

THE CITY OF KEY WEST  
PLANNING BOARD  
Staff Report



To: Chairman and Planning Board Members

From: Kathryn Lyon, Planning Consultant

Through: Katie P. Halloran, Planning Director

Meeting Date: January 20, 2022

Application: **Variance- 111 Olivia Street (RE# 00014720-000000)** – A request for variances to the maximum building coverage, maximum impervious surface, minimum open space, and rear setback for property located within the Historic Neighborhood Commercial (HNC-3) Zoning District pursuant to Sections 90-395, 122-870(4)a, 122-870(4)b, 122-870(6)c, 108-346(b), of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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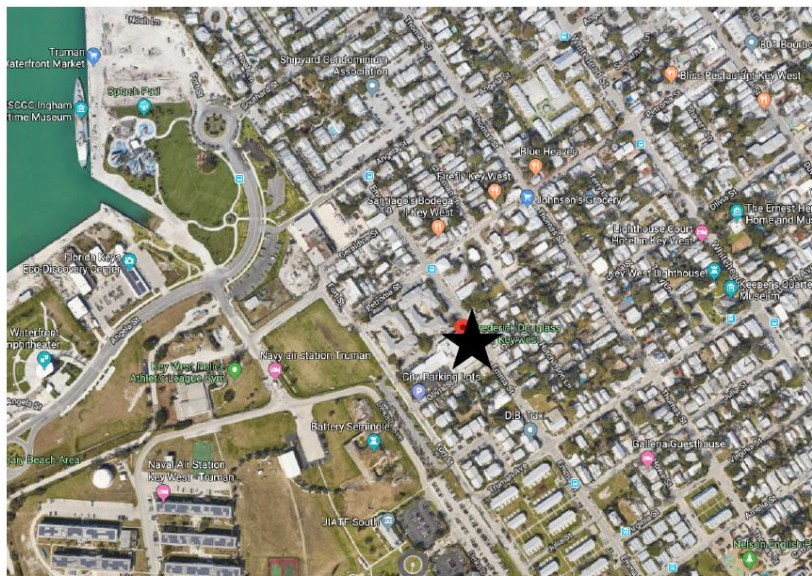
Request: The Applicant is requesting variances for maximum building coverage, maximum impervious surface, minimum open space, and rear setback requirements in order to redevelop the Frederick Douglass Gymnasium Annex Building to construct a new 9,587 square foot Community Center.

Applicant: Karen Wilman/ Representative

Property Owner: City of Key West

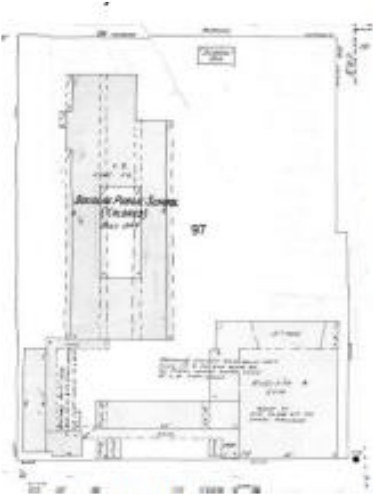
Location: 111 Olivia Street- (RE# 00014720-000000)

Zoning: Historic Neighborhood Commercial (HNC-3) Zoning District



Background:

The subject parcel is located at 111 Olivia Street and currently consists of the Frederick Douglass Recreation Center and Gymnasium. The subject property at 111 Olivia Street is located within the Historic Neighborhood Commercial (HNC-3) Zoning District and is one lot of record. The site is known as the Frederick Douglass Gym / Roosevelt Sands Center and formerly included the historically black school building, which was in use until after desegregation. The gym's namesake, Frederick Douglass, was a renowned abolitionist, orator, statesman, and former slave. Many of Key West's black leaders attended the school, including current Key West City Commissioner Clayton Lopez. The school building itself was demolished by the Monroe County School Board in the mid-1970s, while the remainder of the site and historic gym were given to the City of Key West for use as a community center.



1961 Sanborn map



The Frederick Douglass Gym 1965

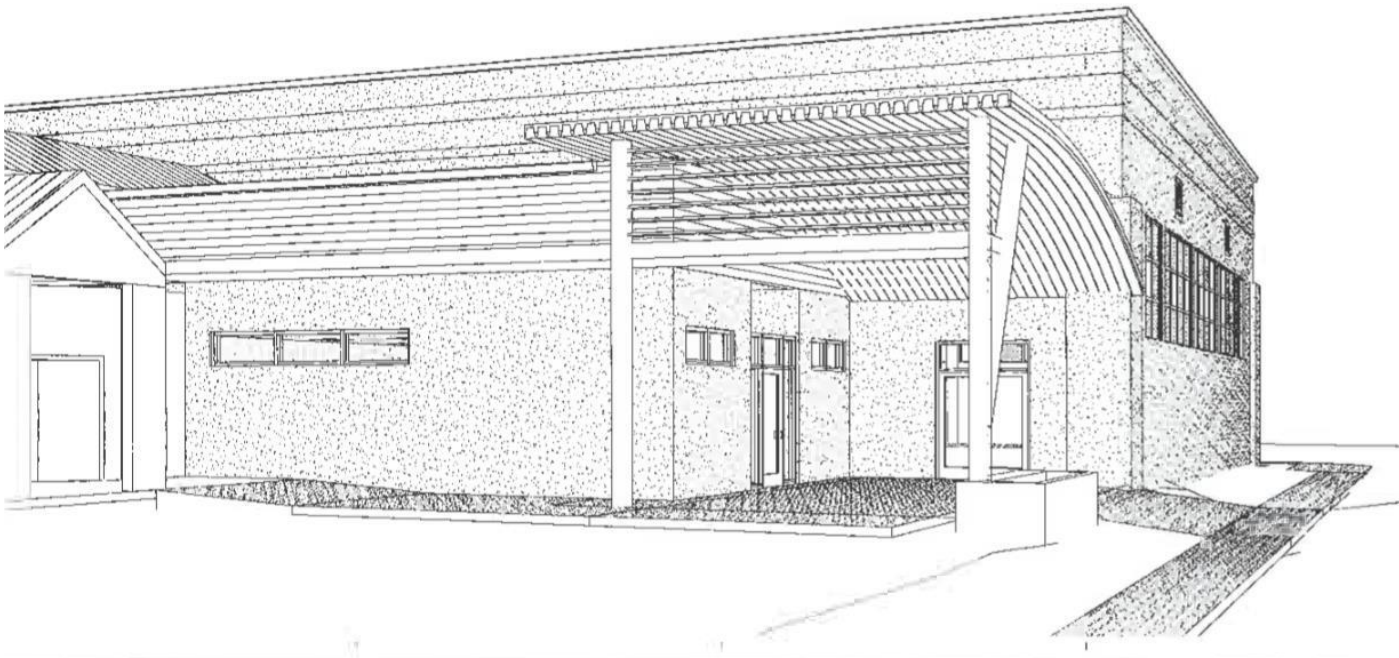


1965 Frederick Douglass School

The Applicant, the City of Key West, has proposed to demolish the existing annex building to construct a new multi-purpose community center. The proposed new structure will face Olivia Street, moving from the rear to the front of the lot. The Applicant had previously received a parking variance in conjunction with variances to the dimensional requirements for maximum building coverage, maximum impervious surface, and minimum open space requirements for the Historic Neighborhood Commercial (HNC-3) zoning district. These requests were approved via Resolution No. 2021-03. However, the site design was changed, and the Applicant is seeking new approvals.

In 1965, Key West Community College, now known as the College of the Florida Keys, opened in the Douglass Gym. The College moved in 1968 to their main campus off College Road. Since 1999, the Annex building has hosted The Bahama Village Music Program as well as a tutoring program, office spaces and was the former home of the Roosevelt Sands Health Clinic.

A major development plan and landscape waiver have been granted to this property. The City Commission approved the major development plan and landscape waiver in 2015 to reconstruct 12,153 square feet of nonresidential floor area as part of the renovation and repair of The Frederick Douglass Gym and for the reduction and/or waiver of required landscaping.



The Frederick Douglass Gym 2015

The City Commission approved the “Bahama Village Visioning and Capital Projects Workplan” in August 2017. The “Program Priorities List: Recommended Capital Projects” is an excerpt from the approved plan, which categorizes high-priority investments for Bahama Village with this project, the “Douglass Gym Expansion,” being the second-highest priority project, a “critical priority” for the community. In response to the “Program Priorities List: Recommended Capital Projects” and many community meetings, the City Commission in 2018 approved a request to designate the entire Frederick Douglass Gym / Roosevelt Sands Center as Historic Neighborhood Commercial (HNC-3) given that the property was straddling two zoning designations. Licensing records indicate the buildings have been used as mixed-use commercial/residential going back to at least the mid – 1980s. Upon adoption of current Land Development Regulations and the Official Zoning Map in 2014, the building was bisected by a zoning line, leaving a portion of the building with a Historic Neighborhood Commercial (HNC-3) Zoning District designation and the remainder with a Historic Medium Density (HMDR) Zoning district designation. In the Historic Medium Density Residential Zoning District, cultural/civic activities are not permitted. In the Historic Neighborhood Commercial Zoning District, cultural/civic activities are a conditional use.

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 cultural and civic activities within the HNC-3 Zoning District, pursuant to City Code Section 122-868(2).
- The City is also requesting variances and landscape waivers, pursuant to City Code Section 108-517 and 90-395.

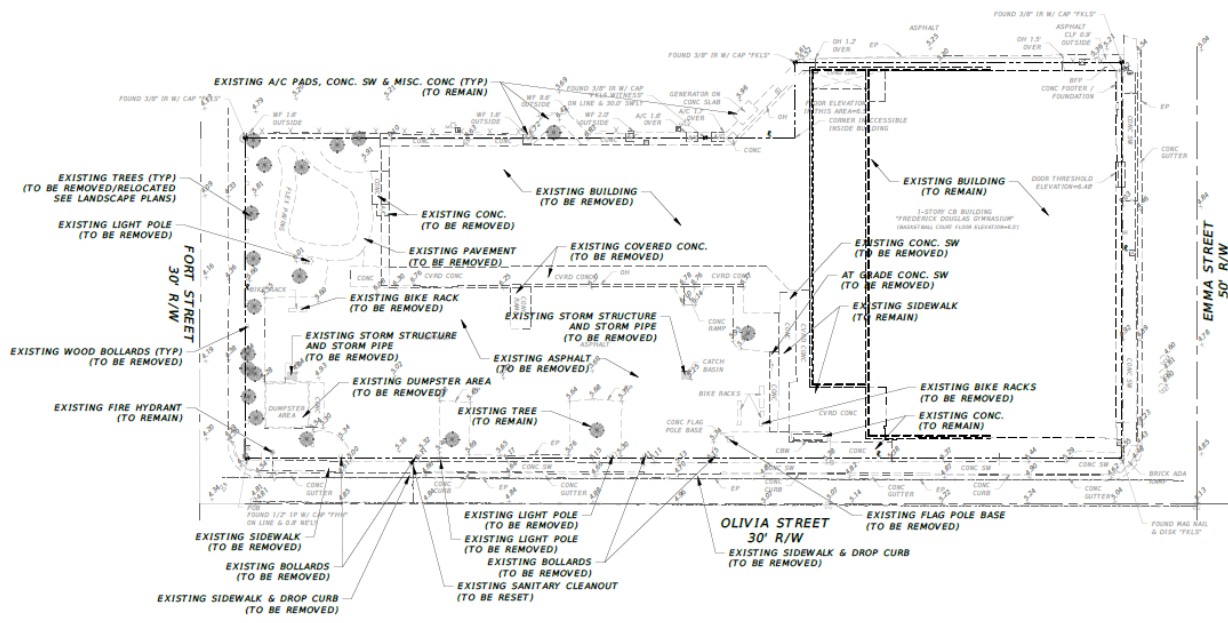
Proposed Development:

The request to undertake the Frederick Douglass Gym Community Center is an action by the City of Key West, in coordination with and through the support of the City Commission, the Bahama Village Redevelopment Advisory Committee, and many community leaders and residents. The intent of this project is to provide deeply needed community services, including youth education, job training, and meal services to those in need. Community representatives serving on the Bahama Village Redevelopment Advisory Committee have met to discuss the design concept for this project on multiple occasions.



The existing Annex Building.

The existing Annex Building is to be demolished. The Demolition Site Plan below indicates the structure that is slated for replacement.

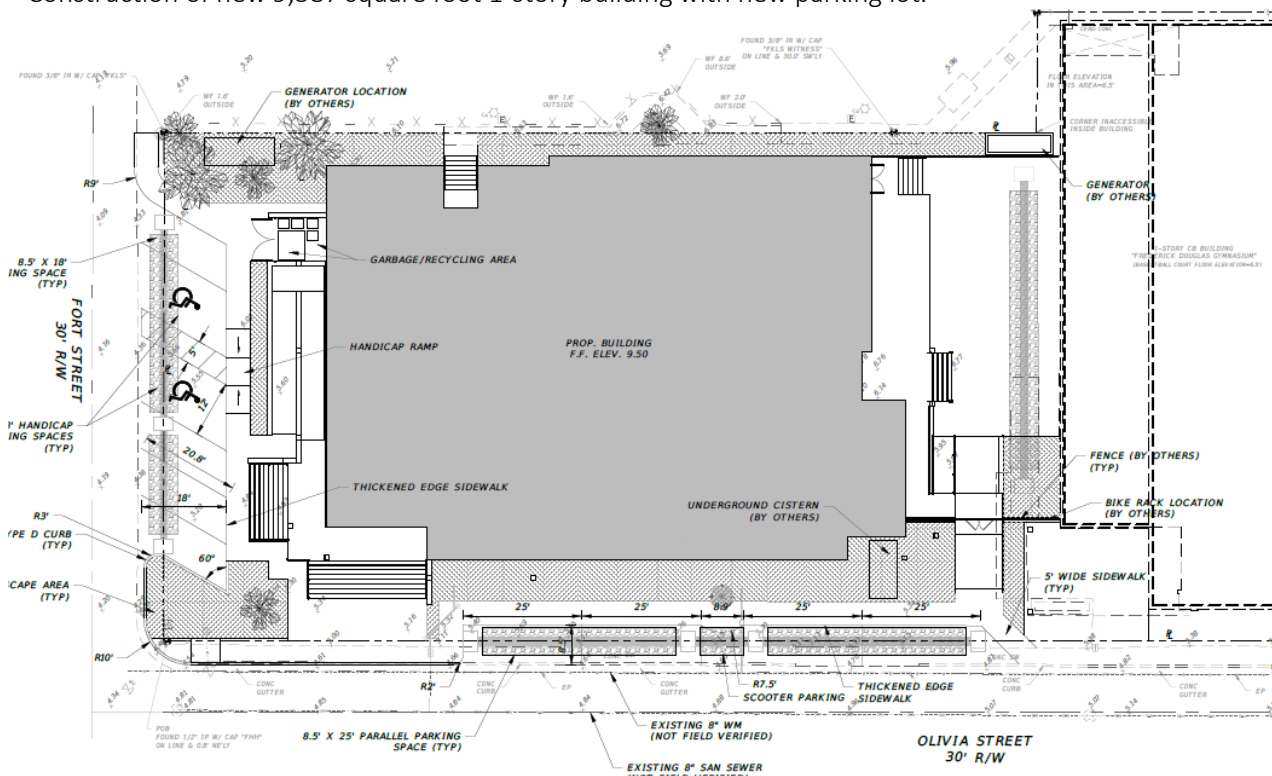


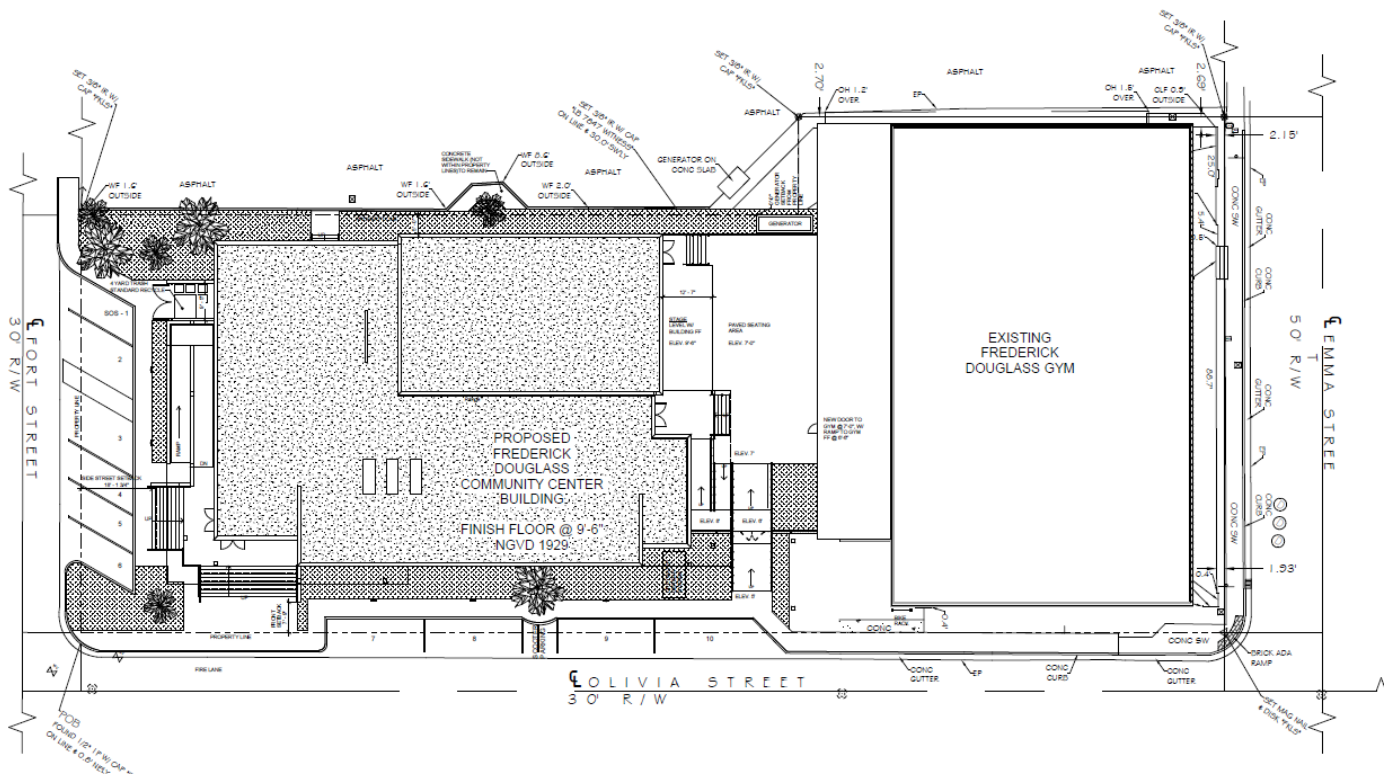
### Demolition Scope

Demolition of existing 6,114 square foot music and tutoring program building attached to Frederick Douglass Gymnasium and associated mechanical, electrical, plumbing, and structure. Demolition of existing asphalt parking lot, concrete ramps, walks, and pads, flex paver path at learning garden, and flagpole/base. Demolition of existing dumpster enclosure and associated pad. Removal of all existing bike racks and gym/parking lot. Removal or salvage of trees. Existing gym to remain in-tact.

### New Construction Scope

Construction of new 9,587 square foot 1-story building with new parking lot.





All of the parking for the Major Development Plan and Conditional Use will be fulfilled by using on-site and off-site parking. Chapter 108 of the Land Development Regulations includes Section 108-576(a), "Location of off-street parking spaces", which allows required off-street parking to be located off-site provided that the off-site parking lot has an appropriate zoning designation, is within 500 feet of the principal structure of the activity, and when applicants have provided satisfactory evidence of a deed restriction or easement providing for such required parking for the duration of the principal use.

The parking lot at 918 Fort Street (the "Fort Street Parking Lot") is located within the Historic Public and Semipublic Services District-1 (HPS-1); this zoning district allows parking lots as permitted uses (City of Key West Code of Ordinances Section 122-967). The Fort Street Parking Lot is located approximately 45 feet from the proposed Community Center building and approximately 230 feet from the Frederick Douglass Gym. The Fort Street Parking Lot is owned by the City of Key West, and currently unencumbered. The City of Key West shall retain the public parking lot on Fort Street for the duration of the principal use of the Frederick Douglass Community Center. Strict application of the Code requirement Section 108-576(a) for a deed restriction/easement under these circumstances creates a hardship for the Applicant as the Fort Street Parking Lot is a public parking lot which cannot be sold by the City without a referendum.

Signage indicating that off-site parking is available at the Fort Street Parking Lot shall be installed on the project site at 111 Olivia Street. Proposed off-site parking signage shall be reviewed and approved in accordance with adopted Historic Architectural Review Commission guidelines.

The Planning Board must also determine whether to grant a landscape waiver for this site.

The Applicant is requesting variances to the following dimensional requirements: The required maximum building coverage is 40%, or 13,600 square feet, existing building coverage on site is 62%, or 20,924 square feet. Whereas, the Applicant is proposing a total of 71% building coverage, or 24,193 square feet. The required maximum impervious surface is 60%, or 20,400 square feet, existing impervious surface is 89%, or

30,361 square feet. Whereas, the Applicant is proposing 85%, or 28,812 square feet. The required minimum open space is 20%, or 6,800 square feet, existing open space is 11%, or 3,639 square feet. Whereas, the Applicant is proposing 15%, or 5,189 square feet. The site table below details the current and proposed site data for the property.

| SITE DATA<br>Zoning HNC-3        |   |   |   |  |
|----------------------------------|---|---|---|--|
| Dimensional Requirements         | Required/Allowed  | Existing                                | Proposed  | Variance Needed  |
| Height                           | 30 feet   | 30 feet                                 | 30 feet   | None   |
| Minimum Front Setback            | None  | None                                    | 9 feet  | None   |
| Minimum Side Setback             | 5 feet  | 5 feet                                  | 5 feet  | None   |
| <b>Minimum Rear Setback</b>      | <b>15 feet</b>  | <b>0 feet</b>                           | <b>5 feet</b>   | <b>Variance needed 10 feet</b>                           |
| Minimum Street Side Setback      | 7.5 feet  | 7.5 feet                                | 18 feet   | None   |
| <b>Maximum Building Coverage</b> | <b>40%</b><br><b>13,600 square feet</b>                           | <b>62%</b><br><b>20,924 square feet</b> | <b>71%</b><br><b>24,193 square feet</b>   | <b>Variance needed 31%,</b><br><b>10,593 square feet</b> |
| <b>Impervious Surface</b>        | <b>60%</b><br><b>20,400 square feet</b>                           | <b>89%</b><br><b>30,361 square feet</b> | <b>85%</b><br><b>28,812 square feet</b>   | <b>Variance needed 25%,</b><br><b>8,412 square feet</b>  |
| <b>Open Space</b>                | <b>20%</b><br><b>6,800 square feet</b>                            | <b>11%</b><br><b>3,639 square feet</b>  | <b>15%</b><br><b>5,189 square feet</b>  | <b>Variance needed 5%,</b><br><b>1,611 square feet</b>   |
| Parking                          | 1 space per 5 seats or 1 space per 150 sf of floor area-46 spaces | 19 spaces                               | 10 spaces on-site.<br>36 spaces off-site: utilization of Fort Street Parking lot within 500 feet. | None   |
| Bicycle Parking                  | 35% of motor vehicle requirement<br>16                            | 8                                       | 21 spaces   | None   |
| <b>Landscaping</b>               |   |   |   | <b>Landscape Waiver needed</b>                           |

\*Utilization of Fort Street Parking lot within 500 feet 36 spaces

**Surrounding Zoning and Uses:**

Surrounding properties are located within the Historic Medium Density Residential (HMDR), Historic Neighborhood Commercial (HNC-3), and Historic Planned Development and Development (HPRD) Zoning Districts. Surrounding uses include residential, mixed-use residential/retail/office, Harry S. Truman U.S. Navy Annex. Zoning districts within 300 feet of the property are HMDR, HNC-3, HCL, HPS-1 and M.

Process:

|  |                   |
|--|-------------------|
| Development Review Committee:              | October 28, 2021  |
| Tree Commission Meeting (Conceptual):      | December 14, 2021 |
| Planning Board Meeting:                    | January 20, 2022  |
| HARC Commission Meeting:                   | Insert date       |
| Tree Commission Meeting (Final, if needed) | TBD               |
| City Commission:                           | TBD               |
| Local Appeal Period:                       | 10 Days           |
| Planning renders to DEO for review:        | Up to 45 days     |

Staff Analysis – Variance Evaluation:

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The Planning Board must find all the following criteria in compliance before granting the variances:

**1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures or buildings in the same zoning district.**

The Applicant is proposing to demolish the existing one-story Annex building which consists of 6,095 square feet in order to construct a 9,496 square foot one-story structure. The size of the proposed structure and the amount of square footage reflect community service needs documented by multiple public meetings and years of public planning for the Bahama Village community. The proposed building will accommodate the following on site services: A community center with a commercial kitchen, a computer lab, a music room, a sound studio, a main hall assembly space, classrooms, and office uses. The community center is currently limited in the services it can provide due to a lack of physical space.

NOT IN COMPLIANCE

**2. Conditions not created by Applicant. That the special conditions are circumstances that do not result from the action or negligence of the Applicant.**

The request to undertake the Frederick Douglass Gym Expansion Project is an action by the City of Key West, in coordination with and through the support of the City Commission, the Bahama Village Redevelopment Advisory Committee, and many community leaders and residents. The Key West City Commission approved the "Bahama Village Visioning and Capital Projects Workplan", in August 2017. The "Program Priorities List: Recommended Capital Projects" is an excerpt from the approved plan, which categorizes high priority investments for Bahama Village with this project, the "Douglass Gym Expansion", being the second highest priority project, a "critical priority" for the community.

NOT IN COMPLIANCE

**3. Special privileges not conferred. That granting the variance requested will not confer upon the Applicant any special privileges denied by the Land Development Regulations to other lands, buildings or structures in the same zoning district.**

The property is currently non-complying with respect to the setbacks, maximum building coverage, maximum impervious surface, and the minimum open space requirements. The proposed reconstruction will again surpass maximum dimensional standards, but will not exceed existing impervious surface percentages, and it will maintain the percentage of on-site open space. However, this proposed project would provide a historically underserved area of the city with needed and desired community services, as demonstrated through numerous public meetings and discussions. It will also minimize conflicts between vehicles and pedestrians, especially children; the current proposed site plan does not include any through vehicular traffic.

NOT IN COMPLIANCE

**4. Hardship conditions exist. That literal interpretation of the provision of the Land Development Regulations would deprive the Applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the Applicant.**



Literal interpretation of the Land Development Regulations would not deprive the Applicant of rights commonly enjoyed by the other properties in this same zoning district under the terms of this ordinance. The intent of the Applicant's site plan design is to enlarge floor area to provide community services.

NOT IN COMPLIANCE

***5. Only the minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.***

The variance request is not the minimum required that will make possible the reasonable use of the land, building, or structure. However, it is the minimum necessary to accommodate the request for these needed community services.

IN COMPLIANCE

***6. Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the Land Development Regulations and that such variance will not be injurious to the other area involved or otherwise detrimental to the public interest or welfare.***

The variance request is not in harmony with certain sections of the Land Development Regulations. However, the intent of this project is to provide deeply needed community services, including youth education, job training, and meal services to those in need. Community representatives serving on the Bahama Village Redevelopment Advisory Committee have met to discuss the design concept for this project on multiple occasions. The Department does not find the request to be injurious or otherwise detrimental to the public interest.

There is no landscaping being done offsite except for the transplants of the existing trees and palms from the site to the existing parking lot across the street.

The transplanting-rescue of the trees and palms to an offsite area is beneficial to the public interest as it provides additional trees and palms along a sidewalk area. Also, some of the trees and palms being transplanted were trees that were donated as part of the original learning garden at Douglas Gym and having them immediately planted at a permanent location will increase their likelihood of survival.

The existing landscape plan is a reasonable plan that maximizes planting availability while allowing the necessary infrastructure for the proposed use.

IN COMPLIANCE

***7. Existing nonconforming uses of other property not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.***

Existing non-conforming uses of other properties, use of neighboring lands, structures, or buildings in the same district, or other zoning districts, are not the basis for this request.

IN COMPLIANCE

Concurrency Facilities and Other Utilities or Services (City Code Section 108-233)

- Based on comments received through internal departmental reviews, it does not appear that the requested variance will trigger any public facility capacity issues.

**The Planning Board shall make factual findings regarding the following:**

The standards established by Section 90-395 of the City Code have been fully met by the Applicant for the variances requested.

*That the Applicant has demonstrated a “good neighbor policy” by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.*

The Planning Department has received no public comments since the date of this report.

**Recommendation:**

Based on the criteria established by the Land Development Regulations, the Planning Department recommends the request for variances be **denied**:

If the Planning Board approves this request, staff suggests adherence to the following conditions:

**General conditions:**

1. The proposed construction shall be consistent with the site plan signed, sealed, and dated December 9, 2021 by K2M Design.
2. The City of Key West shall retain off-site parking spaces at the public parking lot at 918 Fort Street for the duration of the principal use of the Frederick Douglass Gym and Annex building. Signage indicating that off-site parking is available at the Fort Street Parking Lots shall be installed on the project site at 111 Olivia Street. Proposed off-site parking signage shall be reviewed and approved in accordance with adopted Historic Architectural Review Commission guidelines.
3. The City shall install a crosswalk with ADA sidewalk access from the project site to the Fort Street Parking lot.
4. The Final Landscape Plan and Site Plan shall reflect replacement of the pavement in the patio (“Paved Seating Area”) area with semi-pervious turf material or pervious pavers to further reduce the impervious surface variance. The “Paved Seating Area” shall also be modified to include non-linear perimeter planting beds for shade species (ferns or shrubs, as appropriate) to both improve the onsite open space ratio, aesthetics, and human comfort/functionality of this integral meeting area that links the Gym with the Community Center.