



EXECUTIVE SUMMARY

To: Bogdan Vitas, City Manager
Through: Donald Leland Craig, AICP, Planning Director
From: Brendon Cunningham, Senior Planner
Date: May 6, 2014
RE: **Minor Development Plan – 512 and 524 Eaton Street (RE# 00006500-000000, AK#1006734 & RE#00006500-000100, AK#8792239)** – A minor development application for a commercial property in the HNC-1 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 reconstruct 2,422 square feet of office space at 524 Eaton Street to be used in conjunction with the existing theater at 512 Eaton Street and convert the remaining commercial floor area into a single-family residence at 524 Eaton Street.

Location: 512 and 524 Eaton Street (RE# 00006500-000000, AK#1006734 & RE#00006500-000100, AK#8792239)

Zoning: Historic Neighborhood Commercial (HNC-1)

Previous City Actions:

Development Review Committee Meeting:	September 26, 2013
Planning Board Meeting:	January 23, 2014
City Commission Meeting:	May 6, 2014

Planning Staff Analysis:

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. On January 23, 2014, the Planning Board approved a recommendation of approval for the proposed development plan for City Commission through Planning Board Resolution 2014-10 with conditions (see p. 2).

This Minor Development Plan request is to redevelop existing office space into a single-family dwelling with a portion to be given over to the adjacent existing theater for use as a sound studio

and practice space for local and national musical acts. Single family residences do not require a development plan. Therefore this development plan request is limited to the space considered for this addition to the theater. The existing buildings are not historically contributing structures. Please see the attached architectural drawings which received HARC approval on February 24th, 2014 and was heard for a second reading for demolition on March 25, 2014.

Options / Advantages / Disadvantages:

Option 1. To approve the proposed Minor Development Plan with the following conditions:

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

1. The applicant maintain a programmable distributive sound system to assure compliance with the “unreasonably excessive noise” definition of Section 26-191 of the Code of Ordinances, and that such sound system include a computerized sound monitoring system with real time monitoring access is provided to the City or in the alternative, the applicant may sound-proof the building such that it complies with Section 26-191(1).
2. The building at 512 Eaton Street be sprinkled.
3. Any lighting fixtures shall meet “Dark Sky” lighting standards.
4. Applicant must receive a landscape buffer waiver per Sections 108.413 and 108.517 of the Code of Ordinances;
5. The building design and lighting, and signage shall be approved by HARC.

Conditions subject to a Conditional Approval Permit, per Ordinance Number 10-22: Conditions subject to associated annual inspection:

6. The applicant expressly agrees to provide the City's agents unfettered access to the computer-generated reports and full, real-time web-based access to the digital monitoring of on-site acoustics for the purpose of assuring compliance with the conditions contained herein **unless** the applicant provides sound proofing to comply with Section 26-191(1).
7. The applicant does not operate between 7am and 12 pm on Sundays.

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 on the City through the approval of this application.

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:** There is no direct financial impact on the City through the approval of this application.

RECOMMENDATION:

Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, Staff and the Planning Board recommend **Option 1**, that the request for Minor Development Plan be **approved** with the conditions listed on page 2.