



# Ocala

## Legislation Text

110 SE Watula Avenue  
Ocala, FL 34471

[www.ocalafl.org](http://www.ocalafl.org)

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**File #:** 2023-1537

**Agenda Item #:** b.

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LUC23-45253 / David Denson

Petitioner: David Denson

Planner: Endira Madraveren 352-629-8440

[emadraveren@ocalafl.org](mailto:emadraveren@ocalafl.org)

A request to change the Future Land Use Designation from Neighborhood and Low Intensity to Low Intensity, for property located at 2191 NW 10th Street and the property directly to the east; approximately 8.6 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 a introduction at the **Tuesday, September 5, 2023**, City Council meeting and second and final hearing at the **Tuesday, September 19, 2023 City Council meeting**.

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**CITY OF OCALA****Meeting Date: August 14, 2023****PLANNING AND ZONING COMMISSION MEMO**

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**Subject:** Land Use Change**Submitted By:** Endira Madraveren**City Council Date:** September 5, 2023 (1<sup>st</sup> reading)  
September 19, 2023 (2<sup>nd</sup> & final reading/public hearing)

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Staff Recommendation (Motion Ready): **Approval** of an amendment to the Future Land Use Category from Neighborhood and Low Intensity to Low Intensity, for approximately 8.6 acres of property located at 2191 NW 10<sup>th</sup> Street and the property directly to the east (Cases LUC23-45253).

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**OCALA'S RELEVANT STRATEGIC GOALS: Quality of Place**

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**BACKGROUND:**

- Petitioner: David Denson
- Property Owner: David Denson
- The property was annexed into the City in 1975.
- Citywide comprehensive plan amendment, adopted on January 22, 2013 (Ordinance 2013-13), changed the future land use designation of the subject property from Retail Services to Low Intensity to the south and Neighborhood to the north.
- The property is zoned B-4, General Business.
- Per Section 122-244 of the Code of Ordinances, B-4 is compatible with Low Intensity Future Land Use but not with Neighborhood.
- Ordinance 2013-32, a city-initiated amendment, created an incompatibility on this property.
- To avoid any further compatibility issues, the City is moving forward to rectify this issue.

**FINDINGS AND CONCLUSIONS:** The requested Future Land Use Category of Low Intensity, is consistent with the Comprehensive Plan. Approval of the requested land use is appropriate.

**FISCAL IMPACT:** N/A

**ALTERNATIVES:**

- Approve
- Deny
- Table

**SUPPORT MATERIALS:**

- Staff Report
- Case Map
- Case Aerial



**Petitioner:** David Denson

**Property Owner:** David Denson

**Project Planner:** Endira Madraveren

**Land Use Change Request** From: Neighborhood and Low Intensity  
To: Low Intensity

### Parcel Information

Acres: ±8.6 acres  
Parcel(s)#: 22230-000-00 and 22232-000-00  
Location: 2191 NW 10<sup>th</sup> St  
Existing use: DIY Home Center Outlet  
Existing zoning: B-4, General Retail

### Adjacent Land

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Neighborhood	R-2, Two-Family	Vacant/Undeveloped Single-Family Residential
East	Low Intensity Neighborhood	B-4, General Business	Vacant/Undeveloped Single-Family Residential
South	Low Intensity	B-4, General Business	Specialty Retail Store Funeral Home Used Car Sales
West	Neighborhood Low Intensity	B-4, General Business	Repair Garage

### Background

The subject property is located in the 2100 block of NW 10<sup>th</sup> Street (US Highway 27). The property was annexed into the City in 1975. The citywide comprehensive plan amendment, adopted on January 22, 2013 (Ordinance 2013-13), changed the future land use designation of the subject property from Retail Services to Low Intensity to the south and Neighborhood to the north. The property is zoned B-4, General Business. City of Ocala Code of Ordinance Section 122-244 establishes the zoning districts that are compatible with each land use classification. According to this section of the Code, B-4 is compatible with Low Intensity Future Land Use, but not with Neighborhood Future Land Use. Ordinance 2013-32, a city-initiated amendment, created an incompatibility on this property. In order to avoid any further compatibility issues, the City is moving forward to rectify this issue.

Marion County Property Appraiser records indicate that a warehouse building (17,000 sf) was constructed on this site in 1973. DIY Home Center Outlet applied for a Site Plan with the City of Ocala in April 2013. This site plan included the addition of 6,500 sf of warehouse, associated parking, and drainage facilities. The site plan was approved and the building received its Certificate of Occupancy in January, 2016. Because B-4 is not a permitted use in the Neighborhood Future Land Use, the

structure or portions of the structures that lie within those boundaries are also nonconforming.

<b>Staff Recommendation:</b>	<b>Approval of LUC23-45253</b>
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### Basis for Approval

The proposed land use designation of Low Intensity is consistent with the Comprehensive Plan and with the surrounding area.

### Factual Support:

1. Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
  - a. **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.
2. Approval of this request will not adversely affect the health, safety, convenience, prosperity or general welfare of the community.

### Service Analysis

**Transportation:** 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
NW 10 <sup>th</sup> Street	4	45 MPH	Arterial	D	39,800	23,000	C

**Electric:** This property is currently serviced by Ocala Electric Utility.

**Potable Water:** This property is currently serviced by Ocala Water Resources.

**Sanitary Sewer:** This property is currently serviced by Ocala Water Resources.

**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.

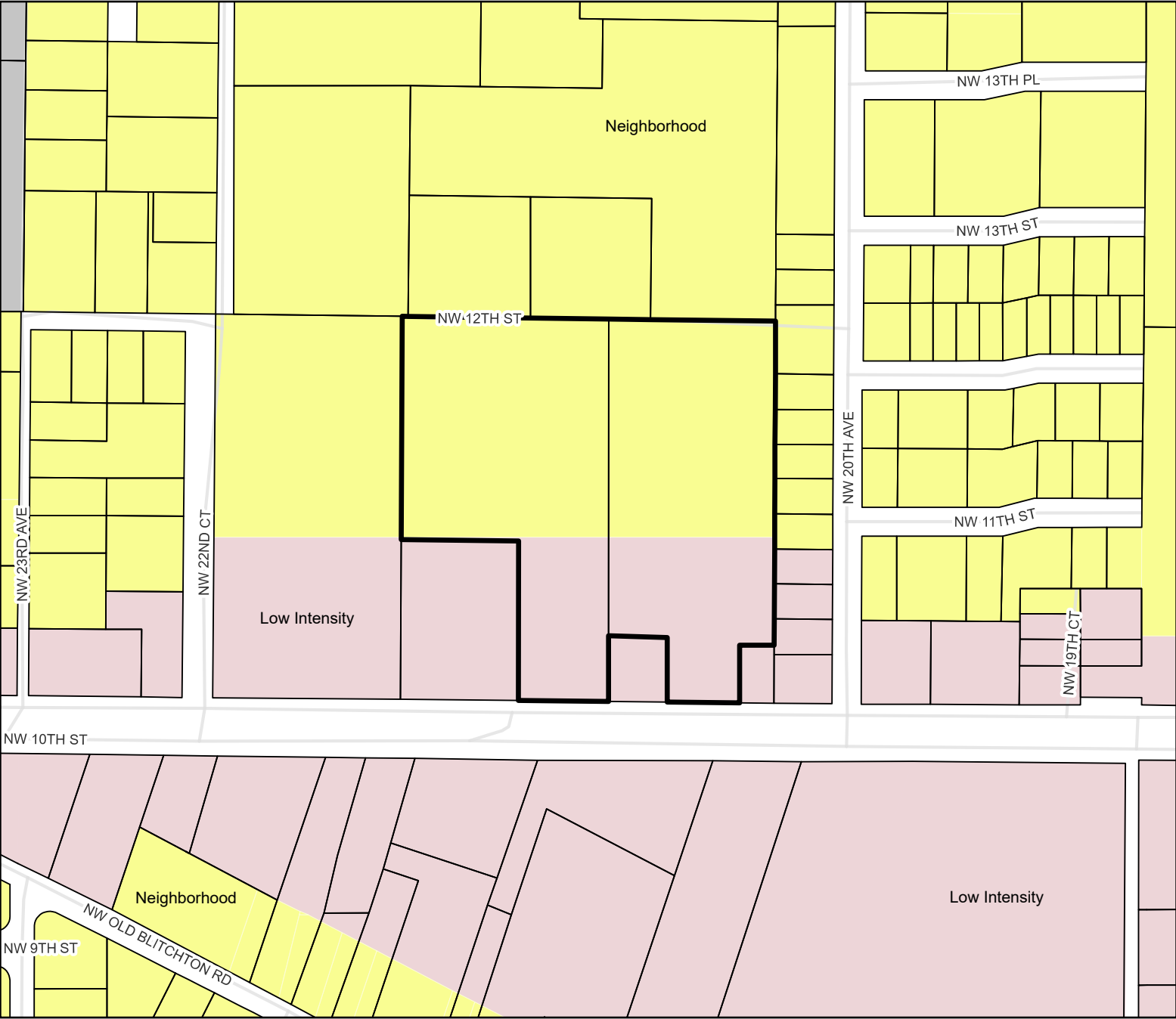
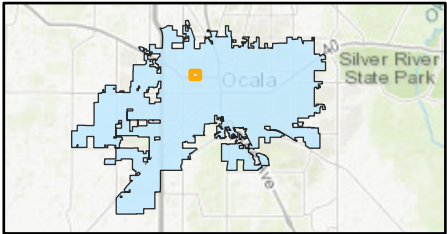
**Solid Waste:** The city has a contract for unlimited tonnage of solid waste.

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

**Schools:** This land use change is not proposed to affect any school district.

LAND USE CASE MAP

Case Number: LUC23-45253  
Parcel Number: 22230-000-00 and 22232-000-00  
Property Size: Approximately 8.6 acres  
Land Use Designation: Low Intensity and Neighborhood  
Zoning: B-4 General Business  
Proposal: A request to change the Future Land Use Designation from Neighborhood and Low Intensity to Low Intensity



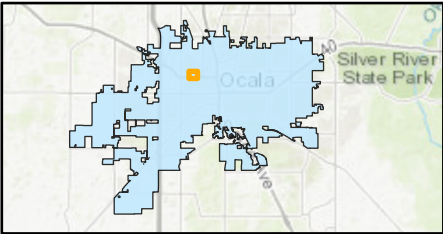
- Property
- Parcels
- Employment Center
- Low Intensity
- Neighborhood





AERIAL MAP

Case Number: LUC23-45253  
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Property  
Parcels

