



**Applicant:** Impact Development Partners, LLC  
**Agent:** Fred N. Roberts Jr, Esq, Klein & Klein, LLC  
**Property Owners:** 31<sup>st</sup> Street, LLC  
**Project Planner:** Endira Madraveren  
**Zoning** from: PUD-0, Expired Planned Unit Development  
to: PD, Planned Development  
**Parcel Information**  
**Acres:** ±14.15 acres  
**Parcel(s)#:** 29851-000-00  
**Location:** northwest corner of SE 24<sup>th</sup> Road and SE 31<sup>st</sup> Street  
**Existing use:** Undeveloped

#### **Adjacent Land**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Low Intensity	PUD-14	Brookdale Assisted Living Facility
East	Low Intensity	PUD-07 PUD-14	Casa Park Villas Subdivision Brookdale Assisted Living Facility
South	Neighborhood	R-1, Single-Family Residential	South Point Subdivision
West	Low Intensity	PUD-10	Marion Woods Assisted Living Facility

#### **Background:**

The subject property was annexed into the City in 1973. It was approved as a Planned Unit Development (PUD); the PUD has been expired for more than twenty-five years. The property was shown as residential on the original PUD, however no specific development standards were approved as it relates to design criteria.

The PD plan and Standards Book, which have gone through three rounds of review at staff level, propose a 260-dwelling unit apartment complex with a density of 18.0 units per acre for the 14.15-acre site. The maximum density in the Low Intensity future land use is 18 dwelling units per acre. The maximum height of the development will be 55-feet with the taller, 4-story buildings located interior to the parcel. A 15-foot enhanced landscape buffer is proposed along SE 31<sup>st</sup> Street. The remaining buffers around the perimeter of the property vary between 10 and 15-feet. A secondary access is proposed at the NE corner of the subject property.

The PD Standards book provides for enhanced features including Florida-Friendly plant species within the buffers and open space, pedestrian walking trails, and landscaped entrances.

#### Planned Development Required Standards (Section 122-942)

- (a) 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 Response: The proposed development has access onto SE 31<sup>st</sup> Street and SE 24<sup>th</sup> Road.*

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 Response: The PD does not abut a less intensive use. The development will provide enhanced landscaped buffers along SE 31<sup>st</sup> Street, SE 24<sup>th</sup> Road, and the western boundary abutting Marion Woods Assisted Living Facility.*

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 Response: Utilities are proposed to be located underground such that tree installations are possible without conflict.*

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 Response: There is a proposed minimum 40% open space. These areas will include enhanced landscaping with walking trails.*

- 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 Response: Aggregate open space will be provided per Section 122-924(4). Gross open space is calculated at 5.87-acres, with proposed aggregate open space calculated at 0.63-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 Response: Open space is clustered into usable recreation areas for 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 Response: There is a proposed minimum 40% open space. These areas will include enhanced landscaping with walking trails.*

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 Response: The application includes a Letter of Authorization signed by the current property owners – 31<sup>st</sup> Street, LLC.*

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 Response: Phasing will be determined during the site plan process.*

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

*Staff Response: A subdivision process is not required for this development.*

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 Response: Subsequent to PD approval by City Council, the site plan may be submitted for staff review by the applicant.*

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)(1).

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

<b>Staff Recommendation:</b> <b>Approval of PD23-45098</b>
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**Basis for Approval:**

The PD plan is consistent with the land use category and land development regulations. Staff recommends approval.

**Factual Support:**

1. Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
  - a. Objective 12: The Future Land Use Element shall require efficient use of existing services, facilities and infrastructure to discourage urban sprawl and promote a clustered urban development pattern.
  - b. 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.
2. The requested zoning designation of PD, Planned Development, is eligible to implement the land use designation of Low Intensity and the PD plan is consistent with chapter 122, article V, division 30 of the City's land development regulations.
3. Approval of this request will not adversely affect the health, safety, convenience, prosperity or general welfare of the community.

**Level of Service Impact Analysis:**

**Transportation:** Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review. The Traffic Impact Analysis has received a Submittal Acceptance from the City's Transportation Engineering Division. The traffic study acknowledges transportation deficiencies. A Developer's Agreement has been submitted by the applicant which addresses deficient facilities identified during the traffic study review.

**Potable Water:** Water service is available. An existing 8-inch water distribution main runs along SE 31<sup>st</sup> Street, while a 12" water distribution main runs along SE 24<sup>th</sup> Road.

**Sanitary Sewer:** Sewer service is available. Existing 8-inch gravity mains run along both SE 31<sup>st</sup> Street and SE 24<sup>th</sup> Road.

**Stormwater:** This property is not located within a flood zone. Facilities must be designed to provide flood protection for a 100 year 24-hour storm event. For any future development, runoff must be retained on-site to match pre-development conditions.

**Solid Waste:** Service is available. Dumpster locations will be determined during site plan approval.

**Fire Service:** City Fire Station #7 is located within a 0.5-mile radius.

**Schools:** The impacted schools are currently experiencing localized overcrowding for South Ocala Elementary, Osceola Middle, and Forest High.

### **Zoning Classification**

#### **Proposed:**

A planned development (PD) zoning district is intended to provide a process for the evaluation of unique, individually planned developments, which may not be otherwise permitted in zoning districts established by this chapter. Standards and procedures of this district are intended to promote flexibility of design and permit planned diversification and integration of uses and structures, while at the same time retaining the absolute authority of city council to establish such conditions, stipulations, limitations and restrictions as it deems necessary to protect the public health, safety and general welfare.