



Staff Report

Case No. ZON24-45671

Planning & Zoning Commission: June 10, 2024

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

City Council (Adoption): July 16, 2024

Petitioner: Lewis Electrical Constructors, Inc.
Property Owner: Lewis Electrical Constructors, Inc.
Agent: Derek Batsel, Boyd-Mox Development, LLC
Project Planner: Endira Madraveren
Applicant Request: from: M-1, Light Industrial District
to: M-2, Medium Industrial
Rezone the subject property from M-1, Light Industrial, to M-2, Medium Industrial.
Future Land Use: Low Intensity

Parcel Information

Acres: ±12.85 acres
Parcel(s)#: 25260-000-00
Location: 1123 NW 22nd Street
Existing use: Undeveloped
Overlay(s): Opportunity Zone & West Ocala CRA

Adjacent Property Information

Direction	Future Land Use	Zoning District	Current Use
North	Neighborhood	R-3, Multi-Family Residential	Vacant/Undeveloped
East	Neighborhood	R-3, Multi-Family Residential	Church/Residence
South	Employment Center	M-3, Heavy Industrial	Anderson Columbia
West	Neighborhood	R-3, Multi-Family Residential	Vacant/Undeveloped

Background

The subject property, identified by Parcel Number 25260-000-00, was annexed into the City in 1964. The property located at 1123 NW 22nd Street is approximately 12.85 acres. The property was previously developed with two single-family residences. In 2012, following a City of Ocala Code Enforcement Notice of Violation regarding dangerous buildings, the homes were demolished through the demolition permitting process. For the subsequent 12 years, the property remained undeveloped.

The historical Future Land Use designation was Medium Density Residential. In 2010 the city underwent a visioning process, known as Vision 2035. One of the outcomes of Vision 2035 was a complete rewrite of the City's Comprehensive Plan. The citywide comprehensive plan amendment, adopted on January 22, 2013 (Ordinance 2013-13), changed the future land use designation of the subject properties to Neighborhood. In 2021 the Petitioner applied for a Land Use Change from Neighborhood to Low Intensity to accommodate a request to rezone the property from R-1A, Single-Family Residential, to M-1, Light Industrial. Both requests were approved by City Council (Ordinances 2021-78 and 2021-77 respectively).

The surrounding uses consist of a heavy industrial to the south and southeast, an asphalt plant and a concrete batching plant; a church and a residence to the east; and a 56-acre undeveloped R-3, Multi-Family Residential property to the north and west. The petitioners have indicated that they would like to develop the property with an M-2, Medium Industrial use with outdoor storage as permitted by Section 122-282 of the City of Ocala Code of Ordinances.

Existing and Proposed Development Standards

	Future Land Use	Zoning District	Intent and Purpose	Minimum Lot Area (square feet)	Maximum Building Height (feet)
Existing	Low Intensity	M-1, Light Industrial District	The light industrial (M-1) district is intended primarily for wholesale distribution, warehouse storage, research and development, showroom sales, and light manufacturing of finished or semi-finished products. The light industrial uses shall be compatible with the surrounding uses. Outdoor manufacturing is not allowed in the M-1 district.	10,000	60
Requested	Low Intensity	M-2, Medium Industrial District	The medium industrial (M-2) district is intended primarily for the wholesale distribution, warehouse storage, outdoor storage and sales, research and development and light manufacturing of finished or semi-finished products in multiple-use facilities or structures. Outdoor manufacturing activities associated with permitted	20,000	60

			uses may be allowed in the M-2 district as a special exception. Service establishments serving the industrial uses or district shall be permitted.		
Low Intensity, future land use permits a maximum density of 3-18 units per acre or an intensity of 0.75 floor area ratio (FAR)					

Staff Analysis

The subject property is surrounded by R-3, Multi-Family, zoning on the eastern, western, and northern sides. However, the properties to the south, across NW 22nd Street, are zoned M-3, Heavy Industrial. This area is characterized by heavy impact industrial uses as well as a Marion County Board of County Commissioners Fleet and Facilities centralized location currently undergoing site development. Additionally, with the expansion of Anderson Columbia by approval of a Special Exception in 2016, the area around NW 22nd Street (east of MLK Ave) was solidified as more of an industrial node than previously anticipated by the citywide comprehensive plan update in 2013. The subject property meets the minimum frontage requirement (100-feet) as well as the 20,000 minimum lot area requirements.

The M-2, Medium Industrial, zoning district is consistent with the existing Low Intensity future land use classification, pursuant to Section 122-244 of the Ocala Code of Ordinances. To mitigate any impacts to surrounding properties developed with a less intensive use, buffering in accordance with Section 122-260 of the Code of Ordinances will be required, and shall be addressed at such time that a site plan application is reviewed for redevelopment of the subject property. At the time of site plan, the developer will be required to have a 25-foot-deep landscape buffer area, or a ten-foot-deep landscaped buffer area combined with a brick, stone or concrete block wall between the industrial use and the residentially zoned properties to the north, east and west. Adequate public facilities exist to service the existing development. Adequate parking will need to be provided for the proposed use. Any substantial site alteration to the subject property will be subject to a site plan review. The proposed zoning is consistent and compatible with the surrounding area.

Factual Support

1. The requested rezoning is consistent with the following Objectives 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.
 - b. 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.
 - c. Objective 14: The City shall continue existing regulations or adopt new regulations to ensure that development is consistent with the Future Land Use Map and are compatible with neighboring development, available services and facilities, and topography and soil conditions.
2. The requested rezoning is consistent with the following Sections of the City of Ocala Code of Ordinances:
- a. Section 122-133(b)(1): The application requests to rezone parcel or parcels that are a minimum of 30,000 square feet of area not separated by a right-of-way for a street, a street, or a drainage retention area.
 - b. Section 122-244 - District criteria: Zoning districts allowed under each land use classification.

Low Intensity	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-2, B-2A, B-4, B-5, SC, M-1, M-2, G-U, INST, A-1, PD, FBC
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- c. Section 122-781: the medium industrial (M-2) district is intended primarily for the wholesale distribution, warehouse storage, outdoor storage and sales, research and development and light manufacturing of finished or semi-finished products in multiple-use facilities or structures. Outdoor manufacturing activities associated with permitted uses may be allowed in the M-2 district as a special exception. Service establishments serving the industrial uses or district shall be permitted.

Level of Service Impact Analysis

Transportation: The subject properties have approximately 879-feet of frontage along NW 22nd Street which is approximately 500-feet east of the intersection of NW Martin Luther King Avenue and NW 22nd Street. The 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
NW MLK Ave	4	40 MPH	Collector	E	11,232	8,200	B

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

Internet: Service is available; however, the Fiber Network will need to be extended approximately 1,000-feet to the west along NW 22nd Street.

Potable Water: Service is available. A City water main runs along NW 22nd Street in front of the property. Connections will be determined during the site plan or subdivision review and approval process.

Sanitary Sewer: Service is available to the south along NW Martin Luther King Jr Avenue. Connections will be determined during the site plan or subdivision review and approval process.

Stormwater: The subject property is 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: Service is available.

Fire Service: Ocala Fire Rescue Station #1 is located approximately 1.3 miles from the subject properties, at 505 NW MLK Avenue.

Schools: Schools will not be impacted if the property is developed for medium industrial use, as currently proposed. However, if the land was rezoned and developed for residential use, the Low Intensity land use designation would allow a maximum density of 18 dwelling units per acre for multi-family residential development. This property is served by South Ocala Elementary, Howard Middle, and Vanguard High School.

Staff Recommendation: *Approval of a rezoning to M-2, Medium Industrial.*

Permitted Uses Table:

	M-1, Light Industrial	Both Districts	M-2, Medium Industrial
<i>Retail Uses</i>		- Furniture store, minimum of 10,000 s.f. of warehouse space - Home garden / hobby farm equipment sales - Used merchandise store	
<i>Vehicular Sales</i>	Construction / farm equipment sales*	Truck and rental sales (permitted by special exception in M-1)	
<i>Agricultural use</i>		- Indoor greenhouse - Indoor hemp facility	
<i>Business Services</i>		- Advertising services (on-site / off-site signs) - Construction service establishment - Day labor service establishment (permitted by special exception in M-1) - Equipment rental and leasing - General business service - Maintenance and cleaning service - Parking garage (or structure) - Parking lot - Pest control service - Radio / TV broadcasting facilities - Security systems service	
<i>Eating or Drinking Establishment</i>	Alcoholic Beverage Establishment (off-premises)		

	- consumption) • Restaurant (enclosed)		
Office Use		• Commercial photography (art and graphic design service) • Computer maintenance and repair • Photofinishing laboratory • Prepackaged software services • Print shop • Professional and business office	
Personal Service	• Laundry and dry-cleaning service	• Bail bonds agency • Kennel • Major household repair establishment • Mini-warehouse • Minor household repair establishment • Recycling collection point	
Vehicular Service	• Auto repair, minor	• Repair garage • Self-service station / convenience store	
Community Service		• Day care facilities*	
Educational Use		• Community education center • Vocational / professional school	
Recreational Use		• Recreation facility, indoor*	
Public Use			• Airport
Health Care Use		• Medical and dental laboratory • Veterinarian office	
Industrial Uses	• Microbrewery / microdistillery	• Assembly of electronics components • Carpet and	• Construction and demolition landfill • Materials recovery facility

		- upholstery cleaning • Manufacturing, light • Newspaper printing facilities • Packing and crating • Recycling center • Research and testing laboratory • Truck / freight terminal • Warehouse • Wholesale and distribution	• Recreational vehicle and boat outdoor storage • Industrial dry cleaning plant* • Outdoor manufacturing*
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*Permitted by Special Exception or under specific criteria