

**EXECUTIVE
SUMMARY**



To: Jim Scholl, City Manager
Through: Patrick Wright, Planning Director
From: Ginny Haller, Planner II
Meeting Date: February 21, 2018

Agenda Item: **Text Amendment –409 Appelrouth Lane (RE# 00010020-000000), 517-519 Whitehead Street (RE#00009990-000000) -** A request to amend the Historic Residential/Office (HRO) Zoning District to allow additional permitted and conditional uses defined on the properties stated above pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Action Item/Background

The purpose of this Ordinance is to amend the City’s Land Development Regulations for the above stated addresses in response to a submitted application for the proposed Land Development Regulation text amendment. The Planning Board heard and approved the item at the December 21, 2017 meeting (Resolution 2017-58).

The properties are located at the southern end of Appelrouth Lane and Southard Street bound by Whitehead Street. The properties are located within the historic district and all of the buildings with the exception of 533 Whitehead Street are contributing structures according to the City’s 2011 Historic Resources Survey. Historic uses of the properties over the last 100 years includes residential dwellings, retail stores, a restaurant, a bakery, a tailor, and a grocery according to Sanborn maps from 1892 to 1962. The current use of the properties is outlined below according to City Licensing Department records:

Property Address	Current Use
402 Appelrouth Lane	Mixed Use Residential and Commercial
409 Appelrouth Lane	Transient Residential
416 Appelrouth Lane	Restaurant
517 Whitehead Street	Transient and Non-Transient Residential
533 Whitehead Street	Small Recreational Power Driven Equipment Rentals/ Commercial Retail

The purpose of this Ordinance is to amend the City’s Land Development Regulations to modify the permitted and conditional uses in for a specific group of properties in the Historic Residential Office Zoning District (HRO).

Request:

Section 122-926 of the Code of Ordinances is amended as follows, with changes double underlined:

Sec. 122-926. – Intent.

The historic Residential/Office (HRO) is established to implement comprehensive plan policies for areas designated “Historic Commercial” on the future land use map. The HRO district shall accommodate business and professional offices as well as residential structures. Cultural and civic activities are allowed anywhere in the district and those same uses with accessory/associated commercial sales are allowed on Whitehead Street between Greene Street and Southard Street. Low-med intensity retail, transient residential, restaurants and small recreational power-driven equipment rentals are allowed along the Appelrouth Business Corridor, generally described as the properties adjacent to Appelrouth Lane within the HRO including the parcel located on the Northern corner of Whitehead Street & Southard Street, excluding the parcel located on the South-Eastern corner of Whitehead Street and Appelrouth Lane. Customary accessory uses and community facilities may also be located within the HRO district.

Notwithstanding the Appelrouth Business Corridor, ~~the~~ HRO district shall not accommodate new transient lodging or guesthouses. In addition, the HRO district shall expressly exclude general retail sales, warehousing, and outdoor storage. In order to manage the impacts of future development on transportation and public facilities, the city shall limit the intensity of development within the HRO district to activities generating no more than 50 trips per 1,000 square feet of gross leasable floor are per day.

Section 122-927 of the Code of Ordinances is amended as follows, with changes double underlined:

- (1) Single-family and two-family residential dwellings.
- (2) Group homes with less than or equal to six residents as provided in Sec. 122-1246.
- (3) Multiple-family residential dwellings.
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Parking lots and facilities.
- (7) Medical services.
- (8) Veterinary medical services, without outside kennels.
- (9) Commercial retail low and medium intensity less than or equal to 5,000 square feet, as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor.
- (10) Commercial retail high intensity less than or equal to 2,500 square feet, as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor,
- (11) Hotels, motels, and transient lodging within the Appelrouth Business Corridor.
- (12) Restaurants, excluding drive-through, within the appelrouth Business Corridor.

Section 122-928 of the Code of Ordinances is amended as follows, with changes underlined:

- (1) Group homes with seven to 14 residents as provided in Sec. 122-1246.
- (2) Cultural and civic activities with or without associated/accessory commercial sales on Whitehead Street from Greene Street to Southard Street.
- (3) Community center, clubs and lodges.
- (4) Educational institutions and day care.
- (5) Nursing homes, rest and convalescent homes.
- (6) Parks and recreation, active and passive.
- (7) Protective services.
- (8) Public and private utilities.
- (9) Funeral homes
- (10) Commercial low and medium intensity greater than 5,000 square feet as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor.
- (11) Commercial retail high intensity greater than 2,500 square feet as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor.
- (12) Small recreational power-driven equipment rentals within the Appelrouth Business Corridor.

City Actions:

Planning Board:	December 21, 2017
City Commission:	February 21, 2018 (first reading)
City Commission:	TBA (second reading, after DEO & ORC))
DEO	TBA

Planning Analysis:

The purpose of Chapter 90, Article VI, Division 1 of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) is to provide a means for changing the text of the land development regulations or the boundaries of the official zoning map. It is not intended to relieve particular hardships nor to confer special privileges or rights on any person, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the city commission shall consider, in addition to the factors set forth in this subdivision, the consistency of the proposed amendment with the intent of the comprehensive plan.

Options/Advantages/Disadvantages:

Option 1. Approve the text amendment to the City’s Land Development Regulations to modify the permitted and conditional uses in for a specific group of properties in the Historic Residential Office Zoning District (HRO) as recommended by the Planning Board through Resolution 2017-58.

Consistency with the City’s Strategic Plan, Vision and Mission: This would not be inconsistent with the City’s Strategic Plan, Vision and Mission.

Financial Impact: There would be no direct financial impact to the City by the proposed change to the Land Development Regulations.

Option 2. Deny the text amendment to the Land Development Regulations to modify the permitted and conditional uses in for a specific group of properties in the Historic Residential Office Zoning District (HRO) as recommended by the Planning Board through Resolution 2017-58.

Consistency with the City's Strategic Plan, Vision and Mission: There would be no direct financial impact to the City by the proposed change to the Land Development Regulations.

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

RECOMMENDATION:

As per Resolution 2017-58, the Planning Board recommends the approval of the text amendment to the Land Development Regulations to the above stated addresses.