



Planning & Zoning Commission

February 13, 2023

Case No. ZON22-45068

Staff Report

Petitioner: Frank H. Green & Sandra L. Green

Property Owner: Frank H. Green & Sandra L. Green

Agent:

Project Planner: Breah Miller, Planner II

Zoning Change Request: from: B-2, Community Business ^(County)
B-5, Heavy Business ^(County)
to: R-3, Multi- Family

Parcel Information

Acres: +1.67 acres
Parcel(s)#: 24728-000-01& 24728-002-00
Location: 3137 NE Jacksonville Road along with the parcel located directly to the south
Existing use: Vacant / Undeveloped
Future Land Use: Commercial^(County)

Adjacent Land

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Commercial ^(county)	B-2, Community Business ^(County) B-5, Heavy Business ^(County)	Warehouse
East	Neighborhood ^(city) Commercial ^(county)	R-1, Single Family ^(City)	Undeveloped
South	Commercial ^(county)	B-2, Community Business ^(County) B-5, Heavy Business ^(County) R-3, Multi-family Residential ^(City)	Undeveloped Mineral processing
West	Commercial ^(county)	B-5, Heavy Business ^(County)	Municipal Property

Background

In 1986, parcels 24728-000-01 and 24728-002-00 were a part of parent parcel 24728-000-00. The owner at the time made application with Marion County to change the south portion, now known as parcel 24728-002-00, from B-2, Community Business, to B-5, Heavy Business for the purpose of retail-wholesale. The rezoning was approved with two conditions per Resolution Number 86-R-330. The first condition was that the only product to be sold on the property was produce. The second condition stated that when an Anna Locke was no longer on the above property the zoning would revert back to it's original state. The parent parcel was later split creating the subject parcels.

The current owner has requested a rezoning from B-2, Community Business (county) and B-5, Community Business (county), to R-3 Multi- Family Residential (city) for city services and future multi-family development. The applicant has not submitted a site plan at this time. However, site plan and architectural review will be required for the proposed development. In conjunction with the

requested rezoning the applicant has requested for an annexation and a land use change from Commercial (County) to Neighborhood (City). If approved the requested land use and zoning will be compatible. Upon annexation, it is appropriate to adopt a city land use and zoning.

The R-3, Multi family district does not permit any commercial uses. The proposed rezoning creates a gradual transtioning from the heavy commercial use (county) to multi-family and then single family. Should the applicant pursue the multi- family use they will be required to have a ten-foot-deep landscaped buffer area or a four-foot-deep landscaped area combined with a brick, stone or concrete block wall to the East abutting the less intensive residential, per section 122-260 of the code of ordinance.

Staff Recommendation:

Approval of ZON22-45068

Basis for Approval

Factual Support

1. The proposed R-3 zoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
 - a. Policy 6.4: Neighborhood The intent of the Neighborhood category is to identify and reserve predominantly residential and ancillary uses. Existing street pattern, tree canopy cover, character, and residential occupancy shall be considered when designating areas with the Neighborhood category. The form of buildings and development may be regulated by a Corridor Overlay. Residential is the primary use. Single family uses are allowed based on the Land Development Code, up to the maximum density permitted by the Comprehensive Plan. Multifamily uses shall be reviewed through the development process to determine compatibility, with specific approval criteria being further defined in the Land Development Code.
2. Approval of this request will not adversely affect the health, safety, convenience, prosperity, or general welfare of the community.

Level of Service Impact Analysis

Transportation²: 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
NE Jacksonville Road	4	45 MPH	Arterial	D	35,820	12,00	C

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

Potable Water: Connection options will be determined during the site plan approval. Portable water is located within 100 feet of the subject properties. WTP #1 services this area and has a permitted capacity of 24.42 MGD.

Sanitary Sewer: Connection options will be determined during the site plan approval. Sewer services are located within 100 feet of the subject properties. WRF #2 services this area and has a permitted capacity of 6.5 MGD

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: Service is available.

Fire Service: City Fire Station #5 is located within a 1- mile radius.

Schools: This property is currently served by Oakcrest Elementary, Howard Middle, and Vanguard High.

Zoning

Existing

B-2, Community Business (county) zoning district is intended to provide for the shopping and limited service needs of several neighborhoods, a community, or a substantial land area. Retail stores are intended to include general merchandise, fashion, durable goods, and personal services. All commercial activity involving retail sales or rentals shall take place in a completely enclosed building.

B-5, Heavy Business (county) zoning district is intended to provide for those uses such as retail or wholesale, repair and service, which may require larger parcels for the outside storage of materials or equipment in inventory or waiting repair. Businesses are intended to serve clients and customers from a regional area providing access for large delivery trucks.

Requested

R-3, Multi-Family zoning 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.