



EXECUTIVE SUMMARY

To: City Manager

Through: Donald Leland Craig, AICP, Planning Director

From: Brendon Cunningham, Senior Planner

Meeting Date: May 21, 2013

RE: **Major Development Plan Modification- 3820, 3824, 3850 and 3852 N. Roosevelt Blvd (RE# 00065530-000000, AK #1068233; RE#0006550-000000, AK#1068250; RE#00064940-000000, AK#1065455; RE#00065060-000000, AK#1065587) - Request for Modification to a Major Development Plan approval for property located in the General Commercial (CG) zoning district per Section 108-91(C.)(3) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

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 CG zoning district.

Location: 3820, 3824, 3850 and 3852 North Roosevelt Boulevard

Legal Description: RE#00065530-000000, AK 1068233; RE#00065550-000000, AK 1068250; RE#00064940-000000, AK 1065455; RE#00065060-000000, AK 1065587

BACKGROUND:

This project was originally approved by Planning Board Resolution 2007-006 and City Commission Resolution 07-164 for a complete redevelopment as an integrated hotel complex with a conference center, themed restaurant, time-share units and affordable housing. Subsequently the City and the Developer entered into a Development Agreement per Resolution 08-132 to secure the existing development rights for a period of 10 years.

Ownership of the property has changed and the current Owner has submitted a request to amend the 2009 Development Agreement, allowed by the existing Development Agreement and the Land Development Regulations. The proposed Agreement would reduce the impacts of development on site and allow the owner to renovate the buildings and uses currently existing on the properties. The Owner has chosen not to request an extension of the 2009 Development Agreement which will effectively be dissolved and superseded by this Development Agreement.

Concurrent with the Development Agreement modification request, the Owner has also submitted this Modification to a Major Development Plan application for the first phase of the proposed renovation plan. Included with this application was a request for a landscape waiver. The applicant has requested to modify Section 108-412(a) minimum landscaped areas and Section 108-413 (b) This can be supported as the sites as they exist today are legal non-conforming. The applicant has proposed a reduction in impervious surface ratio for each property bringing the landscaping further into compliance.

Previous City Actions

May 2, 2007	City Commission Approval of Major Development Plan and Conditional Use, Resolution 07-164;
March 7, 2007	Board of Adjustment Parking Variance, Resolution 07-083;
May 7, 2008	City Commission Preliminary Consideration of Development Agreement, Resolution 08-192;
November 21, 2008	Development Review Committee, Review of Draft 2009 Development Agreement
January 27, 2009	Planning Board Recommendation of approval of the 2009 Development Agreement, Resolution 2009-001;
March 4, 2009	City Commission approval of the 2009 Development Agreement for the Key West Resort and Conference Center project, Resolution 09-059.
March 6, 2013	Development Review Committee, Review of Modification to a Major Development Plan and Development Agreement, Landscape Waiver and Parking Modifications for compact cars
April 18, 2013	Planning Board Recommendation of Approval of Modification to a Major Development Plan and Development Agreement, Landscape Waiver and Parking Modifications for compact cars, Resolutions 2013-24 & 2013-25

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 entrance to Key West 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 “Triangle” should improve through this redevelopment.

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 more visible significant resources.

Recommendation

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

1. The applicant shall install a continuous landscape buffer and wall per the waiver request approval and Development Agreement.
2. Exterior lighting shall comply with “Dark Sky standards” as described in the Development Agreement.
3. Coordinate with the Art in Public Places Board for an installation at the intersection of 3850 North Roosevelt and US 1, the “Triangle.”
4. Coordinate with FDOT for changes of ingress and egress and sidewalk installation.
5. That the applicant authorizes the City to perform Lawful Unit Determinations for 3840 and 3824 North Roosevelt Boulevard. There was a determination by the DCA in 2009 that there is one non-transient dwelling unit on each of these properties. The unit at 3824 will be demolished as part of the redevelopment. If found to be legal, recognizable units, the City would absorb the demolished unit to be added to the Building Permit Allocation System.
6. That the Concurrency Management Analysis be revised to reflect the Level of Service requirements in the effective Comprehensive Plan at the time of final approval.
7. That the approval of this Modification to a Major Development Plan be contingent upon the approval of the Development Agreement.