



Ocala

Legislation Text

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

File #: 2024-0897

Agenda Item #: b.

HWY 40 Investment, LLC and Central FL Petroleum Distributors / LUC24-45513

Petitioner: HWY 40 Investment, LLC and Central FL Petroleum Distributors

Agent: Craig Brashier, AICP, CHW, Inc.

Planner: Emily Johnson 352-629-8313

ewjohnson@ocalafl.gov

A request to change the Future Land Use designation from Commercial (County) to Low Intensity (City), for a property located at the northeast corner of NW 60th Avenue and W Highway 40 (Parcel 2303-013-001, 2303-012-067, 2303-012-072 and 23174-000-00); approximately 2.56 acres.

Recommended Action: Approval

City Council Tentative Schedule: Upon recommendation of approval or denial by the P & Z Commission, this item will be presented to City Council for introduction at the **Tuesday, April 2, 2024**, City Council meeting and second and final hearing at the **Tuesday, April 16, 2024**, City Council meeting.

CITY OF OCALA
PLANNING AND ZONING COMMISSION MEMO

Meeting Date: March 11, 2024

Subject: Land Use Change

Submitted by: Emily W. Johnson, AICP

City Council Date: April 2, 2024 (1st reading)
April 16, 2024 (2nd & final reading/public hearing)

STAFF RECOMMENDATION (Motion Ready): **Approval** of a small-scale future land use map amendment to change the land use from Commercial (County) to Low Intensity (City) for four parcels located at the northeast corner of NW 60th Avenue and W Highway 40, Parcel Numbers 2303-013-001, 2303-012-067, 2303-012-072, and 23174-000-00; approximately 2.56 acres. (Case LUC24-45513).

OCALA'S RELEVANT STRATEGIC GOALS: Economic Hub

BACKGROUND:

- Petitioner: HWY 40 Investment LLC & Central FL Petroleum Distributors LC
- Property Owner: HWY 40 Investment LLC & Central FL Petroleum Distributors LC
- Agent: Craig Brashier, AICP, CHW Professional Consultants
- The subject properties are in unincorporated Marion County and the petitioner is requesting to annex the properties into the city to connect to City utilities and facilitate future development of a hotel; however, a site plan for the proposed development has not been submitted at this time.
- Two of the four subject properties are improved; Parcel Number 2303-013-001 is currently developed with an operating self-service station/convenience store use (Shell gas station), and Parcel Number 2303-012-067 is currently developed with a single-family residence. Parcel Numbers 2303-012-072 and 23174-000-00 are vacant and undeveloped.
- The subject properties are contiguous to City limits to the south, across SR-40, and to the west, across NW 60th Avenue; the annexation into the city limits does not create an enclave.
- Adequate public facilities are available for the subject properties.
- The petitioner has submitted concurrent applications for annexation (ANX24-45512) and rezoning to B-2, Community Business (Case: ZON24-45514).

FINDINGS AND CONCLUSIONS: The requested Low Intensity land use is consistent and compatible with the surrounding area. The proposed B-2, Community Business, zoning district is consistent with the requested Low Intensity future land use classification, pursuant to Section 122-244 of the Ocala Code of Ordinances. Adequate public facilities exist to service the proposed development.

FISCAL IMPACT: N/A

ALTERNATIVES:

- Approve with changes.
- Deny
- Table

SUPPORT MATERIALS:

- Staff Report
- Case Map
- Aerial Map



Staff Report

Case No. LUC24-45513

Planning & Zoning Commission: March 11, 2024

City Council (1st Reading): April 2, 2024

City Council (Adoption): April 16, 2024

Petitioner: HWY 40 Investment LLC & Central FL Petroleum Distributors LC
Property Owner: HWY 40 Investment LLC & Central FL Petroleum Distributors LC
Agent: Craig Brashier, AICP, CHW Professional Consultants
Project Planner: Emily W. Johnson, AICP
Applicant Request: Change land use from Commercial (County) to Low Intensity (City) to facilitate future development of a hotel.
Existing Future Land Use: Commercial (County)
Proposed Future Land Use: Low Intensity (City)
Existing Zoning District: B-2, Community Business (County)
Proposed Zoning District: B-2, Community Business (City)

Parcel Information

Acres: ± 2.56 acres
Parcel(s)#: 2303-013-001, 2303-012-067, 2303-012-072, and 23174-000-00
Location: The northeast corner of NW 60th Avenue and W Highway 40
Existing use: Self-service station/convenience store (Shell), single-family residence, and vacant commercial.
Overlay(s): N/A

Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Medium Residential (County)	R-2, One and Two-Family Dwelling (County)	Single-family residences
South	Employment Center (City)	B-2, Community Business (City)	Self-service station/convenience store (Circle K) Financial institution (First Federal Bank)
East	Commercial (County)	R-2, One and Two-Family Dwelling (County) B-2, Community Business (County)	Vacant Residential Business and professional office

West	Low Intensity (City)	B-2, Community Business (City)	Vacant Commercial
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Background:

The subject properties, identified by Parcel Identification Numbers 2303-013-001, 2303-012-067, 2303-012-072, and 23174-000-00 contain approximately 2.56 cumulative acres, and are generally located in the 5900 block between West SR-40 and NW 1st Street.

The subject properties are identified as part of Blocks M and L of the recorded plat of Ocala Ridge Unit 3 (Plat Book G, Page 38), as recorded on January 26, 1960. The plat does not identify any restrictions on use or annexation; several lots within the same Block L have been annexed and are utilized for commercial purposes.

The subject properties are contiguous to City limits to the south, across SR-40, and to the west, across NW 60th Avenue. Located to the northeast of the Ocala International Airport, the properties will require an avigation easement at such time that they are developed with vertical improvements. This easement limits the right to generate noise, dust, turbulence, vibration, illumination, air currents, fumes, exhaust, smoke, and other effects inherent to the operation of aircraft. This agreement is important for maintaining safety and accommodating aviation needs near the airport.

Two of the four subject properties are improved; Parcel Number 2303-013-001 is currently developed with an operating self-service station/convenience store use (Shell gas station), and Parcel Number 2303-012-067 is currently developed with a single-family residence. Parcel Numbers 2303-012-072 and 23174-000-00 are vacant and undeveloped.

The subject properties are in unincorporated Marion County and the petitioner is requesting to annex the properties (Case: ANX24-45512) into the City to obtain City utilities for the future development of a hotel; however, a site plan for the proposed development has not been submitted at this time. The petitioner has submitted concurrent applications for a land use change to Low Intensity, and rezoning to B-2, Community Business (Case: ZON24-45514). The proposed B-2 zoning district is consistent with the requested Low Intensity land use.

Existing and Proposed Development Standards

	Future Land Use Category	Permitted Land Uses	Allowable Density	Allowable FAR
Existing	Commercial (County)	Office, Commercial, Public, Recreation, Residential, Campgrounds, Recreational Vehicle Park	8 units per acre	1.0 FAR
Proposed	Low Intensity (City)	Residential, office, commercial, public, recreation, institutional, light industrial, educational facilities	3-18 units per acre	0.75 FAR

Staff Analysis

The requested Low Intensity land use is consistent and compatible with the surrounding area. The proposed B-2, Community Business, zoning district is consistent with the requested Low Intensity future land use classification, pursuant to Section 122-244 of the Ocala Code of Ordinances. Adequate public facilities exist to service the proposed development.

Factual Support

1. The requested land use 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.
 - 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.
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

Transportation: The subject properties have approximately 540-feet of frontage along West SR-40, 518-feet of frontage along NW 1st Street, and 210-feet of frontage along NW 60th Avenue. The 2023 Congestion Management Data from the Ocala-Marion TPO for the affected roadway is 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
SR-40 (From SW 60 th Ave to SW 52 nd Ave)	4	50 MPH	Arterial	D	38,430	27,100	C
NW 60 th Ave (From SR-40 to NW 17 th St)	4	45 MPH	Arterial	E	35,820	11,100	C

Electric: The subject properties are in the Ocala Electric Utility service territory.

Internet: Service is available. A City fiber optic cable runs along NW 60th Ave, bordering the subject

properties to the west.

Potable Water: Service is available. A City water main runs along SR-40 in front of the subject properties. Connections will be determined during the site plan or subdivision review and approval process.

Sanitary Sewer: Service is available. A City gravity main runs along SR-40 in front of the subject properties. Connections will be determined during the site plan or subdivision review and approval process.

Stormwater: The subject properties are not located within a FEMA Flood Zone. 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.

Solid Waste: Trash pickup will be available when the properties are annexed into city. Service is available to the properties within the City limits to the south, west and east.

Fire Service: Ocala Fire Rescue Station #4, located at 3300 SW 20th Street, is approximately 2.7 miles from the subject properties.

Schools: This land use change is not anticipated to affect any school district

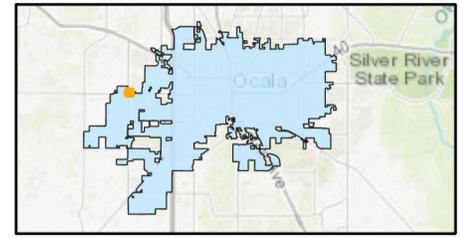
Staff Recommendation: <i>Approval</i>
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LAND USE CASE MAP

P & Z Meeting: March 11, 2024

Case Number: LUC24-45513
Parcel Number: 2303-012-067, 2303-012-072, 2303-013-001, 23174-000-00
Property Size: Approximately 2.56 acres
Land Use Designation: Commercial (County)
Zoning: B-2, Community Business (County)
Proposal: A request to change the Future Land Use designation from Commercial (County) to Low Intensity (City)

Location Map



-  Subject Property
-  City Limits
-  Parcels
-  Commercial (County)
-  Employment Center (County)
-  Employment Center
-  M
-  Low Intensity

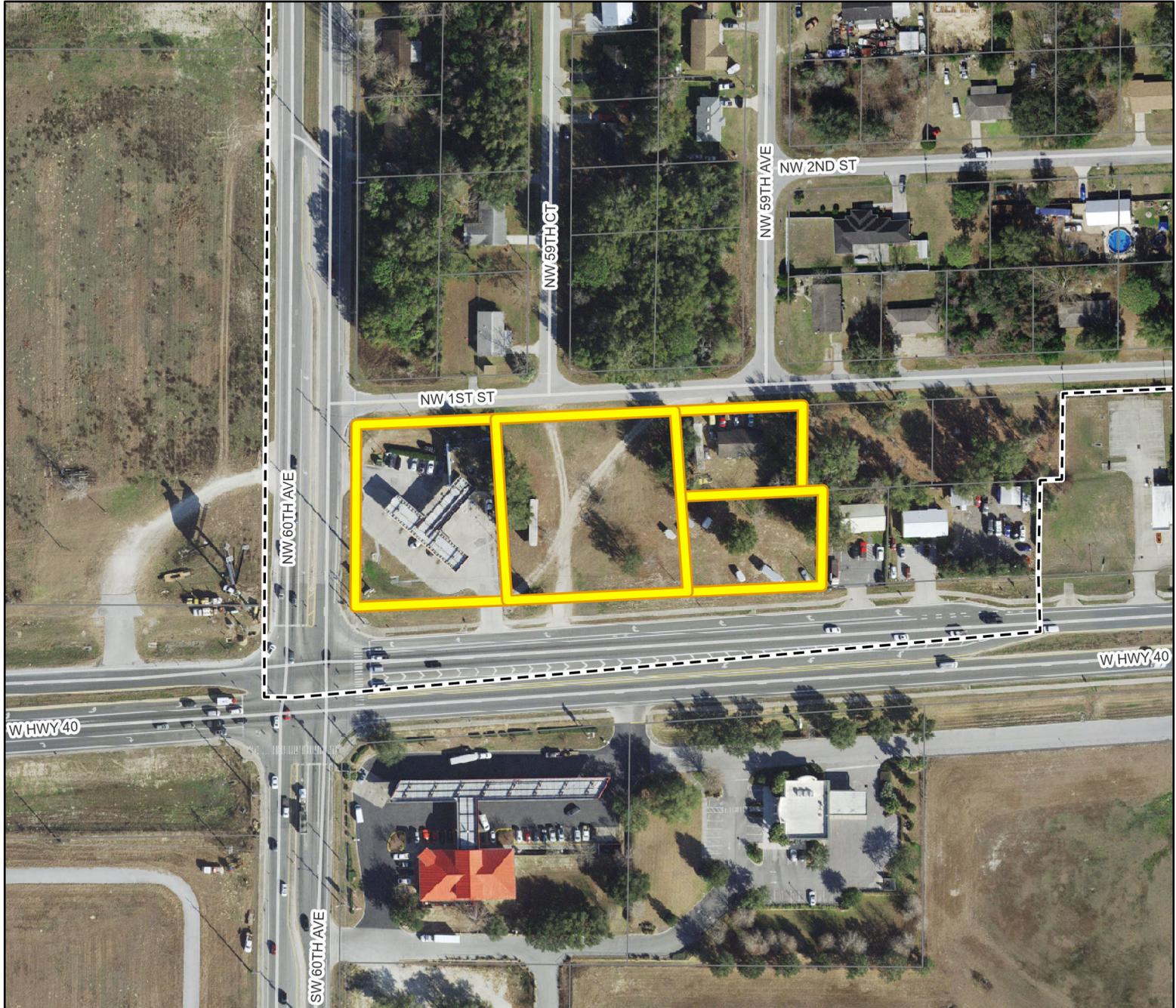
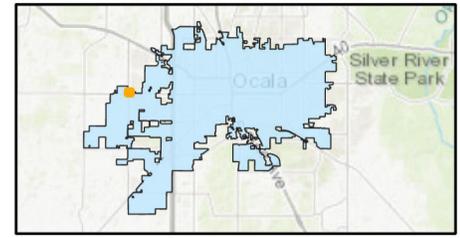


AERIAL MAP

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Location Map



-  Subject Property
-  Parcels
-  City Limits

