



# Staff Report

Case No. ZON24-45603

Planning & Zoning Commission: May 20, 2024

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

City Council (Adoption): June 18, 2024

**Petitioner:** A-Deniv Corp  
**Property Owner:** A-Deniv Corp  
**Agent:** William Menadier, P.E., Menadier Engineering, LLC  
**Project Planner:** Emily W. Johnson, AICP  
**Applicant Request:** from: B-4, General Business  
to: R-3, Multi-Family Residential  
Rezone the subject property from B-4, General Business, to R-3, Multi-Family Residential to facilitate multi-family residential development.  
**Future Land Use:** Low Intensity

### Parcel Information

**Acres:** ±1.20 acres  
**Parcel(s)#:** 22276-000-00  
**Location:** The southeast corner of the intersection of US Highway 27 and NW Old Blitchton Road.  
**Existing use:** Undeveloped  
**Overlay(s):** West Ocala Community Redevelopment Area (CRA)

### Adjacent Property Information

<b>Direction</b>	<b>Future Land Use</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	Low Intensity	B-4, General Business	Various commercial uses (Liquor store, auto supply store, office/retail, and warehousing), adjacent to US Hwy 27.
<b>East</b>	Low Intensity	B-4, General Business R-3, Multi-Family Residential	Used merchandise store (Ms. Queen’s Thrift Shop), Automotive repair (10 <sup>th</sup> Street Garage), and vacant residential.
<b>South</b>	Neighborhood	R-3, Multi-Family Residential	Single-Family Residential subdivision (Blitchton Village Phases 1 & 2), adjacent to NW Old Blitchton Road)
<b>West</b>	Employment Center	R-3, Multi-Family Residential M-1, Light Industrial	Automotive repair & Automobile sales (Morrow’s Repair & Used Cars); Light Industrial subdivision (Bison Industrial Park).

**Background**

The subject property, identified by Parcel Identification Number 22276-000-00, contains an approximate 1.20 acres, and is generally located at the southeast corner of the intersection of US Highway 27 and NW Old Blitchton Road, in the 2300 block of NW 10<sup>th</sup> Street. The subject property is currently vacant and undeveloped; the applicant has indicated an intention to develop multi-family residences, neither a conceptual plan nor site plan depicting future development have been submitted.

The subject property includes a small triangular portion containing approximately 820 square feet excluded from the rights-of-way of NW Old Blitchton Road, US Highway 27, and NW 10<sup>th</sup> Street; due to its size and orientation, the triangular piece of land is likely unbuildable. Any future development would be relegated to the main portion of the subject property.

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 Neighborhoods District. The intent of this District is to promote a walkable urban form expressed as identifiable residential neighborhoods where the predominant land use is residential, and the primary modes of transportation include walking, bicycles, automobiles, and bus transit.

**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>	Low Intensity <sup>1</sup>	B-4, General Business <sup>2</sup>	Intended for larger retail establishments, businesses catering to highway trade and motorists' needs, and businesses that receive a large number of delivery trucks.	10,000 square feet	60 feet
<b>Proposed</b>	Low Intensity <sup>1</sup>	R-3, Multi-Family Residential <sup>3</sup>	Intended to be a multi-family area, including higher residential densities in accordance with the comprehensive plan. Allows for single-family, two-family and multi-family dwellings, residence-offices and residence-galleries. Professional and business offices that are of compatible scale and intensity may be allowed as special exceptions by the board of adjustment.	10,000 square feet	50 feet

<sup>1</sup>The Low Intensity Future Land Use Category carries a minimum density of 3 dwellings units per acre, and a maximum density of 18 dwelling units per acre.

<sup>2</sup>The B-4 zoning district requires that multi-family residential development maintain setbacks of 25-feet (front), 8-feet (interior side yard), and 25-feet (street rear and side yard) from the property line.

<sup>3</sup>The R-3 zoning district requires that multi-family residential development maintain setbacks of 20-feet (front), 8-feet (interior side yard), and 20-feet (street rear and side yard) from the property line.

### **Staff Analysis**

The proposed rezoning is consistent with the Low Intensity 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 B-4, General Business, which allows for multi-family residential development with a Special Exception approved by the Board of Adjustment. The requested R-3, Multi-Family Residential, significantly reduces the allowable uses on the property; however, the R-3 zoning district allows for the potential to develop fee-simple townhomes (single-family attached dwelling units) and has a lesser building setback along the streets. Pursuant to Section 122-260 of the Code of Ordinances, a 10-foot-wide landscaped buffer may be required along the southern boundary line to buffer the subject property from the nearby single-family residential subdivision.

The subject property is located within a transitional area, surrounded by commercial uses lining US Highway 27, and across NW Old Blitchton Road from an existing single-family residential subdivision. Multi-family development has historically been acceptably utilized as a transitional use between such uses, and is consistent and compatible with the intent of the existing Low Intensity Future Land Use classification, as well as the Neighborhoods District outlined within the West Ocala Vision and Community Plan.

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. Development of townhomes (or single-family attached dwelling units) under fee-simple ownership will require submission of a Developer's Agreement in accordance with Section 122-357 of the Code of Ordinances. Additionally, no onsite drainage retention area exceeding 2 ½ feet in depth or a 3:1 slope shall be permitted in the front yard, pursuant to subsection 122-354(3) of the Code of Ordinances.

### ***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 6.3: 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.

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.

- 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>Low Intensity</b>	R-1, R-1A, R-1AA, R-2, <b>R-3</b> , 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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- c. Section 122-351: The multi-family residential (R-3) district is intended to be a multi-family area, including higher residential densities in accordance with the comprehensive plan. This district shall allow single-family, two-family and multi-family dwellings, residence-offices and residence-galleries. Professional and business offices that are of compatible scale and intensity may be allowed as special exceptions by the board of adjustment.
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 382-feet of frontage along US Highway 27, and 350-feet of frontage along NW Old Blitchton Road. The congestion management data from the Ocala-Marion TPO for the affected arterial 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	2021 AADT	Existing LOS
US Hwy 27	4	45 MPH	Arterial	D	38,430	23,700	C

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

**Internet:** Service is available. A City fiber optic cable runs along US Highway 27 in front of the subject property.

**Potable Water:** Service is available. City water mains run along US Highway 27 and NW Old Blitchton Road in front of the property. Connections will be determined during the site plan or subdivision review and approval process.

**Sanitary Sewer:** Service is available. A City gravity main runs along NW Old Blitchton in front of the property. Connections will be determined during the site plan or subdivision review and approval process.

**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 less than 1.0 mile from the subject property, at 505 NW Martin Luther King Jr Avenue.

**Schools:** The subject property is serviced by Ward-Highlands Elementary (operating at 110.11% capacity), Howard Middle (65.21%) and Vanguard High Schools (87.79%). The proposed development of the property may generate between 0 and 2 additional Elementary School-aged students, between 0 and 1 additional Middle School-aged students, and between 0 and 1 additional High School-aged students.

School Level	Project Dwelling Units (SFR)			Project Dwelling Units (MFR)		
	SFR Student Generation Rate	3 (min 3 d.u. / ac)	21 (max 18 d.u. / ac)	MFR Student Generation Rate	3 (min 3 d.u. / ac)	21 (max 18 d.u. / ac)
E	0.13	0	2	0.139	0	2
M	0.064	0	1	0.056	0	1
H	0.094	0	1	0.067	0	1

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

<b>Permitted Use Type</b>	<b>B-4, General Business</b>	<b>R-3, Multi-Family Residential</b>
<i>Residential Operation</i>	<ul style="list-style-type: none"> <li>• Community residential home (max 14 residents)</li> <li>• Fraternity or sorority house</li> <li>• Residence – Gallery*</li> <li>• Residence – Office*</li> <li>• Rooming/boarding house*</li> </ul>	<ul style="list-style-type: none"> <li>• Bed and breakfast</li> <li>• Community residential home (max 12 residents)</li> <li>• Home occupation</li> <li>• Fraternity or sorority house*</li> <li>• Residence – Gallery*</li> <li>• Residence – Office*</li> <li>• Rooming/boarding house*</li> </ul>
<i>Residential Type</i>	<ul style="list-style-type: none"> <li>• Single-family dwelling</li> <li>• Two-family dwelling</li> <li>• Multifamily dwelling (up to 30 units per acre)*</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-family dwelling</li> <li>• Single-family dwelling</li> <li>• Single-family (attached) dwelling unit</li> <li>• Two-family dwelling</li> </ul>
<i>General Retail</i>	<ul style="list-style-type: none"> <li>• Auto supply store</li> <li>• Bakery store</li> <li>• Building material sales</li> <li>• Department store</li> <li>• Drug store</li> <li>• Electronic cigarette/vaporizer store</li> <li>• Electronics store</li> <li>• Furniture store</li> <li>• Garden and nursery sales</li> <li>• Grocery store</li> <li>• Hardware store</li> <li>• Home decorating store</li> <li>• Pawn shop</li> <li>• Pharmacy</li> <li>• Playground equipment sales, outdoor</li> <li>• Roadside fruit and vegetable sales</li> <li>• Specialty retail store</li> <li>• Swimming pool sales (enclosed)</li> <li>• Used merchandise store</li> <li>• Videotape store</li> <li>• Home garden/hobby farm equipment sales*</li> <li>• Model manufactured home centers*</li> <li>• Swimming pool sales (outdoor sales)*</li> </ul>	<i>None permitted</i>
<i>Vehicular Sales</i>	<ul style="list-style-type: none"> <li>• Automobile rental sales</li> <li>• Automobile sales, new or used</li> </ul>	<i>None permitted</i>

	<ul style="list-style-type: none"> <li>• Automobile specialty sales, new or used</li> <li>• Boat store*</li> <li>• Truck rental and sales*</li> </ul>	
<b><i>Business Service</i></b>	<ul style="list-style-type: none"> <li>• Construction service establishment</li> <li>• Equipment rental and leasing</li> <li>• General business service</li> <li>• Maintenance and cleaning service</li> <li>• Parking garage</li> <li>• Parking lot</li> <li>• Pest control service</li> <li>• Radio/TV broadcasting facility</li> <li>• Security systems service</li> <li>• Advertising services (on-site, off-site signs)*</li> <li>• Day labor service establishment*</li> </ul>	<ul style="list-style-type: none"> <li>• Parking lot*</li> </ul>
<b><i>Eating or Drinking Establishment</i></b>	<ul style="list-style-type: none"> <li>• Alcoholic beverage establishment (off-premises consumption)</li> <li>• Alcoholic beverage establishment (on-premises consumption)</li> <li>• Drive-in or drive-through restaurant</li> <li>• Fast-food restaurant</li> <li>• Restaurant (enclosed)</li> </ul>	<i>None permitted</i>
<b><i>Hospitality and Tourism</i></b>	<ul style="list-style-type: none"> <li>• Antique gallery/art gallery/museum</li> <li>• Conference center</li> <li>• Hotel/convention center</li> <li>• Motel</li> </ul>	<ul style="list-style-type: none"> <li>• Conference center</li> <li>• Antique gallery/art gallery/museum*</li> </ul>
<b><i>Office Use</i></b>	<ul style="list-style-type: none"> <li>• Commercial photography (art and graphic design service)</li> <li>• Computer maintenance and repair</li> <li>• Financial institution</li> <li>• Photocopying and duplicating service</li> <li>• Photofinishing laboratory</li> <li>• Prepackaged software services</li> <li>• Print shop</li> <li>• Professional and business office</li> </ul>	<ul style="list-style-type: none"> <li>• Professional and business office*</li> </ul>
<b><i>Personal Service</i></b>	<ul style="list-style-type: none"> <li>• Bail bonds agency</li> <li>• Check cashing establishment</li> <li>• Coin-operated laundry</li> </ul>	<i>None permitted</i>

	<ul style="list-style-type: none"> <li>• Emergency shelter</li> <li>• Funeral home/crematory</li> <li>• Hairstyling shop</li> <li>• Laundry and dry cleaning pickup establishment</li> <li>• Laundry and dry cleaning service</li> <li>• Major household repair establishment</li> <li>• Mini-warehouse</li> <li>• Minor household repair establishment</li> <li>• Recreational vehicle park</li> <li>• Recycling collection point</li> <li>• Tattoo or body piercing establishment</li> <li>• Kennel*</li> </ul>	
<b><i>Vehicular Service</i></b>	<ul style="list-style-type: none"> <li>• Auto repair, minor</li> <li>• Automobile cleaning, detailing service</li> <li>• Drive-through facility (non-restaurant), accessory use only</li> <li>• Full-service station</li> <li>• Self-service station/convenience store</li> <li>• Repair garage*</li> </ul>	<i>None permitted</i>
<b><i>Community Service</i></b>	<ul style="list-style-type: none"> <li>• Church/place of worship</li> <li>• Day care facility</li> <li>• Library</li> <li>• Private club</li> <li>• Open pavilion engagement center*</li> </ul>	<ul style="list-style-type: none"> <li>• Church/place of worship*</li> <li>• Day care facility*</li> <li>• Private club*</li> </ul>
<b><i>Educational Use</i></b>	<ul style="list-style-type: none"> <li>• College/university</li> <li>• Community education center</li> <li>• School, private elementary and secondary</li> <li>• Speech and language center/school</li> <li>• Vocational/professional school</li> </ul>	<i>None permitted</i>
<b><i>Recreational Use</i></b>	<ul style="list-style-type: none"> <li>• Bowling center</li> <li>• Commercial recreation, indoor</li> <li>• Dance/art/music studio</li> <li>• Drive-in theatre</li> <li>• Motion picture theatres, except drive-in</li> <li>• Multipurpose facility</li> <li>• Physical fitness center</li> <li>• Recreation facility, indoor</li> </ul>	<ul style="list-style-type: none"> <li>• Recreation facility, indoor*</li> </ul>

	<ul style="list-style-type: none"> <li>• Commercial outdoor baseball batting facility*</li> <li>• Commercial recreation, outdoor*</li> <li>• Driving range*</li> <li>• Golf course*</li> <li>• Miniature golf*</li> <li>• Shooting ranges, indoor*</li> <li>• Temporary commercial amusement*</li> </ul>	
<b><i>Public Use</i></b>	<ul style="list-style-type: none"> <li>• Post office</li> <li>• Public transportation terminal</li> <li>• Park/open space area*</li> </ul>	<ul style="list-style-type: none"> <li>• Park/open space area*</li> </ul>
<b><i>Health Care Use</i></b>	<ul style="list-style-type: none"> <li>• Assisted living facility</li> <li>• Medical and dental laboratory</li> <li>• Medical and dental office</li> <li>• Transitional recovery facility</li> <li>• Transitional treatment facility</li> <li>• Veterinarian office</li> <li>• Satellite hospital emergency room</li> </ul>	<ul style="list-style-type: none"> <li>• Assisted living facility</li> <li>• Neighborhood wellness center*</li> <li>• Transitional recovery facility*</li> </ul>
<b><i>Low-Impact Industrial Use</i></b>	<ul style="list-style-type: none"> <li>• Microbrewery/microdistillery</li> <li>• Assembly of electronic components*</li> </ul>	<i>None permitted</i>

\*Permitted by Special Exception