



City Council Staff Report

Meeting Date: May 6, 2024

TO: Marco Island Planning Board

FROM: Daniel J. Smith, A.I.C.P., Director of Community Affairs

DATE: March 25, 2024

RE: REZN 24-000006, Requested amendment to Hideaway Beach Planned Unit Development (PUD), allowing recreation and parking on lots 1 and 2, Block 18, Hideaway Beach.

REQUESTED LAND DEVELOPMENT CODE AMENDMENT:

Zack Lombardo of Woodward, Pires & Lombardo, P.A., on behalf of Hideaway Beach Association, Inc., has submitted a request to amend the Hideaway Beach PUD. The proposed amendment would specifically allow for recreational uses, such as Pickleball and Bocce Ball, as a use in the Golf Course Tract, and similar recreational uses with associated parking on Lots 1 and 2 of Block 18, Hideaway Beach, Single Family Residential Tract within the PUD.

PLANNING BOARD:

The Planning Board heard this item on April 5, 2024. There was discussion about parking, the use of Pickleball, Tennis, and other related activities. There was also discussion regarding changes that are consistent with the Hideaway Beach PUD. Staff brought forward a recommendation to amend the proposed PUD language to exclude Pickleball, Tennis, and other related racket uses from lots 1 and 2.

The Planning Board voted 7-0 to forward a recommendation of approval to the City Council to approve the revised amendment language to exclude Pickleball, Tennis, and other related racket uses from lots 1 and 2.

APPLICANT:

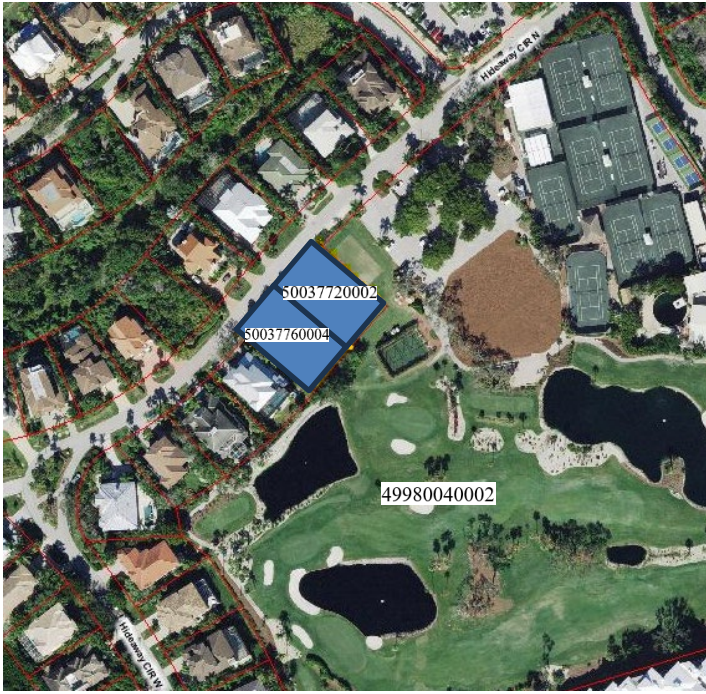
Hideaway Beach Association, Inc.
250 South Beach Drive
Marco Island, FL 34145

AGENT:

Zack Lombardo of Woodward, Pires & Lombardo, P.A.

LEGAL DISCRIPTION

Section 7 Township 52 Range 26
Lot 1 & 2 of Track A & B Block 18 Hideaway Subdivision
Plat Book 12 Page #80-85 Property ID: 50037760004, 50037720002, and 49980040002



STAFF ANALYSIS

City Staff is supportive of the request to add recreational uses to Lots 1 and 2 of Block 18 the PUD. Currently, recreational uses are allowed in the City's Land Development Code ("LDC") for low density residential. The lots at issue are already adjacent to lots that are permitted for recreational uses. Therefore, the proposed amendment to the PUD would just be an expansion of recreational uses that are already allowed within the PUD.

In the City's Comprehensive Plan, Objective 2.1, Policy 2.1.2 of the Future Land Use Element states that the City will continue to thoroughly and thoughtfully review and revise, as necessary, the list of permitted uses within the zoning districts. In this case, a PUD. The purpose for the reviews will be to ensure compatibility between land uses, that the needs of residents, businesses, and those they serve are met on-island to the extent possible, and that emerging and modern uses are addressed through the City's regulatory framework.

Staff believes adding recreational uses to the PUD, thereby possibly reducing residential density, can be planned for in some of the City's less intense zoning districts. Hideaway Beach is a planned community wishing for additional recreation uses.

In reviewing this request, City staff takes into account how this change could potentially impact the surrounding residential and commercial areas in Marco Island, as a whole. Additional recreational uses within the Hideaway PUD, will not have a detrimental effect to the residential and commercial areas in Marco Island, as a whole.

Below is the evaluation criteria for the proposed change, provided by the applicant.

1. Whether the proposed change will be consistent with the goals, objectives, and policies and future land use map and the elements of the growth management plan.

Yes. The Future Land Use designation for the areas impacted by this Amendment is Planned Unit Development. This PUD pre-exists Marco Island and this amendment does not change density or cause there to be intensities outside of the permitted range of land uses already existing in the PUD, consistent with Future Land Use Element Policy 3.2.7.

Policy 3.2.7

The Planned Unit Development future land use category is intended for existing Planned Unit Development (PUD) zoning districts only, that were adopted by Collier County prior to the incorporation of Marco Island and adoption of the City's Comprehensive Plan. Densities, intensities and the permitted range of land uses in this category are regulated by the site-specific PUD zoning ordinance(s). Any increase to the adopted density or intensity will require a finding of consistency with all applicable provisions of this Plan.

2. The existing land use pattern.

The existing land use pattern in the area impacted by this amendment is residential and residential, recreational amenities.

3. The possible creation of an isolated district unrelated to adjacent and nearby districts.

This amendment does not create a new district or change district boundaries.

This amendment extends residential, recreational amenity uses adjacent to existing residential, recreational amenity uses and updates uses and other standards. Thus, this amendment will not create an isolated district unrelated to adjacent and nearby districts.

4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property for the proposed change.

The existing neighborhood boundaries are illogically drawn in relation to the existing conditions on the property in that the existing area in which recreational amenities may be constructed is smaller than what was originally planned and otherwise limited such that multiple variances have been granted that found sufficient buffering between existing recreational facilities and the nearby single-family homes (Collier County Resolutions 95-589 and 90-530).

5. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Changed conditions make the passage of the proposed amendment necessary. The hurricane, the growth of Hideaway, and the changing recreational amenities market make it necessary for the proposed amendment.

6. Whether the proposed change will adversely influence living conditions in the neighborhood.

The proposed amendment will positively impact the living conditions in the neighborhood because it will allow for an updating of recreational amenities.

7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of peak hour volumes or projected types of vehicular traffic, including activity during construction phases of the development, or otherwise affect public safety.

The proposed change will allow modifications to existing recreational amenities and, because Hideaway is a gated community and all roads in the vicinity are private roads, and the facilities serve existing residents, the traffic impacts should be negligible.

8. Whether the proposed change will create a drainage problem.

All modifications will be subject to site planning for review of drainage matters.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

No more than what is currently possible.

10. Whether the proposed change will adversely affect property values in the adjacent area.

No.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

No. The vast majority of adjacent property is already adjacent to recreational amenities, and variances have been granted to allow locations consistent with all amendments for existing courts.

12. Whether the proposed change will constitute a grant of a special privilege to an individual real property owner as contrasted with the public welfare.

No. Additionally, the property owner is an association composed of all Hideaway owner and in that way represents the interests of the entire neighborhood.

13. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Yes. There is a need for additional recreational amenities and there are not other viable sites given current property ownership and build out in the Hideaway neighborhood.

14. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

No. The existing area in which recreational amenities may be constructed is smaller than what was originally planned.

15. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Yes.

16. The physical characteristics of the property and the degree of site alteration which would be required to make the property usable for any of the range of potential uses under the proposed zoning classification.

The proposed allowable uses are minimal in impact compared to the impact of what could otherwise be constructed.

17. The impact of development on the availability of adequate public facilities and services consistent with the levels of service adopted in the city comprehensive plan and as defined and implemented through the city's adequate public facilities ordinance, as amended.

The proposed allowable uses are minimal in impact compared to the impact of what could otherwise be constructed.

18. Such other factors, standards, or criteria that the city council shall deem important in the protection of the public health, safety, aesthetics, and welfare.

The applicant is an elected board of the members of the neighborhood that this impacts and the board, and by extension the neighborhood believes this to be in the best interest of the neighborhood.

The proposed Land Development Code language would read as follows (Planning Board recommended changes in red):

4.03 Permitted Uses and Structures

No building or structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than the following:

A. Permitted Principal Uses and Structures

1. Single Family detached dwellings.
2. Solely as to Lots 1 and 2, Block 18, Hideaway Beach:
 - i Bocce Courts.
 - ii Golf Course.
 - iii Playgrounds and playfields **excluding Pickleball, Tennis and other racket related uses.**

B. Permitted Accessory Uses and Structures

1. Customary accessory uses and structures, including private garages and private docking facilities as specified in Section 4.04.10.
2. Solely as to Lots 1 and 2, Block 18, Hideaway Beach -
 - i Recreational facilities, including but not limited to Bocce Courts, Golf courses, playgrounds, and playfields, that serve as an integral part of a residential development and have been designated, reviewed, and approved on a site development plan or preliminary subdivision plat for that development **excluding Pickleball, Tennis and other racket related uses.**
 - ii Signs as permitted in the Land Development Code.
 - iii Golfcart parking.

4.04.09 Off-Street Parking Requirements:

A. One parking space shall be required for each dwelling unit and such space shall be located within the building setback line.

B. Bocce Courts - 1 space per court.

C. Golf Course – 2 spaces per golf hole.

D. Up to 40% of the required parking spaces may be golf cart-type vehicle parking spaces in paved or unpaved areas.

6.02 Permitted Uses and Structures

No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or in part, for other than the following:

A. Permitted Uses

1. Golf course
2. Golf and Tennis Pro Shop and Club House
3. Tennis, ~~and Pickle Ball~~, Racquetball, Bocce Courts and Courts any other general recreational use which is comparable in nature with the foregoing uses.
4. Health Club
5. Convenience Commercial Facilities
 - a) Barber & Beauty Shops
 - b) Delicatessens
 - c) Dry Cleaning Shops
 - d) Food Markets
 - e) Gourmet Shops
 - f) Sundry Stores
 - g) Professional Offices
 - h) Any other commercial use or professional service which is comparable in nature with the foregoing uses and which the Director determines to be compatible in the district.
6. Playgrounds and playfields

B. Permitted Accessory Uses

1. Maintenance shops and equipment storage.
2. Living quarters for maintenance personnel.

3 Signs as permitted in the Land Development Code.

6.03 Plan Approval Requirements

Plans for all principal and all accessory uses shall be submitted to the Director who will review these plans and approve their construction. All construction shall be in accordance with the approved plans and specifications.

A. General Requirements

1. Overall design shall be harmonious in terms of landscaping, location of parking areas, recreation facilities, and building masses.
2. Buildings shall be setback a minimum of 50 feet from abutting private street pavement edges and residential structures (except for maintenance personnel living quarters).
3. ~~Tennis and racquetball courts~~ Tennis, Pickle Ball, and Bocce courts shall be set back a minimum of 45 feet from abutting ~~private street pavement edges and~~ residential structures (except maintenance personnel living quarters).
4. A minimum of 6 tennis courts ~~and 2 racquetball courts~~ shall be provided.
5. Lighting facilities shall be arranged in a manner to protect roadways and neighboring properties from direct glare.
6. The required setbacks for buildings and courts shall be heavily landscaped to act as buffers.
7. All outdoor storage area and maintenance yards shall be screened from view.

6.07 Minimum Off-Street Parking

Golf course, including ~~(incl. Golf and Tennis Pro Shop and Health Clubhouse and Golf Clubhouse), Tennis and Racquetball Courts~~ Tennis, Pickle Ball, and Bocce Courts – two (2) spaces per golf hole and 1 space per court. Up to 40% of the parking spaces may be golf cart-type vehicle parking spaces in paved or unpaved areas.

Convenience Commercial – 1 space per 250 square feet of gross floor area. The director may permit a lesser number of parking spaces to be paved when circumstances indicate infrequent use. However, these unpaved parking spaces shall be grassed and reserved for future paving. Notwithstanding the foregoing, up to 40% of the required parking spaces may be golf cart-type vehicle parking spaces in paved or unpaved areas.

STAFF RECOMMENDATION

Staff recommends the City Council approve the requested PUD language with changes recommended by the Planning Board on the below findings:

1. There is a need for this amendment to allow for the convenience of the Hideaway Beach PUD residents to have additional recreational uses within an area that provides other needed services.
2. This amendment is in keeping with the Future Land Use Element, Objective 2.1, Policy 2.1.2 of the Future Land Use Element of the City of Marco Island Comprehensive Plan which states that the City will continue to thoroughly and thoughtfully review and revise, as necessary, the list of permitted uses within the zoning districts contained in the adopted LDC. The purpose for the reviews will be to ensure compatibility between land uses, that the needs of residents, businesses, and those they serve are met on-island to the extent possible, and that emerging and modern uses are addressed through the City's regulatory framework.

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