

EXECUTIVE SUMMARY



To: City Manager
Through: Donald Leland Craig, AICP, Planning Director
From: Brendon Cunningham, Senior Planner
Meeting Date: August 7, 2012
RE: **A Major Development Plan for property located at 223 Elizabeth Street (RE#'s 00000710-000101, 00000710-000102, 00000720-000000, 00000730-000000, 00000740-000000, 00000750-000000, 00000760-000000, 00000810-000000, 00000840-000000)**

ACTION STATEMENT:

Request: Approval of a Major Development Plan pursuant to Section 380.032(3), Florida Statutes for the purpose of constructing a hotel complex in the HRCC-1 zoning district.

Location: 223 Elizabeth Street (RE# 00000710-000101, 00000710-000102, 00000720-000000, 00000730-000000, 00000740-000000, 00000750-000000, 00000760-000000, 00000810-000000, 00000840-000000), commonly known as the former Jabour's Campground and Trailer Court.

BACKGROUND:

The City entered into a Settlement Agreement with Harborside, LLC on June 21, 2011 for the redevelopment of the above properties. The agreement allows for increased unit density and other elements not generally found in the Land Development Regulations, specifically limited to the provision of 26 parking spaces off-site and the waiver of a 40 foot wide landscape buffer from all abutting streets. A subsequent 380 Agreement enabled by Florida Statutes 380.032(3) was required by the Settlement Agreement.

The 380 Agreement was approved by the City Commission on July 17, 2012. Both the Settlement Agreement and the 380 Agreement required the Applicant to submit an application for a Major Development Plan consistent with the Land Development Regulations with the exception of three waivers enabled by the Agreements. A 380 agreement allows for the Department of Economic Opportunity to review and approve development that exceeds locally established parameters through the process set forth in the Florida Statutes.

Previous City Actions

June 21, 2011 City Commission Approval of Request for permission to enter into a Settlement Agreement with the City (per Resolution 11-188)
December 8, 2011 Final signature of revised Settlement Agreement
July 17, 2012 City Commission Approval of 380 Agreement
July 19, 2012 Planning Board Approval of Major Development Plan
August 7, 2012 City Commission Review

The Settlement Agreement is a modification of a previously enacted Settlement Agreement dating from 2004, which the City pursued to stem long standing litigation dating from at least 1993. The Settlement Agreement was transmitted to the Department of Economic Opportunity (DEO) in June of 2011. DEO waived its right of appeal and approved the agreement.

Options/Advantages/Disadvantages:

Option 1: Approve the Major Development Plan.

1. **Consistency with the City's Strategic Plan, Vision, and Mission:** Facilitating the redevelopment of the Key West Bight area is consistent with the City's Strategic Plan, Vision, and Mission.
2. **Financial Impact:** There is not an anticipated financial impact to the City related to this request. Although long term property values in and around the Bight should improve through this development.

Option 2: Deny the Major Development Plan.

1. **Consistency with the City's Strategic Plan, Vision, and Mission:** The denial of the request is not consistent with the City's Strategic Plan, Vision, and Mission.
2. **Financial Impact:** There is not an anticipated financial impact to the City related to this request. However, denying the request may cause the city to lose the opportunity for a significant improvement to one of the city's most significant resources.

Recommendation

The Planning Department recommends **approval** of Option 1 with the following conditions:

1. That the applicant secure the off-site parking rights, located in the City's surface lot on Caroline Street, as determined in a Settlement Agreement entered into by the Developer and the City and subsequently approved by the Department of Economic Opportunity.
2. All power lines are to be placed underground.
3. Any proposed exterior lighting will comply with Section 108-284.
4. Clarify the referenced park not be fenced and that the applicant will work with Staff to outline other conditions for the park.