



## Rezoning Staff Report

Case No. ZON25-0007

Planning & Zoning Commission: June 9, 2025

City Council (1<sup>st</sup> Reading): July 1, 2025

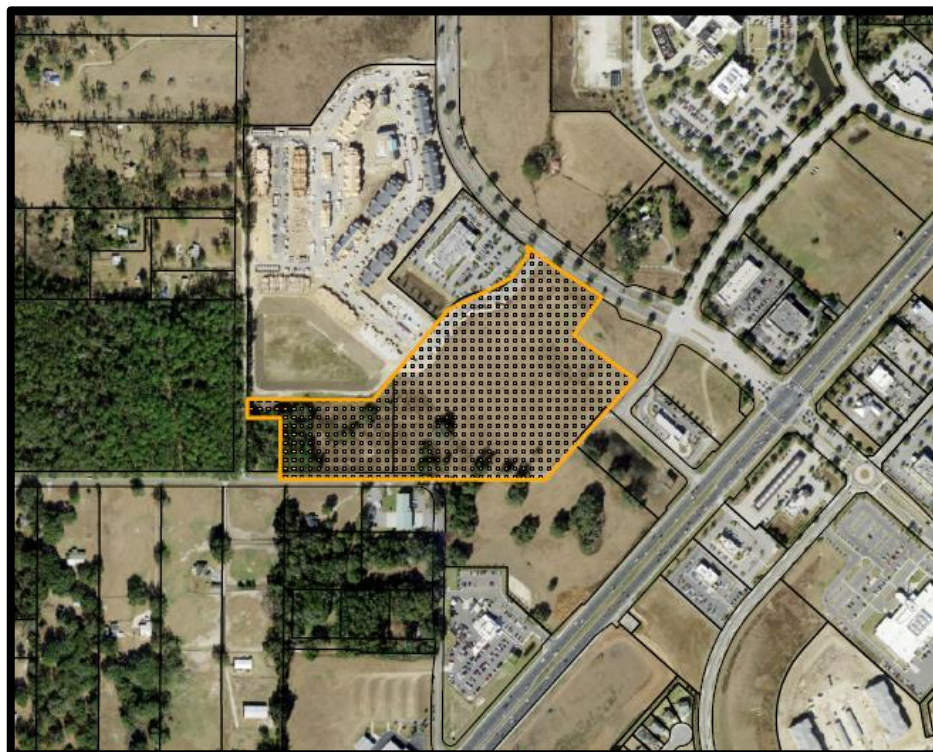
City Council (Adoption): July 15, 2025

**Applicant/Property Owner:** Circle Fore LLC  
**Project Planner:** Emily W. Johnson, AICP  
**Amendment Request:** Rezone the subject properties from R-3, Multi-Family Residential, to B-2, Community Business.

### Parcel Information

**Acres:** ±18.24 acres  
**Parcel(s)#:** 23832-000-00 and a portion of 23894-002-00  
**Location:** Southwest of the intersection at SW 48<sup>th</sup> Avenue and SW 49<sup>th</sup> Place  
**Existing use:** Vacant/undeveloped, subdivision improvement plan SUB23-45452 for Circle Fore II At SW 48th Ave is under review.  
**Future Land Use Designation:** Low Intensity  
**Zoning Designation(s):** R-3, Multi-Family Residential  
**Special District(s)/Plans(s):** Future Land Use Policy 18.8 (Ord. 2021-30)  
Future Land Use Policy 18.21 (Ord. 2023-15)  
**Overlay(s):** N/A

**Figure 1. Aerial Location Map**



# Rezoning Staff Report

Case No. ZON25-0007

## Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
<b>North</b>	Low Intensity	R-3, Multi-Family Residential O-1, Office	Multi-family residential (Canter Apartments) Medical office (Florida Cancer Specialists & Research Institute)
<b>East</b>	Low Intensity	B-2, Community Business R-3, Multi-Family Residential No Zoning	Vacant, undeveloped  Derelict single-family residence constructed in 1956
<b>South</b>	Low Intensity     Medium Residential (County)	B-2, Community Business  G-U, Governmental Use  B-4, General Business  A-1, General Agriculture (County)	Drive-through restaurant (Chic-fil-a) Car wash (Racewash Express) City of Ocala Fire Station #6  Water retention area Vacant/undeveloped, subdivision improvement plan SUB23-45452 under review Single-family residence
<b>West</b>	Commercial (County)  High Residential (County)	A-1, General Agriculture	Vacant and undeveloped

## Applicant Request

The petitioner is requesting to rezone from R-3, Multi-Family Residential, to B-2, Community Business, to allow for future commercial development. The subject properties are comprised of Parcels 23832-000-00 and a portion of 23894-002-00 and contain approximately 18.24 acres.

## Background

## Rezoning Staff Report

Case No. ZON25-0007

Parcel 23832-000-00 was annexed in November 2005, as part of a larger parcel containing approximately 64.29 acres. Upon annexation, the parcel was designated as Professional Services and Retail Services Future Land Use with an accompanying Future Land Use Policy (FLUP) 12.8, which limited the development potential to 1,176,198 square feet of building space for retail/office uses. Later in 2008, a zoning change was requested to B-2, Community Business, and OP, Office Park (ZON08-0024) to implement Professional Services and Retail Services future land use designations.

Parcel 23894-002-00 was annexed into the City of Ocala in August 2007, as part of a larger parcel containing approximately 39.00 acres. Upon annexation, the parcel was designated as Retail Services Future Land Use for future retail development, with an accompanying future land use policy (FLUP). FLUP 12.22 limited the aggregate development to what was allowed under the previous County land use designation and required the owner/developer to submit a Developer's Agreement consistent with the City's Land Development regulations regarding buffers, landscaping, site design, architectural elements, and other requirements.

On January 22, 2013, the City Council adopted Comprehensive Plan Amendments consistent with the 2035 Vision, which eliminated the Professional Services and Retail Services Future Land Use Classifications while assigning the new designation of Low Intensity. The intent of the Low Intensity land use classification is to identify areas that are oriented towards the automobile as the primary mode of transportation, with pedestrian circulation and activity being less than High Intensity/Central Core and Medium Intensity/Special District districts. The FLUPs were subsequently renumbered to 18.8 and 18.21 upon adoption of the Evaluation and Appraisal Report amendments by Ordinance 2021-20.

Future Land Use Policies 18.8 and 18.21 were further amended to allow for development consistent with the existing Low Intensity Future Land Use Category and removed language pertaining to a Developer's Agreement, traffic impact analysis, and traffic improvements as these items were incorporated as land development regulations since the inception of the FLUP's.

On November 15, 2022, the City Council adopted Ordinance 2023-14 which rezoned the subject properties from B-2, Community Business, and OP, Office Park, to R-3, Multi-Family Residential. A site plan for development has never been submitted.

A subdivision improvement plan is currently under review for Circle Fore II At SW 48th Ave (SUB23-45452), for a commercial plat containing 3 lots, 3 tracts, and associated public roadway and stormwater infrastructure improvements. The subject properties are identified as Lot 1 and Tract 1 on the proposed improvement plan.

### Existing and Proposed Zoning District Standards

	<b>Zoning District</b>	<b>Intent and Purpose</b>	<b>Minimum Lot Area (square feet)</b>	<b>Maximum Building Height (feet)</b>
<b>Existing</b>	R-3, Multi-Family Residential	Intended to be a multi-family area, including higher residential densities in accordance with the comprehensive plan.	10,000	50-feet

## Rezoning Staff Report

Case No. ZON25-0007

<b>Proposed</b>	B-2, Community Business	Intended for community businesses, including retail sales, personal and business services, and all office uses. Businesses shall be based on walk-in trade, rather than delivery of supplies and large commodities.	10,000	50-feet
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### Staff Analysis

#### *Factual Support*

1. The requested rezoning 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.

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 B-2 zoning district and the intended use are generally consistent with the intention of the Low Intensity FLU.*

- 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.*

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 each land use classification.

# Rezoning Staff Report

Case No. ZON25-0007

<b>Low Intensity</b>	R-1, R-1A, R-1AA, R-2, R-3, RZL, RBH-1, RBH-2, RBH-3, OH, RO, O-1, OP, B-1, B-1A, <b>B-2</b> , B-2A, B-4, B-5, SC, M-1, M-2, G-U, INST, A-1, PD, FBC
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*The requested B-2 zoning district is consistent with the existing Low Intensity FLU designation.*

## **Level of Service Analysis**

**Transportation:** The subject segment of SW 48<sup>th</sup> Avenue is an unclassified roadway under the Ocala-Marion TPO Congestion Management Plan. Automotive traffic will likely access the properties via SW College Road (SR 200). The 2023 congestion management data from the Ocala-Marion TPO for the affected roadway(s) is provided below.

### **Adopted LOS / Available Capacity:**

<b>Road/ Street Name</b>	<b>Lanes</b>	<b>Speed Limit</b>	<b>Functional Classification</b>	<b>Adopted LOS</b>	<b>LOS Capacity</b>	<b>2023 AADT</b>	<b>Existing LOS</b>
SW College Road (SR 200)	6	50 MPH	Arterial	D	56,805	42,400	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 SW College Road (SR 200) 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 SW 48<sup>th</sup> Avenue and SW 49<sup>th</sup> Place.

- *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).
- *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 SW 48<sup>th</sup> Avenue and SW 49<sup>th</sup> Place.

- *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 property is located within the City's service area; any future changes in refuse pickup will be determined during the site plan 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.
- *Available Capacity:* Solid waste is transported to facilities outside of the city.

### **Parks and Recreation Facilities:**

- *Adopted Level of Service (LOS) Solid Waste:* 4.6 developed park acres per 1,000 population for each Regional Park Service Area (RPSA).

- **Available Capacity:** Capacity is available. The City's 69,283 population requires 318.70 developed park acres. The city currently owns and maintains 622.27 developed park acres, pursuant to the Fall 2024 Activity Guide released by the Recreation and Parks Department.

## **Other Public Facilities:**

The following public facilities do not have adopted Level of Service standards and are provided as additional information.

**Stormwater:** The subject properties are partially located within FEMA Flood Zone "AE", defined by the Flood Insurance Rate Map (FIRM) as a high-risk area with a 1% annual chance of flooding. 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 #6 is located approximately 58-feet from the subject properties, at 5220 SW 50<sup>th</sup> Court. This distance fall within the desired industry standard of 1.5 miles for fire service.

**Schools:** The proposed rezoning is not anticipated to affect schools.

## **Staff Findings and Recommendation**

- The proposed rezoning is consistent with the existing Low Intensity Future Land Use classification, pursuant to Section 122-244 of the Code of Ordinances, and is compatible with the surrounding area.
- The proposed rezoning is consistent with the existing Future Land Use Policies affecting the properties.
- The B-2, Community Business, zoning district is appropriate with the intended use of the subject property. Adjacent properties to the south and west are existing B-2 and B-4 zoned properties located along a major arterial roadway (SR 200).
- No level of service issues has been identified for public facilities as a result of the zoning amendment.

<b>Staff Recommendation:</b> <i>Approval</i>
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