



City Council Staff Report

Meeting Date: September 7, 2021

TO: Marco Island City Council
FROM: Daniel J. Smith, AICP – Director of Community Affairs
DATE: August 25, 2021
RE: Conditional Use: 21-000118 – Conditional Use To Allow For Dance Studio

PROJECT DESCRIPTION:

Kristin and Danilo Croscenco are requesting approval of a conditional use permit to allow for a dance studio use at 683 South Collier Blvd. The use is classified in the Land Development Code (LDC) as NAICS: 611610 and adopted as a Conditional Use within C-3 Commercial Intermediate district. Attached are the application and responses to the “Standards For Approval” stated in Sec. 30-64(c)(2) a-e.

PLANNING BOARD OUTCOME:

During the 8/16 meeting a question was proposed from Member Honig about whether class hours could be extended against the wishes of the building owner at a future date, and whether limiting the hours from 5:00 p.m. to 7:00 p.m. would be more advantageous. Staff recommended that the 5:00 p.m. to 7:00 p.m. limitations be recorded as a condition of approval from the Planning Board.

Member Rivera had questions about whether weekend hours would be allowed, staff response was that the resolution would not limit the days—only times—but the limitations were stipulated in the applicant’s lease, not by the City.

Member Vergo was concerned that the City was limiting business hours within the resolution. Chair Bailey agreed that the resolution shouldn’t limit times in the evenings. The Board agreed to approve the petition, striking the limitations on hours recommended by staff. The final vote was 7-0 to approve the resolution.

AGENT/APPLICANT:

Kristin and Danilo Croscento
Mermaid Tails Dance & Marco Sharks MMA
1018 San Marco Road
Marco Island, FL 34145

OWNERS:

Craig R. Woodward
661 S Collier Blvd
Marco Island, FL 34145

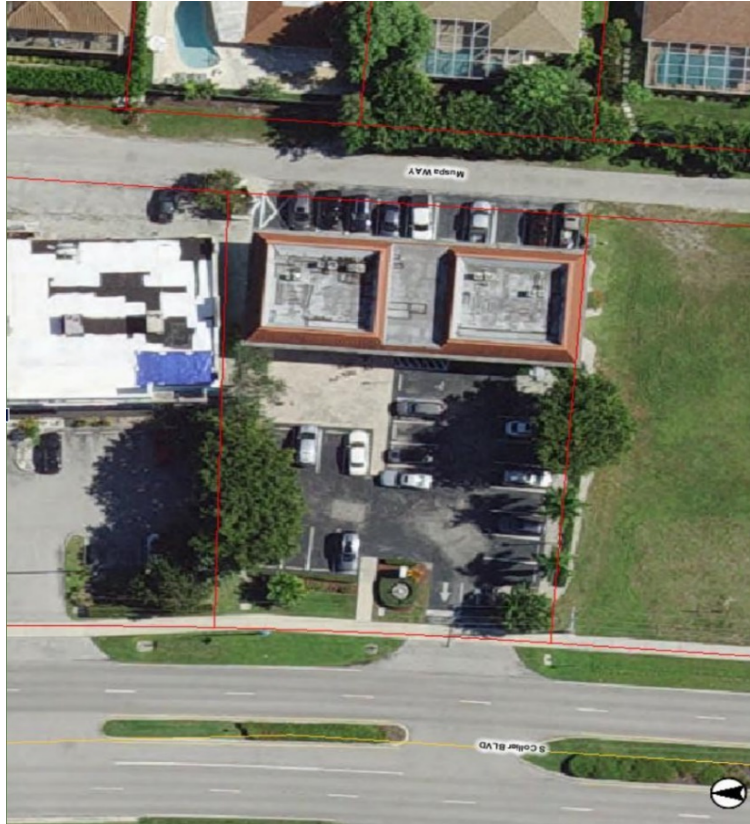
PROPERTY INFORMATION:

Street Address: 681 S. Collier Blvd.
Marco Island, FL 34145
Legal Description: MARCO BCH UNIT 10, BLOCK 348, LOT 6 OR 1416 PG 1151, Public Records of
Collier County, FL
Property ID# 57871840002
Zoning: C-3 (Commercial Intermediate)

ZONING



AERIAL OF SITE



STAFF ANALYSIS:

This is currently a developed commercial lot that the applicant is leasing two units within. Staff has no real concerns with this petition. Although the applicant has indicated that the landlord has restricted their hours to 5:00 p.m. to 7:00 p.m., the resolution has not adopted that limitation as a condition of approval.

Below are Staff's responses to the criteria contained within Sec. 30-64(c)(2) a-e, 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 provided package meets the minimum requirement of the Conditional Use application. The area in-question is an already developed commercial zone which contains multiple retail and services uses. The allowance for a dance studio would not negatively affect the public interest in the area and the City has not received any notification from nearby residential owners that they're concerned that this use would negatively impact their quality of life.

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

The Goals section of the Comprehensive Plan's *Future Land Use Element* calls for "Assuring..." that there is "...sufficient businesses to serve the needs of residents and visitors," which can be considered to be addressed by encouraging healthy activities for the islands growing population of families with children and providing a local destination for those activities.

The approval of a dance studio would also serve to reduce the overall number of trips off the island, conserving fuel and promoting the local tax-base.

- 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?**

The existing building has a single ingress/ egress and the parking area is sufficient to accommodate the traffic generated from all businesses on-site. Pedestrians and customers of the studio would not need to congregate outside the confines of the lot while being dropped off—or picked-up.

- 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 directly adjacent lots are commercial in nature and the existing building would not be changed from what already exists. The nearby uses would not be harmed by allowing a dance studio in the immediate area and may in-fact encourage patronage of local restaurants and gas stations after dropping-off, or picking-up children.

- 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 physical building will not be changed and exists as-is, as it has for decades since construction. The aesthetics of the existing building is in-line with the times in which it was permitted and is not measurably different than the nearby structures.

STAFF RECOMMENDATION AND FINDINGS:

Staff recommends approval of the application with the following findings:

1. The proposed Conditional Use would not negatively affect the public interest or contravene the Comprehensive Plan or Future Land Use map.
2. The proposed Conditional Use will meet all commercial zoning requirements and will not change the character of the neighborhood or community as a whole.
3. Parking counts are based on a pre-existing series of agreements between this building and two neighboring buildings (lots 5-9), the documents have been provided to us and staff has no reason to believe they are not valid.

CONDITIONS OF APPROVAL:

1. The owner must meet all Planning and Zoning requirements to obtain a Certificate of Land Use Approval including—but not limited to—parking.

Daniel J. Smith, AICP

Director of Community Affairs