RESOLUTION NUMBER 2011-050

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD RECOMMENDING TO THE CITY COMMISSION THE INVOKING OF ZONING IN PROGRESS FOR THE PROPERTY KNOWN AS PEARY COURT (RE# 00006730-000000); DIRECTING PLANNING STAFF TO CONSIDER APPROPRIATE AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS IN RESPONSE TO THE PROPOSED SALE OF THE MILITARY PROPERTY TO A NON-GOVERNMENTAL ENTITY, AND ASSIGNING AN INTERIM ZONING DESIGNATION TO THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Key West was made aware on April 6, 2011 that the United States Navy and its concessional housing partner, Balfour Beatty Communities, would be pursuing the sale of the property known as Peary Court (RE# 00006730-000000, Alternate Key # 1006963) and all of the structures on it, to a private entity; and

WHEREAS, the subject property is located within a Military (M) Future Land Use Designation and zoning district; and

WHEREAS, Policy 1-2.6.2 of the Comprehensive Plan does not provide any regulatory land use controls for lands that fall under the Military Future Land Use designation; and

_____ Vice Chairman

_____ Planning Director

WHEREAS, should the ownership change from military to a civilian entity, the existing Military (M) land use designation and zoning are no longer consistent with the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, changes to the Comprehensive Plan's Future Land Use Element and Supporting Land Development Regulations would be necessary; and

WHEREAS, in order to plan for the appropriate land use designation and zoning change, the City Planning Department has proposed the Zoning in Progress Doctrine to the Planning Board for consideration of recommendation to the City Commission for the land known as Peary Court (RE# 00006730-000000, Alternate Key # 1006963); and

WHERAS, Zoning in Progress would provide an interim zoning designation, effective upon sale from the military to a non-military entity, should such real estate transaction occur prior to the City's completion of the change in Future Land Use Element and Land Development Regulations, respective to the subject property; and

WHERAS, under the Zoning in Progress, the Planned Redevelopment District (PRD) land use designation would be most consistent interim designation based on the existing site characteristics; and

_____Vice Chairman

_____Planning Director

WHERAS, under the Zoning in Progress, staff will consider the following land use designation changes with respect to the Future Land Use change and Land Development Regulation change: Planned Redevelopment District (PRD), Historic Planned Redevelopment District (HPRD), Medium Density Residential (MDR), Historic Medium Density Residential (HMDR), or a hybrid of these designations, should that be most consistent with the unique site characteristics; and

WHEREAS, under the Zoning in Progress, applications for variances, conditional uses, special exceptions, development plans, or any other type of application which may extend, expand, enlarge, or increase in intensity any aspect of the site may not be submitted to the City by the civilian owner of the property and units; and

NOW THEREFORE BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. That effective upon the sale of Peary Court (RE# 00006730-000000, Alternate Key # 1006963), where ownership should change from military to non-military, the property shall be subject to the Zoning in Progress Doctrine, and the land use designation shall change from Military (M) to an interim designation of Planned Redevelopment District (PRD), while City staff process changes to the City's Comprehensive Plan and supporting Land Development Regulations.

Section 3. That this policy shall be in effect until the required Future Land Use Element

TWK Vice Chairman

Planning Director

Changes of the Comprehensive Plan and supporting Land Development Regulations are adopted and in effect.

Section 4. That until expiration of the resolution, no applications for variances, conditional uses, special exceptions, development plans, or any other type of application which may extend, expand, enlarge, or increase in intensity any aspect of the site may be submitted to the City from the civilian owner of the property and units.

Section 5. That City staff are directed to continue the preparation and processing of the required changes to the Comprehensive Plan and Land Development Regulations, with respect to the subject property.

TWR Vice Chairman

DC Planning Director

Read and passed at a regular meeting held this 20th day of October, 2011

Authenticated by the Vice Chairman of the Planning Board and the Planning Director.

11/28/11

Timothy Root, Vice Chairman
Key West Planning Board

Date

Attest:

10/27/11

Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith 10-28-11

Cheryl Smith, City Clerk

Date

TWR Vice Chairman

DC Planning Director

Peary Court
Aerial