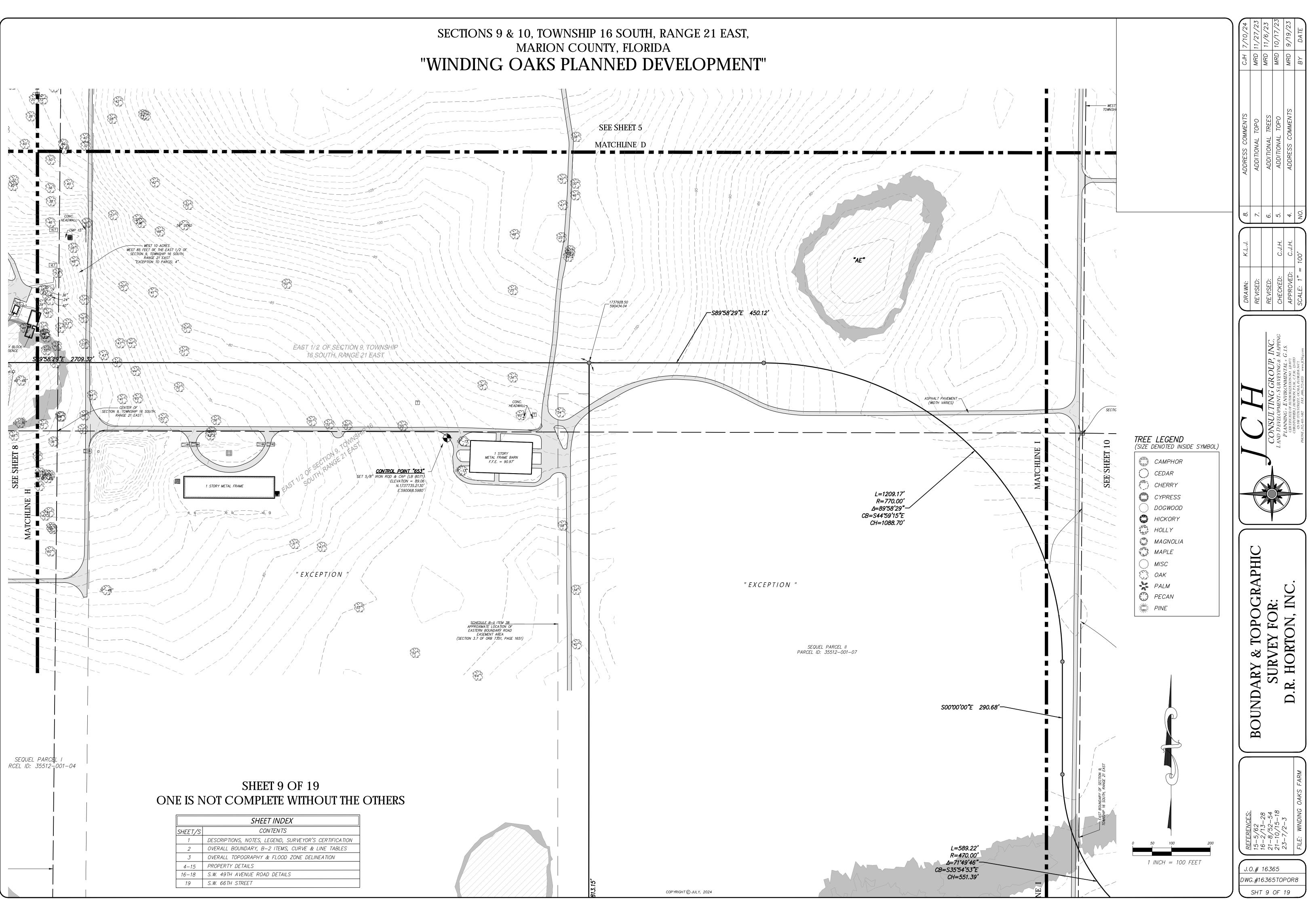
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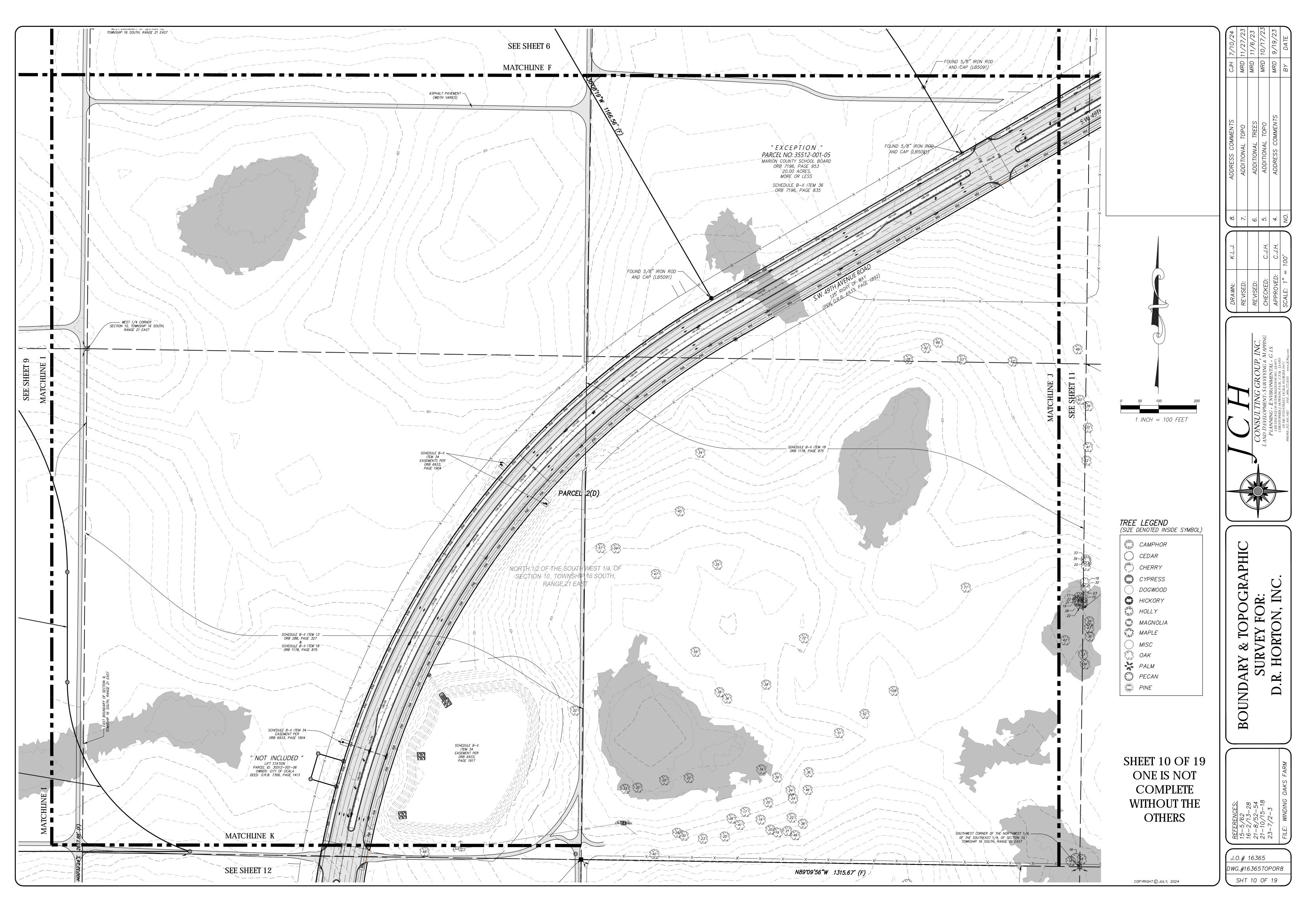
SHEET 7 OF 19 ONE IS NOT COMPLETE WITHOUT THE OTHERS

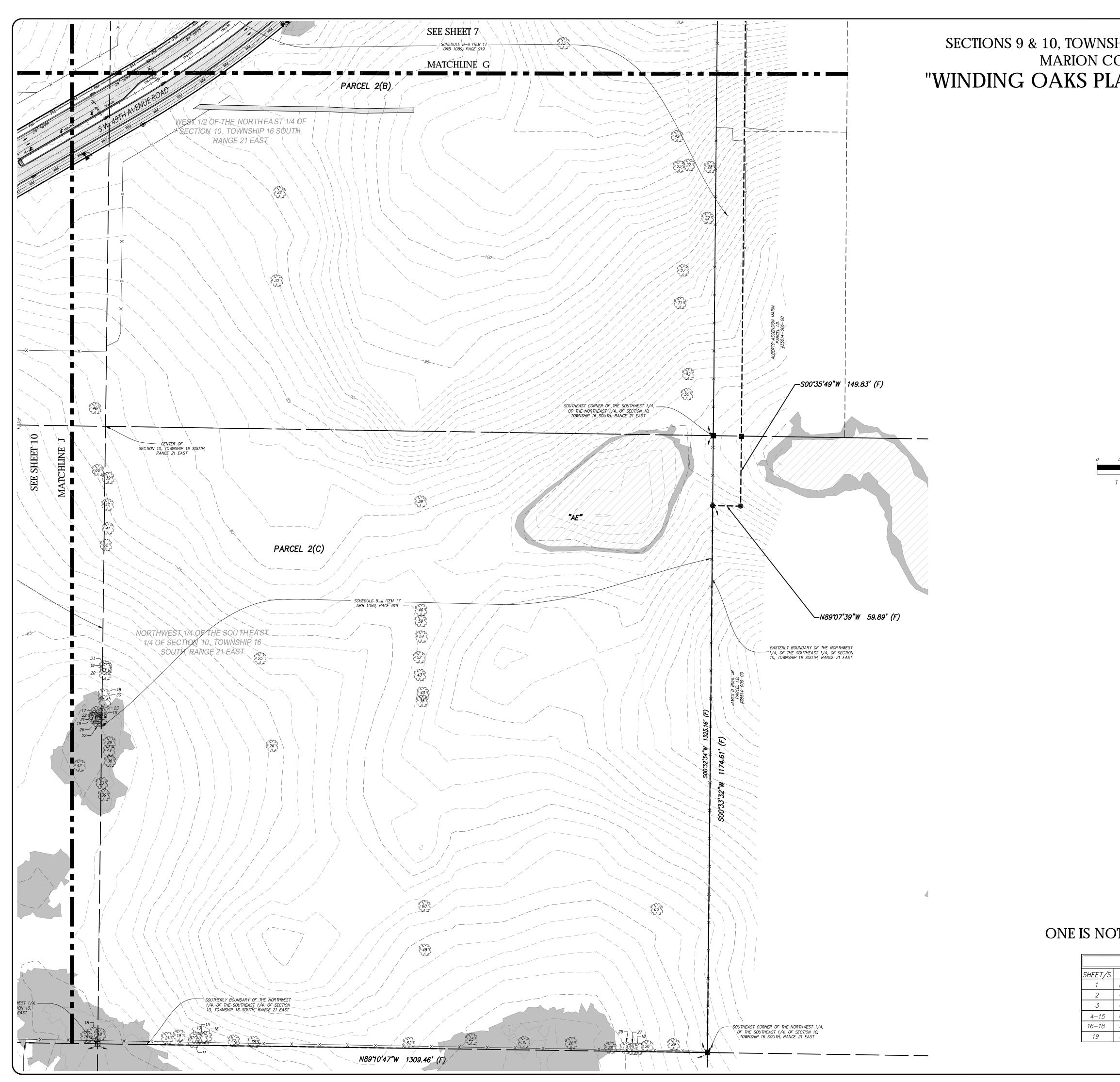
	SHEET INDEX
T/S	CONTENTS
'	DESCRIPTIONS, NOTES, LEGEND, SURVEYOR'S CERTIFICATION
2	OVERALL BOUNDARY, B-2 ITEMS, CURVE & LINE TABLES
3	OVERALL TOPOGRAPHY & FLOOD ZONE DELINEATION
-15	PROPERTY DETAILS
-18	S.W. 49TH AVENUE ROAD DETAILS
9	S.W. 66TH STREET

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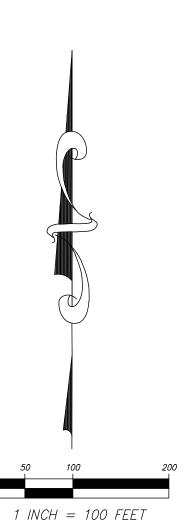








SECTIONS 9 & 10, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA "WINDING OAKS PLANNED DEVELOPMENT"



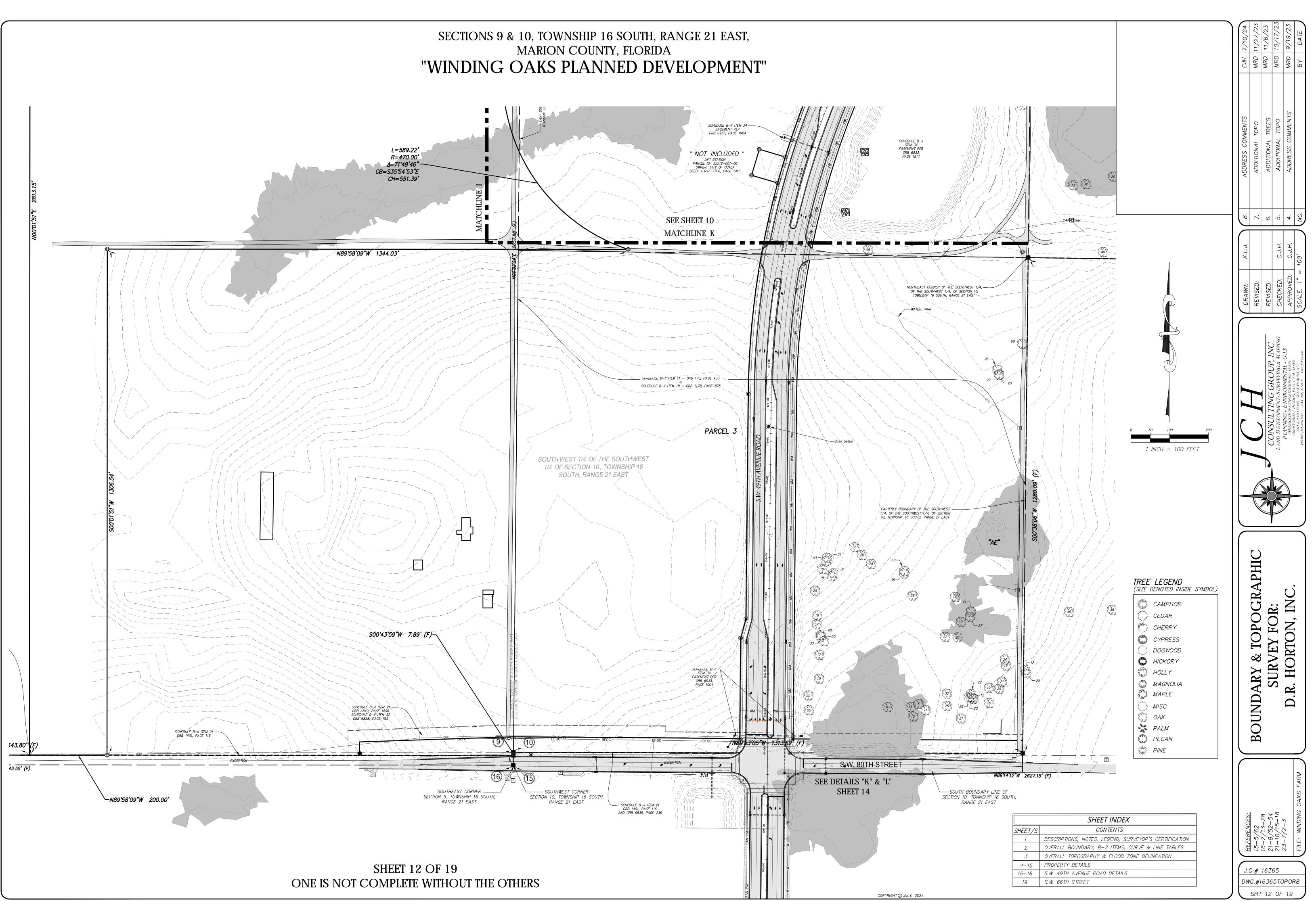
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CEDARImage: Ciedar
CIERRYImage: Ciedar
CIERRYImage: Ciedar
DOGWOODImage: Ciedar
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DINEImage: Ciedar
DINE

SHEET 11 OF 19 ONE IS NOT COMPLETE WITHOUT THE OTHERS

SHEET INDEX
CONTENTS
DESCRIPTIONS, NOTES, LEGEND, SURVEYOR'S CERTIFICATION
OVERALL BOUNDARY, B-2 ITEMS, CURVE & LINE TABLES
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S.W. 66TH STREET

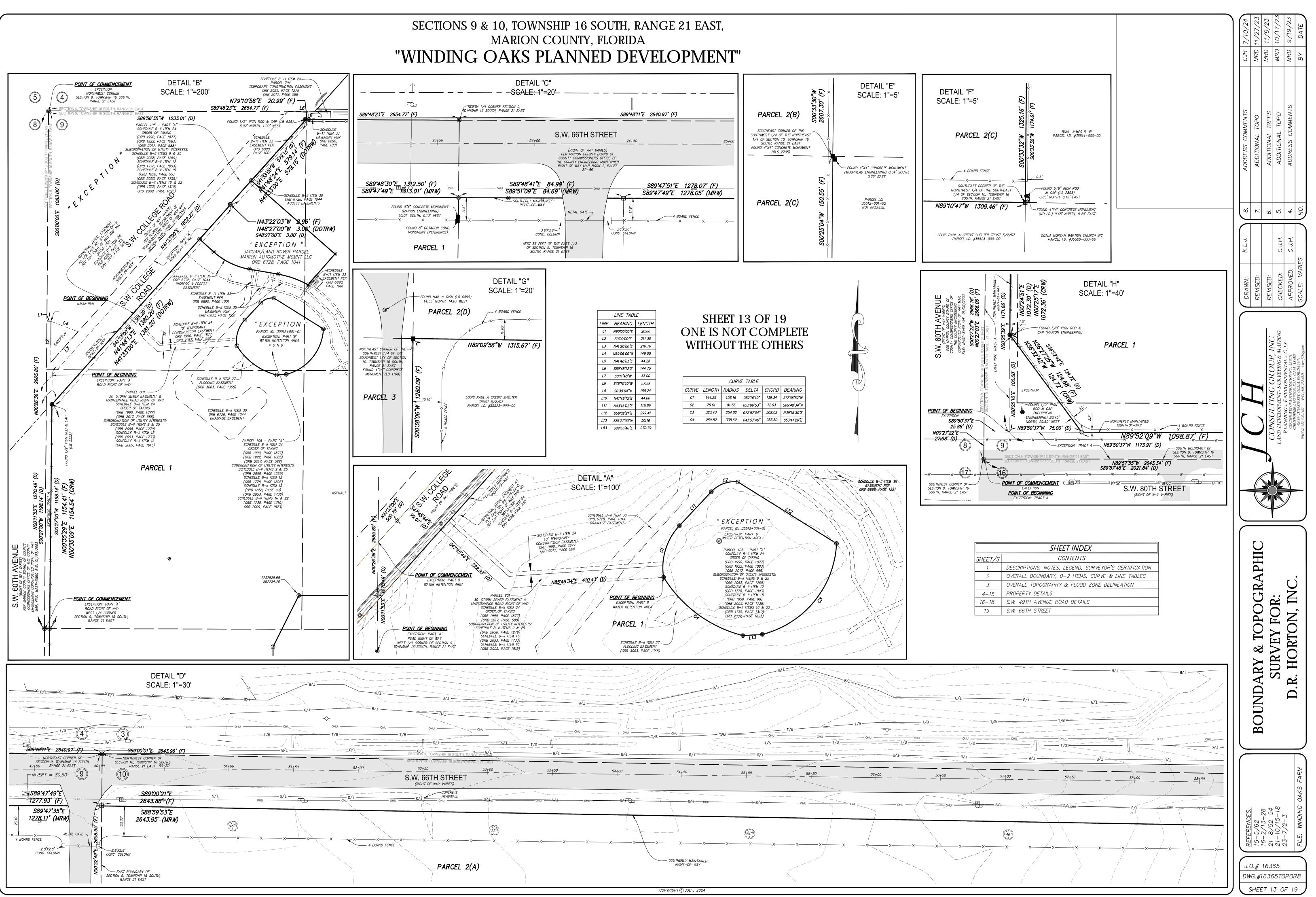
× 100 ARY & TOPOGRAPHIC Survey For: IN • HORTON R. BOUND/ D. FERENCES: -5/62 -2/13-28 -2/13-28 -8/52-54 -10/15-18 REF 15-16-21-23-23-23-J.O.# 16365 DWG.#16365TOPOR8

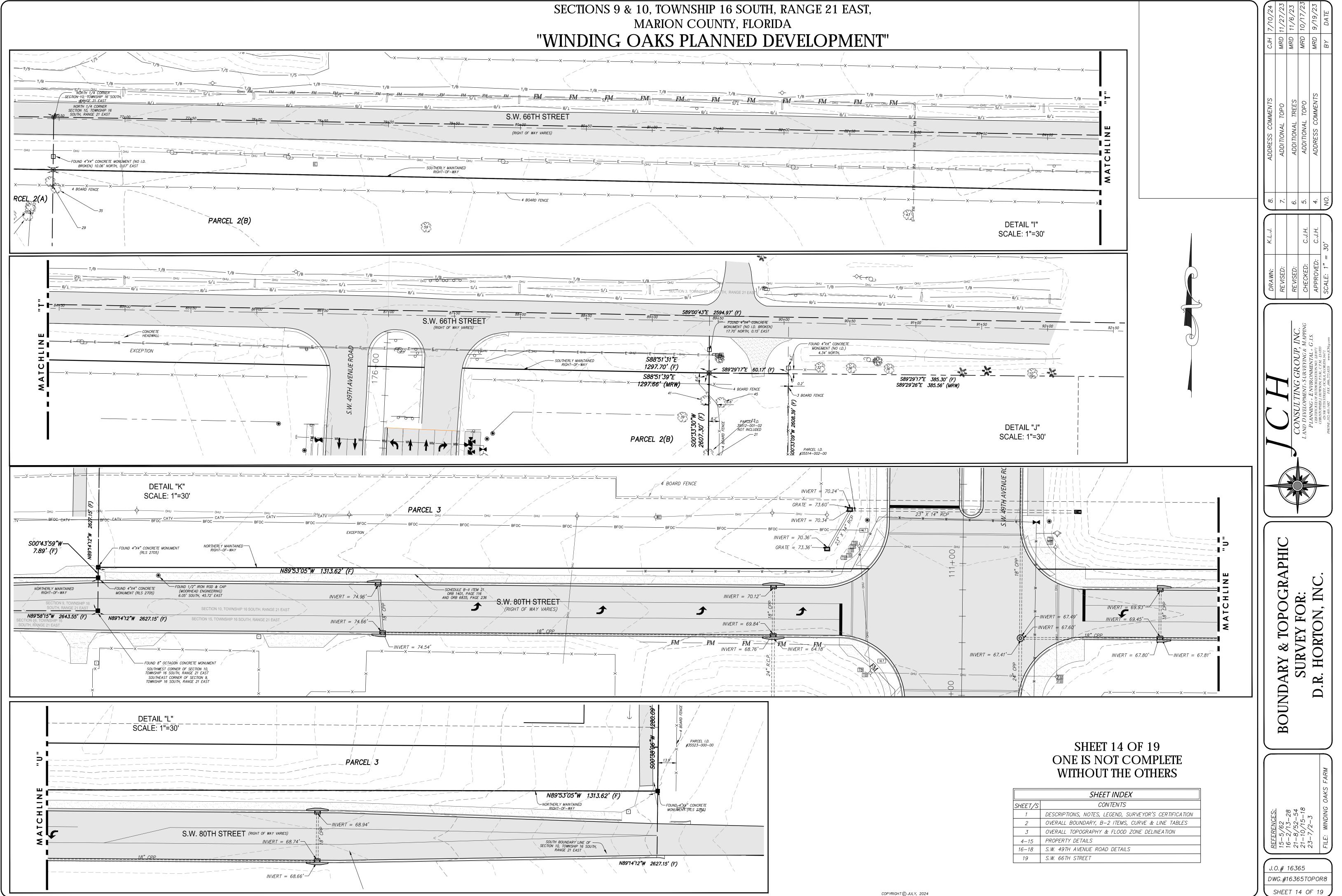
SHT 11 OF 19



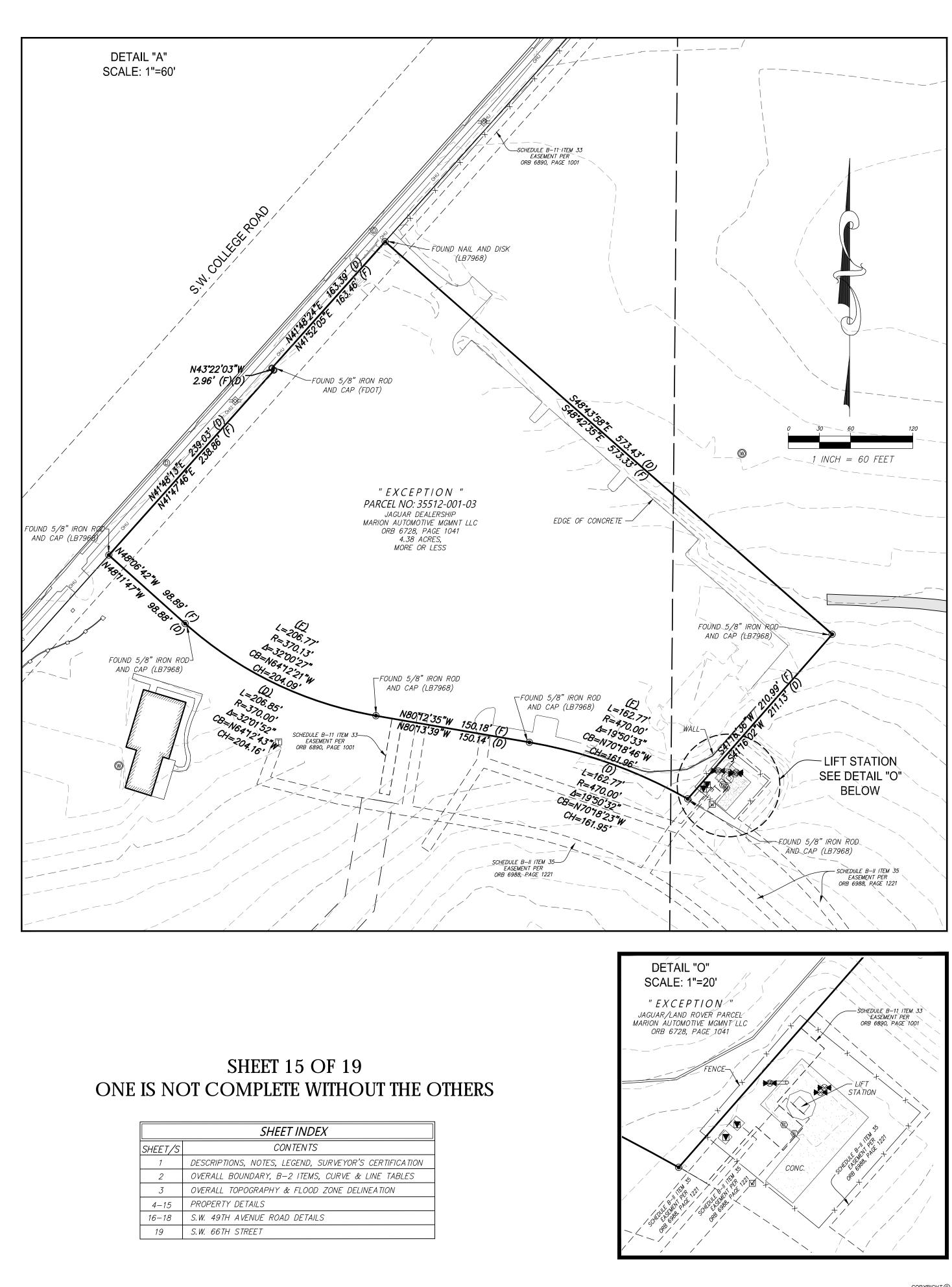
MARION COUNTY, FLORIDA

SECTIONS 9 & 10, TOWNSHIP 16 SOUTH, RANGE 21 EAST,

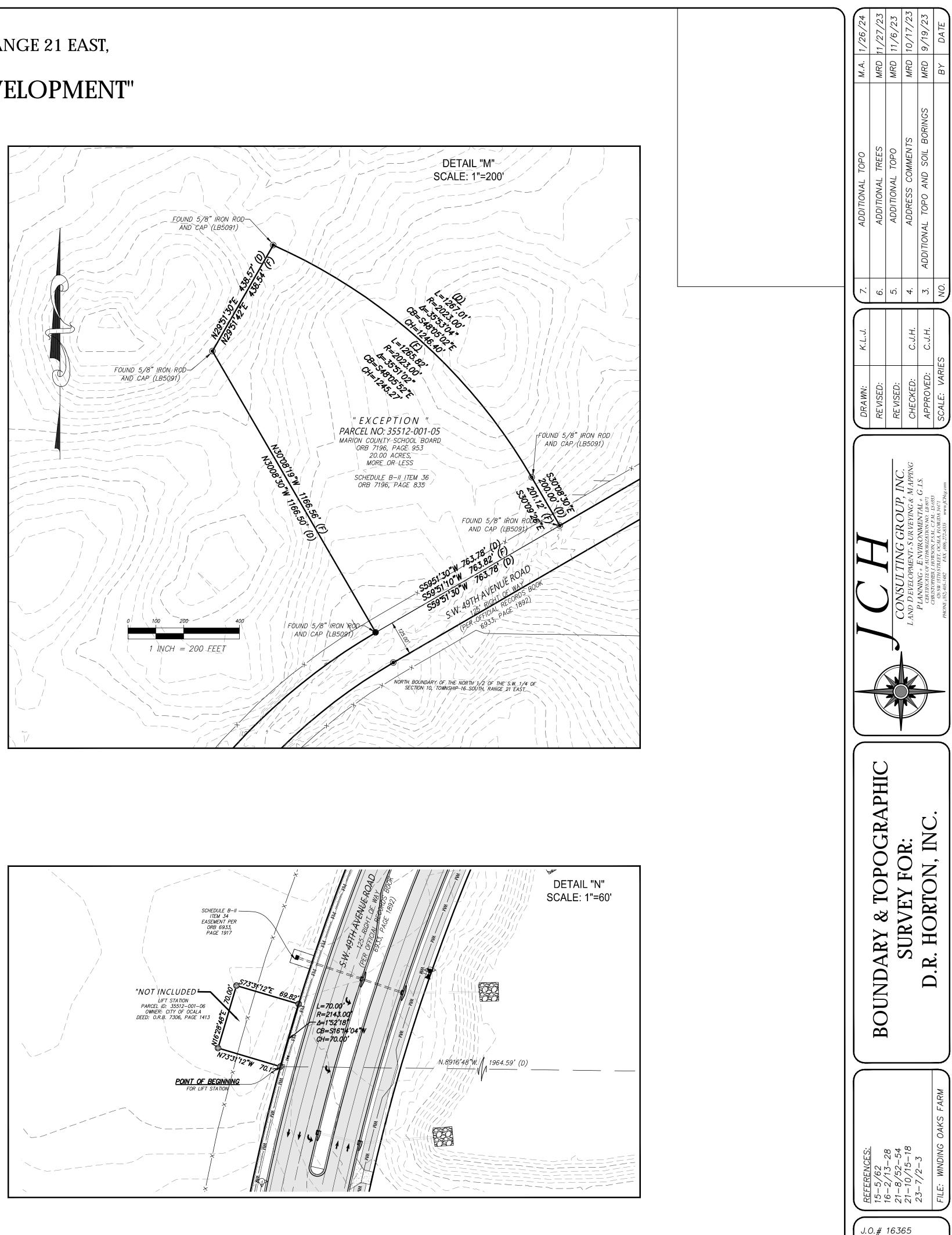


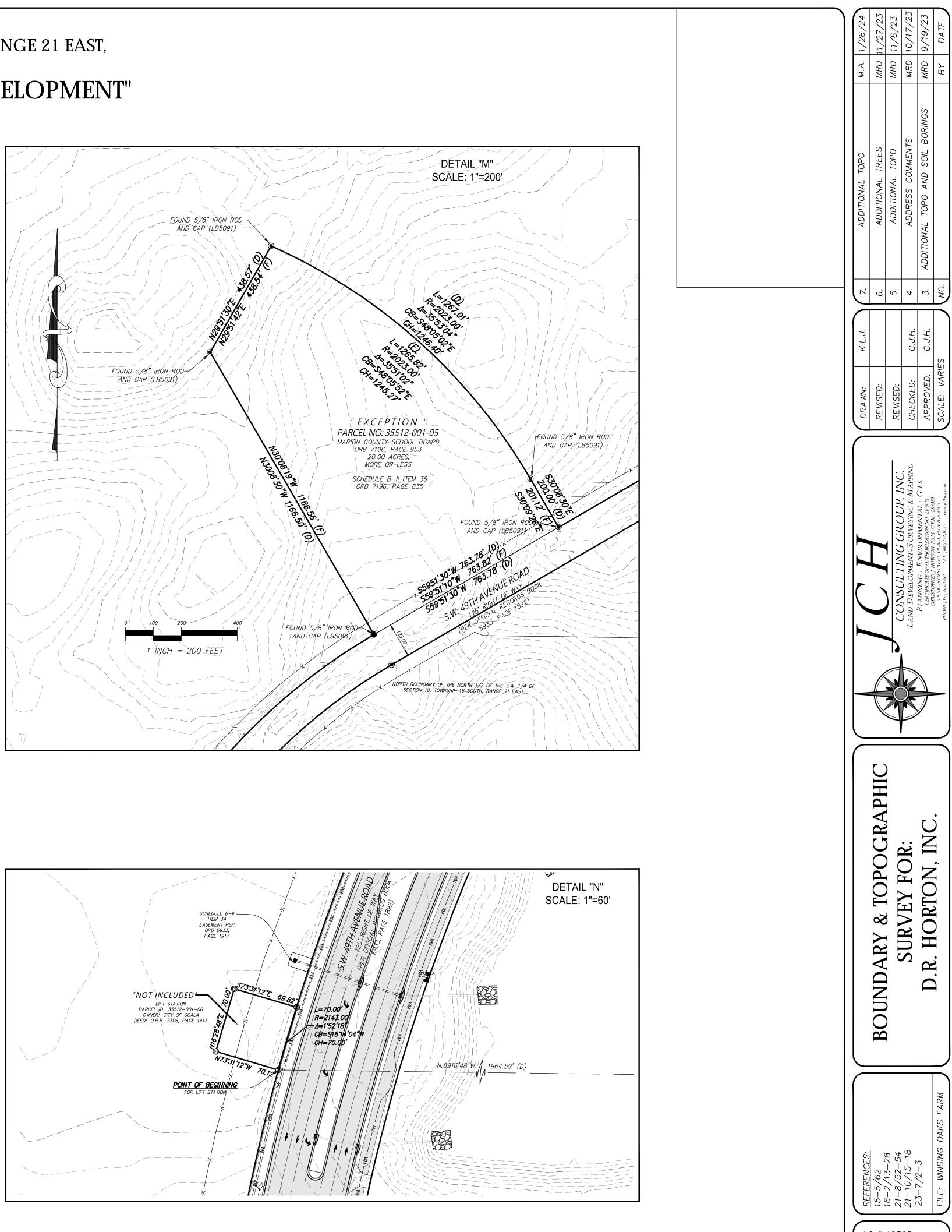






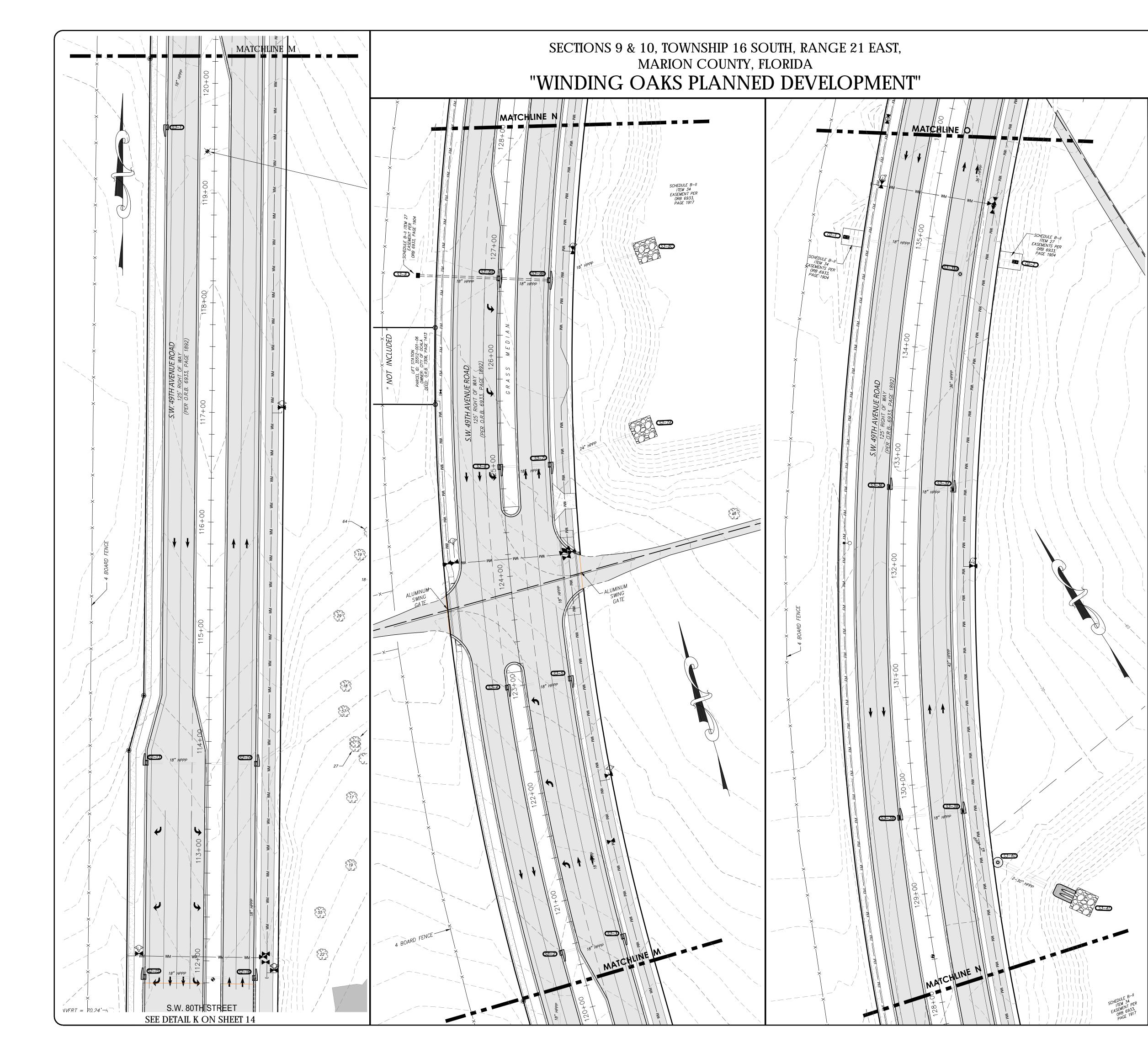
SECTIONS 9 & 10, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA "WINDING OAKS PLANNED DEVELOPMENT"





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SHT 15 OF 19



32

NE	IS N HOU	ET 16 OF 19 NOT COMPLE JT THE OTHER JT THE OTHER SHEET IND CONTENTS SCRIPTIONS, NOTES, LEGEND, ERALL BOUNDARY, B-2 ITEMS	S EX S SURVEYO S, CURVE	(SIZE DENOTED INSIDE SYMBO CAMPHOR CEDAR CEDAR CHERRY CYPRESS DOGWOOD HICKORY HOLLY LAUREL OAK LIVE OAK AAGNOLIA MAPLE MISC OAK PALM PECAN PECAN PINE		BOUNDARY & TOPO(-2/13-20 -8/52-54 CTTD	18 JUKVEI	D R HORTON IN	FILE: WINDING OAKS FARM
	S3-7A	MITERED END SECTION STA. 125+26.15, 119.74' RT INV IN: 57.87' 24" W		INV IN: 57.56' 30" NW		GRAPHI		•	UZ	
_	S3-7	STA. 120+00.04, 44.43' RT E.O.P.: 69.10' INV IN: 64.32' 18" W INV IN: 64.34' 18" S INV OUT: 58.98' 24" E	S3-41	RIM: 70.52' INV IN: 60.51' 42" N INV OUT: 60.51' 30" SE MITERED END SECTION (DUAL PIPES) STA. 128+74.99, 132.64' RT	$\left[\right]$					
-	S3-6	INV IN: 68.76' 18" S INV OUT: 68.72' 18" N STA. 125+00.00, 1.70' LT E.O.P.: 70.28' INV OUT: 65.70' 18" E	- 	E.O.P.: 70.43' INV IN: 65.80' 18" NW INV IN: 63.64' 42" NE INV OUT: 63.64' 42" S STA. 129+20.85, 69.13' RT						-
-	S3-5	E.O.P.: 74.98' INV OUT: 70.37' 18" E STA. 123+00.00, 44.25' RT E.O.P.: 73.45' INV IN: 68.78' 18" W	-	STA. 129+71.33, 13.78' LT E.O.P.: 71.14' INV OUT: 66.81' 18" SE STA. 129+71.79, 44.15' RT			7			
-	S3-3 S3-4	STA. 120+54.79, 44.27' RT E.O.P.: 79.34' INV IN: 74.70' 18" W INV OUT: 74.60' 18" N STA. 123+00.00, 13.83' LT	S3–37	STA. 132+67.90, 44.32' RT E.O.P.: 73.80' INV IN: 69.11' 18" NW INV IN: 64.22' 36" NE INV OUT: 64.03' 42" SW			CONSI	LAND DEVE	P LANNING CER TIFICATE	CHUDEU 04 426 SW 1 PHONE (352) 405-
-	S3-2	STA. 120+54.10, 13.72' LT E.O.P.: 80.09' INV IN: 75.54' 18" S INV OUT: 75.52' 18" E	S3–36	INV OUT: 64.42' 36" NL INV OUT: 64.42' 36" SW STA. 132+71.03, 13.81' LT E.O.P.: 74.53' INV OUT: 69.94' 18" SE			JI TING (PMENT+S	+ ENVIR	нык J. нО изоли, г.э. 15TH STREET, ОСАГА, -1482 FAX (888) 27
-	S3–1	INV IN: 70.98' 18" W INV IN: 67.97' 18" N STA. 119+59.38, 44.27' LT E.O.P.: 82.19' INV OUT: 77.55' 18" N		STA. 127+00.30, 121.60' RT INV IN: 58.11' 18" W STA. 134+72.64, 33.28' RT RIM: 75.13' INV IN: 64.42' 36" NE			GR OUP 1	R VEYING & M	DNMENTAL + G. Zation no. lb 8071 28 d f m 15 6553	м., С.Г.м L2 0233 , FLORIDA 34471 2-8335 www.JCHcg.com
-	S2–16	E.O.P.: 75.91' INV OUT: 71.22' 18" E STA. 111+84.79, 44.28' RT E.O.P.: 76.20'	S3-8C	E.O.P.: 67.79' INV IN: 63.18' 18" W INV OUT: 62.04' 18" E MITERED END SECTION			NC	1 APPING	.I.S.	com
-	S2-15	E.O.P.: 78.76' INV IN: 73.55' 18" W INV OUT: 72.80' 18" S STA. 111+84.96, 57.38' LT	S3-8A 	E.O.P.: 68.94' INV IN: 63.70' 18" W INV OUT: 63.70' 18" E STA. 126+71.80, 44.34' RT	DRAWN:	REVISED:	REVISED:	CHECKED:	APPROVED:	SCALE:
-	S2-13 S2-14	STA. 113+79.88, 57.29' LT E.O.P.: 78.46' INV OUT: 73.81' 18" E STA. 113+79.73, 44.19' RT	S3-8	W/2' SLOT = 67.26' (S) STA. 126+71.57, 76.22' LT GRATE: 67.74' INV OUT: 63.89' 18" E		ED:	ED:	(ED:		1" = 40
-	S7 NAME	RUCTURE TABLE	S ⁻ NAME	TRUCTURE TABLE	K.L.J.			С. Ј.Н.	С. Ј.Н.	
ſ		STORM			8	7.	<i>.</i> 9	5.	4.	NO.
0	20 1 INCH	40 80 = 40 FEET			ADDRESS COMMENTS	ADDITIONAL TOPO	ADDITIONAL TREES	ADDITIONAL TOPO	ADDRESS COMMENTS	
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					10/24		11/6/23	/17/23	9/19/23	DATE

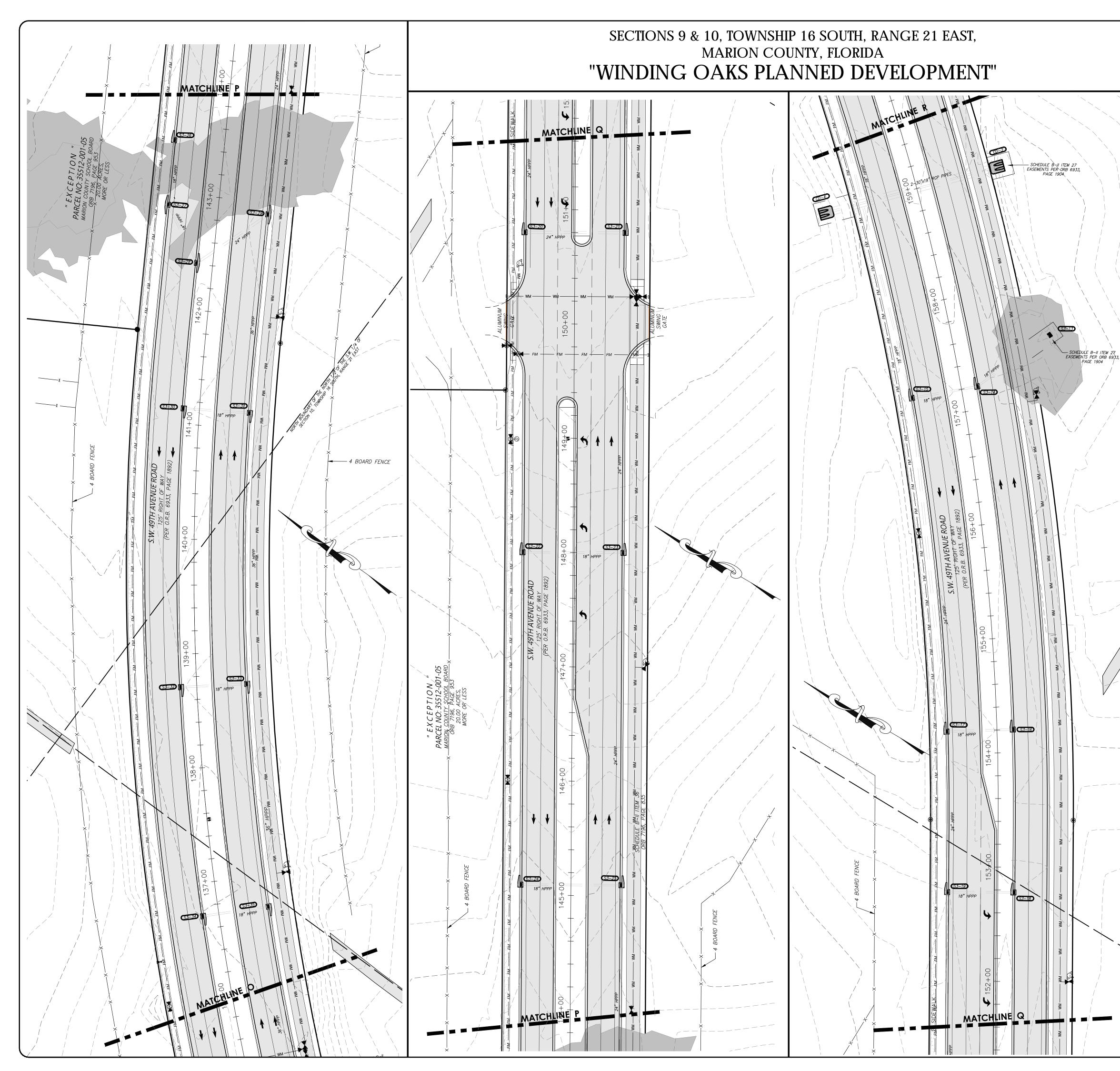
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	DATA	STORM	
RUCTL	ST	TRUCTURE TABLE	S
	NAME	DETAILS	NAME
W/2' SLC STA. 126 GRATE: 6 INV OUT:	S3-8	STA. 113+79.88, 57.29' LT E.O.P.: 78.46' INV OUT: 73.81' 18" E	S2-13
STA. 126 E.O.P.: 6 INV IN: INV OUT	S3-8A	STA. 113+79.73, 44.19' RT E.O.P.: 78.76' INV IN: 73.55' 18" W INV OUT: 72.80' 18" S	S2–14
STA. 126 E.O.P.: 6 INV IN: 6 INV OUT:	S3-8B	STA. 111+84.96, 57.38' LT E.O.P.: 75.91' INV OUT: 71.22' 18" E	S2–15
MITERED STA. 127 INV IN: 5	S3-8C	STA. 111+84.79, 44.28' RT E.O.P.: 76.20' INV IN: 70.98' 18" W INV IN: 67.97' 18" N	S2–16
STA. 134 RIM: 75. INV IN: 6 INV OUT:	S3-35A	STA. 119+59.38, 44.27' LT E.O.P.: 82.19' INV OUT: 77.55' 18" N	S3–1
STA. 132 E.O.P.: 7 INV OUT:	S3-36	STA. 120+54.10, 13.72' LT E.O.P.: 80.09' INV IN: 75.54' 18" S INV OUT: 75.52' 18" E	S3-2
STA. 132 E.O.P.: 7 INV IN: 6 INV IN: 6	S3–37	STA. 120+54.79, 44.27' RT E.O.P.: 79.34' INV IN: 74.70' 18" W INV OUT: 74.60' 18" N	S3-3
INV OUT: STA. 129 E.O.P.: 7	S3–38	STA. 123+00.00, 13.83' LT E.O.P.: 74.98' INV OUT: 70.37' 18" E	S3-4
STA. 129 E.O.P.: 7 INV IN: 6 INV IN: 6	S3-39	STA. 123+00.00, 44.25' RT E.O.P.: 73.45' INV IN: 68.78' 18" W INV IN: 68.76' 18" S INV OUT: 68.72' 18" N	S3-5
INV OUT: STA. 129	S3-40	STA. 125+00.00, 1.70' LT E.O.P.: 70.28' INV OUT: 65.70' 18" E	S3-6
RIM: 70.5 INV IN: 6 INV OUT:		STA. 120+00.04, 44.43' RT E.O.P.: 69.10'	S3-7
MITERED (DUAL PI STA. 128	S3-41	INV IN: 64.32' 18" W INV IN: 64.34' 18" S INV OUT: 58.98' 24" E	
INV IN: 5		MITERED END SECTION STA. 125+26.15, 119.74' RT INV IN: 57.87' 24" W	S3-7A

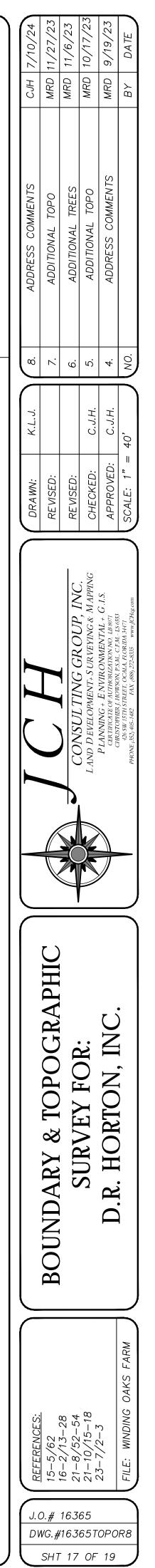
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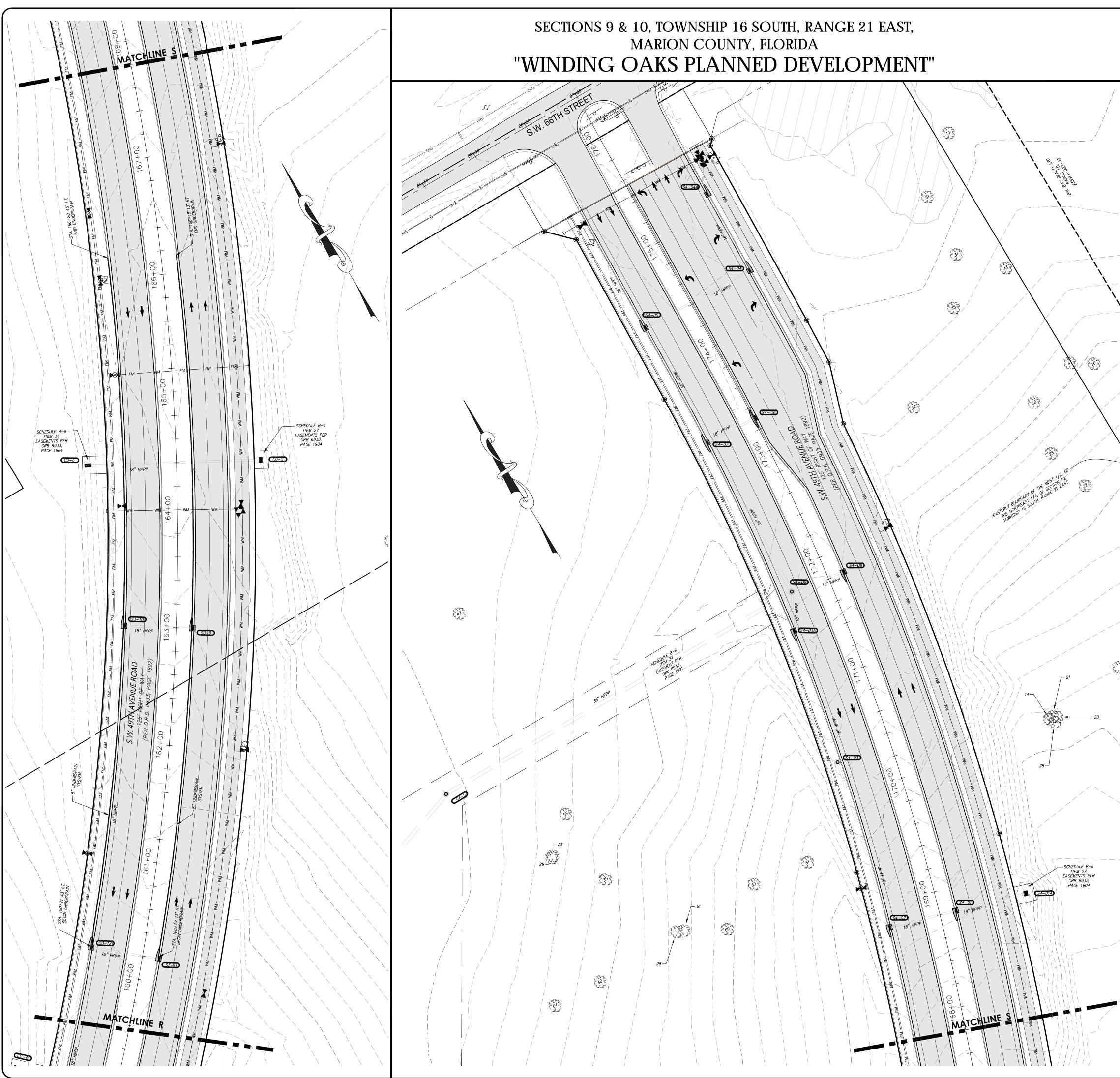
	SHEET INDEX					
SHEET/S	CONTENTS					
1	DESCRIPTIONS, NOTES, LEGEND, SURVEYOR'S CERTIFICATION					
2	OVERALL BOUNDARY, B-2 ITEMS, CURVE & LINE TABLES					
3	OVERALL TOPOGRAPHY & FLOOD ZONE DELINEATION					
4–15	PROPERTY DETAILS					
16–18	S.W. 49TH AVENUE ROAD DETAILS					
19	S.W. 66TH STREET					

SHT 16 OF 19

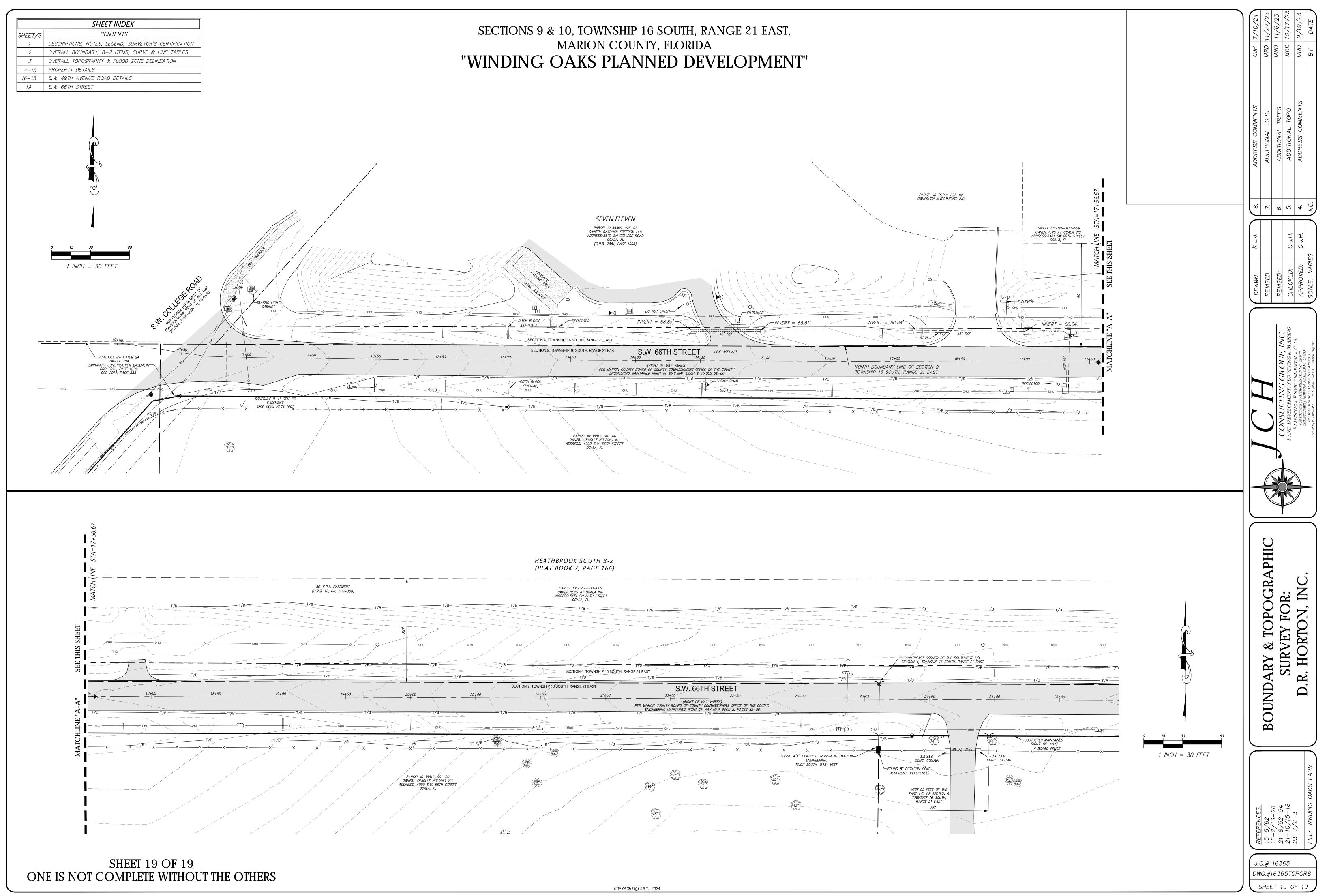


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	NAME	DETAILS	NAME	DETAILS
	S3–13	STA. 157+51.75, 84.68' RT GRATE: 87.82' INV OUT: 82.40' 18" NW	S3-26	STA. 143+45.81, 44.09' LT E.O.P.: 72.03' INV OUT: 67.49' 18" SW
	S3-14	STA. 157+19.76, 13.76' RT E.O.P.: 89.25' INV IN: 80.96' 18" SE INV OUT: 80.92' 18" NW		STA. 142+89.66, 44.16' LT E.O.P.: 72.25' INV IN: 67.33' 18" NE INV OUT: 67.31' 18" SW
	S3–15	STA. 157+20.03, 44.20' LT E.O.P.: 88.59' INV IN: 81.29' 18" NE INV IN: 80.77' 18" SE		
	S3-16	INV OUT: 80.73' 24" SW STA. 154+19.65, 13.71' RT E.O.P.: 88.20' INV OUT: 83.81' 18" NW	- S3-29	STA. 142+89.43, 44.27' RT E.O.P.: 71.79' INV IN: 66.93' 24" W INV IN: 65.79' 24" NE
	S3–17	STA. 154+18.95, 44.26' LT E.O.P.: 87.51' INV IN: 82.94' 18" SE INV IN: 80.18' 24" NE	S3–30	INV OUT: 65.30' 36" SW STA. 141+13.55, 13.76' LT E.O.P.: 73.13' INV OUT: 68.66' 18" SE
	S3–18	INV OUT: 80.17' 24" SW STA. 157+77.89, 13.76' RT E.O.P.: 87.72' INV OUT: 83.14' 18" NW	S3-31	STA. 141+13.72, 44.28' RT E.O.P.: 72.41' INV IN: 67.70' 18" NW INV IN: 65.09' 36" NE INV OUT: 65.09' 36" SW
	S3–19	STA. 152+78.11, 44.17' LT E.O.P.: 86.99' INV IN: 82.47' 18" SE INV IN: 79.86' 24" NE INV OUT: 79.86' 24" SW	S3-32	STA. 138+71.20, 13.75' LT E.O.P.: 74.07' INV OUT: 69.63' 18" SE
	S3-20	STA. 150+79.87, 44.14' LT E.O.P.: 86.29' INV IN: 79.52' 24" NE INV OUT: 79.47' 24" SE	S3-33	STA. 138+71.35, 44.33' RT E.O.P.: 73.39' INV IN: 68.83' 18" NW INV IN: 64.85' 36" NE INV OUT: 64.85' 36" SW
	S3-21	STA. 150+79.81, 44.20' RT E.O.P.: 86.26' INV IN: 79.29' 24" NW INV OUT: 79.18' 24" SW	S3-34 S3-35	STA. 136+71.22, 13.77' LT E.O.P.: 74.89' INV OUT: 70.46' 18" SE STA. 136+71.88, 44.23' RT
	S3-22	STA. 148+00.00, 44.20' LT E.O.P.: 81.82' INV OUT: 77.30' 18" SE		E.O.P.: 74.15' INV IN: 69.62' 18" NW INV IN: 64.65' 36" NE INV OUT: 64.62' 36" SW
	S3-23	STA. 147+99.98, 44.20' RT E.O.P.: 81.81' INV IN: 77.02' 18" NW INV IN: 74.83' 24" NE INV OUT: 74.70' 24" SW	CD-3	MITERED END SECTION MULTIPLE PIPE CD-3/CD-3A STA. 158+98.27, 77.44' RT INV OUT: 87.11' 30" NW
	S3-24	E.O.P.: 74.23' INV OUT: 69.71' 18" SE	CD-4	MITERED END SECTION MULTIPLE PIPE CD-4/CD-4A STA. 158+97.80, 87.89' LT
	S3–25	STA. 145+09.58, 44.21' RT E.O.P.: 74.25' INV IN: 69.47' 18" NW INV IN: 68.41' 24" NE INV OUT: 67.86' 24" SW		INV IN: 85.33' 30" SE
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2	53-10 STA. 162+99.98, 44.30' LT E.O.P.: 97.36' INV IN: 92.61' 18" SE INV OUT: 92.59' 18" SW		
	S3-11 STA. 160+19.73, 13.75' RT E.O.P.: 92.43' INV OUT: 87.94' 18" NW	S4-06 STA. 173+29.77, 1.55' RT E.O.P.: 82.34' INV OUT: 78.10' 18" W	NC. APPING .L.S.
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Ocala

Legislation Text

www.ocalafl.gov

File #: 2025-1071

Agenda Item #: a.

Submitted By: Breah Miller, Planner II

Presentation By: Breah Miller

Department: Growth Management

STAFF RECOMMENDATION (Motion Ready):

Public Hearing to rezone approximately 1.00 acre of property located at 3640 SW 7th Place from INST, Institutional, to M-2, Medium Industrial (Case ZON25-0004) (Quasi-Judicial).

OCALA'S RELEVANT STRATEGIC GOALS:

Economic Hub, Quality of Place

PROOF OF PUBLICATION:

N/A

BACKGROUND:

This is a request to rezone Parcel 23458-000-01 from a zoning of INST to M-2 zoning district. The property was purchased by the applicant in February 2024 and is currently developed with a single-family residence. The applicant is proposing to utilize this property as additional outdoor storage and parking for the Fidelity Manufacturing property to the south.

FINDINGS AND CONCLUSIONS:

- The proposed M-2 zoning district is consistent with the existing Employment Center Future Land Use designation pursuant to Code of Ordinances Section 122-244.
- The proposed M-2 zoning district is compatible with the existing surrounding development and zoning pattern.
- The request is consistent with the Comprehensive Plan, and the City's Code of Ordinances.
- No Level of Service issues have been identified for public facilities as a result of the zoning amendment.

Staff recommends approval.

FISCAL IMPACT: N/A PROCUREMENT REVIEW: N/A LEGAL REVIEW:

This Agreement will be reviewed and approved for form and legality by City Attorney, William E. Sexton.

ALTERNATIVE:

- Approve with amendments
- Deny
- Table

ORDINANCE 202X-XX

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF OCALA, FLORIDA, CHANGING THE ZONING FROM INST, INSTITUTIONAL, TO M-2, MEDIUM INDUSTRIAL, FOR CERTAIN PROPERTY LOCATED AT 3640 SW 7th PLACE, APPROXIMATELY 1.00 ACRE (CASE NO. ZON25-0004); PROVIDING DIRECTION TO STAFF; REPEALING INCONSISTENT AND/OR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY OF ORDINANCE PROVISIONS; PROVIDING FOR MODIFICATIONS ARISING FROM CONSIDERATIONS AT A PUBLIC HEARING; PROVIDING DIRECTION TO THE CODIFIER; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, in regular session, as follows:

<u>Section 1</u>. The lands described below are hereby rezoned and reclassified according to the zoning regulation of the City of Ocala, Florida, as M-2, Medium Industrial:

DESCRIPTION OF PROPERTY

SEC 23 TWP 15 RGE 21

COM 40 FT S 200 FT E OF NW COR NE 1/4 NW 1/4 NW 1/4

TH S 396 FT E 110 FT N 396 FT W 110 FT TO POB

Commencing at a point 40 feet S. and 200 feet E. of the NW corner of NE ¹/₄ of NW ¹/₄ of NW ¹/₄ of Section 23, Township 15 South, Range 21 East, Marion County, Florida: thence S. 396 feet, thence E. 110 feet, thence N. 396 feet, thence W. 110 feet to the Point of Beginning.

TOGETHER WITH a non-exclusive easement for ingress and egress and for utilities over the N. 40 feet of the NE ¼ of NW ¼ of NW ¼ of Section 23, Township 15 South, Range 21 East, EXCEPT the W. 200 feet thereof, and also a non-exclusive easement for ingress and egress and for utilities over the E. 40 feet of the following described property. Start at a point at the intersection of Interstate Highway 75 East right-of-way line with the S. line of Section 14, Township 15 South, Range 21 East, thence run N. along the E boundary of Interstate 75 right-of-way 330 feet, thence E. 720 feet for the Point of Beginning; from the Point of Beginning thus described continue E. 264 feet, thence S. 330 feet to the South boundary of Section 14, Township 15 South, Range 21 East, then N. 330 feet to the Point of Beginning, of the Public Records of Marion County, Florida.

Parcel # 23458-000-01

<u>Section 2.</u> Direction to Staff. The City Council of the City of Ocala, Florida directs staff to take any and all steps necessary to effectuate the adoption and implementation of this ordinance; and all other matters as provided for above and herein as well as to ensure the orderly and effective administration and implementation of the intent of this ordinance and the specific matters outlined herein.

<u>Section 3.</u> Repealing Inconsistent and/or Conflicting Provisions. The City Council of the City of Ocala, Florida hereby specifically repeals, to the extent of any such conflict, any and all ordinances, resolutions, policies, procedures, and/or other articles which are conflicting and/or inconsistent with this ordinance and the intent and direction provided by the City Council herein.

Section 4. Severability of Ordinance Provisions. If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, it is the intent of the City Council of the City of Ocala, Florida that (1) such portion shall be deemed a separate, distinct and independent provision; (2) such holding shall not affect the validity of the remaining portions hereof; and (3) this ordinance be adopted as though any such provision was not included herein.

<u>Section 5.</u> Modifications Arising from Consideration at a Public Hearing. It is the intention of the City Council of the City of Ocala, Florida that (1) the provisions of this ordinance may be modified as a result of its consideration by the City Council of matters that may arise during the public hearing(s) at which this ordinance is considered; and (2) any such modifications shall be incorporated into the final version of this ordinance.

Section 6. Direction to the Codifier. It is the intention of the City Council of the City of Ocala, Florida that (1) the zoning map of the City of Ocala is hereby amended to reflect the change in zoning classification from INST, Institutional to M-2, Medium Industrial (City) as to lands described in Section 1 of this ordinance; (2) the sections and paragraphs of this ordinance may be renumbered or relettered in order to accomplish said intention; (3) terms or headings not affecting the intent of this ordinance may be changed to further accomplish said intention; and (4) any scrivener's error(s) contained herein which do not affect the intent of this ordinance be corrected with the authorization of the City Manager or their designee and without the need for additional public hearings or consideration by City Council.

Section 7. This ordinance shall become effective upon approval by the mayor, or upon becoming law without such approval.

ATTEST:

CITY OF OCALA

By: Angel B. Jacobs City Clerk By: Kristen Dreyer President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on _____, 2025.

By: _____ Ben Marciano Mayor Approved as to form and legality:

By: ______ William E. Sexton City Attorney Ordinance No: XXXX-XX Introduced: 5/6/2025 Adopted: Click or tap to enter a date.

Legal Ad No: Click or tap here to enter text.

Staff Report: Rezoning



Case No. ZON25-0004 Planning & Zoning Commission: April 14, 2025 City Council (1st Reading): May 6, 2025 City Council (Adoption): May 20, 2025

Applicant/Property Owner:	Fidelity Manufacturing LLC
Agent:	James Pete Whirle
Project Planner:	Breah Miller, Planner II
Amendment Request:	Rezone the subject property from INST, Institutional, to M-2, Medium Industrial.
Subject Property Information	
Acres:	±1.00 acre
Parcel(s)#:	23458-000-01
Location:	3640 SW 7th Place
Existing use:	Single Family Residential

Future Land Use Designation: Zoning Designation(s): Special District(s)/Plans(s): Approved Agreement(s):

Employment Center Institutional N/A N/A

Figure 1. Aerial Location Map



Direction	Future Land Use	Zoning District	Current Use
North	Employment Center	M-2, Medium Industrial District	Oasis Landscape Services, Inc. Warehouse facility Undeveloped property
South	Employment Center	M-2, Medium Industrial District	Fidelity Manufacturing LLC Warehouse Facility
East	Employment Center	M-2, Medium Industrial District	Fidelity Manufacturing LLC additional parking
West	Employment Center	M-2, Medium Industrial District	Kingdom Hall of Jehovah's Witnesses (Church)

Adjacent Property Information

Applicant Request

The applicant has submitted a petition to rezone the subject property from INST, Institutional, to M-2, Medium Industrial.

Background:

This area of the City was annexed in 1975. Zoning maps dated 1981 and 1987 show that the area was a mixture of R-1, Single Family Residential, and M-1, Light Industrial, zoned properties. The subject property and adjoining properties were zoned R-1 at that time. The previous owners purchased the subject property in 1977 and constructed a home on the property in 1978, this became the church official's home. The property adjacent to the west has been in the ownership of a church organization since at least 1976. In 1993, with the adoption of the Comprehensive Plan, the area, including the subject property, was given a land use designation of Medium Industrial and zoning designation of M-2, Medium Industrial. The adjacent church owned property was given a land use designation of Public Buildings and Facilities as a reflection of the ownership. In 2011, a land use amendment and rezoning were approved to change the future land use to Public Buildings & Facilities and rezone the property to INST, Institutional, thus rectifying the nonconforming use.

The subject property was purchased by Fidelity Manufacturing in February 2024. The existing home has been vacant since the time of purchase. A demolition permit application (DEMO25-0028) has been submitted to ensure that the existing single-family residence does not create a nonconforming use situation again once the rezoning is approved..

Staff Analysis

Factual Support

Comparison of Zoning District Standards

Zoning Intent and Purpose Minimur	n Maximum
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	District		Lot Area	Building Height
Existing	INST, Institutional	Intended to ensure that institutional uses such as churches, schools, and hospitals meet the following criteria: minimum of one acre; designed and located to make efficient use of the land and infrastructure (roads, water, sewer stormwater and recreation); and minimal impact on adjacent and nearby uses	44,000 square feet	50 feet
Proposed	M-2, Medium Industrial	Intended primarily for the wholesale distribution, warehouse storage, outdoor storage and sales, research and development and light manufacturing of finished or semi-finished products in multiple-use facilities or structures. Outdoor manufacturing activities associated with permitted uses may be allowed in the M-2 district as a special exception. Service establishments serving the industrial uses or district shall be permitted	20,000 square feet	60 feet

Also see Exhibit A: Permitted Uses Table below.

Consistency with Comprehensive Plan and Land Development Regulations

- 1. The requested zoning change is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
 - a. <u>Future Land Use Element Policy 6.5</u>: <u>Employment Center.</u> The intent of the Employment Center land use is to provide a regionally important hub for business, enterprise, research and development, and employment activities. Employment Centers are generally single use districts but may include more than one (1) use if there are appropriate buffers and transitions between complementary uses. Permitted uses shall include a primary use and may include a secondary use. Primary uses are industrial, office and commercial. Secondary uses are public, recreation, institutional, and residential, as well as educational facilities. There are no form requirements in this land use category.

Access is primarily from major collectors, arterials, or limited-access highways. The primary modes of transportation include automobiles, trucks, freight rail, bus, and commuter rail transit. Provisions should be made for walking, bicycles, and transit.

There is no minimum density and intensity in this future land use category. The maximum density and intensity before any incentives is 24 dwelling units per gross acre or 2.00 FAR. The location and application of incentives shall be set forth in the Land Development Code.

Staff Comment: The Employment Center Future Land Use category identifies industrial as a primary use and emphasizes that the area is a regionally important hub for business and employment activities. The proposed M-2 zoning is compatible with the existing Employment

Center land use.

b. <u>Future Land Use Element Policy 7.2</u>: City guidelines shall be context-sensitive to providing appropriate transitions between adjacent land uses with particular emphasis on building compatibility between neighborhoods and non-residential uses.

Staff Comment: The subject property is surrounded by M-2 zoning on three sides. The property is currently developed with a single-family residence that will be demolished upon approval of the rezoning.

c. Future Land Use Element Policy 12.1: The City shall require that all development have adequate services and facilities including water, roads, sewage collection and treatment, stormwater drainage, recreation, and solid waste disposal, to the extent required by state law, other provisions of this Comprehensive Plan, or the City's Land Development Code.

Staff Comment: As identified in the Level of Service Analysis, public facilities exist to service the subject property.

- 2. The requested rezoning is consistent with the following Sections of the City of Ocala Code of Ordinances:
 - a. <u>Section 122-133(b)(1)</u>: The application requests to rezone parcel or parcels that are a minimum of 30,000 square feet of area not separated by a right-of-way for a street, a street, or a drainage retention area.

Staff Comment: The subject property contains approximately 1.00 acre and meets the requirements for consideration of rezoning set forth by the Code of Ordinances.

b. <u>Section 122-244</u> – *District criteria:* Zoning districts allowed under the current land use classification.

Staff Comment: As indicated in Section 122-244 above, the M-2 zoning district is a permitted district within the subject property's current Low Intensity future land use.

Level of Service (LOS)

Transportation: The 2023 congestion management data from the Ocala-Marion TPO for the affected roadway is provided below.

• Adopted LOS / Available Capacity:

Road/	Lanes	Speed	Functional	Adopted	LOS	2021	Existing
Street Name		Limit	Classification	LOS	Capacity	AADT	LOS
SW 33 Ave	2	35 MPH	Collector	E	12,480	2,700	В

Developments proposing to generate 100 or more net new PM peak hour trips are required to submit a traffic study as part of the site plan review. The affected segment of SW 33 Avenue is currently operating above the adopted Level of Service.

Potable Water: City utilities are available at this location; connections will be determined during the site plan or subdivision review process. A City water main runs along NE 14th Street in front of the subject property.

- Adopted Level of Service (LOS) Potable Water: 300 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 167 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of the City's water system is 24.4 million gallons daily (mgd).

Sanitary Sewer: City utilities are available at this location; connections will be determined during the site plan or subdivision review process. A City gravity main runs along SW 37th Avenue two properties west of the subject property.

- Adopted Level of Service (LOS) Sanitary Sewer: 250 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 80 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of Water Reclamation Facility #2 is 6.5 million gallons daily (mgd) and the permitted capacity of Water Reclamation Facility #3 is 4.0 million gallons daily (mgd).

<u>Solid Waste:</u> The subject property is located within the City's service area; refuse pickup will be determined during the site plan or subdivision review process.

- Adopted Level of Service (LOS) Solid Waste: 0.0112 pounds per square foot of occupied building space per day for nonresidential development.
- Available Capacity: Solid waste is transported to facilities outside of the City.

Parks and Recreation Facilities:

- *Adopted Level of Service (LOS) Solid Waste:* 4.6 developed park acres per 1,000 population for each Regional Park Service Area (RPSA).
- *Available Capacity:* Capacity is available. The City's 69,283 population requires 318.70 developed park acres. The city currently owns and maintains 622.27 developed park acres, pursuant to the Fall 2024 Activity Guide released by the Recreation and Parks Department.

Other Public Facilities:

The following public facilities do not have adopted Level of Service standards and are provided as additional information.

Stormwater: The subject properties are not located within a FEMA Flood Zone. For any future redevelopment, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-hour storm event.

Electric: The subject property is currently serviced by Ocala Electric Utility.

Fiber: Service is not available along SW 7th Street.

Fire Service: Ocala Fire Rescue Station #4is located approximately 0.85 miles from the subject property.

Schools: This amendment is not anticipated to affect any school district.

Conclusions

Property History: The rezoning request is for Parcel 23458-000-01 which was purchased by the applicant in February 2024. The subject property is currently developed with a single-family residence that was operated as a church official's residence. The applicant is proposing to utilize this property in conjunction with the Fidelity Manufacturing property as additional outdoor storage and parking. A site plan will be required for the improvements to the property.

Land Development Code / Comprehensive Plan Consistency: Pursuant to Code of Ordinances Section 122-286 properties in the requested M-2 zoning district shall be at least 100-feet-wide and contain at least 20,000 square feet. The subject property meets the minimum lot width and area requirements of the M-2 zoning district. The requested M-2 zoning district is consistent with the existing Employment Center future land use category pursuant to Code of Ordinances Section 122-244.

Zoning Comparison: The existing INST zoning is primarily intended for use by churches, schools and hospitals. Whereas the proposed M-2 zoning is primarily for the wholesale distribution, warehouse storage, outdoor storage and sales, research and development and light manufacturing of finished or semi-finished products in multiple-use facilities or structures. The M-2 zoning district is consistent with the Employment Center land use and compatible with the development of the surrounding area, which are included in the attached permitted uses table.

Surrounding Area / Compatibility: The proposed M-2 is compatible with the surrounding area, which is primarily characterized by medium industrial uses.

Staff Findings and Recommendation

- The proposed M-2, Medium Industrial, zoning district is consistent with the Employment Center Future Land Use category pursuant to Code of Ordinances Section 122-244.
- The proposed M-2 zoning district is compatible with the existing surrounding development and zoning pattern.
- The request is consistent with the Comprehensive Plan, and the City's Code of Ordinances.
- No Level of Service issues have been identified for public facilities as a result of the zoning amendment.

Staff Recommendation: Approval

Permitted Use Type	INST, Institutional	M-2, Medium Industrial
Residential Operation	Community residential home	None permitted
Residential Uses	Single-family dwelling	None permitted
General Retail		Furniture store
		Home garden/hobby farm equipment sales
		Used merchandise store
Vehicular Sales		Truck rental and sales
Business Service		Advertising service (on-site/off-site signs)
		Construction service establishment
		Day labor service establishment
		Equipment rental and leasing
		General business service
		Maintenance and cleaning service
		Parking garage (or structure)
		Parking lot
		Pest control service
		Radio/TV broadcasting facility
		Security systems service
Eating or		Alcoholic beverage establishment (off-
Drinking		premises consumption)
Establishment		Restaurant (enclosed)
Office Use		Commercial photography (art and graphic
- 55		design service)
		Computer maintenance and repair
		Photofinishing laboratory
		Prepackaged software services
		Print shop
		Professional and business office
Personal Service	Recycling collection point	Bail bonds agency
		Kennel
		Major household repair establishment
		Mini-warehouse (self-service storage
		facility)
		Minor household repair establishment
		Recycling collection point
Vehicular Service		Repair garage
		Self-service station/convenience store
Community	Church/place of worship	Day care facility*
Service	Day care facility	
	Library*	
	Private club*	
Educational Use	School, private elementary and	Community education center
	secondary	Vocational professional school
	Speech and language center/school	
	Vocational/professional school	
Recreational Use	Recreation facility, indoor	Recreation facility, indoor*

Exhibit A. Permitted Uses Table

	Temporary commercial amusement*	Shooting range, indoor
Public Use	Cemetery*	Airport
	Park/open space area*	
Health Care Use	Hospital	Medical and dental laboratory
	Satellite Hospital Emergency Room	Veterinarian office
High-Impact		Construction and demolition landfill
Industrial Use		Industrial dry-cleaning plant*
		Materials recovery facility
		Outdoor manufacturing*
Low Impact		Assembly of electronic components
Industrial Use		Carpet and upholstery cleaning
		Manufacturing, light
		Newspaper printing facility
		Packing and crating
		Recreational vehicle and boat outdoor
		storage
		Recycling center
		Research and testing

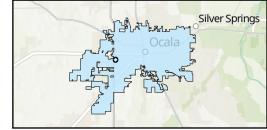
*Permitted by Special Exception

CASE MAP

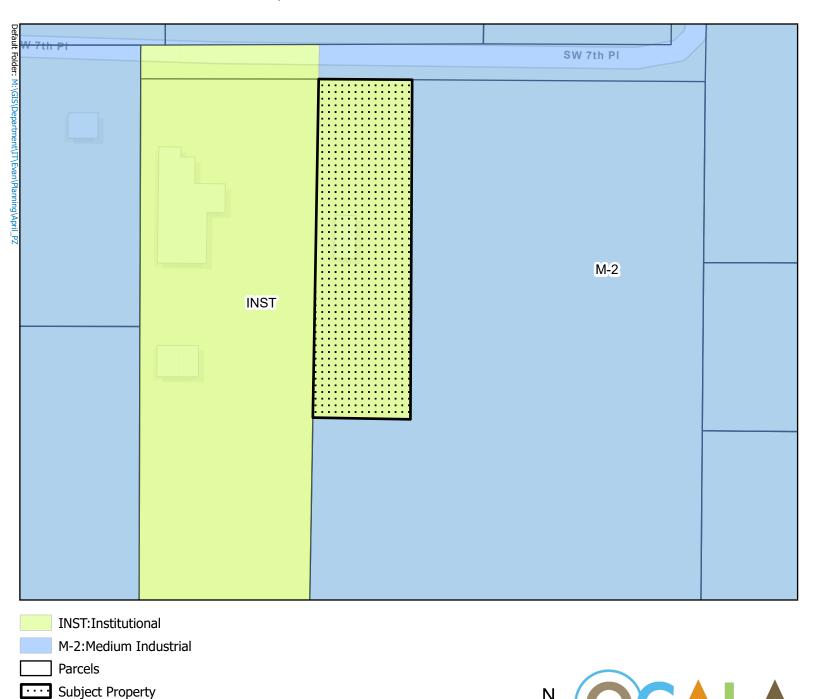
Case Number: ZON25-0004

Parcel:

23458-000-01



Property Size: Land Use Designation: Zoning: Proposal: 1 Acre Employment Center INST, Institutional A request to rezone from INST, Institutional, to M-2, Medium Industrial.



0 125 250 500 Feet A This information is provided as a visual representation only and is not intended to be used as a legal or official representation of legal boundaries. All GIS data which is Growth Management Depart 48 the stabilish legal boundaries. For specific information contact the appropriate City of Ocala department or agency.

Silver Springs

CASE MAP

Case Number: ZON25-0004

Parcel:

Property Size: Land Use Designation: Zoning: Proposal: 1 Acre Employment Center INST, Institutional A request to rezone from INST, Institutional, to M-2, Medium Industrial.

23458-000-01



Parcels 0 125 250 500 Feet N OCALA

This information is provided as a visual representation only and is not intended to be used as a legal or official representation of legal boundaries. All GIS data which is Growth Management Depart **49** t establish legal boundaries. For specific information contact the appropriate City of Ocala department or agency.



Legislation Text

www.ocalafl.gov

File #: 2025-1091

Agenda Item #: a.

Submitted By: Endira Madraveren, AICP

Presentation By: Endira Madraveren

Department: Growth Management

STAFF RECOMMENDATION (Motion Ready):

Public Hearing :consider an amendments to the Amended and Restated Site and Concurrency Development Agreement pursuant to Chapter 163, Florida Statutes (Grand Oaks Town Center PUD, F/K/A Stolen Hours PUD) for approximately 56.72 acres located approximately 850-feet north and 1,200-feet east of the intersection at SW 27th Avenue and SW 42nd Street (Parcels 23930-000-00, 23930-002-00, 23930-003-00, 23930-003-01, 23930-003-03, and 23930-005-00) (DMA25-0001). This is the first of two public hearings; the second will be held on May 6, 2025, before the City Council.

OCALA'S RELEVANT STRATEGIC GOALS:

Quality of Place, Economic Hub

PROOF OF PUBLICATION:

Ocala Gazette - March 28, 2025.

BACKGROUND:

• Owner: Ocala 42nd Street Commercial, LLC and Ocala 42nd Street Residential, LLC

The Owner has submitted a request to amend the Amended and Restated Site and Concurrency Development Agreement Pursuant to Chapter 163, Florida Statutes (Grand Oaks Town Center PUD, f/k/a Stolen Hours PUD), dated April 2, 2013, as recorded in OR Book 5929, Page 1279.

The primary purpose of this request is to amend the provisions of the previously approved agreement. The applicant submitted a Planned Development (PD) rezoning application in 2024 altering architectural standards and increasing density. The PD rezoning, plan and standards book were subsequently approved by City Council in August 2024 with the condition that the chapter 163-development agreement affecting the subject property is amended by August 20, 2025. Should the provisions of this condition not be met, the PD rezoning will not take effect.

The proposed amendment include:

1) increasing the number of multi-family residential from 474 to 528 dwelling units (480 apartments and

50

48 townhomes);

- 2) increasing the height within Phase 2 to allow apartments to be up to four stories;
- 3) updating the traffic information based upon the traffic study update (TIA25-0001);
- 4) capping the current tolling for the agreement's expiration to 48 months; and
- 5) the grammatic clean-up of several Sections including 3, 5 and 6.

FINDINGS AND CONCLUSIONS:

The requested Amendments are consistent with the conditions as requested by staff during the PD rezoning in August 2024.

Staff recommends approval.

FISCAL IMPACT:

N/A

PROCUREMENT REVIEW: N/A

LEGAL REVIEW:

This Agreement has been reviewed and approved for form and legality by City Attorney, William E. Sexton.

ALTERNATIVE:

- Approve with amendments
- Deny
- Table •

AMENDMENT TO

AMENDED AND RESTATED SITE AND CONCURRENCY DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 163, FLORIDA STATUTES [GRAND OAKS TOWN CENTER PUD, F/K/A STOLEN HOURS PUD]

THIS AMENDMENT TO AMENDED AND RESTATED SITE AND CONCURRENCY DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 163, FLORIDA STATUTES [GRAND OAKS TOWN CENTER PUD, F/K/A STOLEN HOURS PUD] ("Amendment") is executed by and between:

- City of Ocala, a Florida municipal corporation ("City").
- The following, (collectively "Owner"):
 - Ocala 42nd Street Commercial, LLC, a Florida limited liability company ("Commercial Owner"); and
 - o Ocala 42nd Street Residential, LLC, a Florida limited liability company ("Residential Owner").

WHEREAS:

- A. The Florida Local Government Development Agreement Act, Laws of Florida, now codified at Sections 163.3220 through 163.3243, Florida Statutes (the "Act"), authorized local governments to enter into development agreements with developers subject to the procedures and requirements of the Act.
- B. Owner owns the Property¹ that consists of the Commercial Parcel, the Phase 2 Parcel and the Phase 3 Parcel.
- C. The Property has been assigned a land use classification of Low Intensity on the Future Land Use Map of City's Comprehensive Plan, and is zoned as a Planned Development ("PD").
- D. The Prior Agreements were entered into in connection with a prior rezoning of the Property.
- E. Commercial Owner is a party, or a successor in title to a party, under one or more of the Prior Agreements, and Residential Owner is a successor in title to the other parties.
- F. On August 20, 2024, City amended the PD zoning classification for the Phase 2 Parcel and Phase 3 Parcel pursuant to the 2024 Approvals.
- G. In connection therewith, Owner provided the 2024 Traffic Analysis.
- H. By virtue of the changes to the PD zoning and the 2024 Traffic Analysis, it is necessary for the parties to amend the Current Development Amendment.
- I. City has held public hearings to accept and encourage public input with respect to the proposals of Developer and Owner contained in this Agreement, and has considered such public input.

¹ Terms capitalized herein and not otherwise defined in these Whereas paragraphs are defined in paragraph 1.

- J. City has determined that the provisions of this Agreement and the contemplated vesting of the development rights contemplated by this Agreement are consistent with, and not in contravention of, the provisions of the City's Concurrency Management System.
- K. City has provided its Notice of Intent to consider entering into this Amendment to Amended and Restated Site and Concurrency Development Agreement Pursuant to Chapter 163, Florida Statutes [Grand Oaks Town Center PUD, F/K/A/ Stolen Hours PUD] by advertisements published in the *Ocala Gazette*, a newspaper of general circulation and readership in Marion County, Florida, on _______ and _______, and by mailing a copy of the Notice of Intent to the Owner and Developer, and to the persons and entities shown on the most recent Marion County Tax Roll to be the owners of property lying within 300 feet of the boundaries of the Property which is the subject of this Agreement, and by announcing the date, time, and place of the second hearing during the first hearing.
- L. The City Council of the City has held public hearings on ______ and _____ and _____ to consider this Agreement, has found and determined that its execution of this Amendment will further the objectives of the Local Government Comprehensive Planning and Land Development Regulation Act, and that the development contemplated and permitted by this Agreement is consistent with City's Comprehensive Plan and existing Land Development Regulations.

NOW, THEREFORE, in consideration of the promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

- 1. **Definitions**. For the purposes of this Amendment, other than with respect to terms that are specifically defined elsewhere in this Amendment the following terms shall have the following meanings:
 - 1.1. 2024 Current Approvals One or more of the following:
 - 1.1.1. Ordinance No. 2024-47 adopted by the City Council on August 20, 2024, approving the Current PD zoning.
 - 1.1.2. Resolution No. 2024-34 adopted by the City Council on August 20, 2024, approving the 2024 PD Plan and the associated PD Standards.
 - 1.2. 2024 PD Plan The PD Plan for the Property which, together with the associated PD Standards, was approved by the City pursuant to Resolution No. 2024-34. A copy of the second page of the 2024 PD Plan is attached hereto as **Exhibit B**.
 - 1.3. 2024 Traffic Analysis The analyses dated September 20, 2024, prepared by Project Engineer, excerpts of which are attached as <u>Exhibit C</u>.
 - 1.4. *Agreement* The Current Agreement as amended by this Amendment, as the same may be subsequently amended, modified or supplemented pursuant to its terms and provisions and pursuant to the provisions of the Act.
 - 1.5. Amendment This Amendment to Amended and Restated Site and Concurrency Development Agreement Pursuant to Chapter 163, Florida Statutes [Grand Oaks Town Center PUD, F/K/A Stolen Hours PUD].

- 1.6. *City Code* The Code of Ordinances of the City.
- 1.7. *CMS* The City's Concurrency Management System, codified in Chapter 86 of the City Code.
- 1.8. *Commercial Parcel* The real property under the heading of "Commercial Parcel" on the attached <u>Exhibit A</u>.
- 1.9. *County* Marion County, Florida, a political subdivision of the State of Florida.
- 1.10. Current Agreement The Amended and Restated Site and Concurrency Development Agreement Pursuant to Chapter 163, Florida Statutes [Grand Oaks Town Center PUD, f/k/a Stolen Hours PUD] dated April 2, 2013, between City, Commercial Owner and Leon Ocala Holdings III, LLC, a Florida limited liability company, which owned the Property at the time of this instrument, as recorded in OR Book 5929, Page 1279.
- 1.11. *Development* The development of the Property as a mixed-use planned development containing residential, commercial and office uses.
- 1.12. *District* The St. Johns River Water Management District, an agency of the State of Florida.
- 1.13. *Effective Date* The date the terms of this Amendment become effective, as set forth in paragraph 10.1.
- 1.14. *Phase 2 Parcel* The portion of the Property labeled "PHASE 2 RES" on the attached <u>Exhibit B</u>.
- 1.15. *Phase 3 Parcel* The portion of the Property labeled "PHASE 3 COM" on the attached <u>Exhibit B</u>.
- 1.16. *PD Standards* The PD standards referred to in Section 122-943(a)(13) of the City Code entitled *Grand Oaks Phases 2 and 3 Planned Development PD Standards* dated June 2024 and prepared by Project Engineer.
- 1.17. *Prior Agreements* Collectively the following:
 - 1.17.1. Site and Concurrency Development Agreement recorded December 20, 2003, between the City of Ocala, Bahia Honda Real Estate Investments IV, L.L.C., and Sandy Lynn Price, dated November 4, 2003, and recorded in OR Book 3586, at Page 1080.2
 - 1.17.2. First Amendment to Development Agreement dated August 10, 2004, between the City of Ocala, Bahia Honda Real Estate Investments IV, L.L.C., and Sandy Lynn Price, recorded in OR Book 3810, at Page 0581.
 - 1.17.3. The Current Agreement.

² All recording references refer to the Public Records of Marion County, Florida.

- 1.18. *Prior Traffic Analysis* The Traffic Analysis provided by Developer to the City and County, prepared by Project Engineer dated September 2011 and revised March 2012.
- 1.19. *Project* Construction of site improvements on the Property pursuant to the Approvals.
- 1.20. Project Engineer Kimley-Horn and Associates, Inc., a North Carolina corporation.
- 1.21. Traffic Analyses The Prior Traffic Analysis and the 2024 Traffic Analysis.
- 1.22. *Trip* A vehicular trip into or departing the Property as a result of the development of the Property or a portion thereof.

2. **Primary Purpose of Amendment**.

- 2.1. The primary purpose of this Amendment is to amend the provisions of the Current Agreement that are no longer consistent with the anticipated Development of the Phase 2 and the Phase 3 Parcel pursuant to the 2024 Current Approvals.
- 2.2. Nonetheless, it is necessary to restate or refer to certain provisions of the Current Agreement that are not being amended to provide context for the changes that are being made or to otherwise assist in understanding this Amendment.
- 2.3. Where this Amendment does not specifically amend provisions of the Current Agreement, such provisions shall continue to apply.
- 3. **Permitted Uses and Development Restrictions**. Section 6 of the Current Agreement is amended to read as set forth in this paragraph 3. Permitted uses of the Property or portions thereof, development restrictions with respect to the property, and amendments of permitted uses and development restrictions, shall be in accordance with the provisions of this paragraph 3.
 - 3.1. <u>Initial Permitted Uses</u>. As to the following Parcels of property the uses referenced in this paragraph 3.1 will be as defined in the City Code as of the Effective Date of this Amendment. The following are the current permitted uses and permitted development intensities of Parcels constituting, in aggregate, all of the Property:

TABLE 1 – CURRENT PERMITTED USES						
PARCEL	DEVELOPMENT INTENSITY	MAXIMUM HEIGHT ³				
Commercial Parcel	As set forth in table 1 of Section 6.1 of Current Agreement.	50 feet				
Phase 2 Parcel	480 multi-family units and 48 townhomes	50 feet up to four stories				
Phase 3 Parcel	30,000 square feet of office	50 feet				

³ Maximum height limitations for individual Parcels may be modified by approval of City in the Planned Development (PD) approval process for each separate Parcel, or a portion thereof.

- 3.2. <u>Uses May Change</u>. These uses, intensities and heights represent Owner's currently proposed uses of the Parcels and may be changed by Owner pursuant to, or as required by Owner's compliance with, local laws pursuant to paragraph 3.3.
- 3.3. <u>Relationship to Land Use Classification and Zoning Classification</u>. Restrictions on or provisions herein, concerning development of the Property or any portion thereof do not operate to supersede any applicable land use classification or zoning classification of the Property, subject to the following provisions:
 - 3.3.1. All of the Property currently has a land use classification of Low Intensity under the City's Comprehensive Plan, and a zoning classification of Planned Development ("PD") under City's Zoning Code.
 - 3.3.2. The Property or portions thereof may only be developed in accordance with the applicable land use classifications and zoning classifications of the Property that may exist, or be amended from time to time, under the City Comprehensive Plan, the City Code, or the City's Land Development Regulations. If a use for a Parcel or a portion thereof which is not scheduled above is desired by an owner, an owner must seek and procure the modification, as applicable, of the land use classification or zoning classification, or both, of the Parcel, and modification of this Amendment.
- 3.4. <u>Construction of DRA 1</u>. Commercial Owner constructed all of DRA 1 concurrent with development of the Commercial Parcel. Concurrent with the construction of DRA 1 all required, and approved, landscaping for the northern boundary of DRA 1 was installed by Commercial Owner; such landscaping shall thereafter be maintained by Commercial Owner.
- 3.5. <u>Access to Property & Commercial Parcel</u>. Access to the Property, and to the Commercial Parcel, shall be limited to those access connections to SW 42nd Street and SW 27th Avenue which are shown on the Commercial Site Plan (a copy of which was attached as <u>Exhibit G</u> to the Current Agreement) and the 2024 PD Plan.
- 3.6. <u>Phase 2 and Phase 3 Stormwater Management System Design and Maintenance</u>. Developer shall construct the stormwater management system for Development of the Phase 2 Parcel and the Phase 3 Parcel pursuant to the 2024 PD Plan, the Current PD Standards, and according to state and local regulations, including, without limitation, District design requirements.

4. Concurrency Management System Compliance.

- 4.1. <u>Current Agreement</u>.
 - 4.1.1. The Current Agreement as amended by this Amendment shall constitute a Concurrency Development Agreement pursuant to the provisions of City's CMS.
 - 4.1.2. The Current Agreement was based upon the Prior Traffic Analysis and the densities and intensities of the uses of the Property then anticipated.

- 4.1.3. Pursuant to Sections 12.3 of the Prior Agreement, Owner was required to: (a) construct turn lanes as set forth therein; and (b) pay a proportionate share payment of \$15,030.00. City acknowledges that Owner has performed such obligations.
- 4.1.4. Section 12.4 of the Current Agreement reserved 643 PM Peak Hour Net New Trips for the Property, of which 235 PM Peak Hour Net New Trips were attributed to Development of the Phase 2 Parcel and the Phase 3 Parcel.
- 4.1.5. The 2024 Traffic Analysis establishes that there is no increase in the number of PM Peak Hour Net New Trips to be generated by Development of the Phase 2 Parcel and the Phase 3 Parcel. Thus, Owner is required to construct no additional transportation facilities or pay any additional proportionate share mitigation.
- 4.1.6. The number of reserved Trips for Development of the Phase 2 Parcel and of the Phase 3 Parcel remains 235 PM Peak Hour Net New Trips.

4.2. <u>Duration</u>.

- 4.2.1. The Current Agreement reserved the Reserved Trips for a period of ten (10) years after the effective date of the Current Agreement. Thus, the reservation of the Reserved Trips was scheduled to expire on April 2, 2023.
- 4.2.2. As set forth in a letter from counsel for Owner to City dated October 30, 2023, the duration of the reservation has been extended pursuant to Section 252.363, Florida Statutes, based upon various declarations of emergency. Such declarations have not expired and thus the duration of the reservation cannot be determined as of the date of this Amendment. City acknowledges, however, that the duration is currently tolled pursuant to Section 252.363, Florida Statutes, which caps the duration of the tolling to 48 months.

5. **Deletion of Miscellaneous Provisions**.

5.1. Landscape and Maintenance.

- 5.1.1. Section 9 of the Current Agreement contains provisions for landscape design and maintenance in the residential areas of the Project.
- 5.1.2. Such provisions are now adequately dealt with in the Code of Ordinances of the City of Ocala (the "City Code") including Chapter 118 of the City Code, and thus are no longer necessary.
- 5.1.3. Therefore, the Current Agreement is amended to delete Section 9 therefrom.

5.2. <u>Non-Plat Improvements</u>.

- 5.2.1. Section 10 of the Current Agreement contains provisions for common areas or amenity improvements which are not approved as part of the City's approvals of a plat.
- 5.2.2. Such provisions are now adequately dealt with in the City Code including Article IV of Chapter 122 of the City Code, and thus are no longer necessary.

- 5.2.3. Therefore, the Current Agreement is amended to delete Section 10 therefrom.
- 5.3. <u>Tree Preservation</u>.
 - 5.3.1. Section 11 of the Current Agreement contains provisions for tree preservation criteria and requirements.
 - 5.3.2. Such provisions are now adequately addressed in the City Code including Section 118-102 of the City Code, and in the 2024 PD Plan, and thus are no longer necessary.
 - 5.3.3. Therefore, the Current Agreement is amended to delete Section 11 therefrom.

6. **Local Laws and Policies**.

- 6.1. Section 14 of the Current Agreement contains provisions disclaiming the benefits of Section 163.3233, Florida Statutes. Such provisions were typically included in Agreements like the Current Agreement when it was approved. City no longer includes such provisions in such agreements but rather includes different language.
- 6.2. Section 14 of the Current Agreement is deleted and replaced with the following:
 - 14. **Local Laws and Policies.** To the extent permitted by law and in accordance with Section 163.3233, Florida Statutes, the City's laws and policies (including, without limitation, the city Comprehensive Plan and City Code) governing the development of the Property for the duration of this Agreement and no law or policy or change in law or policy adopted by the City after the Effective Date shall apply to the Property, except as authorized in accordance with Section 163.3233(2), Florida Statutes, or except as specifically authorized in writing by Owner.
- 7. **Duration**. The Current Agreement, as amended by this Amendment, shall have a duration of thirty (30) years commencing on the Effective Date of the Current Agreement, i.e., September 19, 2013. Such duration does not correspond to the duration of the reserved Trips for the Property, which is as set forth in paragraph 4.2.2.
- 8. **General Provisions**. Section 15.1 of the Current Agreement is deleted and replaced with the following:
 - 8.1. <u>Notice</u>.
 - 8.1.1. All notices, requests, consents and other communications (each a "Communication") required or permitted under this Amendment shall be in writing (including emailed communication) and shall be (as elected by the person giving such notice) hand delivered by messenger or courier service, emailed or mailed by Registered or Certified Mail (postage pre-paid), Return Receipt Requested, addressed as follows or to such other addresses as any party may designate by Communication complying with the terms of this paragraph:

- a. If to Commercial Owner or Residential Owner: Attn: Michael Shealy, 8600 NW 41st Street, Doral, FL 33166; email: mshealy@leonpm.com.
 - With a copy to: W. James Gooding III, Esq., Gooding & Batsel, 1531 SE 36th Avenue, Ocala, FL 34471; email: jgooding@lawyersocala.com.
- b. If to City: City of Ocala, Attn: Growth Management Director, 201 SE 3rd Street, 2nd Floor, Ocala, Florida 34471; email: jshrum@ocalafl.org.
 - With a copy to: City of Ocala, Attn: Planning Director, 201 SE 3rd Street, 2nd Floor, Ocala, FL 34471; email: ahale@ocalafl.gov.
 - 2). With a copy to: City Attorney William E. Sexton, 110 SE Watula Avenue, Ocala, FL 34471; email: wsexton@ocalafl.gov.
- 8.1.2. Each such Communication shall be deemed delivered:
 - a. On the date of delivery if by personal delivery;
 - b. On the date of email transmission if by email (subject to paragraph 8.1.5); and
 - c. If the Communication is mailed, on the earlier of: (a) the date upon which the Return Receipt is signed; or (b) the date upon which delivery is refused.
 - d. Notwithstanding the foregoing, service by personal delivery delivered, or by email sent, after 5:00 p.m. shall be deemed to have been made on the next day that is not a Saturday, Sunday or legal holiday.
- 8.1.3. If a Communication is delivered by multiple means, the Communication shall be deemed delivered upon the earliest date determined in accordance with the preceding subparagraph.
- 8.1.4. If the above provisions require Communication to be delivered to more than one person (including a copy), the Communication shall be deemed delivered to all such persons on the earliest date it is delivered to any of such persons.
- 8.1.5. Concerning Communications sent by email:
 - a. The Communication shall not be deemed to have been delivered if the sender receives a message from the sender's or the recipient's internet service provider or otherwise that the email was not delivered or received but, if the email was sent by the sender on the last day of a deadline or other time period established by this Amendment, the time for the sender to re-send the Communication by a different authorized means shall be extended one (1) business day;

- b. If the sender receives an automatic reply message indicating that the recipient is not present to receive the email (commonly referred to as an "out of the office message"), the email shall not be deemed delivered until the recipient returns but, if the email was sent by the sender on the last day of a deadline or other time period established by this Amendment, the time for the sender to re-send the Communication by a different authorized means shall be extended one (1) business day;
- c. Any email that the recipient replies to, or forwards to any person, shall be deemed delivered to the recipient.
- d. The sender must print the email to establish that is was sent (though it need not do so at the time the email was sent); and
- e. The sender shall maintain the digital copy of the email in its email system for a period of no less than one year after it was sent.
- 9. **Current Agreement**. Except as expressly set forth herein, the Current Agreement is not amended or modified. All references herein or in the Current Agreement to "this Agreement," "the Agreement," or similar terms shall be deemed to refer to the Current Agreement as amended hereby.

10. Effective Date.

- 10.1. This Amendment shall become effective upon the recording of this Amendment in the Public records of Marion County, Florida, after its execution by all Parties hereto. To become effective this Amendment must be recorded in the Marion County Public Records within fourteen (14) days of the date of its execution by City.
- 10.2. Notwithstanding the foregoing:
 - 10.2.1. The parties shall be obligated to perform any obligations hereunder that are required before such Effective Date; and
 - 10.2.2. In the event this Amendment is appealed, including appeals pursuant to Section 163.3243, Florida Statutes, the obligations of the Parties shall be suspended hereunder, except to the extent such suspension would be inconsistent with requirements of Chapter 163 of the Florida Statutes.

THEREFORE, the parties have executed this Amendment effective the date of execution by the last of the parties hereto.

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ATTEST:

CITY

City of Ocala, a Florida municipal corporation

Angel B. Jacobs City Clerk

Approved as to form and legality

Kristen Dreyer President of Ocala City Council

William E. Sexton City Attorney

STATE OF FLORIDA COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of \square physical presence or \square online notarization, this _____ day of _____, 2025, by Kristen Dreyer as President of the Ocala City Council.

Notary Public, State of Florida Name:

(Please print or type)

Commission Number:_____ Commission Expires:_____

Notary: Check one of the following:

____ Personally known OR

Produced Identification (if this box is checked, fill in blanks below).

Type of Identification Produced:

OWNER

Ocala 42nd Street Commercial, LLC, a Florida limited liability company

By: _____ Michael Shealy, as Manager

Dated: _____

STATE OF FLORIDA COUNTY OF

The foregoing instrument was acknowledged before me by means of \boxtimes physical presence or \square online notarization, this _____ day of ______, 2025, by Michael Shealy, as Manager for Ocala 42nd Street Commercial, LLC, a Florida limited liability company, on behalf of such company.

> Notary Public, State of Florida Name: ________ (Please print or type)

Commission Number:_____ Commission Expires: _____

Notary: Check one of the following:

Personally known OR

Produced Identification (if this box is checked, fill in blanks below). Type of Identification Produced:

Ocala 42nd Street Residential, LLC, a Florida limited liability company

By: By: _____ Michael Shealy, as Manager

Dated: _____

STATE OF FLORIDA COUNTY OF

The foregoing instrument was acknowledged before me by means of \bigotimes physical presence or \bigotimes online notarization, this _____ day of _____, 2025, by Michael Shealy, as Manager for Ocala 42nd Street Residential, LLC, a Florida limited liability company, on behalf of such company.

> Notary Public, State of Florida Name: (Please print or type)

Commission Number:_____ Commission Expires:

Notary: Check one of the following:

Personally known OR

Produced Identification (if this box is checked, fill in blanks below).

Type of Identification Produced:

EXHIBIT A LEGAL DESCRIPTION

COMMERCIAL PARCEL

A PORTION OF THE NORTH 1/2 OF SECTION 36, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 36: THENCE ALONG THE NORTH BOUNDARY OF SAID SECTION 36, S89°38'59"E, A DISTANCE OF 33.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 475A (S.W. 27TH AVENUE) (BEING A 100 FOOT RIGHT OF WAY); THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, S.00°43'50"W., A DISTANCE OF 529.24 FEET TO THE POINT OF BEGINNING. SAID POINT ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°55'38', AND A CHORD BEARING AND DISTANCE OF N.45°41'39"E., 35.33 FEET; THENCE NORTHÉASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 39.24 FEET TO A POINT OF TANGENCY; THENCE S.89°20'33"E., A DISTANCE OF 126.30 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 89º36'28", AND A CHORD BEARING AND DISTANCE OF S.44°32'19"E., 140.94 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 156.40 FEET TO A POINT OF TANGENCY; THENCE S.00°15'56"W., A DISTANCE OF 79.87 FEET; THENCE S.89°44'04"E., A DISTANCE OF 435.52 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 34°14'54", AND A CHORD BEARING AND DISTANCE OF S.72°36'37"E., 58.89 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 59.77 FEET TO A POINT OF TANGENCY; THENCE S.55°29'10"E., A DISTANCE OF 61.26 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 55°45'06", AND A CHORD BEARING AND DISTANCE OF S.27°36'37"E., 93.51 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 97.30 FEET TO A POINT OF TANGENCY; THENCE S.00°15'56"W., A DISTANCE OF 44.58 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 56°03'09", AND A CHORD BEARING AND DISTANCE OF S.27°45'38"E., 122.17 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 127.18 FEET TO A POINT OF TANGENCY: THENCE S.55°47'13"E., A DISTANCE OF 95.99 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 68°54'45", AND A CHORD BEARING AND DISTANCE OF S.21°19'50"E., 107.50 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 114.26 FEET TO A POINT OF TANGENCY; THENCE S.13°07'32"W., A DISTANCE OF 45.48 FEET; THENCE S.00°00'40"W., A DISTANCE OF 70.21 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 40.00 FEET, A CENTRAL ANGLE OF 90°14'35". AND A CHORD BEARING AND DISTANCE OF S.45°07'57"W., 56.69 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 63.00 FEET TO A POINT OF TANGENCY AND A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 475C (S.W. 42ND STREET) (RIGHT OF WAY WIDTH VARIES); THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, N.89°44'45"W., A DISTANCE OF 929.78 FEET; THENCE N.44°29'49"W., A DISTANCE OF 56.42 FEET TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 475A (S.W. 27TH AVENUE); THENCE ALONG SAID RIGHT OF WAY LINE, N.00°43'50"E., A DISTANCE OF 711.26 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 13.47 ACRES, MORE OR LESS.

PHASE 2 PARCEL AND PHASE 3 PARCEL

A PORTION OF THE NORTH 1/2 OF SECTION 36 AND G.G. PERPALL GRANT, TOWNSHIP 15 SOUTH, RANGE 21 EAST AND A PORTION OF LOTS 7 AND 8, BLOCK "B" OF EL DORADO

SUBDIVISION RECORDED IN PLAT BOOK "R" AT PAGES 47, 48 AND 49 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 36: THENCE ALONG THE NORTH BOUNDARY OF SAID SECTION 36, S89°38'59"E, A DISTANCE OF 33.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 475A (S.W. 27TH AVENUE) (BEING A 100 FOOT RIGHT OF WAY) AND THE POINT OF BEGINNING. THENCE CONTINUE ALONG SAID NORTH BOUNDARY ALSO BEING THE SOUTH BOUNDARY OF SAID EL DORADO SUBDIVISION, S89°38'57"E, A DISTANCE OF 2144.75 FEET TO THE S.W. CORNER OF AN EXCEPTION TO THE WARRANTY DEED FOR LOT 7. BLOCK 'B' OF SAID EL DORADO SUBDIVISION, SAID WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2802, PAGE 1283 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH BOUNDARY OF EL DORADO SUBDIVISION, ALONG THE WEST BOUNDARY OF SAID EXCEPTION, N00°17'15"E, A DISTANCE OF 14.03 FEET TO THE N.W. CORNER OF SAID EXCEPTION; THENCE ALONG THE NORTH BOUNDARY OF SAID EXCEPTION, S89°37'25"E, A DISTANCE OF 281.57 FEET TO THE N.E. CORNER OF SAID EXCEPTION; THENCE ALONG THE EAST BOUNDARY OF SAID EXCEPTION, S00°00'01"E, A DISTANCE OF 13.99 FEET TO THE S.E. CORNER OF SAID EXCEPTION, SAID POINT ALSO BEING ON THE AFOREMENTIONED SOUTH BOUNDARY OF EL DORADO SUBDIVISION; THENCE ALONG SAID SOUTH BOUNDARY, S89°41'38"E, A DISTANCE OF 57.92 FEET TO A POINT ON THE WESTERLY BOUNDARY OF A 20 FEET WIDE DRAINAGE RIGHT OF WAY AS RECORDED IN ROAD PLAT BOOK III, PAGES 119 AND 121 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH BOUNDARY OF EL DORADO SUBDIVISION, ALONG SAID WESTERLY BOUNDARY OF DRAINAGE RIGHT OF WAY, S05°43'36"E, A DISTANCE OF 793.79 FEET; THENCE CONTINUE ALONG SAID WESTERLY BOUNDARY \$03°29'21"E, A DISTANCE OF 50.45 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 475C (S.W. 42ND STREET) (RIGHT OF WAY WIDTH VARIES); THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, S55°13'51"W, A DISTANCE OF 351.47 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1350.00 FEET, A CENTRAL ANGLE OF 28°04'01" AND A CHORD BEARING AND DISTANCE OF S69°14'22"W., 654.72 FEET; THENCE SOUTHWESTERLY ALONG SAID ARC AND RIGHT OF WAY LINE, A DISTANCE OF 661.31 FEET TO THE END OF SAID CURVE; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE, N89°44'45"W, A DISTANCE OF 582.43 FEET TO THE S.E. CORNER OF THE PERIMETER ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 6072, PAGE 401 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 35.00 FEET, A CENTRAL ANGLE OF 89°45'34" AND A CHORD BEARING AND DISTANCE OF N.44°51'56"W., 49.39 FEET; THENCE NORTHWESTERLY ALONG THE EAST BOUNDARY OF SAID LANDS AND THE ARC OF SAID CURVE, A DISTANCE OF 54.83 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG THE EAST AND NORTH BOUNDARY OF SAID LANDS THE FOLLOWING SIXTEEN (16) CALLS: N.00°00'40"E., A DISTANCE OF 132.48 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 127.00 FEET, A CENTRAL ANGLE OS 55°47'54" AND A CHORD BEARING AND DISTANCE OF N.27°53'16"W., 118.85 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 123.68 FEET TO THE POINT OF TANGENCY; THENCE N.55°47'13"W., A DISTANCE OF 109.29 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE 56°03'09" AND A CHORD BEARING AND DISTANCE OF N.27°45'39"W., 93.98 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 97.83 FEET TO THE POINT OF TANGENCY; THENCE N.00°15'56"E., A DISTANCE OF 44.58 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 55°45'06" AND A CHORD BEARING AND DISTANCE OF N.27°36'37"W., 121.56 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 126.50 FEET TO THE POINT OF TANGENCY; THENCE N.55°29'10"W., A DISTANCE OF 61.26 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 34°14'54" AND A CHORD BEARING AND DISTANCE OF N.72°36'37"W., 76.56 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 77.71 FEET TO THE POINT OF TANGENCY; THENCE N.89°44'04"W., A DISTANCE OF 381.52 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND A CHORD BEARING AND DISTANCE OF N.44°44'04"W., 42.43 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE. A DISTANCE OF 47.12 FEET TO THE POINT OF TANGENCY; THENCE N.00°15'56"E., A DISTANCE OF 19.87 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 124.00, A CENTRAL ANGLE OF 89°36'28" AND A CHORD BEARING AND DISTANCE OF N.44°32'18"W., 174.76 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 193.93 FEET TO THE POINT OF TANGENCY; THENCE N.89°20'33"W., A DISTANCE OF 33.23 FEET; THENCE N.78°09'40"W., A DISTANCE OF 51.58 FEET; THENCE N.89°20'33"W., A DISTANCE OF 42.37 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°04'22" AND A CHORD BEARING AND DISTANCE OF N.44°18'21"W., 35.38 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 39.50 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF THE AFOREMENTIONED COUNTY ROAD 475A (S.W. 27TH AVENUE); THENCE DEPARTING THE NORTH BOUNDARY OF SAID LANDS, ALONG THE SAID EAST RIGHT OF WAY LINE, N.00°43'50"E., A DISTANCE OF 445.24 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 56.72 ACRES MORE OR LESS.

EXHIBIT B CURRENT PD PLAN

(Rotated 90 degrees)



EXHIBIT C EXCERPT FROM 2024 TRAFFIC ANALYSIS

From Page 2

TRIP GENERATION COMPARISON

The trip generation was calculated for the PD development program and compared to the trip generation approved and reserved for the multi-family and office uses within the 2013 CDA.

The trip generation for the approved PUD was obtained from the approved traffic study (TIA11-0001). The PM peak hour gross trips for the multi-family and office uses reserved from the approved TIA and 2013 CDA is 323 trips. The PM peak hour net new trips for the multi-family and office uses reserved in the 2013 CDA is 235 trips.

The trip generation for the uses within the PD was estimated using data found in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition. ITE land use codes 220 (Multi-family Residential (Low-Rise)), 221 (Multi-family Residential (Mid-Rise)), and 710 (General Office Building) were utilized. ITE land use code 220 was used for the townhome units instead of ITE land use code 215 (single-family attached) because it yielded a more conservative (higher) trip generation.

The trip generation of the uses within the PD, using the latest version of the ITE Trip Generation Manual, is 290 PM peak hour gross trips. Internal capture percentages were applied consistent with the approved traffic study. The net new trip generation of the uses within the PD is 212 PM peak hour net new trips. Excerpts from the ITE are provided as an attachment.

The trip generation calculations are summarized in **Table 1**. The uses within the PD generate equivalent, or lesser, trips than that reserved within the 2013 CDA for the same development area.

Continued on Next Page

From Page 3

Table 1: Trip Generation

Land Use	LUC	Int	ensity	Daily Tring	AM Peak Hour of Adjacent			PM Peak Hour of Adjacent		
	LUC	int	ensity	Daily Trips	Total	In	Out	Total	In	Out
2013 PUD Uses ¹	1									
Multi-family Residential	220	474	DU	2,996	236	47	189	278	181	97
General Office Building	710	30,000	Sq Ft	528	72	63	9	45	8	37
			Subtotal	3,524	308	110	198	323	189	134
	Interna	d Canture	- Residential	782	4	2	2	78	46	32
			pture - Office	103	17	7	10	10	2	8
Net New Trips				2,639	287	101	186	235	141	94
42nd St PD Uses ²				_,						
Multi-family Residential (Low-Rise)	220	48	DU	383	38	9	29	41	26	15
Multi-family Residential (Mid-Rise)	221	480	DU	2,243	200	46	154	188	115	73
General Office Building	710	30,000	Sq Ft	407	59	52	7	61	10	51
			Subtotal	3,033	297	107	190	290	151	139
	Interna	al Capture	- Residential	685	4	2	2	64	36	29
	Ir	nternal Cap	pture - Office	79	14	6	8	14	3	11
Net New Trips				2,269	279	99	180	212	112	99
Net New Trip Difference (p				-370	-8	-2	-6	-23	-29	5
Note 1: Trip Generation is from the appro									012)	
Note 2: Trip Generation for the proposed	uses is ca	lculated u	ising the follo	owing data fro	om ITE's Tri	p Generati	on, 11th Ec	lition.		
Multifamily Residential (Low-Rise) [ITE 220	1									
Daily	-			T = 6.41(X) + 7	'5.31 (X is th	e Number I	Owelling Un	its)		
AM Peak Hour of Adjacent Street				T = 0.31(X) + 2	2.85 (X is th	e Number I	Owelling Un	its; 24% in,	76% out)	
PM Peak Hour of Adjacent Street				T = 0.43(X) + 2	= 0.43(X) + 20.55 (X is the Number Dwelling Units; 63% in, 37% out)					
Multifamily Residential (Mid-Rise) [ITE 221]	1									
Daily	1			T = 4.77(X) - 40	6.46 (X is th	e Number D	welling Uni	ts)		
AM Peak Hour of Adjacent Street	four of Adjacent Street				T = 0.44(X) - 11.61 (X is the Number Dwelling Units; 23% in, 77% out)					
PM Peak Hour of Adjacent Street				T = 0.39(X) + 0.34 (X is the Number Dwelling Units; 61% in, 39% out)						
General Office Building [ITE 710]							5		-	
Daily				Ln(T) = 0.87 Lr	(Y) + 3.05 ()	(is 1000 Sa	Et GEA)			
AM Peak Hour of Adjacent Street								% in 12% o	uit)	
-	AM Peak Hour of Adjacent Street Ln(T) = 0.86 Ln(X) + 1.16 (X is 1000 Sq. Ft. GFA; 88% in, 12% out) PM Peak Hour of Adjacent Street Ln(T) = 0.83 Ln(X) + 1.29 (X is 1000 Sq. Ft. GFA; 17% in, 83% out)									
rm reak hour of Adjacent street Ln(1) = 0.83 Ln(3) + 1.29 (X IS 1000 Sq. Ht. GFA; 1/% In, 83% out)										

K:\OCA_Civil\142263007-Ocala 42nd PUD Rev\Traffic\xls\[42nd ST Trip Gen.xlsx]TG

The SW 42nd Street PD has a lesser PM peak hour trip potential than that reserved within the 2013 CDA. The transportation mitigation required within the CDA has been fulfilled. Therefore, no additional study or mitigation is needed for transportation concurrency for the PD.

P:\JG\Leon Ben\Grand Oaks Apts - Multi-Family 2022\163K\Amendment to 163K JG 3-5-25.docx

W. JAMES GOODING III ROBERT W. BATSEL, JR. ROBERT W. BATSEL JAMES T. HARTLEY KENNETH H. MACKAY IV



1531 SE 36th Avenue Ocala, Florida 34471 Phone: 352.579.1290 Direct: 352.579.6580 Fax: 352.579.1289 jgooding@lawyersocala.com

November 5, 2024

By Email Only

City of Ocala Growth Services Director Jeff Shrum Planning Director Aubrey Hale Senior Planner Endira Madraveren 201 SE 3rd Street, 2nd Floor Ocala, FL 34471

RE: Amendment to Concurrency Agreement

Dear Jeff, Aubrey, and Endira:

As required by Ordinance 2024-47, I have attached the following:

- A proposed Amendment to Amended and Restated Site and Concurrency Development Agreement Pursuant to Chapter 163, Florida Statutes [Grand Oaks Town Center PUD, F/K/A Stolen Hours PUD].
- Letter dated September 20, 2024, with attached materials (referred to in the proposed Amendment as the "2024 Traffic Analysis"), prepared by Amber Gartner, PE of Kimley-Horn, excerpts of which are attached as Exhibit C to the proposed Amendment.

Although I sought to limit the Amendment to the matters that were changed as a result of the recent rezoning, I found it necessary to include a lot of historical information to place the changes in context or avoid confusion (e.g. as set forth in paragraph 1.3 below):

The Amendment can be summarized as follows:

- 1. Paragraph 3 of the Amendment:
 - 1.1. Increases the number, and changes the type of, residential units in Phase 2.
 - 1.2. Allows for apartments to be up to four stories in Phase 2.
 - 1.3. Restates provisions from the Original Agreement to make the paragraph comprehensible.
- 2. Paragraph 4 updates the traffic information based upon the 2024 Traffic Analysis, and acknowledges the current tolling.

- 3. Paragraph 5 deletes several provisions that are no longer necessary in light of subsequent changes to the City Code and Comp Plan.
- 4. Paragraph 6 changes the former Section 14 concerning local laws and policies so that the language now matches language that has been used by the City in recent agreements.

Please review the attached and then get back to me with your comments.

Sincerely,

GOODING & BATSEL, PLLC

/s/ Jimmy Gooding /s/

W. James Gooding III

WJG/ban Attachment: as stated cc: Mr. Michael Shealy Richard Busche, P.E. Jameson Frederick, P.E. Amber Gartner, P.E. (All by email only with attachment)

P:\JG\Leon Ben\Grand Oaks Apts - Multi-Family 2022\Corr\Letter to City staff re Amendment 163 K REV.docx

CASE MAP

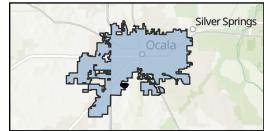
Case Number:

Parcel:

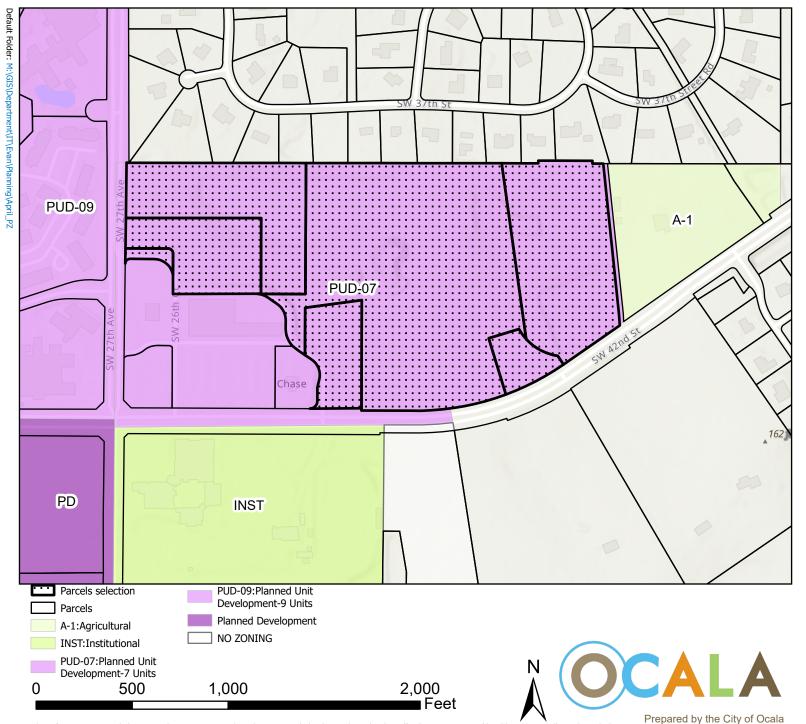
Property Size: Land Use Designation: Zoning: Proposal:

DMA25-0001

23930-000-00, 23930-002-00, 23930-003-00, 23930-003-01, 23930-003-03, and 23930-005-00



57.51 Acres Low Intensity PD, Planning Development Amendment to site and concurrency development agreement pursuant to chapter 163



This information is provided as a visual representation only and is not intended to be used as a legal or official representation of legal boundaries. All GIS data which is growth Management Department establish legal boundaries. For specific information contact the appropriate City of Ocala department or agency.

CASE MAP

Case Number:

Parcel:

Property Size: Land Use Designation: Zoning: Proposal:

500

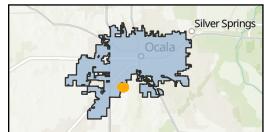
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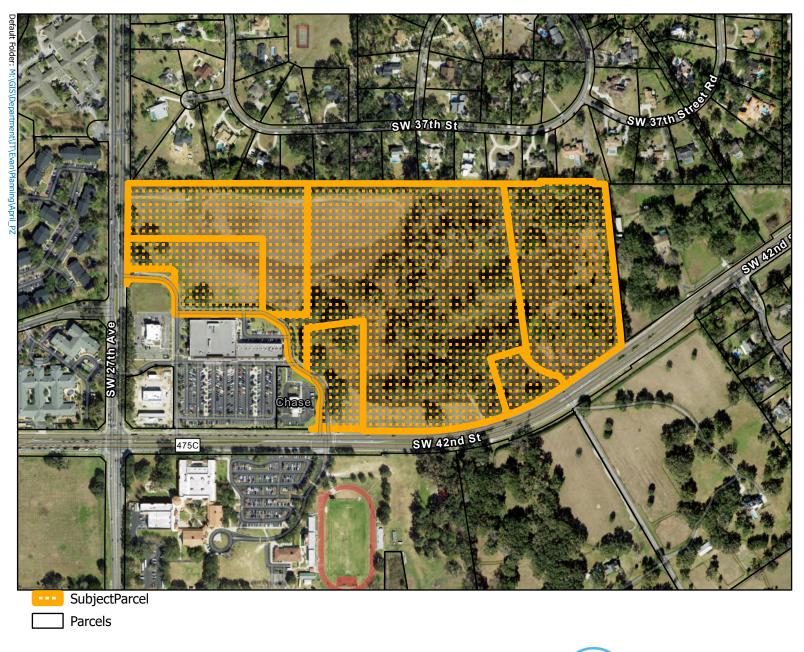
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DMA25-0001

23930-000-00, 23930-002-00, 23930-003-00, 23930-003-01, 23930-003-03, and 23930-005-00

57.51 Acres Low Intensity PD, Planning Development Amendment to site and concurrency development agreement pursuant to chapter 163





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2,000

Feet