



Staff Report: Rezoning

Case No. ZON24-45738

Planning & Zoning Commission: August 12, 2024

City Council (1st Reading): September 3, 2024

City Council (Adoption): September 17, 2024

Petitioner: APMRHK, LLC
Property Owner: APMRHK, LLC
Agent: Tillman & Associates Engineering, LLC
Project Planner: Andrew Gray
Applicant Request: From: M-1, Light Industrial
 To: B-5, Wholesale Business
 Rezone the subject property from M-1, Light Industrial, to B-5, Wholesale Business, to facilitate manufactured housing sales.
Future Land Use: Employment Center

Parcel Information

Acres: ± 2.16 acres
 Parcel(s)#: portion of 23656-015-02
 Location: 1500 SW 17th Avenue
 Existing use: Vacant/Undeveloped
 Overlay(s): N/A

Adjacent Property Information

| <u>Direction</u> | <u>Future Land Use</u> | <u>Zoning District</u> | <u>Current Use</u> |
|------------------|------------------------|--|--|
| North | Low Intensity | B-4, General Business | DRA (Honda of Ocala); Professional Office |
| South | Employment Center | M-1, Light Industrial | Joe Hudson’s Collision Center; Safeway Water |
| East | Low Intensity | B-4, General Business | Rasmussen College |
| West | Low Intensity | SC, Shopping Center, and B-4, General Business | Target; Mid-Florida Credit Union |

Applicant Request

The petitioner applied for rezoning from M-1, Light Industrial, to B-5, Wholesale Business (Case: ZON24-45738). The owner intends to establish a manufactured housing sales facility on this portion of the property.

Background:

The subject property represents a portion of Parcel Identification Number 23656-015-02 and consists of approximately 2.16 acres of undeveloped property located on the northerly portion of the overall 6.39 acre site. The site is located on the southeastern side of SW Martin L. King Avenue between State Road 200 (SW 10th St) and SR 464 (SW 17th St). The southern portion of the parcel is not included in this rezoning and is developed with a mixture of office and warehouse buildings occupied by Joe Hudson’s Collision Center and Safeway Water. City records indicate that there have been four prior instances of code enforcement action on the subject property. These actions were all related to using the unimproved part of the property for the parking of vehicles. Prior city actions related to this property include:

- SE23-45359 approved a special exception for an indoor recreation facility (cross-fit gym) for a vacant portion of the warehouse building.

In the late 1960s, this area was the site of the local airport facility, known as Taylor Field. After the relocation of the airport to the area along SW 60th Avenue, development of the Ocala Industrial Park began. The industrial park was originally intended for mostly industrial, warehouse, and similar uses in mind. However, in more recent times, more commercial uses have located to the area. Additionally, in the early 1990s, an expansion and extension of SW Martin L. King Avenue was completed. This roadway further helped to serve as a boundary or transition between the Employment Center land use classifications to the southeast and Low Intensity land use classifications to the northwest.

Comparison of Zoning District Standards

| | Zoning District | Intent and Purpose | Minimum Lot Area | Maximum Building Height |
|-----------------|-------------------------|--|-------------------------|--------------------------------|
| Existing | M-1, Light Industrial | Wholesale distribution, warehouse storage, research and development, showroom sales, and light manufacturing of finished or semi-finished products | 10,000 SF | 60-ft |
| Proposed | B-5, Wholesale Business | Retail sales, wholesale trade and warehouse storage; Outdoor sales/storage is a permitted accessory use with criteria | None | 60-ft |

Staff Analysis

The proposed manufactured/mobile home sales facility will be subject to the applicable supplementary district regulations for outdoor sales in Section 122-1205 of the city’s Code of Ordinances. These supplemental requirements are derived from the Ocala 2035 Vision which emphasized the importance of West Ocala as a gateway from I-75 to the downtown core serving as the first impression for most visitors and business opportunities.

It is noted that the B-5 zoning district is the only district which allows adult use establishments; however, there are supplementary district regulations for adult use establishments in Section 122-1200 regarding locational criteria that would apply. In addition, in comparison with the current M-1 zoning

district, the B-5 zoning district allows a wide variety of additional commercial and heavy commercial uses including those with outdoor sales and storage. Notable uses not allowed in B-5 include light manufacturing and wholesale and distribution uses.

Factual Support

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 6.5: Employment Center. 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.

Access is primarily from major collectors, arterials, or limited-access highways. The primary modes of transportation include automobiles, trucks, freight rail, bus, and commuter rail transit. Provisions should be made for walking, bicycles, and transit.

There is no minimum density and intensity in this future land use category. The maximum density and intensity before any incentives is 24 dwelling units per gross acre or 2.00 FAR. The location and application of incentives shall be set forth in the Land Development Code.

Staff Comment: This portion of the subject property is undeveloped, and this rezoning will promote further development and use of the subject property, maximizing use of existing infrastructure and providing further infill development along this collector roadway.

- b. Future Land Use Element Policy 7.2: City guidelines shall be context-sensitive to providing appropriate transitions between adjacent land uses with particular emphasis on building compatibility between neighborhoods and non-residential uses.

Staff Comment: The proposed B-5 zoning district is a permitted district within the Employment Center future land use. Further, the permitted uses within the B-5 zoning district will provide for a transition from the commercial oriented uses to the west and north to the industrial and heavy commercial uses to the east and south.

- c. Future Land Use Element 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.
 - i. 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.

Staff Comment: This petition involves a large vacant portion of the subject property providing for the opportunity to promote further infill development within the site. As identified below in the Level of Service Analysis, adequate public facilities exist to service the subject property.

Proposed development will be required to undergo site plan review. At that time, the development will be required to provide or connect to existing facilities to ensure adequate services prior to construction.

2. The requested rezoning is consistent with the following Sections of the City of Ocala Code of Ordinances:
 - a. Section 122-244 – *District criteria:* Zoning districts allowed under the current land use classification.

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| Employment Center | O-1, OP, B-1, B-1A, B-2, B-2A, B-4, B-5 , SC, M-1, M-2, M-3, G-U, INST, A-1, PD, FBC |
|--------------------------|---|

Staff Comment: as indicated in Section 122-244 above, the B-5 zoning district is a permitted district within the subject properties current Employment Center future land use.

- b. Section 122-741: The wholesale business (B-5) district is intended primarily for retail sales, wholesale trade and warehouse storage requiring a large site or structure. Outdoor sales with some B-5 uses are permitted, with criteria described in [section 122-1205](#). Outdoor storage is a permitted accessory use with criteria described in [section 122-282](#).

Staff Comment: The proposed B-5 zoning district is consistent with applicants indicated use: manufactured housing sales facility.

3. Approval of this request will not adversely affect the health, safety, convenience, prosperity, or general welfare of the community.

Level of Service Analysis

Transportation: The subject property is located on SW Martin L. King Ave between SR 200 (SW 10th St) and SR 464 (SW 17th St). The 2023 Congestion Management Data from the Ocala-Marion TPO for the affected roadways are provided below. Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review.

| Road/ Street Name | Lanes | Speed Limit | Functional Classification | Adopted LOS | LOS Capacity | 2023 AADT | Existing LOS |
|---|-------|----------------|------------------------------|----------------|------------------------|------------------------|-----------------|
| SW Martin L. King Ave (From SR 464 to SR 200) | 4 | 35 MPH | Collector | E | 30,420 | 7,500 | C |
| SR 200 (From SR 464 to SW 7 th Rd) | 6 | 45 MPH | Arterial | D | 56,805 | 22,200 to 25,300 | C |
| SR 464 (From SR 200 to US 441) | 4 | 35-45 MPH | Arterial | D | 38,430 to 40,352 | 23,700 to 32,300 | C to D |

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

Internet: Service is available. A city fiber optic cable runs along SW Martin L. King Ave in front of the subject property.

Potable Water: Service is available. A city water main runs along SW Martin L. King Ave and SW 17th Ave. Connections will be determined during the site plan review and approval process for the subject site.

Sanitary Sewer: Service is available. A city gravity main runs along SW Martin L. King Ave and SW 17th Ave while there is also a force main along SW Martin L. King Ave. Connections will be determined during the site plan review and approval process for the subject site.

Stormwater: The vast majority of the subject property is not located within a FEMA Flood Zone. The portion in Flood Zone A is located at the extreme northeast corner of the site along the road frontage. Additionally, the Ocala Flood Study indicates that a slightly larger portion of the site includes relatively lower elevations. Development will require stormwater retention designed to provide flood protection for a 100 year, 24-hour storm event.

Solid Waste: Trash pickup service is available and locations will be established during the site plan process.

Fire Service: Ocala Fire Rescue Station #1, located at 505 NW Martin L King Ave, is approximately 1.3 miles north of the subject property.

Schools: This rezoning is not anticipated to affect any schools. Single family residential development would only be permitted through subsequent public hearing approvals subject to Section 122-1194.

Staff Findings and Recommendation

- The subject property is currently zoned M-1, Light Industrial.
- The proposed manufactured/mobile home sales use is a permitted principal use within the requested B-5 zoning district pursuant to Section 122-743 of the Code of Ordinances.
- The proposed zoning will promote further urban infill development of the site and will provide a transition between the existing blend of older industrial uses east of SW Martin L. King Ave and the and newer commercial uses to the west.

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| Staff Recommendation: <i>Approval</i> |
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Permitted Uses Table:

| Permitted Use Type | M-1, Light Industrial | B-5, Wholesale Business |
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| <i>Residential Operation</i> | | <ul style="list-style-type: none"> • Residence-Gallery • Residence-Office |
| <i>Residential Type</i> | | <ul style="list-style-type: none"> • Single-family dwelling • Multi-family dwelling* |
| <i>General Retail</i> | <ul style="list-style-type: none"> • Furniture store, with a minimum of 10,000 square feet of warehouse space • Home garden/hobby farm equipment sales • Used merchandise store | <ul style="list-style-type: none"> • Auto supply store • Bakery store • Building material sales • Department store • Drugstore • Electronic cigarette/vaporizer store • Electronics store • Farmer's market • Flea market • Furniture store • Garden and nursery sales • Grocery store • Hardware store • Home decorating store • Home garden/hobby farm equipment sales • Manufactured/mobile home sales • Pawn shop • Pharmacy • Playground equipment sales, outdoor • Roadside fruit and vegetable sales • Specialty retail store • Swimming pool sales (enclosed) • Swimming pool sales (outdoor sales) • Used merchandise store • Videotape store |
| <i>Vehicular Sales</i> | <ul style="list-style-type: none"> • Construction/farm equipment sales* • Truck rental and sales* | <ul style="list-style-type: none"> • Automobile rental sales • Automobile sales, new or used • Automobile specialty sales, new or used • Boat store • Construction/farm equipment sales • Recreational vehicle sales • Truck rental and sales |
| <i>Agricultural Use</i> | <ul style="list-style-type: none"> • Indoor greenhouse • Indoor hemp facility | |
| <i>Business Service</i> | <ul style="list-style-type: none"> • Advertising services (on-site/off-site signs) • Construction service establishment • Equipment rental and leasing • General business service | <ul style="list-style-type: none"> • Advertising services (on-site/off-site signs) • Construction service establishment • Day labor service establishment • Equipment rental and leasing |

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| | <ul style="list-style-type: none"> • Maintenance and cleaning service • Parking garage (or structure) • Parking lot • Pest control service • Radio/TV broadcasting facilities • Security systems service • Day labor service establishment* | <ul style="list-style-type: none"> • General business service • Maintenance and cleaning service • Parking garage (or structure) • Parking lot • Pest control service • Radio/TV broadcasting facility • Security systems service |
| <i>Eating or Drinking Establishment</i> | <ul style="list-style-type: none"> • Alcoholic beverage establishment (off-premises consumption) • Restaurant (enclosed) | <ul style="list-style-type: none"> • Alcoholic beverage establishment (off-premises consumption) • Alcoholic beverage establishment (on-premises consumption) • Drive-in or drive-through restaurant • Fast food restaurant • Restaurant (enclosed), (drive-through window permitted as an accessory use) |
| <i>Hospitality and Tourism</i> | | <ul style="list-style-type: none"> • Antique gallery/art gallery/museum • Hotel/convention center |
| <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 | <ul style="list-style-type: none"> • Commercial photography (art and graphic design service) • Computer maintenance and repair • Financial institution • Photocopying and duplicating service • Photofinishing laboratory • Prepackaged software services • Print shop • Professional and business office |
| <i>Personal Service</i> | <ul style="list-style-type: none"> • Bail bonds agency • Kennel • Laundry and dry-cleaning service • Major household repair establishment • Mini-warehouse • Minor household repair establishment • Recycling collection point | <ul style="list-style-type: none"> • Bail bonds agency • Check cashing establishment • Coin-operated laundry and dry-cleaning • Emergency shelter • Funeral home and/or crematory • Hairstyling shop • Kennel • Laundry and dry-cleaning pickup • Laundry and dry-cleaning service • Major household repair establishment • Mini-warehouse • Minor household repair establishment • Recycling collection point • Tattoo of body piercing establishment |
| <i>Vehicular Service</i> | <ul style="list-style-type: none"> • Auto repair, minor • Repair garage • Self-service/convenience store | <ul style="list-style-type: none"> • Auto repair, minor • Automobile cleaning, detailing service • Drive-through facility (non-restaurant), accessory use only • Full-service station |

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| | | <ul style="list-style-type: none"> • Repair garage • Self-service station/convenience store |
| Adult Use Establishment | | <ul style="list-style-type: none"> • Adult use establishment |
| Community Service | <ul style="list-style-type: none"> • Daycare facilities* | <ul style="list-style-type: none"> • Private club • Open pavilion engagement center* |
| Educational Use | <ul style="list-style-type: none"> • Community education center • Vocational/professional school | <ul style="list-style-type: none"> • Community education center • Vocational/professional school |
| Recreational Use | <ul style="list-style-type: none"> • Recreation facility, indoor* | <ul style="list-style-type: none"> • Bowling center • Commercial outdoor baseball/batting facility • Commercial recreation, indoor • Commercial recreation, outdoor • Dance/art/music studio • Drive-in theatre • Driving range • Miniature golf • Motion picture theatre, except drive-in • Multi-purpose facility • Physical fitness center • Recreation facility, indoor • Golf course* • Shooting ranges, indoor* • Temporary commercial amusement* |
| Public Use | | <ul style="list-style-type: none"> • Post office • Public transportation terminal • Park/open space area* |
| Health Care Use | <ul style="list-style-type: none"> • Medical and dental laboratory • Veterinarian office | <ul style="list-style-type: none"> • Medical and dental laboratory • Medical and dental office on major and minor arterials • Medical and dental office on local and connector streets • Veterinarian office • Satellite hospital emergency room |
| High-Impact Industrial Use | | |
| Low-Impact Industrial Use | <ul style="list-style-type: none"> • Assembly of electronics components • Carpet and upholstery cleaning • Manufacturing, light • Microbrewery/microdistillery • Newspaper printing facility • Packing and crating • Recycling center • Research and testing laboratory • Truck/freight terminal • Warehouse • Wholesale and distribution | <ul style="list-style-type: none"> • Carpet and upholstery cleaning • Microbrewery/microdistillery • Newspaper printing facility • Packing and crating • Recycling center • Research and testing laboratory • Truck/freight terminal • Warehouse • Assembly of electronic components* |

*Permitted by Special Exception