



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Kori Benton, Senior Planner

RE: **Application for Conditional Use**
Pelican Dwelling Rentals – Three (3) Unit Structure
1171 Seaway Drive

DATE: April 19, 2017

STAFF REPORT

Owner/Applicant: Pelican Properties LLC – John Mooney
 5211 Hickory Dr.
 Fort Pierce, FL 34982

Requested Action: Approval of a Conditional Use to operate a three (3) unit Dwelling Rental, offering lodging for less than six months, with one (1) month minimum rental periods.

Location: 1171 Seaway Drive

Parcel ID: 2401-501-0288-000-7

Current Zoning: Hutchinson Island Medium Density Residential Zone (R-4A)

Future Land Use: Hutchinson Island Residential (HIR).

Surrounding Zoning:

North	East	South	West
C-5	R-4A	R-4A	R-4A

Site Size: .17 acres

Utilities: Located within the FPUA Retail Service Area

Staff Analysis:

Request

In accordance with Sections 22-22, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use to operate a three (3) unit Dwelling Rental at 1171 Seaway Drive, offering non-transient lodging with minimum stays of one (1) month. The subject single-story triplex, built in 1951, features a finished floor area of 2,052 square feet. The property is located within the Hutchinson Island Medium Density Residential Zone (R-4A).

The property is located at the southwest corner of Seaway Drive and Alhambra Street. Commercial lodging establishments are situated to the north, apartments to the east, a triplex to the west, and a duplex to the south. This site features two concrete driveways with a proposed parking improvement plan to ensure parking is available and designated for each unit, and a guest space. Alhambra does not feature any sidewalk connections, and utilities are to be present along the front property line; therefore the applicant is seeking to provide payment-in-lieu of providing this additional sidewalk connection. A bicycle securing device will be placed on-site, as required, to facilitate alternative transportation options for guests.

The applicant presents operational guidelines such as minimum stays of one (1) month and vehicle parking limitations. The applicant is identified as the property manager, residing within St. Lucie County and will assign a secondary management contact.

Dwelling Rentals

Pursuant to City Code Section 22-3. - Definitions—Generally, the rental of any dwelling unit for less than six (6) months, is classified as a "Dwelling rental (dwelling unit)", and defined as follows: One or more rooms connected together in a building, constituting a separate, independent housekeeping establishment, other than a motel/hotel, for purposes of rental on a daily, weekly or longer basis, though less than what is otherwise provided for a dwelling, physically separated from any other rooms or dwelling units which may be in the building, and containing sleeping and sanitary facilities and one kitchen.

The State of Florida provides classification if a dwelling is rented for periods of less than thirty (30) days, declaring the use a "Vacation rental", and defined such use as any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project, which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

This application is seeking to offer *non-transient* lodging, for periods of more than 30 days or 1 calendar month with safeguarding parameters to provide a transition between longer term rental units to the south and commercial uses to the north, emphasizing minimum rental periods of a month in an effort to avoid the potential impacts of higher turnover, vacation rentals, such as noise, traffic and other vacation related activities.

In addition to the provision of greater stability, and less frequent turn over in occupants, the enactment of minimum stays of one (1) month, or more, helps to diversify the use to provide a

complementary lodging option which does not overlap with offerings of local hotels or commercial venues of public accommodation. Longer term stays, with a base line of one month, seek to not only reduce the potential conflict of a high turnover commercial use, but also reduce competition to established hotels and motels.

Zoning & Land Use

The subject site is located within the Hutchinson Island Medium Density Residential Zone (R-4A) which is designed to facilitate residential and compatible development on Hutchinson which account for the unique characteristics of Hutchinson Island and concerns of environmental fragility, beach erosion, and hurricane evacuation. Furthermore, the site has a land use designation of Hutchinson Island Residential (HIR).

The Hutchinson Island Residential (HIR) designation is intended for parcels that are best suited for residential development on Hutchinson Island. This future land use category allows single-family detached and attached units, duplexes and multifamily residences at densities ranging up to 8 dwelling units per acre. Limited public uses and commercial uses that are *compatible* with the surrounding development shall also be allowed.

The presented use of the property represents a limited commercial use, with defined parameters of intensity or impact. The use is limited in comparison to a typical commercial use, or hotel/motel, especially with parameters in place to support compatibility with the neighborhood. Limitation of guests within each unit is necessary to comply with City Code section 8.5-43 and the presented parking plan.

Technical Review Committee

All affected departments have reviewed the proposed Conditional Use with regards requirements of the City Code, and conditionally approved the request. Findings from the review by corresponding departments are provided for viewing by the City Commission.

Planning Board

The Planning Board, at their April 11th, 2017 meeting, voted unanimously to recommend approval of the request with the conditions guided by staff.

Property Owner Response Summary:

A total of 103 letters providing notice of the proposed Conditional Use were mailed to the owners of property located within 500 feet of the subject property. As of April 19th, 2017, 0 responses have been received regarding the request. An update will be provided to the City Commission at the public hearing.

Staff Recommendation:

The proposed use presents the provision of non-transient lodging accommodation to the general public, on a limited scale, that is compatible with the surrounding neighborhood of this location, and is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restriction therefore; Staff recommends **approval** with the following conditions:

1. The applicant completes the proposed driveway (parking) improvements prior to zoning approval for the Business Tax application.
2. Registration of a local property manager, and secondary property manager, accessible at all times to resolve complaints or violations of City Code;
3. Issuance of guide booklets for renters regarding local rules and public service resources to minimize conflicts;
4. Installation of a sidewalk connection, or payment in-lieu of construction, along the Alhambra Street property line pursuant to City Code Sections 22-62 (b) & (d); and
5. The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.