



Planning & Zoning Commission

February 13, 2023

Case No. ZON23-45070

Staff Report

Petitioner: Everest Realty Sixteen, LLC
Property Owner: DNC Investments, LLC
Agent: David Tillman, Tillman & Associates Engineering, LLC
Project Planner: Endira Madraveren
Zoning Change Request: from: B-2, Community Business
to: INST, Institutional

Parcel Information

Acres: ±4.93 acres
Parcel(s)#: 23476-000-00, 23477-000-00, 23478-000-00
Location: 1820, 1858, and 1914 SW 27th Avenue
Existing use: Undeveloped
Future Land Use: Neighborhood

Adjacent Land

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Neighborhood	R-1	Single-Family Residences
East	Low Intensity	B-2 B-4	Printing Business and Church Shopping Center
South	Neighborhood	B-1A B-2	Undeveloped WRA
West	Neighborhood	R-1 R-3	WRA Single-Family Residence

Background

The properties were annexed into the City in 1975. The 1981 Comprehensive Plan's Future Land Use map designation for these properties was High Density Residential. Neighborhood Business (NB) was adopted during the 1991 Comprehensive Plan process. A change of zoning from Single-Family Residential (R-1) to Limited Neighborhood Business (B-1A) also occurred at that time. The properties were again approved for a rezoning from B-1, Neighborhood Business, to B-2, Community Business, in May 2005. There was intention on the Zoning and Land Use Amendment application to develop the property as a retail plaza. However, these plans were never executed. In 2016, following several Code Enforcement cases (including overgrown lots, junk/debris, dilapidated structures, and vagrants) against all three properties, the existing single-family homes were demolished. During the last seven years, the lots have remained undeveloped and overgrown.

The requested zoning change from B-2 to Institutional will limit the permitted uses to the following: a community residential home (maximum of 12 unrelated residents per single-family dwelling), recycling collection point, church/place of worship, day care facility, life skills center, schools (public or private), speech and language center/school, vocational/professional school, recreation facility indoor, hospital, satellite hospital emergency room. They will have to maintain yard setbacks of 25-foot front, 10-foot side, and 20-foot rear. Due to this property abutting residentially zoned lots to the north, west and south, it will have to adhere to buffer restrictions found in the Code of Ordinances

Section 122-260(c)(9) which states “A neighborhood business, institutional or office use or district abutting a less intensive use or district shall have a ten-foot-deep landscaped buffer area or a four-foot-deep landscaped buffer area combined with a stone, brick or concrete block wall.” Adherence to this section of the Code will be determined during the site plan review process and approval by staff.

The subject property, owned by DNC Investments, LLC, is located on the west side of Southwest 27th Avenue, less than 0.25 miles north of the intersection of State Road 200. It has approximately 473-feet of frontage along Southwest 27th Ave. Building height in this zoning district is limited to 50-feet.

The future land use classification on this property is Neighborhood, which allows institutional uses at intensities compatible with surrounding neighborhoods. They are intended for locations on thoroughfares and collectors. “The type, size, location and justification for such non-residential facilities shall be based upon the existing and planned availability of supporting street networks, transit and other public facilities to promote convenience, reduced travel distance, conservation of energy, building and site design, as well as market demand for use as support to the surrounding neighborhood area and impact on the neighborhood residents.” Non-residential uses should be accessible by sidewalks, bikeways, and public transit. Sidewalks currently exist on both the east and the west side of SW 27th Ave and there is a SunTran transit stop to the northeast of the property, on the east side of SW 27th Ave. Neighborhood FLU has a maximum intensity of 0.25 Floor Area Ratio (FAR).

The petitioner has mentioned that they are requesting the rezoning to allow for a physical rehabilitation hospital at this location.

Staff Recommendation:

Approval of ZON23-45070

Basis for Approval

The INST, Institutional, zoning district is consistent with the Neighborhood future land use classification. The proposed zoning is consistent and compatible with the surrounding area. The site satisfies the minimum lot requirements for the Institutional district.

Factual Support

1. The proposed INST, Institutional, zoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
 - a. **Policy 6.4: Neighborhood:** The intent of the Neighborhood category is to identify and reserve predominantly residential and ancillary uses. Existing street pattern, tree canopy cover, character, and residential occupancy shall be considered when designating areas with the Neighborhood category. The form of buildings and development may be regulated by a Corridor Overlay. Concentrated areas of neighborhood-serving non-residential (e.g., commercial, office, institutional, educational facilities, recreational or cultural) facilities, at intensities compatible with surrounding neighborhoods, may be permitted. These uses are intended for locations on thoroughfares and collectors within the edges of the neighborhood districts. The type, size, location and justification for such non-residential facilities shall be based upon the existing and planned availability of supporting street networks, transit and other public facilities to promote convenience, reduced travel distance, conservation of energy, building and site design, as well

as market demand for use as support to the surrounding neighborhood area and impact on the neighborhood residents.

2. Approval of this request will not adversely affect the health, safety, convenience, prosperity, or general welfare of the community.

Level of Service Impact 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
SW 27 th Ave	4	45 mph	Arterial	E	35,820	20,000	C

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

Potable Water: Service is available. A City water main runs along SW 27th Avenue in front of the property. Connections will be determined during the site plan or subdivision review and approval process.

Fiber: Service is available. The City's Fiber network runs along SW 27th Avenue.

Sanitary Sewer: Service is available, and connections will be determined during the site plan or subdivision review and approval process.

Stormwater: 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.¹

Solid Waste: Service is available.

Fire Service: Ocala Fire Rescue Station #4 is located 0.7 miles away.

Schools: This development has no impact on the school district.

Zoning

Existing

B-2, Community Business: The community business and limited community business (B-2 and B-2A) districts are intended for community businesses, including retail sales, personal and business services, and all office uses. No incidental use involving manufacturing processes shall be allowed in the B-2A zone. Businesses shall be based on walk-in trade, rather than delivery of supplies and large commodities.⁴

Requested

INST, Institutional:

The purpose of this district is to ensure that institutional uses such as churches, schools, and hospitals meet the following criteria: minimum of one acre; designed and located to make efficient use of the land and infrastructure (roads, water, sewer stormwater and recreation); and minimal impact on adjacent and nearby uses.²

¹ City of Ocala Comprehensive Plan, Stormwater Sub-Element, Policy 6.5.

² City of Ocala Land Development Code, Section 122-501, Intent and purpose.

⁴ City of Ocala Land Development Code, Section 122-621, Intent and purpose.