



Staff Report: Rezoning

Case No. ZON24-45818

Planning & Zoning Commission: October 14, 2024

City Council (1st Reading): November 5, 2024

City Council (Adoption): November 19, 2024

Property Owner/Applicant:

George N. Snelling, LLC

Agent:

Davis L. Dinkins, P.E., Davis Dinking Engineering

Project Planner:

Emily W. Johnson, AICP

Amendment Request:

Rezone the subject property from B-4, General Business, to SC, Shopping Center.

Parcel Information

Acres:

±10.88 acres

Parcel(s)#:

23560-002-02 and 23560-002-12

Location:

2400 SW College Road

Existing use:

Multi-tenant inline retail shopping center & drive-through restaurant

Future Land Use Designation:

Low Intensity

Zoning Designation:

B-4, General Business

Special District(s)/Plan(s):

West Ocala Community Redevelopment Area (CRA)

Approved Agreement(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	B-4, General Business	Various commercial uses, adjacent to SW College Road
South	Low Intensity	B-4, General Business	Furniture store (Blockers Furniture & Carpets)
East	Low Intensity	B-4, General Business	Car wash (Race Wash Express) Various commercial uses, adjacent to SW College Road
West	Low Intensity	B-2, Community Business B-5, Wholesale Business	Various commercial uses, adjacent to SW 19 th Avenue Road

Applicant Request

The applicant has submitted a petition to rezone from General Business (B-4) to Shopping Center (SC). The applicant has submitted the request to facilitate redevelopment of the existing shopping center.

The Agent, Davis L. Dinkins, P.E., Davis Dinking Engineering, is representing the applicant in this request.

Background:

The application includes an existing shopping center and a developed outparcel (Parcels 23560-002-02 and 23560-002-12) comprising approximately 10.88 acres. The two parcels utilize a shared parking lot and access driveways, including a signalized access at the intersection of SW College Road and SW 17th Road.

- Parcel 23560-002-02 is developed with two in-line retail buildings which are anchored by a Hobby Lobby; Marion County Property Appraiser records indicate both buildings were constructed in 1984 and total 129,708 square feet.
- Parcel 23560-002-12 is under common ownership and was developed in 2014 with a 506 square foot drive-through restaurant (Twistee Treat). The approved site plan (SPLM13-0012) shows that the Twistee Treat was developed under the parent parcel and did not go through a lot reconfiguration process or a subdivision.
- All existing uses are permitted in the proposed SC zoning district. Existing uses within the shopping center include: check cashing establishment (ACE Cash Express); professional and business office (Jackson Hewitt Tax Service); hairstyling shop (Lee Nails and Serenity Beauty Salon & Spa); home decorating store (Hobby Lobby); restaurant, enclosed (#1 Chinese Food); drive-through restaurant (Twistee Treat); commercial recreation, indoor (Sky Zone); specialty retail store (U.N.I. Beauty Supply and Cint4Me Fashions); medical and dental office (U.S. Hearing Solutions); and financial institution (Coin Cloud ATM).

Staff Analysis

Factual Support

Comparison of Zoning District Standards

	Zoning District	Intent and Purpose	Minimum Lot Area	Maximum Building Height
Existing	B-4, General Business	Intended for larger retail establishments, businesses catering to highway trade and motorists' needs, and businesses that receive a large number of delivery trucks.	N/A	60 feet
Proposed	SC, Shopping Center	Intended to ensure that shopping centers and single retail store developments are designed and located to make efficient use of the land and minimize the impacts on infrastructure, adjacent and nearby properties, and the environment.	4 acres	50 feet

Also see Exhibit A: Permitted Uses Table below.

Consistency with Comprehensive Plan and Land Development Regulations

1. The requested zoning 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.

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, as depicted in Figure E. Buildings may have surface parking between the building and the street, though rear and side yard parking is encouraged for non-residential uses, as depicted in Figure F. 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: Commercial land uses are permitted within the Low Intensity Future Land Use

Classification. Low Intensity is intended to “identify areas that are generally oriented towards the automobile as the primary mode of transportation.” The existing shopping center has frontage along SW College Road, which is a major arterial roadway and serves as a primary thoroughfare. The existing shopping center does not exceed the maximum FAR of Low Intensity.

- b. **Future Land Use Element Objective 7:** The City intends to promote quality urban design in the development and redevelopment of automobile-oriented suburban corridors.

Staff Comment: The requested SC zoning district does not allow for outdoor sales and merchandise display in the same capacity as the existing B-4 zoning district; this additional restriction, along with the general design standards required within the SC zoning district, will further promote quality urban design and curb appeal of the shopping center. The applicant has indicated that the purpose of the rezoning is to facilitate a future redevelopment of the shopping center. Any future redevelopment will be subject to the site plan or subdivision review process.

- i. **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.

Staff Comment: The shopping center is located along a major arterial roadway and primary thoroughfare, which is an appropriate location for a mixed-use shopping center.

- c. **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.

Staff Comment: As identified in the Level of Service Analysis, adequate public facilities exist to service the subject property.

- 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.

Staff Comment: The subject property contains approximately 10.88 acres and meets the requirements for consideration of rezoning set forth by the Code of Ordinances.

- b. **Section 122-244 – District criteria:** Zoning districts allowed under the current 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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Staff Comment: As indicated in Section 122-244 above, the SC zoning district is a permitted district within the subject property’s current Low Intensity future land use.

- c. Subsection 122-902(a): The purpose of this division is to ensure that shopping centers and single retail store developments are designed and located to make efficient use of the land and minimize the impacts on infrastructure, adjacent and nearby properties, and the environment.

Staff Comment: The subject property is already developed as a shopping center, with existing access points and associated parking. Architectural standards and signage for the Shopping Center will be reviewed as part of the site plan, to ensure uniformity in the overall design.

- d. Subsection 122-904(a): A shopping center is any multiuse, primarily retail, facility developed on four or more acres, provided that the facility will have, at a minimum, an in-line building that will have a minimum gross leasable area of 25,000 square feet.

Staff Comment: The existing shopping center consists of multiple uses, the majority of which are retail. The subject property contains approximately 10.88 acres, and the two existing in-line buildings consist of approximately 129,708 square feet of gross leasable area.

- e. Subsection 122-904(b): Property to be developed or redeveloped as a shopping center must be zoned shopping center (SC), unless development meeting the definition of a shopping center or single retail store development is included within a planned development (PD).

Staff Comment: The subject property is already developed as a shopping center. The applicant has indicated that the purpose of the rezoning is to facilitate a future redevelopment of the shopping center. Any future redevelopment will be subject to the site plan or subdivision review process.

- f. Subsection 122-905(a) - Minimum acreage for a shopping center: Land to be rezoned or developed as a shopping center shall be a minimum of four acres:

Staff Comment: The subject property contains approximately 10.88 acres.

- g. Subsection 122-905(c) – Minimum frontage: Land to be rezoned or developed as a shopping center or a single retail store development must have a minimum uninterrupted road frontage on a public road of 260 linear feet. If the land to be developed or redeveloped has frontage on more than one public road, at least one of the frontages must be a minimum of 260 feet; in other words, the minimum 260-foot linear frontage cannot be met by adding the frontages of all the separate frontages.

Staff Comment: The subject property has approximately 588 feet of uninterrupted road frontage on SW College Road.

- h. Subsection 122-906(a): Property to be rezoned or developed as a shopping center or single retail store development must be within 300 feet of the intersection of the road right-of-way lines at a signalized intersection unless exempted by section 122-722(e)(4), section 122-742(4), section 122-904(c), or subsection (b) of this section.

Staff comment: The shopping center has an existing signalized access at the intersection of SW College Road and SW 17th Road.

Level of Service (LOS)

For zoning amendments, the intent of the LOS analysis is to provide basic information on the adopted LOS standard and current status of public facilities capacity where available. As zoning does not authorize the development of land, what will ultimately be built on the property is unknown and not

relative for the consideration of the zoning request. Further, LOS analysis will be required upon development.

Transportation: The 2023 congestion management data from the Ocala-Marion TPO for the affected roadway is provided below.

• **Adopted LOS / Available Capacity:**

Road/ Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2023 AADT	Existing LOS
SR 200	6	45 MPH	Arterial	D	56,805	33,300	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 site plan review. The affected segment of SW College Road is currently operating above the adopted Level of Service.

Potable Water: The subject property is currently serviced by City utilities. City water mains run along SW College Road and SW 19th Avenue Road.

- *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: The subject property is currently serviced by City utilities. City force mains run along SW College Road and SW 19th Avenue Road.

- *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 currently serviced by City utilities.

- *Adopted Level of Service (LOS) Solid Waste:* 0.112 pounds per square foot of occupied building space per day for nonresidential 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 property is 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 property is currently serviced by Ocala Electric Utility.

Fiber: The subject property is currently serviced by Ocala Fiber. City fiber optic cables run along SW College Road and SW 19th Avenue Road.

Fire Service: Ocala Fire Rescue Station #4 is located 1.0 miles from the subject property, at 3300 SW 20th Street. This distance falls within the desired industry standard of 1.5 miles for fire service.

Schools: The proposed rezoning is not anticipated to impact schools.

Conclusions

Land Development Code / Comprehensive Plan Consistency: Pursuant to Code of Ordinances subsection 122-904(b), property to be developed or redeveloped as a shopping center must be zoned SC, unless the development is included within a Planned Development (PD). The shopping center is being proposed to be further subdivided as evidenced by the submission of a subsequent plat. The plat will address modifications to easements, circulation, new outparcels, and parking agreements. Pursuant to Code of Ordinances Section 122-905, properties in the requested SC zoning district shall have at least 260 linear feet of uninterrupted road frontage and must contain at least 4 acres. The subject property meets the minimum district standards of the SC zoning district. Additionally, shopping centers are required to have a minimum gross leasable area of 25,000 square feet (Sec. 122-904) and must be located within 300 feet of a signalized intersection (Sec. 122-906). The requested SC zoning district is consistent with the existing Low Intensity Future Land Use classification pursuant to Code of Ordinances Section 122-244. The underlying Low Intensity Future Land Use classification carries a maximum intensity of 0.75 FAR for nonresidential development, which equates to a maximum potential of 355,449 square-feet on the subject 10.88-acre site.

Zoning Comparison: The requested SC zoning district permits many of the same retail and commercial business uses as the existing B-4 zoning district but does not allow for outdoor sales and merchandise display in the same capacity. It is noted that the western property line bisects the in-line retail building between the ownership of the subject property and the adjacent property (23560-002-09, owned by Blockers Furniture and Carpets Inc). The adjacent property is not subject to the rezoning; however, neither the existing B-4 zoning district nor the requested SC zoning district carry required building setbacks for nonresidential development.

Surrounding Area / Compatibility: The SC zoning district is compatible with the uses existing on the subject property, as well as the surrounding development along SW College Road. The surrounding area is characterized by businesses and retail uses typically found along an urban commercial corridor. SW College Road is a major arterial roadway and serves as a primary thoroughfare.

Staff Findings and Recommendation

- The proposed rezoning is consistent with the existing Low Intensity Future Land Use classification pursuant to Code of Ordinances Section 122-244.
- The proposed SC zoning district permits many of the same retail and commercial business uses as the existing B-4 zoning district but does not allow for outdoor sales and merchandise display in the same capacity.

- The proposed SC zoning district is compatible with the uses existing on the subject property, as well as the surrounding development along SW College Road.
- The subject property meets the district standards of the SC zoning district.
- Adequate public facilities exist to service the proposed development.

Staff Recommendation: *Approval*

Exhibit A. Permitted Uses Table

Permitted Use Type	B-4, General Business	SC, Shopping Center
<i>Residential Operation</i>	<ul style="list-style-type: none"> • Community residential home (max 14 residents) • Fraternity or sorority house • Residence – Gallery* • Residence – Office* • Rooming/boarding house* 	<i>None permitted</i>
<i>Residential Type</i>	<ul style="list-style-type: none"> • Multi-family dwelling (max 30 units per acre)* • Single-family dwelling • Two-family dwelling 	<ul style="list-style-type: none"> • Multi-family dwellings
<i>General Retail</i>	<ul style="list-style-type: none"> • Auto supply store • Bakery store • Building material sales • Department store • Drug store • Electronic cigarette/vaporizer store • Electronics store • Furniture store • Garden and nursery sales • Grocery store • Hardware store • Home decorating store • Home garden/hobby farm equipment sales* • Model manufactured home centers* • Pawn shop • Pharmacy • Playground equipment sales, outdoor • Roadside fruit and vegetable sales • Specialty retail store • Swimming pool sales (enclosed) • Swimming pool sales (outdoor sales)* • Used merchandise store • Videotape store 	<ul style="list-style-type: none"> • Auto supply store • Bakery store • Building material sales (no outdoor sales or storage) • Department store • Drug store • Electronics store (accessory installation work must be done in an enclosed building) • Furniture store • Grocery store • Hardware store (no outdoor sales or storage) • Home decorating store • Specialty retail store • Swimming pool sales (enclosed) • Used merchandise store • Videotape store
<i>Vehicular Sales</i>	<ul style="list-style-type: none"> • Automobile rental sales • Automobile sales, new or used • Automobile specialty sales, new or used • Boat store* • Truck rental and sales* 	<ul style="list-style-type: none"> • Automobile sales, new or used (limited to 6 vehicles in an enclosed building)
<i>Business Service</i>	<ul style="list-style-type: none"> • Advertising services (on-site, off-site signs)* • Construction service establishment • Day labor service establishment* 	<ul style="list-style-type: none"> • General business service

	<ul style="list-style-type: none"> • Equipment rental and leasing • General business service • Maintenance and cleaning service • Parking garage • Parking lot • Pest control service • Radio/TV broadcasting facility • Security systems service 	
<i>Eating or drinking establishment</i>	<ul style="list-style-type: none"> • Alcoholic beverage establishment (off-premises consumption) • Alcoholic beverage establishment (on-premises consumption) • Drive-in or drive-through restaurant • Fast-food restaurant • Restaurant (enclosed), (drive-through window permitted as an accessory use) 	<ul style="list-style-type: none"> • Alcoholic beverage establishment (off premises consumption) • Alcoholic beverage establishment (on-premises consumption as an incidental use to a restaurant serving food) • Drive-in or drive-through restaurant • Fast-food restaurant • Restaurant (enclosed; outdoor seating allowed)
<i>Hospitality and Tourism</i>	<ul style="list-style-type: none"> • Antique gallery/art gallery/museum • Conference center • Hotel/convention center • Motel 	<ul style="list-style-type: none"> • Antique gallery/art gallery/museum • Conference center • Hotel/convention center (not to exceed 25% of a shopping center with >30 acres or >300,000 s.f. of gross leasable area)
<i>Office Use</i>	<ul style="list-style-type: none"> • Commercial photography (art and graphic design service) • Computer maintenance and repair • Financial institution • Photocopying and duplicating service • Photofinishing laboratory • Prepackaged software services • Print shop • Professional and business office 	<ul style="list-style-type: none"> • Commercial photography (art and graphic design service) • Computer maintenance and repair • Financial institution • Photocopying and duplicating service • Photofinishing laboratory • Prepackaged software services • Professional and business office
<i>Personal Service</i>	<ul style="list-style-type: none"> • Bail bonds agency • Check cashing establishment • Coin-operated laundry • Emergency shelter • Funeral home/crematory • Hairstyling shop • Kennel* • Laundry and dry cleaning pickup establishment • Laundry and dry cleaning service • Major household repair establishment • Mini-warehouse • Minor household repair establishment • Recreational vehicle park • Recycling collection point • Tattoo or body piercing establishment 	<ul style="list-style-type: none"> • Check cashing establishment • Coin-operated laundry • Hairstyling shop • Laundry and dry cleaning pickup establishment • Laundry and dry cleaning service • Minor household repair establishment • Recycling collection point
<i>Vehicular service</i>	<ul style="list-style-type: none"> • Auto repair, minor 	<ul style="list-style-type: none"> • Drive-through facility (non-restaurant)

	<ul style="list-style-type: none"> • Automobile cleaning, detailing service • Drive-through facility (non-restaurant), accessory use only • Full-service station • Repair garage* • Self-service station/convenience store 	<ul style="list-style-type: none"> • Self-service station/convenience store
<i>Community Service</i>	<ul style="list-style-type: none"> • Church/place of worship • Day care facility • Library • Open pavilion engagement center* • Private club 	<ul style="list-style-type: none"> • Church/place of worship • Day care facility
<i>Educational Use</i>	<ul style="list-style-type: none"> • College/university • Community education center • School, private elementary and secondary • Speech and language center/school • Vocational/professional school 	<ul style="list-style-type: none"> • College/university* • Community education center* • Speech and language center/school • Vocational/professional school
<i>Recreational Use</i>	<ul style="list-style-type: none"> • Bowling center • Commercial outdoor baseball batting facility* • Commercial recreation, indoor • Commercial recreation, outdoor* • Dance/art/music studio • Drive-in theatre • Driving range* • Golf course* • Miniature golf* • Motion picture theatres, except drive-in • Multipurpose facility • Physical fitness center • Recreation facility, indoor • Shooting ranges, indoor* • Temporary commercial amusement* 	<ul style="list-style-type: none"> • Commercial recreation, indoor • Dance/art/music studio • Motion picture theatres, except drive-in • Physical fitness center
<i>Public Use</i>	<ul style="list-style-type: none"> • Park/open space area* • Post office • Public transportation terminal 	<ul style="list-style-type: none"> • Post office
<i>Health Care Use</i>	<ul style="list-style-type: none"> • Assisted living facility • Medical and dental laboratory • Medical and dental office • Transitional recovery facility • Transitional treatment facility • Veterinarian office • Satellite hospital emergency room 	<ul style="list-style-type: none"> • Medical and dental laboratory • Medical and dental office • Veterinarian office • Satellite hospital emergency room
<i>Low-impact industrial use</i>	<ul style="list-style-type: none"> • Assembly of electronic components* • Microbrewery/microdistillery 	<ul style="list-style-type: none"> • Assembly of electronic components* • Microbrewery/microdistillery

*Permitted by Special Exception