



Planning & Zoning Commission

Meeting Minutes

201 SE 3rd St, 2nd Fl
Ocala, FL 34471

www.ocalafl.org

Monday, March 14, 2022
5:30 PM

1. **Call to Order**

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

The Ocala Planning & Zoning Commission held a meeting at City Hall, 110 SE Watula Avenue, second floor and via Zoom on Monday, March 14, 2022 at 5:30 PM

Attendee Name	Title	Status	Arrived
William Gilchrist	Chairman	Excused	
Rus Adams	Vice-Chairman	Present	
Owen Boone	Commissioner	Present	
Richard Kesselring	Commissioner	Present	
Brent Malever	Commissioner	Present	
Todd Rudnianyn	Commissioner	Present	
Kevin Lopez	Commissioner	Present	
Allison Campbell (non-voting)	School Board Rep	Excused	

Others Present: Growth Management Director Tye Chighizola, Development Coordinator Karen Cupp, Chief Development Official Aubrey Hale, Planner I Divya Govindaraju, Planner I Breah Miller and Administrative Coordinator Mireya Diaz.

- 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 February 28, 2022.

- 3. **Consideration of Minutes** – February 14, 2022

RESULT: APPROVED
MOVER: Kevin Lopez
SECONDER: Andy Kesselring
AYES: Lopez, Kesselring, Boone, Malever, Rudnianyn, Adams

4. Subdivisions

- a. SUB21-44362 West Oak PH 2 Residential – Conceptual Subdivision Plan**
Presentation by Karen Cupp

Discussion:

No board discussion

No public comment

RESULT: APPROVED SUB21-44362
MOVER: Andy Kesselring
SECONDER: Todd Rudnianyn
AYES: Kesselring, Rudnianyn, Boone, Malever, Lopez, Adams

- b. SUB21-44592 CampAlto Subdivision – Conceptual Subdivision Plan**
Presentation by Karen Cupp

Discussion:

Kevin Lopez asked if lot one would remain empty, and Ms. Cupp responded that it will be subdivided and platted. Mr. Rus Adams asked what the zoning designation is for all five lots. Ms. Cupp said it is an R3 zoning designation for all five.

No public comment

RESULT: APPROVED SUB21-44592
MOVER: Todd Rudnianyn
SECONDER: Kevin Lopez
AYES: Rudnianyn, Lopez, Boone, Malever, Kesselring, Adams

5. Future Land Use Plan

- a. FLUP22-44631**

Petitioner: TBMI II, LLC
Agent: Richard V. Busche, P.E.
Planner: Breah Miller

A request to amend Future Land Use Policy 18.14 to require Planned Development (PD) zoning, provide buffer requirements and limit development potential for property located on the east side of SW 60th Avenue, between SW 31st Street and SW 38th Street, approximately 61.39 acres

Discussion:

Todd Rudnianyn asked if this case would come back to the board as a PD, and Ms. Miller confirmed that it will come back before the P&Z Board.

Rus Adams asked if the developer stated they did not agree or simply had not made a decision regarding 31st Street. Ms. Miller said the developer did not agree and had submitted a letter stating the changes they want to make; the board was provided with a copy of the letter. Mr. Adams asked city staff if the city had an opinion on the matter, and city staff suggested that a secure and gated emergency access point off 31st Street. Mr. Adams wanted to know if the recommendation of approval includes the amendment, and Mr. Tye Chighizola confirmed that it does include the amendment.

Mr. Austin Dailey, 40 SE 11th Avenue, Ocala, FL, speaking on behalf of the applicant. Mr. Dailey made a brief presentation to clarify the applicant's request. A lengthy discussion ensued regarding what should or should not be handled at the PD phase.

Mr. Cory Hewitt, 5016 SW 31st Street, Ocala, FL, spoke on behalf of the Timber Wood Homeowner's Association.

Multiple public comments followed that addressed concerns regarding the increase in traffic, pedestrian injuries by cars, crime, disturbance to their way of life, sewer and water issues, fire safety and buffering issues.

RESULT:	APPROVED FLUP22-44631
MOVER:	Andy Kesselring
SECONDER:	Kevin Lopez
AYES:	Rudnianyn, Lopez, Boone, Malever, Kesselring, Adams

6. Zoning

a. **ZON22-44665**

Petitioner: John Rudnianyn

Planner: Divya Govindaraju

A request to rezone from Government Use, GU, to Community Business, B-2, for property located between East Silver Springs Boulevard (SR 40) and NE 3rd Street, in the 2700 block, approximately 3.98 acres.

Discussion:

Kevin Lopez asked about the B-2A zoning on the adjacent property. Ms. Govindaraju responded that it is a Community Business Zoning District but comes with restrictions. Mr. Tye Chighizola provided a brief explanation of said restrictions.

No public comment

RESULT:	APPROVED ZON22-44665
MOVER:	Brent Malever
SECONDER:	Owen Boone
RECUSED:	Todd Rudnianyn
AYES:	Malever, Boone, Kesselring, Lopez, Adams

b. ZON22-44673

Petitioner: Midstate Roof Truss & Timber, Inc
Planner: Tye Chighizola

A request to rezone from Heavy Industrial District, M-3, to Medium Industrial District, M-2, for property located approximately 450 feet East of NW Martin Luther King Jr. Avenue in the 1700 block, approximately 3.20 acres.

Discussion:

Kevin Lopez asked if NW 17th ends or connects, and Mr. Chighizola said that it does dead end.

No public comment

RESULT: APPROVED ZON22-44673
MOVER: Andy Kesselring
SECONDER: Kevin Lopez
AYES: Kesselring, Lopez, Boone, Malever, Rudnianyn, Adams

c. ZON22-44688 - TABLED

Petitioner: Interian Properties, LLC
Agent: Fred N. Roberts, Jr
Planner: Tye Chighizola

A request to rezone from Wholesale Business, B-5, and General Business, B-4, to Light Industrial, M-1, for property located at 1205 NW 27th Avenue at the northeast corner of NW 27th Avenue and NW Old Blitchton Road, approximately 8.75 acres.

Discussion:

No board discussion

RESULT: ZON22-44688 – TABLED UNTIL APRIL 11, 2022 MEETING
MOVER: Kevin Lopez
SECONDER: Brent Malever
AYES: Lopez, Malever, Boone, Kesselring, Rudnianyn, Adams

d. ZON22-44689

Petitioner: KG Land Properties, LLC
Agent: Fred N. Roberts, Jr
Planner: Divya Govindaraju

A request to rezone from Community Business, B-2, to Multi-Family Residential, R-3, for property located at the dead end of SW 40th Avenue south of SW 43rd Street Road, parcels 2390-010-000 and 2390-013-000, approximately 19.34 acres.

Discussion:

Mr. Tye Chighizola gave a brief explanation of this ongoing collaborative work between the county and the city to complete the road that will ease traffic in the area.

Austin Dailey, 40 SE 11th Avenue, Ocala, FL, speaking on behalf of the applicant. Mr. Dailey gave a brief explanation regarding the applicant's request for rezoning.

Erin Dunlap, Carlton Fields Law Firm, 215 S. Monroe Street, Suite 500, Tallahassee, FL, speaking on behalf of Heath Brook One, LLC. Mr. Dunlap stated they are not in opposition of the rezoning but want to make their comments known to the City that they will be vigilante and involved applications and projects along this corridor.

David Herlihy, Marion County Public Schools, said he wanted to bring awareness to the negative impact that the entitlements have caused on local schools. The most significant negative impact has been local overcrowding of schools in the areas, such as Saddlewood Elementary, Liberty Middle and West Port High School, which are in excess of 100% of capacity.

RESULT: APPROVED ZON22-44689
MOVER: Todd Rudnianyn
SECONDER: Andy Kesselring
AYES: Rudnianyn, Kesselring, Malever, Adams
NAYS: Lopez
RECUSED: Owen Boone

7. **Planned Development - TABLED**

a. **PD20-0001**

Petitioner: Mize Capital LLC and Belleair Development LLC
Planner: Tye Chighizola

A request to rezone from Planned Unit Development, PUD, to Planned Development, PD, and approve a PD Plan for property located at 5451 SW 66th Street between SW College Road/State Road 200, SW 49th Road, and SW 66th Street, approximately 32.22 acres.

Discussion:
No board discussion

RESULT: PD20-0001 – TABLED UNTIL THE APRIL 11, 2022 MEETING
MOVER: Brent Malever
SECONDER: Kevin Lopez
AYES: Malever, Lopez, Boone, Kesselring, Rudnianyn, Adams

8. **Annexation/Land Use/Zoning**

a. **ANX22-44696**

Petitioner: TC Florida Development, Inc
Planner: Breah Miller

A request for annex into the City of Ocala a portion of parcel 13717-000-00 located at the Northeast corner of NW 35th Avenue Road and NW 35th Street, approximately 35.58 acres.

Discussion:

A brief discussion ensued to discuss future improvements on NW 35th Avenue Road that currently dead ends.

No public comments

RESULT: APPROVED ANX22-44696
MOVER: Andy Kesselring
SECONDER: Kevin Lopez
AYES: Kesselring, Lopez, Boone, Malever, Rudnianyn, Adams

b. LUC22-44697

Petitioner: TC Florida Development, Inc
Planner: Breah Miller

A request to change the future land use classification from Commerce District (County) to Employment Center (City) for property located at the Northeast corner of NW 35th Avenue Road and NW 35th Street, approximately 35.58 acres.

Discussion:

No board discussion

No public comments

RESULT: APPROVED LUC22-44697
MOVER: Brent Malever
SECONDER: Kevin Lopez
AYES: Malever, Lopez, Boone, Kesselring, Rudnianyn, Adams

c. ZON22-44698

Petitioner: TC Florida Development, Inc
Planner: Breah Miller

A request to rezone from General Agriculture, A-1, to Medium Industrial District, M-2, for property located at the Northeast corner of NW 35th Avenue Road and NW 35th Street, approximately 35.58 acres.

Discussion:

No board discussion

No public comments

RESULT: APPROVED ZON22-44698
MOVER: Kevin Lopez
SECONDER: Andy Kesselring
AYES: Lopez, Kesselring, Boone, Malever, Rudnianyn, Adams

d. ANX22-44704 - TABLED

Petitioner: City of Ocala
Planner: Tye Chighizola

A request for annex into the City of Ocala of properties located at the Southwest corner of the intersection at SW 43rd Court and SW 40th Street, approximately 9.21 acres.

Discussion:

No board discussion

RESULT: ANX22-44704 – TABLED UNTIL APRIL 11, 2022 MEETING
MOVER: Kevin Lopez
SECONDER: Andy Kesselring
AYES: Lopez, Kesselring, Boone, Malever, Rudnianyn, Adams

e. LUC22-44705 - TABLED

Petitioner: City of Ocala
Planner: Tye Chighizola

A request to change the future land use classification Public (County) to Public (City) for properties located at the Southwest corner of the intersection at SW 43rd Court and SW 40th Street, approximately 9.21 acres.

Discussion:

No board discussion

RESULT: LUC22-44705 – TABLED UNTIL APRIL 11, 2022 MEETING
MOVER: Kevin Lopez
SECONDER: Brent Malever
AYES: Lopez, Malever, Boone, Kesselring, Rudnianyn, Adams

f. ZON22-44706 - TABLED

Petitioner: City of Ocala
Planner: Tye Chighizola

A request to rezone from Mixed Residential, R-4, (County) to Governmental Use, GU, (City) for properties located at the Southwest corner of the intersection at SW 43rd Court and SW 40th Street, approximately 9.21 acres.

Discussion:

No board discussion

RESULT: ZON22-44706 – TABLED UNTIL APRIL 11, 2022 MEETING
MOVER: Kevin Lopez
SECONDER: Andy Kesselring
AYES: Lopez, Kesselring, Boone, Malever, Rudnianyn, Adams

9. Annexation/Land Use/Planned Development

a. ANX20-0012 – TABLED

Petitioner: BDG Albee LLC and Belleair Development LLC

Agent: Carlos A. Yepes

Planner: Tye Chighizola

A request for annex into the City of Ocala for properties located at 4240 SW 43rd Court and 4300 SW 43rd Court, bordering the subdivision of Saddlewood Estates, approximately 9.104 acres.

Discussion:

No board discussion

RESULT: ANX20-0012 – TABLED UNTIL APRIL 11, 2022 MEETING

MOVER: Kevin Lopez

SECONDER: Andy Kesselring

AYES: Lopez, Kesselring, Boone, Malever, Rudnianyn, Adams

b. LUC20-0004 – TABLED

Petitioner: BDG Albee LLC and Belleair Development LLC

Agent: Carlos A. Yepes

Planner: Tye Chighizola

A request to change the future land use classification from Low Residential (County) to Neighborhood (City) for properties located at 4240 SW 43rd Court and 4300 SW 43rd Court, bordering the subdivision of Saddlewood Estates, approximately 9.104 acres.

Discussion:

No board discussion

RESULT: LUC20-0004 – TABLED UNTIL APRIL 11, 2022 MEETING

MOVER: Kevin Lopez

SECONDER: Brent Malever

AYES: Lopez, Malever, Boone, Kesselring, Rudnianyn, Adams

c. PD20-0009 - TABLED

Petitioner: BDG Albee LLC and Belleair Development LLC

Agent: Carlos A. Yepes

Planner: Tye Chighizola

A request to rezone from General Agriculture, A-1 (County), to Planned Development, PD, and approve a PD Plan for properties located at 4240 SW 43rd Court and 4300 SW 43rd Court, bordering the subdivision of Saddlewood Estates, approximately 9.104 acres. A resolution approving the PD Plan will presented to

Council on April 19.

Discussion:

No board discussion

RESULT: PD20-0009 – TABLED UNTIL APRIL 11, 2022 MEETING
MOVER: Kevin Lopez
SECONDER: Owen Boone
AYES: Lopez, Boone, Malever, Kesselring, Rudnianyn, Adams

10. Code Changes

a. COD22-44700 – APPROVED

Petitioner: City of Ocala

Planner: Tye Chighizola (352-629-8490)
tchighizola@ocalafl.org

A request to amend the Code of Ordinances to create a definition for a satellite hospital emergency room.

Discussion:

No board discussion

RESULT: APPROVED COD22-44700
MOVER: Andy Kesselring
SECONDER: Kevin Lopez
AYES: Kesselring, Lopez, Boone, Malever, Rudnianyn, Adams

b. COD22-44701 – APPROVED

Petitioner: City of Ocala

Planner: Tye Chighizola (352-629-8490)
tchighizola@ocalafl.org

A request to allow multifamily residential as a permitted use in the Shopping Center, SC, zoning district.

Discussion:

No board discussion

RESULT: APPROVED COD22-44701
MOVER: Todd Rudnianyn
SECONDER: Andy Kesselring
AYES: Rudnianyn, Kesselring, Lopez, Boone, Malever, Adams

11. Next meeting: Monday, March 14, 2022 at 5:30 pm

12. Adjournment

The meeting adjourned at 6:55 pm.

DRAFT