



Staff Report

Case No. ZON24-45636

Planning & Zoning Commission: May 20, 2024

City Council (1st Reading): June 4, 2024

City Council (Adoption): June 18, 2024

Petitioner: Warehouse Services, LLC
Property Owner: Warehouse Services, LLC
Agent: David Tillman, P.E., Tillman & Associates Engineering, LLC
Project Planner: Emily W. Johnson, AICP
Applicant Request: from: M-1, Light Industrial District
to: M-2, Medium Industrial District

Rezone the subject property from M-1, Light Industrial, to M-2, Medium Industrial, to facilitate development of outdoor storage in compliance with permitted uses within the M-2 zoning district.

Future Land Use: Employment Center

Parcel Information

Acres: ±9.05 acres
Parcel(s)#: 21821-000-00
Location: 3841 NW 10th Street
Existing use: Single-Family Residence
Overlay(s): N/A

Adjacent Property Information

Direction	Future Land Use	Zoning District	Current Use
North	Employment Center	M-1, Light Industrial	Water Retention Area Vacant Industrial Single-family residence
East	Employment Center	M-1, Light Industrial	Warehouse and Distribution Center (Stone & Surface Designers, Inc., and AnSCO & Associates, LLC)
South	Employment Center	G-U, Governmental Use	Marion County Jail Marion County Sherriff's Office K-9 Training Facility
West	Employment Center	M-2, Medium Industrial	Materials Recovery Facility (Waste Pro Ocala MRF) Vacant Industrial

Background

The subject property, approximately 9.05 acres, is located at 3841 NW 10th Street, and is developed with an existing non-conforming single-family residence. Property Appraiser records indicate that the residence was constructed in 1967. Single-family residences are not permitted as a primary, accessory use, nor by special exception approval within the either the existing M-1 or proposed M-2 zoning district. The agent has indicated that the single-family residence will be demolished after the property is rezoned and prior to development.

Prior to the adoption of the 2035 Vision and an associated Comprehensive Plan update, the subject and adjacent properties were designated as Medium Industrial Future Land Use Category. Currently, the surrounding area is designated as Employment Center Future Land Use Category and is characterized by industrial development; with the exception of the Marion County Jail and Sheriff’s K-9 Training Center, located to the south across NW 10th Street, and a single-family residence to the northeast (located at 1360 NW 33rd Avenue, identified by Parcel Number 21826-000-00).

Existing and Proposed Development Standards

	Future Land Use	Zoning District	Intent and Purpose	Minimum Lot Area (square feet)	Maximum Building Height (feet)
Existing	Employment Center	M-1	Wholesale distribution, warehouse storage, research and development, showroom sales, light manufacturing. Outdoor manufacturing is not allowed in the M-1 district. Outdoor storage permitted as an accessory use, subject to design criteria.	10,000	60
Proposed	Employment Center	M-2	Wholesale distribution, warehouse storage, outdoor storage and sales, research and development, research and development, and light manufacturing. Outdoor manufacturing activities are permitted as a special exception.	20,000	60
The existing Employment Center Future Land Use allows up to a 2.0 Floor Area Ratio (FAR).					

Staff Analysis

The M-2, Medium Industrial zoning district is consistent with the Employment Center future land use classification, pursuant to Section 122-244. Adequate public facilities exist to service the proposed development. The proposed zoning is consistent and compatible with the surrounding area.

The petitioner has indicated an intention to redevelop the subject property with a warehouse and accessory outdoor storage uses. Warehouses are classified as a low-impact industrial use and permitted by-right in both the existing M-1 and proposed M-2 zoning districts.

Under the existing M-1 zoning district, outdoor storage would be limited to thirty percent (30%) of the gross floor area of the main building or structure, up to a maximum of 10,000 square feet; or a maximum of twenty percent (20%) of the overall site area if approved by City Council through a separate public hearing process detailed under Section 122-767 of the Code of Ordinances. One of the primary differences between the M-1 and M-2 zoning districts is the allowance of unlimited outdoor storage within the M-2 zoning district.

The requested zoning change is not anticipated to produce a substantial negative impact on the surrounding properties, as the surrounding area is characterized by mostly industrial development. 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. Additionally, the subject property meets minimum lot area (20,000 square-feet) and frontage requirement (100-feet) for the requested M-2 zoning district.

A letter of objection from the property owner of the nearby single-family residence (located at 1360 NW 33rd Avenue, identified by Parcel Number 21826-000-00) has been received, and is included in the packet for reference. The letter details objections to concerns surrounding potential impacts from industrial development; however, the subject property is currently zoned M-1, Light Industrial, and could be developed with any industrial use permitted therein without a need for a rezoning.

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 6.5: Employment Center. The intent of the Employment Center land use is to provide a regionally-important hub for business, enterprise, research and development, and employment activities. Employment Centers are generally single use districts, but may include more than one (1) use if there are appropriate buffers and transitions between complementary uses. Permitted uses shall include a primary use and may include a secondary use. Primary uses are industrial, office and commercial. Secondary uses are public, recreation, institutional, and residential, as well as educational facilities. There are no form requirements in this land use category.

Access is primarily from major collectors, arterials, or limited-access highways. The primary modes of transportation include automobiles, trucks, freight rail, bus, and commuter rail transit. Provisions should be made for walking, bicycles, and transit.

There is no minimum density and intensity in this future land use category. The maximum density and intensity before any incentives is 24 dwelling units per gross acre or 2.00 FAR. The location and application of incentives shall be set forth in the Land Development Code.
 - 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.

- ii. Policy 12.2: The City shall permit new industrial development only when City sewer lines are available concurrent with the industrial development and have capacity sufficient to handle the wastewater. Wastewater connections are subject to the requirements of Section 367.111, Florida Statutes. Industries with wastewater which do not meet City quality standards set forth in Ch. 24-164 shall be required to pretreat their wastewater before transporting it to publicly owned sewage treatment facilities.
 - 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.
 - i. Policy 14.1.5: Industrial uses will not be allowed to use local residential streets as a major means of transportation.
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.

Employment Center	O-1, OP, B-1, B-1A, B-2, B-2A, B-4, B-5, SC, M-1, M-2 , M-3, 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. Specific uses shall be controlled by the standards for industrial performance in article VIII of this chapter.
3. 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: The subject property has approximately 550-feet of frontage along NW 10th Street, which is an unclassified east-west roadway. Traffic to the subject property is anticipated to originate from nearby US Highway 27, NW 27th Avenue, and SR 40 by way of NW 30th Avenue. The congestion management data from the Ocala-Marion TPO for the affected roadways 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
US Hwy 27	4	45 MPH	Arterial	D	38,430	21,200	C

NW 27 th Ave	4	45 MPH	Arterial	E	35,820	27,200	C
SR 40	4	45 MPH	Arterial	D	38,430	32,800	D

Electric: The subject property is in the Ocala Electric Utility (OEU) service territory. The subject property has an existing electric service connection.

Internet: Service is available. A City fiber optic cable runs along NW 10th Street in front of the subject property.

Potable Water: Service is available. A City water main runs along NW 10th Street in front of the property. Connections will be determined as part of the site plan review process, upon redevelopment of the subject property.

Sanitary Sewer: Service is available. A City gravity main runs along NW 10th Street in front of the property. Connections will be determined as part of the site plan review process, upon redevelopment of the subject property.

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 1.8 miles away, at 505 NW Martin Luther King Jr Avenue.

Schools: This rezoning is not anticipated to affect any school district.

Staff Recommendation:	<i>Approval</i>
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Permitted Uses Table:

	M-1, Light Industrial	Both Districts	M-2, Medium Industrial
<i>Retail Uses</i>		<ul style="list-style-type: none"> • Furniture store, minimum of 10,000 s.f. of warehouse space • Home garden / hobby farm equipment sales • Used merchandise store 	
<i>Vehicular Sales</i>	<ul style="list-style-type: none"> • Construction / farm equipment sales* 	<ul style="list-style-type: none"> • Truck and rental sales (permitted by special exception in M-1) 	
<i>Agricultural use</i>		<ul style="list-style-type: none"> • Indoor greenhouse • Indoor hemp facility 	
<i>Business Services</i>		<ul style="list-style-type: none"> • 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>	<ul style="list-style-type: none"> • Alcoholic Beverage Establishment (off-premises) 		

	<ul style="list-style-type: none"> consumption) • Restaurant (enclosed) 		
<i>Office Use</i>		<ul style="list-style-type: none"> • Commercial photography (art and graphic design service) • Computer maintenance and repair • Photofinishing laboratory • Prepackaged software services • Print shop • Professional and business office 	
<i>Personal Service</i>	<ul style="list-style-type: none"> • Laundry and dry-cleaning service 	<ul style="list-style-type: none"> • Bail bonds agency • Kennel • Major household repair establishment • Mini-warehouse • 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"> • Repair garage • Self-service station / convenience store 	
<i>Community Service</i>		<ul style="list-style-type: none"> • Day care facilities* 	
<i>Educational Use</i>		<ul style="list-style-type: none"> • Community education center • Vocational / professional school 	
<i>Recreational Use</i>		<ul style="list-style-type: none"> • Recreation facility, indoor* 	
<i>Public Use</i>			<ul style="list-style-type: none"> • Airport
<i>Health Care Use</i>		<ul style="list-style-type: none"> • Medical and dental laboratory • Veterinarian office 	
<i>Industrial Uses</i>	<ul style="list-style-type: none"> • Microbrewery / microdistillery 	<ul style="list-style-type: none"> • Assembly of electronics components • Carpet and 	<ul style="list-style-type: none"> • Construction and demolition landfill • Materials recovery facility

		<ul style="list-style-type: none"> upholstery cleaning • Manufacturing, light • Newspaper printing facilities • Packing and crating • Recycling center • Research and testing laboratory • Truck / freight terminal • Warehouse • Wholesale and distribution 	<ul style="list-style-type: none"> • Recreational vehicle and boat outdoor storage • Industrial dry cleaning plant* • Outdoor manufacturing*
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*Permitted by Special Exception