

**Existing: Marion County**

**Commercial (COM).** This land use designation is intended to provide for mixed use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to six (6) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

**Proposed: City of Ocala**

**Low Intensity** is intended to identify areas that are generally oriented towards the automobile as the primary mode of transportation, with pedestrian circulation and activity being generally less than High Intensity/Central Core and Medium Intensity/Special District districts. Low Intensity may contain a single use. Mixed use development is encouraged. Permitted uses include office, commercial, public, recreation, institutional, educational facilities and residential. Light industrial shall only be allowable in designated locations as specified in the Land Development Code and must meet the intent of the Low Intensity category, including form and design guidelines as applicable. It is also the intent of this category to promote a walkable suburban form. The minimum density and intensity in this future land use category is 3 dwelling units per gross acre or 0.00 FAR. The maximum density and intensity is 18 dwelling units per acre or 0.75 FAR. <sup>3</sup>

**Staff Recommendation:**

**Approval of LUC09-0009**

*Discussion:*

Mr. Kesselring asked if anything in the land use or the zoning that would be cause additional restrictions on the current property owners. Ms. Hitchcock said there is nothing that would cause additional restrictions.

**RESULT:** APPROVED LUC09-0009  
**MOVER:** Richard Kesselring  
**SECONDER:** Kris Lopez  
**AYES:** Kesselring, Lopez, Clere, Adams, Rudnianyn  
**ABSTAINED:** Gilchrist  
**EXCUSED:** Boone

**i. ZON09-0009**

Petitioner: Second Nine Partners, LLC  
Planner: Patricia Hitchcock, AICP (352-629-8304)  
[phitchcock@ocalafl.org](mailto:phitchcock@ocalafl.org)

A request to change zoning from B-2, Community Business (County), to SC, Shopping Center (City) for property located at 2600-2610 NW 46th Terrace and 2765 NW 49th Avenue, approximately 17.94 acres.

**Background:**

These properties were the subject of an annexation agreement between Second Nine Partners LLC and the City of Ocala executed on May 5, 2009. Second Nine Partners LLC applied for City annexation, land use, and zoning and paid all associated fees in the amount of \$5,800. At the time, the

property was not contiguous to the City limits, and was not eligible for annexation. The projects were therefore placed on hold.

Presently, the property is contiguous to the City boundary and eligible for annexation. City staff recommends moving forward with annexation, land use, and zoning in accordance with the existing agreement. The 2009 application requested Commercial land use and SC (Shopping Center) zoning.

**Basis:** The requested zoning district of SC, Shopping Center, is consistent with the Comprehensive Plan and the surrounding area. Approval of the requested rezoning is appropriate.

### Factual Support:

- Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
  - 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.
  - 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.
- Approval of this request will not adversely affect the health, safety, convenience, prosperity or general welfare of the community.

### Services Analysis:

**Transportation:** The property has direct access to US 27, a principal arterial; and NW 49<sup>th</sup> Avenue, a local roadway. Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review. Developments proposing to generate less than 100 peak hour trips are required to submit a traffic impact statement.

**Table 1: Traffic Circulation<sup>1</sup>**

Road/Street Name	# of Lanes	Functional Class	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
US Hwy 27 NW 60 <sup>th</sup> Ave to I-75	4	Principal Arterial	C	37,900	21,000	C
US Hwy 27 I-75 to NW 27 <sup>th</sup> Ave	4	Principal Arterial	D	39,800	21,000	C
I-75 SR 40 to US Hwy 27	6	Principal Arterial	C	93,000	78,000	B
I-75 US Hwy 27 to SR 326	6	Principal Arterial	C	93,000	69,500	B
NW 44 <sup>th</sup> Ave US Hwy 27 to NW 63 <sup>rd</sup> St	4	Collector	E	72,600	8,200	B
NW 38 <sup>th</sup> Ave NW 3 <sup>rd</sup> St to US Hwy 27	2	Collector	E	14,040	3,400	C

LOS=Level of Service, AADT=Annual Average Daily Traffic

**Potable Water:** The property is located within the City of Ocala service area and is currently connected to City water.

**Sanitary Sewer:** The property is located within the City of Ocala service area and is currently connected to City sewer.

**Stormwater:** There are drainage retention areas on-site and off-site that serve the existing development. 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-storm event.<sup>2</sup>

**Solid Waste:** Service is available.

**Fire Service:** Service is available from the City of Ocala. In the event of future development, an impact fee will be required during the development review process to maintain adequate fire protection services in the City.

**Schools:** The request for SC, Shopping Center, zoning is not expected to have an impact on area schools.

**Electric:** The property is currently served by Ocala Electric Utility.

## Zoning District

**Existing:** Marion County

**B-2, Community Business.** The Community Business classification provides for the shopping and limited service needs of several neighborhoods, a community, or a substantial land area. Retail stores are intended to include general merchandise, fashion, durable goods, and personal services. All commercial activity involving retail sales or rentals shall take place in a completely enclosed building.<sup>3</sup>

**Proposed:** City of Ocala

**SC, Shopping Center.** The purpose of this division is to ensure that shopping centers and single retail store developments are designed and located to make efficient use of the land and minimize the impacts on infrastructure, adjacent and nearby properties, and the environment.<sup>4</sup>

**Staff Recommendation:**

**Approval of ZON09-0009**

### Discussion:

Mr. Rudnianyn asked for the difference between B2 and shopping center. Ms. Hitchcock explained that sign sizes are different for out parcels and if it was B2 parcel they would need access to a public right of way, whereas, an out parcel in a shopping center can have access to an access drive within the shopping center.

<b>RESULT:</b>	<b>APPROVED ZON09-0009</b>
<b>MOVER:</b>	Richard Kesselring
<b>SECONDER:</b>	Kris Clere
<b>AYES:</b>	Kesselring, Clere, Lopez, Adams, Rudnianyn
<b>ABSTAINED:</b>	Gilchrist
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