



## Staff Report: Rezoning

Case No. PD24-45706

Planning & Zoning Commission: June 9, 2025

City Council (1<sup>st</sup> Reading): July 1, 2025

City Council (Adoption): July 15, 2025

**Applicant:** Dessiree Troncoso (Anna Jo Partnership, LLC)  
**Property Owner:** Anna Jo Partnership, LLC  
**Project Planner:** Breah Miller, Planner II  
**Amendment Request:** Rezone the subject property from R-3, Multi-Family Residential (County), to PD, Planned Development with associated PD Plan and Standards Book.

### Parcel Information

**Acres:** ±39.33 acres  
**Parcel(s)#:** 23817-004-00 & 23311-000-00  
**Location:** located at 2275 SW 53rd Avenue along with the property adjacent to the south (Parcels 23817-004-00 and 23311-000-00)  
**Existing use:** Multi-family/Undeveloped  
**Future Land Use Designation:** High Residential (County)  
**Zoning Designation:** R-3, Multi-Family Residential  
**Special District(s)/Plan(s):** N/A  
**Approved Agreement(s):** N/A

**Figure 1. Aerial Location Map**



### Adjacent Property Information

<b><u>Direction</u></b>	<b><u>Future Land Use</u></b>	<b><u>Zoning District</u></b>	<b><u>Current Use</u></b>
<b>North</b>	Low Intensity (City)	R-3, Multi- Family (City) B-1A, Neighborhood Business (City)	Carlton Arms Single-Family Residences
<b>East</b>	Medium Intensity/ Special District (City)	INST, Institutional (City) No Zoning (City)	Good Shepard Memorial Gardens Undeveloped
<b>South</b>	Medium Intensity/ Special District (City)	PUD-08, Planned Unit Development (City)	Undeveloped
<b>West</b>	Medium Intensity/ Special District (City)	PD, Planned Development	Undeveloped

### Applicant Request

The petitioner is requesting to rezone from Multi-Family (R-3) (County) to Planned Development (PD)(City) with an associate PD Plan and Standards Book. The petitioner has submitted the request to allow for a mix-use residential development consisting of multi-family, single-family, and townhomes, which also includes the existing Timberland Apartments.

There are concurrent requests for Annexation and Land Use Change to Medium Intensity/Special District (City) associated with this rezoning request.

### Background:

Parcel Identification Number 23311-000-00 and Parcel Identification Number 23817-004-00 are currently located within the Marion County limits. The subject properties are currently zoned R-3, Multi-family (County) with High Residential land use (County). The applicant purchased the properties in June of 2020. In 1983, Parcel Identification Number 23311-000-00 was developed with 8 multi- family buildings (Timberland Apartments). Parcel Identification 23817-004-00 remains undeveloped lying south of the Timberland Apartments with access from SW 53<sup>rd</sup> Avenue located to the west of both properties.

The subject properties are within an existing enclave that is located approximately 1.62 miles from the most western boundary line of the City limits. The surrounding area is a heavily wooded area, and primarily reserved for the pending Mixed- Used Planned Developments to the east, west, and south.

The surrounding area is characterized as largely undeveloped property to the west, south, and east of the subject property boundaries. The eastern boundary of the property abuts Good Shepard Memorial Gardens. The subject property fronts along SW 20th Street which is classified as an urban collector roadway. The properties north of SW 20th Street are currently single-family uses but recently purchased by a single owner and rezoned to R-3, Multi-Family Residential. Carlton Arms Apartments is also located north of SW 20th Street, approximately 700-ft east of the subject property.

### **Neighborhood Meeting**

A neighborhood meeting was held on December 12, 2023, at Central Florida College, with the agent providing information regarding the proposed development. One nearby resident was in attendance and did not have any concerns about the development but instead expressed his support.

## **Staff Analysis**

### **Proposed PD Plan and Standards**

The associated PD Plan depicts a mixed residential development that will be developed in three phases on approximately 39.33 acres. The development proposes 459 units which includes the existing 42 multi-family units within the Timberland Apartments. Proposed amenities include a 3,600 square foot clubhouse and pool and a 2,400 square foot community building. The proposed permitted residential uses include single-family detached (Courtyard Home), single family detached (Cottage Home), single-family attached (townhomes), and multi-family dwellings. The proposed maximum height of the development is 50-feet or 4 stories for multi-family buildings and a maximum height of 35-feet for the single-family attached homes and single-family detached homes.

The PD plan indicates that thirty-seven-point nine percent (37.9%) of the gross acreage will be preserved as open space with the potential of increasing to forty- two point forty- six percent (42.46%) by converting 1.80 acres from dry to wet retention. Aggregate open space will feature a clubhouse with a pool, community building, walking path, linear parks, and centralized lake areas. Additionally, a 10-foot-wide landscape buffer with a 6-foot-high vinyl fence is depicted along the southern, eastern, and western property lines. The PD Standards Book indicates that parking, landscaping, signage, and required buffers will be consistent with the Land Development Regulations. However, variations are proposed in the PD Plan and Standards Book and listed below as part of the staff analysis and will be more specifically addressed at the time of site plan review. The associated PD Plan depicts a maximum of 459 dwelling units; this constitutes an overall density of 11.67 dwelling units per acre with the following lot requirements.

	Single-family Detached (Courtyard Home)	Single- Family Detached (Cottage Home)	Single- Family Attached (Townhome)	Multi- Family
Front Yard Setback (Minimum Feet)	5'	5'	5'	5'

Interior Side Yard Setback (Minimum Feet)	3'	3'	0'	15'
Street/Alley Side Yard Setback (Minimum Feet)	8'	8'	5'	10'
Interior Rear Yard Setback (Minimum Feet)	25'	10'	25'	10'
Alley Rear Yard Setback (Minimum Feet)	25'	10'	25'	10'
Lot Width (Minimum Feet)	32'	28'	16'	200'
Lot Area (Minimum Square Feet)	2,800	1,500	1,400	18,000
Building Coverage (Maximum %)	45%	50%	45%	65%
Building Height (Maximum Feet)	35'	34'	35'	4 stories or 50'

### ***Factual Support***

#### **Consistency with Comprehensive Plan**

The requested zoning change is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:

1. Future Land Use Element Policy 6.5: Medium Intensity/ Special. The intent of this category is to identify neighborhood and community-serving activity centers, generally represented as “Medium Low” or “Medium High” on the Ocala 2035 Vision. The Medium Intensity/Special District category facilitates developments with two (2) or more uses. Permitted uses include residential, office, commercial, public, recreation, educational facilities and institutional. Light industrial shall only be allowable in designated locations as specified in the Land Development Code and must meet the intent of the Medium Intensity/Special District category, including form and design guidelines as applicable. This mix is intended to promote a walkable urban form.

The character and function of individual Medium Intensity/Special Districts is described in greater detail in Objective 8.

The form of buildings and development shall be regulated by the Form Based Code. Buildings shall have moderate build-to lines from the street and public right-of-way, as depicted in Figure C. Parking may occur on-street or in the moderate build-to-line of buildings, though rear and side yard

parking is encouraged, as depicted in Figure D. Shade for pedestrians should be provided through landscaping or building design. Open space in Medium Intensity/Special District areas consists of large neighborhood and community parks.

The minimum density and intensity before any incentives in this future land use category is 5 dwelling units per gross acre or 0.15 FAR. The maximum density and intensity before any incentives is 30 dwelling units per acre or 4.0 FAR. The location and application of incentives shall be set forth in the Land Development Code.

Increased density and intensity incentives may be approved for inclusion of workforce housing, green building and sustainable design standards, setting aside right-of-way for trails, employment-generating uses, exemplary urban design, or other benefits to the city as specified in the Land Development Code. The location and application of incentives shall be set forth in the Land Development Code.

*Staff Report: The proposed Medium Intensity/ Special District Future Land Use classification identifies a mix of residential as a permitted use. The PD plan depicts three uses consisting of three residential types at a density of 11.22 dwelling units to the acre. Rear parking and street parking is proposed for the development as well as landscaped sidewalks for pedestrian traffic. This design choice reflects development regulations set forth in the Form Based Code. The proposed land use is also compatible with the land use of the surrounding area.*

2. Future Land Use Element Policy 7.2: 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 proposed PD zoning district is compatible with the existing neighborhood development pattern and is proposing a density that is contextually appropriate for the area.*

3. 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 below, there appears to be adequate public facilities exist to service the subject property.*

### **Consistency with Land Development Regulations**

The requested rezoning is consistent with the following Sections of the City of Ocala Code of Ordinances:

1. Section 122-941(b): A rezoning to PD with a PD plan shall meet the following minimum requirements: (1) One-acre minimum site; (2) a five-acre or more site shall include at least two uses with any one use not less than ten percent (acreage or square footage) of the total site, except in the case of residential developments, which are permitted to be single-use; (3) must be located on a public roadway with at least 100 feet of frontage.

*Staff Comment: The subject property contains approximately 34.54 acres. The development is for a single- family and multi-family development that has approximately 565 feet of frontage along*

*SW 20<sup>th</sup> Street. The subject property meets the requirements for consideration of rezoning to the PD zoning district set forth by the Code of Ordinances.*

2. Section 122-244 – *District criteria:* Zoning districts allowed under the current land use classification.

<b>Medium Intensity/ Special District</b>	R-1**, R-1A**, R-1AA**, R-2**, R-3**, RZL**, O-1**, OP**, RO**, B-1**, B-1A**, B-2**, B-2A**, B-4**, SC**, M-1**, M-2**, G-U**, INST**, A-1***, <b>PD**</b> , FBC**
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*Staff Comment: The PD zoning district is a permitted district within the subject property’s proposed Medium Intensity/ Special District future land use.*

3. Section 122-942(a): – *Planned Development Required Standards:* In reaching recommendations and decisions as to rezoning land to a PD district and approving a conceptual site development plan, the planning and zoning commission and city council shall apply the following standards, in addition to the requirements of this chapter applicable to the rezoning of land generally:

- (1) *Access.* Every permitted use in a PD shall have access to a public street directly or via an approved private road, pedestrian way, court or other area dedicated to public or private use, or common element guaranteeing access.

*Staff Comment: The proposed development has two access points on SW 20<sup>th</sup> Street. The primary access point is SW 51<sup>st</sup> Terrace (east) and a secondary access is for emergency use only onto SW 53<sup>rd</sup> Avenue. In addition, the PD plan shows interconnectivity consisting of a mixture of internal roadways and alleys. The PD plan also depicts a reservation of 40-feet to the south of the property for the potential development of an east/west connection.*

- (2) *Buffers.* When a PD abuts a less intensive use, it will be required to adhere to section 122-260, pertaining to buffer specifications, at a minimum. City council may require additional buffering based on individual circumstances.

*Staff Comment: The proposed development is surrounded by similar future mixed use developments except for the northeast corner. The adjacent property to the northeast is known as the Good Shepherd Memorial Gardens. Although a buffer is not required on all sides of the property, the developer is proposing a 6-foot-tall vinyl privacy fence with a 10’ landscape buffer along the western, southern, and eastern boundaries to ensure adequate screening.*

- (3) *Underground utilities.* Within a PD, all utilities, including telephone, television cable and electrical systems, shall be installed underground in accordance with current city policies and standards. Appurtenances to these systems which require above ground installation must be effectively screened, and thereby may be excluded from this requirement.

*Staff Comment: New onsite utilities shall be located underground such that tree installations are possible without conflict and shall be installed in accordance with current city policies and standards.*

- (4) *Open space.* Open space requirements for a PD are as follows:

- (a) Open space shall include active and passive recreation areas such as courtyards, streetscapes/sidewalks, playgrounds, golf courses, waterways, landscaped yards and patios, lagoons, floodplains, nature trails, roof areas, and other similar open spaces. Water

retention areas that are designed as aesthetic lakes or ponds for passive or active recreational use may also be counted as open space, as long as these areas are designed to retain a minimum of three feet of water at all times.

*Staff Comment: There is a proposed minimum 37.9% gross open space with the potential of increasing to 42.46% by converting 1.80 acres from dry to wet retention. Aggregate open space will feature a clubhouse with a pool, community building, walking path, linear parks, and centralized lake area.*

- (b) Fenced water retention areas, open water areas beyond the perimeter of the site, street right-of-way, driveways, off-street parking areas and off-street loading areas shall not be counted in determining open space. Side yards less than six feet wide shall not be counted as open space.

*Staff Comment: Open space is provided in accordance with Section 122-924(4). Gross open space provided is calculated at 14.91-acres.*

- (c) Open space shall be clustered into larger tracts/areas. Buildings and structures should be clustered so that the open space is usable to the occupants/residents rather than merely providing spacing between buildings or structures. Zero lot line and clustered design is encouraged. Front, side and rear yards in single-family residential areas shall not be counted as aggregate open space.

*Staff Comment: Open space within the PD plan is cluster in between buildings as linear parks as well as along trails and water retention areas. All open space is located in areas that are accessible to the future residents.*

- (d) There shall be a minimum open space requirement of 25 percent of the total gross acreage for all development in any PD project. For single-use residential PD projects, the minimum open space requirement shall be 40 percent. At least ten percent of the total required open space shall be in usable aggregate form. Aggregate open space is defined as common open space areas that are designed and intended for use by all occupants/residents of a PD.

*Staff Comment: The PD proposes a mixed residential use that includes single- family attached, single family detached, and multi- family because this development is more than a single- use residential project it is required to have a minimum open space of 25%. The PD plan depicts a proposed minimum of 37.9% gross open space. More than 10% of the open space consist of a clubhouse with a pool, Community Building, walking path, linear parks, and centralized lake area.*

- (5) *Unified control.* The applicant shall furnish the city with sufficient evidence to the satisfaction of the city attorney that the applicant is in the complete, unified and otherwise-unencumbered control of the entire area of the proposed planned development, whether the applicant be an individual, partnership, corporation, other entity, group or agency. The applicant shall provide the city all necessary documents and information that may be required by the city attorney to assure the city that the development project may be lawfully completed according to the plans sought to be approved.

*Staff Comment: The agent submitted a Title Opinion and Statement of Unified Control to the City in June 2024.*

- (6) *Phasing.* City council may allow or require phasing of the proposed development. All phasing must be related to previous development, surrounding properties, and available public facilities and services, where a failure to proceed with subsequent phases of development will have no adverse impact on the completed phase(s) or surrounding properties.

*Staff Comment: The proposed subdivision will constitute three phases of an ongoing development.*

- (7) *Platting.* All uses/parcels meeting the definition of a subdivision shall meet chapter 114 (subdivisions) requirements.

*Staff Comment: After PD approval by City Council, the conceptual subdivision may be submitted for review.*

- (8) *Site plan review.* Development requiring site plan review shall comply with Chapter 122, Article IV. A final site plan shall be consistent with a final development plan.

*Staff Comment: A site plan will be required for the proposed development.*

- (9) *Development.* A development meeting the criteria for a shopping center shall comply with all regulations as set forth in division 29 of chapter 122 (shopping centers) except for: subsections 122-908(7),(8) and (9) and 122-918(a)(l).

*Staff Comment: N/A.*

- (10) *Access to utility systems and public services.* A PD shall be located in relation to sanitary sewer lines, water lines, storm/surface drainage systems, and other utility systems.

*Staff Comment: Utility services are outlined in detail in the Level of Service Analysis below. All utility services are in proximity to the development.*

### **Variations from Code of Ordinances**

The applicant is requesting variances to the following sections of the Ocala Code of Ordinances:

1. Section 122-260. – Buffers. (b) General requirements. Wherever a higher intensity property adjoins or abuts a lower intensity land use or zoning district, a landscaped buffer area will be required along the total length of that adjoining or abutting property boundary to provide an attractive land use transition and reduce sight, glare, light and noise intrusion. This landscaped buffer area as set out in this section will be reviewed and approved during the site plan process. The landscaped buffer area can be decreased in depth with a continuous brick, stone or concrete block wall which is located along the full length of the adjoining or abutting property boundary being buffered. A landscaped berm of the same height can be substituted for a wall. The building official and planning director may also approve a solid wood fence and increased landscaping as an alternative to a masonry wall in instances where a parcel was reduced in size by a condemnation of right-of-way. Buffer areas will be continually maintained in good condition by the property owner. These buffer areas can be included in the open space requirements and standards. In no case shall the landscaped buffers be less than the standards and specifications set out in this section.

*The applicant is proposing a 6- foot vinyl fence instead of the required wall..*

2. Section 114-93.- Alleys. (b) The right-of-way width of an alley shall not be less than 30 feet.



*The applicant is proposing 20-foot-right-of way for all alleys, which will all be privately maintained.*

3. Section 122-631. Single- family dwellings (attached) criteria. (18) Parking requirements: 1½ spaces per unit. Additional spaces may be required for amenities.

*The applicant is proposing one off street parking per unit with on street parking options.*

### Level of Service (LOS)

**Transportation:** The subject segment of SW 20th Street is an unclassified roadway under the Ocala-Marion TPO Congestion Management Plan but the City's Comprehensive Plan identifies the roadway as an urban collector. Automotive traffic will likely access the property via SW 51<sup>st</sup> Terrace to the east, and emergency traffic will access the property from SW 53rd Avenue to the west. The 2023 congestion management data from the Ocala-Marion TPO for the affected roadway(s) is provided below.

- **Adopted LOS / Available Capacity:**

Road/ Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2023 AADT	Existing LOS
SW 20 <sup>th</sup> Street	4	35	Collector	E	39,800	12,500	C

Developments proposing to generate 100 or more net new PM peak hour trips are required to submit a traffic study as part of the subdivision review.

**Potable Water:** The properties are currently serviced by Marion County Utilities. However, City utilities are available at this location; connections will be determined during the subdivision review process. A city water main runs along SW 20<sup>th</sup> Street.

- *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:** The properties are currently being serviced by Marion County Utilities. However, City utilities are available at this location; connections will be determined during the subdivision review process. A city force main is available along SW 20th Street.

- *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).

**Solid Waste:** The subject property is not located within the City's service area; refuse pickup will be determined during the subdivision review process.

- *Adopted Level of Service (LOS) Solid Waste:* 3.54 pounds per capita per day for residential 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 property is not located within a 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 within the Ocala Electric Utility service territory.

**Fiber:** Service is not currently available at this location.

**Fire Service:** Ocala Fire Rescue Station #4 is located approximately 1.68 miles from the subject property at 2275 SW 53<sup>rd</sup> Avenue. This distance does not fall within the desired industry standard of 1.5 miles for fire service.

**Schools:** The subject property is serviced by College Park Elementary (operating at 110.08% capacity), Liberty Middle (93.34%) and West Port High School (117.22%). The proposed rezoning of the property may generate between 22- 145 additional Elementary School-aged students, 11-66 additional Middle School-aged students, and 11-98 additional High School-aged students.

Project Dwelling Units (SFR)			
School Level	SFR Student Generation Rate	174 SFR (min. 5 d.u./acre permitted by FLU)	1046 SFR (max. 30 d.u./acre permitted by FLU)
E	0.13	22	135
M	0.064	11	66
H	0.094	16	98
Project Dwelling Units (MFR)			
School Level	MFR Student Generation Rate	174 MFR (min. 5 d.u./acre permitted by FLU)	1046 MFR (max. 30 d.u./acre permitted by FLU)
E	0.139	24	145
M	0.056	9	58
H	0.067	11	70

**Staff Findings and Recommendation**

- The proposed rezoning is consistent with the proposed Medium Intensity/ Special District Future Land Use classification pursuant to Code of Ordinances Section 122-244.

- The PD Plan is consistent with the minimum standards for a PD District (Section 122-942), with exception to the following:
  - Requested variation to the required alternate fencing material. The PD Standards Book proposes a 6-foot vinyl fencing with 10' landscaping buffer.
  - Requested variation to the 30- foot alley right-of- way width. The PD Plan and Standards Book proposes 20-feet alleys, some with street parking.
  - Requested variation to the parking requirements of one- and one-half spaces per unit for single family attached homes. The PD Plan and Standards Book identifies that there will be one off street parking per unit with on street parking options.
- The proposed rezoning is compatible with the surrounding development, the Comprehensive Plan, and the City's Code of Ordinances.
- Adequate public facilities exist to service the proposed development.

<b>Staff Recommendation:</b>	<b>Approval of PD24-45706</b>
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