



# Staff Report

Case No. ANX24-45595

Planning & Zoning Commission: May 20, 2024

City Council (1<sup>st</sup> Reading): June 4, 2024

City Council (Adoption): June 18, 2024

**Petitioner:** R.L.R. Investments LLC  
**Property Owner:** R.L.R. Investments LLC  
**Agent:** N/A  
**Project Planner:** Endira Madraveren  
**Applicant Request:** Annexation from unincorporated Marion County to connect to City utilities and to provide appropriate access for the future development of Marion County Animal Shelter.

**Existing Future Land Use:** Employment Center (County)

**Proposed Future Land Use:** Low Intensity

**Existing Zoning District:** M-1, Light Industrial (County)

**Proposed Zoning District:** B-4, General Business (City)

### Parcel Information

**Acres:** ± 5.83 acres

**Parcel(s)#:** 23194-008-01

**Location:** Property located approximately 2,600-feet west of the intersection of NW 60th Avenue and W Highway 40

**Existing use:** Vacant/Undeveloped

**Overlay(s):** N/A

### Adjacent Property Information

<b>Direction</b>	<b>Future Land Use</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	Employment Center (County)	M-1, Light Industrial (County)	Vacant/Undeveloped
<b>West</b>	Commerce District (County)	B-5, Heavy Business (County)	Vacant/Undeveloped
	Employment Center (City)	B-5, Wholesale Business (City)	J&J Tack Shack
<b>South</b>	Employment Center (City)	M-2, Medium Industrial (City)	Vacant/Undeveloped
		GU, Governmental Use (City)	City WRA
<b>East</b>	Low Intensity	PD, Planned Development	Vacant/Undeveloped

## **Background**

The subject property, identified by Parcel Identification Number 23194-008-01 is approximately 5.83 acres, and is generally located 2,600-feet west of the intersection of NW 60th Avenue and W Highway 40. The subject property was part of a larger property purchased by R.L.R Investments LLC in 2020. Parcel 21630-002-01 recently underwent a lot reconfiguration and the subject parcel (23194-008-01) was a result of that reconfiguration process.

The surrounding area consists of largely undeveloped/vacant properties. Properties to the north are zoned agricultural but owned by the same property owner as the subject property. Properties south of SR40 are owned by the City of Ocala International Airport and undeveloped with the exception of the airport which has its nearest taxiway approximately 2,000-feet to the south of the boundary of the subject property. Single-family residential properties are located east of NW 60<sup>th</sup> Avenue, while industrial properties are located west of the subject property.

The Petitioner has submitted concurrent applications to annex (ANX24-45595) and to amend the land use (LUC24-45608) from Employment Center in the County to Low Intensity in the City. The Petitioner has also submitted an application for a zoning district change to allow for an appropriate access drive into the subject property for the development of an Animal Shelter to the north. The Marion County Board of County Commissioners (BOCC) is also requesting to amend the land use (LUC24-45596 and LUC24-45611) and change the zoning district (ZON24-45597 and ZON24-45597) Public and GU, Governmental Use, respectively, for the property located directly to the north and the northeast (21630-003-00 and 21630-003-01); they are also requesting annexation of parcel 21630-003-01. It is the intention of the BOCC to establish this property as the new Marion County Animal Shelter.

Located to the north of the Ocala International Airport, the properties will require an aviation easement at such time that they are developed with vertical improvements. This easement limits the right to generate noise, dust, turbulence, vibration, illumination, air currents, fumes, exhaust, smoke, and other effects inherent to the operation of aircraft. This agreement is necessary for maintaining safety and accommodating aviation needs near the airport.

## **Staff Analysis**

The subject properties are contiguous to the City limits and the requested annexation does not create an enclave. Adequate public facilities are available for the subject properties.

### ***Factual Support***

1. The requested annexation is consistent with the following Objectives and Policies of the City of Ocala Comprehensive Plan:
  - a. Future Land Use Element 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.
  - b. Future Land Use Element Policy 13.2: The City shall continue to enforce the provisions of the Land Development Code that requires new development to pay for its share of existing or

- planned capital facilities through an impact fee charge, mobility fee, or other appropriate means.
- c. Sanitary Sewer Sub-Element Policy 5.1: The City shall require that any land or development receiving sanitary sewer services from the City of Ocala will annex into the City if or when it becomes contiguous to the City.
  - d. Potable Water Sub-Element Policy 5.1: The City shall require that any land or development receiving potable water services from the City of Ocala will annex into the City if or when it becomes contiguous to the City.
2. The requested annexation is consistent with the following Sections of the City of Ocala Code of Ordinances:
    - a. Section 122-246 – Annexed territory:
      - (a) All territory which may be annexed to the city after the effective date of the ordinance from which this section is derived (May 8, 1992) shall be considered to be zoned in the zoning classification given it by the county zoning code; provided that if no such classification exists in the zoning ordinance of the city then the property shall be zoned within the city under that classification most closely corresponding to the existing county classification.
      - (b) All annexed territory shall, at the earliest available date, be subject to the land use change process in order to bring the land use into compliance with the comprehensive plan. This process may result in a different land use designation and zoning classification.
  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 2023 Congestion Management Data from the Ocala-Marion Transportation Planning Organization 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
SR 40 (From SW80 Av to SW 60 Av)	4	55 MPH	Arterial	D	39,800	23,100	C

**Electric:** The subject property is within the Sumter Electric Co-Op service area.

**Internet:** City fiber networks run along the northern portion of the Ocala Airport property south of W Highway 40.

**Potable Water:** Service is available. A 16-inch City distribution main runs along W Highway 40. Connections will be determined during the site plan and approval process.

**Sanitary Sewer:** Service is available. A 10-inch City gravity main runs along the southern side of W Highway 40. Connections will be determined during the site plan and approval process.

**Stormwater:** The subject property does not appear to be 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 to the property.

**Fire Service:** Ocala Fire Rescue Station #4 is located at 3300 SW 20th St, is approximately 4 miles from the subject property.

**Schools:** Annexation is not anticipated to affect any school districts.

<b>Staff Recommendation:</b> <i>Approval</i>
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