



Planning Board Staff Report

Meeting Date: June 2, 2023

TO: Marco Island City Council

FROM: Mary P. Holden, Planning Manager

DATE: May 23, 2023

RE: Conditional Use Permit Application for a mixed-use project at 711 and 731 S. Collier Blvd., CUP 22-000218

PROJECT DESCRIPTION:

The mixed-use proposal is for a 50-foot high, five levels (but only two stories*), mixed-use building containing 251 parking spaces, 141 spaces for paid parking, 14 residential units, and three restaurants with a combined total of 324 seats (109 required parking spaces for the residential units and three restaurants and 1 for the Marco Island Police Dept.). The 50 % commercial and 50% residential mix requirement is met with 62% commercial and 38% residential. Pursuant to Section 30-224(14) of the City's Land Development Code, a mixed-use project must obtain conditional use approval in conjunction with any site development plan approval. A companion application for a site development plan must be approved in conjunction with this CUP. Attached are the application, narrative, and plans (attached to the SDP).

* Overlay District Two-b states the maximum building height is four stories not to exceed 50 feet. The definition of "story" "a habitable floor level within a building, no more than 14 feet high from floor to ceiling." (Sec. 30-629)

PLEASE NOTE: Since the Site Development Plan ("SDP") application and the Conditional Use Permit application ("CUP") ask for the same information only one set of plans and documents will be provided for both applications. Therefore, please refer to the plans provided with this SDP report when reviewing the CUP report.

AGENT/APPLICANT:

American Engineering Consultants of Marco Island, Inc.
573 Bald Eagle Dr.
Marco Island, FL 34145

OWNERS:

Nigam ET AL, Prateek
6294 Union Island Way
Naples, FL 34113

PROPERTY INFORMATION:

Street Address: 711 and 731 S. Collier Blvd.,

Legal Description: Marco Island, FL 34145
MARCO BCH UNIT 10, BLOCK 348, LOTS 2 and 3 and MARCO BCH UNIT
10, BLOCK 348, LOT 1, Public Records of Collier County, FL
Property ID# 57871720009 and 57871640008
Zoning: C-3 (Commercial Intermediate), Overlay District Two-b, Collier Blvd. Pedestrian Tourist
Subdistrict,

ZONING



AERIAL OF SITE



STAFF ANALYSIS:

The Neighborhood Information Meeting was held on April 28, 2023 at Mackle Park. There were speakers in support of the project. Those expressing concern primarily centered on traffic and use of the beach in front of certain condominiums. The transcript is attached to the staff report for the companion SDP along with letters from surrounding residents voicing their concerns.

In order for the project to function, the mix of uses must be operational at the same time to maintain the percentages proposed. As a result, City staff recommends that the City include, as a condition of approval, that the percentages of the uses within the approved Site Development Plan for the property shall always be maintained.

In addition, since the proposed project is covering three individual lots, City staff is also recommending, as a condition of approval that the property owner record a unity of title with Collier County, Florida to tie the lots together prior to the issuance of any building permits. The utility easements along the property line adjacent to Muspa Way are not impacted by the development.

Overview of project uses:

PROJECT NARRATIVE							
REPLACE EXISTING SURFACE PARKING LOT WITH NEW CONSTRUCTION 4- STORY MIXED USE BUILDING INCLUDING PUBLIC COMMERCIAL PARKING, 14 RESIDENTIAL APARTMENTS WITH PARKING, & COMMERCIAL RESTAURANT SPACE.							
SUMMARY							
LEVEL	USE	AREA		PARKING			
		COMMERCIAL	RESIDENTIAL	ADA	COMPCT	STD.	TOTAL
G	BUILDING ACCESS PARKING	293 SF	292 SF NOTE H	7	10	67	84
1	PARKING	32,467 SF NOTE B	378 SF NOTE H	0	8	85	93
2	PARKING	19,785 SF	7,840 SF NOTE A	0	8	66	74
				7	26	218	251
3	RESIDENTIAL	-	25,356 SF				NOTE: D,E,F & G
4	RESIDENTIAL COMMERCIAL (RESTAURANT)	13,943 SF	6,579 SF				
		66,488 SF	40,445 SF				
		62%	38%				NOTE C
		106,933 SF					
NOTE A: INCLUDES 28 PARKING SPACES REQUIRED FOR 14 APARTMENTS PLUS 50% OF ELEVATOR LOBBY SF.							
NOTE B: INCLUDES 600 SF FOR PUBLIC TOILET ROOMS.							
NOTE C: COMPLIES WITH OVERLAY DISTRICT 2-B ITEM #1-C (50-50 RULE)							
NOTE D: INCLUDES 81 PARKING SPACES REQUIRED TO SUPPORT 324 RESTAURANT SEATS (1 SPACE PER 4 SEATS)							
NOTE E: ONE SPOT DEDICATED FOR MIPD ON FIRST LEVEL							
NOTE F: 30 COMPACT SPACE ALLOWED: 28 RESIDENTIAL X 35 = 10 SPACES 81 RESTAURANT X 25 = 20 25							
NOTE G: TOTAL OF 141 PARKING SPACES ARE OPEN TO THE PUBLIC (50%) 261 - 81 - 28 = 141							
NOTE H: REPRESENTS 50% OF ELEVATOR LOBBY SF, WHICH IS SHARED WITH COMMERCIAL USE.							
APARTMENT UNIT MIX		2BR	3BR	TOTAL			
3RD FLOOR		-	14	14			
4TH FLOOR		-	-	-			
		-	14	14			
ZONING NOTES							

Below are Staff’s responses to the criteria contained within Sec. 30-64(c)(2) a-e, of the City’s LDC which are used to review for a Conditional Use:

- a. Does the proposed Conditional Use adversely affect the public interest, and have the specific requirements governing the individual Conditional Use, if any, been met?

The proposed conditional use will not adversely affect the public interest. It is increasing the available pay for parking spaces in the vicinity of beach access. Requirements related to mixed-use percentages have been met along with the requirements of the Land Development Code.

b. Is the granting of a Conditional Use consistent with the Comprehensive Plan?

The proposed project is consistent with Objective 3.1 of the Future Land Use Element which states:

Ensure sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of the City through the year 2040 in attractive and safe neighborhoods with a variety of housing types.

The proposed project is consistent with Policy 3.2.4 of the Future Land Use Element which states:

The Community Commercial future land use category is intended to provide a range of commercial uses at arterial and collector intersections and nodes within the City outside of the Town Center/Mixed Use future land use category. These areas will be comprised of retail, office and mixed use land uses. Standard densities are limited to 12 du/acre. Hotel/motel densities are limited to 26 du/acre.

c. Is there proper and adequate ingress to and egress from the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe?

There is proper and adequate ingress to and egress from the property. The only point of vehicular ingress and egress is from Collier Blvd. Access to the dumpsters will be from Muspa Way. Pedestrian access is from Collier Blvd., and a secondary pedestrian access is located on Muspa Way.

d. Is the proposed Conditional Use compatible with adjacent properties and other property in the district? Is the Conditional Use, as depicted on the conceptual site plan compatible with adjacent and nearby uses, developments, structures and neighborhoods and will it alter the character of the community and neighborhood or be contrary to emerging development trends in the community and neighborhood?

The proposed conditional use is in keeping with the adjacent and nearby developments and uses. The paid parking spaces are already in existence. Residential uses are in the vicinity in the forms of multifamily and single-family to the east. Restaurants are in the vicinity and a use seen along Collier Blvd. This development will not alter the character of the community but compliment the community.

e. Are the buildings oriented so as to enhance the appearance of the streetscape? Are the massing, bulk and scale of all the structures compatible with other structures and uses in the neighborhood?

The building enhances the streetscape with the water fountain feature and proposed landscape. The building is compatible with the other buildings in the area regarding mass, bulk and scale.

STAFF RECOMMENDATION AND FINDINGS:

Staff recommends the Planning Board approve CUP 22-000218 with the below conditions and findings:

Findings:

1. The proposed conditional use will not adversely affect the public interest. It is increasing the available pay for parking spaces in the vicinity of beach access. Requirements related to mixed-use percentages have been met along with the requirements of the Land Development Code.
2. The proposed project is consistent with Objective 3.1 of the Future Land Use Element which states:

Ensure sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of the City through the year 2040 in attractive and safe neighborhoods with a variety of housing types.
3. The proposed project is consistent with Policy 3.2.4 of the Future Land Use Element which states:

The Community Commercial future land use category is intended to provide a range of commercial uses at arterial and collector intersections and nodes within the City outside of the Town Center/Mixed Use future land use category. These areas will be comprised of retail, office and mixed use land uses. Standard densities are limited to 12 du/acre. Hotel/motel densities are limited to 26 du/acre.
4. There is proper and adequate ingress to and egress from the property. The only point of vehicular ingress and egress is from Collier Blvd. Access to the dumpsters will be from Muspa Way. Pedestrian access is from Collier Blvd. and a secondary pedestrian access is located on Muspa Way.
5. The proposed conditional use is in keeping with the adjacent and nearby developments and uses. The paid parking spaces are already in existence. Residential uses are in the vicinity in the forms of multifamily and single-family to the east. Restaurants are in the vicinity and a use seen up and down Collier Blvd. This development will not alter the character of the community but compliment the community.
6. The building enhances the streetscape with the water fountain feature and proposed landscape. The building is compatible with the other buildings in the area regarding mass, bulk and scale.

Conditions of Approval:

1. SDP 22-000216 is approved in conjunction with this conditional use permit application. If the SDP is not approved, this application is null and void.
2. The percentages of the uses identified within the approved Site Development Plan and Conditional use permit for the property shall always be maintained.
3. The Owner shall record a unity of title with Collier County, Florida, to join the Subject Property into one parcel for the purpose of the approved development. The recorded unity of title shall be reviewed and approved by the City Attorney and shall then be recorded and presented to the City prior to the issuance of any building permits for the development approved pursuant to SDP 22-000216.