

Assistant City Attorney Gooding clarified the confusion regarding the request. The request has nothing to do with proposed developments in the area. The public should attend the land use/zoning hearings for the development projects.

City Attorney Batsel clarified the City is only discussing concurrency agreements for roadways. He believes the public is referring to items 6e. and 6f., which are being pulled for consideration.

There being no further discussion the motion carried by roll call vote.

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

AYE: Hilty Sr, Dreyer, Mansfield, Musleh, and Bethea

- 6b.** Approve a Concurrency Development Agreement between the City of Ocala, W.G. One Corp, and Country Green, LLP for property located in the 4300 block of SW 20th Street (Parcels # 23320-005-25 and 23812-000-00/Wintergreen PD) (CDA21-44613). This is the second of two public hearings. The first public hearing was held on January 4, 2022. Postponed from the January 18, 2022, March 1, 2022 and March 15, 2022 City Council Meetings.

There being no discussion the motion carried by roll call vote.

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Barry Mansfield

- 6c.** Approve a Concurrency Development Agreement between the City of Ocala and Country Green, LLP for property located at the 5300 block of SW 20th Street (Parcel # 23320-005-03/Country Green PD) (CDA21-44612). This is the second of two public hearings. The first public hearing was held on January 4, 2022. Postponed from the January 18, 2022, March 1, 2022 and March 15, 2022 City Council Meetings.

Council President Bethea closed the public hearing at 4:36 pm.

There being no further discussion the motion carried by roll call vote.

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: James P. Hilty Sr

- 6d.** Approve a "Second Amendment to Concurrency Agreement and Contribution Agreement" to be entered into pursuant to Sections 163.3220 through 163.3243, inclusive, Florida Statutes, between the City of Ocala (City) and KAS OCALA, LLC, project CDA22-44744. This is the second of two public hearings. The first public hearing was held on Tuesday, April 19, 2022.

Growth Management Director Tye Chighizola commented no vote is needed from Council and the public can provide feedback on the request. The item is an amendment to a Concurrency Development Agreement, which has existed for over 15-years and will extend the reservation of trips. The proposed Concurrency Development Agreement is necessary to convey the right-of-way for the SW 44th Ave extension to the City.

Assistant City Attorney Gooding explained the agreement is for the conveyance of drainage retention areas/easements to the City. The request to extend the term of the agreement was based on the City obtaining portions of the right-of-way for SW 44th Avenue Extension from RGI.

Council President Bethea opened the public hearing at 4:35 pm. There being no public comment, he closed the public hearing at 4:36 pm.

- 6e.** Adopt a Chapter 163 Development Agreement for approximately 26.63 acres of property located on the east side of SW 43rd Court in the 3600 block (across from Saddlewood Elementary) (DMA22-44686). This is the second of two public hearings. The first public hearing was held on March 1, 2022. Postponed from the March 15, 2022 and April 19, 2022 City Council Meetings.

Growth Management Director Tye Chighizola requested the vote for item 6e be postponed to the next City Council meeting scheduled on May 3, 2022. He explained they received a request from the applicant earlier in the day for the item to be postponed.

Mayor Guinn questioned where the entrance would be located. Attorney for the applicant, Fred Roberts, 40 SE 11th Avenue, explained the applicant has many options to choose from. The goal is to make sure the donation/concurrency agreements are approved by Council to proceed with a conceptual plan. The roadway needs to be constructed to make major traffic improvements a safeguard. He discussed how development projects can be used to improve the infrastructure in the community. The property has no zoning use; however, it was annexed into the City with a County Medium Intensity land use designation.

Mayor Guinn asked if the road will be considered a City or County road. Mr. Chighizola explained how 38th is considered a County road. The County will be making improvements to the roadway. To remedy the traffic impacts, the City will be mitigating the trips towards 44th and the flyover.

Council Member Mansfield questioned if these projects are being discussed with the School Board. Mr. Chighizola explained there is a School Board representative who attends every Planning & Zoning meeting and they are working together on an interlocal agreement. He explained how school concurrency was removed by the State and capacity is looked at as an entire district.

Council Member Mansfield questioned if the City has worked with developers to discuss expanding existing schools to remedy overcrowding. Mr. Chighizola explained how the State limits funding towards public education.

Council Member Mansfield suggested the City put pressure on the State to increase public education funding to remedy overcrowding issues. He expressed the importance of the City working with developers to support rapid growth in the City.

Mr. Chighizola noted the Winding Oaks elementary development project could alleviate overcrowding in Saddlewood.

Council Member Dreyer discussed how the School Board is a separate elected body. The City does not control where the School Board chooses to build new schools or what their capacity is. She explained how the School Board is working to hire a Deputy to manage traffic, and the County will be installing new sidewalks for students that commute to school from Fore Ranch.

Mayor Guinn concurs with Council Member Dreyer regarding the School Boards authority over new school developments and capacity requirements.

School Board Member Allison Campbell discussed the properties the School Board has been able to acquire over the years, and funding issues for development projects. She spoke about the possibility of a K-8 school in Winding Oaks but noted the School Board doesn't currently have the \$20-30 million it would take to build the school. The School Board has a work session scheduled in May. She noted interlocal agreement conversations have not taken place in years. The pandemic has caused rapid growth in the City that was unplanned. She thanked the City and Council for taking action to discuss the overcrowding issues.

Council President Pro Tem Hilty made a motion to postpone discussion until all concurrency agreements are approved.

Council agreed to postpone discussion until the next City Council meeting scheduled on May 3, 2022.

Ronda Goldberg, 44 SW 44th Court, expressed concern expansion of the roadway will cause safety issues for students who attend Saddlewood Elementary. She discussed how the school caters to a large group of special needs students. She named several locations that have overcrowding issues and requested Council thoroughly evaluate proposed development requests in the area.

There being no further discussion the motion carried by roll call vote.

RESULT: POSTPONED

MOVER: James P. Hilty Sr

SECONDER: Kristen M. Dreyer

AYE: Hilty Sr, Dreyer, Mansfield, Musleh, and Bethea

6f. Adopt Ordinance 2022-25 for a zoning change to R-3, Multi-family Residential, for approximately 15 acres of property located on the east side of SW 43rd Court in the 3600