



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

Through: Patrick Wright, Planning Director

From: Vanessa Sellers, Planner II

Meeting Date: August 6, 2019

Agenda Item: **Major Development Plan and Conditional Use - 2407-2409 North Roosevelt Boulevard (RE# 00002280-000100 & RE# 00002280-000101)**
- A request for major development plan and conditional use approval to develop a marina (30 liveaboard vessels / 40 recreational vessels) and a 1-story marina clubhouse on properties located within the Conservation (C) zoning district pursuant to the Land Development Regulations of the City of Key West, Florida.

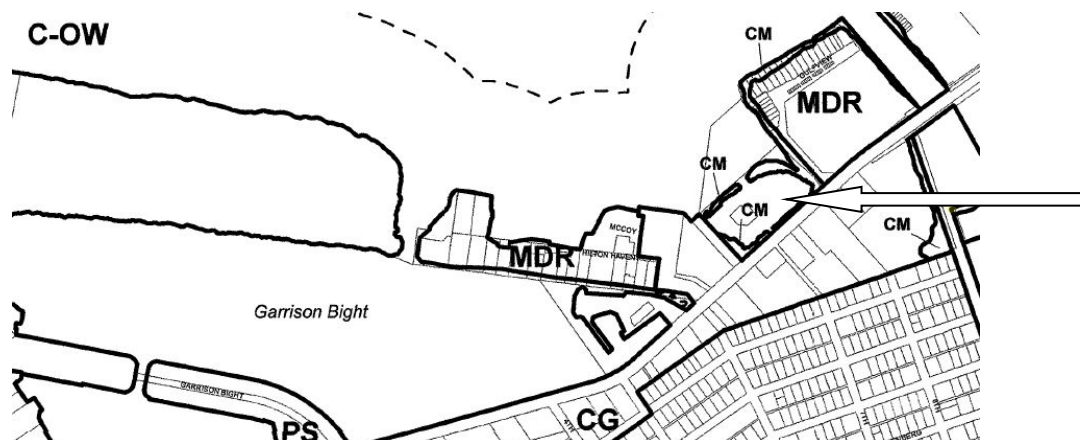
Request: Approval of a major development plan and conditional use permit for a proposed liveaboard / recreational marina and marina clubhouse.

Applicant: Trepanier & Associates, Inc.

Property Owners: Richard C. Walker and Roosevelt Docks, LLC

Location: 2407-2409 North Roosevelt Boulevard (RE # 00002280-000100 & RE # 00002280-000101)

Zoning: Commercial General (CG) (parking easement)
Conservation Mangrove (CM)
Conservation Open-Water (C-OW)



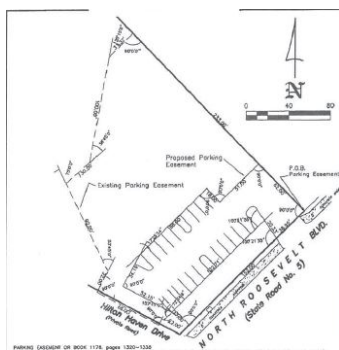


BACKGROUND:

The properties at 2407 and 2409 North Roosevelt Boulevard are located bayside between Fifth (5th) Street and Seventh (7th) Street and are two lots of record. They are located within the Conservation (C) zoning district and are not within the Key West Historic District boundaries.

A few of the previous occupants prior to the current ownership included the Flipper’s Sea School, Shucker’s Bar, Coconut’s Comedy Club, and O’Brian’s Restaurant. Today the parcels are commonly referred to as the “Walker Marina.”

In September 2014, Dr. Richard C. Walker, the current owner of the subject properties, entered into a restated parking easement agreement with KW26, LLC, the owner of the nearby hotel property at 2401 North Roosevelt Boulevard (known as “Banana Bay”). The easement agreement granted Dr. Walker a perpetual easement appurtenant to the subject properties, for the ingress and egress of motor vehicles for the invitees, contractors, employees, designees, and agents of Dr. Walker. According to the agreement, the area must be used exclusively for the parking of motor vehicles, by Dr. Walker’s authorized users, on the twenty (20) parking spaces located within that portion of the hotel property. The parking easement is located within the CG zoning district. A recent condition of the easement is shown in the aerial image below, however, significant improvements have been made the past few months.



The property at 2407 North Roosevelt Boulevard was previously granted major development plan approval, conditional use approval, and landscape waivers to allow for a recreational vessel marina via Resolution no. 14-316.

Although the current landscape plan submitted is not in complete compliance with Chapter 108, Article VI, Division 2: Requirements for Specific Areas, the applicant has submitted a landscape plan that is an improvement upon the original landscape plan, therefore no landscape modification or waiver is needed.

EXISTING CONDITIONS AND ADDITIONAL BACKGROUND:

The properties currently consist of two (2) structures: the “Main Building” at 2407 North Roosevelt Boulevard and the “Marina Clubhouse” at 2409 North Roosevelt Boulevard.

The “Main Building” at 2407 North Roosevelt Boulevard (image below) is a 2-story mixed-use structure. According to the application and city licensing records, the first floor is occupied by doctors’ offices and a massage therapy establishment. According to the applicant, the second floor consists of two (2) apartments. However, staff is unable to confirm this through city records and/or a site visit.



The “Marina Clubhouse” at 2409 North Roosevelt Boulevard (image below) is a 1-story commercial/nonresidential use structure on pilings over conservation open water. According to city licensing records, there are several uses attached to this address: a nurse practitioner specialist, an engineering firm, a real estate office, a mobile painting service, two (2) staffing agencies, and an accounting service.



According to the applicant, the massage therapy establishment use in the 2-story main building at 2407 North Roosevelt Boulevard will be eliminated. A 310-square-foot portion of the 1,683-square-foot space will be retained for commercial use. The balance 1,373-square-feet will be incorporated into an existing residential unit on the second floor. However, staff is unable to confirm the existence of a residential unit through city records and/or a site visit.

According to the application, all current uses of the 1-story building on pilings at 2409 North Roosevelt Boulevard will be extinguished. The future use of the space will include a dockmaster's office, a ship's store, laundry facilities, marina storage, a women's restroom, a men's restroom, two showers, and bicycle storage.

PROPOSED DEVELOPMENT:

The applicant is proposing one (1) phase of development and redevelopment for the properties:

Phase 1: Construction of 74 boat slips (of which 40 may be used for recreational boats), paving of the parking lot, paving of the parking easement, minimal landscaping, storm water retention improvements, and positioning of up to 30 liveaboard vessels. Redevelopment of the existing 1-story structure on pilings (the "Marina Clubhouse") to include a dock master's office, a ship's store, laundry facilities, marina storage, a women's restroom, a men's restroom, two showers, and 85 bicycle lockers.

Redevelopment of the existing 2-story structure to eliminate the commercial service use and create a 310-square-foot commercial office. The remaining floor area will be incorporated into a second-floor residential apartment.

- Major development plan review is required due to permanent residential development; addition of eleven or more units, pursuant to Section 108-91.B.2(a) of the Land Development Regulations (LDRs) of the Code of Ordinances (the "Code") of the City of Key West (the "City").
- Development plan review is required due to addition or reconstruction of greater than 1,000-square-feet of nonresidential floor area, pursuant to Section 108-91.B.1(b) of the Land Development Regulations (LDRs) of the Code of Ordinances (the "Code") of the City of Key West (the "City").
- Conditional use review is required for the use of the property because all development within the Conservation district shall be by conditional use due to the environmental sensitivity of lands within the District, pursuant to City Code Section 122-128.
- A variance approval is required pursuant to City Code Section 90-391. The project as proposed does not meet the minimum off-street parking requirements of Chapter 108, Article VII, Division 2. The applicant's request for a variance to off-street parking requirements was denied by the Planning Board on March 21, 2019.

SURROUNDING ZONING AND USES:

Surrounding properties are located within the Medium Density Residential (MDR) and the Commercial General (CG) zoning districts. Surrounding uses include waterfront and non-waterfront residential housing, public multi-family housing, two (2) hotels, a fast-food restaurant with drive-through, a coffee shop with drive-through, an auto supply store, a community center, and a small strip center anchored by a grocery store.



CITY ACTIONS:

Development Review Committee:	September 27, 2018 (approved)
Preliminary Tree Commission:	January 2, 2019 (conceptual landscape plan–staff approved)
Planning Board:	February 21, 2019 (postponed by applicant)
	March 21, 2019 (postponed by applicant)
	May 16, 2019 (recommended for approval)
Final Tree Commission:	July 9, 2019 (approved)
City Commission:	August 6, 2019
DEO review:	Up to 45 days, following local appeal period

PLANNING STAFF ANALYSIS:

City Code Section 108-91.B.2 (a) requires Major Development Plan review for permanent residential development; addition of eleven or more units.

City Code Section 108-91.B.2 (b) requires Minor Development Plan review for addition or reconstruction of nonresidential floor area 1,000 to 4,999-square-feet of gross floor area.

A development plan shall be reviewed by the City Commission either in its final approval capacity or its appellate capacity, as provided in Section 108-196 (b). The City Commission shall approve with or without conditions or disapprove the development plan based on specific development review criteria contained in the land development regulations and based on the intent of the land

development regulations and comprehensive plan. The City Commission may attach to its approval of a development plan any reasonable conditions, limitations or requirements that are found necessary, in its judgment, to effectuate the purpose of this article and carry out the spirit and purpose of the comprehensive plan and the land development regulations. Any condition shall be made a written record and affixed to the development plan as approved. If the City Commission disapproves a development plan, the reasons shall be stated in writing.

OPTIONS / ADVANTAGES / DISADVANTAGES:

Option 1: Approve the request as advised by the Planning Board in Resolution no. 2019-33.

a. Consistency with the City’s Strategic Plan, Vision, and Mission:

The Planning Board finds that granting the request would be consistent with the Economic and Environmental goals of the Strategic Plan.

b. Financial Impact:

The City would collect building permit, licensing, and impact fees during subsequent phases of development. There would be no cost to the City for granting the request.

Option 2: Deny the request based on findings that the proposed development does not comply with the criteria established by the Comprehensive Plan and the Land Development Regulations.

a. Consistency with the City’s Strategic Plan, Vision, and Mission:

The Planning Board finds that denial of the request would be inconsistent with the Strategic Plan.

b. Financial Impact:

There would be no cost to the City for denying the request.

RECOMMENDATION:

The Planning Board, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends **Option 1** to the City Commission, approving the request.