



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager
Through: Donald Leland Craig, AICP, Planning Director
From: Nicole Malo, Planner
Date: September 20, 2011
RE: **Minor Development Plan - 241 Margaret (RE# 00072082-004501)** - A Minor Development Plan for the reconstruction of a building in the Key West Bight District for city owned property in the HRCC-2 zoning district per Section 108-91(A.)(1)(b.) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

ACTION STATEMENT:

Request: To allow a Minor Development Plan for the reconstruction of a two-storey, 2,000 square foot city owned retail and office building for a lease hold area located in the City of Key West Bight district. The project includes the demolition of the one-storey structure adjacent to the Key West Bait and Tackle Shop.

Location: 241 Margaret Street, RE # 00072082-004501

Zoning: Historic Residential Commercial Core - Key West Bight district -HRCC-2



Previous City Actions:

Development Review Committee Meeting:	April 28, 2011
HARC Meeting:	March 8, 2011
	March 22, 2011
	#H11-01-184
Planning Board Meeting:	August 18, 2011

Planning Staff Analysis:

The project site is a part of the larger Bight District owned by the City as depicted in the aerial plan above. The parcel is located between Margaret Street to the West, the privately owned Conch Harbor retail and restaurant complex to the East, and between Half Shell Raw Bar and Caroline Street. The area is immediately surrounded by offices, restaurants, retail uses and two large parking lots associated with these uses. The entire site is currently non-conforming to impervious surface, open space and landscaping.

The building proposed for reconstruction has been most recently used as the Discovery Boat ticket sales office. It is a one storey retail shack of approximately 500 square feet adjacent to the Bait and Tackle Shop, with three parking spaces located along-side the building. Over thirty parking spaces were required for the ticket sales use and were accommodated in the adjacent shared use parking lot. The building has no historical significance and is slated for demolition as approved by HARC.

Previous uses on and around the site included the storage of petroleum products and other chemicals. The applicant provided a groundwater and earth contamination report. The report finds no contamination concerns on the site that would trigger the need for remediation prior to construction. Please see the attached Site Contamination Report for further information.

In response to an RFP awarded March 2, 2011 (see attached) the applicant has proposed a two-storey structure of approximately 2,000 square feet to be used as a second floor office and first floor retail space. Both these uses are allowed as of right in the district. As described in the Parking and Trip Analysis provided by the applicant and substantiated by staff analysis, a reduction of potential parking impacts from the previous use is anticipated. Eight (8) parking spaces are required to accommodate the new square footage of office and retail space. Three of which will be reconstructed adjacent to the structure and five of which are proposed in the shared parking lot. The proposed development was reviewed by the FEMA Coordinator and Building Department and has been found to be in compliance with FEMA requirements for property located in the AE-9 flood zone. Further, the applicant has committed to meet LEED silver certification and is thus energy efficient. Because the lease area is part of a larger development and no increase in impervious surface is proposed, variances are not required. Furthermore, open space and landscaping are being improved as part of this application including guttered downspouts to a dry retention area to help capture rainwater.

The applicant has provided information regarding an exemption from federal ADA compliance standards for the second storey of the proposed structure that have been

reviewed and approved by the City's ADA Coordinator. Please see the information provided under the DRC Review Attachments.

Section 108-91 A(1)b of the City of Key West Land Development Regulations requires that any proposed plan within the historic district including the addition or reconstruction of 500 to 2,499 square feet of gross floor area shall require a Minor Development plan. Section 108-196(a) of the Land Development Regulations states that "after reviewing a Major Development Plan or a Minor Development Plan for a property and staff recommendations, the Planning Board shall act by resolution to approve, approve with conditions, or disapprove it based on specific development review criteria contained in the Land Development Regulations and the intent of the Land Development Regulations and Comprehensive Plan." On August 18, 2011 the Planning Board approved the proposed development plan for City Commission recommendation through Resolution 2011-43 with the following conditions:

Conditions to be completed prior to the issuance of building permits:

1. That a signed and sealed elevation certificate is presented to the Planning and Building departments
2. The building is constructed according to ADA exempted Building Plans LS101.

Conditions to be completed prior to the issuance of certificate of occupancy:

3. Development will meet LEED silver certification requirements
4. All lighting fixtures shall meet "Dark Sky" lighting standards

General Conditions:

5. Eight (8) parking spaces are required, three (3) of which shall be provided within the demised lease area (RE# 00072082-004501) to meet LEED Certification requirements, and five (5) of which shall be provided in the adjacent shared-use parking lot.

Options / Advantages / Disadvantages:

Option 1. To approve the proposed Minor Development Plan

1. **Consistency with the City's Strategic Plan, Vision and Mission:** The City's Strategic Plan, Vision, and Mission do not address issues pertinent to this request.
2. **Financial Impact:** There is no direct financial impact to the City if the modification to the plan is approved. However, utility bills for the property may be slightly reduced due to the energy efficient construction proposed and more substantial lease agreements may be negotiated with a new building.

Option 2. To deny the proposed Minor Development Plan

1. **Consistency with the City’s Strategic Plan, Vision and Mission:** The City’s Strategic Plan, Vision, and Mission do not address issues pertinent to this request.
2. **Financial Impact:** Although modest in expenditure, the City has used resources to hire project management including staff time for the RFP and development plan approvals

RECOMMENDATION:

Staff recommends the approval of **Option 1**, with the following conditions:

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