



December 29, 2021

D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
107 East Madison Street, MSC 160
Tallahassee, FL 32399-4120

RE: Proposed Amendment Transmittal Packet
2021-4 Amendment Series: Case No. LUC21-44528

Dear Mr. Eubanks,

Enclosed is the Proposed Amendment Transmittal Package for City of Ocala large scale land use policy amendment Case No. LUC21-44528. Please note the following required information:

- The Planning & Zoning Commission, sitting as the local planning agency, held a public hearing on November 8, 2021. City Council held a public hearing on December 21, 2021 and voted to transmit the proposed amendments to the Department of Economic Opportunity (DEO).
- A copy of the complete proposed amendment package including supporting data and analysis was sent to the following agencies on December 29, 2021:
 1. East Central Florida Regional Planning Council
 2. St. Johns Rivers Water Management District
 3. Department of Environmental Protection
 4. Department of State
 5. Department of Transportation, District Five
 6. Department of Education
 7. Marion County Growth Services Department
- Following is a summary of the proposed amendment that is being submitted under the expedited state review process:

The 71.58-acre property is located at 700 NW 38th Avenue and 3999 NW 3rd Street. The property was formerly used as a residence; a residence and horse barn remain on the property. The applicant's stated intention is to develop as an industrial/warehouse use inside the City limits. There is a mix of uses on the adjacent properties. Delzotto's precast concrete is to the west, residential, undeveloped and agricultural uses to the south, and undeveloped M-2 zoning to the north. Any new construction will be subject to site plan approval and building permit issuance by the City of Ocala. The Ocala City Council adopted ordinance 2022-8 on December 21, 2021 annexing the 71.58 acre property into the city limits.

The proposed land use designation of Employment Center is consistent with the surrounding area. A majority of the subject property is designated as Employment Center in Marion County's land use plan except for a Commercial designation on a portion of the eastern side of the property. The

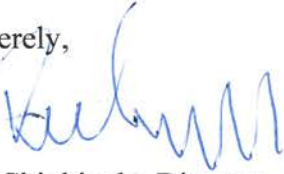
requested zoning designation of M-2, Medium Industrial, is eligible to implement the City's land use designation of Employment Center.

- Adoption of the amendment is anticipated to occur in March 2022.
- The amendment is not applicable to an area of critical concern.
- Contact person is:

David Boston, Planning Manager
Growth Management Department
City of Ocala
201 SE 3rd Street, Second Floor
Ocala, Florida 34471
Phone: (352) 629-8243; Email: dboston@ocalafl.org

Please contact David Boston with any questions. Thank you.

Sincerely,



Tye Chighizola, Director
Growth Management Department
City of Ocala

Cc:

East Central Florida Regional Planning Council
St. Johns River Water Management District
Department of Environmental Protection
Department of State
Department of Transportation, District Five
Department of Education
Marion County Growth Services Department

Enclosed for your review is the Proposed Amendment Package including the following required items:

1	Future Land Use Map Amendment, Cover	Exhibit A
	All proposed text in a strike-through/underline format	N/A
2	Staff, local planning agency and local governing body recommendations are attached as follows:	Exhibit B
	Staff Recommendation	B-1
	Local Planning Agency (Planning & Zoning Commission minutes)	B-2
	Local governing body (City Council Synopsis)	B-3
3	Support documents or summaries of the support documents on which the recommendations regarding the proposed plan amendment(s) are based:	Exhibit C
	Summary of support document	C-1
4	For future land use map amendments, color maps depicting:	Exhibit D
	The proposed future land use designation of the subject property	D-1
	The boundary of the subject property and its location in relation to the surrounding street and thoroughfare network	D-1
	The present future land use map designations of the subject properties and abutting properties	D-2
5	An existing land use map depicting:	Exhibit E
	The existing land use(s) of the subject property and abutting properties	E-1
	The size of the subject property in acres or fractions thereof	E-1
6	A description of availability of and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, schools (if local government has adopted school concurrency), and recreation, as appropriate	Exhibit F
7	Information regarding the consistency of the proposed land use amendments with the future land use element goals, objectives and policies, and those of other affected elements	Exhibit G
8	If a local government relies on data and analysis from a previous amendment, a reference to the specific portions of the previously submitted data and analysis on which the local government relies to support the amendment	N/A
9	If previous data and analysis is no longer the best available existing data or no longer supports the plan, copies of updated and reanalyzed data and analysis to support the proposed amendment	N/A
10	A submittal covered letter transmitting the proposed amendment that includes the following: <ul style="list-style-type: none"> The date(s) of the local planning agency and the commission held public hearings A statement certifying that the proposed amendment(s) have been submitted to the appropriate agencies identified above. Certification means that the letter must state that a copy of a complete amendment package including supporting data and 	Provided

	<p>analysis has been mailed to these agencies and the date it was mailed</p> <ul style="list-style-type: none">• A summary of the plan amendment(s) including that the amendment is being submitted under the expedited state review process• The month the local government anticipates the amendment will be adopted• A statement indicating that the amendment is not applicable to an area of critical state concern• The name, title, address, telephone, fax number, and email of the local contact person	
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Exhibit A

Future Land Use Map Amendment

Exhibit B Recommendations

B-1 Staff Recommendation (Staff Report)

B-2 Local Planning Agency (Planning & Zoning Commission minutes)

B-3 Local Governing Body (City Council Synopsis)



Planning & Zoning Commission

November 8, 2021

Case No. LUC21-44528

B-1 - Planning Report

Petitioner: Khalid Mirza
Property Owner: Mirza Group-Ocala LLC
Agent: Jake Kurth, Scannell Properties, LLC
Project Planner: Nancy H. Smith, AICP
Land Use Change Request from: Commercial and
Employment Center ^(County)
to: Employment Center ^(City)

Parcel Information

Acres: ±71.58 Acres
Parcel(s)#: 22844-002-00; 22844-002-03
Location: 700 NW 38th Avenue & 3999 NW 3rd Street
Existing use: Single-family residence; horse barn

Adjacent Land Use

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Employment Center ^(City)	M-2, Medium Industrial ^(City)	Undeveloped
East	Commercial ^(County)	B-5, Heavy Business ^(County)	Undeveloped
South	Employment Center, Public, and High Residential ^(County)	R-4, Residential Mixed Use; P-MH, Mobile Home Park; A-1, General Agriculture; M-1, Light Industrial; B-4, Regional Business ^(County)	Classic Oaks Village MHP; Water retention area; warehouse and office; agriculture; and residential
West	Employment Center ^(City)	M-2, Medium Industrial ^(City)	Precast concrete forms and products

Staff Recommendation: <i>Approval</i>
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Basis for Approval:

The applicant has requested that the subject property be annexed into the City of Ocala and assigned a City land use designation and zoning district. The stated intention is to develop as an industrial/warehouse use.

The proposed land use designation of Employment Center is consistent with the surrounding area. A majority of the subject property is designated as Employment Center in Marion County's land use plan except for a portion on the eastern side of the property. The requested zoning designation of M-2, Medium Industrial, is eligible to implement the City's land use designation of Employment Center.

Factual Support:

1. Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
 - a. 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.
 - b. 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.
2. Approval of this request will not adversely affect the health, safety, convenience, prosperity or general welfare of the community.

Background:

This property is contiguous to the city limits on the north and west boundaries, and it has direct access to NW 38th Avenue and NW 3rd Street, which are collector streets. Portions of the property are subject to FEMA flood zones. The property is contiguous to M-2, Medium Industrial, zoning districts on the west and north sides. The property is close to SR 40 and to the access ramps onto I-75.

Annexation is requested in order to obtain city services and utilities. Any construction on site is subject to site plan approval and building permit issuance by the City of Ocala if annexation occurs. The ordinance to annex the subject property will be considered by City Council prior to scheduling the land use and zoning ordinances.

Level of Service Impact Analysis:

Traffic Circulation

Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review. Developments proposing to generate less than 100 peak hour trips are required to submit a traffic impact statement.

Table 1: Traffic Circulation¹

Road/Street Name	# of Lanes	Functional Class	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
NW 40 th Ave SR 40 to NW 3 rd St.	2	Collector	E	11,232	1,600	C
NW 3 rd St NW 40 th Ave to NW 38 th Ave	2	Collector	E	11,232	2,400	C
NW 38 th Ave NW 3 rd St. to US 27	2	Collector	E	11,232	3,300	C
SR 40 SW 52 nd Ave to I-75 Ramp (W)	4	Arterial	D	39,800	32,300	C

Road/Street Name	# of Lanes	Functional Class	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
SR 40 I-75 Ramp (W) to I-75 Ramp (E)	4	Arterial	D	41,790	34,400	C

LOS=Level of Service, AADT=Annual Average Daily Traffic

Potable Water: The property is located within the City of Ocala service area. Waterlines are available along SR 40 to the south or north along NW 38th Avenue.

Sanitary Sewer: The property is located within the City of Ocala service area; service is available from SR 40/NW 40th Avenue and is within 1,000 feet.

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-storm event.²

Solid Waste: Service is available.

Fire Service: Service is available from the City of Ocala. To maintain adequate fire protection services in the City, an impact fee will be required during the development review process.

Schools: The request for M-2, Medium Industrial, zoning is not expected to have an impact on area schools.

Electric: Service is available from Ocala Electric Utility.

Land Use Designation

Existing: Marion County

Commercial (COM). This land use designation is intended to provide for mixed use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to six (6) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

Employment Center (EC). This land use is intended to provide for a central regional area that allows for a mix of business, enterprise, research and development, light to moderate intensity commercial and industrial, and employment activities. It also allows residential uses that stand-alone or support the commercial and industrial area, and/or provide transitions to surrounding uses and less intense land uses. This land use designation will allow for and encourage mixed use buildings. The density range for residential units shall be up to twelve (12) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 2.0, as further defined by the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

Proposed: City of Ocala

Employment Center is intended 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 use if there are appropriate buffers and transitions between complementary uses. Primary uses are industrial, office and commercial. Secondary uses are public, recreation, institutional, and residential. Access is primarily from major collectors, arterials, or limited-access highways. The maximum density and intensity before any incentives is 24 dwelling units per gross acre or 2.00 FAR.³

Zoning Classification

Existing: Marion County

A-1, General Agriculture is intended to preserve agriculture as the primary use.

M-1, Light Industrial is intended to provide land for primarily the manufacture of small articles and products which do not involve the use of any materials, processes, or machinery or production of a product likely to be detrimental to nearby or adjacent residential or business property.

R-E, Residential Estate provides for low density urban residential development with large lot home sites and certain agricultural uses which are compatible with residential development.

Proposed: City of Ocala

Medium Industrial (M-2) zoning district is intended for wholesale distribution, warehouse storage, research and development, and light manufacturing of finished or semi-finished products. However, the M-2 district does allow outdoor storage and sales. Service establishments serving the industrial uses or district are also permitted. Lots in the M-2 district must have a minimum width of 200 feet and a minimum area of 20,000 square feet. Building heights may not exceed 60 feet.

¹ Ocala/Marion County Transportation Planning Organization, Congestion Management Plan Database, 2021.

² Ocala Comprehensive Plan, Stormwater Sub-Element Policy 3.1.

³ Ocala Comprehensive Plan, Future Land Use Element, Policy 6.5

B-2: Ocala Planning and Zoning Commission Meeting Minutes
(Local Planning Agency)
November 8, 2021

<p>d. APPROVED – LUC21-44528 a request amend the future land use map from Employment Center and Commercial (Marion County) to Employment Center (City) for property located at 700 NW 38th Avenue and 3999 NW 3rd Street, approximately 71.58 acres.</p>

Petitioner: Mirza Group-Ocala, LLC

Agent: Jake Kurth, Scannell Properties LLC

Planner: Nancy Smith, AICP

Background:

- There is a residence and a horse barn on the property.
- The proposed land use, Employment Center, is consistent with the land use designations assigned by Marion County.
- There are a mix of uses on the adjacent properties. Delzotto's precast concrete is to the west, there are residential, undeveloped and agricultural uses to the south, and undeveloped M-2 zoning to the north.
- Applicant's stated intention is to develop as an industrial/warehouse use inside the City limits.
- New construction will be subject to site plan approval and building permit issuance by the City of Ocala if annexation occurs.
- The ordinance to annex the subject property will be considered by City Council prior to consideration of the land use and zoning ordinances. After annexation, it is appropriate to adopt a City land use designation.
- Because the property is more than 50 acres, the land use change is subject to a state review process.

Basis for Approval:

The applicant has requested the Employment Center land use following annexation into the City of Ocala. The stated intention is to develop as an industrial/warehouse use.

The proposed land use designation of Employment Center is consistent with the surrounding area. A majority of the subject property is designated as Employment Center in Marion County's land use plan except for a portion on the eastern side of the property. The requested zoning designation of M-2, Medium Industrial, is eligible to implement the City's land use designation of Employment Center.

Factual Support:

1. Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
 - a. 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.
 - b. 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.
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:**Traffic Circulation**

Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review. Developments proposing to generate less than 100 peak hour trips are required to submit a traffic impact statement.

Table 1: Traffic Circulation

Road/Street Name	# of Lanes	Functional Class	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
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LOS=Level of Service, AADT=Annual Average Daily Traffic

Potable Water: The property is located within the City of Ocala service area. Waterlines are available along SR 40 to the south or north along NW 38th Avenue.

Sanitary Sewer: The property is located within the City of Ocala service area; service is available from SR 40/NW 40th Avenue and is within 1,000 feet.

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-storm event.

Solid Waste: Service is available.

Fire Service: Service is available from the City of Ocala. To maintain adequate fire protection services in the City, an impact fee will be required during the development review process.

Schools: The request for M-2, Medium Industrial, zoning is not expected to have an impact on area schools.

Electric: Service is available from Ocala Electric Utility.

Land Use Designation

Existing: Marion County

Commercial (COM). This land use designation is intended to provide for mixed use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to six (6) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

Employment Center (EC). This land use is intended to provide for a central regional area that allows for a mix of business, enterprise, research and development, light to moderate intensity commercial and industrial, and employment activities. It also allows residential uses that stand-alone or support the commercial and industrial area, and/or provide transitions to surrounding uses and less intense land uses. This land use designation will allow for and encourage mixed use buildings. The density range for residential units shall be up to twelve (12) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 2.0, as further defined by the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

Proposed: City of Ocala

Employment Center is intended 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 use if there are appropriate buffers and transitions between complementary uses. Primary uses are industrial, office and commercial. Secondary uses are public, recreation, institutional, and residential. Access is primarily from major collectors, arterials, or limited-access highways. The maximum density and intensity before any incentives is 24 dwelling units per gross acre or 2.00 FAR.

Discussion:

Commissioner Lopez asked if the noise ordinance is different for M-2 and Residential. Mr. Hale responded there is no difference. Ms. Nancy Smith also clarified that the Employment Center land use in the County has a floor area ratio of 2.0, which is the same as the City's Employment Center ratio.

No Public comment.

RESULT:	APPROVED LUC21-44528
MOVER:	Todd Rudnianyn
SECONDER:	Kris Clere
AYES:	Rudnianyn, Clere, Kesselring, Adams, Gilchrist, Lopez

B-3 Ocala City Council Synopsis

December 21, 2021

Item 6. b. Public Hearing

Approved transmittal to the Florida Department of Economic Opportunity a future land use map amendment from Employment Center and Commercial (Marion County) designations to Employment Center (City) designation for property located at 700 NW 38th Avenue and 3999 NW Third Street (Parcels #22844-002-00 and 22844-002-03), approximately 71.58 acres (Case LUC21-44528).

Presentation by Tye Chighizola

RESULT: APPROVED [UNANIMOUS] MOVER: Jay A. Musleh, Council Member
SECONDER: James P. Hilty Sr., President Pro-Tem AYES: Hilty Sr., Dreyer, Mansfield,
Musleh, Bethea Sr.

Exhibit C

C-1 Summary of Support

C-1 Summary

FLUM Amendment – From Commercial and Employment Center (Marion County)

To Employment Center (City)

Applicants: Khalid Mirza; Agent, Jake Kurth, Scannell Properties, LLC

Property Owners: Mirza Group-Ocala LLC

Future Land Use: Commercial and Employment Center (Marion County)

Property size: 71.58 Acres

Staff Recommendation: Approval

LPA Recommendation: Approval

City Council Recommendation: Approval to transmit the proposed land use amendment package to DEO and other agencies for review on December 21, 2021

Background:

The applicant has requested that the subject property be annexed into the City of Ocala and assigned a City land use designation and zoning district. The stated intention is to develop as an industrial/warehouse use.

The proposed land use designation of Employment Center is consistent with the surrounding area. A majority of the subject property is designated as Employment Center in Marion County's land use plan except for a portion on the eastern side of the property that is designated as Commercial. The requested zoning designation of M-2, Medium Industrial, is eligible to implement the City's land use designation of Employment Center.

Consistency with Comprehensive Plan:

1. Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
 - a. 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.
 - b. 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.
2. Approval of this request will not adversely affect the health, safety, convenience, prosperity or general welfare of the community.

Exhibit D Future Land Use Maps

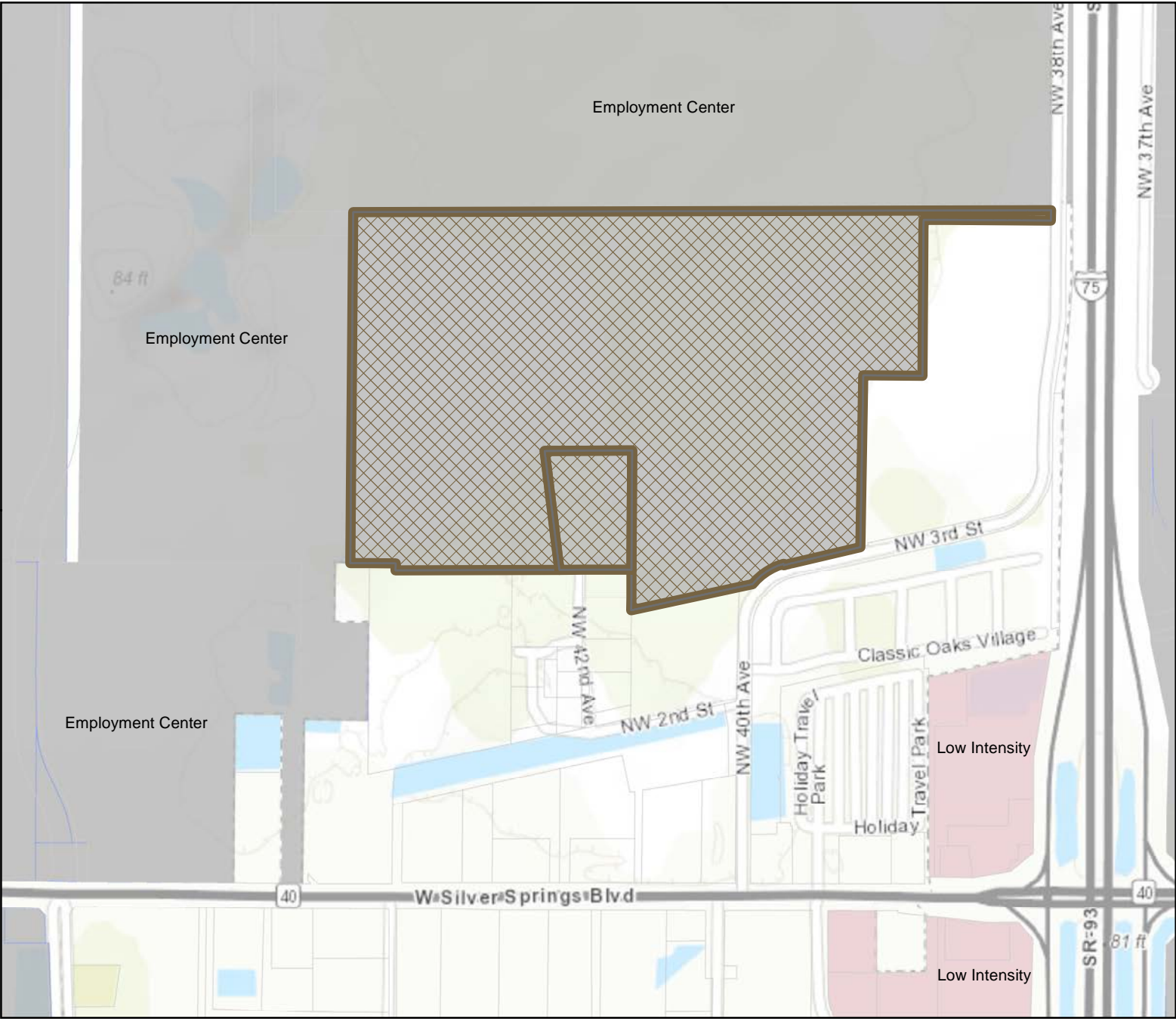
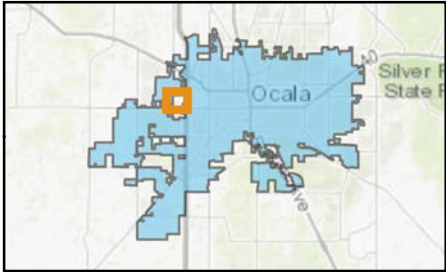
D-1 FLUM Proposed

D-2 FLUM Present

D-1 Proposed FLU Designation

Location Map

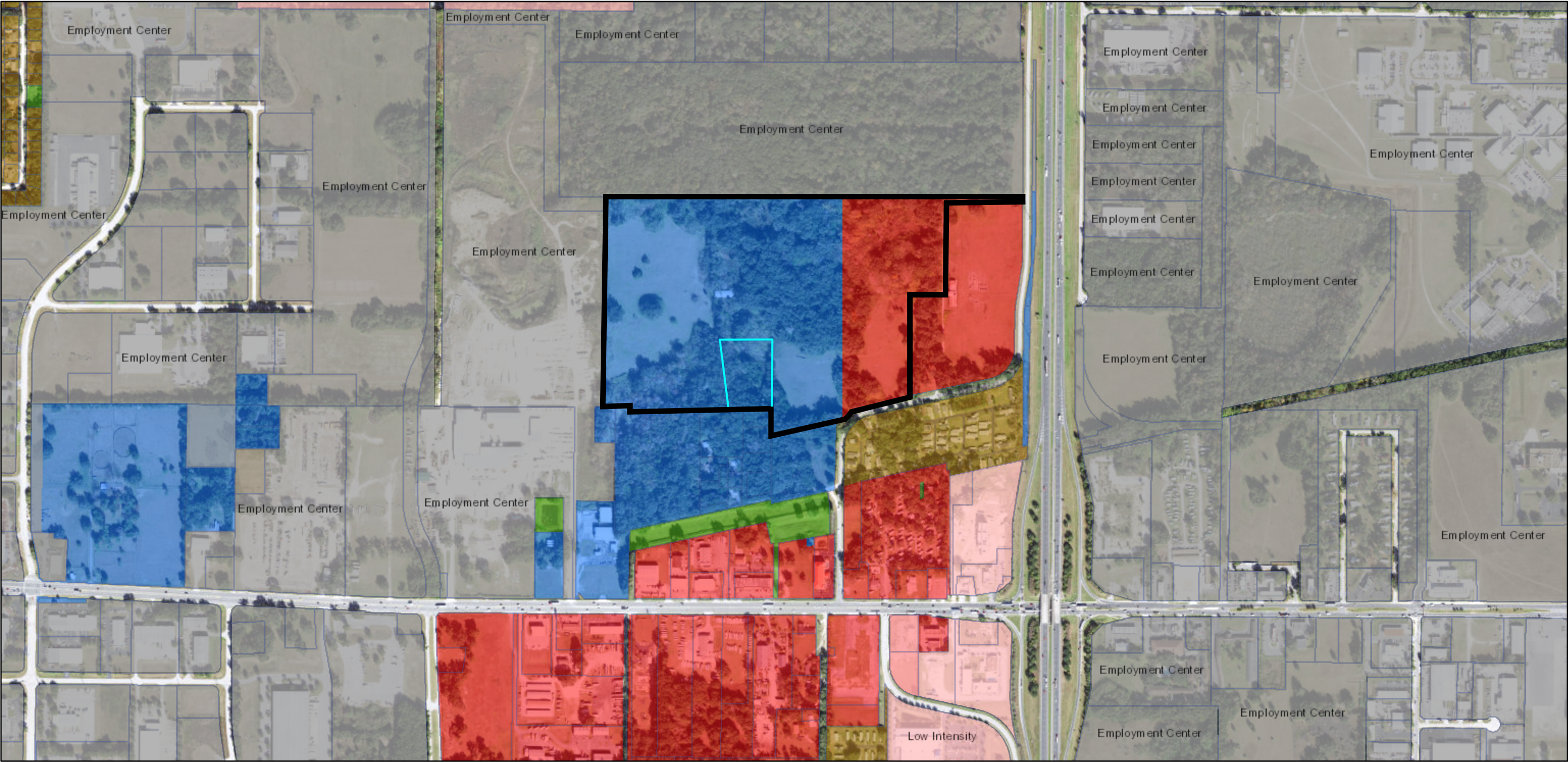
Case Number: LUC21-44528
Parcel Number: 22844-002-00; 22844-002-03
Property Size: Approximately 71.58 acres
Land Use Designation: County: Commercial; Employment Center
Zoning: County: A-1, General Agriculture; M-1, Light Industrial; R-E, Residential Estate
Proposal: Future Land Use Change to Employment Center (City)



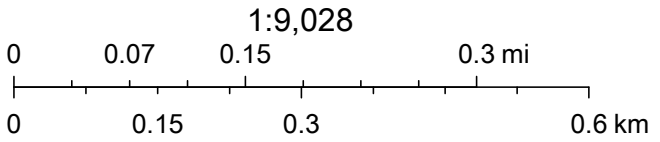
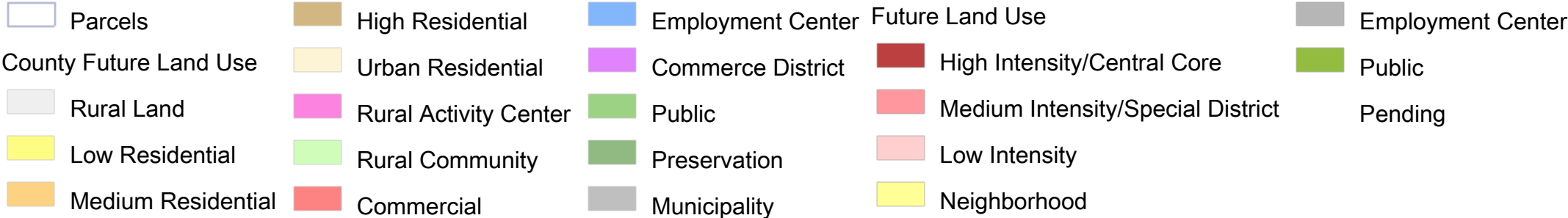
- Legend**
- | | |
|-----------------------------|-----------------------------------|
| Property Future Land Use | Medium Intensity/Special District |
| Employment Center | Neighborhood |
| High Intensity/Central Core | Pending |
| Low Intensity | Public |



D-2: Future Land Use Map (Present)



11/4/2021, 10:48:22 AM



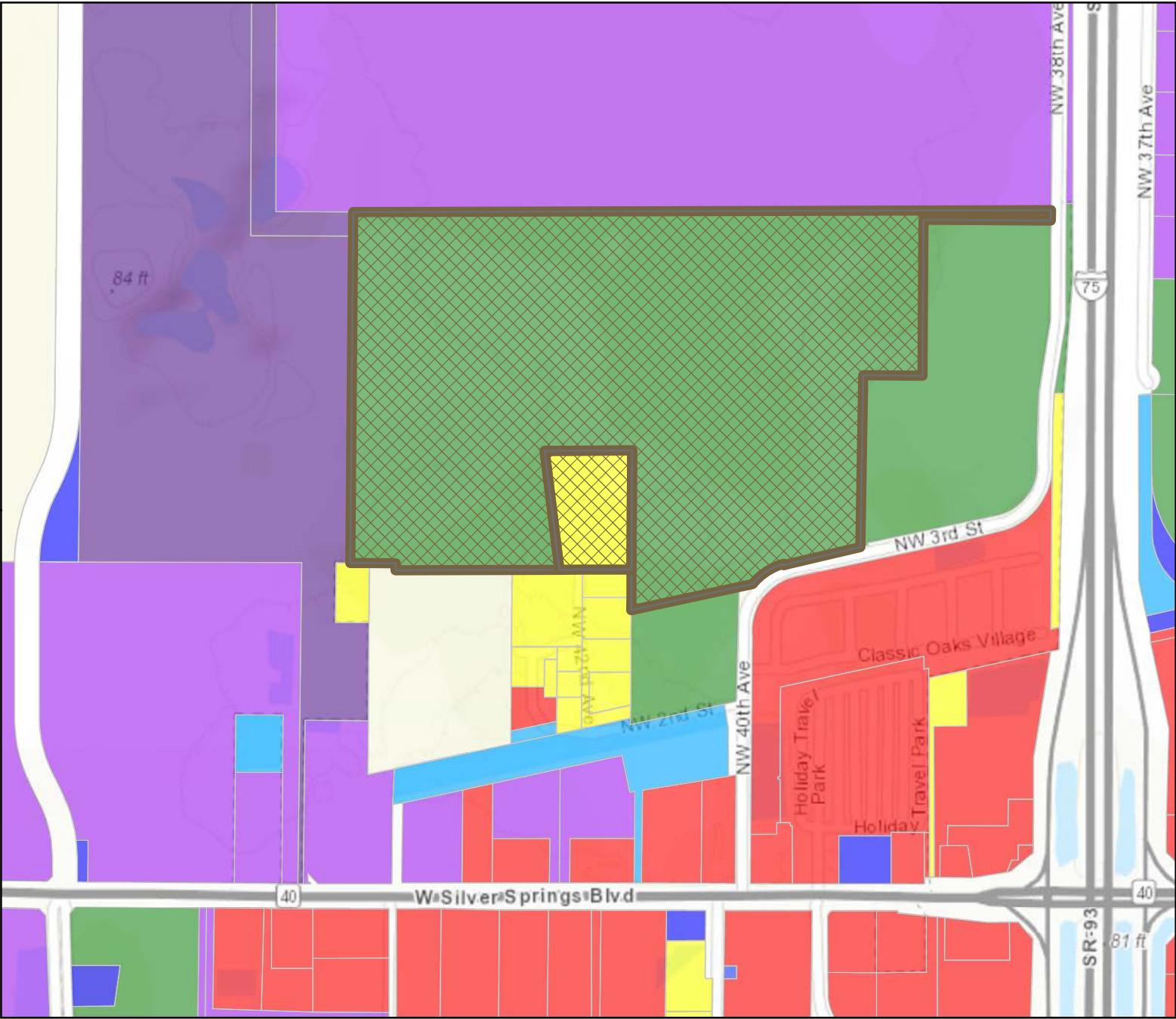
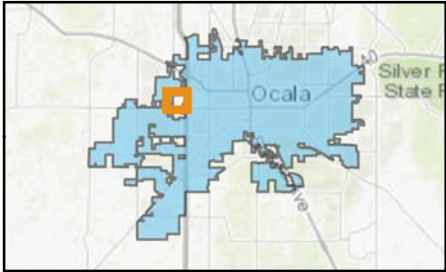
City of Ocala, Marion County Property Appraiser, FDOT, City of Ocala Planning Department, Community Development Services

Exhibit E: Existing Land Use Map

E-1 Existing land use for subject property and abutting properties and
Size of subject property

E-1 Existing Land Use Map

Case Number: LUC21-44528
Parcel Number: 22844-002-00; 22844-002-03
Property Size: Approximately 71.58 acres
Land Use Designation: County: Commercial; Employment Center
Zoning: County: A-1, General Agriculture; M-1, Light Industrial; R-E, Residential Estate
Proposal: Future Land Use Change to Employment Center (City)



- Legend**
- | | | |
|----------|------------------|----------------|
| Property | Current Land Use | Institutional |
| Parcels | CLU | Mining |
| | Residential | Right Of Ways |
| | Commercial | Wastelands/H2O |
| | Industrial | Rural Acreage |
| | Agricultural | |

Exhibit F

Availability and Demand

F-1: Availability and Demand

Proposed Map Amendment

Employment Center is intended 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 use if there are appropriate buffers and transitions between complementary uses. Primary uses are industrial, office and commercial. Secondary uses are public, recreation, institutional, and residential. Access is primarily from major collectors, arterials, or limited-access highways. The maximum density and intensity before any incentives is 24 dwelling units per gross acre or 2.00 FAR.¹

Traffic Circulation

Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review. Developments proposing to generate less than 100 peak hour trips are required to submit a traffic impact statement.

Sanitary Sewer: All new development in the City is required to connect to the City's sanitary sewer system if available within one-eighth mile². The property is located within the City of Ocala service area; service is available from SR 40/NW 40th Avenue and is within 1,000 feet.

Solid Waste: Service is available from the City of Ocala

Stormwater: Runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-storm event.³

Potable Water: All new development within the City is required to connect to city water when service is available within one-quarter mile.⁴ The property is located within the City of Ocala service area. Waterlines are available along SR 40 to the south or north along NW 38th Avenue.

School Impact: The request for Employment Center land use and M-2, Medium Industrial, zoning is not expected to have an impact on area schools.

1 Ocala Comprehensive Plan, Future Land Use Element, Policy 6.5

2 Ocala Comprehensive Plan Sanitary Sewer Sub-Element Policy 2.4

3 Ocala Comprehensive Plan, Stormwater Sub-Element Policy 3.1.

4 Ocala Comprehensive Plan Potable Water Sub-Element Policies 1.3 and 2.4

Exhibit G

Consistency with Comprehensive Plan

G-1: Consistency with Comprehensive Plan:

1. Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
 - a. 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.
 - b. 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.
2. Approval of this request will not adversely affect the health, safety, convenience, prosperity or general welfare of the community.