



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Kori Benton, Senior Planner

RE: **Application for Conditional Use with New Construction**
Dockside View Marina
1136-1172 Seaway Drive

DATE: October 24, 2017

STAFF REPORT

Owner/Applicant: Dockside View LLC.
 2751 NE 48th ST
 Lighthouse Point, FL 33064-7113

Representatives: Robert. V. Schwerer, Esq.
 Hayskar, Walker, Schwerer, Dundas & McCain P.A.
 130 South Indian River Drive - Suite 304
 Fort Pierce, FL 34950

Requested Action: Approval of a Conditional Use with New Construction to complete a fifty-eight (58) slip marina at the subject hotel and restaurant facility.

Location: 1136-1172 Seaway Drive

Parcel IDs: 2401-501-0307-000-7, 2401-501-0306-000-0, 2401-501-0304-000-6, 2401-501-0303-000-9, 2401-501-0302-000-2, 2401-501-0286-000-3

Current Zoning: Tourist Commercial (C-5) & Aquatic Development Zone (A-2).

Future Land Use: General Commercial (GC)

Surrounding Zoning:

North	East	South	West
A-2	C-5	R-4A	C-5

Site Size: 2.37* acres

Utilities: Located within the FPUA Service Area

Staff Analysis:

Request

In accordance with Sections 22-22, 22-33, 22-39, and 22-76 of the City Code, the applicant is requesting approval of a Conditional Use with New Construction to complete a fifty-eight (58) slip marina at the subject hotel and restaurant facility. The uplands of the subject site(s) is approximately 2.37 acres in size and is located within the Tourist Commercial (C-5) zoning district, whereas the marina reconstruction and expansion proposed is located within the Aquatic Development (A-2) zone. The property is additionally located within the South Beach Overlay District.

Project Detail

The subject campus currently supports On the Edge, a 1,953 sq. ft. restaurant facility, and Dockside Inn which offers lodging via thirty-six (36) rooms. The facility previously provided seventy-two (72) rooms prior to the central portion of the complex being removed in 2010. The site also features two (2) pools, tiki structure, pavilion, observation deck, and five (5) dock extensions which provide capacity of forty-three (43) boat slips. The applicant holds three (3) parcels on the south side of Seaway Drive, adjacent to the tourist commercial campus.

The existing dock facilities have been in existence for decades with the last notable renovation following Hurricanes of 2004 and 2005. The culmination of deterioration, damage incurred via storm events, and the opportunity to enhance facilities available to guests has prompted the subject application. The proposal encompasses removal of the existing docks, and complete reconstruction to include improvements to the water side walkways and seawall. The proposed design extends three (3) docks, spanning the six (6) waterfront parcels to provide fifty-eight (58) slips, a net increase overall of thirteen (13) mooring slips. The new design further expands capacity for larger vessels to occupy the marina.

The applicant has secured permits for the new dockage from the Florida Department of Environmental Protection (FDEP) and the Army Corp. of Engineers, with the state submerged land lease active at this time.

Parking, Landscaping, & Lighting

The uplands campus, north of Seaway Drive, currently features thirty-four (34) improved vehicular parking spaces, of which three (3) are handicap accessible, and forty-seven (47) unimproved parking spaces. The improved parking areas primarily serve the principal Dockside Inn motel complex at 1160 Seaway Drive and On the Edge Restaurant at 1132 Seaway Drive. Collectively, eighty-one (81) parking spaces are presented within the commercial campus.

Forty-two (42) of the unimproved parking spaces are provided in the center of the campus, adjacent to the proposed dock facilities, where a notable portion of the Dockside Inn previous rested prior to its removal. These parking spaces were implemented during the reconstruction of State Road A1A (Seaway Drive), in the absence of permitting, and have been maintained for use by guests of the motel, restaurant, and docks. This parking area has improved access from Seaway Drive via two driveway aprons, presumably featuring a one-way interior traffic pattern, with both ninety degree and angle parking stalls. The Conditional Use plan demonstrates areas for interior vehicular use area landscape islands, however does not reflect the required landscape buffers of City Code Sections 22-187 (4) & (6) to screen the vehicular use area from the right-of-way and adjacent property. In order to facilitate the required landscape buffer along Seaway Drive, seven parking spaces may need to be eliminated or the parking areas shifted to the north to ensure compliance of minimum parking lot dimensions. The action of eliminating said spaces would preserve seventy-four (74) vehicular parking spaces, and two (2) motorcycle parking spaces.

Pursuant to City Code Section 22-60 Off-street parking and loading (a) (6) If several uses occupy a single structure or parcel of land, the total requirements for off-street parking and loading shall be the sum of the requirements of the

separate uses computed separately. The Dockside campus encompasses a variety of uses and parking demands, as demonstrated in Table 1 below:

Motel/Hotel	Restaurant	Marina/Accessory Docks
1.1 parking spaces for each unit less than 500 square feet. *If there are accessory uses provided therein, additional off-street parking shall be provided for those accessory uses at the rate of 50 per cent of the requirements for such uses as provided in subsections thereof.	One space for each 100 square feet of gross floor area	Planning Board recommended parking assignment of one (1) space per two (2) dock slips. or *
36 rooms @ 1.1 = 39.6 / <u>40 Parking Spaces</u>	753* sq. ft. @ 1/100 sq. ft. = 7.53/ <u>8 Parking Spaces.</u> *(1,953 sq. ft. minus 1,200 sq. ft. small business exemption)	58 slips @ 1/2 = 29 slips if a standalone use, Or* 40 spaces for the motel @50%= <u>20 Parking Spaces as the use is accessory to the motel</u>

Table 1: Parking Demand Analysis for Dockside View

The applicant demonstrates the dock slips as predominantly accessory to the motel and restaurant, therefore consideration of use as accessory would necessitate additional off-street at the rate of 50 per cent of the requirements for the motel, or an additional 20 spaces. This parking assessment determines demand for the campus at sixty-eight (68) spaces, of which three (3) shall be handicap accessible, whereas the conditional use plan accommodates approximately seventy-four (74) to eighty-one (81) parking spaces.

The applicant further presents the anticipation that vessels visiting the facility, for enjoyment of the on-site restaurant and other facilities, will lessen the demand for traditional vehicle parking.

The applicant has been advised that all parking areas shall comply with City Code Section 22-60 (j) (1) by providing a minimum average of two (2) foot-candles of lighting, and the development shall incorporate short-term bicycle parking consistent with City Code Section 22-60 (f). Additionally, the integration of a refuse collection area and appropriate screening is sought during the completion of improvements.

Potential Traffic Impacts

The anticipated traffic impacts from the completion of 15 additional slips within the marina, based upon the Institute of Transportation Engineers—9th Edition, are approximately 45 average daily trips (ADT), of which 1.2 are assigned during AM Peak Hour and 2.85 during PM Peak Hour. The applicant believes these projected impacts to be de minimis.

Marina – ITE Code 420 (X = # of Boat Slips) (15 additional slips)

- ADT: $T = X * 2.96$ trips
 - AM Peak Hour: $T = X * 0.08$
 - PM Peak Hour: $T = X * 0.19$

South Beach Overlay & Comprehensive Plan

The South Beach Overlay District Design standards, Section 22-16 (a)(3), guide development along the city's waterfront to maximize opportunities for public access to the water and facilitate connectivity with adjoining waterfront properties to establish an improved public promenade. The design plans for the marina incorporate a 6ft.

wide boardwalk which extends 459 ft. along the seawall of the upland campus. Connection to the Pelican Yacht club property to west is not presented in part due to the private nature of their facility. It appears extension of the boardwalk further to the east towards the Hutchinson Island Plaza hotel is absent due to the existence of seagrasses identified in the application exhibits. The applicant is encouraged to consider provision of an uplands connection to adjoining the waterfront property to the east.

The proposed boardwalk, and presented extension to the east, are consistent with policies of the City's Comprehensive Plan presented below, with acknowledgement that an easement to the public within a submerged land lease is not feasible. The applicant's design through the incorporation of gated access to moored vessels, in a location north of the boardwalk, seeks to affirm intentions of access to the public.

5.3.1 Policy:

When reviewing applications for shoreline development, shoreline uses shall be prioritized as identified in the Land Development Regulations as follows:

2. Approved water-dependent shoreline uses available to the public;
3. Recreational and water related uses available to the public;

7.4.3 Policy:

The City of Fort Pierce shall actively pursue the development of linear parks and integrated open space systems along waterfront properties. This shall be accomplished by collocating pathways, pedestrian accommodations and plantings alongside waterways and water bodies such as, but not limited to, canals, creeks, streams, rivers, lakes, channels and other water features. Public access to waterfront areas shall be secured through the recordation of access easements or land dedication as outlined in the Land Development Regulations.

The applicant is required to provide, or reconnect a safe and efficient sidewalk linkage between building entrances and parking areas, adjacent portions of the development, and adjacent rights-of-way as required by City Code Section 22-62. - Sidewalks. (b) & (d) (2). A minor section of sidewalk is missing between On the Edge and the Seaway Drive right-of-way in order to make such connection. Once completed, interconnection of the site (s), marina, and public right-of-way seem to be achieved.

Technical Review Committee

All affected departments have reviewed and conditionally approved the Conditional Use with New Construction based on compliance with the requirements of the City Code, with the incorporated conditions.

Planning Board

The Planning Board, at their October 10th, 2017 meeting, voted unanimously to recommend approval with the conditions presented by staff.

Property Owner Response Summary:

A total of 124 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. To-date, one (1) response has been received in support of the request, and zero letters in opposition. An updated tally of the collected responses will be provided to the City Commission at the public hearing.

Staff Recommendation:

The proposed Conditional Use with New Construction plan generally meets the requirements of the City Code, and is found to be consistent with the City's Comprehensive Plan, with minor exception; therefore Staff recommends **approval** with the following conditions, *to be completed prior to occupancy of the new dock facilities*:

- 1) The Conditional Use plan incorporates landscaping improvements to center parking lot consistent with City Code Sections 22-187 (4), (6), & (7);

- 2) Parking lot lighting is provided consistent with City Code Sections 22-59 and 22-60(j);
- 3) Sidewalk connections are completed pursuant to City Code Section 22-62. (b) & (d) (2);
- 4) The applicant complete a parcel combination, or provide documentation securing provisions for shared parking, access, etc. for parcels 2401-501-0304-000-6, 2401-501-0303-000-9, containing the temporary support parking area central to the campus;
- 5) The development incorporates short-term bicycle parking consistent with City Code Section 22-60 (f), accommodating a minimum of seven (7) bicycles; and
- 6) The conditional use plan integrates a refuse collection area and appropriate screening, to be approved by the Solid Waste Division.