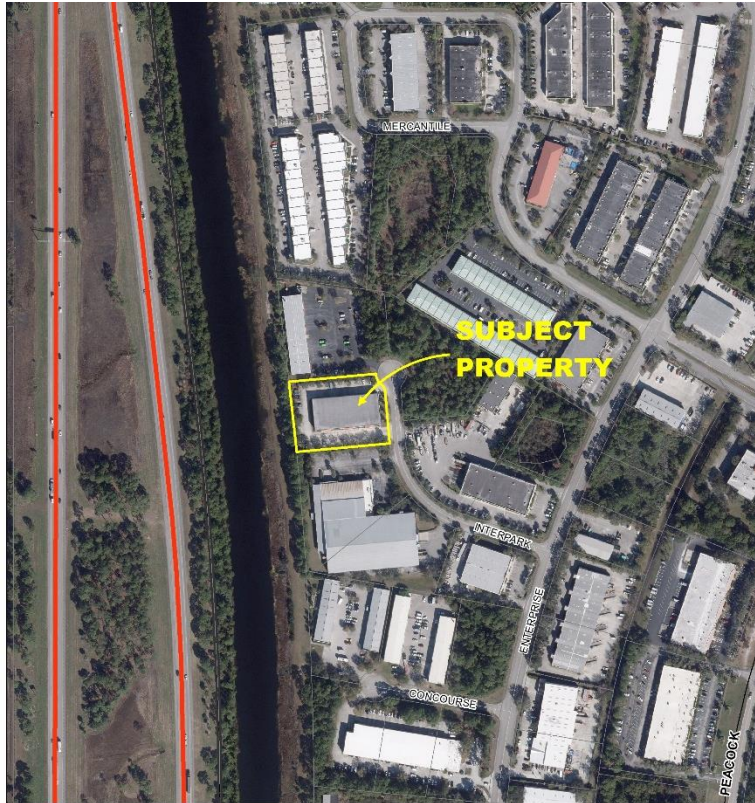




**Romanelli, Rocco (TR) – Up on Top Volleyball
 Special Exception Use
 P23-032**



Project Aerial Map

SUMMARY

Applicant’s Request:	The request is for approval of a Special Exception Use (SEU) to allow an expansion of the existing enclosed assembly area over 3,000 square feet in the Warehouse Industrial (WI) Zoning District as per Section 158.135(C)(5) of the Zoning Code for a total of 12,354 sq. ft. of recreational facility.
Applicant:	Alejandro Toro
Agent:	Alejandro Toro
Property Owner:	Rocco Romanelli (TR)
Location:	Located east of I95 & west of NW Interpark Place
Address:	561 NW Interpark Place
Project Planner:	Bianca Lee, Planner I

Project Description

The applicant is requesting a special exception use to allow an expansion of the existing enclosed assembly area over 3,000 square feet for recreational use totaling 12,354 square feet for a developed property, as per Section 158.135(C)(5) of the Warehouse Industrial (WI) zoning district. The Zoning Code lists an enclosed assembly area more than 3,000 square feet as a special exception use that may be permitted only following the review and specific approval thereof by the City Council. The proposed special exception use will allow the operation of an instructional volleyball school.

Background

The Up on Top Volleyball site plan (P09-006) was approved by the City Council on 9/10/2012. A special exception use (SEU) was granted on 9/26/2011 to allow a volleyball instruction school totaling 8,700 sq. ft. of enclosed assembly area in an existing warehouse within the Warehouse Industrial (WI) Zoning District. The volleyball facility is seeking to expand the enclosed assembly area by 3,654 sq. ft.

Public Notice Requirements

Notice of this request for a Special Exception Use was mailed on March 23, 2023, to owners of property within a 750-foot radius of the subject property.

Location and Site Information

Parcel Number:	3323-640-0010-000-0
Property Size:	1.53 acres
Legal Description:	St. Lucie West Plat #14 Commerce Park Phase 2 BLK 6 Lot 4
Future Land Use:	LI/OSR/I (Light Industrial, Open Space- Recreation, Institutional)
Existing Zoning:	WI (Warehouse Industrial)
Existing Use:	Volleyball facility/Dance studio

Surrounding Uses

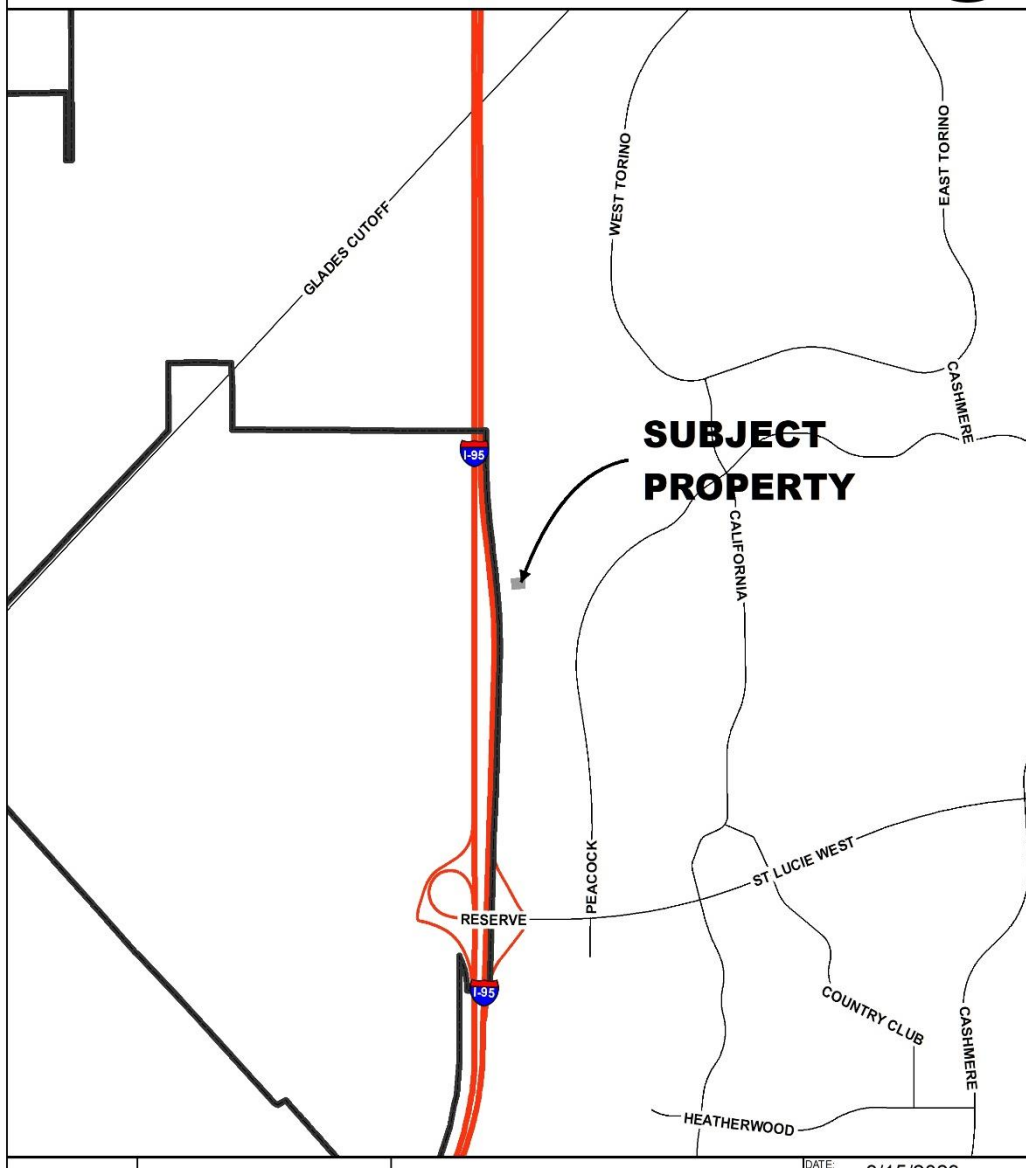
Direction	Future Land Use	Zoning	Existing Use
North	LI/OSR/I	WI	Warehouse
South	LI/OSR/I	WI	Warehouse
East	LI/OSR/I	WI	Industrial
West	OSC	WI	Open Space Water Mgmt.

Future Land Use

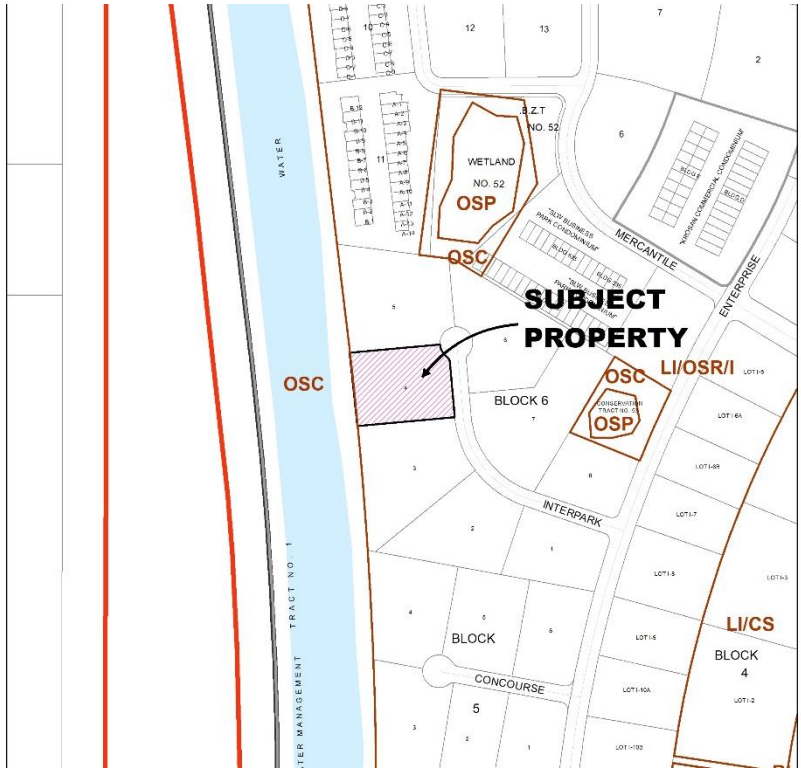
LI – Light Industrial, OSR - Open Space-Recreation, and I – Institutional

Zoning District

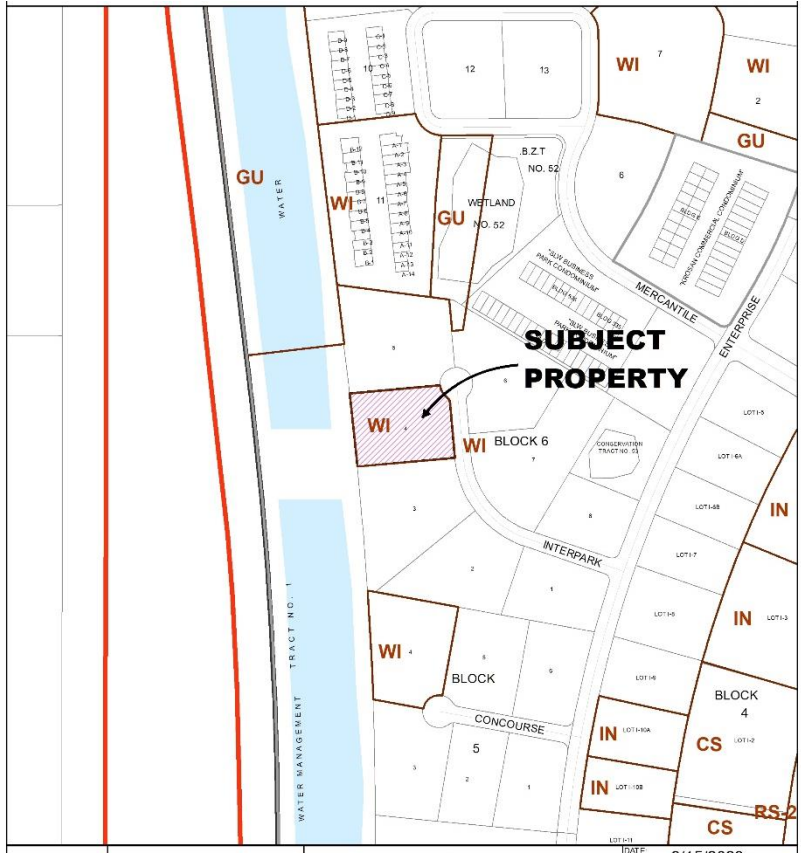
WI – Warehouse Industrial



Location Map



Land Use Map



Zoning Map

PROJECT ANALYSIS

Special exceptions are uses that would only be allowed under certain conditions and are reviewed to be compatible with the existing neighborhood. Approval of a special exception application shall only be granted by the City Council if it meets the criteria established under Section 158.260 (A) through (L) as noted below. The applicant's response to the criteria is attached. Staff's review is provided below.

Evaluation of Special Exception Criteria (Section 158.260)

(A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

- **Staff findings:** The site plan demonstrates that the site has adequate ingress and egress for vehicles, the property is developed and will allow for pedestrian safety and convenience. The property is located east of I95 & west of NW Interpark Place and has two vehicular access points along this roadway.

(B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

- **Staff findings:** Adequate off-street parking can be provided for the proposed expanded use through a shared parking agreement. The overall site is required to have 105 parking spaces at one (1) space per 200 square feet. There are 59 parking spaces onsite. The 12,354 sq. ft. recreational facility requires one (1) space per 200 square feet as per section 158.221(C)(17), or 62 spaces. The parking required for the 21,000 square feet to be utilized as enclosed assembly and office space is 105 spaces, calculated at 1:200. The applicant has provided a shared parking agreement with the establishment to the south; however the agreement is not yet in a form agreeable to the City Attorney's Office. This agreement provides for an additional 55 parking spaces, during the week. The parking can be utilized after 5 PM and anytime on the weekends, increasing the available parking to a total of 114 spaces. The applicant has indicated that the volleyball school will operate Monday- Friday from 5:30 PM to 9:30 PM.

(C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

- **Staff findings:** Adequate utilities are available to service the development.

(D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

- **Staff findings:** There is adequate screening and buffering for this site.

(E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

- **Staff findings:** No signs or outdoor lighting is proposed for this existing site.

(F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

- Staff findings: Yard setbacks and open space are adequate, to properly serve the existing development and to ensure compatibility with its adjoining properties.

(G) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.

- Staff findings: The proposed Special Exception Use is permitted as defined by Section 158.135(C)(5) - WI (Warehouse Industrial) Zoning District and shall conform to all provisions of the City's Zoning Code.

(H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

- Staff findings: By adhering to City Codes and Regulations, the establishment and operation of the proposed use is not anticipated to impair the health, safety, welfare, or convenience of residents and workers in the City.

(I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

- Staff findings: The indoor recreational facility is not expected to generate noise or hazards because of the number of persons who will attend or use the facility. The establishment will operate year-round and is open Monday- Friday from 5:30 PM to 9:30 PM. The facility's operating hours do not overlap with those of the surrounding uses. The shared parking agreement with the property owner to the south seeks to provide adequate parking for the volleyball facility during operating hours. The Applicant proposes to utilize this agreement to satisfy its parking requirements. However, the document still needs to be modified to be in a form agreeable to the City Attorney's Office.

(J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

- Staff findings: The proposed use is not expected to adversely impact surrounding properties. The building footprint is existing, the recreational facility is surrounded by warehouse and industrial uses.

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

- Staff findings: Acknowledged.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

- Staff findings: Acknowledged.

PLANNING AND ZONING BOARD ACTION OPTIONS

Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend approval to the City Council with conditions as recommended by staff
 1. A parking agreement shall be approved by the City Attorney's Office prior to the issuance of any building permits or occupancy of the additional 3,654 sq. ft. of enclosed assembly area, whichever occurs first.
 2. The SEU shall expire if there is not a valid parking agreement, that has been approved by the City Attorney's Office, in effect at any time after the issuance of any building permits or occupancy of the additional 3,654 sq. ft of enclosed assembly area.
- Motion to recommend approval to the City Council

If the board finds that the special exception use application is inconsistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend denial to the City Council

Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to table or continue the hearing or review to a future meeting.