

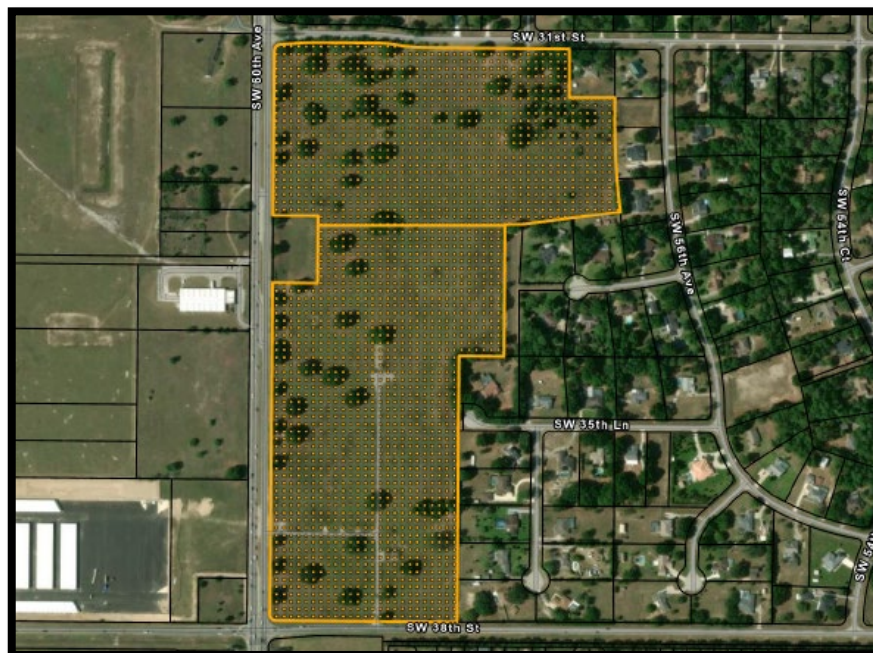


Applicant: TBMI II, LLC
Property Owner: TBMI II, LLC
Agent: Jameson A. Fredrick, P.E., Kimley-Horn & Associates, Inc.
Project Planner: Break Miller, Planner II
Amendment Request: Public hearing to consider a resolution to amend the Planned Development Plan and Standards Book

Parcel Information

Acres: 61.4 acres
Parcel(s)#: 23817-002-00 and 23817-002-02
Location: 3661 SW 60th Avenue and 5800 SW 31st Street
Existing use: Undeveloped
Future Land Use Designation: Low Intensity
Zoning Designation: PD, Planned Development
Special District(s)/Plan(s): N/A
Approved Agreement(s): Future Land Use Policy (Policy Ordinance 2022-62)

Figure 1. Aerial Location Map



Section 1 - Applicant Request

The applicant is requesting an amendment to the Planned Development (PD) Plan and Standards Book to modify the property lines of the commercial lots, revise access points, and establish setback requirements for the residential phases.

The agent, Jameson A. Frederick, P.E., is representing the applicant in this request.

Section 2 - Background Information

The subject properties are comprised of two parcels of land (Parcel 23817-002-00 and 23817-002-02) encompassing a total of approximately 61.4 acres. The current designations of the properties are:

Zoning: **PD, Planned Development**, the intent of the PD district is 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.

Future Land Use: **Low Intensity**, a minimum of 3 and maximum of 18 dwelling units per acre, up to a maximum of 0.75 floor area ratio (FAR).

The original PD was approved in March 2023. The following timeline is provided for background and contextual purposes to outline the history of the subject property. A more detailed analysis, including supporting documentation and application materials, is provided in the attached documents for further reference.

- **2003 & 2006** - Subject parcels were annexed into the city.
- **December 2009** - City Council adopted Ordinance 2010-28, changing the Future Land Use (FLU) designation from Low Density Residential and Neighborhood Business to Retail Services.
- **January 2013** - City Council adopted Comprehensive Plan Amendments consistent with the Ocala 2035 Vision, which eliminated the Retail Services FLU, while assigning the new designation of Low Intensity to the subject property.
- **December 2021** - Subject parcels were purchased by TBMI II, LLC.
- **July 2022** - City Council adopted Ordinance 2022-62, approving the Future Land Use Policy (FLUP22-44631) amendment following review by the Florida Department of Economic Opportunity.
- **March 2023** - City Council approved a rezoning request to establish zoning from No Zoning to PD along with the associated PD Plan and Standards Book.

The originally approved PD plan proposed seven commercial lots and one residential parcel, with development anticipated to occur in two phases. A maximum of 750 residential units within the designated residential areas were approved. The original TBMI PD approval was subject to the conditions and requirements associated with FLUP22-44631. The PD has received Traffic Study approval and is pending conceptual subdivision for the commercial development phase.

A summary of the adjacent property land use, zoning, and current uses is provided in Table 1 below.

Table 1: Adjacent Property Information:

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Medium Intensity/ Special District Medium Intensity/ Special District	M-1, Light Industrial A-1, General Agriculture	Industrial/ Manufacturing
East	Low Residential (County)	A-1, General Agriculture (County)	Residential
South	Neighborhood Low Intensity	PUD-04, Planned Unit Development Pending	Improved Residential
West	Low Intensity Low Intensity Low Intensity	M-1 GU B-2	Warehouse/Distribution Vacant Municipal Property Vacant Commercial

Section 3 – Staff Analysis

This analysis evaluates the proposed amendment to the PD Plan and Standards Book. The originally approved PD established the overall development framework as a conceptual plan which outlines specific land use areas, density, permitted uses, buffering, and general site design standards.

The proposed amendment modifies the PD Plan to incorporate one additional commercial lot and converts a previously designated commercial lot into a stormwater retention area. Internal setbacks, which were not previously included in the PD Standards Book and were limited to external property boundaries, are now established and will govern both residential and commercial lots within the development.

The amended plan identifies signage locations for the residential portions of the development, supplementing the previously approved commercial signage framework. The two residential phases remain unchanged, and all previously approved buffers and access points are maintained.

The PD Standards Book has also been revised to include a definition for ancillary structures. These structures are permitted within the 100-foot height-restricted buffer adjacent to the Timberwood subdivision and SW 31st Street, provided they do not exceed 35-feet in height. The definition is as follows:

“Ancillary non-habitable structures may be permitted within the 100-foot setback height-restricted area. Such structures shall not exceed 35 feet in height. Ancillary non-habitable structures include garages, carports, walls, fences, pools, and sheds.”

The proposed amendments do not alter the previously approved level of service analysis. Residential development remains capped at 750 units, and the commercial acreage remains at 11.88 acres. Furthermore, the proposed modifications are consistent with the adopted FLUP which governs the subject property.

Table 2: Previous Setbacks

<u>Use</u>	<u>Setback Requirements</u>
Commercial	Front Setback: 10-feet Side Yard Setback: 10-feet Rear Yard Setback: 20-feet

Table 3: Proposed Setbacks

<u>Use</u>	<u>Setback Requirements</u>
Commercial	Front Setback: 10-feet Side Yard Setback: 10-feet Rear Yard Setback: 20-feet
Multi-Family Residential	Front Setback*: 10-feet Side Yard Setback*: 10-feet Rear Yard Setback*: 20-feet Multi-Family Residential *No multi-family residential buildings are to be located within the 100' building height restriction area. Ancillary Structure Rear and Side Yard Setbacks: 20-feet
Single-Family Residential	<u>Attached*:</u> Front Setback: 10-feet Side Yard Setback: 0-feet Side Street Setback: 10-feet Rear Yard Setback: 20-feet Ancillary Structures are allowed in the Rear Yard only. Ancillary Structure Rear and Side Yard Setbacks: 5-feet

	<p>Single-Family Residential Detached*: Front Setback: 10-feet Side Yard Setback: 5-feet Side Street Setback: 10-feet Rear Yard Setback: 20-feet *No single-family residential buildings are to be located within the required 25' buffers.</p>
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Consistency with Comprehensive Plan:

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

1. *Future Land Use Element Policy 6.3: Low Intensity. The intent of the Low Intensity land use classification is to identify areas that are generally oriented towards the automobile as the primary mode of transportation, with pedestrian circulation and activity being generally less than High Intensity/Central Core and Medium Intensity/Special District districts. Low Intensity may contain a single use. Mixed use development is encouraged. Permitted uses include office, commercial, public, recreation, institutional, educational facilities and residential. Light industrial shall only be allowable in designated locations as specified in the Land Development Code and must meet the intent of the Low Intensity category, including form and design guidelines as applicable. It is also the intent of this category to promote a walkable suburban form.*

The form of buildings and development may be regulated for specified areas by a Form Based Code or Corridor Overlay. Buildings may have larger setbacks from the street and public right-of-way than other mixed-use districts. Buildings may have surface parking between the building and the street, though rear and side yard parking is encouraged for non-residential uses. Low Intensity areas may have large open space areas such as community and regional parks, trails, or surface stormwater management facilities designed as amenities.

The minimum density and intensity in this future land use category is 3 dwelling units per gross acre or 0.00 FAR. The maximum density and intensity is 18 dwelling units per acre or 0.75 FAR.

Staff Comment: The revised setbacks, internal roadway adjustments, and building type modifications remain compatible with the intent of promoting a walkable suburban form within an automobile-oriented framework. Buffers and access points are retained, and the FLU designation remains unchanged. Therefore, the proposed amendment is consistent with Policy 6.3.

Consistency with Land Development Regulations

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

1. *Section 122-946(a): Substantial changes to a PD plan shall require city council approval, and any revised PD plan approved by city council shall be adopted by resolution prior to approval of a site plan or conceptual subdivision plan that includes substantial changes. A*

revised PD plan proposing substantial changes shall meet all requirements of this division and shall be heard at public hearings before the planning and zoning commission and city council after due public notice. Changes in land uses and density/intensity greater than five percent shall be considered substantial. For purposes of this subsection, other substantial changes are defined as: changes to project access, circulation plan, land use arrangement, buffers, a change to the approved PD standards book or the elements required to be included therein, and any other changes deemed substantial by the site plan review committee.

Staff Comment: As a result of the additional lot access points, the internal roadway network has been modified. Setbacks have been revised, and additional building types have been introduced. The modifications are deemed to be a substantial change to the PD Plan and require City Council’s approval. It is noted that each commercial lot fronts along SW 60th Avenue but access is limited to the internal road network of the original PD and this PD amendment request.

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

Low Intensity	R-1, R-1A, R-1AA, R-2, R-3, RZL, RBH-1, RBH-2, RBH-3, OH, RO, O-1, OP, B-1, B-1A, B-2, B-2A, B-4, B-5, SC, M-1, M-2, G-U, INST, A-1, PD , FBC
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Staff Comment: The PD zoning district is a permitted district within the subject property’s Low Intensity FLU Category.

Section 5 - Level of Service (LOS) Analysis

The proposed modifications to the PD Plan and Standards Book do not impact the previously approved level of service (LOS) analysis. The overall development remains unchanged, including the maximum 750 residential units and 11.88 acres of commercial development. The amendments primarily refine internal site design elements, such as lot configuration, setbacks, and development standards, without increasing density or intensity. As such, the traffic generation assumptions and associated impacts analyzed under the original approval remain valid, and no additional LOS analysis is required at this time.

Section 6 - Staff Findings and Recommendation

- The proposed amendment is consistent with the existing Low Intensity Future Land Use classification pursuant to Code of Ordinances Section 122-244 and is not anticipated to impact the approved Future Land Use Policy for the TBMI PD.
- The proposed development will be required to extend sewer services to this project. All other City utilities are available at this location, and no level of service issues have been identified for public facilities as a result of the zoning amendment.

Staff Recommendation: Approval of PD22-44929 with conditions

- Access to lots within the PD are restricted to the internal road network.
- The internal road network must be provided for each subdivision of the PD to ensure access to the lots created and interconnectivity between subdivisions. The internal road network shall adhere to

the applicable requirements of the Land Development Regulations. Single-lot subdivisions are not permitted.