



Planning & Zoning Commission  
November 8, 2021  
Case No. LUC21-44528/ ZON21-44529  
Planning Comments (Exhibit A)

**Petitioner:** Khalid Mirza  
**Property Owner:** Mirza Group-Ocala LLC  
**Agent:** Jake Kurth, Scannell Properties, LLC  
**Project Planner:** Nancy H. Smith, AICP  
**Land Use Change Request** from: Commercial and  
Employment Center<sup>(County)</sup>  
to: Employment Center<sup>(City)</sup>

**Zoning** from: A-1, General Agriculture, M-1, Light Industrial and R-E,  
Residential Estate<sup>(County)</sup>  
to: M-2, Medium Industrial<sup>(City)</sup>

**Parcel Information**

Acres: ±71.58 Acres  
Parcel(s)#: 22844-002-00; 22844-002-03  
Location: 700 NW 38<sup>th</sup> Avenue & 3999 NW 3<sup>rd</sup> Street  
Existing use: Single-family residence; horse barn

**Adjacent Land**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Employment Center <sup>(City)</sup>	M-2, Medium Industrial <sup>(City)</sup>	Undeveloped
East	Commercial <sup>(County)</sup>	B-5, Heavy Business <sup>(County)</sup>	Undeveloped
South	Employment Center, Public, and High Residential <sup>(County)</sup>	R-4, Residential Mixed Use; P-MH, Mobile Home Park; A-1, General Agriculture; M-1, Light Industrial; B-4, Regional Business <sup>(County)</sup>	Classic Oaks Village MHP; Water retention area; warehouse and office; agriculture; and residential
West	Employment Center <sup>(City)</sup>	M-2, Medium Industrial <sup>(City)</sup>	Precast concrete forms and products

**Staff Recommendation:** *Approval*

**Basis for Approval:**

The applicant has requested that the subject property be annexed into the City of Ocala and assigned a City land use designation and zoning district. The stated intention is to develop as an industrial/warehouse use.

The proposed land use designation of Employment Center is consistent with the surrounding area. A majority of the subject property is designated as Employment Center in Marion County's land use plan except for a portion on the eastern side of the property. The requested zoning designation of M-2, Medium Industrial, is eligible to implement the City's land use designation of Employment Center.

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

**Background:**

This property is contiguous to the city limits on the north and west boundaries, and it has direct access to NW 38<sup>th</sup> Avenue and NW 3<sup>rd</sup> Street, which are collector streets. Portions of the property are subject to FEMA flood zones. The property is contiguous to M-2, Medium Industrial, zoning districts on the west and north sides. The property is close to SR 40 and to the access ramps onto I-75.

Annexation is requested in order to obtain city services and utilities. Any construction on site is subject to site plan approval and building permit issuance by the City of Ocala if annexation occurs. The ordinance to annex the subject property will be considered by City Council prior scheduling the land use and zoning ordinances.

**Level of Service Impact Analysis:**

**Traffic Circulation**

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
NW 40 <sup>th</sup> Ave SR 40 to NW 3 <sup>rd</sup> St.	2	Collector	E	11,232	1,600	C
NW 3 <sup>rd</sup> St NW 40 <sup>th</sup> Ave to NW 38 <sup>th</sup> Ave	2	Collector	E	11,232	2,400	C
NW 38 <sup>th</sup> Ave NW 3 <sup>rd</sup> St. to US 27	2	Collector	E	11,232	3,300	C
SR 40 SW 52 <sup>nd</sup> Ave to I-75 Ramp (W)	4	Arterial	D	39,800	32,300	C

Road/Street Name	# of Lanes	Functional Class	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
SR 40 I-75 Ramp (W) to I-75 Ramp (E)	4	Arterial	D	41,790	34,400	C

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

**Potable Water:** The property is located within the City of Ocala service area. Waterlines are available along SR 40 to the south or north along NW 38<sup>th</sup> Avenue. Do we add anything about facility capacity?

**Sanitary Sewer:** The property is located within the City of Ocala service area; service is available from SR 40/NW 40th Avenue and is within 1,000 feet. Do we add anything about facility capacity?

**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-storm event.<sup>2</sup>

**Solid Waste:** Service is available.

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

**Schools:** The request for M-2, Medium Industrial, zoning is not expected to have an impact on area schools.

**Electric:** Service is available from Ocala Electric Utility.

### **Land Use Designation**

#### **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).

**Employment Center (EC).** This land use is intended to provide for a central regional area that allows for a mix of business, enterprise, research and development, light to moderate intensity commercial and industrial, and employment activities. It also allows residential uses that stand-alone or support the commercial and industrial area, and/or provide transitions to surrounding uses and less intense land uses. This land use designation will allow for and encourage mixed use buildings. The density range for residential units shall be up to twelve (12) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 2.0, as further defined by 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**

**Employment Center** is intended to provide a regionally-important hub for business, enterprise, research and development, and employment activities. Employment Centers are generally single use

districts but may include more than one use if there are appropriate buffers and transitions between complementary uses. Primary uses are industrial, office and commercial. Secondary uses are public, recreation, institutional, and residential. Access is primarily from major collectors, arterials, or limited-access highways. The maximum density and intensity before any incentives is 24 dwelling units per gross acre or 2.00 FAR.<sup>3</sup>

## **Zoning Classification**

### **Existing: Marion County**

A-1, General Agriculture is intended to preserve agriculture as the primary use.

M-1, Light Industrial is intended to provide land for primarily the manufacture of small articles and products which do not involve the use of any materials, processes, or machinery or production of a product likely to be detrimental to nearby or adjacent residential or business property.

R-E, Residential Estate provides for low density urban residential development with large lot home sites and certain agricultural uses which are compatible with residential development.

### **Proposed: City of Ocala**

Medium Industrial (M-2) zoning district is intended for wholesale distribution, warehouse storage, research and development, and light manufacturing of finished or semi-finished products. However, the M-2 district does allow outdoor storage and sales. Service establishments serving the industrial uses or district are also permitted. Lots in the M-2 district must have a minimum width of 200 feet and a minimum area of 20,000 square feet. Building heights may not exceed 60 feet.

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<sup>1</sup> Ocala/Marion County Transportation Planning Organization, Congestion Management Plan Database, 2021.

<sup>2</sup> Ocala Comprehensive Plan, Stormwater Sub-Element Policy 3.1.

<sup>3</sup> Ocala Comprehensive Plan, Future Land Use Element, Policy 6.5