



Petitioner: O'Donald Clark

Property Owner: D&L Real Estate Investments LLC

Project Planner: Divya Govindaraju

Zoning Change Request: from: R-3, Multi-Family Residential
to: B-2, Community Business

Parcel Information

Acres: ~3.97 acres
Parcel(s)#: 22590-000-00
Location: 432 NW Martin Luther King Ave
Existing use: Funeral Home
Future Land Use: Medium Intensity

Adjacent Land

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Medium Intensity	R-3	Residential Use
	Neighborhood	R-3	Residential use
	Medium Intensity	INST	Church
East	Medium Intensity	GU	School
	Neighborhood	INST	School
South	Neighborhood	R-3	Residential Use
	Medium Intensity	R-2	Residential Use
West	Neighborhood	R-3	Ocala Housing Authority

Background

- The subject property is at the intersection of Martin Luther King Ave, a minor arterial and NW 4th Street. Martin Luther Kind Ave is envisioned as a complete street corridor with access to transit, bicycle, pedestrian, and automobiles in the Ocala 2035 Vision.
- Surrounding uses are primarily residential with some institutions, recreational facilities, and offices along Martin Luther King Ave. The property is opposite the Madison Street Academy of Visual and Performing Arts and one block from the Martin Luther King Recreation Complex.
- The property is in the Croskey Commons Main Street Mixed Use District. The intent of this district is to promote a compact and walkable urban form that serves as a focal gathering place for recreation, civic, social and cultural activities within the West Ocala Community. The B-2 zoning district furthers the mixed-use potential of the Croskey Commons Main Street Mixed Use District.
- The future land use classification on this property is Medium Intensity/ Special District, which allows a maximum density of thirty units per acre and a maximum intensity of 4.0 Floor Area Ratio (FAR). The B-2, Community Business zoning district is allowed in the Medium Intensity/ Special District future land use classification.
- The site has an existing funeral home.
- The client is requesting the rezoning to allow for a crematorium to be added to the funeral home.
- Rezoning from R-3, Multifamily Residential to B-2, Community Business will allow the property to be used for a crematorium.

- Further development must meet all applicable Land Development Codes.

Staff Recommendation:

Approval of ZON22-44678

Basis for Approval

The B-2, Community Business, zoning district is consistent with the Medium Intensity future land use classification. The proposed zoning is consistent and compatible with the surrounding area.

Factual Support

1. The proposed B-2, Community Business, zoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
 - a. **Policy 6.2: Medium Intensity:** The intent of this category is to identify neighborhood and community-serving activity centers, generally represented as “Medium Low” or “Medium High” on the Ocala 2035 Vision. The Medium Intensity/Special District category facilitates developments with two (2) or more uses. Permitted uses include residential, office, commercial, public, recreation, educational facilities and institutional. Light industrial shall only be allowable in designated locations as specified in the Land Development Code and must meet the intent of the Medium Intensity/Special District category, including form and design guidelines as applicable. This mix is intended to promote a walkable urban form.
2. The proposed B-2, Community Business zoning is consistent with the following Intent of the West Ocala Community Plan:
 - a. **Intent:** The intent of this district is to promote a compact and walkable urban form that serves as a focal gathering place for recreation, civic, social and cultural activities within the West Ocala Community. Croskey Park, The Hampton Center, a library and Recreation Center and a community gardens and farmer’s market should become key components of this district. Permitted uses include Residential, Office, Commercial, Public, Recreation and Open Space, and Institutional. Development and redevelopment is intended to take on the form of a walkable main street with on street parking and with access to multi-modal transportation, including bicycles and transit. This district is characterized by buildings that are one (1) to four (4) stories in height and may contain more rather than type of use.¹
3. 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: Development that creates 100 or more new peak hour trips will trigger the requirement that a traffic study be conducted.

Electric: The property is in the Ocala Electric Utility service territory.

Potable Water: Service is available within 1/4 mile of the parcel and connections will be determined during the site plan or subdivision review and approval process.

Sanitary Sewer: Service is available within 1/8 mile of the parcel and connections will be determined during the site plan or subdivision review and approval process.

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-hour storm event.²

Solid Waste: Service is available.

Fire Service: Service is available.

Schools: This development has no impact on the school district.

Zoning

Existing

R-3, Multi-Family Residential: The multi-family residential (R-3) district is intended to be a multi-family area, including higher residential densities in accordance with the comprehensive plan. This district shall allow single-family, two-family, and multi-family dwellings, residence-offices and residence-galleries. Professional and business offices that are of compatible scale and intensity may be allowed as special exceptions by the board of adjustment.³

Requested

B-2, Community Business: The community business and limited community business (B-2 and B-2A) districts are intended for community businesses, including retail sales, personal and business services, and all office uses. No incidental use involving manufacturing processes shall be allowed in the B-2A zone. Businesses shall be based on walk-in trade, rather than delivery of supplies and large commodities.⁴

¹ West Ocala Vision and Community Plan, Croskey Commons Main Street Mixed Use District, Intent.

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

³ City of Ocala Land Development Code, Section 122-351, Intent and purpose.

⁴ City of Ocala Land Development Code, Section 122-621, Intent and purpose.