



Planning & Zoning Commission

Zoom Meeting Minutes

Monday, January 11, 2021
5:30 PM

201 SE 3rd St, 2nd Fl
Ocala, FL 34471

www.ocalafl.org

1. Call to Order

a. Pledge of Allegiance

b. Roll Call for Determination of a Quorum

The Ocala Planning & Zoning Commission held a Zoom meeting on Monday, January 11, 2021 at 5:30 PM.

Attendee Name	Title	Status	Arrived
William Gilchrist	Chairman	Present	
Rus Adams	Vice-Chairman	Present	
Andrea Ferro	Commissioner	Excused	
Andrew Hanley	Commissioner	Present	
Andy Kesselring	Commissioner	Present	
Crystal McCall	Commissioner	Present	
Vacancy	Commissioner		
Allison Campbell (non-voting)	School Board Rep	Present	

Others Present: Planning and Zoning Manager David Boston; Senior Urban Design Coordinator Aubrey Hale; 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 5:00 p.m.

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 December 23, 2020.

3. Consideration of Minutes – December 7, 2020

RESULT:	APPROVED
MOVER:	Rus Adams
SECONDER:	Crystal McCall
AYES:	Adams, McCall, Hanley, Kesselring, Gilchrist
EXCUSED:	Ferro

RESULT: **APPROVED LUC20-0003**
MOVER: Andrew Hanley
SECONDER: Crystal McCall
AYES: Hanley, McCall, Adams, Kesselring, Gilchrist
EXCUSED: Ferro

RESULT: **APPROVED ZON20-0018**
MOVER: Andrew Hanley
SECONDER: Crystal McCall
AYES: Hanley, McCall, Adams, Kesselring, Gilchrist
EXCUSED: Ferro

7. **Planned Development**

Approved PD20-0004 a request to change zoning from GU, Governmental Use to PD, Planned Development and to approve the PD plan, for property (former Pine Oaks Golf Course) located south of NW 35th Street, east of NW 27th Avenue, north of NW 21st Street and west of CSX railroad, approximately 216 acres.

Petitioner: City of Ocala
Planner: David Boston

Mr. Boston displayed maps and photos of the property and adjacent properties to the audience while providing staff comments and the following findings of fact [included in a staff report provided to Commission members]:

Background

- The West Oak PD plan facilitates redevelopment of the property that formerly included the Pine Oaks Golf Course into a mixed-income residential community with a variety of recreational amenities and some neighborhood-serving commercial uses along NW 35th Street.
- There is a need for more housing development in the city, especially affordable housing and especially considering the recent increase in employment opportunities that resulted from the development of major distribution centers on NW 35th Street Road and NW 35th Street.
- The City Redevelopment Agreement for Pine Oaks requires that 20 percent of the units constructed are affordable housing units, as defined in the agreement.
- Residential units on this property will be ideally located near that employment center and excellent existing and future recreational amenities, such as the wetland groundwater recharge park, the proposed community center at Reed Place, and Lillian Bryant Park.
- The West Oak PD plan includes 386 single-family residential lots, 832 multifamily residential units, 150 townhomes, and approximately 70,000 square feet of commercial space.
- The future land use classification of Medium Intensity/Special District requires a minimum density of five dwelling units per acre and a maximum density of 30 dwelling units per acre. This PD plan proposes close to six dwelling units per acre, thereby meeting the density

requirements of the comprehensive plan and furthering progress towards the goals of the Pine Oak Square Main Street district envisioned in the West Ocala Vision & Community Plan.

Factual Support

1. The proposed PD zoning is consistent with the following Policies of the City of Ocala Comprehensive Plan:

Future Land Use Element, 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. 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.

Housing Element, Policy 1.8 (pending adoption): The City shall continue to facilitate the provision of an adequate supply of affordable housing to meet the needs of the City’s population.

2. The proposed PD zoning is consistent with the Pine Oak Square Main Street Mixed Use District in the West Ocala Vision & Community Plan. As stated in the plan, “the intent of this district is to promote a compact and walkable urban form...this district is characterized by buildings that are one (1) to four (4) stories in height and may contain more than one use.”
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: A traffic impact analysis (TIA19-0002) has been submitted and is under City review. According to the latest version of the traffic impact analysis, this development will result in 13,946 gross trips and 9,365 net new trips at final buildout. 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.

Electric: The property is served by the Ocala Electric Utility.

Potable Water: The property is currently served by City of Ocala water.

Sanitary Sewer: The property is currently served by City of Ocala sewer.

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: 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 Evergreen Elementary, Howard Middle, and Vanguard High. District wide utilization is E = 94%, M = 89% and H = 90%. Capacity is available districtwide for all three levels of schools. The schools at each level that will serve the project all have sufficient capacity to accommodate this development according to an analysis run by the School Board in March 2019 projecting 184 new elementary school students, 87 new middle school students, and 113 new high school students for a total of 385 new students generated by this development. The number of students generated by this development is expected to drop from 385 to 348. Staff are awaiting an updated analysis from the School Board and expect similar findings.

Zoning

Existing:

GU, Governmental Use: The governmental use (GU) district is intended to apply to those areas where the uses conducted are those primarily of national, state, county or city governments. Areas classified GU are shown on the official zoning map, but no column for GU use restrictions is shown in division 2 of this article, since any lawful government use or related use, including commercial and industrial development at the Ocala International Airport, can be carried on in a GU district. However, any governmental use or related use shall be compatible with surrounding uses.

Requested:

PD, Planned Development: A planned development (PD) zoning district is intended to provide a process for the evaluation of unique, individually planned developments, which may not be otherwise permitted in zoning districts established by this chapter. Standards and procedures of this district are intended to promote flexibility of design and permit planned diversification and integration of uses and structures, while at the same time retaining the absolute authority of city council to establish such conditions, stipulations, limitations and restrictions as it deems necessary to protect the public health, safety and general welfare.

Basis for Approval

The requested zoning designation of PD, Planned Development, is consistent with the Medium Intensity/Special District future land use designation and the Comprehensive Plan.

Discussion:

Commissioner Adams asked if the RV park is part of this project. Mr. Boston did not believe that the area Commissioner Adams was referring to was going to be an RV park. He believed that the area, which is located under the powerlines, is for residents to store their RVs. Commissioner Kesselring asked if that area encompasses Tract A also. Mr. Boston said he believed that Tract A, if located between the two powerlines, is the area for RV storage.

Mr. Boston said that Tract A (the triangular area shown on the map) between the powerline easements may be proposed for a new use. If that is the case it will cause a revision to the plan. Mr. Boston said he believes the area is to be an extension of the RV storage area. If it is going to be a storage area, it isn't a substantial change to the plan, and it may be added later, administratively.

David Tillman, Tillman & Associates Engineering, 1720 SE 16th Avenue, Bldg 100, representative for the developer offered to answer questions. He said that Tract A is primarily for RV storage if it's allowed to overlap into the powerline easement. It is not an RV park. Residents will also be able to store boats, trailers or larger vehicles in the area.

Ms. Campbell asked, from a school board perspective, when homes might be occupied with families that may have children impacting the school system. Mr. Tillman responded that if the property is closed on soon, they're expecting that some of the development will be completed within a year. An 8-year buildout is expected starting with the apartments.

Tom Dobbins, 1301 NE 14th Street, said he represents Mr. Cordwin, Cordwin Custom Sawmills and Lisa and Tommy Amadeo, owners of A & A Trucking and Excavating. He provided a packet of information to the Commission. He said they object, for the record, to the timing of this process and the availability for review of the PD Plan proposal. He said that after an August 13, 2020 meeting that his clients participated in, they kept in contact with City staff but were provided nothing until the meeting notice that was received last week, and the details only became available Friday, on-line. As previously noted this project consists of a 216-acre housing development with approximately 1376 units. He referred to numerous photos from the packet of information he provided and said contrary to what has been presented, the 35th corridor from NW 27th Avenue down past the railroad tracks is not residential or commercial in nature; it is all industrial. This is an industrial corridor that was established by both the City and the County as part of an overall development that includes Amazon, FedEx and other industrial uses. The corridor leads to US301/441 and eventually to I-75. A transition to residential uses is not compatible with this roadway. Mr. Dobbins noted that the Cordwin parcel is to the west, bordering the 20-acre parcel that is being proposed for apartment units and commercial structures. The Cordwin property also borders the powerline/RV park area of Tract A to the south. To the east is the Amadeo parcel just past the railroad tracks. That industrial site includes a demolition/excavation tank removal company that also processes concrete. Mr. Cordwin processes timber and grinds it on his property. These businesses operate 6 to 7 days a week. There are trucks going in and out of the properties

and there are trucks from the other industrial uses traveling on NW 35th Street in addition to traffic from Amazon, FedEx, AutoZone and Chewy just up the street in the Commerce Center less than a quarter mile away from the proposed development.

Mr. Dobbins said that they specifically object to the compatibility of the 20-acre lot between the Amadeo and Cordwin parcels. He commented that the placement of residential apartments between industrial uses makes no sense at all. It creates a conflict contrary to the City of Ocala's Comprehensive Plan Objectives 6 and 14. The PD plan has no mitigation for the conflict of placing residential units between industrial uses along this corridor.

Mr. Dobbins suggested that adding a commercial use can create further traffic problems as well. According to the site plan, there are only two entrances/exits in the subdivision with one on NW 35th Street, which is a 4-lane roadway, and one on NW 21st to the south. A large amount of land and frontage along NW 27th Avenue is being ignored. There should be at least a minimum of three entry/exit points, and they'd prefer two, and not along NW 35th Street. There are going to be problems with residential vehicular traffic and "lots and lots of truck" traffic.

Mr. Dobbins said their second objection is the insufficiency of buffering, mitigation and transition. Traditionally a more intensive use is required to bare the burden and provide buffering. In this case, the industrial uses actively exist. In this instance, the less intensive use needs to provide proper mitigation. Mr. Dobbins cited the PD Plan, as submitted, that it only proposes to provide appropriate buffers, setbacks and development standards to mitigate impacts to existing adjoining residential uses. The PD Plan does not mention industrial uses. The purpose of buffering is to provide general welfare and screening from more intense uses. He said there are large debris piles and noise on adjacent parcels. If three-story apartment buildings are constructed between these two lots, residents are going to experience noise and view adjacent lots, and there will be complaints. There have been no studies or testing done to determine necessary buffering. Buffering is also needed to the south of Mr. Cordwin's property that abuts to the powerline. No one has determined if the powerline area is sufficient for screening. No one has determined whether there is sufficient screening along the southwest corner adjacent to the Amadeo property. Determining the buffering/screening should fall upon the applicant or the City of Ocala and nothing has been done although it has been requested. Mr. Dobbins advised that his clients have stated their concerns since the August 13 meeting. Additionally, City Code Section 122-260(c) requirements have been completely ignored. There is no buffering for the heavy industrial uses. There is no transition. It is planned that there will be some commercial uses and 200 or more apartments in between these industrial uses along an industrial corridor.

Mr. Dobbins said "They need to back-up, slow down. This is completely fast tracked." He noted that this is the only case on the agenda at tonight's meeting that is set for City Council next week. The other cases are set to go to City Council in February. There needs to be further planning. He said residential neighborhoods are needed, and his clients know that. They're not trying to stop development, they're trying to stop future problems with complaints from residents living next door to heavy industrial uses.

Mr. Dobbins said there is a natural border – the powerlines. He suggested locating residential housing to the south of the powerlines and use NW 27th Avenue and NW 21st Street for ingress and egress. He said residential traffic should not be added to a large truck thoroughfare.

Commissioner Hanley asked if a traffic study has been submitted. Mr. Boston said a traffic study is under review, which has been an ongoing process between the engineers and staff. Commissioner Hanley asked if it is known how much more traffic NW 35th Street can hold. Mr. Boston said it is known but didn't recall the number. He said there are two access points on NW 35th Street and NW 21st Street. NW 27th Avenue is included as an emergency access point only. He said it is planned that the entry point at NW 35th Street will be a signalized intersection.

Commissioner Kesselring asked how the City responds to the apartments being located next to heavy industrial uses. He suggested that someone will move in to an apartment and complain about neighboring properties even though the industrial uses were there first. Mr. Boston said he understands Mr. Dobbins' concerns. He said staff believes that the multi-family use can be designed in a way to be compatible with industrial uses as a next-door neighbor. The development transitions from NW 35th Street to commercial uses and farther south to multi-family; there will not be a single-family neighborhood next to the industrial uses. The multi-family development will go through the site plan process, which will make it easier to ensure that the design accounts for the existing neighbors, especially when the zoning is PD.

Commissioner Kesselring asked what would be the standard buffer for an apartment building next to industrial uses, and should the buffer be shown on the PD Plan. Mr. Boston said with incompatible uses, under the City's buffering requirements, the more intense use is the use that is required to provide a buffer to the less intense use. As Mr. Dobbins stated, the more intensive uses already exist, and that doesn't change the buffering requirement. It doesn't require the less intense use to provide buffers. A noise study has been discussed, but the City cannot require a noise study. The PD zoning district is subject, on its external boundaries to the requirements of Section 122-260, but those buffering requirements do not require a less intense use to buffer a more intense existing use.

Commissioner Kesselring asked what the buffering requirement would be. Mr. Boston said that for an industrial use coming in next to a residential use, the buffering requirement is 25 feet or 10 feet with a wall. Commissioner Kesselring suggested that with the PD plan there is an opportunity to require any amount of buffering that is deemed necessary. Mr. Boston said there could be; the PD zoning district refers to Section 122-260 with external boundary requirements for the PD. Additional buffering could be proposed, beyond Section 122-260 requirements. Staff did not recommend that as part of this proposal. Staff believes that it can be addressed during the site plan process.

Mark Hart, 2105 SW 7th Place, said he represents the House of God Church located at 2830 NW 27th Avenue. He expressed concern with the traffic along NW 27th Avenue, NW 21st Street and Martin Luther King, Jr. Avenue. He said they are experiencing issues with trucks getting lost and turning around on church property. People are also finding out that NW 27th Avenue is a short cut to Chewy and FedEx. He said the traffic is going to be a bigger problem when housing

subdivisions are developed. He said traffic has also increased since the Water Reclamation Park opened. More houses are being built in the Happiness Homes subdivision. He said there will need to be sidewalks for the children. Mr. Hart said he just wanted to make sure that the traffic movement (the entrance/exit) into the subdivision is safe for everyone and the streets are wide enough to accommodate the traffic flow.

Mr. Dobbins wanted to address two things that Mr. Boston said. The first is that the City is technically the applicant and they could do noise studies if they were concerned about City residents, future City residents and other businesses. He said it is irresponsible of the City to put residential housing between large industrial uses. The City could require additional buffering to be included in the PD Plan. By not requiring it, there are future residents who will be complaining about being between these heavy industrial uses. He noted that Mr. Cordwin's property extends the entire length of the proposed location for the apartments. Concerns were brought up in August. It doesn't seem like they've been addressed, and it is imperative that they're addressed now so that future citizens of Ocala are protected, and the neighborhood can function correctly. He said they're not opposed to the neighborhood to the south. Residential uses just need to be on the other side of the powerlines with sufficient buffering and potential problems will be resolved. Mr. Dobbins noted that his clients' properties are located in Marion County and zoned for heavy industrial. They won't be required to provide additional buffering, which makes it incumbent that the developer is required to add buffering, if a residential use is going to be located on that property. He suggested that instead of a residential use, the property could be utilized for a drainage retention area, lift station or additional storage or even a future industrial use. He stressed that the use needs to be more complementary and compatible with the surrounding properties, which is the goal of City Code and the Comp Plan.

Chairman Gilchrist acknowledged Board members have copies of emails received on January 10 and 11 concerning the planned development.

Commissioner Hanley commented that it seems it would be a benefit to the developer to add buffers for the apartments. He said the last thing the developer wants is to build apartments next to heavy industrial uses that create a lot of noise so that no one wants to live in the apartments. He suggested that the developer would want to cure this so that there are not a lot of vacancies. He noted that the apartments are Phase II and the property may be developed in a different manner once Phase I is completed. He agrees that this issue needs to be addressed, but a lot of it will be addressed in the site plan process.

Commissioner Kesselring asked if the tracts will come back to the Commission for a public hearing. Mr. Boston said they will not. He said the PD plan used to be a two-step process with a conceptual planning phase that came to this Commission for a recommendation and then a final PD plan that came back to the Commission for a recommendation. Those two steps have been consolidated into one public hearing process for the PD approval. Site plans will go through an administrative review subject to the PD requirements. He said if a buffer requirement for the northern end of the apartments is being contemplated, that isn't something that will come back to the Commission. Subdivision plans are different. They come to the Commission for a recommendation for the conceptual plan regardless of the zoning division.

Commissioner Adams noted a power easement at the back of the 5.9-acre parcel that abuts A & A Trucks and asked if it is known how wide that property is. Mr. Boston wasn't certain exactly how wide the property is but said that the A & A parcel extends approximately 750 feet, which would probably make the width of that property 100 to 150 feet. Mr. Tillman believed it to be 50 feet wide, explaining that the 50 feet plus the rail road right-of-way separates the property from the industrial use to the east. Mr. Tillman said they do recognize that there is going to be a need for a buffer. A plan for the southside apartments has been submitted. The north side is not planned out. It is intended that the buffer will be based on the type of units that end up being constructed, which is why there isn't a plan for a buffer at this time. He said they want to be good neighbors with the industrial users on both sides.

Commissioner Kesselring said he is concerned about Tract A and the buffer to the east. He suggested that if Tract A is used for RV storage, all the trees will be cleared. There are already no trees under the powerlines, so in effect there won't be much of a buffer on the south side of the industrial uses.

Commissioner Kesselring asked Mr. Boston if there are recreation or park requirements for the PD. Mr. Boston said the PD zoning district requires 25 percent open space for a mixed-use planned development. Within that 25 percent required open space, 10 percent is required to be what the Code calls "aggregate open space." That space is to be programmed. They intend to use the existing golf course club house building, which will be part of the aggregate open space. There are other small parks planned, including a dog park on the other side of the RV storage area. The normal open space will be looked at in each site plan and each subdivision plan during the review process. Staff will make sure that the 25 percent open space requirement is met. Commissioner Kesselring asked if staff considered using Tract A as a park to keep the area wooded and it could be a buffer. Mr. Boston said he didn't think that Tract A would serve well as a park because it is "tucked away." He believed it will serve better as RV storage. He said a park site would do better either being integrated directly into planned subdivisions or along the north/south roadway so that they're easily accessed by residents.

Chairman Gilchrist suggested tabling the decision. Commissioner Kesselring commented that this is a little different situation as the City is the applicant. The Commission can't ask the City to go back and talk to the applicant; the City is pretty much saying this is it. Mr. Boston said the Commission can recommend changes with its recommendation for an approval or denial.

Commissioner Andrew Hanley moved for approval with the recommendation of a 25-foot buffer between the apartments and the Cordwin property to the west of that tract. Commissioner Adams said he would second that motion if the buffer were increased to 50 feet. Mr. Boston asked for clarification purposes whether it would be a landscaped buffer or possibly follow Section 122-260 where it is either a 25-foot landscaped buffer or 10 feet with a wall.

Commissioner Adams said the Commission has listened to residents' complaints about Friends Recycling for years and asked what would be a reasonable buffer that would provide visual blockage as well as some audio blockage. He said his first thought is a wall and a minimum of 25

feet, not a wall and 10 feet. Mr. Boston suggested leaving it to the site plan stage as the type of multi-family use will determine the best type of buffer.

Chairman Gilchrist said there is a motion on the floor to recommend approval and to recommend a 25-foot buffer and asked if there is a second. Commissioner Andy Kesselring seconded the motion.

It was briefly discussed whether the 25-foot buffer should be clarified.

RESULT:	APPROVED
MOVER:	Andrew Hanley
SECONDER:	Andy Kesselring
AYES:	Hanley, Kesselring, Adams, McCall, Gilchrist
EXCUSED:	Ferro

8. **Next meeting: Monday, February 8, 2021 at 5:30 pm**

9. **Adjournment**

The meeting was adjourned at 6:35 pm.