



# Ocala

## Planning & Zoning Commission

### Minutes

110 SE Watula Avenue  
Ocala, FL 34471

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

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**Monday, March 11, 2024**

**5:30 PM**

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**1. Call to Order**

a. Pledge of Allegiance

**b. Roll Call for Determination of a Quorum**

**Present** Leo Blum, Richard "Andy" Kesselring, Chairperson Kevin Lopez, and Brent Malever

**Absent** Allison Campbell

**Excused** Justin MacDonald

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. Public Notice**

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 February 26, 2024.

a.

**Attachments:** [March 11, 2024 Proof.pdf](#)

**3. Public Comments**

**4. Consideration of the Minutes**

a.

**Attachments:** [2-12-24 Minutes.pdf](#)

Mr. William Sexton, City Attorney gave an explanation of the Planning and Zoning Meeting statutes in Florida. The process begins with a presentation by city staff, applicants presentation and then the floor is opened for public comment.

**RESULT:** APPROVED

**MOVER:** Richard "Andy" Kesselring

**SECONDER:** Brent Malever

**AYE:** Blum, Kesselring, Chairperson Lopez, and Malever

**EXCUSED:** MacDonald

**5. Annexation / Land Use / Zoning**

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- a. HWY 40 Investments, Inc and Central FL Petroleum Distributors LC / ANX24-45512

**Attachments:** [ANX24-45512 Memo](#)  
[ANX24-45512 Staff Report](#)  
[ANX24-45512 Case Map Hwy 40 Invest](#)  
[ANX24-45512 Aerial Map Hwy 40 Invest](#)

Ms. Emily Johnson, Senior Planner, displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact.

*Discussion:*

Mr. Kesselring asked if the applicant submitted a site plan for the hotel development project. Ms. Johnson responded no; the applicant has not submitted a site plan.

Ryan Thompson, 11801 Research Dr, Alachua, FL, spoke on the hotel development project. The project will support economic development, municipal utilities, and job creation. He provided a brief overview of the land use.

Ms. Johnson stated the maximum height is fifty (50) feet for the B-2 zoning district; however, the applicant can request a special exception for the height.

No public comment.

Motion to approve ANX24-45512, HWY 40 Investments, Inc and Central FL, Petroleum Distributors. A request to annex into the City, property located at the northeast corner of NW 60th Avenue and W Highway 40 (Parcel 2303-013-001, 2303-012-067, 2303-012-072 and 23174-000-00); approximately 2.56 acres.

**RESULT:** APPROVED  
**MOVER:** Richard "Andy" Kesselring  
**SECONDER:** Leo Blum  
**AYE:** Blum, Kesselring, Chairperson Lopez, and Malever  
**EXCUSED:** MacDonald

- b. HWY 40 Investment, LLC and Central FL Petroleum Distributors / LUC24-45513

**Attachments:** [LUC24-45513 Memo](#)  
[LUC24-45513 Staff Report](#)  
[LUC24-45513 Case Map Hwy 40 Invest](#)  
[LUC24-45513 Aerial Map Hwy 40 Invest](#)

Ms. Johnson displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact.

*Discussion:*

Mr. Kesselring requested more information regarding the zoning classification for the annexed city properties located on the north side of State Road 40. Ms. Johnson

responded that the properties were zoned B-1. Mr.Kesselring asked if the proposed use can be accommodated in B-1. Ms. Johnson responded no.

No public comment.

Motion to approve, LUC24-45513, HWY 40 Investment, LLC and Central FL, Petroleum Distributors. A request to change the Future Land Use designation from Commercial (County) to Low Intensity (City), for a property located at the northwest corner of NW 60th Avenue and W Highway 40 (Parcel 2303-013-001, 2303-012-067, 2303-012-072 and 23174-000-00); approximately 2.56 acres.

**RESULT:** APPROVED

**MOVER:** Richard "Andy" Kesselring

**SECONDER:** Leo Blum

**AYE:** Blum, Kesselring, Chairperson Lopez, and Malever

**EXCUSED:** MacDonald

- a. HWY 40 Investment LLC, and Central FL Petroleum Distributors LC / ZON24-45514

**Attachments:** [ZON24-45514 Memo](#)  
[ZON24-45514 Staff Report](#)  
[ZON24-45514 Case Map Hwy 40 Invest](#)  
[ZON24-45514 Case Map Hwy 40 Invest](#)

Ms. Johnson displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact.

*Discussion:*

No board discussion or public comment.

Motion to approve ZON24-45514, HWY 40 Investment LLC, and Central FL Petroleum Distributors. A request to rezone from B-2, community Business (County), to B-2, Community Business (City), for a property located at the northeast corner of NW 60th Avenue and W Highway 40 (Parcel 2303-013-001, 2303-012-067, 2303-012-072 and 23174-000-00); approximately 2.56 acres.

**RESULT:** APPROVED

**MOVER:** Kevin Lopez

**SECONDER:** Leo Blum

**AYE:** Blum, Kesselring, Chairperson Lopez, and Malever

**EXCUSED:** MacDonald

- d. A P LLC / ZON23-45443

**Attachments:** [ZON23-45443 Memo](#)  
[ZON23-45443 A P LLC Staff Report](#)  
[Applicants Engineer Information](#)  
[ZON23-45443 Case Map A P LLC](#)  
[ZON23-45443 Aerial Map A P LLC](#)

Ms. Johnson displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact.

*Discussion:*

Jon Harvey, Tillman & Associates, 1720 SE 16th Avenue, Ocala, FL, stated the applicant is requesting to rezone the property to be compatible with the surrounding uses on the south side of 24th Street. The applicant will be submitting a site plan to the City.

No board discussion or public comment.

Motion to approve ZON23-45443, A P LLC. a request to rezone from PUD-09, Planned Unit Development, to M-1, Light industrial, for property located in the 3400 block of NE 36th Avenue, in proximity to the southeast corner of NE 36th Avenue and NE 24th Street, north of the CSX Railroad (Parcel 24272-001-00); approximately 11.61 acres.

**RESULT:** APPROVED

**MOVER:** Richard "Andy" Kesselring

**SECONDER:** Brent Malever

**AYE:** Blum, Kesselring, Chairperson Lopez, and Malever

**EXCUSED:** MacDonald

e. Jagdesh Bajjnauth, JBRJ Holdings / ZON24-45511

**Attachments:** [Memo](#)  
[Staff Report](#)  
[Case Map](#)  
[Aerial Map](#)

Ms. Miller, displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact.

*Discussion:*

Austin Daley, Klein and Klein Law firm, 40 SE 11th Avenue, Ocala, FL, provided a brief overview of the following: surrounding uses, proposed zoning use, and zoning compatibility. The B-2 zoning would accomplish a uniform zoning area to facilitate a commerce zone to serve the neighborhoods nearby.

No board discussion or public comment.

Motion to approve ZON24-45511, Jagdesh Bajjnauth, JBRJ Holdings. a request to

rezone from RO, Residential Office, to B-2, Community Business, for property located at 2405 NE 14th Street (Parcel 26428-000-00); approximately 0.81 acres.

**RESULT:** APPROVED

**MOVER:** Richard "Andy" Kesselring

**SECONDER:** Kevin Lopez

**AYE:** Blum, Kesselring, Chairperson Lopez, and Malever

**EXCUSED:** MacDonald

## 6. Planned Development

### a. Smart Fill Investment, LLC / PD23-45351

**Attachments:** [PD23-45351 - memo](#)  
[PD23-45351 - staff report](#)  
[PD23-45351 Case Map](#)  
[PD23-45351 Aerial Map](#)  
[Pine Oaks Preserve PD Standards](#)  
[PD Plan](#)  
[Original Plat](#)

Ms. Madraveren displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact.

*Discussion:*

Mr. Kesselring requested more information regarding the size of residential lots located across the street to the south. Ms. Endira Madraveren, Chief Planning Official responded that the lots are zoned R-1A; minimum of eighty (80) foot lots.

Mr. Lopez asked what the units per acre are for R-3 zoning. Ms. Madraveren responded that the density is calculated at the future land use level; allows a maximum of five (5) single-family dwelling units per acre. The applicant is requesting a variation through the PD process.

Chris Gwin, Radcliffe Engineering, 2611 SE Lake Weir, Ocala, FL, stated the property owner was not aware of the regulations when they proceeded to clear the property. The applicant is proposing to add a playground and sidewalk improvements.

No public comment.

Motion to approve PD23-45351, Smart Fill Investment, LLC. A request to rezone from R-3, Multifamily Residential, to PD, Planned Development and approval of PD plan with Design Standards, property located in the 1100 block of NW 14th Street (Parcel 25773-000-00), approximately 16.58 acres.

**RESULT:** APPROVED

**MOVER:** Richard "Andy" Kesselring

**SECONDER:** Brent Malever

**AYE:** Blum, Kesselring, Chairperson Lopez, and Malever

**EXCUSED:** MacDonald

**b.** Lee Ray Bergman, LLC / PD23-45260

**Attachments:** [PD23-45260 - memo](#)  
[PD23-45260 - staff report](#)  
[PD23-45260 Case Map](#)  
[PD23-45260 Aerial Map](#)  
[PD Standards - Hunt Club](#)  
[PD Plan](#)  
[Agreement Limiting Development](#)

Ms. Madraveren displayed maps and various photos of the property and adjacent properties while providing staff comments and the findings of fact.

*Discussion:*

Mr. Kesselring asked for the height limitations. Ms. Madraveren replied fifty (50) feet in the R-3 zoning district and thirty-five (35) feet in the R-1 zoning district.

Leah Bergman, Lee Ray Bergman LLC, Managing Member, 4740 NW 82nd Court, provided a brief overview of the company's development operations, housing demand, and proposed development project.

Jimmy Gooding, Gooding & Batsel, PLLC, 1531 SE 36th Avenue, Ocala, FL, provided a brief overview of on the multi-family use, shared infrastructure, 2005 agreement, and the traffic analysis. The project provides significant buffering between the proposed multifamily development and the surrounding single-family uses to minimize impacts. Mr. Gooding stated that the east bound buffering consists of a natural tree line.

Paolo Mastroserio, PE, Mastroserio Engineering, 170 SE 32nd Place, Ocala, FL, discussed the plan to maximize the natural vegetative buffer located on the east. Mr. Mastroserio stated the project includes a substantial amount of open space compared to other developments.

Greg Lansky, 5745 SW 43rd Street Road, Ocala, Fl, spoke on the previously executed agreement. Mr. Lansky said the Hunt Club residents requested the developer build a luxury development project.

Mike McCool, 5910 SW Street Road, Ocala, Fl, discussed the private community known as "The Hunt Club." He provided a brief overview of the history, design, HOA, maintenance, and the security.

Kevin Miner, 4420 SW 58th Court, Ocala, Fl, shared his experience living in the private community known as "The Hunt Club." Mr. Miner talked about the impacts on the

surrounding apartment developments, traffic, and the increased density.

Jacob Denim, 5750 SW 43rd Street Road, Ocala, Fl, talked about his experience living in the private community known as “The Hunt Club.” Mr. Denim talked about the issues on safety, security, and traffic. Mr. Denim requested the applicant submit information regarding their security plan.

Nancy Soto, 5845 SW 43rd Street Road, Ocala, Fl, shared her experience living in the private community known as “The Hunt Club.” Ms. Soto expressed concern that the proposed development project will impact property values. Ms. Soto talked about the recent real estate sales, compatible uses, and the security.

Paul Joseph, 5800 SW 43rd Place, Ocala, Fl, talked about his experience living in the private community known as “The Hunt Club.” Mr. Joseph expressed the importance of building properties that are compatible with the community. He stated the need for an accurate traffic study, due to the single access point. Mr. Joseph said the information submitted by the applicant will not allow the Board to make an informed decision and the application should be postponed.

Mr. Gooding stated the applicant provided the last traffic study available, due to COVID impacts; they plan on providing a detailed traffic analysis before the development starts. He reiterated the property was designed for multifamily housing and the agreement does not stipulate an owner occupancy requirement or rent minimum.

Mr. Kesselring stated that the developer had done a great effort on reducing the impact on the Hunt Club community.

Mr. Lopez said ninety-six (96) was a significant amount of reducing the amount of capacity and agreed on getting another traffic study.

Motion to approve PD23-45260, Lee Ray Bergman, LLC. a request to rezone to PD, Planned Development and approval of PD Plan with Design Standards, property located at the Northeast and Southeast corners of SW 43rd Street Road (Parcel 23833-000-01 and 23833-000-02); approximately 10.02 acres.

- RESULT:** APPROVED
- MOVER:** Richard "Andy" Kesselring
- SECONDER:** Brent Malever
- AYE:** Blum, Kesselring, Chairperson Lopez, and Malever
- EXCUSED:** MacDonald

**7. Staff Comments**

**8. Board Comments**

- a. Elections

The Elections were postponed to the April 8, 2024 meeting when all the Board members are present.

**9. Next meeting: April 8, 2024.**

**10. Adjournment**

The meeting adjourned at 6:56 pm.