



THE CITY OF KEY WEST
PLANNING BOARD
Staff Report

To: Chair and Planning Board Members

Through: Katie P. Halloran, Planning Director

From: Jordan Mannix-Lachner, Planner II

Meeting Date: April 18, 2024

Agenda Item: **Conditional Use – 922 Truman Ave (RE# 00031080-000000)** – A request for conditional use approval to allow for the rental of eighty (80) golf carts at a proposed recreational rental vehicle operation at property located at 922 Truman Avenue in the Historic Neighborhood Commercial - 1 (HNC-1) zoning district pursuant to Sections Sec. 18-358, 122-62(b), 122-62(c), 122-63(e), and 122-808(14) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: A request for a conditional use to operate a recreational rental vehicle operation at an approximately 6,200 square foot property located at 922 Truman Avenue. The applicant is requesting permission to rent a total of 80 golf carts, with 27 carts to be parked on site, and 53 golf carts to be stored at an off-site location and transported to the subject property as needed.

Applicant: Go Fast Motorsports, LLC

Applicant's Representative: David Stone

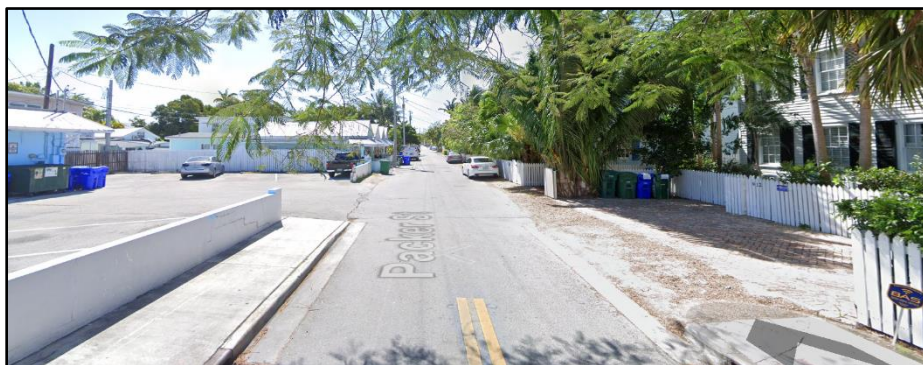
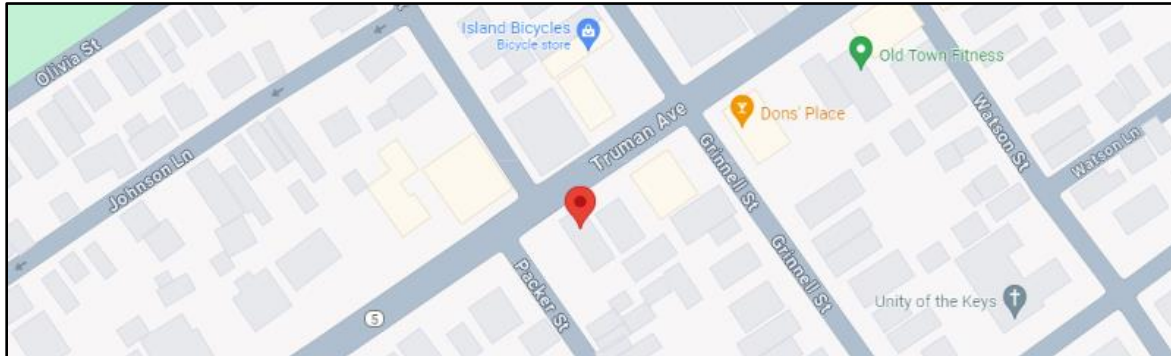
Property Owners: 922 Truman LLC

Location: 922 Truman Ave (RE# 00031080-000000)

Zoning: Historic Neighborhood Commercial (HNC-1)



SITE MAP & PHOTOS





BACKGROUND:

The subject property is a 6,198 square-foot parcel located at 922 Truman Avenue between Packer Street and Grinnell Street in the HNC-1 zoning district. The property includes a 1,650 square foot building that currently accommodates retail use. The remainder of the property consists of paved parking area. The property is a corner lot adjoined by non-transient residential properties to the east and to the south. Across the street, the property to the west is a non-transient residential property, and the properties immediately to the north include a restaurant and a catering business.

Recreational vehicle rentals are a conditional use in the HNC-1 zoning district. Ordinance 21-12 created additional review and performance criteria for new recreational rental vehicle (RRV) permits related to traffic impacts and nuisance prevention.

REQUEST:

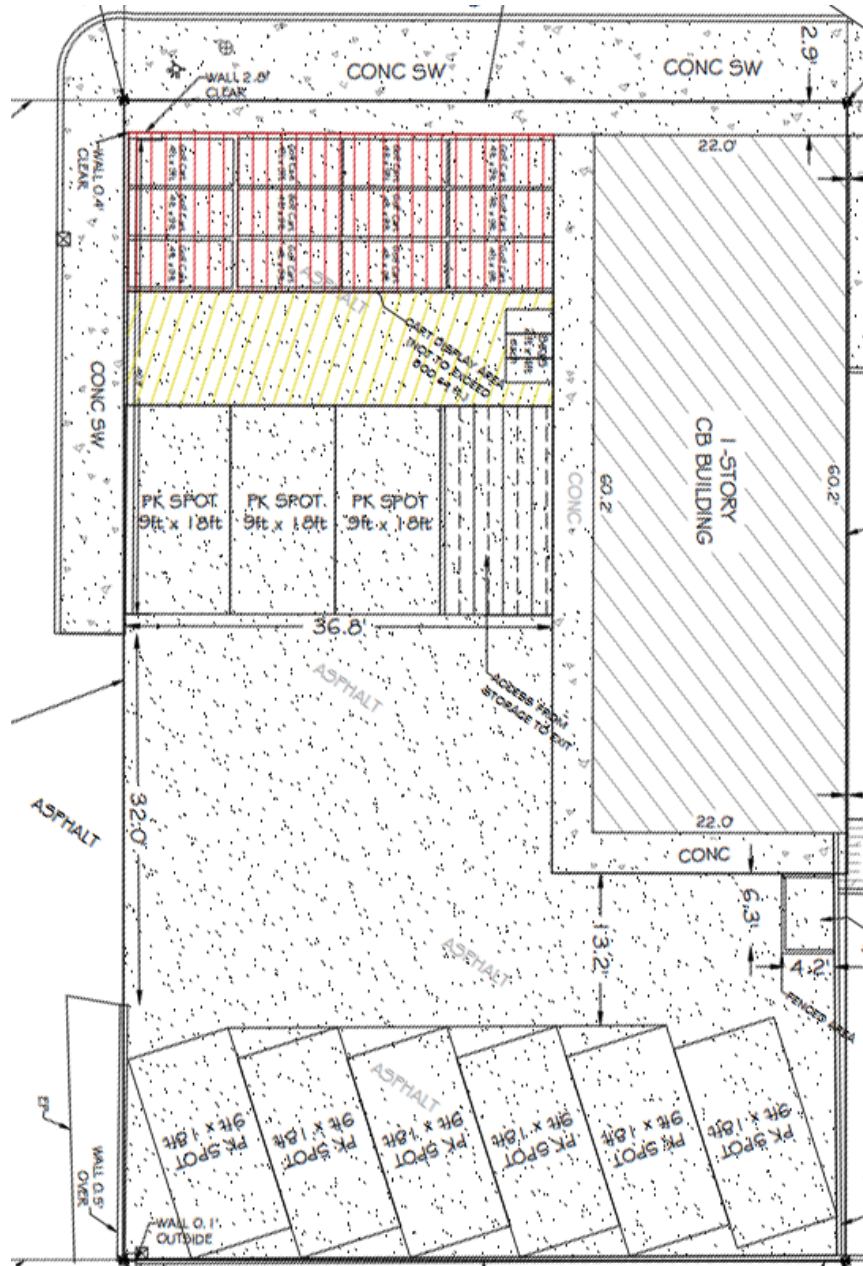
The applicant proposes to operate a golf cart rental business at this location. The request is for total of 80 licenses, with a mix of four- and six-passenger carts, including 50 gas carts and 30 electric carts. The applicant also proposes to offer customer pick-up services to transport customers from their location to the site. Golf carts may be rented on an hourly and daily basis, with most rentals expected to be one day or longer. The applicant predicts a maximum of four employees.

Of the 80 total carts, the applicant proposes to store 27 on-site. The remaining 53 golf carts would be stored off-site at 3128 North Roosevelt Boulevard and transported to the site on a trailer to replenish stock as necessary.

The applicant proposes to abandon the Truman Avenue driveway in order to display and store 12 carts along Truman Avenue, as depicted in the site plan on the next page. The remainder of the carts stored on-site would be stored inside the building. Vehicles would enter and exit the property through a curb cut on Packer Street; the trailer would reverse into the lot. Nine parking spaces are required, and are depicted on the site plan. The applicant proposes to restripe the parking lot, and install dumpster screening and a bicycle rack.



SITE PLAN





SURROUNDING ZONING AND USES:

North: HNC-1: Restaurant, Retail, Business & Professional Offices

South: Historic Medium Density Residential: Residential

East: HNC -1. Residential, Restaurant, Retail

West: HNC -1. Residential, Transient Residential

PROCESS:

Development Review Committee: February 22, 2024

Planning Board: April 18, 2024

Local Appeal Period: 10 days

DEO Review: Up to 45 days

DEVELOPMENT REVIEW COMMITTEE:

This application appeared before the February 22, 2024 Development Review Committee. Committee member comments/questions and the applicant's responses are provided below:

Urban Forestry:

- Landscaping is required.
 - Applicant's response: No landscaping is proposed.

Utilities

- Due to the adjacent residential uses, landscape buffering would be beneficial to reduce and filter runoff and minimize noise and fumes.
 - Applicant's response: No landscaping is proposed.
- Identify solid waste disposal site and proposed screening.
 - Applicant's response: Solid waste will be stored in a dumpster behind an enclosed screening area.
- Asked how the applicant can ensure that carts in excess of 27 carts do not end up on site, given the additional carts being transported to the site.

Parking:

- The Packer Street roadway is too narrow (with respect to) right-of-way standards. As a result of the narrow road, the City has received complaints from property owners on Packer Street who cannot exit their driveways if someone is parked across the street; the addition of 80 golf carts would be a challenge to the residential neighborhood.
- Notes that the City has been struggling with business activities located along Truman Avenue adjacent to residential areas, and that conditions should be established to minimize the impact of commercial activities and increased traffic.
- Recommended conditions:
 - The entrance/exit should be located on Truman Avenue.



- All activity should be restricted to the bounds of the property, including test driving, customer parking, repair, vehicle returns, paperwork station, display of merchandise, washing and cleaning, storage, delivery vehicles.
- The business should proactively prohibit and manage customers to keep them from using Packer Street for parking, drop off, signing paperwork, or any activities related to this business.
- Posted signage and specific directions in their rental paperwork to keep customers from using Packer Street. For example, a simple diagram map showing the business layout – such as where after hour drop off or driving test route is located.
- Loud music, nighttime lighting, repair noise and the like should be set up to not impact the residential nature of the neighborhood.

Engineering:

- Asked why the Truman Avenue driveway was being abandoned; whether maintenance/repair would occur on-site; how vehicles would be brought to the site; and advised of the need to avoid impact on safety/circulation on Packer Street.
 - Applicant's response: The Truman Avenue driveway is being closed off to allow for vehicles to be displayed along the roadway. Maintenance/repair would occur off-site (however, it may not occur at the off-site storage location unless a conditional use permit is obtained for that site to permit vehicular repairs and maintenance.) Vehicles will be brought to site on a trailer.

HARC:

- Any new signage or paint will require HARC approval.
 - Applicant's response: Will apply for HARC approval for signage and paint.

Fire:

- No flammable liquids may be stored on-site or must be properly contained. Applicant shall request Life Safety inspection prior to beginning operations.
 - No flammable liquids will be stored on-site; applicant will request life safety inspection.

SECTION 18-358 REVIEW: TRAFFIC IMPACTS ON LEVEL OF SERVICE AND NUISANCE PREVENTION.

Traffic Study

Code Section 18-358 stipulates specific performance criteria for motorized RRV permit applicants:

- *Requires the applicant to submit a traffic analysis to show that the size, location and operation of the facility does not degrade the existing traffic level of service.*
- *If the operation increases average daily or peak hour traffic by 3% or more, the applicant must mitigate the impact through a capital improvement or payment in lieu.*
- *Provides that a 3% or greater impact may serve as one reason to deny the application.*



The applicant provided a traffic study that predicts an average daily traffic generation of 126 total inbound and outbound trips, including:

- 96 golf cart trips
- 8 employee trips
- 10 trips to transport carts from off-site location (on busier days)

The total trip generation may be higher or lower because these numbers:

- Reflect a 60% rental rate
- Do not include customer pick-up or drop-off services

Impact on Average Daily & Peak Hour Traffic

Determining whether the 3% traffic impact threshold has been met requires a comparison of the facility's expected trip generation versus the existing Average Daily Traffic (ADT) and Peak Hour Traffic¹ (PHT) volume:

$$\text{Project Trip Generation} \div \text{ADT or PHT} = \text{Percent of Impact}$$

The most significant traffic impacts generated by this proposal would occur on Packer Street where the proposed driveway is located. However, the applicant's traffic study does not provide ADT or PHT for Packer Street. Instead, it uses proxy numbers based on FDOT Generalized Service Volume Tables (GSVTs) which amount to a Packer Street ADT and PHT of 12,672 and 1,137 vehicles, respectively. However, FDOT advises that GSVTs should not be used as estimates of ADT, or for project-specific studies, because they do not reflect or predict actual traffic volumes.

Thus, while the traffic report finds less than a 3% traffic impact, it was calculated based on an unrelated estimated of ADT/PHT. While Packer Street's existing ADT/PHT is unknown, it's possible to use the known projected trip generation (126 trips) to calculate the minimum ADT required for the project to contribute less than a 3% impact. This comes out to an ADT of 4,200 (3% of 4,200 = 126), and a PHT of 420.

Based on roadway characteristics and a comparative analysis of known ADT data for other local roadways, an ADT of 4,200 is unlikely for Packer Street. This traffic volume would be equivalent to the eastern segment of Flagler Avenue which has an ADT of 12,600 and is one of the three primary East-to-West corridors in the City. Packer Street is a four-block residential street that was not designed to accommodate through-traffic movement, but rather to provide direct access to its approximately 75 individual homes and properties.

A roadway with an ADT of 4,200 would have a volume most similar to that of Simonton Street and Fleming Street. Simonton and Fleming Streets are classified as "Collector Roadways" which means that they collect traffic from local streets and distribute it to primary thoroughfares. Packer Street is classified as a "Local Roadway" which is the smallest and lowest volume type of street in a road network.

¹ Peak Hour Traffic reflects the number of vehicles that traverse a given roadway segment during the period during which traffic volumes are highest, e.g. rush hour.



Thus, while the actual ADT of Packer Street is not available, the data that is available does not support the conclusion that the projected trip generation would amount to less than 3% of ADT.

Roadway	Packer St	Northside Dr	Simonton St	Fleming St	Duval St	Flagler Ave	Truman Ave
ADT		2,900	3,400	5,100	7,400	12,600	16,200
Functional Classification	Local Roadway		Major Collector	Major Collector	Major Collector	Minor Arterial	Minor Arterial
Segment	Entire Roadway	Entire Roadway	Eaton - United	White - Thomas		S.Roosevelt - Venetian	Eisenhower - Whitehead

The applicant may potentially avoid triggering the 3% mitigation requirement by exclusively using the Truman Avenue Driveway, although doing so would also impact performance criteria related to traffic level of service.

Traffic Level of Service

Section 18-358 requires that RRV traffic impact analyses demonstrate that the size, location and operation of the facility does not degrade the existing Traffic Level of Service (LOS) of use. LOS describes the quality of traffic flow, based on factors such as speed, flow, and congestion. LOS is graded on a scale from A to E, with A representing free-flowing conditions and E indicating severely congested traffic.

The Comprehensive Plan adopts an LOS for Truman Avenue of C plus five percent. Truman Avenue has already dropped below the adopted LOS, according to 2022 FDOT data. It is operating below an LOS of D, but above an LOS of E.²

The proposed project would not result in LOS going from an LOS of D to an LOS of E. However, any additional traffic demand or conditions interrupt flow or speed will continue to degrade the LOS.

Nuisance

Both Section 18-358 and Section 122-62, which provides conditional use criteria, speak to minimizing nuisance including noise and fumes.

Speaking specifically to RRV applications, Section 18-358 calls on staff to propose conditions for consideration by the Planning Board to minimize potential nuisance including noise and fumes, especially as those impacts may occur in mixed use and residential neighborhoods.

² Truman Avenue's adopted LOS is based on peak-hour directional traffic. As of 2022, the peak-hour directional traffic volume on Truman was 1,134 vehicles; LOS C plus 5% is 1,016.40.



The Planning Department recommends that electric golf carts be utilized to avoid adverse impacts of gas-powered vehicles. The use of electric vehicles as a mitigative technique would be consistent with previous Planning Board Resolutions 2021-63 and 2023-018.

CONDITIONAL USE CRITERIA

Pursuant to Section 122-61 and 122-62(a), conditional uses 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. Section 122-26(a) provides the required content of Conditional Use applications. Section 122-26(b) provides specific criteria for approval.

Section 122-62(b): Characteristics of Use Described: The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

Scale and Intensity:

- **Floor area ratio:** 0.21
- **Traffic generation:** At least 126 average daily trips, considering 60% fleet rental rate.
- **Square feet of enclosed building for each specific use:** One 1,320 building to accommodate an office/front desk area as well as golf cart storage.
- **Proposed employment:** Up to four employees
- **Proposed number and type of service vehicles:** One service vehicle with trailer; one vehicle for customer pick-up/drop-off services.
- **Off-street parking needs:** 9 spaces required and proposed.

On- or off-site improvement needs generated by the proposed conditional use:

- **Utilities:** No needs are identified by the application. However, the site does not have a stormwater management plan. The vehicle-heavy use will likely result higher pollutant loads in stormwater runoff entering neighboring properties, storm drains, and nearshore waters. Staff recommends the applicant comply with stormwater management requirements using a vegetated swale that would also improve open space and landscaping requirements.
- **Public facilities:** No needs are identified by the application.
- **Roadway or signalization improvements:** No needs are identified by the application. However, staff has determined that the traffic impact on Packer Street constitute a “significant” impact which necessitates a capital improvement or payment-in-lieu pursuant to Section 18-358.
- **Accessory structures or facilities:** No needs are identified by the applicant.
- **Other unique structures or facilities:** No needs are identified by the applicant.



Section 122-62(c): Criteria for conditional use review and approval.

Land Use Compatibility: The scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.

- **Adjacent Land Uses:** The site is immediately adjacent to non-transient residential uses, and there is a mix of residential and commercial uses in the immediate vicinity. The Historic Medium Density Residential begins approximately 25' to the south/southeast of the property.
- **Scale & Intensity:** The scale of the proposed fleet is relatively significant considering that an off-site storage location is required to accommodate approximately two thirds of the proposed fleet. Bringing carts to the site on a trailer will also require that the trailer backs into the site, which may result in additional traffic queuing and visibility conflict between the trailer, pedestrians and cyclists.
- **Traffic generating characteristics:** The traffic generating characteristics are deemed significant, pursuant to Section 18-358.
- **Off-site impacts:** The off-site impacts will include a notable increase in through-traffic on a narrow residential street that is currently narrower than right-of-way standards. Off-site impacts will also occur along Truman Avenue, which is already operating below LOS standards, due to additional traffic volume due to low-speed vehicles.

Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use: The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested.

- **Scale and intensity:** The scale of the proposed use is significant in relation to the size of the lot, given that the site can only accommodate 34% of the proposed fleet. This may result in congestion and traffic conflicts during busier periods which may require vehicles to queue in the roadway near the Packer Street/Truman Avenue intersection.

- **Access and efficient internal traffic circulation:** Section 108-648 provides that:

“The internal circulation system, including drives and maneuvering areas, shall be designed to permit convenient maneuvering of cars and service vehicles into and out of each parking and loading space and shall be arranged so that no vehicle need back onto a public right-of-way.

Where three or more off-street parking spaces are required, no occupied parking or loading space shall interfere with access to any other parking or loading space. The design of parking facilities shall also comply with landscape requirements of article VI of this chapter.”



The site is not sufficient to accommodate efficient internal traffic circulation, pursuant to Section 108-648, due to the following:

- The proposed service trailer would need to reverse into the lot where it would interfere with access to other parking spaces.
 - Carts or other vehicles may be required to queue on the street while loading/unloading occurs.
 - The site's capacity is 27 vehicles, which is 34% of the fleet. On days when more than 27 vehicles are rented/returned, it may be difficult to ensure that drop-offs don't result in more than 27 vehicles being returned in a short time period, which would result in carts parked in required parking spaces in violation of Section 108-608, parking in on-street spaces, or queuing in the roadway.
 - Most carts are expected to be rented for full days and must be returned by closing time. As a result, it's likely most vehicles will be returned during the same time period which would exacerbate the conflicts outlined above.
 - For example, if 40 carts are due to return by close-of-business, the returns would have to be spaced out so that the service vehicle can transport the additional 13 vehicles two miles to the off-site storage location over the course of 7 roundtrips. During peak traffic, the travel time for those 7 trips would take approximately three hours, according to trip data from Google Maps.
- **Screening, buffers, landscaping, open space:** The size of the site not sufficient to fully accommodate full Code requirements while maintaining the intensity of the proposed use. This conflicts with numerous Code requirements and performance standards, including but not limited to those listed below.
 - **Section 108-347** requires screening between residential and medium- to high-intensity land uses, such as the subject proposal and the adjacent residential uses.
 - **Section 108-450:** A landscape strip is required along the entire perimeter of all storage, parking, display, sales or accessory vehicular use areas except along the portion of the perimeter which is entirely screened visually from adjacent property by buildings on the property being improved.
 - **Section 108-346:** Nonresidential uses shall provide a minimum of 20 percent open space
 - **108-414:** All off-street parking areas shall have a minimum landscape area of 20 percent of the total parking area.
 - **Enhancements to mitigate against potential adverse:** No enhancements are proposed to mitigate against potential adverse impacts.

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, and 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.

- **Mitigative techniques:** No mitigative techniques are proposed to mitigate noise, fumes, or traffic congestion associated with the proposed use. Code requirements regarding landscaping, screening, buffering, or open space are proposed would serve to mitigate adverse impacts, however no such improvements are proposed.
- **Noise & fumes:** No mitigative techniques are proposed to mitigate noise or fumes. Landscape buffering is a method to dampen noise to surrounding residential properties and is required per Code. However, none is proposed. Additionally, an electric fleet would mitigate noise and fumes associated with golf carts.
- **Community infrastructure:** The proposed use would increase the traffic burden on Truman Avenue and would constitute a significant increase in traffic for the adjacent residential property. Additionally, the size of the site is not sufficient to accommodate loading/unloading fully on-site.
- **Traffic:** The proposed traffic impacts is significant. The design of the site exacerbates traffic impacts on Packer Street.
- **Multimodal safety:** The poor internal traffic circulation and access conditions of the site represent an increased risk to multimodal safety.
- **General public health, safety & welfare:** No mitigative techniques are proposed.

PUBLIC COMMENTS:

The City has received a number of public comments on this item. As of April 11, 2024, the City has received letters of opposition representing 11 neighboring property owners (four individual letters and one letter on behalf of the eight property owners/members of the neighboring Truman Gardens Condominium Association). The City has also received five forms in support of the proposal. Three were signed by nearby business owners, one was from the Basilica School of Saint Mary's, and one was a residential tenant on Packer Street.

Neighbors generally oppose the proposal on the basis of traffic, safety, and nuisance. Several neighbors noted that they feel the Truman Avenue/Packer Street intersection is dangerous, in large part due to obscured visibility that results from vehicles parked on Truman. They expressed concern that additional traffic at that intersection would increase safety risk for pedestrians and vehicles. Three letters bike/ped-vehicular collisions and other accidents that they have observed on that corner. Neighbors were unanimously concerned about the additional traffic and overflow parking that would be generated on Packer Street, noting that it is inconsistent with the residential character of the street. They also noted that on-street parking is limited, with commercial vehicles and customers competing for space on the residential street. Several also noted that the narrow roadway already makes navigation, parking, and existing driveways difficult.

The City also received a letter in support of the project from the principal of the Basilica School of Saint Mary's, who noted that he supports the project and any change in use that would eliminate the current



use as an adult bookstore. The applicant also provided signed support forms from four neighboring property owners and tenants, including a guesthouse owner, bar owner, a property owner on Packer Street, and his tenant, whose last name was illegible. The applicant had provided a fifth form in support of the project from a nearby owner, however he later contacted the City to withdraw his support and provided a letter in opposition, noting that had taken time to observe operations at other RRV locations in town and was concerned about the impact on congestion, parking, traffic, and nuisance.

PLANNING ANALYSIS:

Code Section 122-62 provides 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.” Further, it provides that a conditional use shall only be approved if it complies with the criteria specified in Section 122-62, including requirements that:

- The conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
- The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements are adequate to accommodate the proposed scale and intensity of the conditional use requested.
- The conditional use and site plan incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses.

This application proposes a high-intensity land use adjacent to a residential neighborhood, with notable traffic impacts to both residential roadway and an arterial roadway that currently operates below LOS standards.

The application does not include any mitigative techniques and does not propose any noncompliance improvements. Further, the size and design of the site is not sufficient to provide for internal circulation and access in a manner that complies with the Code.

Section 18-358 requires that if the traffic impact associated with an RRV operation “in the opinion of city staff and its consultants, demonstrates an increase of average daily or peak hour traffic of three percent or more, impacting city streets and intersections, the applicant shall mitigate the impact by constructing a capital improvement for that section impacted or a transportation mitigation program.” Further, Section 18-358 provides that “The identification of a significant (as described above) traffic impact, as determined by the planning board may serve as one reason to deny the application.”

Staff has identified the traffic impact on Packer Street as “significant.” In addition, the proposed use would further deteriorate the existing, sub-standard LOS on Truman Avenue by introducing a use whose main off-site impact is traffic generation.



RECOMMENDATION:

The Planning Department, based on the criteria of Section 122-62 and 18-358, recommends denial of the subject conditional use application for 922 Truman Avenue.