

**THE CITY OF KEY WEST
PLANNING BOARD
Staff Report**



To: Chair and Planning Board Members

From: Melissa Paul-Leto, Planner I

Through: Patrick Wright, Planning Director

Meeting Date: June 20, 2019

Agenda Item: **Conditional Use – 601 Front Street (RE# 00000030-000000)** - A request for a conditional use for the relocation of a recreational rental vehicle use on property located in the Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) Zoning District pursuant to Sections 18-355, 122-62 and 122-688 (17) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Request: To allow for the relocation of seventy (70) recreational rental vehicles from 1 Duval Street (Pier House) to 601 Front Street, where there exists a recreational rental vehicle storage use.

Applicant: Oropeza, Stones & Cardenas, PLLC

Property Owner: IA Lodging Key West LLC / Hydro-Thunder of Key West, Inc.

Location: 601 Front Street (RE# 00000030-000000)

Zoning: Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1)



Background:

The subject property is on the corner of Front Street and Simonton Street. The recreational rental vehicle storage use fronts Simonton Street and is located near the egress of the Hyatt Centric Key West Resort & Spa parking lot. The property is immediately surrounded by the Historic Residential Commercial Core – Duval Street Gulfside zoning district.

The subject property currently operates as an existing recreational rental vehicle storage use within 7,500 square feet out of the 129,850 square feet of parcel space. The section of the parking lot dedicated to the recreational rental vehicle's storage is used to drop off rentals, clean/wash, then when dried, circulate the vehicle back to the 150 Simonton Street Hydro-Thunder location. The storage location is leased to Hydro-Thunder Key West, Inc. which is also the lessee of 150 Simonton Street. The applicant is proposing to relocate 70 recreational vehicle licenses which include sixty-eight (68) scooters and two (2) electric cars from the Pier House Resort and Spa located at One Duval Street. The fleet mix will be altered to include a total of fifty (50) electric cars and twenty (20) scooters.

Surrounding Zoning and Uses:

North: C-OW, Gulf Ocean

South: HRO, Residential, Hotels, Restaurant, Retail, Business and Professional Office Uses

East: HRCC-2, Residential, Offices, Retail, Restaurant Uses

West: HPS, Educational Institutions, Business and Professional Office Uses

Process:

Development Review Committee: May 23, 2019

Planning Board: June 20, 2019

Local Appeal Period: 10 days

DEO Review: Up to 45 days

Conditional Use Review

The purpose of conditional use review, pursuant to City Code Section 122-61, is to ensure that a conditional use shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity. City Code Chapter 122, Article III sets forth provisions and criteria for consideration of conditional uses on specific sites. Conditional uses shall be permitted only upon a finding that the proposed use satisfies this article.

Conditional Use Specific Criteria pursuant to Code Section 122-62**(a) Findings**

Code Section 122-62(a) provides, in part, that “a conditional use shall be permitted upon a finding by the Planning Board that the proposed use, application, and, if applicable, development plan comply with the criteria specified in this section, including specific conditions established by the Planning Board and/or the City Commission during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations.” This section also specifies that “a conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is averse to the public's interest.”

(b) Characteristics of use

The proposed use is of a relocation of existing recreational vehicle licenses to the 601 Front Street location. There will be a total of 70 recreational vehicle licenses relocated. The fleet will be altered to include 50 electric cars and 20 scooters. This request is a Conditional Use within in the HRCC-1 Zoning District where the subject property is located. The HRCC-1 Zoning District is defined as the city's intensely vibrant tourist commercial entertainment center which is characterized by specialty shops, sidewalk-oriented restaurants, lounges and bars with inviting live entertainment; and transient residential accommodations.

(1) Scale and intensity of the proposed conditional use as measured by the following:

a. Floor area ratio (FAR):

The proposed use will add no additional floor area to the property.

b. Traffic generation:

The applicant states most of the traffic is walk-up foot traffic at Hydro-Thunder's primary location at 150 Simonton Street. The subject location is primarily used to store vehicles for use. In addition, the applicant states that Hydro-Thunder provides a free shuttle service to and from local hotels for its customers. A traffic study is included in the application by, KBP Consulting, Inc. which states based upon a review of the existing and proposed locations and the fact that the number of vehicles offered will not change, the level of impact on traffic will not change.

c. Square feet of enclosed space for each specific use:

None proposed.

d. Proposed employment:

There will be two (2) employees at any given time on site.

e. Proposed number and type of service vehicles:

No service vehicles are proposed or required for this use.

f. Off-street parking needs:

The property is in the historic commercial pedestrian-oriented area, and no new floor area is being created. The applicant states that the site is used for storage and overflow from Hydro-Thunder's primary location at 150 Simonton Street.

(2) On- or off-site improvement needs generated by the proposed conditional use and not identified above including the following:

a. Utilities

Staff does not anticipate any improvement needs regarding utilities.

b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in City Code Chapter 94

None expected. Compliance with building codes and life safety codes would be required prior to building permit issuance. Based on comments at the DRC, it does not appear the conditional use will trigger any public facility capacity issues.

c. Roadway or signalization improvements, or other similar improvements

None expected.

d. Accessory structures or facilities

None proposed.

e. Other unique facilities/structures proposed as part of site improvements

None proposed.

(3) On-site amenities proposed to enhance site and planned improvements, including mitigative techniques such as:

a. Open space

No change in the parcel's open space.

b. Setbacks from adjacent properties

No changes proposed.

c. Screening and buffers

No changes proposed.

d. Landscaping berms proposed to mitigate against adverse impacts to adjacent sites

No changes proposed.

e. Mitigative techniques for abating smoke, odor, noise and other noxious impacts

No noxious impacts expected.

(c) Criteria for conditional use review and approval

Pursuant to City Code Section 122-62(c), applications for a conditional use shall clearly demonstrate the following:

(1) Land use compatibility

The proposed use would be in the HRCC-1 zoning district. Per Section 122-686 the intent of the HRCC-1 zoning district defined as the city's intensely vibrant tourist commercial entertainment center which is characterized by specialty shops, sidewalk-oriented restaurants, lounges and bars with inviting live entertainment; and transient residential accommodations. Small recreational power-driven equipment rentals are a conditional use in the HRCC-1 zoning district.

(2) Enough site size, adequate site specifications and infrastructure to accommodate the proposed use

The size and shape of the site are adequate to accommodate the proposed scale and intensity of the conditional use requested.

(3) Proper use of mitigative techniques

No adverse impacts anticipated.

(4) Hazardous waste

None expected or proposed.

(5) Compliance with applicable laws and ordinances

Comply with all applicable laws and regulations would be required.

(6) Additional criteria applicable to specific land uses

Applicants for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:

a. Land uses within a conservation area: N/A

b. Residential development: N/A

c. Commercial or mixed-use development: No negative impacts expected.

d. Development within or adjacent to historic district: Any signage or other building permits necessary will be required to have HARC approval.

e. Public facilities or institutional development: N/A

f. Commercial structures use and related activities within tidal waters: N/A

g. Adult entertainment establishments: N/A.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends to the Planning Board that the request for Conditional Use be **APPROVED WITH CONDITIONS** as follows:

General conditions:

1. The conditional use shall match the submitted plans dated June 14, 2019 by Aileen A. Osborn, R.A., A2O Architecture.

Conditions prior to issuance of a Certificate of Occupancy and/or Business Tax Receipt:

2. The owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on

an annual basis upon reasonable notice to determine compliance with the conditions of the Planning Board resolution.