



Ocala

Legislation Text

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.org

File #: 2023-1357

Agenda Item #: a.

LUC23-45236 / West Oak Developers, LLC

Petitioner: West Oak Developers, LLC

Agent: Tillman & Associates

Planner: Patricia Hitchcock (352) 629-8304

phitchcock@ocalafl.org

A request to change the Future Land Use Designation from Public to Medium Intensity/Special District, for property located on the south side of NW 35th Street in the 2100-2400 block (currently a water retention area); approximately 5.83 acres.

Recommended Action: Approval

City Council Tentative Schedule: Upon recommendation of approval or denial by the P & Z Commission, this item will be presented to City Council for introduction at the **Tuesday, August 1, 2023**, City Council meeting and second and final hearing at the **Tuesday, August 15, 2023**, City Council meeting.

PLANNING AND ZONING COMMISSION REPORT

Subject: Small-Scale Land Use Change

Submitted By: Patricia Hitchcock

Department: Growth Management

STAFF RECOMMENDATION (Motion Ready): Recommend approval of a land use change from Public to Medium Intensity/Special District for approximately 5.83 acres of property located on the south side of NW 35th Street in the 2100—2400 block (currently a water retention area) (Case LUC23-45236).

OCALA’S RELEVANT STRATEGIC GOALS: Economic Hub & Quality of Place

BACKGROUND:

- Applicant: West Oak Developers, LLC
- Agent: Tillman & Associates
- The City of Ocala entered into a Redevelopment Agreement for the former Pine Oaks Golf course. The current West Oak PD plan facilitates redevelopment of the property into a mixed-income residential community.
- The West Oak PD rezoning and plan were approved in February 2021. After learning of a potential procedural deficiency with the original adoption, the rezoning and PD plan approval were processed a second time as a cautionary measure and received final approval from City Council on June 20, 2023.
- The developer has acquired from Marion County the subject property which is a Water Retention Area and granted an easement back to the County for drainage from NW 35th Street. This will allow the developer to expand and reconfigure the pond to allow for more density.
- The developer desires to amend the PD Plan to include the subject property. A request to rezone the subject property is accompanying the land use plan amendment petition. The PD Plan amendment also proposes to decrease the number of single family lots, increase the number of multi-family units due to demands of the market, increase the permissible height, reduce the amount of commercial square footage, and create an additional connection point to existing rights-of-way.
- The Medium Intensity/Special District acts as a natural extension of the Pine Oaks Square Main Street district and the existing West Oak PD area contains the same land use category.
- A land use plan amendment (LUC22-45054) was initiated for the subject property in December 2022. The Planning & Zoning Commission recommended approval at the January 9, 2023, meeting. The amendment was not heard by City Council due to the

potential procedural deficiency with the original adoption of the PD rezoning and PD plan approval.

FINDINGS AND CONCLUSIONS: The proposed future land use classification of Medium Intensity/Special District is consistent with the Comprehensive Plan and the West Ocala Vision & Community Plan. Staff recommend approval.

ALTERNATIVES:

- Approve
- Approve with changes
- Deny
- Table

SUPPORT MATERIALS:

- Staff Report
- January 9, 2023, P&Z minutes
- Case Map
- Aerial Map



Planning & Zoning Commission

July 10, 2023

Case No. LUC23-45236

Staff Report

Applicant: West Oak Developers, LLC

Agent: Tillman & Associates

Project Planner: Patricia Z. Hitchcock

Land Use Change Request: from: Public
to: Medium Intensity/Special District

Parcel Information

Acres: 5.83

Parcel(s)#: 21385+000-00 and 21385-000-01

Location: located on the south side of NW 35th Street in the 2100—2400 block

Existing use: Water Retention Area

Adjacent Land

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Employment Center	M-1	Water retention Trucking company & water retention
East	Commerce District (County)	M-1 (County)	Demolition company & railroad West Oak PD
South	Medium Intensity/Special District	PD	West Oak PD
West	Commerce District (County)	M-2, Heavy Industrial (County)	Tree Debris yard/construction service establishment

Case Summary

The City of Ocala entered into a Redevelopment Agreement for the former Pine Oaks Golf course. The current West Oak Planned Development (PD) plan facilitates redevelopment of the property into a mixed-income residential community with a variety of recreational amenities and some neighborhood-serving commercial uses along NW 35th Street. The West Oak PD rezoning and plan were approved in February 2021. After learning of a potential procedural deficiency with the original adoption, the rezoning and PD plan approval were processed a second time as a cautionary measure and received final approval from City Council on June 20, 2023.

In December 2022, West Oak Developers, LLC, acquired from Marion County the property subject to this application. It is currently a Water Retention Area located adjacent to the south side of NW 35th Street and provides drainage for the road. An easement has been granted back to the County. Acquisition of the subject property will allow the developer to expand and reconfigure the pond to allow for more density and relocate the commercial parcel west of the proposed North/South spine road within the development.

The Medium Intensity / Special District future land use classification is being recommended because this development serves as a natural extension of the Pine Oak Square Main Street district envisioned

in the West Ocala Vision & Community Plan. Medium Intensity / Special District areas were identified as part of the planning process with the intention of facilitating higher-density development in these areas to create walkable, mixed-use centers outside of the downtown.

By designating this property as part of the Pine Oak Square Main Street Medium Intensity / Special District, the West Ocala Vision & Community Plan will guide development approvals on the site. This future land use classification also requires a minimum density of 5 dwelling units per acre, which furthers the goal that redevelopment of the golf course catalyzes development of supporting retail and service uses nearby and the creation of a true center in this area.

A land use plan amendment (LUC22-45054) was initiated for the subject property in December 2022. The Planning & Zoning Commission recommended approval at the January 9, 2023, meeting. The amendment was not heard by City Council due to the potential procedural deficiency with the original adoption of the PD rezoning and PD plan approval.

Staff Recommendation:

Approval of LUC23-45236

Basis for Approval

The proposed future land use classification of Medium Intensity/Special District is consistent with the Comprehensive Plan and the West Ocala Vision & Community Plan. Staff recommend approval.

Level of Service Impact Analysis

Availability and Demand

The proposed land use change will increase the number of dwelling units that may be built on the subject 5.83 acre property from 0 per acre to 30 per acre, or from a maximum of 0 dwelling units to 174 dwelling units. The maximum FAR for nonresidential development would increase from 0.15 to 4.0, or from a maximum of 38,093 square feet of building space to a maximum of 1,015,819 square feet of building space. This is a significant increase in maximum potential development. Realistically, development will be limited by market demand and through a PD plan and associated traffic impact analysis.

Traffic Circulation

A traffic impact analysis (TIA19-0002) was approved for the original PD Plan and projected development would generate 13,946 gross trips and 9,365 net new trips at final buildout. An updated traffic analysis (TIA22-44794) is currently underway which is considering the changes pursuant to the PD Amendment (PD23-45235) being processed concurrently with this land use plan amendment. Costs for necessary transportation improvements to accommodate these new trips are being shared between the City and the developer in accordance with the City Redevelopment Agreement for Pine Oaks.

Potable Water: Water service is available.

Sanitary Sewer: Sewer service is available.

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: During the development review process, fees will be determined and shall be due and payable within 30 days of initiation of permanent electric service.

Fire Service: To maintain adequate fire protection services in the City, an impact fee will be required during the development review process.

Schools: Schools serving this area are College Park Elementary, Howard Middle, and Vanguard High. District wide utilization is E = 93.89%, M = 90.16% and H = 100.25%. Capacity is available districtwide for elementary and middle schools; however high school capacity exceeds 100% for the district. The middle and high schools that will serve the project all have sufficient capacity to accommodate this development according to an analysis based on the accepted method of calculating students from the School Board. The potential addition of 174 dwelling units could generate a blend of 45 students across the elementary, middle, and high school grades using 0.262 students per multifamily unit.

Land Use Classification

Existing

Public: The Public category shall be used for those parcels of land which are publicly owned and intended for the use of the general public. These include publicly owned parks, active or passive recreational sites, educational facilities, conservation areas or other open space. Permitted primary uses include recreation and civic. Secondary uses include commercial or other uses and activities consistent with the Recreation and Parks Element and the 2010 Recreation and Parks Master Plan. There is no minimum density or intensity. The maximum intensity before any incentives is 0.15 FAR. The location and application of incentives shall be set forth in the Land Development Code.²

Requested

Medium Intensity/Special District: The intent of this category is to identify neighborhood and community-serving activity centers, generally represented as “Medium Low” or “Medium High” on the Ocala 2035 Vision. The Medium Intensity/Special District category facilitates developments with two (2) or more uses. Permitted uses include residential, office, commercial, public, recreation, educational facilities and institutional. Light industrial shall only be allowable in designated locations as specified in the Land Development Code and must meet the intent of the Medium Intensity/Special District category, including form and design guidelines as applicable. This mix is intended to promote a walkable urban form. The minimum density and intensity before any incentives in this future land use category is 5 dwelling units per gross acre or 0.15 FAR. The maximum density and intensity before any incentives is 30 dwelling units per acre or 4.0 FAR. The location and application of incentives shall be set forth in the Land Development Code.³

¹ City of Ocala Comprehensive Plan, Stormwater Sub-Element, Policy 3.1.

² City of Ocala Comprehensive Plan, Future Land Use Element, Policy 6.6.

³ City of Ocala Comprehensive Plan, Future Land Use Element, Policy 6.2.

**Ocala Planning and Zoning Commission Meeting Minutes
January 9, 2023**

8. Land Use Change/PD Rezoning Amendment/Public Hearing

a. LUC22-45057/ West Oak Developers, LLC

Mr. Chighizola displayed maps and photos of the property and adjacent properties to the audience while providing staff comments and the findings of fact.

Discussion:

Commissioner Kesselring requested information regarding the projects impact on schools. Growth Management Director Tye Chighizola responded data shows multifamily developments produce less students compared to single-family.

Commissioner Campbell commented the School Board is utilizing data from 12-years ago; however, a new study will be available in March or April. To note, the School Board study is on page 119; and the development will impact College Park School.

Mr. David Tillman, Tillman & Associates Engineering, 1720 SE 16th Avenue, Bldg. 100, Ocala, FL 34471, stated he is available to answer any questions

Mr. Chris Roeper, Attorney, 420 S. Orange Avenue, Orlando, FL 32801, stated he is representing Trademark Metals & Recycling. His client and the developer have been unable to reach an agreement. Furthermore, his client expressed concern regarding the following: noise, lack of buffering, electrical easement, equivalence matrix, and PD standards.

Mr. Chighizola confirmed the complete PD standards were not included in the packet.

Mr. Roeper noted a signature is missing on the zoning amendment application, and the staff report was published on Friday. He requested the Commission postpone discussion or recommend denial of the application. He confirmed Trademark is located on the eastside of the railroad tracks with Commissioner Kesselring.

Commissioner Malever stated the industrial operations should be closed down due to heavy noise. Mr. Roeper responded the industrial operations have existed since the 1970's.

Mr. Tillman confirmed the triangular agricultural property is not owned by them or the adjacent property owners. He provided a brief overview of the property easement and buffering challenges. He suggested establishing a wall for noise abatement. To note, a buffer is not required along the east side of the property.

Ms. Hitchcock confirmed CSX and Eugene Palmer own the two parcels on the map with Vice Chair Adams.

Mr. Tillman stated they will work with the adjacent property owner to remedy the matter.

Vice Chair Adams commented the city has been discussing residential development in the area since 2018.

Mr. Tillman noted the adjacent property owner has expressed concern over the years regarding the project.

Scott Siemens, 2201 NW 21st. ST, Ocala (agent) stated studies were performed; confirmed no exceedances. He noted they are working with Trademark Metals & Recycling to remedy the noise issue. He disagrees with Mr. Roeper's recommendations; and encouraged the Commission to support the proposed development project. Furthermore, the project will fulfill a great need for affordable housing (20% affordable housing units) in the city.

Mr. Chighizola noted single-family does not require buffering for intensive uses. The City will evaluate establishing a larger buffer during the planning process. He confirmed the developer will pay impact fees, if the building permit is not pulled before the new impact fees are published. The Commission's recommendation will be considered by City Council on February 21, 2023.

Motion to approve.

RESULT: APPROVED

MOVER: Brent Malever

SECONDER: Branson Boone

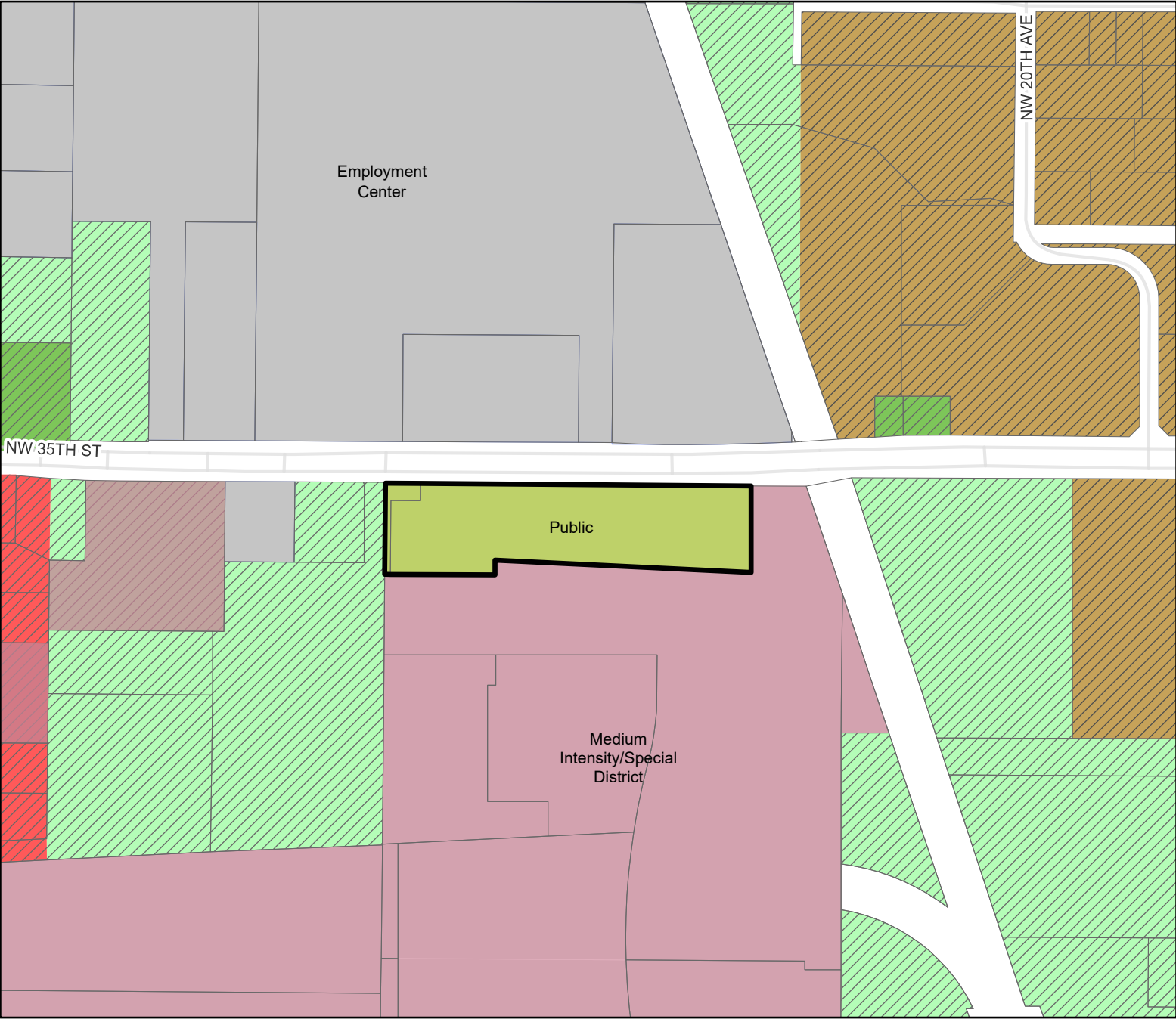
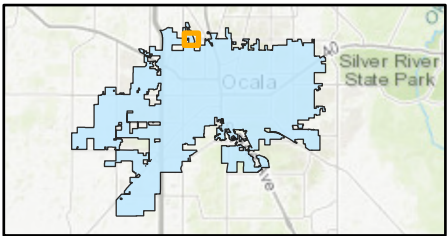
AYE: Vice Chair Adams, Kesselring, Boone, and Malever

NAY: Kesselring

ABSENT: Rudnianyn, and Chairperson Lopez

LAND USE CASE MAP

Case Number: LUC23-45236
Parcel Number: 21385+000-00 and 21385-000-01
Property Size: Approximately 5.83 acres
Land Use Designation: Public
Zoning: GU, Governmental Use
Proposal: A request to change the Future Land Use Designation from Public to Medium Intensity/Special District



- Property
- Parcels
- Employment Center
- Medium Intensity/Special District
- Public

- Commerce District (County)
- Commercial (County)
- High Residential (County)
- Public (County)

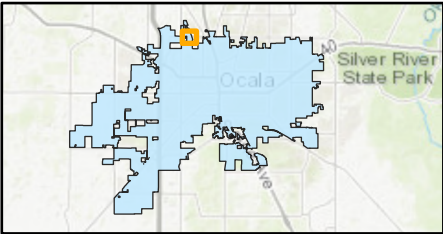
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Ocala

AERIAL MAP

Case Number: LUC23-45236
Parcel Number: 21385+000-00 and 21385-000-01
Property Size: Approximately 5.83 acres
Land Use Designation: Public
Zoning: GU, Governmental Use
Proposal: A request to change the Future Land Use Designation from Public to Medium Intensity/Special District



 Property
 Parcels

