



Staff Report

Case No. ZON24-45597

Planning & Zoning Commission: May 20, 2024

City Council (1st Reading): June 4, 2024

City Council (Adoption): June 18, 2024

Petitioner: Marion County Board of County Commissioners
Property Owner: R.L.R. Investments LLC
Agent: N/A
Project Planner: Endira Madraveren
Applicant Request: Rezone from PD, Planned Development, to GU, Governmental Use
Existing Future Land Use: Low Intensity
Proposed Future Land Use: Public
Existing Zoning District: PD, Planned Development
Proposed Zoning District: GU, Governmental Use

Parcel Information

Acres: ± 12.56 acres
Parcel(s)#: 21630-003-00
Location: Property located approximately 2,000-feet from the intersection of NW 60th Avenue and W Highway 40
Existing use: Vacant/Undeveloped
Overlay(s): N/A

Adjacent Property Information

Direction	Future Land Use	Zoning District	Current Use
North	Employment Center (County)	A-1, General Agriculture (County)	Vacant/Undeveloped
West	Employment Center (County)	M-1, Light Industrial (County)	Vacant/Undeveloped
	Low Intensity (City)	PD, Planned Development (City)	Vacant/Undeveloped
South	Low Intensity	PD, Planned Development	Vacant/Undeveloped
	Employment Center	GU, Governmental Use	Airport Property
East	Low Intensity	PD, Planned Development	Vacant/Undeveloped

Background

The subject property, identified by Parcel Identification Number 21630-003-00 is approximately 12.56 acres, and is generally located 2,000-feet west of the intersection of NW 60th Avenue and W Highway 40, in the 6000 Block of W Highway 40. The subject property, part of a larger project (Peggy Gehl PD) was annexed into the City in November 2013, it was given a future land use designation of Low Intensity in March 2014, and in August 2015 a Conceptual Planned Development was approved by City Council.

The Conceptual PD was a bubble plan which outlined Commercial development along the SW 60th Avenue and W Highway 40 corridors, with Industrial/Commercial and Park/Open Space located towards the interior of the PD. Since the Conceptual approval in 2015, the site has not been and forward mobility towards the development of the site. It has remained vacant/undeveloped. According to Marion County Property Appraisers Records, the property was sold to R.L.R. Investments, LLC in February 2019.

The surrounding area consists of largely undeveloped/vacant properties. Properties to the north are zoned agricultural but owned by the same property owner as the subject property. Properties south of SR40 are owned by the City of Ocala International Airport and undeveloped with the exception of the airport which has its nearest taxiway approximately 2,000-feet to the south of the boundary of the subject property. Single-family residential properties are located east of NW 60th Avenue, while industrial properties are located west of the subject property.

The Petitioner has submitted concurrent applications to amend the land use (LUC24-45596) and zoning district (ZON24-45597) of the subject property to Public and GU, Governmental Use, respectively. It is the intention of the applicant to establish this property as the new Marion County Animal Shelter. Along with this application, the petitioner is also requesting the annexation (ANX24-45610) of the parcel directly to the west (21630-003-01), they are requesting to amend the land use (LUC24-45611) and zoning district (ZON24-45612) of that parcel to Public and GU, Governmental Use. R.L.R Investments, LLC has also submitted applications for the annexation (ANX24-45595) and land use amendment (LUC24-45608) to allow for an access drive into the subject property for the development of the Animal Shelter.

Located to the north of the Ocala International Airport, the properties will require an avigation easement at such time that they are developed with vertical improvements. This easement limits the right to generate noise, dust, turbulence, vibration, illumination, air currents, fumes, exhaust, smoke, and other effects inherent to the operation of aircraft. This agreement is necessary for maintaining safety and accommodating aviation needs near the airport.

Existing and Proposed Development Standards

	Zoning District	Intent and Purpose	Minimum Lot Area (square feet)	Maximum Building Height (feet)
Existing	PD, Planned Development	The Conceptual PD was approved to permit 375,000 sf of light industrial, 247,000 sf of commercial/retail, and 10% of project area for parks/open space	N/A	50 feet

Proposed	GU, Governmental Use	The government (G-U) district is intended to apply to those areas where the uses conducted are those primarily of national, state, county or city governments. Areas classified G-U are shown on the official zoning map, but no column for G-U 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 G-U district. However, any governmental use or related use shall be compatible with surrounding uses.	N/A	N/A
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Staff Analysis

The requested Public land use is consistent and compatible with the surrounding area. The proposed GU, Governmental Use, zoning district is consistent with the requested Public future land use classification, pursuant to Section 122-244 of the *Ocala Code of Ordinances*. Adequate public facilities exist to service the proposed development.

Factual Support

1. Consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
 - a. Policy 6.6: Public The Public category shall be used for those parcels of land which are publicly owned and intended for the use of the general public. These include publicly owned parks, active or passive recreational sites, educational facilities, conservation areas or other open space. Permitted primary uses include recreation and civic. Secondary uses include commercial or other uses and activities consistent with the Recreation and Parks Element and the 2010 Recreation and Parks Master Plan
 - b. Policy 7.2: City guidelines shall be context-sensitive to providing appropriate transitions between adjacent land uses with particular emphasis on building compatibility between neighborhoods and non-residential uses.
2. 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: The 2023 Congestion Management Data from the Ocala-Marion Transportation Planning Organization for the affected roadway is provided below. Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review.

Road/Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2023 AADT	Existing LOS
SR 40 (From SW80 Av to SW 60 Av)	4	55 MPH	Arterial	D	39,800	23,100	C

Electric: The subject property is within the Sumter Electric Co-Op service area.

Internet: City fiber networks run along the northern portion of the Ocala Airport property south of W Highway 40.

Potable Water: Service is available. A 16-inch City distribution main runs along W Highway 40. Connections will be determined during the site plan and approval process.

Sanitary Sewer: Service is available. An 10-inch City gravity main runs along the southern side of W Highway 40. Connections will be determined during the site plan and approval process.

Stormwater: The subject property does not appear to be located within a FEMA Flood Zone. 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: Service is available to the property.

Fire Service: Ocala Fire Rescue Station #4 is located at 3300 SW 20th St, is approximately 4 miles from the subject property.

Schools: This rezoning is not anticipated to affect any school district.

Factual Support

3. The requested rezoning is consistent with the following Sections of the City of Ocala Code of Ordinances:
 - a. Section 122-133(b)(1): The application requests to rezone parcel or parcels that are a minimum of 30,000 square feet of area not separated by a right-of-way for a street, a street, or a drainage retention area.
 - b. Section 122-244 - District criteria: Zoning districts allowed under each land use classification.

Public	G-U, FBC
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- c. Section 122-481: The government (G-U) district is intended to apply to those areas where the uses conducted are those primarily of national, state, county or city governments. Areas classified G-U are shown on the official zoning map, but no column for G-U 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 G-U district. However, any governmental use or related use shall be compatible with surrounding uses.

4. Approval of this request will not adversely affect the health, safety, convenience, prosperity, or general welfare of the community.

Staff Recommendation: *Approval*