

Ocala Planning and Zoning Commission Meeting Minutes

November 8, 2021

5. Zoning

- b. **APPROVED ZON21-44541** a request to change zoning to R-3, Multi-Family Residential,
for property located at 2550 SE 24th Street, approximately 23.57 acres.

Petitioner: Donna Machelie Albright Family Trust

Planner: Aubrey Hale

Background

- This property is located on SE 24th Street and has a single-family residential unit existing.
- SE 24th Street was recently transferred over to the City of Ocala; however, the City shall not take maintenance and control of the road until such time that the road is constructed to City standards.
- The surrounding properties are either existing residential uses or zoned to allow residential uses. There is a M-2, Medium Industrial property adjacent to the property and currently Fluid Routing Solutions operates the premises.
- Policy Ordinance 5617 was recently amended from permitting only a 180 single-family dwelling unit development to include a comparable 320 multi-family unit development. The traffic generations from the 320-unit development is approximately equal to the number of trips generated for the 180-unit single-family dwelling unit development.
- The property owner is processing a Chapter 163 concurrency agreement to address traffic mitigation, access, buffers, permitted uses, and architectural requirements.
- Adjacent properties to the north and east are actively pursuing development opportunities. Properties to the north of the property in question are preparing plans for an approximate 380-unit multi-family development with the extension of SE 25th Avenue to provide access to the project. Further north a development is proposing a two-lot subdivision consisting of a convenience store and future office development. Properties east of the property in question propose a commercial subdivision fronting along SR 464. The Commercial subdivision has entered into an agreement with the applicants to jointly improve SE 24th Street. Upon completion of the improvements, the city shall accept the maintenance of the road.

Staff Recommendation:	Approval of ZON21-44541
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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

1. 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.
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.

The daily PM peak hour trip generation for the maximum allowed units for a multi-family development of 320 dwelling units is estimated to be **166 trips** for a low-rise apartment.

Road/Street Name	# of Lanes	Functional Class	Adopted LOS	Los Capacity	2021 ADTs	Existing LOS
SR 464 SE 25 th Ave to SE 44 th Ave	4	Principal Arterial	D	39,800	37,900	C

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.

Solid Waste: Service is available.

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

Schools: This rezoning is anticipated to have an effect on schools, due to the proposed multi-family development.

Adequate capacity exists for this project from a district-wide perspective. The extent of the project's adverse impacts to already overcrowded schools is subject to specifics (e.g., age-restricted or all ages market rate, project timing, phasing, absorption rate and extent of build out).

	Elementary	Middle	High
Districtwide capacity	92.1%	82.8%	88.3%
Schools serving project	South Ocala	Osceola	Forest
Student generation (320 MF Units)	31	13	14

Existing

Pending

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.

Discussion:

Commissioner Gilchrist asked if the Board recalled denying a land use change that was denied for a property located to the north of this property. The Board responded this was the last parcel that was previously discussed. Mr. Hale explained that Policy 5617 was amended and recommended for approval. He said this is a future land use policy that has gone through the Planning & Zoning Commission before. Since the policy was amended it now allows for the R-3 classification.

A brief discussion ensued.

Commissioner Rus Adams asked what the maximum density would be for the R-3 zoning for this property. Mr. Hale responded that because it is low intensity land use right now it could go to 18 dwelling units per acre. However, because the policy is in place, the policy limits the amount of multi-family to 320 units. He also said that this project will not generate a greater traffic impact.

Commissioner Adams asked if the site plan will address buffering to adjoining properties. Mr. Hale responded that they are currently going through a concurrency agreement that will address architectural buffering, lighting, and other requirements. The site plan will go to two public hearings due to it being a Chapter 163 agreement.

Commissioner Gilchrist asked if this case would come back before the board once the zoning request was approved. Mr. Hale responded that it would not.

Petitioner Chris Roper, Ackerman Law Firm, 420 South Orange Avenue, Orlando, FL. Mr. Roper said that they are in support of the project and staff's recommendation for approval. He made a brief presentation and said he was available to answer questions.

Commissioner Lopez asked if the access road was going to be a single or a two-lane road. Mr. Roper answered it will be a two-lane road with sidewalks and drainage swells on the north side.

No public comment.

RESULT:	APPROVED ZON21-44541
MOVER:	Richard Kesselring
SECONDER:	Kris Clere
AYES:	Kesselring, Clere, Rudnianyn, Adams, Gilchrist, Lopez