



Petitioner: Smart Fill Investment, LLC
Property Owner: Smart Fill Investment, LLC
Agent: Chris Gwin, P.E., Radcliffe Engineering, Inc.
Project Planner: Endira Madraveren
Applicant Request: to: PD, Planned Development
Rezone the subject property from R-3, Multi-family Residential to PD, Planned Development.

Future Land Use: Neighborhood

Parcel Information

Acres: ±16.58 acres
Parcel(s)#: 25773-000-00
Location: 1100 block of NW 14th Street
Existing use: Vacant/Undeveloped
Overlay(s): N/A

Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Public	R-2, Two Family Res.	City WRA
East	Public Neighborhood	GU, Governmental Use R-2, Two Family Res.	Undeveloped City owned lot Undeveloped res. lots
South	Neighborhood	R-1, Single Family Res	Single Family Residences
West	Public Neighborhood	GU, Governmental Use	City WRA Communications Tower

Background:

The subject property was originally part of a Plat recorded in March 1892. It is comprised, specifically, of Blocks 6, 7, 14, 15 in their entirety, Lots 2 and 3 of Block 8, and Lots 2 and 3 of Block 13 of the Munden's Subdivision Plat. Since 1972 the property has only changed ownership twice, with no applications for permits or site development. The lot has remained vacant and undeveloped.

In 2022, Smart Fill Investments, LLC purchased the property. The new owners, unaware of City requirements, began clearing the lot of all trees and underbrush. City of Ocala Code Enforcement was

made aware of the violation and cited the property owners for noncompliance with City Code of Ordinances. Site plan approval is necessary prior to any tree removal, as staff reviews tree surveys and mitigation factors during the review process. Over the last several months Radcliffe Engineering, Inc. has been working on behalf of the property owner to secure extensions with the Code Enforcement Special Magistrate as they work to come into compliance with City Code by initiating the Planned Development process.

The PD plan and Standards Book, which have gone through three rounds of review at staff level, propose an 88 single-family dwelling unit subdivision with a density of 5.3 units per acre for the 16.58-acre site. The maximum density in the Neighborhood future land use is 5 dwelling units per gross acre for single-family residential. The development is requesting a variation from Code requirements for this increase in allowed density in an underserved area of the City. The maximum height of the development will be 50-feet. The developer is proposing a 15-foot minimum landscape buffer along the north, east, and west sides of the property and 25-foot landscape buffer along the southern perimeter, with trees planted at 25-foot intervals along the perimeter of the property. Proposed amenities include a neighborhood playground, pedestrian pathway connecting to the William James Walking Trail to the west of the project and a sidewalk connection along the length of NW 14th Street.

Planned Development Required Standards (Section 122-942)

- (a) In reaching recommendations and decisions as to rezoning land to a PD district and approving a conceptual site development plan, the planning and zoning commission and city council shall apply the following standards, in addition to the requirements of this chapter applicable to the rezoning of land generally:

1. *Access.* Every permitted use in a PD shall have access to a public street directly or via an approved private road, pedestrian way, court or other area dedicated to public or private use, or common element guaranteeing access.

Staff Response: The proposed development has access two access points onto NW 14th Street.

2. *Buffers.* When a PD abuts a less intensive use, it will be required to adhere to section 122-260, pertaining to buffer specifications, at a minimum. City council may require additional buffering based on individual circumstances.

Staff Response: The developer is proposing a 15-foot minimum landscape buffer along the north, east, and west sides of the property and 25-foot landscape buffer along the southern perimeter, with trees planted at 25-foot intervals along the perimeter of the property. Additionally, the developer is proposing over the required 40-percent open space.

3. *Underground utilities.* Within a PD, all utilities, including telephone, television cable and electrical systems, shall be installed underground in accordance with current city policies and standards. Appurtenances to these systems which require above ground installation must be effectively screened, and thereby may be excluded from this requirement.

Staff Response: Utilities are proposed to be located underground such that tree installations are possible without conflict.

4. *Open space.* Open space requirements for a PD are as follows:
 - a. Open space shall include active and passive recreation areas such as courtyards, streetscapes/sidewalks, playgrounds, golf courses, waterways, landscaped yards and patios, lagoons, floodplains, nature trails, roof areas, and other similar open spaces. Water retention areas that are designed as aesthetic lakes or ponds for passive or active recreational use may also be counted as open space, as long as these areas are designed to retain a minimum of three feet of water at all times.

Staff Response: There is a proposed minimum 40% open space. These areas will include enhanced landscaping, play areas, as well as a walking trail.

- b. Fenced water retention areas, open water areas beyond the perimeter of the site, street right-of-way, driveways, off-street parking areas and off-street loading areas shall not be counted in determining open space. Side yards less than six feet wide shall not be counted as open space.

Staff Response: Aggregate open space will be provided per Section 122-924(4). Gross open space is calculated at 7.54-acres, with proposed aggregate open space calculated at 4.30-acres.

- c. Open space shall be clustered into larger tracts/areas. Buildings and structures should be clustered so that the open space is usable to the occupants/residents rather than merely providing spacing between buildings or structures. Zero lot line and clustered design is encouraged. Front, side and rear yards in single-family residential areas shall not be counted as aggregate open space.

Staff Response: Open space is clustered into usable recreation areas for residents.

- d. There shall be a minimum open space requirement of 25 percent of the total gross acreage for all development in any PD project. For single-use residential PD projects, the minimum open space requirement shall be 40 percent. At least ten percent of the total required open space shall be in usable aggregate form. Aggregate open space is defined as common open space areas that are designed and intended for use by all occupants/residents of a PD.

Staff Response: There is a proposed minimum 40% open space. These areas will include amenities for residents.

5. *Unified control.* The applicant shall furnish the city with sufficient evidence to the satisfaction of the city attorney that the applicant is in the complete, unified and otherwise-unencumbered control of the entire area of the proposed planned development, whether the applicant be an individual, partnership, corporation, other entity, group or agency. The applicant shall provide the city all necessary documents and information that may be required by the city attorney to assure the city that the

development project may be lawfully completed according to the plans sought to be approved.

Staff Response: The application includes a Letter of Authorization signed by the property owner – Lynn Ung.

6. *Phasing.* City council may allow or require phasing of the proposed development. All phasing must be related to previous development, surrounding properties, and available public facilities and services, where a failure to proceed with subsequent phases of development will have no adverse impact on the completed phase(s) or surrounding properties.

Staff Response: Phasing will be determined during the site plan process.

7. *Platting.* All uses/parcels meeting the definition of a subdivision shall meet chapter 114 (subdivisions) requirements.

Staff Response: A subdivision process will be required for this development.

8. *Site plan review.* Development requiring site plan review shall comply with Chapter 122, Article IV. A final site plan shall be consistent with a final development plan.

Staff Response: Subsequent to PD approval by City Council, the site plan and subdivision may be submitted for staff review by the applicant.

9. *Development.* A development meeting the criteria for a shopping center shall comply with all regulations as set forth in division 29 of chapter 122 (shopping centers) except for: subsections 122-908(7),(8) and (9) and 122-918(a)(l).

Staff Response: N/A.

10. *Access to utility systems and public services.* A PD shall be located in relation to sanitary sewer lines, water lines, storm/surface drainage systems, and other utility systems.

Staff Response: Utility services are outlined in detail in the Level of Service Impact Analysis below. All utility services are located in proximity to the development.

Staff Recommendation:	Approval of PD23-45351
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Basis for Approval:

The PD plan is consistent with the land use category and land development regulations. Staff recommends approval.

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 PD, Planned Development, is eligible to implement the land use designation of Low Intensity and the PD plan is consistent with chapter 122, article V, division 30 of the City's land development regulations.
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: Access to the property will be off of NW 14th Street. Proposed 50-foot right-of-way interior roads including the two access locations to NW 14th Street are shown on the proposed PD plan. Based on the ITE Trip Generation Report 11th Edition, the 88 single-family homes will generate a total of 830 total daily trips, 66 AM Peak Hour trips and 87 PM Peak Hour trips. As the PM Peak Hour trips generate do not exceed 100, a full traffic study is not required for this project.

Potable Water: Water service is available. An existing 16-inch water distribution main runs along NW 14th Street.

Sanitary Sewer: Sewer service is available. An 8" gravity main runs along NW 14th Street.

Stormwater: Portions of the property are located within a flood zone. Facilities must be designed to provide flood protection for a 100 year 24-hour storm event. For any future development, runoff must be retained on-site to match pre-development conditions. The developer is proposing leave the two FEMA flood plain areas undeveloped.

Solid Waste: Service is available. Pick-up services will be determined during site plan approval.

Fire Service: City Fire Station #1 is located within a 0.59-mile radius.

Schools: The impacted schools are South

o Elementary, Howard Middle, and Vanguard High. Student generation rates were provided by Marion County Public Schools in June 2023.

	STUDENTS PER UNIT			
	E	M	H	TOT
SF/MH on a Lot	0.130	0.064	0.094	0.288
Proposed MF Dev	11.44	5.63	8.27	26

Based on the data provided by the school board, this development will generate an anticipated additional 26 new students in this zoning district.

Zoning Classification

Proposed:

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.