



Land Use Change Staff Report

Case No. LUC23-45427

Planning & Zoning Commission: May 12, 2025

City Council (1st Reading): June 3, 2025

City Council (Adoption): June 17, 2025

Applicant/Property Owner: NSC Silver Springs, LLC
Project Planner: Emily W. Johnson, AICP
Amendment Request: Change the land use from Neighborhood to Low Intensity
Associated Applications: ABR23-45418, DMA23-45430, PD23-45431, ZON23-45419
Parcel Information
Acres: ±0.78 acres
Parcel(s)#: 2735-006-017 and 2735-009-002
Location: The 1900 block of NE 49th Avenue
Existing use: Vacant/Undeveloped
Future Land Use Designation: Neighborhood
Zoning Designation(s): PD, Planned Development, and R-1, Single-Family Residential District
Special District(s)/Plans(s): N/A
Overlay(s): N/A

Figure 1. Aerial Location Map



Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Low Intensity	PD, Planned Development B-2, Community Business	Professional and business office
East	Low Intensity Neighborhood	B-2, Community Business R-1, Single-Family Residential	Drive-through fast food restaurant (Arby's) and undeveloped parcel identified as part of the Chapter 163 Agreement for the Alderbrook development, adjacent to NE 49 th Ave
South	Neighborhood	R-1, Single-Family Residential	Platted single-family residential subdivision (Glynnwood Unit 1)
West	Low Intensity	PD, Planned Development	Undeveloped commercial

Applicant Request

The applicant is requesting to change the future land use designation from Neighborhood to Low Intensity. This request accompanies concurrent applications to rezone adjacent properties to the north and west to Planned Development (PD23-45431) and to abrogate the NE 47th Court right-of-way (ABR23-45418). The land use change is intended to allow for the development of commercial uses and to standardize the Future Land Use designation across the entire Planned Development.

Background

The subject properties, identified by Parcel Identification Numbers 2735-009-001 and 2735-006-017, contain approximately 0.78 cumulative acres. The two parcels were originally platted as lots within the Glynnwood Unit 1 subdivision (Plat Book G, Page 091), and are designated as Neighborhood Future Land Use (FLU) by the Comprehensive Plan. The parcels are currently undeveloped and heavily wooded.

Parcel 2735-009-002 (0.31 acres) is zoned PD, Planned Development, in association with the conceptual PD Plan for Avatar Properties (PUD14-0002), approved by Resolution 2016-4.

- Resolution 2016-4 reflected a 3,600 s.f. retail building and a drainage retention area to be developed on the subject property.
- A final PD Plan was never submitted for Avatar Properties.

Parcel 2735-006-017 (0.47 acres) is zoned R-1, Single-Family Residential District, and was purchased in 2017 by NSC Silver Springs LLC. Prior to this, the lot was not owned together with the adjacent parcels identified in the PD application.

Existing and Proposed Land Use Standards

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	Future Land Use Category	Permitted Land Uses	Allowable Density	Allowable FAR
Existing	Neighborhood	Primary Use: Residential Secondary Uses: Recreation, institutional, limited neighborhood-scale office and commercial, educational facilities	Up to 5 units/acre SFR; Multifamily up to 12 units/acre	Up to 0.25 FAR (1)
Proposed	Low Intensity	Residential, office, commercial, public, recreation, institutional, light industrial, educational facilities	3 to 18 units/acre	Up to 0.75 FAR
Notes: (1) Neighborhood-scale office use must be compatible and complementary of surrounding neighborhood character and appearance.				

Staff Analysis

Pursuant to Comprehensive Plan Policy 6.3, the Low Intensity FLU is intended to identify areas that are generally oriented towards the automobile as the primary mode of transportation. The Low Intensity FLU is more appropriate for the intended commercial development than the existing Neighborhood FLU.

The proposed conceptual PD Plan (PD23-45431) reflects the parcel as part of the commercial development area. The PD access is proposed to be relocated from NE 47th Court to a proposed road bisecting parcel 2735-006-017. A portion of the parcel will be reserved as a 25-foot natural buffer to the existing single-family residence located to the south. The proposed PD Plan and Standards Book incorporates a mix of uses consisting of commercial uses along major arterial roadways (SR40) transitioning within the PD to multi-family/single-family attached residential, which abuts adjacent developed single-family detached dwellings with a 40-foot landscape buffer and 25-foot landscape buffer within a portion of parcel 2375-006-017. The remaining portion would be used for a cross access to an existing shopping center. The below provides factual support to the staff's analysis.

Factual Support

1. The requested future land use change is consistent with the following Objectives and Policies of the City of Ocala Comprehensive Plan:
 - 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.

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The form of buildings and development may be regulated for specified areas by a Form Based Code or Corridor Overlay. Buildings may have larger setbacks from the street and public right-of-way than other mixed-use districts. Buildings may have surface parking between the building and the street, though rear and side yard parking is encouraged for non-residential uses. Low Intensity areas may have large open space areas such as community and regional parks, trails, or surface stormwater management facilities designed as amenities.

The minimum density and intensity in this future land use category is 3 dwelling units per gross acre or 0.00 FAR. The maximum density and intensity is 18 dwelling units per acre or 0.75 FAR.

Staff Comment: The proposed use of the subject properties for access to and development of commercial uses is consistent with the intention of the requested Low Intensity FLU designation. It is noted that many properties lining E Silver Springs Boulevard (SR 40) are designated as Low Intensity. Additionally, the existing Neighborhood FLU is predominantly residential, only allows for neighborhood-scale commercial uses, and would not support the 0.75 FAR proposed by the concurrent Planned Development application (PD23-45431). Unifying the underlying Future Land Use for the whole Planned Development will allow for a more consistent application of land use and intensity.

- b. Future Land Use Element 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.

As identified in the Level of Service Analysis below, there appears to be adequate public facilities to service the subject properties.

Level of Service Analysis

Transportation: The subject segment of NE 49th Avenue is an unclassified roadway under the Ocala-Marion TPO Congestion Management Plan. Automotive traffic will likely access the properties via E Silver Springs Boulevard (SR 40). The 2023 congestion management data from the Ocala-Marion TPO for the affected roadway(s) is provided below.

Adopted LOS / Available Capacity:

Road/ Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2023 AADT	Existing LOS
E Silver Springs Boulevard (SR 40)	4	45 MPH	Arterial	D	38,430	22,300	C

Developments proposing to generate 100 or more net new PM peak hour trips are required to submit a traffic study as part of the subdivision review. The affected segment of E Silver Springs Boulevard (SR 40) is currently operating above the adopted Level of Service.

Potable Water: City utilities are available at this location; any new connections will be determined during the site plan review process. City water mains run along E Silver Springs Boulevard and NE 49th Avenue.

- *Adopted Level of Service (LOS) Potable Water:* 300 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 167 gallons per capita daily (gpcd).

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- *Available Capacity:* Capacity is available. The permitted capacity of the City's water system is 24.4 million gallons daily (mgd).

Sanitary Sewer: City utilities are available at this location; any new connections will be determined during the site plan review process. City gravity mains run along E Silver Springs Boulevard and NE 49th Avenue.

- *Adopted Level of Service (LOS) Sanitary Sewer:* 250 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 80 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of Water Reclamation Facility #2 is 6.5 million gallons daily (mgd) and the permitted capacity of Water Reclamation Facility #3 is 4.0 million gallons daily (mgd).

Solid Waste: The subject properties are located within the City's service area; refuse pickup will be determined during the subdivision review process.

- *Adopted Level of Service (LOS) Solid Waste:* 0.0112 pounds per square foot of occupied building space per day for non-residential development, and 3.54 pounds per capita per day for residential development.
- *Available Capacity:* Solid waste is transported to facilities outside of the City.

Other Public Facilities:

Stormwater: The subject properties are not located within a Flood Zone. For any future redevelopment, 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.

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

Fiber: Service is not currently available at this location.

Fire Service: Ocala Fire Rescue Station #5 is located approximately 3.0 miles from the subject properties, at 2340 NE 25th Ave. This distance exceeds the desired industry standard of 1.5 miles for fire service.

Schools: The subject property is serviced by Ocala Springs Elementary (operating at 121.48% capacity), Fort King Middle (68.36%) and Vanguard High Schools (89.33%). The proposed land use change may generate up to 1 additional Elementary School-aged student, and 1 additional High School-aged students.

Project Dwelling Units (SFR)			
School Level	SFR Student Generation Rate	4 SFR (max. 5 d.u./acre permitted by Neighborhood FLU)	14 SFR (max. 18 d.u./acre permitted by Low Intensity FLU)
E	0.13	0	1
M	0.064	0	0
H	0.094	0	1
Project Dwelling Units (MFR)			
School Level	MFR Student Generation Rate	9 MFR (max. 12 d.u./acre permitted by	14 MFR (max. 18 d.u./acre permitted by Low

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		Neighborhood FLU)	Intensity FLU)
E	0.139	1	1
M	0.056	0	0
H	0.067	0	0

Staff Findings and Recommendation

- The purpose of the requested future land use map amendment is to allow for the development of commercial uses and to standardize the Future Land Use designation across the entire Planned Development.
- Unifying the underlying Future Land Use Category for the whole Planned Development will allow for a more consistent application of land use and intensity.
- City utilities are available at this location, and no Level of Service issues have been identified for public facilities as a result of the amendment..

Staff Recommendation: <i>Approval</i>
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