



Special Exception Staff Report

SE24-45761

Board of Adjustment: October 28, 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: Special Exception to allow multi-family dwellings in the B-4, General Business, zoning district.

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.
Future Land Use: Low Intensity
Zoning District: B-4, General Business
Existing Use: Undeveloped

Adjacent Property Information

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

Applicant Request

The petitioner is requesting a Special Exception to allow multi-family dwellings in the B-4, General Business, zoning district. The petitioner submitted a concept plan which proposes fourteen (14), 2-story townhome-style dwellings. The conceptual placement of the homes is along and parallel to NW Old Blitchton Road. As proposed, access to the site is via NW Old Blitchton Road providing connection to the 22 space parking lot.

Background

The subject property, identified by Parcel Identification Number 22276-000-00, contains approximately 1.20 acres. The property is generally located in the 2300 block of NW 10th Street at the southeast corner of the intersection of US Highway 27 and NW Old Blitchton Road. The property is currently vacant and undeveloped.

The subject property is in the West Ocala Community Redevelopment Area (CRA) and within the West Ocala Vision and Community Plan (2011). The West Ocala Vision identified six different districts, including a Neighborhoods district, in which the subject property resides. The intent of the Plan's Neighborhoods 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.

Earlier this year, the petitioner applied to rezone the subject property from B-4, General Business, to R-3, Multi-Family Residential, to accommodate the proposed development. City Council subsequently denied the rezoning request at their June 18, 2024, meeting, citing concerns related to access from US Highway 27 and compatibility of the R-3 zoning district along a major arterial corridor. City Council also indicated that as a multi-family project it would be more appropriate for consideration through the Special Exception process.

Staff Analysis

Pursuant to the Ocala Code of Ordinances Section 122-724(1)(b), multifamily dwellings are permitted up to a maximum of 30 dwelling units per acre with a special exception in the B-4, General Business zoning district. Multi-family in this district are also subject to the architectural review requirements in Code Section 122-216(t). The existing Low Intensity Future Land Use classification provides for a maximum density of 18 dwelling units per acre, which equates to maximum potential of 21 units on the subject 1.20-acre parcel. The applicant's request for 14 multi-family units is less than the maximum density allowed for the Low Intensity classification. Additionally, multi-family development is consistent with the West Ocala CRA, West Ocala Vision and Community Plan, Comprehensive Plan and Code of Ordinances.

The subject property includes a small triangular portion of the property that is non-contiguous to the main property. This non-contiguous portion is most likely the result of the creation of right-of-way through this area many years ago. While this portion is only comprised of 820 square feet and not readily usable for development, it does count toward the acreage of the property for the purpose of appropriate property calculations. The conceptual plan shows that development would be relegated to the main portion of the subject property.

The petitioner has made changes to the concept plan to address comments made by City Council at the June 18, 2024, zoning hearing. Specifically, the access has been relocated from US Highway 27 to NW Old Blitchton Road and the proposed building sites are now aligned more closely with Old Blitchton Road. This layout provides more proximity of the structures to the nearby residential development to help integration with the existing neighborhood character. The petitioner also provided building elevations to foster a coordinated design and architectural relief along Old Blitchton Road. The design includes covered rear porches with railings, second-story windows, and a mixture of building materials along the street-facing façade.

Introducing multi-family uses to the area also provides for more diverse housing types and helps to provide infill development within this established urban neighborhood. The proposed residential use and design are encouraged in this District and is compatible with the intent and purpose of the Neighborhoods District and the West Ocala Vision and Community Plan.

Approval of the special exception with conditions is recommended to provide for the appropriate safeguards and conditions to help the proposed multi-family development provide for a transition of uses to the surrounding residential and commercial uses in the area. The development of the site will require submittal of a site plan substantially consistent with the proposed conceptual plan and building elevations. The site plan will have to be approved within 18 months of the special exception approval date and shall further address the screening and site design conditions as required.

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

In reaching its conclusion, the Board of Adjustment shall make findings and 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 and related City Code of Ordinance references 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.

Staff Comment: Ingress/egress will be provided via a proposed two-way access driveway connecting to NW Old Blitchton Road. Because the proposed development contains less than 16 dwelling units, a secondary emergency access is not required.

- 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.

Staff Comment: Parking for the proposed multi-family units will be provided via a shared parking lot. Section 122-1010(a)(2) requires 1.5 parking spaces per multi-family dwelling. The conceptual plan indicates 22 parking spaces that includes 21 standard spaces and 1 ADA accessible space. The proposal is consistent with the minimum required number of parking spaces (Section 122-1015).

- 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.

Staff Comment: The conceptual plan indicates a proposed dumpster pad location. Refuse service will be addressed as part of the site plan review process. Screening of utilitarian areas, including a concrete wall and vegetative buffer around the dumpster and vegetative screening around air conditioning units, is recommended as a condition of approval.

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

Staff Comment: Electric, Internet, Potable Water, and Sanitary Sewer utility services are available at this location. Connections will be determined during the site plan review process.

- 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.

Staff Comment: The conceptual plan depicts a 10-foot-wide landscape buffer along the southern property line where the proposed development faces an existing single-family residential subdivision providing consistency with Section 122-260(c)(10). The exterior boundary of the site shall have a minimum 4-foot-wide open space buffer around the site, and all off-street parking areas shall be screened from bordering streets with a minimum 5-foot-wide landscape buffer, consistent with Sections 122-260(c)(1) and 122-260(c)(2).

- 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.

Staff Comment: All signage must comply with Chapter 110, Ocala Code of Ordinances. The conceptual plan depicts a proposed monument sign location along NW Old Blitchton Road. The requirements that signage shall be ground mounted and no animated signage shall be permitted, are recommended as conditions of approval.

- G. Required yards and open spaces.

Staff Comment: The conceptual plan depicts consistency with the building setback requirements. Pursuant to Section 122-286, multi-family residential dwelling units in the B-4, General Business, zoning district are required to maintain a 25-foot front yard, 8-foot interior side yard, and a 25-foot interior rear yard; additionally, Section 122-1244 requires a 20-foot street widening setback along US Highway 27. Section 122-252 allows for accessory parking to encroach into side and rear yard setbacks.

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

Staff Comment: Pursuant to Section 122-286, the maximum allowable height in the B-4, General Business, zoning district is 60-feet. The proposed elevations depict that the units will be 2-stories, with a bearing height of 20-feet.

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

Staff Comment: The additional housing will create greater interaction between neighboring uses, thereby providing positive economic effects for properties along the US Highway 27 corridor and within the City at-large.

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

Staff Comment: This site is not located within a designated historic district.

Staff Findings and Recommendation

- The request meets the standards for approval of a Special Exception pursuant to Ocala Code of Ordinances Section 122-73(5).
- The requested multi-family development provides for a transition of use from the single family development and mix of commercial development in the surrounding area.
- The petitioner has revised the proposed site layout to address the concerns raised by City Council at the meeting on June 18, 2024
- The conceptual plan is consistent with development standards contained under Ocala Code of Ordinances Sections 122-1010 (*Required number of spaces*), 122-260 (*Buffers*), 122-1244 (*Minimum width and setback for specific streets*), and 122-286 (*Lot requirements*).

Staff Recommendation: Approval with Conditions

Recommended Conditions of Approval:

1. This Special Exception shall be granted for and run with the subject property located at the southeast corner of the intersection of US Highway 27 and NW Old Blitchton Road (PID #22276-000-00).
2. No more than 14 dwelling units shall be developed on the subject property.
3. The site plan shall be substantially consistent with the design and layout shown in the conceptual plan. Residential units shall be positioned along NW Old Blitchton Road and shall have the appearance of a street-facing façade.
4. Architectural renderings shall be submitted for review with the site plan application, design features shall be largely consistent with the façades shown in the conceptual elevations. Residential units shall include extended covered rear porches with railings, second-story windows, and a mixture of building materials along the street-facing façade.
5. Screening of refuse areas, including a concrete wall and vegetative buffer around the dumpster and vegetative and screening shall be provided around air conditioning units, shall be required as determined through the site plan process.
6. All signage shall be consistent with applicable standards of Chapter 110 and shall be ground mounted, with a location to be determined through the site plan process. No animated signage shall be permitted.
7. Site plan approval for the multi-family use shall be issued within 18 months of the date of approval by the Board of Adjustment or this Special Exception shall expire.