



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

Through: Kevin Bond, AICP, LEED Green Associate, Acting Planning Director

From: Carlene Smith, LEED Green Associate, Planner II

Meeting Date: March 3, 2015

RE: **Major Development Plan & Landscape Modifications / Waivers – 1212, 1220 & 1222 Simonton Street (RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530)** – A request for major development plan approval and landscape modifications / waivers for the redevelopment of a 22-room motel and one non-transient dwelling unit on property located within the Historic Neighborhood Commercial – Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(a) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

ACTION STATEMENT:

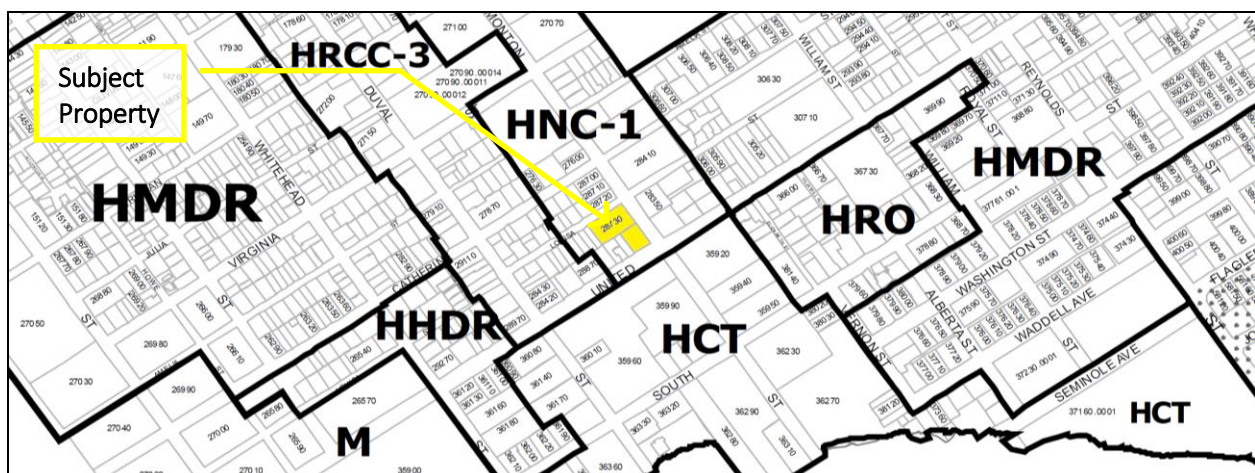
Request: Major development plan approval and landscape modifications / waivers for the demolition of the existing Spindrift Motel and an existing mixed-use commercial / residential building and the construction of a new 22-room hotel with one non-transient apartment.

Applicant: Trepanier & Associates, Inc.

Property Owners: Casa Marina – 1220 Simonton Street, LLC

Location: 1212, 1220 & 1222 Simonton Street
(RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530)

Zoning: Historic Neighborhood Commercial – Truman / Simonton (HNC-1)



BACKGROUND:

The subject property, located in the 1200 block of Simonton Street between Louisa and United Streets within the HNC-1 Zoning District, consists of two separate parcels under the same ownership. The property at 1212 Simonton Street is the 22-room Spindrift Motel. The property at 1220-1222 Simonton Street is a two-story mixed-use building with commercial uses on the first floor and one non-transient residential unit on the second floor. The first floor tenants include a hair salon, a dentist’s office and a former burrito restaurant. According to the 2011 Key West Historic Resources Survey, the Spindrift Motel building is a contributing structure within the historic district. However, on January 27, 2015, HARC approved a certificate of no contributing value for the structure. The other existing buildings are non-contributing.

The proposed development would demolish all existing buildings and the commercial uses at 1220-1222 Simonton Street would cease, to be replaced by a new 22-room hotel and one non-transient apartment. The new hotel features several pool areas, including a rooftop pool, deck and bar area. Several existing building encroachments and setback nonconformities would be eliminated and the overall property would be brought further into compliance with the City’s Land Development Regulations.

In order to allow the proposed development, several development approvals would be necessary or are requested by the applicant:

- Major Development Plan review is required due to the reconstruction of five or more residential units, pursuant to Section 108-91.A.2.(a) of the Land Development Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”);
- Modifications or waivers to reduce landscaping requirements pursuant to City Code Section 108-517; and
- Height variance for non-habitable space in order to construct an elevator shaft on the second floor roof deck.

City Actions:

Development Review Committee (DRC):	June 26, 2014
Preliminary Tree Commission:	September 9, 2014
Planning Board:	October 16, 2014 (PB Res No. 2014-70)
HARC (Demolition & Design):	January 27, 2015
Final Tree Commission:	February 10, 2015
City Commission:	March 3, 2015
Board of Adjustment (Height Variance):	March 3, 2015

PLANNING STAFF ANALYSIS:

Development Plan Review

City Code Section 108-91.A.2.(a) requires the construction of five (5) or more permanent and transient residential units within the historic district to be reviewed as a Major Development Plan. Planning staff and the Planning Board, as required by Chapter 108 of the City LDRs, reviewed the request for compliance with the City's LDRs and Comprehensive Plan as detailed in the attached Planning Board staff report. On October 16, 2014, the Planning Board reviewed

the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2014-70 advising approval with conditions to the City Commission.

City Code Section 108-198 states that the City Commission shall approve with or without conditions or disapprove the development plan based on specific development review criteria contained in the LDRs and based on the intent of the LDR's 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 LDR's. 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.

It should be noted that Planning Board Resolution No. 2014-70 required several conditions to be satisfied prior to the City Commission hearing (see conditions #4-6). Subsequent to the Planning Board approval, all conditions have been satisfied. Any outstanding issues are reflected in the staff recommendations below. The resulting set of revised plans is attached.

Options / Advantages / Disadvantages:

Option 1. Approve the request with conditions (listed below) as advised by the Planning Board in Resolution No. 2014-70, and additional conditions recommended by staff:

Consistency with the City's Strategic Plan, Vision and Mission: Granting the request would be consistent with Economy and Environment goals of the Strategic Plan.

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.

Consistency with the City's Strategic Plan, Vision and Mission: Denial of the requested easement would not be inconsistent with the Strategic Plan.

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

RECOMMENDATION: Option 1.

Staff and 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 with conditions as outlined below:

General conditions:

1. The proposed development shall be consistent with the plans signed and sealed February 18, 2015 by Peter M. Pike, Architect, the civil plans dated January 26, 2015 by Allen E. Perez, P.E., and the landscape plans dated January 21, 2015 by Tyler Nielsen, Landscape Architect.

2. Although subject to a separate City approval, the City shall not bear any of the costs of the proposed sidewalk and any landscaping improvements within City right-of-way. Any work on City right-of-way will require coordination with both the City Engineering Department and Urban Forester.
3. During all phases of demolition and construction, temporary fencing and erosion barriers shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.
4. This approval shall not become effective until the concurrent application for height variance is approved and effective.
5. No sound from amplified or live music may cross any property line adjacent to non-transient residential use.

Conditions prior to issuance of a building permit:

6. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.
7. The property owner shall comply with all ADA requirements.

Conditions prior to issuance of a Certificate of Occupancy:

8. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.
9. The property owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.

Conditions subject to a Conditional Approval Permit, and subject to an associated annual inspection:

10. The rooftop pool and bar shall be for use of hotel guests only and shall not be open to the general public. The rooftop pool and bar shall be closed between sunset and sunrise each day.