



Staff Report: Rezoning

Case No. ZON24-0007

Planning & Zoning Commission: January 13, 2025

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

City Council (Adoption): February 18, 2024

Applicant/Property Owner:

Florida Center for the Blind, Inc.

Project Planner:

Breah Miller, Planner II

Amendment Request:

Rezone the subject properties from M-1, Medium Light Industrial, O-1, Office, MH, Mobile Home Park, and RO, Residential Office, to INST, Institutional.

Subject Property Information

Acres:

±5.57 acres

Parcel(s)#:

26394-000-00 and 26392-000-00

Location:

2211 Northeast 14th Street and 1409 Northeast 22nd Avenue.

Existing use:

Florida Center for the Blind facility & Daycare facility

Future Land Use Designation:

Low Intensity

Zoning Designation(s):

M-1, Medium Light Industrial, O-1, Office, MH, Mobile Home Park, and RO, Residential Office

Special District(s)/Plans(s):

East Ocala Community Redevelopment Area

Approved Agreement(s):

N/A

Figure 1. Aerial Location Map



Adjacent Property Information

Direction	Future Land Use	Zoning District	Current Use
North	Low Intensity	M-1, Light Industrial MH, Mobile Home INST, Institutional	Red Fern Pet Lodge Wagon Wheel Mobile Home Park Fantastikids Academy
South	Low Intensity	RO, Residential Office R-3, Multi-Family Residential	Vacant 14th Street Apartments
East	Low Intensity	RO, Residential Office	Vacant
West	Low Intensity	RO, Residential Office	Single- Family Residence

Applicant Request

The petitioner is requesting to rezone the subject properties from M-1, Medium Light Industrial, O-1, Office, MH, Mobile Home Park, and RO, Residential Office, to INST, Institutional.

The agent, Austin T. Dailey, Esq., of Klein & Klein, P.A. is representing the petitioner in this request.

Background:

The applicant purchased Parcel 26392-000-00 (northern subject property) in 2013. The property was developed at the time of purchase and was zoned M-1. The Florida Center for the Blind has been in operation at this location since time of purchase.

In 2022, the applicant purchased an adjacent 4.82-acre parcel (26394-000-00). A brief history of this property is as follows:

- A 0.84 - acre property located northeast of the intersection of NE 14th Street (Bonnie Heath) and NE 22nd Avenue was developed with a single-family residence and originally zoned RO. In 2007, the RO portion was rezoned. to O-1 Later that year, a Special Exception was approved for a daycare facility (SE07-0006).
- Between 2007 and 2013 a previous property owner acquired the additional 3.98 acres located to the north and east of the 0.84-acre portion. The property was combined under a single parcel to create the new 4.82-acre parcel. This lot reconfiguration created a parcel comprised of four different zoning classifications – M-1, O-1, MH, RO.

The combined subject properties are located within the boundaries of the East Ocala Community Redevelopment Area (CRA). The East Ocala Community Redevelopment Area Plan (Plan) envisions corridors that offer residents, businesses, visitors and investors inviting places to shop for their everyday needs, conduct commerce, interact with one another, and access opportunities for economic growth. It is designed to improve the appearance, function and market value of the City's key commercial corridors with the aim towards restoring economic vitality. A site plan has also been submitted for this property (SPL24-0011). The site plan approval is subject to this rezoning request.

Staff Analysis

Factual Support

Comparison of Zoning District Standards

	Zoning District	Intent and Purpose	Minimum Lot Area	Maximum Building Height
Existing	M-1, Light Industrial	Intended primarily for wholesale distribution, warehouse storage, research and development, showroom sales, and light manufacturing of finished or semi-finished products. The light industrial uses shall be compatible with the surrounding uses. Outdoor manufacturing is not allowed in the M-1 district. Outdoor storage is allowed as a permitted accessory use, if it complies with design criteria in section 12-763.	10,000 square feet	60 feet
Existing	O-1, Office	Intended to provide an area adjacent to arterial and major collector streets for the development of office uses and limited business services. This district is intended to be separate from the more intensive commercial and industrial areas, as well as ensure adequate design to maintain the character of the surrounding areas.	12,500 square feet	35 feet
Existing	MH, Mobile Home Park	Intended for mobile home parks and subdivisions	10 acres	N/A
Existing	RO, Residential Office	Intended primarily for professional and business office uses that are not incompatible with adjacent residential zones. This district shall allow one- and two-family dwellings and professional and business offices.	30,000 square feet	35 feet
Proposed	INST, Institutional	Intended to ensure that institutional uses such as churches, schools, and hospitals meet the following criteria: minimum of one acre; designed and located to make efficient use of the land and infrastructure (roads, water, sewer stormwater and recreation); and minimal impact on adjacent and nearby uses	44,000 square feet	50 feet

Also see Exhibit A: Permitted Uses Table below.

Consistency with Comprehensive Plan and Land Development Regulations

1. The requested zoning change is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:

- a. Future Land Use Element 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.

The form of buildings and development may be regulated for specified areas by a Form Based Code or Corridor Overlay. Buildings may have larger setbacks from the street and public right-of-way than other mixed-use districts, as depicted in Figure E. Buildings may have surface parking between the building and the street, though rear and side yard parking is encouraged for nonresidential uses, as depicted in Figure F. Low Intensity areas may have large open space areas such as community and regional parks, trails, or surface stormwater management facilities designed as amenities.

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.

Staff Comment: The Low Intensity Land Use classification identifies institutional as a primary use. The proposed INST zoning district is compatible with the existing Low Intensity land use classification. Institutional and educational facilities are specifically called out in the land use description as being appropriate permitted uses.

2. 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.

Staff Comment: The subject property contains approximately 5.57 acres and meets the requirements for consideration of rezoning set forth by the Code of Ordinances.

- b. Section 122-244 – District criteria: Zoning districts allowed under the current land use classification.

Low Intensity	R-1, R-1A, R-1AA, R-2, R-3, RZL, RBH-1, RBH-2, RBH-3, OH, RO, O-1, OP, B-1, B-1A, B-2, B-2A, B-4, B-5, SC, M-1, M-2, G-U, INST , A-1, PD, FBC
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Staff Comment: As indicated in Section 122-244 above, the INST zoning district is a permitted district within the subject property's current Low Intensity future land use.

Level of Service (LOS)

Transportation: The 2023 congestion management data from the Ocala-Marion TPO for the affected roadway is provided below.

• **Adopted LOS / Available Capacity:**

Road/ Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2023 AADT	Existing LOS
SR492	4	45 MPH	Arterial	D	39,800	20,200	C

Developments proposing to generate 100 or more net new PM peak hour trips are required to submit a traffic study as part of the site plan review. The affected segment of SR 492 Avenue is currently operating above the adopted Level of Service.

Potable Water: City utilities are available at this location; connections will be determined during the site plan or subdivision review process. A City water main runs along NE 14th Street in front of the subject property.

- *Adopted Level of Service (LOS) Potable Water:* 300 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 167 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of the City's water system is 24.4 million gallons daily (mgd).

Sanitary Sewer: City utilities are available at this location; connections will be determined during the site plan or subdivision review process. A City gravity main runs along NE 14th Street in front of the subject property.

- *Adopted Level of Service (LOS) Sanitary Sewer:* 250 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 80 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of Water Reclamation Facility #2 is 6.5 million gallons daily (mgd) and the permitted capacity of Water Reclamation Facility #3 is 4.0 million gallons daily (mgd).

Solid Waste: The subject property is located within the City's service area; refuse pickup will be determined during the site plan or subdivision review process.

- *Adopted Level of Service (LOS) Solid Waste:* 0.0112 pounds per square foot of occupied building space per day for nonresidential development.
- *Available Capacity:* Solid waste is transported to facilities outside of the City.

Parks and Recreation Facilities:

- *Adopted Level of Service (LOS) Solid Waste:* 4.6 developed park acres per 1,000 population for each Regional Park Service Area (RPSA).
- *Available Capacity:* Capacity is available. The City's 69,283 population requires 318.70 developed park acres. The city currently owns and maintains 622.27 developed park acres, pursuant to the Fall 2024 Activity Guide released by the Recreation and Parks Department.

Other Public Facilities:

The following public facilities do not have adopted Level of Service standards and are provided as additional information.

Stormwater: The subject properties are not located within a FEMA Flood Zone. For any future redevelopment, 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.

Electric: The subject property is currently serviced by Ocala Electric Utility.

Fiber: Service is not available along NE 14th Street and North of NE 22nd Avenue.

Fire Service: Ocala Fire Rescue Station #5 is located approximately 0.68 miles from the subject property.

Schools: This amendment is not anticipated to affect any schools.

Conclusions

Property History: The rezoning request is for two adjacent properties under common ownership. Parcel 26392-000-00 has been in the ownership and operation of the Florida Center for the Blind for 11 years. Parcel 26394-000-00, through several land acquisitions is uniquely zoned, in that it comprises four zoning categories. There is a site plan application under review by city staff (SPL24-0011).

Land Development Code / Comprehensive Plan Consistency: Pursuant to Code of Ordinances Section 122-286 properties in the requested INST zoning district shall be at least 100-feet-wide and contain at least 44,000 square feet. The subject property meets the minimum lot width and area requirements of the INST zoning district. The requested INST zoning is consistent with the existing Low Intensity future land use classification pursuant to Code of Ordinances Section 122-244. The underlying Low Intensity land use designation has a maximum intensity of 0.75 Floor Area Ratio (FAR). Based on the 5.57-acre size of the subject property, there would be a potential for 178,596 square feet of building area. Any future development will be required to meet the standards for site plan approval process.

Zoning Comparison: The existing M-1 zoning is primarily intended for light industrial development to include wholesale distribution, warehouse storage, research and development, showroom sales, and light manufacturing. The existing O-1 zoning is primarily intended for office development. The existing MH zoning is intended for mobile home parks and subdivisions. Lastly, the existing RO zoning district is intended primarily for professional and business office development that are not incompatible with adjacent residential zones. Whereas the proposed INST zoning district is intended to expand institutional uses that will promote a more efficient use of the land and infrastructure as well as create a better transition along the arterial roadway by serving as a boundary for the commercial node that exists at the intersection of NE 14th Street and NE 25th Ave.

Surrounding Area / Compatibility: The proposed INST is compatible with the surrounding area, which is primarily characterized by residential, institutional, and light commercial uses. There are 11 INST zoned properties developed with church and daycare uses within a one-mile radius.

Staff Findings and Recommendation

- The proposed rezoning is consistent with the existing Low Intensity Future Land Use designation, pursuant to Code of Ordinances Section 122-244.
- The requested INST zoning is compatible with the existing development of the surrounding area.
- The request is consistent with the Comprehensive Plan, and the City's Code of Ordinances.

- No Level of Service issues have been identified for public facilities as a result of the zoning amendment.

Staff Recommendation: <i>Approval</i>
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Exhibit A. Permitted Uses Table

Permitted Use Type	M-1, Light Industrial	INST, Institutional
<i>Residential Operation</i>		<ul style="list-style-type: none"> Community residential home
<i>Residential Uses</i>		<ul style="list-style-type: none"> Single-family dwelling
<i>General Retail</i>	<ul style="list-style-type: none"> Furniture store, minimum of 10,000 square feet of warehouse space Home garden / hobby farm equipment sales Used merchandise store 	
<i>Vehicular Sales</i>	<ul style="list-style-type: none"> Construction / farm equipment sales* Truck and rental sales* 	
<i>Business Service</i>	<ul style="list-style-type: none"> Advertising services (on-site / off-site signs) Construction service establishment Day labor service establishment (permitted by special exception in M-1) Equipment rental and leasing General business service Maintenance and cleaning service Parking garage (or structure) Parking lot Pest control service Radio / TV broadcasting facilities Security systems service 	
<i>Eating or Drinking Establishment</i>	<ul style="list-style-type: none"> Alcoholic Beverage Establishment (off-premises) Restaurant (enclosed) 	
<i>Office Use</i>	<ul style="list-style-type: none"> Commercial photography (art and graphic design service) Computer maintenance and repair Photofinishing laboratory Prepackaged software services Print shop Professional and business office 	
<i>Personal Service</i>	<ul style="list-style-type: none"> Laundry and dry-cleaning service Bail bonds agency Kennel Major household repair establishment Mini- warehouse Minor household repair establishment Recycling collection point 	<ul style="list-style-type: none"> Recycling collection point

<i>Vehicular Service</i>	<ul style="list-style-type: none"> • Auto repair, minor • Repair garage • Self-service station / convenience store 	
<i>Community Service</i>	<ul style="list-style-type: none"> • Day care facilities* 	<ul style="list-style-type: none"> • Church/place of worship • Day care facility • Library* • Private club*
<i>Educational Use</i>	<ul style="list-style-type: none"> • Community education center • Vocational / professional school 	<ul style="list-style-type: none"> • School, private elementary and secondary • Speech and language center/school • Vocational/professional school
<i>Recreational Use</i>	<ul style="list-style-type: none"> • Recreation facility, indoor* 	<ul style="list-style-type: none"> • Recreation facility, indoor • Temporary commercial amusement*
<i>Public Use</i>		<ul style="list-style-type: none"> • Cemetery* • Park/open space area*
<i>Health Care Use</i>	<ul style="list-style-type: none"> • Medical and dental laboratory • Veterinarian office 	<ul style="list-style-type: none"> • Hospital • Satellite Hospital Emergency Room
<i>Low Impact Industrial Use</i>	<ul style="list-style-type: none"> • Assembly of electronics components • Carpet and upholstery cleaning • Manufacturing, light • Newspaper printing facilities • Packing and crating • Recycling center • Research and testing laboratory • Truck / freight terminal • Warehouse • Wholesale and distribution 	

*Permitted by Special Exception

Permitted Use Type	O-1, Office	INST, Institutional
<i>Residential Operation</i>	<ul style="list-style-type: none"> • Residence – Gallery • Residence – Office 	<ul style="list-style-type: none"> • Community residential home
<i>Residential Type</i>	<ul style="list-style-type: none"> • Single-family dwelling 	<ul style="list-style-type: none"> • Single-family dwelling
<i>General Retail</i>	<ul style="list-style-type: none"> • Pharmacy • Specialty retail store 	
<i>Business Service</i>	<ul style="list-style-type: none"> • Parking garage* • Parking lot* 	
<i>Eating or Drinking Establishment</i>	<ul style="list-style-type: none"> • Alcoholic beverage establishment (on-premises consumption) • Restaurant (enclosed) 	
<i>Hospitality and</i>	<ul style="list-style-type: none"> • Antique gallery/art gallery/museum 	

<i>Tourism</i>		
<i>Office Use</i>	<ul style="list-style-type: none"> Financial institution Photocopying and duplicating service Professional and business office 	
<i>Personal Service</i>	<ul style="list-style-type: none"> Funeral home/crematory* Hairstyling shop 	<ul style="list-style-type: none"> Recycling collection point
<i>Vehicular Service</i>	<ul style="list-style-type: none"> Drive-through facility (non-restaurant) * 	
<i>Community Service</i>	<ul style="list-style-type: none"> Day care facility* Private club* 	<ul style="list-style-type: none"> Church/place of worship Day care facility Library* Private club*
<i>Educational Use</i>	<ul style="list-style-type: none"> Speech and language center/school 	<ul style="list-style-type: none"> School, private elementary and secondary Speech and language center/school Vocational/professional school
<i>Recreational Use</i>	<ul style="list-style-type: none"> Physical fitness center 	<ul style="list-style-type: none"> Recreation facility, indoor Temporary Commercial amusement*
<i>Public Use</i>	<ul style="list-style-type: none"> Park/ open space area* Post office 	<ul style="list-style-type: none"> Cemetery* Park/open space area*
<i>Health Care Use</i>	<ul style="list-style-type: none"> Assisted living facility Medical and dental laboratory Medical and dental office Veterinarian office 	<ul style="list-style-type: none"> Hospital Satellite Hospital Emergency Room

Permitted Use Type	MH, Mobile Home	INST, Institutional
<i>Residential Operation</i>		<ul style="list-style-type: none"> Community residential home
<i>Residential Type</i>	<ul style="list-style-type: none"> Mobile Home 	<ul style="list-style-type: none"> Single-family dwelling
<i>Personal Service</i>		<ul style="list-style-type: none"> Recycling collection point
<i>Community Service</i>		<ul style="list-style-type: none"> Church/place of worship Day care facility Library* Private club*
<i>Educational Use</i>		<ul style="list-style-type: none"> School, private elementary and secondary Speech and language center/school Vocational/professional school
<i>Recreational Use</i>		<ul style="list-style-type: none"> Recreation facility, indoor Temporary Commercial Amusement*
<i>Public Use</i>		<ul style="list-style-type: none"> Cemetery* Park/open space area*

<i>Health Care Use</i>		<ul style="list-style-type: none"> • Hospital • Satellite Hospital Emergency Room
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Permitted Use Type	RO, Residential Office	INST, Institutional
<i>Residential Operation</i>		<ul style="list-style-type: none"> • Community residential home
<i>Residential Type</i>	<ul style="list-style-type: none"> • Residence- gallery • Residence- office • Single- family dwelling Two- family dwelling 	<ul style="list-style-type: none"> • Single-family dwelling
<i>Office Use</i>	<ul style="list-style-type: none"> • Professional and business office 	
<i>Personal Service</i>	<ul style="list-style-type: none"> • Hairstyling shop 	<ul style="list-style-type: none"> • Recycling collection point
<i>Community Service</i>		<ul style="list-style-type: none"> • Church/place of worship • Day care facility • Library* • Private club*
<i>Educational Use</i>		<ul style="list-style-type: none"> • School, private elementary and secondary • Speech and language center/school • Vocational/professional school
<i>Recreational Use</i>		<ul style="list-style-type: none"> • Commercial, outdoor baseball batting facility* • Temporary Commercial Amusement*
<i>Public Use</i>		<ul style="list-style-type: none"> • Cemetery* • Park/open space area*
<i>Health Care Use</i>	<ul style="list-style-type: none"> • Medical and dental office on major and minor arterials • Medical and dental office on local and collector streets* 	<ul style="list-style-type: none"> • Hospital • Satellite Hospital Emergency Room