



Planning & Zoning Commission

Meeting Minutes

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

www.ocalafl.org

Monday, December 13, 2021
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, December 13, 2021 at 5:30 PM

Attendee Name	Title	Status	Arrived
Rus Adams	Vice Chairman	Present	
Branson Boone	Commissioner	Excused	
Kris Clere	Commissioner	Present	
William Gilchrist	Chairman	Present	
Andy Kesselring	Commissioner	Present	
Kevin Lopez	Commissioner	Present	
Todd Rudnianyn	Commissioner	Present	
Kevin Lopez	Commissioner	Present	
Allison Campbell (non-voting)	School Board Rep	Absent	

Others Present: Planning Director Patricia Hitchcock, Chief Development Official Aubrey Hale, Senior Planner Nancy Smith, Redevelopment Analyst/Planner Ian Rynex, Planner I Divya Govindaraju, Planner I Breah Miller and Financial Analyst I Carol C. McKeever

- 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 5:00 p.m.**

2. Proof of Publication

Financial Analyst I Carol C. McKeever said the Star Banner ad and the public notice was posted on November 19, 2021

3. Consideration of Minutes – November 8, 2021

RESULT: APPROVED
MOVER: Rus Adams
SECONDER: Todd Rudnianyn
AYES: Adams, Rudnianyn, Clere, Kesselring, Lopez, Gilchrist
EXCUSED: Boone

4. **Zoning**

- a. **ZON21-44561** a request to change zoning from M-1, Light Industrial, to B-4, General Business, for property located at 1011 SW Martin Luther King Jr. Avenue, approximately 2.22 acres.

Petitioner: 1011 MLK, LLC

Planner: Ian Rynex, AICP

Background

- The applicants are requesting B-4 zoning to allow it to support a vehicular sales use.
- The property is located adjacent to existing automobile dealerships and surrounded by properties zoned B-4.
- The above-stated factors make the site a viable location for commercial development allowable in the B-4 zoning district.
- The future land use classification on this property is Low Intensity.

Basis for Approval

The B-4 zoning district is consistent with the Low Intensity future land use classification and with the surrounding area.

Factual Support

1. The proposed B-4 zoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
 - a. 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.
2. 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: Development that creates 100 or more new peak hour trips will trigger the requirement that a traffic study be conducted.

Electric: The property is in the Ocala Electric Utility service territory.

Potable Water: Service is available within 1/4 mile of the parcel and connections will be determined during the site plan or subdivision review and approval process.

Sanitary Sewer: Service is available within 1/8 mile of the parcel and connections will be determined during the site plan or subdivision review and approval process.

Stormwater: For any future development, 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.¹

Solid Waste: Service is available.

Fire Service: Service is available.

Schools: The development associated with this rezoning is not anticipated to affect area schools.

Zoning

Existing

M-1, Light Industrial: The light industrial (M-1) district is intended primarily for wholesale distribution, warehouse storage, research and development, showroom sales, and light manufacturing of finished or semi-finished products. The light industrial uses shall be compatible with the surrounding uses. Outdoor manufacturing is not allowed in the M-1 district. Outdoor storage is allowed as a permitted accessory use, if it complies with design criteria in section 12-763. Additional outdoor storage, subject to design criteria (see section 122-767) can be requested as part of the public hearing process before the planning and zoning commission and city council. Service establishments serving the industrial uses, or the district shall be permitted. Specific uses shall be controlled by the standards for industrial performance in article VIII of this chapter.²

Staff Recommendation:	Approval of ZON21-44561
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Discussion:

No board discussion.

No public comment.

RESULT:	APPROVED
MOVER:	Richard Kesselring
SECONDER:	Rus Adams
AYES:	Kesselring, Adams, Rudnianyn, Clere, Lopez, Gilchrist
EXCUSED:	Boone

b. ZON21-44578

Petitioner: Jerriel Bazile

Planner: Nancy Smith, AICP (352-629-8392)

nsmith@ocalafl.org

A request to change zoning from B-1, Neighborhood Business, and R-2, Two-family Residential, to B-2, Community Business, for property located at the southwest corner of W Silver Springs Boulevard and SW Martin Luther King Jr. Avenue, approximately 0.58 acres.

BACKGROUND:

- The subject property is located near the southwest corner of SR 40 and Martin Luther King Jr. Avenue. There are four parcels included in this request for a rezoning.
- Two of the parcels have frontage on SR 40 and two parcels have frontage on SW Fort King Street.
- The property on the corner of SR 40 and SW Martin Luther King Avenue is also owned by Rock Hospitality Partners 22, LLC and is currently zoned B-2. This parcel is undeveloped.
- The future land use classification on this property is Medium Intensity/Special District.

Discussion:

No board discussion.

No public comment.

RESULT:	TABLED
MOVER:	Rus Adams
SECONDER:	Kris Clere
AYES:	Adams, Clere, Kesselring, Rudnianyn, Lopez, Gilchrist
EXCUSED:	Boone

c. ZON21-44560

Petitioner: BAB Quality Homes, LLC

Planner: Ian Rynex, AICP (352-629-8329)

irynex@ocalafl.org

A request to change zoning from O-1, Office, to R-3, Multifamily Residential, for property located at the southeast corner of the intersection of SE 30th Avenue and SE 18th Street, approximately 2.91 acres.

Background

1. This property is located near the southeast corner of SE 30th Avenue and SE 18th Street.
2. The applicant has indicated the intention to build a multi-family housing development.
3. Due to the lack of residential in the immediate area, development on this parcel will pose minimal impact on surrounding properties. In addition, there is a deficit of multi-family in the region. This development would help meet that need.
4. The properties have good access to Maricamp Rd.
5. The future land use classification on this property is Low Intensity. The R-3 zoning district is compatible with this land use.
 - a. Low Intensity permits up to 18 dwelling units per acre.
 - b. R-3 permits up to 50-foot building height.
 - c. Architectural Review will be required.

Basis for Approval

The R-3 zoning district is consistent with the Low Intensity future land use classification and with the surrounding area.

Factual Support

- The proposed R-3 zoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
 - a. **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.¹
- 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: Development that creates 100 or more new peak hour trips will trigger the requirement that a traffic study be conducted.

Electric: The property is in the Ocala Electric Utility service territory.

Potable Water: Service is available within 1/4 mile of the parcel and connections will be determined during the site plan or subdivision review and approval process.

Sanitary Sewer: Service is available within 1/8 mile of the parcel and connections will be determined during the site plan or subdivision review and approval process.

Stormwater: For any future development, 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.²

Solid Waste: Service is available.

Fire Service: Service is available.

Schools: This property is currently served by Maplewood Elementary, Osceola Middle, and Forest High School.

Adequate capacity exists for this project from a districtwide perspective (see District Wide Utilization). Two of the three schools serving the area of this proposed Land Use change are experiencing persistent localized overcrowding. The extent of the project's adverse impacts to the already overcrowded schools is subject to a number of specifics (e.g. age-restricted or all ages market rate, project timing, phasing, absorption rate and extent of build out).

Zoning

Existing

O-1, Office District: The intent of the office (O-1) district is to provide an area adjacent to arterial and major collector streets for the development of office uses and limited business services. This district is intended to be separate from the more intensive commercial and industrial areas, as well as ensure adequate design in order to maintain the character of the surrounding areas. Compatible commercial uses shall be permitted as accessory uses but limited to a total of ten percent of the square footage of a permitted office building.³

Requested

R-3, Multi-Family Residential: The multi-family residential (R-3) district is intended to be a multi-family area, including higher residential densities in accordance with the comprehensive plan. This district shall allow single-family, two-family and multi-family dwellings, residence-offices and residence-galleries. Professional and business offices that are of compatible scale and intensity may be allowed as special exceptions by the board of adjustment.⁴

Discussion:

Mr. Clere asked if the rezoning was approved will it come back before the board, and Ian Rynex responded that once it is approved by City Council the project will begin construction. Mr. Gilchrist asked what the planned use for this property; Mr. Rynex responded that it is multi-family, rental property.

Mr. Davis Dinkins, 2201 SE 30th Avenue, Suite 302, made himself available to answer questions.

Mr. Kevin Lopez asked Mr. Dinkins how many units will be built. Mr. Dinkins responded that they have not gotten that far into the conceptual plan, the number of units is dependent on the size of the living spaces.

No public comment.

RESULT:	APPROVED ZON21-44560
MOVER:	Rus Adams
SECONDER:	Kevin Lopez
AYES:	Adams, Lopez, Clere, Kesselring, Rudnianyn, Gilchrist
EXCUSED:	Boone

5. Lake Louise

a. ANX21-0005

Petitioner: Lake Louise, LLC
Agent: Fred Roberts
Planner: Ian Rynex, AICP (352-629-8329)
irynex@ocalafl.org

A request to annex into the City of Ocala property located northeast of the intersection of SW 7th Avenue and SW 32nd Street, approximately 88.73 acres.

Background:

- This property is contiguous to the city limits.
- Annexation was requested to obtain city services.
- Low Intensity land use is proposed with an associated land use policy.
- PD zoning will be required by the associated land use policy.
- A vacation of plat is planned to remove the unimproved ROWs amid these parcels.

Basis: The proposed annexation is contiguous to the city limits and is eligible for annexation.

Services Analysis:

Electric: Ocala Electric Utility

Potable Water: Service is available.

Sanitary Sewer: Service is available. Sewer line is within 1/8th of a mile (approximately 670 feet); therefore, the developer will pay to extend it to serve the development.

Staff Recommendation:

Approval of ANX21-0005

Discussion:

No Board Discussion

Mr. Fred Roberts, 40 SE 11th Avenue, spoke on behalf of the petitioner and made a brief presentation as to what his client is looking to achieve with the requested annexation, land use and future land use.

Public Comment:

Laurie (Chip) Young, 600 SE 48th Avenue, explained he is a current resident in the Lake Louise subdivision. Mr. Young said he is not against growth, but he is aware of the challenges of this property and development; he did not agree several of Mr. Roberts comments regarding “shotgun” development as he feels it is not an appropriate approach to development in Ocala or Marion County. He also voiced his concern regarding the high volume of traffic in this area and agreed that a traffic light is needed. Mr. Young requested that this project be looked at more comprehensively and in a long-term scenario.

Mr. Fred Roberts responded to Mr. Young’s comments and concerns.

Mr. Kesselring asked Mr. Roberts for clarification regarding the multi-family component of this project will not be moving forward until they come back with a comprehensive PUD for the entire project. Mr. Roberts confirmed that is correct.

RESULT: APPROVED ANX21-0005
MOVER: Richard Kesselring
SECONDER: Rus Adams
AYES: Kesselring, Adams, Lopez, Clere, Gilchrist
ABSTAINED: Rudnianyn
EXCUSED: Boone

b. LUC21-0003

Petitioner: Lake Louise, LLC
Agent: Fred Roberts
Planner: Ian Rynex, AICP (352-629-8329)
irynex@ocalafl.org

A request to change land use from Medium Residential (County) to Low Intensity (City) for property located northeast of the intersection of SW 7th Avenue and SW 32nd Street, approximately 88.73 acres.

Background:

- This property is contiguous to the city limits. It was platted for single-family development, but most lots were never developed and most of the roads never built.
- Annexation was requested to obtain city services.
- A new PD, Planned Development, will be submitted for a mix of residential product.
- Low Intensity land use is proposed with an associated land use policy.

Level of Service Impact Analysis:

Traffic Circulation

Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review. Developments proposing to generate less than 100 peak hour trips are required to submit a traffic impact statement.

Table 1: Traffic Circulation¹

Road/Street Name	# of Lanes	Functional Class	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
CR475C/SW 42nd St SR 200 to SW 7 th Ave	4	Minor Arterial	E	35,820	18,800	C
SW 7 th Ave SW 32 nd (also 42 nd) St to SR 464	2	Local	E	29,340	4,000	B

LOS=Level of Service, AADT=Annual Average Daily Traffic

Potable Water: Water service is available.

Sanitary Sewer: Sewer service is available. A city sewer line is within 600 feet of the property. Therefore, the developer will pay to extend it to serve the development.

Stormwater: For any future development, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-storm event.²

Solid Waste: Service is available.

Fire Service: Service is available.

Schools: Precise impact on schools is unknown at this time because the PD has not been submitted. The development is anticipated to be a mix of residential product which will have an impact on local schools.

The associated FLUP21-44568, not yet approved, would limit development to 16 units per acre and to a total of 1,146 units. According to these caps, the following school data has been generated.

Adequate capacity exists for this project from a districtwide perspective (see District Wide Utilization). Two of the three schools serving the area of this proposed Land Use change are experiencing persistent localized overcrowding. The extent of the project's adverse impacts to the already overcrowded schools is subject to a number of specifics (e.g. age-restricted? or all ages market rate, project timing, phasing, absorption rate and extent of build out).

LUC21-0003						
LAKE LOUISE					PROPOSED	ALLOWED
				DWELLING TYPE	PROJECT DWELLING UNITS	
	DISTRICT WIDE		SY 21-22	MFR	N/A	1146
SCHOOL LEVEL	UTILIZATION	SCHOOL NAME	60th Day Utilization	MFR STU GEN RATE	ESTIMATED STUDENTS	
E	92%	SHADY HILL	85.6%	0.097	N/A	111
M	83%	OSCEOLA	112.6%	0.040	N/A	45
H	88%	BELLEVIEW	111.4%	0.043	N/A	49

Land Use Designation

Existing:

Medium Residential (County). This land use designation is intended to recognize areas suited for primarily single-family residential units within the UGB, PSAs and Urban Area. However, the designation allows for multi-family residential units in certain existing developments along the outer edges of the UGB or Urban Area. The density range shall be from one (1) dwelling unit per one (1) gross acre to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.

Requested:

Low Intensity. The Low Intensity³ 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.

Staff Recommendation: *Approval*

Discussion:

No further discussion

RESULT: APPROVED LUC21-0003
MOVER: Richard Kesselring
SECONDER: Kris Clere
AYES: Kesselring, Clere, Adams, Lopez, Gilchrist
ABSTAINED: Rudnianyn
EXCUSED: Boone

c. FLUP21-44568

Petitioner: Lake Louise, LLC
Agent: Fred Roberts
Planner: Aubrey Hale (352-629-8550)
ahale@ocalafl.org

A request to adopt a land use policy setting allowable uses and limiting development potential for property located northeast of the intersection of SW 7th Avenue and SW 32nd Street, approximately 88.73 acres.

Background:

- This property is contiguous to the city limits. It was platted for single-family development, but most lots and infrastructure were not developed.
- Annexation was requested to obtain city services.
- A new PD, Planned Development, will be submitted for review and approval for the entirety of the development.
- Low Intensity land use is proposed along with the associated land use policy.
- The surrounding areas are predominately single-family dwellings on large lots/estate lots of more than one acre. Development east of the project area along SW 32nd Street contains a commercial node at the intersection of US Hwy 441 and SW 32nd Street. SW 7th Avenue transitions south to north from residential to light industrial and commercial approaching SR 464.

Policy:

The City of Ocala is proposing a land use policy approved, as follows:

- a. The entire acreage designated shall be developed as a Planned Development and shall consist of phases for the entire project area under the City's Code of Ordinances.
- b. The maximum density for any project area including any density incentives shall be 16 dwelling units per gross acre with a maximum total of 1,146 dwelling units allowed. Total dwelling units allowed shall be reduced in proportion to the commercial acreage developed.
- c. Commercial development shall be addressed in a Planned Development and shall limit commercial development to neighborhood business uses as identified in the City of Ocala's Land Development Code. Industrial, manufacturing, distribution, and warehouse uses shall be prohibited.
- d. Ingress/egress access via a public or private right-of-way shall be provided or maintained to those parcels identified under Marion County Parcel Identification Numbers 3060-003-012, 3060-003-012 and 3060-007-006.
- e. Access points shall be centralized within the development and permit no more than two ingress/egress access connections to SW 7th Avenue and SW 32nd Street. The nature of the access shall be determined during a traffic study/analysis.
- f. Perimeter buffers will be provided and designed as part of the Planned Development.

- g. Prior to final development approval, the property owner/developer will be required to submit a traffic analysis that is consistent with the City's Traffic Study Guidelines and Concurrency Management System that includes the entire acreage designated as PD. The applicant shall provide all necessary transportation mitigation as determined by the traffic analysis.

Level of Service Impact Analysis:

Traffic Circulation

Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review. Developments proposing to generate less than 100 peak hour trips are required to submit a traffic impact statement.

Table 1: Traffic Circulation¹

Road/Street Name	# of Lanes	Functional Class	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
CR475C/SW 42nd St SR 200 to SW 7 th Ave	4	Principal Arterial	E	35,820	18,800	C
SW 7 th Ave SW 32 nd (also 42 nd) St to SR 464	2	Local	E	29,340	4,000	B

LOS=Level of Service, AADT=Annual Average Daily Traffic

Potable Water: Water service is available.

Sanitary Sewer: Sewer service is available. A city sewer line is within 600 feet of the property. Therefore, the developer will pay to extend it to serve the development.

Stormwater: For any future development, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-storm event.²

Solid Waste: Service is available.

Fire Service: Service is available.

Schools: Precise impact on schools is unknown at this time because the PD has not been submitted. The development is anticipated to be a mix of residential product which will have an impact on local schools.

Land Use Designation

Existing:

Medium Residential (County). This land use designation is intended to recognize areas suited for primarily single-family residential units within the UGB, PSAs and Urban Area. However, the designation allows for multi-family residential units in certain existing developments along the outer edges of the UGB or Urban Area. The density range shall be from one (1) dwelling unit per one (1) gross acre to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.

Requested:

Low Intensity. The Low Intensity³ 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

Staff Recommendation: <i>Approval</i>
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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.

Discussion:

Mr. Kesselring asked Mr. Aubrey for clarification on this matter since it is establishing policies for how this project will be developed and asked if there is any possibility for any additional restrictions or caveats being put on the development as they submit the overall PD plan. Mr. Hale confirmed that the PD will address other design requirements and City Council must approve said PD plan.

RESULT:	APPROVED FLUP21-44568
MOVER:	Kris Clere
SECONDER:	Rus Adams
AYES:	Clere, Adams, Lopez, Gilchrist, Kesselring
ABSTAINED:	Rudnianyn
EXCUSED:	Boone

6. Annexation/Land Use/Zoning

a. ANX21-0006

Petitioner: City of Ocala

Planner: Ian Rynex, AICP (352-629-8329)
irynex@ocalafl.org

A request to annex into the City of Ocala property located in the 500 block of SW 32nd Street, approximately 9.13 acres.

Background:

- This property is contiguous to property owned by Lake Louise LLC, which is also being considered for annexation.
- Pending approval of the annexation of an adjacent property, Case ANX21-0005, this city-owned property will be contiguous to city limits. Therefore, it is appropriate to apply for annexation at this time.

Basis: The property is owned by the City, serving a public function, and shall be contiguous to the city limits and eligible for annexation upon annexation of adjacent land.

Services Analysis:

The property is currently owned by the City of Ocala and utilized as a drainage retention area. Development of the property is not feasible, and no services are necessary.

Staff Recommendation:

Approval of ANX21-0006

Discussion:

Mr. Kevin Lopez requested clarification whether the City owns the property in question. Mr. Hale confirmed that the City does own this property.

RESULT: APPROVED ANX21-0006
MOVER: Richard Kesselring
SECONDER: Kevin Lopez
AYES: Kesselring, Lopez, Clere, Adams, Gilchrist
ABSTAINED: Rudnianyn
EXCUSED: Boone

b. LUC21-0004

Petitioner: City of Ocala
Planner: Ian Rynex, AICP (352-629-8329)
irynex@ocalafl.org

A request to change land use from Public (County) to Low Intensity (City) for property located in the 500 block of SW 32nd Street, approximately 9.13 acres.

Background:

This city-owned DRA is being annexed in conjunction with a large annexation of property to the north, owned by Lake Louise LLC, which is also applying for a PD for a mix of residential product. The DRA will be contiguous to the city limits, pending approval of the Lake Louise annexation, case ANX21-0005.

Level of Service Impact Analysis:

The property is currently owned by the City of Ocala and utilized as a drainage retention area. Development of the property is not feasible, and no services are necessary.

Land Use Designation

Existing:

Policy 2.1.25: Public (P)^(County)

This land use is intended to recognize publicly owned properties for the use of the general public or portions of the community infrastructure and services, which includes items such as parks, government buildings, water treatment plants, public safety facilities, schools, etc. with a maximum Floor Area Ratio is 1.0, as further defined in the LDC. This land use designation is allowed in the Urban and Rural Area.

Requested:

Low Intensity. The Low Intensity¹ 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

Staff Recommendation: <i>Approval</i>
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intent of this category to promote a walkable suburban form.

Discussion:

No further discussion.

RESULT:	APPROVED LUC21-0004
MOVER:	Rus Adams
SECONDER:	Richard Kesselring
AYES:	Adams, Kesselring, Lopez, Clere, Gilchrist
ABSTAINED:	Rudnianyn
EXCUSED:	Boone

c. ZON21-0016

Petitioner: City of Ocala

Planner: Ian Rynex, AICP (352-629-8329)

irynex@ocalafl.org

A request to change zoning from R-1, Single-family Residential, (County) to GU, Governmental Use, (City) for property located in the 500 block of SW 32nd Street, approximately 9.13 acres.

Background:

This city-owned DRA is being annexed in conjunction with a large annexation of property to the north, owned by Lake Louise LLC, which is also applying for a PD to allow for a mix of residential product. The DRA will be contiguous to the city limits, pending approval of the Lake Louise annexation, case ANX21-0005.

Level of Service Impact Analysis:

The property is currently owned by the City of Ocala and utilized as a drainage retention area. Development of the property is not feasible, and no services are necessary.

Zoning Classification

Existing:

R-1^(County), Single Family Dwelling, is intended to provide areas for medium density residential development.

Proposed:

G-U, the government (G-U) district is intended to apply to those areas where the uses conducted are those primarily of national, state, county or city governments. Areas classified G-U are shown on the official zoning map, but no column for G-U use restrictions is shown in division 2 of this article, since any lawful government use or related use, including commercial and industrial development at the Ocala International Airport, can be carried on in a G-U district. However, any governmental use or related use shall be compatible with surrounding uses.¹

Discussion:

No board discussion.

RESULT: APPROVED ZON21-0016
MOVER: Rus Adams
SECONDER: Kris Clere
AYES: Adams, Clere, Kesselring, Lopez, Gilchrist
ABSTAINED: Rudnianyn
EXCUSED: Boone

d. ANX21-0007

Petitioner: City of Ocala
Planner: Ian Rynex, AICP (352-629-8329)
irynex@ocalafl.org

A request to annex into the City of Ocala property located in the 300 block of SW 32nd Street, approximately 1.01 acres.

Background:

- This property is contiguous to property owned by Lake Louise LLC, which is also being considered for annexation.
- Pending approval of the annexation of an adjacent property, Case ANX21-0005, this city-owned property will be contiguous to city limits. Therefore, it is appropriate to apply for annexation at this time.

Basis: The property is owned by the City, serving a public function, and shall be contiguous to the city limits and eligible for annexation upon annexation of adjacent land.

Services Analysis:

The property is currently owned by the City of Ocala and utilized as a drainage retention area. Development of the property is not feasible, and no services are necessary.

Staff Recommendation:

Approval of ANX21-0007

Discussion:

No Board Discussion

RESULT: APPROVED ANX21-0007
MOVER: Kris Clere
SECONDER: Richard Kesselring
AYES: Clere, Kesselring, Adams, Lopez, Gilchrist
ABSTAINED: Rudnianyn
EXCUSED: Boone

e. LUC21-0005

Petitioner: City of Ocala
Planner: Ian Rynex, AICP (352-629-8329)
irynex@ocalafl.org

A request to change land use from Public (County) to Low Intensity (City) for property located in the 300 block of SW 32nd Street, approximately 1.01 acres.

Background:

This city-owned DRA is being annexed in conjunction with a large annexation of property to the north, owned by Lake Louise LLC, which is also applying for a PD for a mix of residential product. The DRA will be contiguous to the city limits, pending approval of the Lake Louise annexation, case ANX21- 0005.

Level of Service Impact Analysis:

The property is currently owned by the City of Ocala and utilized as a drainage retention area. Development of the property is not feasible, and no services are necessary.

Land Use Designation

Existing:

Policy 2.1.25: Public (P)^(County)

This land use is intended to recognize publicly owned properties for the use of the general public or portions of the community infrastructure and services, which includes items such as parks, government buildings, water treatment plants, public safety facilities, schools, etc. with a maximum Floor Area Ratio is 1.0, as further defined in the LDC. This land use designation is allowed in the Urban and Rural Area.

Requested:

Low Intensity. The Low Intensity¹ 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.

Staff Recommendation: <i>Approval</i>
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Discussion:

No Board Discussion

RESULT:	APPROVED LUC21-0005
MOVER:	Richard Kesselring
SECONDER:	Kevin Lopez
AYES:	Kesselring, Lopez, Clere, Adams, Gilchrist
ABSTAINED:	Rudnianyn
EXCUSED:	Boone

f. ZON21-0018

Petitioner: City of Ocala
Planner: Ian Rynex, AICP (352-629-8329)
irynex@ocalafl.org

A request to change zoning from R-1, Single-family Residential, (County) to GU, Governmental Use, (City) for property located in the 300 block of SW 32nd Street, approximately 1.01 acres.

Background:

This city-owned DRA is being annexed in conjunction with a large annexation of property to the north, owned by Lake Louise LLC, which is also applying for a PD to allow for a mix of residential product. The DRA will be contiguous to the city limits, pending approval of the Lake Louise annexation, case ANX21-0005.

Level of Service Impact Analysis:

The property is currently owned by the City of Ocala and utilized as a drainage retention area. Development of the property is not feasible, and no services are necessary.

Zoning Classification

Existing:

R-1^(County), Single Family Dwelling, is intended to provide areas for medium density residential development.

Proposed:

G-U, The government (G-U) district is intended to apply to those areas where the uses conducted are those primarily of national, state, county or city governments. Areas classified G-U are shown on the official zoning map, but no column for G-U use restrictions is shown in division 2 of this article, since any lawful government use or related use, including commercial and industrial development at the Ocala International Airport, can be carried on in a G-U district. However, any governmental use or related use shall be compatible with surrounding uses.¹

Staff Recommendation: <i>Approval</i>
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Discussion:

No Board Discussion

RESULT:	APPROVED ZON21-0018
MOVER:	Kris Clere
SECONDER:	Kevin Lopez
AYES:	Clere, Lopez, Kesselring, Adams, Gilchrist
ABSTAINED:	Rudnianyn
EXCUSED:	Boone

g. ANX09-0003

Petitioner: Second Nine Partners, LLC

Planner: Patricia Hitchcock, AICP (352-629-8304)
phitchcock@ocalafl.org

A request to annex into the City of Ocala property located at 2600-2610 NW 46th Terrace and 2765 NW 49th Avenue, approximately 17.94 acres.

Background:

These properties were the subject of an annexation agreement between Second Nine Partners LLC and the City of Ocala executed on May 5, 2009. Second Nine Partners LLC applied for City annexation, land use, and zoning and paid all associated fees in the amount of \$5,800. At the time, the property was not contiguous to the City limits, and was not eligible for annexation. The projects were therefore placed on hold.

Presently, the property is contiguous to the City boundary and eligible for annexation. City staff recommends moving forward with annexation, land use, and zoning in accordance with the existing agreement.

Basis: The proposed annexation is contiguous to the city limits and is eligible for annexation.

Services Analysis:

Potable Water: The property is located within the City of Ocala service area and is currently connected to City water.

Sanitary Sewer: The property is located within the City of Ocala service area and is currently connected to City sewer.

Stormwater: There are drainage retention areas on-site and off-site that serve the existing development. For any future development, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-storm event.¹

Solid Waste: Service is available.

Fire Service: Service is available from the City of Ocala. In the event of future development, an impact fee will be required during the development review process to maintain adequate fire protection services in the City.

Schools: The request for SC, Shopping Center, zoning is not expected to have an impact on area schools.

Electric: The property is currently served by Ocala Electric Utility.

Transportation: The property has direct access to US 27, a principal arterial; and NW 49th Avenue, a local roadway.

Staff Recommendation:	Approval of ANX09-0003
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Discussion:

Mr. Kevin Lopez asked if multiple notices had been sent out, and Ms. Hitchcock responded that letters were mailed to each property owner in September followed by the land use and zoning notice two and a

half weeks ago. Mr. Adams asked if any residential properties that fell into the notice zone. Ms. Hitchcock responded that at 300 feet it might have picked up the southern strip of lots in Quail Meadows.

RESULT:	APPROVED ANX09-0003
MOVER:	Richard Kesselring
SECONDER:	Kevin Lopez
AYES:	Clere, Lopez, Kesselring, Adams, Rudnianyn
ABSTAINED:	Gilchrist
EXCUSED:	Boone

h. LUC09-0009

Petitioner: Second Nine Partners, LLC
Planner: Patricia Hitchcock, AICP (352-629-8304)
phitchcock@ocalafl.org

A request to change land use from Commercial (County) to Low Intensity (City) for property located at 2600-2610 NW 46th Terrace and 2765 NW 49th Avenue, approximately 17.94 acres.

Background:

These properties were the subject of an annexation agreement between Second Nine Partners LLC and the City of Ocala executed on May 5, 2009. Second Nine Partners LLC applied for City annexation, land use, and zoning and paid all associated fees in the amount of \$5,800. At the time, the property was not contiguous to the City limits, and was not eligible for annexation. The projects were therefore placed on hold.

Presently, the property is contiguous to the City boundary and eligible for annexation. City staff recommends moving forward with annexation, land use, and zoning in accordance with the existing agreement. The 2009 application requested Commercial land use and SC (Shopping Center) zoning. The Commercial land use classification no longer exists, so City staff will propose applying the closest existing land use classification of Low Intensity. This is consistent with adjacent commercial properties that are currently within the City limits.

Basis: The requested Future Land Use designation of Low Intensity is consistent with the Comprehensive Plan and the surrounding area. Approval of the requested land use change is appropriate.

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. Approval of this request will not adversely affect the health, safety, convenience, prosperity or general

welfare of the community.

Services Analysis:

Transportation: The property has direct access to US 27, a principal arterial; and NW 49th Avenue, a local roadway. Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review. Developments proposing to generate less than 100 peak hour trips are required to submit a traffic impact statement.

Table 1: Traffic Circulation¹

Road/Street Name	# of Lanes	Functional Class	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
US Hwy 27 NW 60 th Ave to I-75	4	Principal Arterial	C	37,900	21,000	C
US Hwy 27 I-75 to NW 27 th Ave	4	Principal Arterial	D	39,800	21,000	C
I-75 SR 40 to US Hwy 27	6	Principal Arterial	C	93,000	78,000	B
I-75 US Hwy 27 to SR 326	6	Principal Arterial	C	93,000	69,500	B
NW 44 th Ave US Hwy 27 to NW 63 rd St	4	Collector	E	72,600	8,200	B
NW 38 th Ave NW 3 rd St to US Hwy 27	2	Collector	E	14,040	3,400	C

LOS=Level of Service, AADT=Annual Average Daily Traffic

Potable Water: The property is located within the City of Ocala service area and is currently connected to City water.

Sanitary Sewer: The property is located within the City of Ocala service area and is currently connected to City sewer.

Stormwater: There are drainage retention areas on-site and off-site that serve the existing development. For any future development, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-storm event.²

Solid Waste: Service is available.

Fire Service: Service is available from the City of Ocala. In the event of future development, an impact fee will be required during the development review process to maintain adequate fire protection services in the City.

Schools: The request for Low Intensity future land use is not expected to have an impact on area schools.

Electric: The property is currently served by Ocala Electric Utility.

Land Use Designation

Existing: Marion County

Commercial (COM). This land use designation is intended to provide for mixed use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to six (6) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

Proposed: City of Ocala

Low Intensity is intended 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 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. ³

Staff Recommendation:

Approval of LUC09-0009

Discussion:

Mr. Kesselring asked if anything in the land use or the zoning that would be cause additional restrictions on the current property owners. Ms. Hitchcock said there is nothing that would cause additional restrictions.

RESULT: APPROVED LUC09-0009
MOVER: Richard Kesselring
SECONDER: Kris Lopez
AYES: Kesselring, Lopez, Clere, Adams, Rudnianyn
ABSTAINED: Gilchrist
EXCUSED: Boone

i. ZON09-0009

Petitioner: Second Nine Partners, LLC
Planner: Patricia Hitchcock, AICP (352-629-8304)
phitchcock@ocalafl.org

A request to change zoning from B-2, Community Business (County), to SC, Shopping Center (City) for property located at 2600-2610 NW 46th Terrace and 2765 NW 49th Avenue, approximately 17.94 acres.

Background:

These properties were the subject of an annexation agreement between Second Nine Partners LLC and the City of Ocala executed on May 5, 2009. Second Nine Partners LLC applied for City annexation, land use, and zoning and paid all associated fees in the amount of \$5,800. At the time, the

property was not contiguous to the City limits, and was not eligible for annexation. The projects were therefore placed on hold.

Presently, the property is contiguous to the City boundary and eligible for annexation. City staff recommends moving forward with annexation, land use, and zoning in accordance with the existing agreement. The 2009 application requested Commercial land use and SC (Shopping Center) zoning.

Basis: The requested zoning district of SC, Shopping Center, is consistent with the Comprehensive Plan and the surrounding area. Approval of the requested rezoning is appropriate.

Factual Support:

- Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
 - 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.
 - 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.
- Approval of this request will not adversely affect the health, safety, convenience, prosperity or general welfare of the community.

Services Analysis:

Transportation: The property has direct access to US 27, a principal arterial; and NW 49th Avenue, a local roadway. Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review. Developments proposing to generate less than 100 peak hour trips are required to submit a traffic impact statement.

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I-75 SR 40 to US Hwy 27	6	Principal Arterial	C	93,000	78,000	B
I-75 US Hwy 27 to SR 326	6	Principal Arterial	C	93,000	69,500	B
NW 44 th Ave US Hwy 27 to NW 63 rd St	4	Collector	E	72,600	8,200	B
NW 38 th Ave NW 3 rd St to US Hwy 27	2	Collector	E	14,040	3,400	C

LOS=Level of Service, AADT=Annual Average Daily Traffic

Potable Water: The property is located within the City of Ocala service area and is currently connected to City water.

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Stormwater: There are drainage retention areas on-site and off-site that serve the existing development. For any future development, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-storm event.²

Solid Waste: Service is available.

Fire Service: Service is available from the City of Ocala. In the event of future development, an impact fee will be required during the development review process to maintain adequate fire protection services in the City.

Schools: The request for SC, Shopping Center, zoning is not expected to have an impact on area schools.

Electric: The property is currently served by Ocala Electric Utility.

Zoning District

Existing: Marion County

B-2, Community Business. The Community Business classification provides for the shopping and limited service needs of several neighborhoods, a community, or a substantial land area. Retail stores are intended to include general merchandise, fashion, durable goods, and personal services. All commercial activity involving retail sales or rentals shall take place in a completely enclosed building.³

Proposed: City of Ocala

SC, Shopping Center. The purpose of this division is to ensure that shopping centers and single retail store developments are designed and located to make efficient use of the land and minimize the impacts on infrastructure, adjacent and nearby properties, and the environment.⁴

Staff Recommendation:

Approval of ZON09-0009

Discussion:

Mr. Rudnianyn asked for the difference between B2 and shopping center. Ms. Hitchcock explained that sign sizes are different for out parcels and if it was B2 parcel they would need access to a public right of way, whereas, an out parcel in a shopping center can have access to an access drive within the shopping center.

RESULT:	APPROVED ZON09-0009
MOVER:	Richard Kesselring
SECONDER:	Kris Clere
AYES:	Kesselring, Clere, Lopez, Adams, Rudnianyn
ABSTAINED:	Gilchrist
EXCUSED:	Boone

7. Public Hearing

a. PHR21-0001

Petitioner: Akhtar Akhtaruzzaman

Planner: Aubrey Hale (352-629-8550)
ahale@ocalafl.org

A request to approve a tree restoration plan, for property located in the 4000 block of SW 40th Street, approximately 3.64 acres.

Recommended Action: Approval

Discussion:

Mr. Kevin Lopez asked Mr. Hale to clarify if Mr. Akhtaruzzaman was deceased, and Mr. Hale confirmed that was correct. Mr. Adams explained that according to the property appraiser's office this property has a new owner. Mr. Hale said there was a Code Board hearing on November 18, 2021, which was tabled pending the decision of the restoration plan and if the restoration plan is approved the code enforcement case would be dismissed.

Ms. Linda Pidgeon, 925 SE 17th Street, speaks on behalf of the petitioner; she explained that they have tried resolving this issue for some time, but in the meantime Mr. Akhtaruzzman passed away. She said that this site remains heavily wooded, there are 498 remaining trees on the site. She asked the board of a possible reduction of the \$26,500 fine.

No Public Comments.

RESULT:	APPROVED PHR21-0001
MOVER:	Richard Kesselring
SECONDER:	Kris Clere
AYES:	Kesselring, Clere, Lopez, Adams, Rudnianyn, Gilchrist
EXCUSED:	Boone

b. PHR21-0002

Petitioner: Akhtar Akhtaruzzaman

Planner: Aubrey Hale (352-629-8550)
ahale@ocalafl.org

A request to approve a tree restoration plan, for property located in the 4000 block of SW 40th Street, approximately 1.37 acres.

Recommended Action: Approval

Discussion:

No Board Discussion

RESULT:	APPROVED PHR21-0002
MOVER:	Richard Kesselring
SECONDER:	Kevin Lopez
AYES:	Kesselring, Clere, Lopez, Adams, Rudnianyn, Gilchrist
EXCUSED:	Boone

8. **Next meeting: Monday, January 10, 2022 at 5:30 pm**
9. **Adjournment**