



Planning & Zoning Commission

February 14, 2022

Case No. ZON22-44645

Staff Report

Petitioner: Catalyst Development Partners II, LLC

Property Owner: 200 Club of Ocala, LLC

Project Planner: Patricia Hitchcock, AICP

Zoning Change Request: from: No zoning
to: R-3, Multi-Family Residential

Parcel Information

Acres: ~15 (total property is ~26.63 acres)

Parcel(s)#: Portion of #23816-000-00

Location: On the east side of SW 43rd Court, approximately 630 feet north of the intersection of SW 40th Street and SW 43rd Court

Existing use: Undeveloped

Future Land Use: Medium Intensity/Special District

Adjacent Land

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Neighborhood	R-1A	Single-Family Neighborhood
East	Medium Intensity/Special District	R-3 OP	Multi-Family Undeveloped
South	Medium Intensity/Special District	B-2 B-2	Multi-family Special Exception approved Undeveloped
West	High Residential (county)	M-2	Undeveloped
	Medium Residential (county)	M-1	Undeveloped
	Public (county)		Elementary School

Background

The subject property is located on the east side of SW 43rd Court, approximately 630 feet north of the intersection of SW 40th Street and SW 43rd Court. The southern 15 acres of the property is under contract for sale and proposed to be zoned R-3. The remaining 11.63 acres is not included in the sale contract and will require zoning in the future.

The property was annexed by the City of Ocala in 2005 pursuant to a request from the property owner at that time. No City land use designation or zoning was requested. The Marion County land use designation of Commercial (23.2 acres) and High Density Residential (3.9 acres) with associated zoning of B-2 and R-3 remained in effect until adoption of the 2035 Comprehensive Plan in January 2013.

The Ocala 2035 Vision Plan identified this area as appropriate for Medium Intensity development. In January 2013, adoption of the Comprehensive Plan Future Land Use Element designated the subject property and much of the area south and north of the Sonoma development as Medium Intensity/Special District. The intent of this category is to identify neighborhood and community-serving activity centers. Permitted uses include residential, office, commercial, public, recreation, educational facilities, and institutional. Medium Intensity/Special District has a minimum density and intensity of 5 dwelling units per acre or 0.15 FAR. Maximum density and intensity are 30 dwelling units per acre and 4.0 FAR, respectively.

An analysis of residential market potential conducted by Zimmerman/Volk Associates, Inc., in August 2017 identified a need for additional housing units. Growth in the warehouse distribution and logistics sector has driven the need as much of the workforce commutes from outside the City and outside of Marion County. The requested R-3, Multi-family Residential, zoning is eligible to implement the Medium Intensity/Special District is appropriate on arterials.

The Medium Intensity/Special District land use designation is reflective of the long-held plan to construct a road within the SW 43rd Court right-of-way that will circumnavigate the western and southern areas of the City. As is the local practice, the road frequently changes names from NW 44th Avenue to NW/SW 46th Avenue to SW 44th Avenue to SW 43rd Court to SW 43rd Street Road, to SW 42nd Street to SW/SE 32nd Street to SE 31st Street. The simple explanation is that the road will connect from County Road 326 southerly across State Road 200 with a fly-over I-75 and then easterly to Maricamp Road.

The City is in negotiations to obtain the last portion of right-of-way needed for construction of the roadway north of the subject property. Much of the funding is in place with the remainder contained in proposals before the state legislature this session. SW 43rd Court that serves the subject property is classified by the Florida Department of Transportation (FDOT) as a Minor Collector Urban. Once construction of the network is complete, it will likely be classified by FDOT as a Minor Arterial Urban.

Staff has discussed concerns about congestion in the area with the applicant's representative. The transportation infrastructure is not currently in place to accommodate the potential level of development. The applicant's representative suggested using a Chapter 163 Concurrency Development Agreement to address future development of the property, requiring a traffic study as part of any development review, and tying development to roadway and intersection improvements, including signalization. The agreement will be presented to City Council concurrent with this rezoning request.

Staff Recommendation: Approval of ZON22-44645
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Basis for Approval

The R-3 zoning district is eligible for implementing Medium Intensity/Special District land use classification.

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. The requested zoning designation of R-3, Multifamily, is eligible to implement the land use

designation of Medium Intensity/Special District.

3. 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 PM 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: This property is served by Saddlewood Elementary, Liberty Middle School, Westport High School.

Adequate capacity exists for this project from a districtwide perspective, however, all three schools serving this proposed development are experiencing persistent localized overcrowding. 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).

CASE # >>>	Feb. 14, 2022 PZ [REZONING]						
PROJ NAME or Parcel #>	23816-000-00 [15 ac]					PROPOSED	ALLOWED
					DWELLING TYPE	PROJECT DWELLING UNITS	
		DISTRICT WIDE		SY 21-22	MFR	0	450
	SCHOOL LEVEL	UTILIZATION	SCHOOL NAME	80th Day Utilization	MFR STU GEN RATE	ESTIMATED STUDENTS	
	E	92%	Saddlewood	100.8%	0.097	0	43
	M	83%	Liberty	108.7%	0.040	0	18
	H	88%	West Port	113.2%	0.043	0	19
* District Wide Utilization - annual calculation uses most recent 120th Day membership counts for a School Year (SY).							
^^ XXth Day Utilization - from most recent 20 day interval of membership counts for a School Year (SY).							

Land Use (existing)

Medium Intensity/Special District category facilitates developments with two (2) or more uses. Permitted uses include residential, office, commercial, public, recreation, education 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.²

Zoning

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.³

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

² Ocala Comprehensive Plan Future Land Use Element, Policy 6.2, Medium Intensity/Special District

³ City of Ocala Land Development Code, Section 122-351, Intent and purpose.