

## EXECUTIVE SUMMARY



**To:** Jim Scholl, City Manager  
**From:** Kevin Bond, AICP, LEED Green Associate,  
Acting Planning Director  
**Meeting Date:** December 2, 2014

**RE:** **Major Development Plan and Landscape Modification / Waiver – 716-718 South Street (RE # 00036870-000000, AK # 1037681) – A request for major development plan and landscape modification / waiver approvals for the reconstruction of 17 transient residential dwelling units on property located within the Historic Residential / Office (HRO) Zoning District pursuant to Sections 108-91.A.2.(a) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

### ACTION STATEMENT:

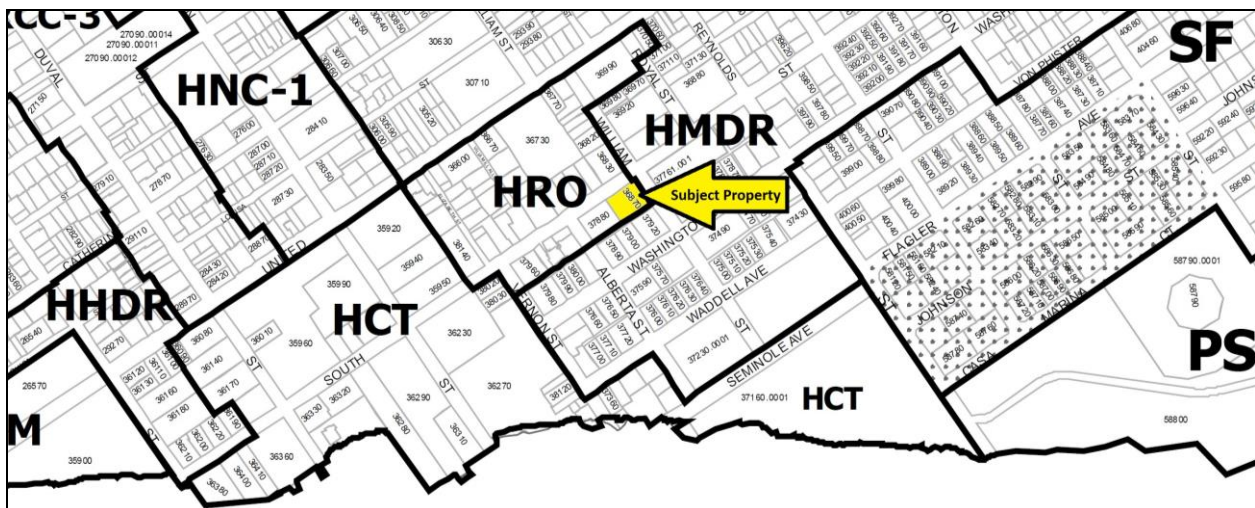
**Request:** Major development plan and landscape modification / waiver approvals for the proposed demolition of the existing 17-unit Seashell Motel and Key West Youth Hostel and construction of a new 17-unit hotel called Two Ocean Inn.

**Applicant:** Trepanier & Associates, Inc.

**Property Owner:** South Street Hospitality LLC

**Location:** 716-718 South Street (RE # 00036870-000000, AK # 1037681)

**Zoning:** Historic Residential / Office (HRO)



**BACKGROUND:**

The subject property, located at the southern corner of South and William Streets within the HRO Zoning District, is currently used as the 17-unit Seashell Motel and Key West Youth Hostel. Hotel, motel and transient lodging uses are prohibited within the HRO Zoning District. Therefore, the current and proposed use of the property is nonconforming.

In June 2006, approval for a full redevelopment of the 17-unit hotel was granted to the prior property owner, Denise Ganton, through City Commission Resolution No. 06-212. In April 2008, the City granted a cross-easement agreement to allow one ADA van-accessible parking space to be located within the William Street right-of-way, associated with the 2006 development plan approval. Construction never commenced on that approval, although multiple time extensions were granted by both the City and state law. In October 2013, Ganton sold the property to South Street Hospitality, LLC. In April 2014, the new owners submitted the subject application with an all-new plan for the hotel redevelopment.

The proposed development would demolish the existing 17-unit Seashell Motel and construct a new 17-unit hotel called Two Ocean Inn. The new plans call for a covered parking on the ground level under the building, two floors of hotel rooms and a rooftop pool and sun deck. The overall height of the building would be 38 feet from crown of road. Eighteen (18) off-street vehicular parking spaces, including one (1) ADA van-accessible space, and eight (8) bicycle parking spaces would be provided. Additionally, two (2) on-street vehicular spaces, including one (1) ADA-accessible space, would be provided.

In order to allow the proposed development, the following development approvals would be necessary or are requested by the applicant:

- Major Development Plan review is required due to the reconstruction of five or more transient residential units, pursuant to Section 108-91.A.2.(a) of the Land Development Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”).
- Modifications or waivers to reduce landscaping requirements pursuant to City Code Section 108-517.
- Height variance to allow non-habitable portions of the building to exceed the 30-foot maximum building height, pursuant to City Code Sections 90-395 and 122-1149 and Section 1.05 of the City Charter.

**City Actions:**

Development Review Committee (DRC):	April 24, 2014
Preliminary Tree Commission:	June 10, 2014 (approved)
Planning Board:	July 17, 2014 (postponed by staff) August 21, 2014 (postponed by staff) September 18, 2014 (approved with conditions)
Final Tree Commission:	October 14, 2014 (approved)
HARC:	October 28, 2014 (approved)
City Commission:	pending
DEO review	Up to 45 days, following local appeal period

## **PLANNING STAFF ANALYSIS:**

### ***Development Plan Review***

City Code Section 108-91.A.2.(a) requires the reconstruction of five or more transient residential units 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, reviewed the request for compliance with the City's LDRs and Comprehensive Plan as detailed in the attached Planning Board staff report. On September 18, 2014, the Planning Board reviewed the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2014-55 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 the off-street, van-accessible ADA parking space would likely result in vehicles backing into William Street in order to exit. City Code Section 108-642 states, "Each parking stall shall be accessible from an aisle or driveway and designed so that no automobile shall back into a public street in order to exit a parking stall." Staff and the applicant considered other design options to avoid this, but the proposed plan was the preferred solution. Staff recommends approval. The City Commission may approve this modification pursuant to City Code Section 108-641.

### ***Landscape Modification / Waiver Review***

A landscape plan is required as part of development plan review, pursuant to City Code Section 108-411. The submitted plan indicates landscaping incorporated mostly around the perimeters of the property, with the most substantial landscaping in a rear corner garden. Landscaping is proposed on the rooftop pool deck, as well as "green screen" panels incorporated into the building façade itself. Landscaped open space would be increased above the existing amount. However, full compliance with all landscape buffer requirements of the LDRs is not proposed. The Applicant is requesting modifications or waivers to required landscaping, pursuant to City Code Section 108-517. Given the challenges and trade-offs of fully complying with all of the various landscaping requirements of the LDRs, staff recommends approval of the requested landscape modifications and waivers. On September 18, 2014, the Planning Board reviewed the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2014-55 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. 2014-55:

**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 application for height variance is approved and effective.
2. The City reserves the right to reevaluate the loading space requirement pursuant to City Code Section 108-649 based upon the annual conditional approval inspections, code compliance issues and other relevant factors.
3. Although subject to a separate City approval, the City shall not bear any of the costs of the proposed street, sidewalk and landscaping improvements within City rights-of-way.
4. The application shall incorporate any proposed cisterns into the drainage plan and shall submit an irrigation plan pursuant to City Code Section 108-243(d).
5. During all phases of demolition and construction, temporary fencing and erosion barriers shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.
6. Rooftop pool shall be closed between sunset and sunrise each day.

**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 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.