

EXECUTIVE SUMMARY



To: Bogdan Vitas, City Manager

Through: Donald Leland Craig, AICP, Planning Director

From: Kevin Bond, AICP, LEED Green Associate, Planner II

Meeting Date: April 1, 2014

RE: **Major Development Plan, Conditional Use and Landscape Waivers - 533 Eaton Street (RE # 00004130-000000, AK # 1004294)** - A request for major development plan, conditional use and landscape waiver approvals for the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition spaces on property located within the Historic Neighborhood Commercial – Truman/Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2., 108-517, 122-62 and 122-808 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

ACTION STATEMENT:

Request: Major development plan, conditional use and landscape waiver approvals for the proposed adaptive reuse of a former Scottish Rite Masonic club/lodge building into new art studio classrooms, offices and exhibition spaces.

Applicant: Trepanier & Associates, Inc.

Property Owner: The Studios of Key West, Inc.

Location: 533 Eaton Street (RE # 00004130-000000, AK # 1004294)

Zoning: Historic Neighborhood Commercial – Truman/Simonton (HNC-1)

BACKGROUND:

The Studios of Key West, Inc. bought the former Scottish Rite/Masonic Lodge property at 533 Eaton Street in October 2013 with the intention of renovating the historic, three-story building to become its new location, including artist workspaces, offices, classrooms, exhibition spaces and an auditorium. The Studios of Key West would move from its current location in the Old Armory building located at 600 White Street, which is owned by the State of Florida. In order to allow the proposed development, several development approvals would be necessary.

- Major Development Plan review is required due to the reconstruction of more than 2,500 square feet of gross floor area, pursuant to Section 108-91.A.2.(b) of the Land Development

Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”).

- Conditional use review is required for “community centers, clubs and lodges” and for “cultural and civic activities” within the HNC-1 Zoning District, pursuant to City Code Section 122-808.
- The Applicant is also requesting waivers to all landscaping requirements, pursuant to City Code Section 108-517.

Concurrent with the Major Development Plan/Conditional Use application, the Studios of Key West also applied for a height variance for a new roof terrace, an easement to maintain existing roof overhangs and an alcohol sales special exception to sell beer, wine and liquor for on-site consumption. Those applications are being reviewed separately. The alcohol sales special exception was approved by Planning Board Resolution No. 2014-17.



Proposed Development:

The Studios of Key West proposes to adaptively reuse the existing historic building, which is a three-story, 15,836-square-foot, Art Deco-style structure built circa 1950 as a Scottish Rite Temple. The building has three floors with a partial, unfinished mezzanine level between the second and third floors. The 5,184-square-foot property is located at the western corner of Eaton and Simonton Streets, and has nearly 100% building coverage.

- The first floor would become a lobby, reception area, exhibition and event space.
- The second floor would become a 205-seat auditorium with adjoining lobby, lounge and bar space.
- The mezzanine level between the second and third floors would continue to be mechanical and storage space, although a 513-square-foot section would be removed to be open to the second floor below, and a 387-square-foot storage attic section would be added. This attic section would be required to have a floor-to-ceiling height less than seven (7) feet so it would not increase the nonconforming floor area ratio of the property.

- The third floor would become artist studios, classrooms and office space.
- A new roof garden is proposed with a 465-square-foot elevator/stairway penthouse, which necessitates a height variance, and a terrace with benches. The remaining two-thirds of the roof would become a green roof.
- Total proposed floor area would be 15,788 square feet, a net decrease of 48 square feet.
- Streetscape enhancements along Eaton Street may be installed at a future phase of development, including street trees, benches and bicycle racks.

City Actions:

Development Review Committee:	January 23, 2014
Planning Board Meeting:	March 13, 2014 (Approved with conditions)
HARC:	March 25, 2014
City Commission:	April 1, 2014

PLANNING STAFF ANALYSIS:

Development Plan Review

City Code Section 108-91.A.2.(b) requires the reconstruction of nonresidential floor area equal to or greater than 2,500 square feet within the historic district to be reviewed as a Major Development Plan. Planning staff and the Planning Board, as required by Chapter 108 of the City LDRs, has reviewed the request for compliance with the City's LDRs and Comprehensive Plan as detailed in the attached Planning Board staff report. On March 13, 2014, the Planning Board reviewed the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2014-16 advising approval with conditions to the City Commission.

City Code Section 108-198 states that the City Commission shall approve with or without conditions or disapprove the development plan based on specific development review criteria contained in the LDRs and based on the intent of the LDR's and Comprehensive Plan. The City Commission may attach to its approval of a development plan any reasonable conditions, limitations or requirements that are found necessary, in its judgment, to effectuate the purpose of this article and carry out the spirit and purpose of the comprehensive plan and the LDR's. Any condition shall be made a written record and affixed to the development plan as approved. If the City Commission disapproves a development plan, the reasons shall be stated in writing.

It should be noted that condition #7 of Planning Board Resolution No. 2014-16 was satisfied. The applicant submitted a full traffic study prepared by KBP Consulting, Inc. on March 17, 2014. The study states that the proposed development would be expected to generate 90 mid-day peak hour vehicle trips and 72 evening peak hour vehicle trips, based on traffic data gathered at the Studios of Key West's current location at 600 White Street and adjusting the data to the larger size of the space at 533 Eaton Street. The study concludes that the surrounding transportation network has ample capacity to absorb the traffic impacts created by the proposed development.

Conditional Use Review

Pursuant to City Code Section 122-62(a), a conditional use shall be permitted upon a finding by the Planning Board that the proposed use, application and, if applicable, development plan

comply with the criteria specified in this section, including specific conditions established by the Planning Board and or the City Commission during review of the respective application in order to ensure compliance with the Comprehensive Plan and LDRs. If the proposed conditional use is a major development pursuant to City Code Sections 108-165 and 108-166, the Planning Board's decision is advisory only and the City Commission shall render the final determination pursuant to City Code Section 122-63. A conditional use shall be denied if the City determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest.

Planning staff and the Planning Board, has reviewed the request for compliance with the specific criteria for approval pursuant to City Code Section 122-62(c), as detailed in the attached Planning Board staff report. On March 13, 2014, the Planning Board reviewed the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2014-16 advising approval with conditions to the City Commission.

Landscape Waiver Review

A landscape plan is required as part of development plan review, pursuant to City Code Section 108-411. The Applicant is requesting waivers to all required landscaping, pursuant to City Code Section 108-517. Given that the property was developed prior to the adoption of the LDRs and is a contributing structure within the historic district, staff recommended approval of the requested landscape waivers. On March 13, 2014, the Planning Board reviewed the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2014-16 advising approval with conditions to the City Commission.

Options / Advantages / Disadvantages:

Option 1. Approve the request with conditions (listed below) as advised by the Planning Board in Resolution No. 2014-16:

Consistency with the City's Strategic Plan, Vision and Mission: Granting the request would be consistent with Economy and Environment goals of the Strategic Plan.

Financial Impact: The City would collect building permit, licensing and impact fees during subsequent phases of development. There would be no cost to the City for granting the request.

Option 2. Deny the request based on findings that the proposed development does not comply with the criteria established by the Comprehensive Plan and the Land Development Regulations.

Consistency with the City's Strategic Plan, Vision and Mission: Denial of the requested easement would not be inconsistent with the Strategic Plan.

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

RECOMMENDATION: Option 1.

Staff and the Planning Board, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends **Option 1** to the City Commission approving the request with conditions as outlined below.

General conditions:

1. This approval shall not become effective until the concurrent applications for height variance and easement are approved and effective.
2. The roof shall not be used for any commercial activities that are unrelated to the principal uses, but may serve as an accessory use.
3. The new storage attic on the second floor mezzanine shall have a floor-to-ceiling height less than seven (7) feet so as not to increase the nonconforming floor area ratio of the property.
4. The proposed trash bin area shall be screened pursuant to Code Section 108-279. If front-end loaded dumpsters are used, they shall comply with Code Section 108-280.
5. Any new exterior lighting shall be designed to “Dark Sky” lighting standards and comply with City Code Section 108-284.
6. All signs shall comply with City Code Chapter 114 and Historic Architectural Guidelines.

Conditions prior to issuance of a building permit:

7. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.

Conditions prior to issuance of a Certificate of Occupancy:

8. On-site artwork shall be installed and inspected by the City pursuant to Section 2-487.
9. The portion of the existing mezzanine level shall be modified or demolished, as indicated on the floor plans, so that portion of the mezzanine shall not be including in the gross floor area or floor area ratio of the property.
10. The owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.