



# Planning & Zoning Commission

201 SE 3rd St.  
Ocala, FL 34471

www.ocalafl.org

## Regular Meeting Minutes

Monday, February 12, 2018  
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 - Council Chambers on Monday, February 8, 2018 at 5:30 PM.

Attendee Name	Title	Status	Arrived
Rus Adams	Chairman	Present	
Nathan Gibboney	Vice-Chairman	Present	
Andrea Ferro	Commissioner	Absent	
Andrew Hanley	Commissioner	Present	
Andy Kesselring	Commissioner	Absent	
Crystal McCall	Commissioner	Present	
Ted Schatt	Commissioner	Absent	

Others Present: Planning Director Pete Lee; Senior Planner/GIS Analyst David Boston; Development Coordinator Karen Cupp and Office Administrator Peggy Cash

#### 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., and are held at City Hall, City Council Chambers, Second Floor, located at 110 SE Watula Avenue.

### 2. Proof of Publication – It was acknowledged that a Public Meeting Notice was posted at City Hall (110 SE Watula Ave, Ocala, Florida, 34471) and published in the Ocala Star Banner on January 26, 2018.

### 3. Consideration of Minutes

**Approved** Minutes for December 11, 2017 meeting.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Nathan Gibboney
<b>SECONDER:</b>	Andrew Hanley
<b>AYES:</b>	Gibboney, Hanley, McCall, Adams
<b>ABSENT:</b>	Ferro, Kesselring, Schatt

#### 4. **Subdivisions**

##### a. **Approved SUB16-0001**

Lynwood Estates

Conceptual Subdivision Plan & Draft Developer's Agreement

1400 block of NE 23th Avenue

Ms. Cupp presented a staff report from City Engineer Sean Lanier [included in a staff report provided to Commission members]:

Presented for your consideration are the conceptual plan and draft developer's agreement for the Lynwood Estates subdivision located in the 1400 Block of NE 23<sup>rd</sup> Avenue. The development is 5.2 acres and is being subdivided into ten lots. Zoning for lot 1 is RO, Residential Office, and will be developed through the site plan review process. Lots 2 through 10 are R-1, Single Family Residential. The developer is Randall Alvord and the plan was prepared by Radcliffe Engineering.

Each lot will have access via NE 23<sup>rd</sup> Avenue which is an existing publicly maintained roadway. Water and sanitary sewer are within the right of way of NE 23<sup>rd</sup> Avenue for connection and are also publicly maintained.

The developer's agreement submitted addresses the construction and maintenance of the subdivision improvements. It also addresses the construction and reimbursement for the drainage retention area, DRA, on the property which will be turned over to the City for ownership and maintenance following the standard one year maintenance period.

The developer is requesting the following waivers from Chapter 114 of the Code of Ordinances:

- Allow sidewalk construction as each lot is developed with the Certificate of Occupancy held until sidewalk construction is complete
- Construct a 10 feet wide berm on the DRA in lieu of the code required 15 feet berm

The City Engineer's Office has no objection to the requested waivers and is recommending approval of the conceptual subdivision plan and draft developer's agreement.

##### ***Discussion:***

Fred Roberts, 40 SE 11<sup>th</sup> Avenue, representative for the petitioner, offered to answer questions from Commission members.

There were no public comments.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Nathan Gibboney
<b>SECONDER:</b>	Crystal McCall
<b>AYES:</b>	Gibboney, McCall, Hanley, Adams
<b>ABSENT:</b>	Ferro, Kesselring, Schatt

**b. Approved SUB17-0002**

Woodfield Estates  
Final Plat  
2200 Block of E. Fort King Street

Ms. Cupp presented a staff report from City Engineer Sean Lanier [included in a staff report provided to Commission members]:

Presented for your consideration is the final plat for Woodfield Estates subdivision located in the 2200 Block of E. Fort King Street. The development is 13.79 acres and is subdivided into seven residential lots. Zoning for the property is R-1. The developer is Woodfield Estates, LLC and the plat was prepared by Preece Land Surveying.

Each lot was created to have frontage on an existing right of way for access and meets the zoning requirement for lot width and area. Potable water and sanitary sewer is adjacent to the site and available to service the lots. Building plans are required when each home is constructed. An additional five feet of right of way along Fort King Street is being dedicated by plat.

The City Engineer's Office is recommending approval of the final plat subject to completion of staff review, legal review and updating of the title opinion prior to recordation.

**Discussion:**

Nathan Garcia, 2032 SE 15<sup>th</sup> Lane, representative for the petitioner, offered to answer questions from Commission members.

There were no public comments.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Andrew Hanley
<b>SECONDER:</b>	Crystal McCall
<b>AYES:</b>	Hanley, McCall, Gibboney, Adams
<b>ABSENT:</b>	Ferro, Kesselring, Schatt

**c. Approved SUB17-0006**

Race Wash 200  
Final Plat & Developer's Agreement  
4800 Block of SW College Road

Ms. Cupp presented a staff report from City Engineer Sean Lanier [included in a staff report provided to Commission members]:

Presented for your consideration are the final plat and developer's agreement for Race Wash 200 subdivision. The development is 4.73 acres and is subdivided into two commercial lots and one tract. Zoning for the property is B-2. The developer is Race Wash Express 200, LLC and the plan was prepared by Rogers Engineering.

The roads, storm conveyance system, water and sanitary sewer systems are public improvements. Stormwater is sent to an off-site drainage retention area that was previously permitted to take run-off from this property. The lots do not have direct access to either State Road 200 or SW 48<sup>th</sup> Avenue. The developer's agreement addresses the construction and maintenance of the subdivision improvements.

The City Engineer's Office is recommending approval of the final plat and developer's agreement subject to updating of the title opinion prior to recordation.

**Discussion:**

No one was present to speak on behalf of the petitioner.

There were no public comments.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Andrew Hanley
<b>SECONDER:</b>	Crystal McCall
<b>AYES:</b>	Hanley, McCall, Gibboney, Adams
<b>ABSENT:</b>	Ferro, Kesselring, Schatt

**5. Rezoning**

- a. **Approved PUD17-0001** a request to change the zone from R-1, Single Family residential; M-1, Light Industrial and M-2, Medium Industrial to PUD-15, Planned Unit Development and to approve the conceptual site development plan for property located in the 2900-3100 block of SW 12th Street, approximately 17.85 acres.

Petitioner: Downtown Ocala 30, LLC

Planner: David Boston

Mr. Boston showed photos of the subject property and surrounding properties, and presented staff comments and the following findings of fact [included in a staff report provided to Commission members]:

**Background**

- The property has a Medium Intensity / Special District future land use designation, which allows for a maximum of 30 dwelling units per acre, and this proposed conceptual site development plan would allow for close to 15 dwelling units per acre.
- If the conceptual site development plan and rezoning is approved by City Council, a PUD final development plan shall be submitted and approved before construction may start, which will be subject to public hearing review by the Planning & Zoning Commission and City Council.

**Factual Support**

1. The proposed PUD zoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element in the Comprehensive Plan:
  - a. **Policy 6.2: 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.

- b. **Policy 10.3:** The City will encourage the creation and establishment of pathways to create bicycle and pedestrian connections between neighborhoods, commercial centers, employment centers, mixed-use centers, and the High Intensity/Central Core.
  - c. **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.
2. Approval of this request will not adversely affect the health, safety, convenience, prosperity, or general welfare of the community.

### **Basis for Approval**

The requested zoning designation of PUD, Planned Unit Development, and the conceptual site development plan are consistent with the Medium Intensity / Special District future land use designation and the Comprehensive Plan.

### **Discussion:**

Mr. Hanley asked what the current zoning classifications are. Mr. Boston responded that the current zoning is a mix of R-1, M-1 and M-2. Mr. Hanley asked what the current density is versus the density being requested. Mr. Boston noted that the density is determined by the land-use classification, and that isn't changing. The land-use is Medium Intensity Special District, which allows up to 30 dwelling units per acre. The applicant is requesting approximately 15 units per acre.

Paolo Mastroserio, Mastroserio Engineering, 170 SE 32<sup>nd</sup> Place, representative for the petitioner, advised that they met with staff several times. Staff recommended going with a PUD zoning for this particular development rather than R-3, so that the City has more control over the development, with the best interests of neighboring property owners in mind.

Commissioner Adams confirmed that buffering is being provided for neighboring residential uses on large lots, as well as some of the smaller residential lots. He said the development looks to be "tight" and asked if there will be any other fences or walls buffering the use from neighboring properties. Mr. Mastroserio said the Code's requirement is a 25-foot landscaped buffer around the perimeter and that requirement has been met. There will be hedges and trees (existing and/or planted) along the property line to the north adjacent to existing R-1 zoned properties. Provisions may be made in the future if contours don't allow the landscaped buffer. He said they'll abide by the Code.

Commissioner Gibboney pointed out that it is an 18 acre site with 16,000 square foot buildings. It was briefly discussed that PUD zoning requires consolidation of the use on the site. Mr. Boston stated that there is a 45 percent open space requirement. To meet that requirement, the intent of the Code is to make it so that the uses are clustered to the extent possible and that the open space is clustered to the extent possible so that the open space is useable by residents, and isn't leftover space around the parking lot or buildings.

Alvin Cotton, 1505 SW 31st Avenue, said he wasn't certain as to what is going to be developed. Mr. Boston advised that it is an apartment complex. Mr. Cotton said the land has been the way it is for over a hundred years. He said he is in favor of leaving the entire tract in its original condition. He commented that there are many other locations better suited for an apartment complex. He noted that Closet Maid is located behind the subject property and it is noisy; residents of the apartment complex will be complaining about the noise.

Willie Thompson, 3100 SW 13th Street, pointed out on map the property he owns. He thought his cousin owned a piece of property shown as part of the property being developed. Mr. Boston said all of the property (as shown on the map) proposed for development is under common ownership. Mr. Mastroserio said he has a certified boundary and topographic survey of the property as depicted. He said he had received a call from someone who owns two parcels. A discussion (inaudible) ensued at the podium concerning ownership while referring to the case map.

Commissioner Gibboney said he's appraised this particular property (as shown on the map in its entirety) numerous times for different entities while it was bank owned. He said it has an industrial zoning designation and the intent all along was to have an industrial park on the property. He suggested that the proposed use is going to be much better for adjacent property owners than an industrial use.

Discussion (inaudible) continued at the podium concerning property ownership. Chairman Adams interjected that the Commission is not able to rectify any property ownership issues. Mr. Mastroserio said they can re-verify ownership through the title search that was done.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Nathan Gibboney
<b>SECONDER:</b>	Crystal McCall
<b>AYES:</b>	Gibboney, McCall, Hanley, Adams
<b>ABSENT:</b>	Ferro, Kesselring, Schatt

- b. **Approved PUD17-0003** a request to change the zone from OP, Office Park, approximately 1.3 acres and to apply zoning of PD, Planned Development to remaining 39.37 acres and to approve the conceptual site development plan for property located in the 4300-4400 block of SW 20<sup>th</sup> Street, approximately 40.67 acres.

Petitioner: Wintergreen BT Trust et al  
Planner: David Boston

Mr. Boston showed photos of the subject property and surrounding properties, and presented staff comments and the following findings of fact [included in a staff report provided to Commission members]:

### Background

- The property has a Medium Intensity / Special District future land use designation, which allows for a maximum of 30 dwelling units per acre, and this proposed conceptual site development plan would allow for close to 17 dwelling units per acre.
- If the conceptual site development plan and rezoning is approved by City Council, a PD final development plan shall be submitted and approved before construction may start, which will be subject to public hearing review by the Planning & Zoning Commission and City Council.

### Factual Support

1. The proposed PD zoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element in the Comprehensive Plan:
  - d. **Objective 5:** The City shall plan and promote diverse mixed-use centers offering convenient shopping and services easily accessible by neighborhood residents wishing to either walk, ride a bicycle, use public transit, drive motorized vehicles, or utilize other viable mobility options.
  - e. **Policy 6.2: 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.
  - f. **Policy 10.3:** The City will encourage the creation and establishment of pathways to create bicycle and pedestrian connections between neighborhoods, commercial centers, employment centers, mixed-use centers, and the High Intensity/Central Core.
  - g. **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.
2. Approval of this request will not adversely affect the health, safety, convenience, prosperity, or general welfare of the community.

### **Basis for Approval**

The requested zoning designation of PD, Planned Development, and the conceptual site development plan with associated PD standards are consistent with the Medium Intensity / Special District future land use designation and the Comprehensive Plan.

### **Discussion:**

Mike Radcliff, Radcliff Engineering, 2611 SE Lake Weir Avenue, representative for the petitioner, said they’ve been working with staff in developing the conceptual plan. He said he believes the development will allow the last link of SW 44<sup>th</sup> Avenue to connect to SW 20<sup>th</sup> Street. Mr. Radcliff offered to answer questions.

Jamie Jones, 4305 SW 22nd Street, asked if SW 22<sup>nd</sup> Street is going to connect to SW 44<sup>th</sup> Avenue. She said it currently is a dead end road. She said there are a lot of children in the subdivision. She said that when she moved into the subdivision 4 years ago, there were 15 abandoned houses. They’re now all occupied with new families. Mr. Boston said SW 22nd Street will not be connected. According to a map he was looking at, he said that the road would need to extend through another piece of property which is not a part of the planned development.

Ms. Jones asked about buffers between the new development and existing uses. Mr. Boston said that buffers are typically handled during the final development plan, whether it be a wall or landscaping along with the width. He noted that whenever there is an adjacent lower impact use, a buffer is required.

Michelle Desrocher, 4217 SW 22nd Street, asked if the buffer will include a fence. She said they've been watching as the property is being cleared. Mr. Boston said when a planned development is being proposed, the surrounding area is looked at, and it is determined what type of buffer will be the most appropriate. For single-family homes, if it looks like it will make sense to have a fence or wall, it can be required during the final development plan process. Mr. Boston said staff will work with the developer on requirements for the final development plan, and the final plan goes to another public hearing to give neighboring property owners an opportunity to review it and express their concerns if there are any.

Commissioner Adams said he thinks that the property Ms. Desrocher is concerned with is not a part of this development. Staff and Commission members briefly discussed that the planned development is across the street from Ms. Desrocher's property and typically buffers along a roadway are not required. There will be a streetscape design with trees and landscaping.

Mr. William Ashberger, 4423 SW 32<sup>nd</sup> Place, asked if the roadway is going to finally get finished. Mr. Lee said there is no plan to finish the roadway at this time. There is no funding set aside. It has been discussed a few times over the last 8 to 10 years, but because of property ownership issues, it hasn't progressed. He said there have been leftover funds at the end of the FDOT calendar year, and a couple of times the road project was discussed, but it hasn't been discussed recently. Mr. Ashberger said with all the development that is taking place, it is needed.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Crystal McCall
<b>SECONDER:</b>	Andrew Hanley
<b>AYES:</b>	McCall, Hanley, Adams
<b>NAYES:</b>	Gibboney
<b>ABSENT:</b>	Ferro, Kesselring, Schatt

6. **Next meeting: Monday, March 12, 2018 at 5:30 pm**

7. **Adjournment**

The meeting was adjourned at 6:07 pm.