



Ocala

Legislation Text

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.org

File #: 2023-1536

Agenda Item #: a.

LUC23-45252 / Guinn III Properties, LLC

Petitioner: Guinn III Properties, LLC

Agent: Joseph C. London, P.E., Kimley-Horn & Associates, Inc

Planner: Endira Madravern 352-629-8440

emadraveren@ocalafl.org

A request to change the Future Land Use Designation from Neighborhood and Low Intensity to Low Intensity, for property located at 2199 NW 10th Street; approximately 4.84 acres.

Recommended Action: Approval

City Council Tentative Schedule: Upon recommendation of approval or denial by the P & Z Commission, this item will be presented to City Council for introduction at the **Tuesday, September 5, 2023**, City Council meeting and second and final hearing at the **Tuesday, September 19, 2023** City Council meeting.

CITY OF OCALA**Meeting Date: August 14, 2023****PLANNING AND ZONING COMMISSION MEMO**

Subject: Land Use Change**Submitted By:** Endira Madraveren**City Council Date:** September 5, 2023 (1st reading)
September 19, 2023 (2nd & final reading/public hearing)

Staff Recommendation (Motion Ready): **Approval** of an amendment to the Future Land Use Category from Neighborhood and Low Intensity to Low Intensity, for approximately 4.84 acres of property located at 2199 NW 10th Street (Cases LUC23-45252).

OCALA'S RELEVANT STRATEGIC GOALS: Quality of Place

BACKGROUND:

- Petitioner: Guinn III Properties, LLC
- Property Owner: Guinn III Properties, LLC
- Agent: Joseph C. London, P.E., Kimley-Horn & Associates, Inc.
- The property was annexed into the City in 1975.
- Citywide comprehensive plan amendment, adopted on January 22, 2013 (Ordinance 2013-13), changed the future land use designation of the subject property from Retail Services to Low Intensity to the south and Neighborhood to the north.
- The property is zoned B-4, General Business.
- Per Section 122-244 of the Code of Ordinances, B-4 is compatible with Low Intensity Future Land Use but not with Neighborhood.
- Ordinance 2013-32, a city-initiated amendment, created an incompatibility on this property.
- To avoid any further compatibility issues, the City is moving forward to rectify this issue.

FINDINGS AND CONCLUSIONS: The requested Future Land Use Category of Low Intensity, is consistent with the Comprehensive Plan. Approval of the requested land use is appropriate.

FISCAL IMPACT: N/A

ALTERNATIVES:

- Approve
- Deny
- Table

SUPPORT MATERIALS:

- Staff Report
- Case Map
- Case Aerial



Petitioner: Guinn III Properties, LLC
Property Owner: Guinn III Properties, LLC
Agent: Joseph C. London, P.E., Kimley-Horn & Associates, Inc.
Project Planner: Endira Madraveren
Land Use Change Request From: Neighborhood and Low Intensity
To: Low Intensity

Parcel Information

Acres: ±4.84 acres
Parcel(s)#: 22258-000-00
Location: 2199 NW 10th St
Existing use: Repair Garage
Existing zoning: B-4, General Retail

Adjacent Land

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Neighborhood	R-2, Two-Family	Vacant/Undeveloped
East	Low Intensity Neighborhood	B-4, General Business	General business service
South	Low Intensity	B-4, General Business	Vacant/Undeveloped Funeral Home
West	Neighborhood Low Intensity	B-4, General Business	General Office Vacant/Undeveloped

Background

The subject property is located at the intersection of NW 10th Street (US Highway 27) and NW 22nd Court. The property was annexed into the City in 1975. The citywide comprehensive plan amendment, adopted on January 22, 2013 (Ordinance 2013-13), changed the future land use designation of the subject property from Retail Services to Low Intensity to the south and Neighborhood to the north. The property is zoned B-4, General Business. City of Ocala Code of Ordinance Section 122-244 establishes the zoning districts that are compatible with each land use classification. According to this section of the Code, B-4 is compatible with Low Intensity Future Land Use but not with Neighborhood Future Land Use. Ordinance 2013-32, a city-initiated amendment, created an incompatibility on this property. In order to avoid any further compatibility issues, the City is moving forward to rectify this issue.

City records indicate that a tire and repair shop was established on or before July 11, 1996. A repair garage is only permitted in the B-4 zoning district as a special exception. This property never received a Special Exception and thus are a nonconforming use. The property owner has indicated that they desire to expand the footprint of the Repair Garage use and are therefore also proceeding with a Special Exception for the entire property that will be heard by the Board of Adjustment on August 21, 2023.

Staff Recommendation:

Approval of LUC23-45252

Basis for Approval

The proposed land use designation of Low Intensity is consistent with the Comprehensive Plan and with the surrounding area.

Factual Support:

1. Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
 - a. **Policy 6.3: Low Intensity** The intent of the Low Intensity land use classification is 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.
2. Approval of this request will not adversely affect the health, safety, convenience, prosperity or general welfare of the community.

Service Analysis

Transportation: Development that creates 100 or more new peak hour trips will trigger the requirement that a traffic study be conducted.

Road/Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
NW 10 th Street	4	45 MPH	Arterial	D	39,800	23,000	C

Electric: This property is currently serviced by Ocala Electric Utility.

Potable Water: This property is currently serviced by Ocala Water Resources.

Sanitary Sewer: This property is currently serviced by Ocala Water Resources.

Stormwater: This property is not 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.

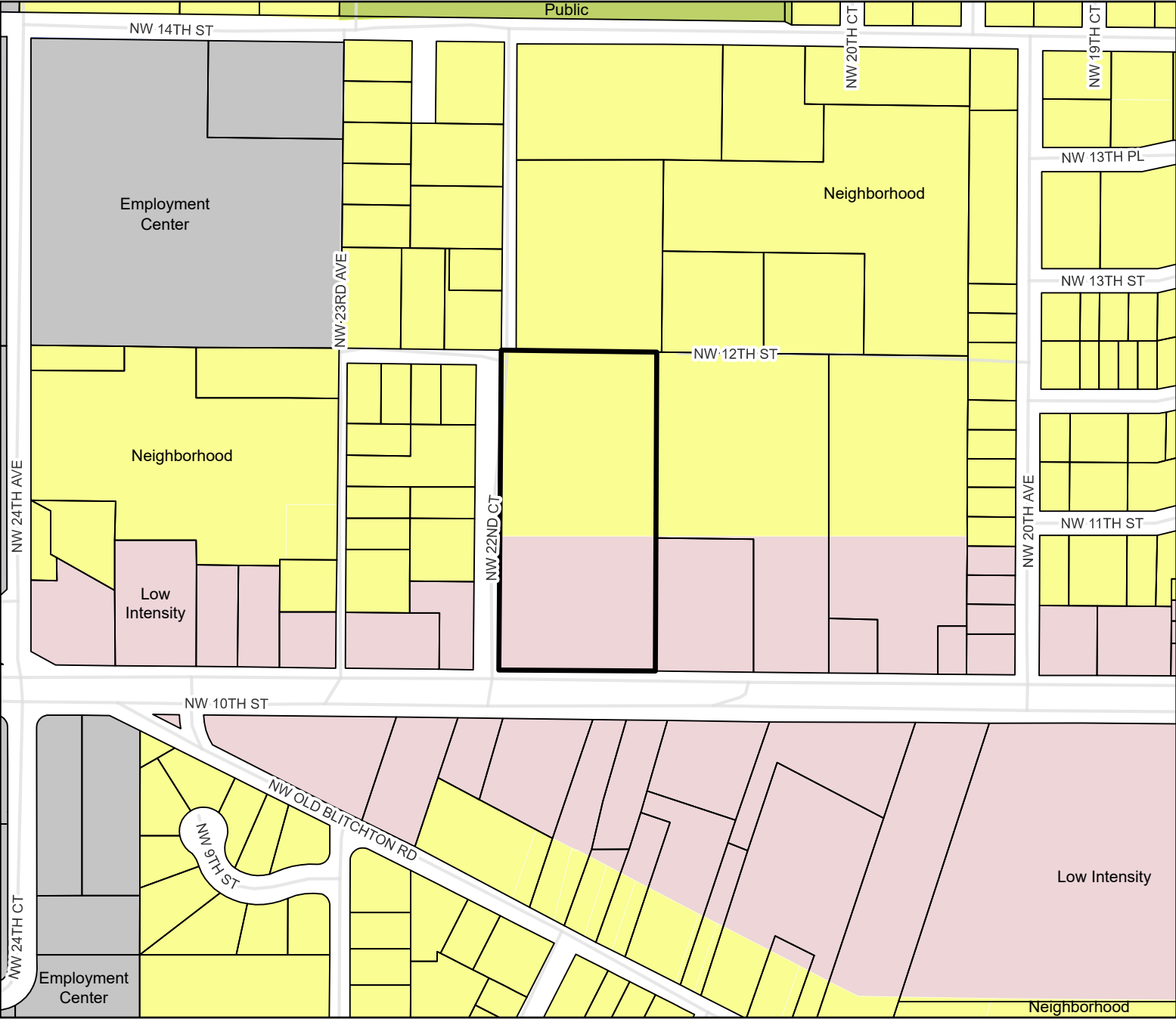
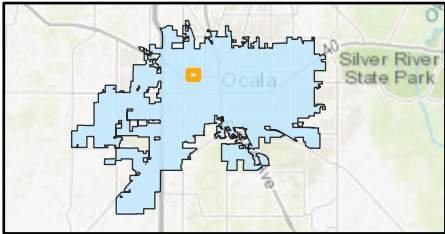
Solid Waste: The city has a contract for unlimited tonnage of solid waste.

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

Schools: This land use change is not proposed to affect any school district.

LAND USE CASE MAP

Case Number: LUC23-45252
Parcel Number: 22258-000-00
Property Size: Approximately 4.84 acres
Land Use Designation: Neighborhood and Low Intensity
Zoning: B-4, General Business
Proposal: A request to change the Future Land Use Designation from Neighborhood and Low Intensity to Low Intensity

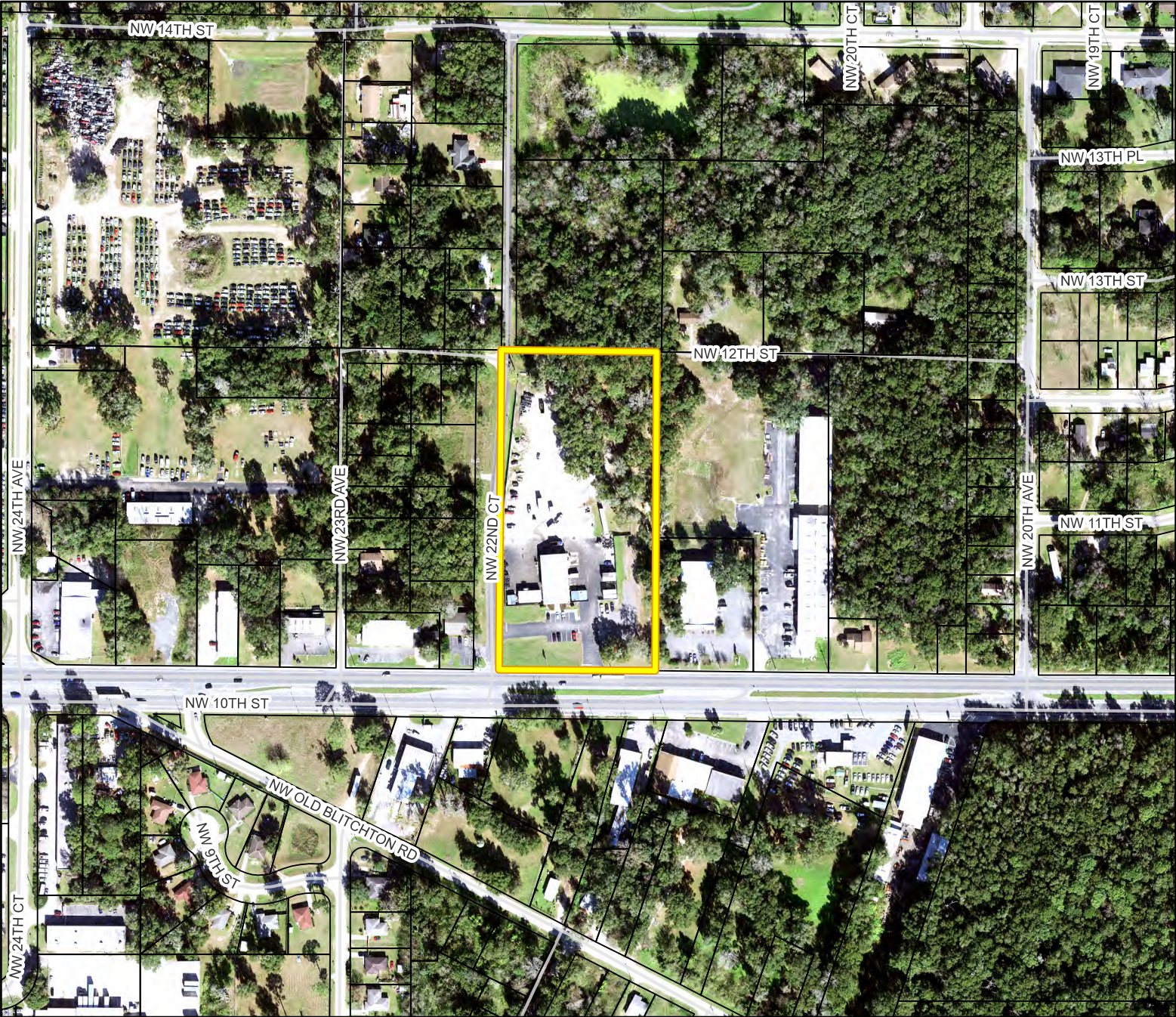
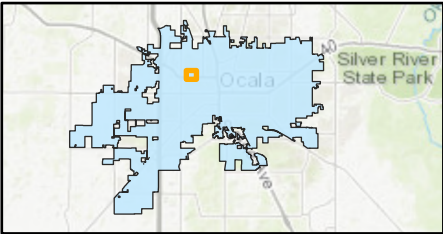


- Property
- Parcels
- Employment Center
- Low Intensity
- Neighborhood
- Public



AERIAL MAP

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 Property
 Parcels

