



# Ocala

## Planning & Zoning Commission

### Minutes

110 SE Watula Avenue  
Ocala, FL 34471

[www.ocalafl.gov](http://www.ocalafl.gov)

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**Monday, August 12, 2024**

**5:30 PM**

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**1. Call to Order**

- a. Pledge of Allegiance
- b. Roll Call

<b>Present</b>	Richard "Andy" Kesselring, Daniel London, Chairperson Kevin Lopez, and Justin MacDonald
<b>Absent</b>	Jeanne Herzig-Arena
<b>Excused</b>	Allison Campbell

- 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.

**2. Proof of Publication**

It was acknowledged that a Public Meeting Notice was posted at City Hall (110 SE Watula Avenue, Ocala, Florida 34471) and published in the Ocala Gazette on July 26th, 2024.

- a.

**Attachments:** [August 12th, 2024 Proof](#)

**3. Approval of Minutes**

- a.

**Attachments:** [7-8-24 Minutes.pdf](#)

**RESULT:** APPROVED

**MOVER:** Richard "Andy" Kesselring

**SECONDER:** Daniel London

**AYE:** Kesselring, London, Chairperson Lopez, and MacDonald

**ABSENT:** Herzig-Arena

**4. Annexation / Land Use / Rezoning**

- a. **B I Realty LLC / ANX24-45690**

- Attachments:**    [ANX24-45690 Memo & Ordinance](#)  
                               [ANX24-45690 Staff Report](#)  
                               [ANX24-45690 Case Map](#)  
                               [ANX24-45690 Aerial Map](#)  
                               [Opposition Letter\\_RaceTrac\\_Silver Springs](#)

Senior Planner Emily Johnson displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact for ANX24-45690, LUC24-45691, and ZON24-45692.

Mr. Lopez asked for the proposed number of pump stations. Rob Batsel, 1531 SE 36th Avenue, Ocala, FL, 34471, displayed maps and said there will be five high fuel diesel pumps in the rear that will accommodate one way traffic. The intersection on SW 40th Avenue which becomes SW 3rd Street and SW 37th Avenue is a frontage road. The City approved an agreement with the county to turn over county roads in segments to the City. Mr. Batsel said the goal is to line up the signalized access on the south side of State Road 40 with existing access at NW 40th Avenue. The City's lift station on the south will be moved more to the south to avoid complications on the west and the curve will be a direct alignment. RaceTrac will pay for the design for the construction of the signal of the right of way permits for west property boundary. Mr. MacDonald asked if there is only one signal light on the west. Mr. Batsel replied yes and it is going through the Department of Transportation (DOT).

Robert Gordon, 4120 W. Silver Springs Boulevard, Ocala, FL, said he has concerns about the impact on the neighborhood, traffic, noise, property values and environmental factors. Mr. Gordon asked what is permissible under the low intensity zoning and is it compatible with the surrounding properties. Mr. Batsel replied that the City did a good job in addressing zoning, noise and traffic. This property was a derelict site that was demolished by the City and will be a positive development coming in to the city.

Mr. MacDonald asked about the environmental concerns. Mr. Batsel replied the proposed development is where it needs to be because there is central water and sewer and will have to comply with all the necessary environmental requirements. This request will not be going to Council until there is a Developer's Agreement in place, but the applicant wants to move forward as soon as possible to start construction.

Motion to approve ANX24-45690, a request for annexation for the property located at 4040 West Silver Springs Boulevard along with the property located directly to the south, (Parcel 22866-000-02 and 22866-000-03), approximately 5.86 acres.

- RESULT:**            APPROVED  
**MOVER:**            Richard "Andy" Kesselring  
**SECONDER:**        Justin MacDonald  
**AYE:**                Kesselring, London, Chairperson Lopez, and MacDonald  
**ABSENT:**            Herzig-Arena

**b. B I Realty LLC / LUC24-45691**

- Attachments:** [LUC24-45691 Memo & Ordinance](#)  
[LUC24-45691 Staff Report](#)  
[LUC24-45691 Case Map](#)  
[LUC24-45691 Aerial Map](#)  
[Opposition Letter\\_RaceTrac\\_Silver Springs](#)

Motion to approve LUC24-45691, to change the Future Land Use designation from Commercial (County) to Low Intensity (City) for the property located at 4040 West Silver Springs Boulevard along with the property located directly to the south, (Parcel 22866-000-02 and 22866-000-03), approximately 5.86 acres.

- RESULT:** APPROVED  
**MOVER:** Richard "Andy" Kesselring  
**SECONDER:** Justin MacDonald  
**AYE:** Kesselring, London, Chairperson Lopez, and MacDonald  
**ABSENT:** Herzig-Arena

**c. B I Realty LLC / ZON24-45692**

- Attachments:** [ZON24-45692 Memo & Ordinance Final](#)  
[ZON24-45692 Staff Report](#)  
[ZON24-45692 Case Map](#)  
[ZON24-45692 Aerial Map](#)  
[Opposition Letter\\_RaceTrac\\_Silver Springs](#)

Motion to approve ZON24-45692, a request to rezone from B-2, Community Business (County), to B-2, Community Business (City), for the property located at 4040 West Silver Springs Boulevard along with the property located directly to the south, (Parcel 22866-000-02 and 22866-000-03), approximately 5.86 acres.

- RESULT:** APPROVED  
**MOVER:** Richard "Andy" Kesselring  
**SECONDER:** Justin MacDonald  
**AYE:** Kesselring, London, Chairperson Lopez, and MacDonald  
**ABSENT:** Herzig-Arena

**d. Walmart Stores East LP / ZON24-45716**

- Attachments:** [ZON24-45716 Memo and Ordinance](#)  
[ZON24-45716 Staff Report](#)  
[ZON24-45716 Case Map](#)  
[ZON24-45716 Aerial Map](#)

Senior Planner Emily Johnson displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact for ZON24-45716.

Mr. Lopez asked if there are changes to the entry or exit access. Ms. Johnson replied no.

Robert Volpe, 119 S. Monroe Street, Suite 500, Tallahassee, FL, said it is a minor zoning change and the access does not change.

Motion to approve ZON24-45716, a request to rezone from B-2, Community Business, to SC, Shopping Center, for property located approximately 807-feet northwest of the intersection of SE 36th Avenue and SE Maricamp Road (Parcel 29850-000-20), approximately 0.36 acres.

**RESULT:** APPROVED  
**MOVER:** Justin MacDonald  
**SECONDER:** Kevin Lopez  
**AYE:** Kesselring, London, Chairperson Lopez, and MacDonald  
**ABSENT:** Herzig-Arena

e. **CR 462 Property LLC / ZON24-45729**

**Attachments:** [ZON24-45729 Memo & Ordinance](#)  
[ZON24-45729 Staff Report](#)  
[ZON24-45729 Case Map](#)  
[ZON24-45729 Aerial Map](#)

Planner II Brea Miller displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact for ZON24-45729.

Mr. Kesselring asked if the area south of the electrical lines was residential. Ms. Miller replied no, it is zoned M-1.

Rodney Rogers, 1105 SE 3rd Avenue, Ocala, FL, said the former owner was going to build an event center, but decided to build on the property to the north.

Motion to approve ZON24-45729, a request to rezone from B-2, Community Business, to M-1, Light Industrial, for property located at 240 SW 46th Avenue (Parcel 2284-006-000), approximately 9.10 acres.

**RESULT:** APPROVED  
**MOVER:** Richard "Andy" Kesselring  
**SECONDER:** Daniel London  
**AYE:** Kesselring, London, Chairperson Lopez, and MacDonald  
**ABSENT:** Herzig-Arena

f. **APMRHK LLC / ZON24-45738**

**Attachments:** [REVISED ZON24-45738 Memo and Ordinance](#)  
[REVISED ZON24-45738 Staff Report](#)  
[ZON24-45738 Case Map APMRHK LLC](#)  
[ZON24-45738 Aerial Map APMRHK LLC](#)  
[Boundary Sketch - - APMRHK LLC](#)

Chief Planning Official Endira Madraveren displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact for ZON24-45738.

Mr. Lopez asked if the active code enforcement violation is for the parked cars on the grass. Ms. Madraveren replied yes, because this is not a permitted use in a B-5 or M-1 district.

Jon Harvey, Tillman Associates, 1720 SE 16th Avenue, Ocala, FL, said he was not aware of the code enforcement violation, but the client wants the zoning district changed to allow parking for manufactured homes on the site.

Mr. Lopez asked if the property is going to be used for storage or retail sales. Mr. Harvey replied it will be a little of both.

Motion to approve, a request to rezone from M-1, Light Industrial, to B-5, Wholesale Business, for a portion of the property located at 1500 SW 17th Avenue (Parcel 23656-015-02), approximately 2.16 acres.

**RESULT:** DENIED  
**MOVER:** Justin MacDonald  
**SECONDER:** Daniel London  
**AYE:** London, and MacDonald  
**NAY:** Kesselring, and Chairperson Lopez  
**ABSENT:** Herzig-Arena

**g. City of Ocala / LUC24-45740**

**Attachments:** [Memo-Ord LUC24-45740](#)  
[LUC24-45740 staff report](#)  
[Ex.A-Plat Shoppes on 27 pb12pg33-B70J163](#)  
[Ex.B-LUC24-45740 Case Map City of Ocala](#)  
[Ex.C-LUC24-45740 Aerial Map City of Ocala](#)  
[Ex.D-24-000786 Boundary Survey Parcel 21512-000-00\\_signed](#)  
[Ex.E-Deed Recorded](#)  
[Ex.F-ORD5613](#)  
[Ex.G-Shared Maintenance Agreement 6510-1519](#)

Planner II Kristina Wright displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact for LUC24-45740 and ZON24-45741.

Motion to approve LUC24-45740, a request to change the Future Land Use designation from Low Intensity to Public, for property located approximately 300-feet south of the intersection at US Highway 27 and NW 45th Terrace (Parcel 21512-000-00).

**RESULT:** APPROVED

**MOVER:** Richard "Andy" Kesselring  
**SECONDER:** Daniel London  
**AYE:** Kesselring, London, Chairperson Lopez, and MacDonald  
**ABSENT:** Herzig-Arena

**h. City of Ocala / ZON24-45741**

**Attachments:** [Memo-Ord ZON24-45741 Fire Station 8 Final Ex. A-Plat Shoppes on 27 pb12pg33-B70J163](#)  
[Ex.B-ZON24-45741 Case Map City of Ocala](#)  
[Ex.C-ZON24-45741 Aerial Map City of Ocala](#)  
[Ex.D-24-000786 Boundary Survey Parcel 21512-000-00\\_signed](#)  
[Ex.E-Deed Recorded](#)  
[Ex.F-ORD5613](#)  
[Ex.G-Shared Maintenance Agreement 6510-1519](#)

Motion to approve ZON24-45741, a request to rezone from B-4, General Business, to G-U, Governmental Use, for property located approximately 300-feet south of the intersection at US Highway 27 and NW 45th Terrace (Parcel 21512-000-00), approximately 7.80 acres.

**RESULT:** APPROVED  
**MOVER:** Richard "Andy" Kesselring  
**SECONDER:** Daniel London  
**AYE:** Kesselring, London, Chairperson Lopez, and MacDonald  
**ABSENT:** Herzig-Arena

**5. Public Comment**

None.

**6. Staff Comment**

Ms. Madraveren thanked Mr. Kesselring for the years of service on the Board. Mr. Kesselring said he submitted his letter of resignation to City Council and this will be his last meeting.

Planning Director Aubrey Hale said Brent Malever resigned and a Vice Chair will need to be appointed by the Board.

**7. Election of Vice Chairman**

**a. Vice Chairman**

Mr. Kesselring nominated Joe London for Vice Chairman.

There being no further discussion the motion carried by roll call vote.

**RESULT:** APPROVED  
**MOVER:** Richard "Andy" Kesselring  
**SECONDER:** Kevin Lopez

**AYE:** Kesselring, London, Chairperson Lopez, and MacDonald

**ABSENT:** Herzig-Arena

**8. Board Comments**

None.

**9. Next meeting: September 9th, 2024 at 5:30 pm**

**10. Adjournment**

The meeting adjourned at 6:26 pm.