



**Petitioner:** Whitley Capital LLC  
**Property Owner:** Harney Fred B Appreciation Trust  
**Project Planner:** Divya Govindaraju

**Land Use Change Request** from: Commerce District <sup>(County)</sup>  
to: Employment Center <sup>(City)</sup>

**Zoning** from: A-1 General Agriculture <sup>(County)</sup>  
to: M-2 Medium Industrial <sup>(City)</sup>

**Parcel Information**

Acres: ~9.23 acres  
Parcel(s)#: 22863-000-00  
Location: Between SW 44th Avenue and SW 46th Avenue in the 400 block (430 SW 44th Avenue)  
Existing use: Single-family dwelling

**Adjacent Land**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Employment Center	B-1	Undeveloped
East	Employment Center <sup>(County)</sup>	A-1 <sup>(County)</sup>	Residence
	Employment Center <sup>(County)</sup>	A-1 <sup>(County)</sup>	Residence
South	Commerce District <sup>(County)</sup>	M-2 <sup>(County)</sup>	Residence
West	Employment Center	M-1	Industrial & warehouses

**Staff Recommendation:** Approval of LUC22-44643 / ZON22-44642

**Basis for Approval:**

The subject property is proposed for annexation into the City of Ocala, and it is appropriate upon annexation to assign a City land use designation. The proposed land use designation of Employment Center is consistent with the Comprehensive Plan and with the surrounding area. The requested zoning designation of M-2, Medium Industrial, is eligible to implement the 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. The requested zoning designation of M-2, Medium Industrial, is eligible to implement the land use designation of Employment Center.<sup>1</sup>
3. Approval of this request will not adversely affect the health, safety, convenience, prosperity or general welfare of the community.

**Background:**

This parcel has access on SW 46th Ave and SW 44th Ave. SW 46th Avenue is currently a two-lane road, but the City plans to expand the road to four lanes between State Road 40 and State Road 200. The City also plans to extend this road north of State Road 40 to connect to NW 44th Avenue south of US 27, which will facilitate a connection all the way north to County Road 326. To the south of the subject property, this road crosses State Road 200 and becomes County Road 475, which then continues all the way east to Maricamp Road. After the planned improvements are made, SW 46th Avenue will become a segment of a major circulator in the City of Ocala.

The requested zoning change would be contiguous with the industrial uses of other parcels along SW 46th Avenue. The property is being purchased by Whitley Capital LLC, who plan to develop the parcel as a warehouse/distribution center, and annexation is requested in order to obtain city services and utilities.

New development will be 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 on the same agenda as the land use and zoning ordinances.

Upon annexation, it is appropriate to adopt a City land use and zoning designation.

**Level of Service Impact Analysis:**

**Traffic Circulation**

Developments proposing to generate 100 or more PM peak hour trips are required to submit a traffic study as part of the site plan review.

**Potable Water:** Water service is available.

**Sanitary Sewer:** Sewer service is available.

**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.

**Schools:** This request is not expected to have an impact on area schools.

**Land Use Designation**

**Existing:**

**CD, Commerce District (County):** This land use is intended to provide for more intense commercial and industrial uses than may be suitable in the Employment Center (EC) designation due to noise, odor, pollution, and other nuisance issues. A maximum Floor Area Ratio of 2.0 is allowed, as further defined

by the LDC. This land use designation an Urban land use.<sup>3</sup>

**Requested:**

**EC, Employment Center (City):** The intent of the Employment Center land use is 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 (1) use if there are appropriate buffers and transitions between complementary uses. Permitted uses shall include a primary use and may include a secondary use. Primary uses are industrial, office and commercial. Secondary uses are public, recreation, institutional, and residential, as well as educational facilities. There are no form requirements in this land use category.<sup>4</sup>

**Zoning Classification**

**Existing:**

**A-1 General Agriculture (County):** The General Agriculture classification is intended to preserve agriculture as the primary use. This classification in the Urban Area may be used for agriculture until it is rezoned to another permitted classification.

**Requested:**

**M-2, Medium Industrial:** The medium industrial (M-2) district is intended primarily for the wholesale distribution, warehouse storage, outdoor storage and sales, research and development and light manufacturing of finished or semi-finished products in multiple-use facilities or structures. Outdoor manufacturing activities associated with permitted uses may be allowed in the M-2 district as a special exception. Service establishments serving the industrial uses or district shall be permitted.<sup>5</sup>

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1 Ocala Code of Ordinances Section 122-244; District Criteria

2 Ocala Comprehensive Plan, Stormwater Sub-Element Policy 3.1.

3 Marion County Comprehensive Plan, Non-Residential, Policy 2.1.24, Commerce District

4 Ocala Comprehensive Plan, Future Land Use, Policy 6.5: Employment Center

5 Ocala Code of Ordinances, Division 26, Section 122-781; Intent and Purpose