



## Rezoning Staff Report

Case No. ZON25-0011

Planning & Zoning Commission: July 14, 2025

City Council (1<sup>st</sup> Reading): August 19, 2025

City Council (Adoption): September 2, 2025

**Applicant:** Irvin Homes, LLC  
**Property Owner:** Sumner Real Estate Investments, LLC  
**Agent:** Fred Roberts, Klein & Klein, PLLC  
**Project Planner:** Emily W. Johnson, AICP  
**Amendment Request:** Rezone the subject property from B-2, Community Business, to SC, Shopping Center.

### Parcel Information

**Acres:** ±0.45 acres  
**Parcel(s)#:** 29793-002-02  
**Location:** 3235 SE Maricamp Road  
**Existing use:** Commercial recreation, outdoor (baseball batting cages)  
**Future Land Use Designation:** Low Intensity  
**Zoning Designation(s):** B-2, Community Business  
**Special District(s)/Plans(s):** N/A  
**Overlay(s):** N/A

**Figure 1. Aerial Location Map**



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## Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
<b>North</b>	Low Intensity	SC, Shopping Center	Maricamp Square Shopping Center
<b>East</b>	Medium Intensity/Special District	B-2, Community Business	Vacant, undeveloped commercial
<b>South</b>	Low Intensity	M-1, Light Industrial	Marion County Fire Rescue Operation & Training
<b>West</b>	Low Intensity	SC, Shopping Center	Maricamp Square Shopping Center

## Applicant Request

The applicant is requesting to rezone from B-2, Community Business, to SC, Shopping Center. The rezoning application has been submitted to incorporate the subject property into the existing Shopping Center (Maricamp Square) located to the north and west. The proposed rezoning will allow for development of a drive-through restaurant with shared parking facilities.

The agent, Fred Roberts, Klein & Klein, PLLC, is representing the applicant in this request.

## Background

The subject property, Parcel 29793-002-02, was annexed into the City in 1967 as part of a larger tract which included the adjacent shopping center parcel. In 1996, the subject property was developed with commercial batting cages, which are classified as a commercial recreation, outdoor use. Records indicate that the business tax receipt expired on September 30, 2024, for Batter Up of Ocala LLC, the last known operator of the facility.

The adjacent shopping center, Parcel 29793-002-00, was originally developed in 1985 under a B-2, Community Business, zoning district. In 2020, the property was rezoned to SC, Shopping Center, via Ordinance 2020-38. Although the subject property shares access with the adjacent shopping center, it was under separate ownership and was not included in the original rezoning.

## Existing and Proposed Zoning District Standards

	<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>	B-2, Community Business	Intended for community businesses, including retail sales, personal and business services, and all office uses.	10,000 square feet	50-feet

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<b>Proposed</b>	SC, Shopping Center	Intended to ensure that shopping centers and single retail store developments are designed and located to make efficient use of the land and minimize the impacts on infrastructure, adjacent and nearby properties, and the environment.	4 acres	50-feet
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### **Staff Analysis**

Incorporating the subject property into the shopping center to the north and west, necessitates the rezoning of the subject property to SC, Shopping Center, pursuant to Subsection 122-904(b) of the Code of Ordinances.

Redevelopment of the subject property will require an update to the shopping center master plan. Access to the subject property will continue to be from an internal roadway network within the shopping center, and parking will be provided via a shared parking agreement. The SC zoning district standards require the same design and improvement standards to be applied uniformly throughout the shopping center.

### ***Factual Support***

1. The requested rezoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
  - a. Future Land Use Element Policy 6.3: Low Intensity: The intent of the Low Intensity land use classification is to identify areas that are generally oriented towards the automobile as the primary mode of transportation, with pedestrian circulation and activity being generally less than High Intensity/Central Core and Medium Intensity/Special District districts. Low Intensity may contain a single use. Mixed use development is encouraged. Permitted uses include office, commercial, public, recreation, institutional, educational facilities and residential. Light industrial shall only be allowable in designated locations as specified in the Land Development Code and must meet the intent of the Low Intensity category, including form and design guidelines as applicable. It is also the intent of this category to promote a walkable suburban form.

The form of buildings and development may be regulated for specified areas by a Form Based Code or Corridor Overlay. Buildings may have larger setbacks from the street and public right-of-way than other mixed-use districts, as depicted in Figure E. Buildings may have surface parking between the building and the street, though rear and side yard parking is encouraged for non-residential uses, as depicted in Figure F. Low Intensity areas may have large open space areas such as community and regional parks, trails, or surface stormwater management facilities designed as amenities.

The minimum density and intensity in this future land use category is 3 dwelling units per gross acre or 0.00 FAR. The maximum density and intensity is 18 dwelling units per acre or 0.75 FAR.

*Staff Comment: Incorporating the subject property into the existing, adjacent shopping center development will allow for application of uniform design and improvement standards as part of the site's redevelopment.*

- b. Future Land Use Element Objective 7: The City intends to promote quality urban design in the development and redevelopment of automobile-oriented suburban corridors.

*Staff Comment: While the subject property only constitutes a small portion of the development, its inclusion in the shopping center plan contributes toward a compact and unified design along an arterial roadway.*

- i. Future Land Use Element Policy 7.2: City guidelines shall be context-sensitive to provide appropriate transitions between adjacent land uses, with particular emphasis on building compatibility between neighborhoods and non-residential uses.

*Staff Comment: The shopping center is located along an arterial roadway, which is an appropriate location for a mixed-use shopping center. Subsequent redevelopment of the site will necessitate continued shared access with the existing shopping center must address shared parking . Additionally, rezoning the subject property provides for a more uniform shopping center boundary relative to the roadway, providing for a more appropriate transition between adjacent land uses.*

- c. Future Land Use Element 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.

*As identified in the Level of Service Analysis below, there appears to be adequate public facilities to service the subject properties.*

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

- a. Subsection 122-133(b)(2): The application requests to rezone parcel or parcels to the same zoning classification as an adjoining parcel not separated by a right-of-way for a street, a street, or a drainage retention area.

*Staff Comment: The subject property is adjacent to the SC, Shopping Center, zoning district. The parcels are not separated by any right-of-way, street, or drainage retention area.*

- b. Section 122-244 - District criteria: Zoning districts allowed under each land use classification.

<b>Low Intensity</b>	R-1, R-1A, R-1AA, R-2, R-3, RZL, RBH-1, RBH-2, RBH-3, OH, RO, O-1, OP, B-1, B-1A, B-2, B-2A, B-4, B-5, SC, M-1, M-2, G-U, INST, A-1, PD, FBC
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*The requested SC zoning district is consistent with the existing Low Intensity Future Land Use Category.*

- c. Subsection 122-902(a): The purpose of this division is to ensure that shopping centers and single retail store developments are designed and located to make efficient use of the land and minimize the impacts on infrastructure, adjacent and nearby properties, and the environment.

*Staff Comment: The subject property abuts an existing shopping center; access is proposed via an internal roadway network. Architectural standards and signage for the shopping center will be reviewed as part of the site plan, to ensure uniformity in the overall design.*

- d. Subsection 122-904(b): Property to be developed or redeveloped as a shopping center must be zoned shopping center (SC), unless development meeting the definition of a shopping center or single retail store development is included within a planned development (PD).

*Staff Comment: The rezoning has been requested to incorporate the subject property into the shopping center located to the north and west. Subsection 122-906(c)*: Property outside the 300-foot radius that abuts a shopping center or single retail store development may be developed provided all motor vehicle access is from the abutting development. The construction of a service road, or extension of an existing service road, is allowed provided one end of the service road is within the 300-foot radius, or provides access to property that is within the 300-foot radius, provided there are no more than two connections between the service road and each public road frontage, subject to the other limitations in this division and the land development regulations.

*Staff Comment: The subject property is located outside of the 300-foot radius described within the location requirements for a shopping center. However, the requested rezoning is still supported by the Code as the subject property abuts an existing shopping center, and the proposed internal roadway access falls within said radius.*

## Level of Service Analysis

**Transportation:** The subject segment of SE Maricamp Road is classified as an arterial roadway under the Ocala-Marion TPO Congestion Management Plan; however, access to the site will be from an internal roadway as part of the shopping center. The 2023 congestion management data from the Ocala-Marion TPO for the affected roadway(s) is provided below.

## Adopted LOS / Available Capacity:

Road/ Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2023 AADT	Existing LOS
SE Maricamp Road (SR 464)	4	55 MPH	Arterial	D	38,430	34,800	D
SE 24 <sup>th</sup> Street	2	35 MPH	Collector	E	11,232	10,300	D

Developments proposing to generate 100 or more net new PM peak hour trips are required to submit a traffic study as part of the subdivision review. The affected segment of SE Maricamp Road is currently operating at the adopted Level of Service.

**Potable Water:** City utilities are available at this location. Any new connections will be determined during the site plan review process. A City water main runs along SE Maricamp Road.

- *Adopted Level of Service (LOS) Potable Water:* 300 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 167 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of the City's water system is 24.4 million gallons daily (mgd).

**Sanitary Sewer:** City utilities are available at this location. Any new connections will be determined during the site plan review process. A City gravity main runs along SE 24<sup>th</sup> Street.

- *Adopted Level of Service (LOS) Sanitary Sewer:* 250 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 80 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of Water Reclamation Facility #2 is 6.5 million gallons daily (mgd) and the permitted capacity of Water Reclamation Facility #3 is 4.0 million gallons daily (mgd).

**Solid Waste:** The subject property is located within the City's service area; any future changes in refuse pickup will be determined during the site plan review process.

- *Adopted Level of Service (LOS) Solid Waste:* 0.0112 pounds per square foot of occupied building space per day for non-residential development.
- *Available Capacity:* Solid waste is transported to facilities outside of the city.

### **Parks and Recreation Facilities:**

- *Adopted Level of Service (LOS) Solid Waste:* 4.6 developed park acres per 1,000 population for each Regional Park Service Area (RPSA).
- *Available Capacity:* Capacity is available. The City's 69,283 population requires 318.70 developed park acres. The city currently owns and maintains 622.27 developed park acres, pursuant to the Fall 2024 Activity Guide released by the Recreation and Parks Department.

### **Other Public Facilities:**

The following public facilities do not have adopted Level of Service standards and are provided as additional information.

**Stormwater:** The subject property is not located within a Flood Zone. For any future redevelopment, 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.

**Electric:** The subject property is within the Ocala Electric Utility service territory.

**Fiber:** Service is not currently available at this location.

**Fire Service:** Ocala Fire Rescue Station #2 is located approximately 1 mile from the subject property, at 2701 SE 36<sup>th</sup> Avenue. This distance falls within the desired industry standard of 1.5 miles for fire service.

**Schools:** The proposed rezoning is not anticipated to affect schools.

### **Staff Findings and Recommendation**

- The proposed rezoning is consistent with the existing Low Intensity Future Land Use classification, pursuant to Section 122-244 of the Code of Ordinances, and is compatible with the surrounding area.
- The proposed rezoning is consistent with the existing Shopping Center (SC) zoning for the adjacent properties.
- The proposed SC, Shopping Center, zoning district has similar permitted uses in comparison to the existing B-2, Community Business, zoning of the subject property.

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- No level of service issues has been identified for public facilities as a result of the zoning amendment.
- An update to the shopping center master plan will be required prior to development.

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