

The City of Key West
Planning Board
Staff Report



To: Chair and Planning Board Members
Through: Katie P. Halloran, Planning Director
From: Scarlet Hammons, Corradino Group
Meeting Date: December 16, 2021
Agenda Item: Conditional Use – 3841 N. Roosevelt Boulevard (RE# 00064881-000000) A request for a conditional use for a small recreation power-driven equipment rental business, as an accessory to an existing hotel located in the General Commercial (CG) zoning district, pursuant to section 122-418 of the City of Key West Land Development Regulations.

Request: To allow a conditional use in the CG zoning district for a small recreation power-driven equipment rental business, as an accessory to an existing hotel. The use will be limited to 50 vehicles to be located within the existing parking garage.
Applicant: Richard McChesney, Spottswoods, Spottswoods, Spottswoods, & Sterling
Property Owner: SH5, LTD. A Florida Limited Partnership
Location: 3841 N. Roosevelt Boulevard (RE# 00064881-000000)

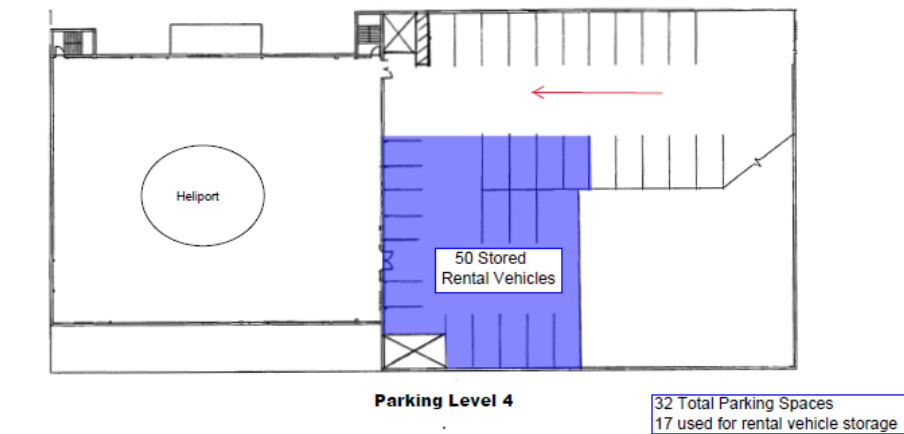


Subject Property – 3841 Roosevelt Boulevard

Background:

The subject property is located at the entrance to Key West at the northeast corner of US-1 and N. Roosevelt Blvd. The property at 3841 N. Roosevelt Blvd is the existing Marriott Beachside hotel consisting of 222 units, and a 5,500 S.F. conference facility. There is a restaurant and bar on the premises, consisting of 4,640 S.F. There are no changes proposed to the existing property, and no construction is proposed. The applicant has confirmed that there are no uses on the property other than those approved through Resolution 04-229 (the approving resolution). The surrounding area includes other similar tourist-oriented uses, and open water. The Applicant is proposing to utilize 17 spaces in the parking structure to store 50 rental vehicles, as an accessory use. The applicant has stated that the vehicles will be a mix of e-cars and gas golf carts, however the exact fleet make up is not known at this time. The vehicle storage will occupy no more than 17 of the existing parking spaces. The renters are expected to primarily be the hotel guests who will arrange the rentals through the front desk. The property is located within the CG zoning district and is not within the Historic District.

**3841 N Roosevelt Blvd.
Marriott Beachside – Rental Vehicle Parking**



Fourth Level Parking Garage
Proposed Alternative Rental Vehicle Storage Area



Spottswood, Spottswood, Spottswood & Sterling 2021

Application

The applicant is requesting a conditional use approval to allow recreational vehicle parking and rental at an existing hotel. This use within the CG zoning district requires conditional use approval. The Code also states in Section 18-355, "The establishment of any new or relocation of a recreational rental vehicle use shall require a conditional use approval, and may be established only within the zoning districts which allow small recreational power-driven equipment rentals as a conditional use." The Code also requires a review of traffic impacts on level of service for new recreational rental vehicle businesses as per Section 18-358.

Surrounding Zoning and Uses:

North: Conservation – Outstanding Waters of the State (C-OW) (open water)

South: Conservation – Outstanding Waters of the State (C-OW) (open water)

East: General Commercial (CG) (hotel)

West: General Commercial (CG) (hotel)

Process:

Development Review Committee:	September 23, 2021
Planning Board:	December 16, 2021
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 generation of 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 compatible and complimentary to a hotel within the General Commercial district.

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

a. Floor are ratio (FAR): No additional floor area is proposed.

b. Traffic generation: No significant changes in the traffic generation are proposed. The vehicle rentals are anticipated to be primarily for the use of the hotel guests as a substitute to a traditional auto. The Planning Department does not anticipate any significant increase in traffic generation by allowing for alternate forms of transportation at the existing use. The Code requires a review of traffic impacts on roadway level-of-service for new recreational rental vehicle businesses as per Section 18-358. The applicant provided a Traffic Statement prepared by KBP Consulting, Inc., dated June 21, 2021. Per the Traffic Statement, the trip generation analysis states the 50 recreational vehicles will generate and additional 100 daily trips, one trip leaving the property and one trip to return. While it is likely the renters will enter and exit more than one time per day, creating more than the estimated 100 daily trip, it is not expected to exceed the 3% de minimis threshold.

c. Square feet of enclosed space for each specific use: No changes in the enclosed spaces.

d. Proposed employment: No significant change in employees, there will be approximately 2-3 employees.

e. Proposed number of types of service vehicles: There will be no service vehicles. No mechanical work or refueling will take place on-site.

f. Off-street parking needs: The proposed storage of 50 recreational rental vehicles will occupy no more than 17 existing full-size parking spaces in the parking garage. The applicant has represented that the garage is underutilized and remains empty most of the time. A parking calculation was prepared to ensure the entire site remains in compliance with the total number of spaces required. The property, as it exists today, is in excess of parking spaces by 36 spaces. With the loss of 17 spaces, and the additional spaces required for 50 rental vehicles, the site would still exceed the required number of spaces by 2.

Parking Existing	397	per MDP Approval site plan
Parking Required	361	Per MDP Approval site plan
Parking Exceeding Required	36	
Parking Used for RRV storage	17	50 RRVs to occupy 17 spaces
Parking Exceeding Required	19	
Parking Required for RRV Use	17	50 RRVs is $50/3 = 17$ spaces
Parking Exceeding Required	2	

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

a. Utilities: None expected.

b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in City Code Chapter 94: None expected.

c. Roadway or signalization improvements, or other similar improvements: None required.

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 changes are proposed.

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 changes proposed to the existing hotel, however the vehicle fleet mix should eventually be 50% e-cars to mitigate for noise and noxious impacts.

(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 applicant is requesting approval to allow for an accessory use to provide additional transportation options to existing hotel guests within the general commercial district. The uses are compatible and complimentary.

City Code Section 122-62(c) (3)

“Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.”

The applicant proposes a mix of e-cars and gas powered vehicles, but the exact fleet mix is not known at this time. The Planning Department is requesting that the applicant provide a fleet mix of 50% electric vehicles to mitigate for adverse impacts associated with gas powered vehicles. The adverse impacts include noise and exhaust, especially given the small streets and density throughout the City’s historic district. It is understood that electric vehicles are significantly more expensive to purchase, and start-up costs are large. Therefore, it is recommended that the fleet mix achieves a 50/50 ratio over time.

(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. The site has adequate excess parking spaces to accommodate the request.

(3) Proper use of mitigative techniques: None have been proposed or necessary to ensure compatibility with the zoning district.

(4) Hazardous waste: None expected or proposed.

(5) Compliance with applicable laws and ordinances: None are proposed.

(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: The site is not located in a conservation area.

b. Residential development: No residential development is proposed.

- c. **Commercial or mixed-use development:** No negative impacts expected.
- d. **Development within or adjacent to historic district:** Not located within a historic district
- e. **Public facilities or institutional development:** No development of public facilities or institutions are proposed.
- f. **Commercial structures use and related activities within tidal waters:** The site is not located within tidal areas.
- g. **Adult entertainment establishments:** No adult entertainment is being proposed.

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 be limited to fifty (50) golf carts on the site with vehicle storage within the existing parking garage. No more than 17 existing parking spaces will be used to store these vehicles.
2. Half of the golf carts are permitted to be gas (25 gas, and 25 electric) until the third anniversary of approval of this Conditional Use Permit.
3. Within three (3) years of the date of this approval, the fleet mix will include no more than fifteen (15) gas powered vehicles, and the remainder may consist of electric vehicles; this achieves 70% of the fleet as electric, with 30% gas.
4. No fueling or significant maintenance or washing of vehicles is to be conducted on-site. Minor maintenance, such as inflating tires is allowed.

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

5. 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.