



Staff Report

SE24-45855

Board of Adjustment: October 28, 2024

Petitioner: Guinn III Properties, LLC
Property Owner: Guinn III Properties, LLC
Agent: Joseph C. London, P.E., Kimley-Horn & Associates, Inc
Project Planner: Breah Miller, Planner II
Applicant Request: Special Exception to allow a repair garage and associated parking in the B-4, General Business zoning district

Parcel Information

Acres: ±4.84 acres
 Parcel(s) #: 22258-000-00
 Location: 2199 NW 10th Street
 Future Land Use: Low Intensity
 Zoning District: B-4, General Business
 Existing Use: Repair Garage

Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Neighborhood	R-2, Two Family Dwelling	Undeveloped
East	Low Intensity	B-4, General Business	Dollar General store DIY Home Center Outlet
South	Low Intensity	B-4, General Business	Summers Funeral Home Boot Barn Single Family Residence Undeveloped
West	Low Intensity Neighborhood	B-4, General Business	Jack Maro Law Office Steve Murty Law Office Undeveloped

Background:

The subject property, identified by Parcel Identification Number 22258-000-00, contains an approximate 4.84 acres, and is located at 2199 NW 10th Street. The property is currently utilized as a repair garage, doing business as *Advance Tire Service*. City records indicate that a tire and repair shop was established on or before July 11, 1996, at the subject property. A repair garage is only permitted in the B-4 zoning district as a special exception. Prior to October 2023 the use on this property was nonconforming, as it had not received a Special Exception previously.

In 2023, the applicant proposed a 15,000-square foot building addition to the site. At that time, staff required the petitioner to come into compliance with the Code of Ordinances, including a revision to the underlying future land use designation from Neighborhood to Low Intensity and a Special Exception to allow the repair garage use. The Board of Adjustment approved the Special Exception that runs in perpetuity with the property. The site sketch at the time of approval included a 15,000sf facility along with 48 parking spaces. The special exception included a condition of site plan submittal within 6-months and subsequent approval within 12-months of the special exception approval.

The site sketch that was approved with the Special Exception request in 2023 is inconsistent with the submitted site plan currently in review. The property owner applied for a major site plan in February 2024, to construct a 25,000 square foot retreading facility of an overall proposed 35,000 square foot facility; the remaining 10,000sf will be constructed in a later phase. The 35,000sf foot facility was not included in the original special exception request. During site plan review, the applicant additionally requested a public hearing for a reduction in parking requirements, in excess of ten percent. It is necessary for the petitioner to revise the site sketch through another Special Exception process.

Applicant Request

The petitioner is requesting to update and modify the previously approved Special Exception allowing a repair garage in the B-4, General Business, including a reduction in parking in excess of 10%. The petitioner is currently in site plan review and the attached site plan depicts the existing repair garage to the south and the proposed 35,000 square foot retreading facility with office space to the north with ingress/egress from NE 23rd Avenue.

Staff Analysis

The originally proposed 15,000sf facility included code compliant parking for the site. A condition of the original special exception required a site plan be submitted within six months of approval of the special exception, which was achieved. Additionally, approval of the site plan within 12 months of special exception approval was also required. The applicant continues to work toward this requirement of the original special exception condition.

Site plan review has taken longer due to the increase in building square footage and parking reduction request. Therefore, site plan approval has not been achieved by the 12-month

requirement of the original special exception condition. The special exception must be amended to remain compliant with the conditions set forth in the approval.

Pursuant to Section 122-1016 of the Code of Ordinances, an applicant may submit a parking study should they feel as though the parking requirements of Article VI of the Code of Ordinances are inappropriate as applied to a specific property or project. Per City of Ocala's Code of Ordinances, the closest use associated to a repair garage is a manufacturing facility; this required to have one space for each 750 square feet of gross floor area for the first 20,000 square feet devoted to manufacturing and one space per 2,000sf for the second 20,000sf. The office use is required to have one parking space per 300 square feet of floor area.

The agent (Kimley-Horn & Associates, LLC) prepared a parking analysis using the ITE Parking Generation Manual and included clarifying information regarding the number of employees of a similar facility (Goodyear Tire & Rubber Company). Per the ITE Parking Generation Manual, the peak parking demand for 300 square feet of office space and 24,700 square feet of manufacturing facility requires a total of 24 parking spaces. Per Section 122-1010 of the Code of Ordinance, 37 parking spaces is required when factoring the existing facility, additional office space, and proposed repair garage square footage. This results in a difference of 13 parking spaces, additional build-out of the future 10,000sf will require 13 parking spaces.

Sec. 122-1016. - Parking studies.

- (a) In the event that an applicant feels that the parking requirements of this article are inappropriate as applied to the applicant's property, the applicant may submit a parking study that addresses parking needs and demands, prepared by a professional engineer, architect or American Institute of Certified Planners-certified planner, that proposes alternate parking requirements based upon the unique characteristics of the applicant's property.

Staff Response: Due to the unique nature of the proposed use, a parking study was prepared by Kimley-Horn and Associates, Inc. and submitted by the applicant. The applicant also provided information for an existing retreading facility located in Lakeland, Florida for comparison purposes.

- (b) The parking study shall consider and discuss all relevant factors including, without limitation: type of use, surrounding available public/private off-street parking, shared parking opportunities between users, hours of operation of proposed and neighboring uses, surrounding on-street parking, loading needs and demands and parking trends for similar development size and use. Additionally, estimates of parking needs and demands shall be based on recommendations in studies such as those from the Urban Land Institute (ULI), the Institute of Traffic Engineers (ITE), or the Traffic Institute, or industry standards based on data collected from geographic areas and uses or combinations of uses which are the same or comparable to the proposed area and use.

Staff Response: The study provided the small office (land use code 712) and manufacturing facility (land use code 140). Per the ITE parking Generation a small office needs

approximately 2.56 spaces per 1,000 square feet gross floor area and approximately 0.92 spaces per 1,000 square feet gross floor area for a manufacturing facility.

The existing Goodyear retreading facility (Figure 1) located in Lakeland, Florida is approximately 25,000 square feet in size. The information provided stated that this site has a total of 17 parking spaces. Based on the number of parking spaces provided and square footage there is a requirement of one parking space per 1,470 square feet. Therefore, a comparable 35,000 square feet expansion would need a total 23 parking spaces.

Special Exception Standards for Approval (Section 122-73(5)):

The Code states that the Board of Adjustment, in reaching its conclusion and in making the required findings, shall consider and weigh the following factors and standards, among others, and shall show in its record these factors and the disposition made thereof. Further, the board shall find in the case of any of these factors and standards, that the purposes and requirements for granting the special exception have been met by the applicant. The required factors to be weighed are as follows:

- A. Ingress and egress to the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

The property has three existing ingress/egress that they will continue to utilize: one on NW 10th Street and two on NW 22nd Court.

- B. Off-street parking and loading areas, where required, including consideration of ingress and egress to the property, and the economic, noise, glare, or odor effects of the location of such off-street parking and loading areas on adjacent and nearby properties and properties generally in the district.

The property has twelve existing off-street parking spaces. The applicant is looking to receive approval to reduce the required parking from 34 to 20. A parking study has been submitted with this request.

- C. Refuse and service areas, and how these areas correspond with both the off-street parking area, and the ingress and egress to the site.

The site is within Public Works service area. Dumpster pad location will be determined during the site plan process.

- D. Utilities, including such considerations as hook-in locations and availability and compatibility of utilities for the proposed use.

The property is currently serviced by Ocala utilities – including electric, water, and sewer.

- E. Screening and buffering, including consideration of such relevant factors as type, dimensions and character to preserve and improve compatibility and harmony of use and structure between the proposed special exception and the uses and structures of adjacent and nearby properties and properties generally in the district.

Development of the property will be required to comply with all screening and buffering requirements as part of site plan approval. During the site plan process, it may be necessary for the entire site to come into compliance with the Code of Ordinances.

- F. Signs, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of signs and lighting on properties in the district and compatibility and harmony with other properties in the district.

All signage must comply with Chapter 110, Ocala Code of Ordinances.

- G. Required yards and open spaces.

Development of the property will be required to comply with all required yards and open spaces as part of site plan approval.

- H. Height of structure where related to uses and structures on adjacent and nearby properties and properties generally in the district.

The existing B-4 zoning would allow a maximum building height of sixty (60) feet. It is not expected that the service building will be of a height inconsistent or incompatible with the surrounding area.

- I. Economic effect on adjacent and nearby properties and properties generally in the district of the grant of the special exception.

The property has operated as a repair garage for almost 30 years, according to City records. This Special Exception is to come into compliance and expand the building footprint. The zoning surrounding this property is B-4, mostly comprised of retail and warehouse type uses. A negative economic impact is not expected with the proposed expansion of the repair garage use.

- J. Visual, physical, and economic impact of the proposed project or use on a historically designated property and district.

N/A.

Approval of the special exception with conditions is recommended; the applicant has met the standards for approval of a special exception pursuant to Ocala Code of Ordinances Section 122-73(5).

Staff Recommendation: Approval with Conditions

Recommended Conditions of Approval:

1. This Special Exception shall be granted for and run with the property located at 2199 NW 10th Street (PID #22258-000-00).
2. Approval of the site plan required within 12 months of approval of the Special Exception.

3. The Special Exception shall be granted to allow a total expansion of approximately 35,000sf including the ability to phase the project.
4. Parking for repair garage uses shall be calculated at 1.0 space per 1,470sf of building area and 2.56 spaces per 1,000sf of office space.