

EXECUTIVE SUMMARY



To: Jim Scholl, City Manager

From: Nicole Malo, Planner

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: May 1, 2012

RE: **Minor Development Plan - 313 Margaret Street (RE# 00002820-000000)** - A request for a Minor Development Plan for property located in the HRCC-2 zoning district per Section 108-91(A.)(b.) of the Land Development Regulations of the Code of Ordinances of the City of Key West

Action Statement

Request: This request is for the phased redevelopment of a commercial property with a parking lot to be used as an office and retail center with an auxiliary building for storage.

Location: 313 Margaret Street (RE# 00002820-000000)

Zoning: Historic Residential Commercial Core – Key West Bight District (HRCC-2)

New Background Information:

On March 20, 2012 this development plan application was heard by the City Commission for the first time. At the public hearing numerous neighbors voiced their concern regarding the use of the rear structure that was proposed to the Planning Department and approved by the Planning Board to be used for storage and food preparation for an off site sandwich shop and charter boat company. Restaurant Use is allowed as of right in the HRCC-2 zoning district; however the owner of the property clarified at the City Commission Meeting that the rear structure was in fact intended to be used as a food prep area and a walk up coffee and sandwich shop. The item was postponed with direction to the applicant that he meet with the neighbors to address their concerns and clarify the intended use of the rear structure. Although, the applicant did not have time to properly vet the proposed take-out restaurant use with the neighbors as requested, the applicant met with staff to discuss the options for the development plan proposal. On April 11, 2012 the applicant submitted a request to the department to eliminate the proposed use of the rear structure as a food prep area and requested that it be used for storage only, until such time that the Historic Contributing Structures Survey is published that will drive how the structure is required to be redeveloped. Therefore this report reflects that the request for the rear structure proposed to be redeveloped shall be used as a storage facility until such time that the applicant chooses to amend the development plan approval.

Background Information:

The proposed development site is located on the corner of Margaret Street and James Street. Although the site was originally comprised of two lots of record, 313 Margaret Street (RE# 00002820-000000) and 907 James Street (RE# 00002830-000000), it has historically been used as one. The owner is currently in the process of executing a unity of title. The property is approximately 8,440 square feet and currently includes a non-conforming Concrete Block Structure (C.B.S) structure built before the 1960's, two metal sheds used as work shops and storage areas, and a compacted open area in the rear. The entire site is historically non-conforming to setbacks, open space requirements, impervious surface coverage, landscape requirements and stormwater management. Historically the site was used as a tractor and equipment shop and more recently a furniture shop (see attached Historical Photos).

The applicant is proposing a Minor Development Plan for the reconstruction of commercial floor area that includes overall site improvements to impervious surface, open space, stormwater, landscaping, lighting, and the parking lot. The site is proposed to be used for retail, office and storage uses all of which are permitted uses in the HRCC-2 zoning district.

The proposal includes the demolition of an approximately 930 square foot shed and the demolition of approximately 526 square feet of the interior mezzanines of the C.B.S structure to be reconfigured into a 945 square foot addition to the primary building to be used as office and retail space. A Certificate of Appropriateness was granted by HARC for the demolition and design of the addition, and the shed has since been removed. Because the floor area is being reduced and relocated within the property boundaries, no parking is required for the development plan and proposed uses; however, the applicant is proposing seven (7) parking spaces on site, eleven (11) bicycle and two (2) scooter spaces as part of phase two of the development. Also as part of phase two, the remaining shed at the rear of the property of approximately 720 square feet is proposed to be used as a storage facility. The redevelopment of the parking lot and shed were not part of the original HARC approval and will have to return for an additional Certificate of Appropriateness.

Additional improvements include new landscaping, and stormwater drainage improvements. Although, the applicant cannot meet all of the Land Development Regulations for Landscaping, on February 16, 2012 the Planning Board issued a waiver to those requirements including Sections 108-413 Requirements Along the Street Frontage, 108-415 Perimeter Landscape Requirements, 108-421 Minimum Landscaping Requirements, and 108-450 Landscape Screening (see Planning Board Staff Report). Additionally, in order to create parking lot access the applicant requested and was issued a Tree Permit to remove an existing Sapodilla Tree on the site (see attached DRC Comments).

The Planning Board recommended approval of the proposed minor development plan on February 16, 2012 through Resolution 2012-06 with the following conditions:

General Conditions:

- 1. The applicant shall recycle all allowable materials.
- 2. The parking lot lighting shall be designed to “Dark Sky” lighting standards and shall meet energy efficiency standards established by an accepted third party environmental standard consistent with F.S Chapter 255.2575(2). All new lighting must be approved by HARC.
- 3. The project manager and landscape architect shall work with the Urban Forestry Manager on any tree or landscaping issues during construction and Certificate of Occupancy phases.

Prior to Issuance of Certificate of Occupancy:

- 4. HARC approval is required for the redevelopment of the parking lot and rear shed structure.
- 5. HARC approved fencing is required around the refuse and recycling handling area within the parking lot.
- 6. All signage is approved by HARC.
- 7. A unity of title shall be executed.

Previous City Actions

Development Review Committee Meeting
HARC Meeting

November 18, 2011
November 15, 2011
H11-01-1445

Tree Commission Meeting
Planning Board Meeting
City Commission Meeting

January 10, 2012
February 16, 2012
March 20, 2012 - Postponed
April 3, 2012 - Postponed
May 1, 2012

Options / Advantages / Disadvantages:

Option 1. Approval of the Minor Development Plan application as approved by the Planning Board with the following conditions:

General Conditions:

- 1. The applicant shall recycle all allowable materials.
- 2. The parking lot lighting shall be designed to “Dark Sky” lighting standards and shall meet energy efficiency standards established by an accepted third party environmental standard consistent with F.S Chapter 255.2575(2). All new lighting must be approved by HARC.
- 3. The project manager and landscape architect shall work with the Urban Forestry Manager on any tree or landscaping issues during construction and Certificate of Occupancy phases.

Prior to Issuance of Certificate of Occupancy:

- 4. HARC approval is required for the redevelopment of the parking lot and rear shed structure.
- 5. HARC approved fencing is required around the refuse and recycling handling area within the parking lot.
- 6. All signage is approved by HARC.

7. A unity of title shall be executed.
 1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would provide a public benefit, and is consistent with the City's Strategic Plan, Vision, and Mission.
 2. **Financial Impact:** There is an indirect financial benefit to the City through increased assessed valuation of the proposed Minor Development Plan is approved.

Option 2. To deny the Minor Development Plan application.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** The City's Strategic Plan, Vision, and Mission support community renewal, therefore denial of a redevelopment may be inconsistent with the plan.
2. **Financial Impact:** There is an indirect financial impact to the City if proposed Minor Development Plan is not approved through forgoing increased property valuation.

RECOMMENDATION:

The Planning Department and Planning Board recommend **approval** of Option 1 with the following conditions:

General Conditions:

1. The applicant shall recycle all allowable materials.
2. The parking lot lighting shall be designed to "Dark Sky" lighting standards and shall meet energy efficiency standards established by an accepted third party environmental standard consistent with F.S Chapter 255.2575(2). All new lighting must be approved by HARC.
3. The project manager and landscape architect shall work with the Urban Forestry Manager on any tree or landscaping issues during construction and Certificate of Occupancy phases.

Prior to Issuance of Certificate of Occupancy:

4. HARC approval is required for the redevelopment of the parking lot and rear shed structure.
5. HARC approved fencing is required around the refuse and recycling handling area within the parking lot.
6. All signage is approved by HARC.
7. A unity of title shall be executed.