



# Staff Report

Case No. ZON24-45606

Planning & Zoning Commission: May 20, 2024

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

City Council (Adoption): June 18, 2024

**Petitioner:** Railyard One, LLC  
**Property Owner:** Railyard One, LLC  
**Agent:** Jean Abi-Aoun, P.E., Florida Engineering Group, Inc  
**Project Planner:** Endira Madraveren  
**Applicant Request:** from: M-3, Heavy Industrial  
to: M-2, Medium Industrial

Rezone a 7.0 acre portion of the subject property from M-3, Heavy Industrial, to M-2, Medium Industrial to facilitate an equipment rental and leasing business.

**Future Land Use:** Employment Center

### Parcel Information

**Acres:** ±7.00 acres  
**Parcel(s)#:** 25448-000-00  
**Location:** 1700 NW 8th Avenue  
**Existing use:** Undeveloped  
**Overlay(s):** West Ocala Community Redevelopment Area (CRA)

### Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
<b>North</b>	Employment Center	M-3	Vacant Undeveloped and Concrete Crushing Plant
<b>East</b>	Employment Center	B-4	Used Automobile Sales
		B-5	Humane Society of Marion County
		M-2	Manufacturing/Warehouse
<b>South</b>	Public	GU	City DRA
	Medium Intensity/Special District	M-3	Vacant/Undeveloped
<b>West</b>	Employment Center	M-3	Vacant/Undeveloped

**Background**

The subject property, identified by Parcel Identification Number 25448-000-00, is approximately 16.95 acres, (however, the applicant is only requesting a rezoning for a 7.0-acre portion of the property) and is generally located approximately 710-feet west of the intersection of US Highway 441 and NW 8<sup>th</sup> Avenue. The purpose of the rezoning request is to allow for equipment rental and leasing use on the 7.0 acres. City records indicate that it served as Florida Roof Truss Co and Ocala Lumber Sales Co from July 1981 until September 2012 when it became Robbins Manufacturing, a pressure treated lumber manufacturer. It appears that it has always been a heavy manufacturing site. The surrounding area is characterized by CSX right-of-way that runs along the south boundary of the property to the south, similar heavy industrial uses to the west and north, and across NW 8th Avenue the Humane Society and a used automobile sales lot.

In May 2023, the property owner received approval of a Special Exception to allow outdoor manufacturing, which is only permitted by Special Exception in the M-3, Heavy Industrial zoning district, on the subject property. The site plan (SPL23-45302) for the concrete batch plant was approved in October 2023. A copy of the approved site plan is included as an attachment in this packet.

The subject property is located within the West Ocala Community Redevelopment Area (CRA) and is identified within the West Ocala Vision and Community Plan (2011) as being part of the Employment Center District. The intent of this District is to promote regionally-important and vibrant hub for business, enterprise, research and development and employment activities. As the most intense non-residential development within the City the Employment Center land use category is generally characterized by low and mid rise buildings on horizontally mixed use sites where building form is emphasized more than use. Uses typically included in this district are public, office, business, wholesale, industrial, professional service and retail.

**Existing and Proposed Development Standards**

	<b>Future Land Use</b>	<b>Zoning District</b>	<b>Intent and Purpose</b>	<b>Minimum Lot Area (square feet)</b>	<b>Maximum Building Height (feet)</b>
<b>Existing</b>	Employment Center <sup>1</sup>	M-3, Heavy Industrial <sup>2</sup>	Intended for heavy manufacturing and processing activities which create undesirable effects which are not properly associated with residential or commercial areas. Outdoor manufacturing activities and storage associated with permitted uses may be allowed in the M-3 district. Service and commercial	44,000 square feet	150 feet

			establishments as well as showroom and outdoor sales are not permitted in this district.		
<b>Proposed</b>	Employment Center <sup>1</sup>	M-2, Medium Industrial <sup>3</sup>	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.	20,000 square feet	60 feet
<sup>1</sup> The Employment Center Future Land Use Category does not have a minimum density and a maximum density and intensity of 24 dwelling units per acre or 2.00 FAR. <sup>2</sup> The M-3 zoning district does not have required setbacks. <sup>3</sup> The M-2 zoning district does not have required setbacks.					

**Staff Analysis**

The proposed rezoning is consistent with the Employment Center Future Land Use classification, pursuant to Section 122-244 of the Code of Ordinances. Adequate public facilities exist to service the proposed development. The proposed zoning is consistent and compatible with the surrounding area.

The subject property is currently zoned M-3, Heavy Industrial, which does allow for more intense industrial uses and does not include equipment rental and leasing. The requested M-2, Medium Industrial, significantly reduces the intensity of the industrial uses on this portion of the subject property and does allow equipment rental and leasing.

Future development will be subject to site plan review in accordance with Article IV of Chapter 122 of the Code of Ordinances, including the submission of elevations for architectural review to ensure consistency and compatibility with the surrounding area.

***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. 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. The requested rezoning is consistent with the following Sections of the City of Ocala Code of Ordinances:

- a. Subsection 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.

<b>Employment Center</b>	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 ( <i>residential uses are only allowed as part of a PD in this land use category</i> )
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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:** Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review.

**Electric:** The subject property is in the OEU service territory.

**Internet:** Service is available. A City fiber optic cable runs along NW 8<sup>th</sup> Avenue in front of the subject property.

**Potable Water:** Service is available. An 8-inch distribution main runs along NW 8<sup>th</sup> Avenue. Connections will be determined during the site plan or subdivision review and approval process.

**Sanitary Sewer:** It does not appear that service is available to the site. SPL23-45302 was approved to construct a drain field for sanitary sewer. However, connections will be determined during the site plan or subdivision review and approval process.

**Stormwater:** Portions of the subject property are 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 within a 2-mile radius from the subject property, at 505 NW Martin Luther King Jr Avenue.

**Schools:** Schools will not be impacted by this proposed rezoning.

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

<b>Permitted Use Type</b>	<b>M-3, Heavy Industrial</b>	<b>M-2, Medium Industrial</b>
<i>Residential Operation</i>	<i>None permitted</i>	<i>None permitted</i>
<i>Residential Type</i>	<i>None permitted</i>	<i>None permitted</i>
<i>General Retail</i>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Furniture store*</li> <li>• Home garden/hobby farm equipment sales*</li> <li>• Used merchandise store*</li> </ul>
<i>Vehicular Sales</i>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Truck rental and sales</li> </ul>
<i>Agricultural Use</i>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Indoor greenhouse*</li> <li>• Indoor hemp facility*</li> </ul>
<i>Business Service</i>	<ul style="list-style-type: none"> <li>• Construction service establishment</li> <li>• Parking lot</li> </ul>	<ul style="list-style-type: none"> <li>• Advertising service (on-site/off-site signs)</li> <li>• Construction service establishment</li> <li>• Day labor service establishment*</li> <li>• Equipment rental and leasing</li> <li>• General business service</li> <li>• Maintenance and cleaning service</li> <li>• Parking garage (or structure)</li> <li>• Parking lot</li> <li>• Pest control service</li> <li>• Radio/TV broadcasting facility</li> <li>• Security systems service</li> </ul>
<i>Eating or Drinking Establishment</i>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Restaurant (enclosed)</li> </ul>
<i>Hospitality and Tourism</i>	<i>None permitted</i>	<i>None permitted</i>
<i>Office Use</i>	<ul style="list-style-type: none"> <li>• Professional and business office</li> </ul>	<ul style="list-style-type: none"> <li>• Commercial photography (art and graphic design service)</li> <li>• Computer maintenance and repair</li> <li>• Photofinishing laboratory</li> <li>• Prepackaged software services</li> <li>• Print shop</li> <li>• Professional and business office</li> </ul>
<i>Personal Service</i>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Bail bonds agency</li> <li>• Kennel</li> <li>• Major household repair establishment</li> <li>• Mini-warehouse (self-storage facility)*</li> <li>• Minor household repair establishment</li> <li>• Recycling collection point</li> </ul>
<i>Vehicular Service</i>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Repair garage</li> <li>• Self-service station/convenience store*</li> </ul>

<b><i>Community Service</i></b>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Day care facility*</li> </ul>
<b><i>Educational Use</i></b>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Community education center</li> <li>• Vocational/professional school</li> </ul>
<b><i>Recreational Use</i></b>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Recreation facility, indoor*</li> <li>• Shooting range*</li> </ul>
<b><i>Public Use</i></b>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Airport</li> </ul>
<b><i>Health Care Use</i></b>	<i>None permitted</i>	<ul style="list-style-type: none"> <li>• Medical and dental laboratory</li> <li>• Veterinarian office</li> </ul>
<b><i>High-Impact Industrial Use</i></b>	<ul style="list-style-type: none"> <li>• Automobile wrecking yard*</li> <li>• Construction and demolition landfill*</li> <li>• Hazardous waste, bulk storage*</li> <li>• Industrial dry cleaning plant*</li> <li>• Manufacturing, heavy*</li> <li>• Materials recovery facility*</li> <li>• Outdoor manufacturing*</li> <li>• Recycling plant*</li> </ul>	<ul style="list-style-type: none"> <li>• Construction and demolition landfill*</li> <li>• Industrial dry cleaning plant*</li> <li>• Materials recovery facility*</li> <li>• Outdoor manufacturing*</li> </ul>
<b><i>Low-Impact Industrial Use</i></b>	<ul style="list-style-type: none"> <li>• Assembly of electronic components</li> <li>• Manufacturing, light</li> <li>• Recreational vehicle and boat outdoor storage</li> <li>• Recycling center</li> <li>• Research and testing laboratory</li> <li>• Warehouse</li> <li>• Wholesale and distribution</li> </ul>	<ul style="list-style-type: none"> <li>• Assembly of electronic components</li> <li>• Carpet and upholstery cleaning</li> <li>• Manufacturing, light</li> <li>• Newspaper printing facility</li> <li>• Packing and crating</li> <li>• Recreational vehicle and boat outdoor storage</li> <li>• Recycling center</li> <li>• Research and testing laboratory</li> <li>• Truck/freight terminal</li> <li>• Warehouse</li> <li>• Wholesale and distribution</li> </ul>

\*Permitted by Special Exception or under specific criteria