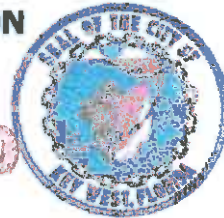


DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



RECEIVED

DEC 21 2015

Development Plan & Conditional Use Application

Applications will not be accepted unless complete

Development Plan

Major ☒

Minor ☐

Conditional Use

☒

Historic District

Yes ☐

No ☒

Please print or type:

- 1) Site Address Duck Avenue and 17th Street (Poinciana Plaza)
- 2) Name of Applicant Tiffany Stuart, Rockford Construction (on behalf of Developer, Jim Nichols, Member of Key West Senior Development, LLC and the Housing Authority of Key West, Florida)
- 3) Applicant is: Owner ☐ Authorized Representative ☒
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 601 First Street NW, Grand Rapids, MI 49504
- 5) Applicant's Phone # (616) 432-6614 (Tiffany's Office) Email tstuart@rockfordconstruction.com
(248) 703-4354 (Jim's Mobile) Email janichols@sprynet.com
- 6) Email Address: _____
- 7) Name of Owner, if different than above Housing Authority of Key West, Florida
- 8) Address of Owner 1400 Kennedy Drive, Key West, FL 33040
- 9) Owner Phone # (305) 296-5621 Email castillom@kwha.org
- 10) Zoning District of Parcel MDR-1 RE# 54250
- 11) Is Subject Property located within the Historic District? Yes ☐ No ☒
If Yes: Date of approval _____ HARC approval # _____
OR: Date of meeting _____
- 12) Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).
Currently, the property is servicing one (1) multi-unit family building consisting of four (4) units, which is planned to be demolished as part of the proposed development plan. The majority of the land is vacant. The proposed development is specifically explained in the attached "Exhibit A Development Plan" prepared by the Developer, Jim Nichols.

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- 13) Has subject Property received any variance(s)? Yes _____ No X
If Yes: Date of approval _____ Resolution # _____
Attach resolution(s).
- 14) Are there any easements, deed restrictions or other encumbrances on the subject property?
Yes _____ No X
If Yes, describe and attach relevant documents.
-

- A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.
- B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).
- C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.
- D. For both *Conditional Uses* and *Development Plans*, one set of plans **MUST** be signed & sealed by an Engineer or Architect.

Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing.

Exhibit A

DEVELOPMENT PLAN

I. Project

- a. The Project will be developed by Key West Senior Development, LLC, (KWSD) a Florida limited liability company.
- b. The Project will be owned by the Housing Authority of the City of Key West ("Housing Authority"), and will be constructed on a site (see below) on Duck Avenue in Key West, FL that is owned by the Housing Authority.
- c. The Project will be a newly-constructed facility having approximately 108 residential units, offering 60 residents of supported independent living and 48 units housing 56 residents receiving licensed assisted living services. All residents of the Facility will receive meals, housekeeping, laundry and social programs. The Facility will be operated by the Developer or its affiliate as management agent.

II. Site

- a. The site is approximately two acres and shown on survey (attached).
- b. The Site has an existing four unit residential apartment building. The Project will include demolition of the four-unit building.
- c. The Housing Authority has indicated that the revised Site will be free and clear of any liens that would restrict the development of the Project.
- d. The revised Site will be prepared for construction by KWSD, including the relocation of above-ground and below ground utilities as needed and demolition of the existing buildings, consistent with a demolition/preparation plan will be prepared by project engineers retained by KWSD and approved by the Housing Authority. The Project includes an allowance for these services. In the event that the cost of preparing the Site for construction exceeds the amount specified therefore, the excess will be an "excused expense" as defined in the Master Development Agreement.
- e. The Housing Authority will coordinate with the existing tenants of any units to be demolished for construction of the Facility so as not to delay the Project timing.

III. Licensing of the Facility

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- e. The Housing Authority will coordinate with the existing tenants of any units to be demolished for construction of the Facility so as not to delay the Project timing.

III. Licensing of the Facility

- a. The entire facility will be constructed pursuant to all laws and ordinances relating to construction of an assisted living facility (hereinafter an "ALF").
- b. The Developer will apply for and receive prior to completion of the Facility, in the name of the Facility, all appropriate state licensure to operate 48 units (housing 56 residents) as licensed assisted living units ("ALF" units), as required.

IV. Ownership of the Land and Facility/Payment of Ground Lease

- a. The land and improvements will be owned by the Housing Authority. The Operating Proforma will provide for the payment to the Housing Authority of an annual "ground lease" payment from rental proceeds.

V. Facility

Subject to design and permitting restrictions, the residential portion of the Facility will be a three story structure, using "double loaded" center hallway design, so that all of the units will have an outside view, either into closed landscaped courtyard or to the exterior of the Site. The residential portion of the Facility will be a three story, rectangular shape with closed courtyard 60,000 square feet (20,000 x 3). The administrative portion of the facility will cover approximately 8,000 square feet. The total building area will be approximately 68,000 square feet (see drawings for precise measurements).

- a. Facility Construction as ALF. The entire Facility shall be constructed consistent with all building codes and regulations relating to the construction of an assisted living facility in Florida (an "ALF"), although the Operating Proforma that will be contained in the Development Agreement will initially contemplate 60 residents of supported independent living and 56 residents (in 48 units) receiving licensed assisted living services.
- b. Supported Independent Living Units. The independent living units will include studios, one bedroom and two bedroom units with kitchens.

- i. The unit mix for the supported independent living area is planned to be as follows:

Studio W/ Full Bath (310 sqft)	20
One Bedroom w/Full Bath (420 sqft)	16
Two /bedroom 2 Bath (660 sqft)	<u>24</u>
Total Units	60

- ii. It is intended that residents in the independent living units will be low and moderate income qualifying, with rents based on incomes ranging from 30% AMI to 150% AMI. In all events, the independent living residents will be required to qualify for rents

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based upon limitations contained in the deed of the Site from the Department of the Navy.

- iii. The supported independent living units will be designed to include the bath configurations shown on the plans(Sheet SK-4) above, with each bath meeting ADA standards. The kitchens size will vary by individual unit design but will include in all case a refrigerator, stove top, oven, microwave and sink with disposal.
- c. Licensed Assisted Living. The assisted living units will include shared and private studios and one-bedroom units without kitchens.

- i. The unit mix will be as follows:

Semi Private Rooms (316 sqft)	8
Studio w/ ½ Bath (238 sqft)	14
Studio W/ Full Bath (291 sqft)	16
One Bedroom w/Full Bath (394 sqft)	<u>10</u>
Total	48

- ii. Rents will include a range of low income (30% AMI) to moderate (150% AMI). A full range of services will be provided to all assisted living residents, including meals, laundry, housekeeping, medication reminders, and social activities. In addition, ADL services on an a la carte basis.
- d. Project Details
 - i. The residential facility will be a three-story double stacked room design with center corridors. The residential structure will be constructed with precast concrete walls and poured first floor/prestressed concrete on the second and third floors. The building will have a sloped roof (per the drawings (Sheet SK-5) constructed of non-combustible materials. Construction will be to 185 mph wind standards.
 - ii. Although the initial project design does not contemplate residential unit exterior doors with porches or balconies, the design may be amended to include these features if the project budget can accommodate these changes.
 - iii. The administrative/commercial kitchen/dining area structure will be constructed as a single story extension to the residential portion of the building.
 - iv. The residential facility will have two (2) elevators. Both of the elevators have interior dimensions of 5' x8', and will be able to accommodate a gurney.

- v. The administrative area will have a complete commercial kitchen and dining area to accommodate all of the independent living residents and provide lunch for the respite guests. Depending on market conditions, the dining room may operate on two seatings. The initial plan includes a 2500 sq.ft. first floor dining area will be able to be used as a multi-purpose room, for dining as well as entertainment/movies. The kitchen is planned at 1600 square feet. There is a 1200 square foot dining area on the third floor for assisted living residents, as well as a warming kitchen for prep and serving. There will be a large lounge area across from the dining area staging/resting (1200 sq. ft.). There will be a 1700 sqft outdoor patio in the courtyard of the building with walking areas and seating. There is a large lanai on the west end of the building with seating. The far east end of the property will include a walking path and seating for residents.
- vi. The first floor includes a large respite care area includes provision for up to 25 day guests. There will be a regular social schedule and rest areas for these guests. The respite care area overlooks the serene garden in the courtyard.
- vii. The plan will include an arts and crafts room and two lounges on the first floor. There is a large multi-purpose room on the second floor that can be used for meetings and as a chapel, as well as two lounges (one attached to a public laundry). Also on the second floor is a large physical therapy/exercise room and an office for visiting doctors.
- viii. The initial plan contemplates a total of five offices and reception area in the administrative area, although this area is still under development.
- ix. The assisted living area will include a central station (300 sq.ft.) for nursing services as well as a lockable medical supplies closet.

VI. Replacement of Demolished Units

- a. An existing four unit apartment building will be demolished as part of the Project (shown on the Housing Authority survey as Building P1538).
- b. Separate from the project, it is contemplated that Replacement units will be constructed off the Site, but in the same vicinity, and that such Replacement Units will be owned by the Housing Authority.

VII. Development, Design, Construction and Licensing of the Facility

- a. Development
 - i. The Developer will be responsible for the development of the Project pursuant to this Development Plan.

b. General Contractor

- i. The Facility shall be constructed by a General Contractor selected by the Developer pursuant to the provisions of an AIA based form of agreement. The Housing Authority has agreed with the terms and form of the General Contractor Agreement.
- ii. The Developer shall ensure that the General Contractor completes all of its duties and responsibilities pursuant to the terms of the General Contractor Agreement. The Housing Authority shall have the right to oversight of the construction process and any payments made to or for the benefit of the General Contractor during the term of construction. The General Contractor Agreement shall contain a Guaranteed Maximum Price. The General Contractor shall be bonded and insured, including Builder's risk insurance with the Housing Authority shown as a named beneficiary.

c. Project Architect

- i. The Facility and other aspects of the Project will be designed by a licensed architectural firm that has experience in the design of senior housing facilities ("Project Architect"). The Project Architect has been retained using an approved AIA form of design services agreement ("Design Services Agreement"). The Housing Authority has approved the terms and form of the Design Services Agreement.
- ii. Prior to commencement of construction, the final design of the Facility will be approved by the Housing Authority.

d. Project Engineer

- i. A licensed engineering firm has been retained by the Developer and has performed site engineering services, including Geotechnical services, required for the Project, including a plan for preparation of the Site for construction of the Facility. A copy of the plan is included in this package.
- ii. The Project Engineer has been retained using an approved AIA form of proposal applicable to the services being obtained. The Developer shall ensure that the Project Engineer completes all of its duties and responsibilities pursuant to the terms of the Project Engineer Agreement. The Housing Authority shall have the right to oversight of the project site engineering process and any payments made to or for the benefit of the Project Engineer during the term of the Project Engineer Agreement.

e. Project Landscape Architect

- i. A licensed landscape architectural firm with experience in developing landscape plans for major projects in Key West ("Project Landscape Architect") has been retained to review and seal the design of a landscape plan for the Project (Landscape Project Agreement). A sealed plan is attached.

f. **Changes to the Design**

- i. All subsequent changes to the Facility that are of material impact on the Development Schedule or the Development Budget will be requested and/or approved by the Housing Authority pursuant to a procedure detailed in the General Contractor Agreement and/or the Design Services Agreement as appropriate. All Parties will agree to act promptly so as to avoid delay to the Project Schedule. Any changes that require City of Key West approval will be thoroughly reviewed by the Developer and the Housing Authority to ensure that the cost and the timing delays associated with such change will not materially adversely affect the project.

VIII. **Financing the Project**

- a. Project is being funded by tax-exempt bank qualified financing issued by the Housing Authority.

IX. **Taxation of Operations**

- a. It is anticipated by the Parties that the Project will be structured in such a way as to be exempt from ad valorem taxes. An opinion of counsel will be sought by the Developer to confirm the eligibility of tax exempt status.



December 18, 2015

Key West Planning Department
Attn: Patrick Wright
3140 Flagler Avenue
Key West, FL 33040

SUBJECT: Development Plan and Conditional Use Application for Poinciana Gardens located in Poinciana Plaza

Dear Mr. Wright,

Please accept this letter, plans, and supporting documentation for the Development Plan and Conditional Use Application Submission Package for Poinciana Gardens. Note: Our answers are underlined.

DEVELOPMENT PLAN SUBMISSION MATERIALS

Sec. 108 – 227. Title block.

- (1) Name of development. Poinciana Gardens Senior Living.
- (2) Name of owner/developer. The Owner is the Housing Authority of Key West, Florida. The Developer is Key West Senior Development, LLC.
- (3) Scale. Please refer to plans.
- (4) North arrow. Please refer to plans.
- (5) Preparation and revision date. Please refer to plans.
- (6) Location/street address of development. 1664 Dunlap Drive, (corner of Duck Avenue and 17th Street, area also known as Poinciana Plaza).

Sec. 108 – 228. Identification of key persons.

- (1) Owner. The Housing Authority of Key West, Florida.
- (2) Owner's authorized agent. James Nichols, Key West Senior Development, LLC and Tiffany Stuart, Rockford Construction.
- (3) Engineer and architect.
 - a. Engineer Allen Perez, P.E., Perez Engineering & Development, Inc.
 - b. Architect Dan Tosch, R.A., Progressive Associates, Inc.
- (4) Surveyor. Fred Hildebrandt, Island Surveying Inc.
- (5) Landscape architect and/or environmental consultant. Carl Gilley, Thrinax, Inc.
- (6) Other involved in the application. Blue Island Inc. (licensed landscape architect responsible for sealing the irrigation plan).
- (7) A verified statement showing each and every individual person having a legal and/or equitable ownership interest in the subject property, except publicly held corporations whose stock is traded on a nationally recognized stock exchange, in which case the names and addresses of the corporation and principal executive officers together with any



Rockford
Construction
Company, Inc.

Tel. 616.285.6933
Fax 616.285.8001

601 First Street NW
Grand Rapids, MI 49504

OFFICE
MEDICAL
EDUCATIONAL
RETAIL
INDUSTRIAL
RENOVATION
COMMERCIAL
RESIDENTIAL

majority stockholders will be sufficient. The property is owned by the Housing Authority of the City of Key West, an entity created by statute and ordinance.

Sec. 108-229. Project description.

- (1) Zoning (include any special districts). MDR-1.
- (2) Project site size (acreage and/or square footage). 2.07 acres/90,028 SF.
- (3) Legal description. Please refer to survey.
- (4) Building size. 69,420 SF.
- (5) Floor area ratio, permitted and proposed. 1.0 permitted, 1.0 proposed.
- (6) Lot coverage, permitted and proposed. Building coverage 40% permitted, 29.4% proposed.
- (7) Impervious surface. 60% permitted, 57.5% proposed.
- (8) Pervious surface. 42.5% proposed.
- (9) Landscape areas. Please refer to the attached conceptual landscape plan.
- (10) Parking spaces, permitted and proposed. 1 parking spaces per 4 beds permitted, 37 parking spaces proposed.
- (11) Delineation of location of existing and proposed structures. Please refer to plans.
- (12) Existing and proposed development type denoted by land use including density/intensity. Currently, the site houses a 4 unit residential structure owned and operated by the Housing Authority of Key West, the existing facility will be demolished and replaced with an assisted living facility or more commonly referred to as "nursing homes, rest homes and convalescent homes." A Conditional Use is also be sought after for this project. This parcel is within the Medium Density Residential District-1 (MDR-1). The conditional use of this facility as "nursing homes, rest homes, and convalescent homes" has density based upon FAR, not units per acre.
- (13) Setbacks. None. Please refer to Key West Code of Ordinances Sec. 122-280(6)(a).

Sec 108-230. Other project information.

- (1) Proposed stages or phases of development or operation and facility utilization. The development is projected to start upon receipt of all municipal approvals. We're anticipating this date to be May 2016. Typical of construction, the plan is to demolish the existing blue, multi-unit building prior to sitework commencement. The schedule is twenty-two (22) months long with a February 2018 completion date.
- (2) Target dates for each phase. If approved, demolition will take place prior to all municipal approvals, actual construction is planned to start in May 2016. This project is not going to be constructed in phases.
- (3) Expected date of completion. February 2018.
- (4) Proposed development plan for the site. Please refer to attached "Exhibit A - Development Plan."
- (5) A written description of characteristics of the proposed development (i.e., number and type of residential units; floor area by land use; number of tourist accommodations units; seating or parking capacities; number of hospital beds; any proposed outside facilities or areas to be used for storage, display, outside sales, waste disposal or similar use; and any other proposed uses).

A. Number and type of residential units:

The proposed development will contain 108 units spaced throughout three stories. The first two stories will be "independent living units with supportive services" while the third floor will be "assisted living units", as follows:

	1 st floor – Independent Living with Services	2 nd floor – Independent Living with Services	3 rd floor – Licensed Assisted Living	Total of each unit
Unit '1' Studio with ½ bath			14	14
Unit '2' Studio with full bath	9	11	16	36
Unit '3' Semi-private with full bath			8	8
Unit '4' One bed with full bath	9	7	10	26
Unit '5' Two bed with two full baths	11	13		24
Total units/floor	29	31	48	108

In addition to the units and residents above, the first floor of the building will include a sufficient area to permit a minimum of twenty-five (25) non-resident per day of respite care for a daily fee. This development will also contain supportive spaces such as guest and resident vestibules and lobbies, administrative offices, mechanical and equipment rooms, first floor commercial kitchen and third floor warming kitchen, receiving, storage, visiting doctor's office, staff areas, and restrooms. Amenity spaces include a parlor, two (2) dining rooms, an arts and crafts room, activity room, commercial laundry, lounge, approximately 4,800 SF of exterior courtyard, a physical therapy room, multi-purpose room, and 2,700 SF mediation terrace. In addition to the above-mentioned courtyard, surrounding the front entrance is a large, wrap around lanai with seating, and along the east end of the building is a substantial space for a community garden. The community garden and other selected landscaping will be watered using a rainwater retention system.

B. Floor Area by Land Use: All floor area is affordable and low income senior living apartments with supportive services including food, laundry, housekeeping, with forty-eight (48) units being licensed, assisted living, including both supportive services and assistance with daily living.

C. Number of tourist accommodation units: None.

D. Seating and parking capacities: There will be seating in the first floor dining room for all independent living residents and third floor dining room seating for all assisted living residents. Each apartment has a seating area and dining area as well. There also is seating areas in the respite care units for day care clients. A total of thirty-seven (37) parking spaces have been strategically placed within the site, eleven (11) at the main entry and twenty-six (26) for resident parking. Of the thirty-seven (37) parking spaces, four (4) spaces are ADA compliant. A bike/scooter parking area accommodating ten (10) bikes and scooters will be located near the resident entry.

E. Number of hospital beds: None.

F. Proposed outside facilities or areas to be used for storage, display, outside sales, waste disposal or similar use; and any other proposed uses: The project contemplates an out building adjacent to the east end of the parking lot that will be used for maintenance, lawn care, storage, and vehicle storage (please refer to plans). In addition, there will be a 175KW back-up electric generator outside the kitchen. An area for waste disposal will be located adjacent to the maintenance building at the east end of the site.

- (6) For planned unit developments, indicate design techniques (i.e., clustering, zero lot line, or other techniques) used to reduce public facility costs, reduce disturbance of natural resources, and preserve scenic quality of the site. This project is not a planned unit development. It is a single commercial structure being used for affordable senior

living including licensed assisted living. This site and building have been designed to provide residents and guests various outdoor areas. Please refer to plans.

- (7) Buildings and sitting specifications which shall be utilized to reduce damage potential and to comply with federal flood insurance regulations. This building shall be constructed so as to have the first habitable floor 1.5 feet above the required base flood elevation (AE-7).
- (8) Protection against encroachment together with proposed mitigation measures to be employed within environmentally sensitive areas. This site does not have any new encroachment into environmentally sensitive areas. As required by ordinance, 30,000 gallon cistern will be installed on the site to catch rainwater (one gallon per square foot of roof area).

Sec 108-231. Residential developments.

- (1) A breakdown of the proposed residential units by number of bedrooms. Refer to chart above for room configurations by floor. Seventy-six (76) of the 108 units are proposed to be single room occupancy and restricted to one person per unit. There are eight (8) semi-private studio rooms in the assisted living area, each accommodating two residents. There are twenty-four (24) two bedroom units, allowing more than one person per unit.
- (2) Tenure (i.e., owner-occupied or rental). Long-term rental.
- (3) Structure type, such as single-family, duplex, multiple-family, mobile home. This is a multi-family structure constructed to Florida Assisted Living Facility standards. As is the case for all units in the Poinciana Plaza, the proposed units must be rented to qualifying affordable or low income tenants only.

Sec 108-232. Intergovernmental coordination.

- (1) Provide proof of coordination with applicable local, regional, state and federal agencies, including but not limited to the following agencies that will be involved in the project:

Note: Initial coordination with the below entities and organizations began on October 30, 2015.

- a. South Florida Regional Planning Council (SFRPC). N/A.
 - b. City electric system (CES). Refer to attached letter from Keys Energy dated September 1, 2015.
 - c. State department of environmental protection (DEP). N/A.
 - d. Army Corps of Engineers (ACOE). N/A.
 - e. South Florida Water Management District (SFWMD). Currently verifying if this is relevant to our project.
 - f. State department of transportation (DOT). N/A.
 - g. State department of community affairs (DCA). N/A.
 - h. Florida Keys Aqueduct Authority (FKAA). Refer to attached letter dated November 30, 2015.
 - i. State fish and wildlife conservation commission (F&GC). N/A.
 - j. The county.
 - k. Agency for Healthcare Administration (AHCA). This agency licenses and oversees assisted living facilities in Florida. At an appropriate time, an application for license will be filed. This process begins after building permits are issued.
 - l. The City of Key West. This team has been in contact with various departments of the City of Key West. All forms of communication have been established and will continue throughout the term of the project and beyond if necessary.
- (2) Provide evidence that any necessary permit, lease or other permission from applicable local, regional, state and federal agencies has been obtained for any activity that will impact wetland communities or submerged land. This project does not encroach upon or impact wetlands or submerged land.
 - (3) When intergovernmental coordination efforts are incomplete, the applicant shall provide evidence of good faith efforts towards resolving intergovernmental coordination issues. Applicant will provide timely status of governmental involvement as the project proceeds.

Sec. 108-233. Concurrency facilities and other utilities or services.

Development plans shall satisfy concurrency management regulations cited in chapter 94. This component of the plan shall identify demands on concurrency facilities generated by the proposed development and identify how the demands shall be accommodated through improvements. The development plan shall also list the utility providers currently serving the site together with a description of the existing infrastructure serving the site. Include the location, design and character of all concurrency facilities and other utilities, such as underground or overhead electric lines, gas transmission lines, or other similar facilities or services, on the development plan.

Please refer to plans. Coordination with the necessary entities is in process.

Sec. 108-234. Appearance, design and compatibility.

The development plan shall satisfy criteria established in chapter 102; articles III, IV and V of this chapter; section 108-956; and article II of chapter 110.

The appearance, design and compatibility shall satisfy criteria established in chapter 102; articles III, IV and V of this chapter; section 108-956; and article II of chapter 110.

Sec. 108-235. Site location and character of use.

(a) *Compliance.* The development plan submitted for review should be in compliance with all applicable performance criteria set forth in chapter 94, chapter 102, chapter 106, articles I and III through IX of this chapter, chapter 110 and chapter 114.

(b) *Vicinity map.* A vicinity map shall be provided with the project's location noted together with a general written description of the proposed development. Show the relationship of site to surrounding streets and public facilities at a scale of approximately one inch to 200 feet.

(c) *Land use compatibility.* Adjacent land uses shall be identified including current zoning designation, conditional uses and/or special districts within 50 feet of the boundaries for a minor development, and 100 feet of the boundaries for a major development. If applicable, assess the impact of the proposed development upon the unincorporated part of the county.

(d) *Historic and archeological resource protection.* A review of the project's impact on archaeological and historic resources shall be included. In addition to compliance with development plan review procedures of this article, developments within the historic district shall be consistent with the U.S. Secretary of the Interior's Standards for Rehabilitation and the city's historic architectural review commission's (HARC) Design Guidelines in Key West's Historic District, as provided in chapter 102. Include the written record of the historic architectural review commission's review of the project's impacts in the development plan.

(e) *Subdivision of land.* Any subdivision of land shall comply with section 108-1 and chapter 118 pertaining to subdivisions.

Please refer to plans.

Sec. 108-236. Appearance of site and structures.

The applicant for development plan approval shall submit a development plan that exhibits harmonious overall design characteristics in compliance with the performance standards stipulated in sections 108-278 through 108-288.

The submitted development plans exhibit harmonious overall design characteristics in compliance with the performance standards stipulated in sections 108-278 through 108-288.

Sec. 108-237. Site plan.

Development plans shall be drawn at a scale of one inch to 100 feet or larger. The maximum sheet size for development plans shall not exceed 24 inches by 36 inches. Multiple sheets may be used provided each sheet is numbered and the total number of sheets is indicated on each sheet. Cross referencing between sheets shall be required. Necessary notes and symbol legends shall be included. Abbreviations should be avoided but if used they shall be defined in the notes.

Please refer to plans. A site plan illustrating the reconfigured site has been provided in accordance with the requirements of section 108-237.

Sec. 108-238. Architectural drawings.

All architecture or engineering designs must be prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. chs. 471 and 481, respectively.

All architecture or engineering designs were prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. chs. 471 and 481, respectively. Drawings submitted for development plan meet or exceed the minimal submission requirements. The professional architect of record is Progressive Associates, Inc. and the professional engineer of record is Perez Engineering & Development, Inc. (please refer to Sec. 108 – 228. Identification of key persons listed above.)

Sec. 108-239. Site amenities.

- (a) Generally. The site plan shall include amenities required to comply with appearance, design and compatibility regulations outlined in chapter 102; articles III, IV and V of this chapter; section 108-956; and article II of chapter 110.
- (b) Existing. All existing site amenities (i.e., signs, lighting fixtures, water features, etc.) shall be indicated as to location, character, color, and dimension.
- (c) Proposed. State the location, size, character, color, height and design of all newly proposed site amenities in the form of working drawings and/or photographs.

Please refer to plans.

Sec. 108-240. Site survey.

A site survey prepared by a certified land surveyor shall be included in the development plan.

Please refer to plans.

Sec. 108-241. Soil survey.

The soil survey for the development plan shall be as identified in the soil survey for the county, U.S.D.A. Soil Conservation Service or other competent expert evaluation. When soil suitability limitations are indicated for the proposed development, the city engineer may require a preliminary soil analysis by a qualified soils engineer. The development plan shall comply with environmental protection criteria in section 108-1 and articles III, IV, V, VII and VIII of chapter 110.

Please refer to Geotech Report by PSI dated October 27, 2015.

Sec. 108-242. - Environmentally sensitive areas.

Using maps from the comprehensive plan, future land use map series (FLUM), the development plan shall indicate whether or not the parcel is located within a floodplain, floodway or drainageway, wetland, open water, upland wildlife habitat, or coastal high hazard area. Site specific surveys may be required.

Please refer to plans. The site is located in the AE-7 Flood Zone. This project does not encroach upon or impact wetlands or submerged land.

Sec. 108-243. - Land clearing, excavation and fill, tree protection, landscaping and irrigation plan.

- (a) Land clearing, excavation and fill.
- (b) Tree protection.
- (c) Landscaping plan.
- (d) Irrigation plan.

The development plans and proposed development activity complies with section 108-289 and applicable performance criteria as outlined in Section 108-1 and articles III, IV, V, VII, and VIII of Chapter 110.

Sec. 108-244. - On-site and off-site parking and vehicular, bicycle, and pedestrian circulation.

Development plans shall satisfy on- and off-site vehicular and bicycle circulation, and parking requirements of articles IV and VII of this chapter. Development plans shall include location, dimensions and typical construction specifications.

Please refer to plans to depict the requirements for on- and off-site vehicular and bicycle circulation, and parking.

Sec. 108-245. - Housing.

- (a) If the development project includes residential development, a breakdown of the proposed residential units by price or rental range and type of unit shall be provided, such as single-family, duplex, townhouse, mobile home.
Rents (excluding mandatory services and/or assistance with daily living) range from \$304 –\$2205 per month.
Rent including services range from \$1104 to \$4041 depending on the size of unit and the services included.

- (b) If lots are to be sold without constructed dwelling units, the number and percentage of such lots and the extent of improvements to be made prior to sale shall be indicated.
- (c) The potential of the proposed development to meet local or regional housing needs shall be assessed. In particular, any measures taken to provide low and moderate income housing shall be indicated.
All units are reserved for low to moderate income tenants.
- (d) Hurricane evacuation considerations which acknowledge the current evacuation and emergency operations plans, how project residents will be informed about these plans, and any developer responsibilities identified in such plans shall be described.
Hurricane evacuation and emergency evacuation and operation plans consistent with ACHA requirements will be developed and implemented as part of the licensing procedure for assisted living facilities, including recurrent training and regular drills.

Sec. 108-246. - Economic resources.

- (a) An analysis of the estimated average ad valorem tax yield from the proposed project during each phase of development shall be provided. Assumptions and standards utilized including but not limited to assessed value, exemption and millage rate shall be indicated.
N/A.
- (b) For each development phase, the average annual construction expenditure by type (labor, materials) and the percentage of this expenditure which will occur within the city shall be estimated.
Project Construction cost is approximately \$14 million. Local content unknown until bids are let following development of full construction plans after DRC and Conditional Use approval.
- (c) For nonresidential developments, the number of permanent employees using appropriate standard industry classifications shall be projected.
It is estimated that the facility will employ thirty-five (35) full-time employees.

Sec. 108-247. - Special considerations.

- (a) The relationship of the proposed development to city land use plans, objectives and policies shall be described. Also, the relationship to existing or proposed public facilities plans, such as wastewater treatment and transportation shall be indicated and any conflicts identified.
- (b) Any relationship of the project to special zoning districts, such as airport noise and hazard zones, solid or liquid waste treatment or disposal areas, shall be indicated.
N/A.
- (c) If applicable, the proposed development's impact on the unincorporated portion of the county shall be assessed.
- (d) If the project fronts a shoreline, measures to allow public access to the shoreline, such as easements or rights-of-way, shall be indicated, and any structure that may impede movement along the shoreline below the mean high water line shall be illustrated, and measures being taken to mitigate any such impediment shall be demonstrated.
N/A.
- (e) Any special facilities that will be provided to accommodate bus ridership (i.e., bus stop, bus access lane, or other similar facilities) shall be indicated.
Access will be assured to the existing bus stop on the corner of the property.
- (f) Any special design features that will be utilized to reduce energy consumption shall be described. Further, any measures that will be taken to utilize solar energy or other alternative energy sources shall be described.
See the FGBC Florida Green Home Standard Checklist for details of energy savings to be included in the facility.
- (g) If the building is to be elevated, the uses for the area between the bottom floor and the grade shall be indicated by square footage.
N/A.
- (h) The size and nature of private and public recreation facilities provided on the site shall be indicated.

Please refer to plans.

- (i) Proof of coordination with applicable local, regional, state and federal agencies, including the state department of environmental protection and the army corps of engineers that will be involved in the project shall be provided.

Please refer to Sec 108-232. Intergovernmental coordination (above). We will seek ACHA approval prior to Certificate of Occupancy.

- (j) Evidence that any necessary permit, lease or other permission from the state department of environmental protection has been obtained for any activity that will impact wetland communities or submerged land shall be provided.

N/A.

Sec. 108-248. - Construction management plan and inspection schedule.

When the proposed development contains two or more phases and/or the project's proposed construction schedule is anticipated to exceed a period of one year, the applicant shall be required to submit a construction management plan and inspection schedule as part of the development plan.

Although this project is to be constructed in one phase, the proposed construction duration is approximately twenty-two (22) months. Throughout the term of construction, we will comply with necessary construction and safety measures. Required inspections will be scheduled and conducted accordingly. A full construction management plan will be submitted once we have received the necessary approvals from the Planning Department.

Sec. 108-249. - Truman Waterfront Port facilities.

N/A.

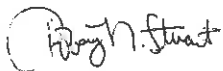
CONDITIONAL USE CRITERIA

Conditional Use approval is also being requested for this project. Per section 122-278, this property, zoned medium density residential district-1 (MDR-1), allows as an approved conditional use, "nursing homes, rest homes and convalescent homes." Assisted living facilities are included within the definition of this use. This project is vital to the City and its elderly residents requiring affordable rent and services. This development shall positively affect the City of Key West and therefore many will benefit should Conditional Use approval be granted.

Should you have questions regarding this package, please contact me at my office phone at (616) 432-6614, mobile phone (616) 406-9079, or via email at tstuart@rockfordconstruction.com

Kindest regards,

ROCKFORD CONSTRUCTION CO.



Tiffany N. Stuart

Assistant Project Manager

Verification

City of Key West
Planning Department



Verification Form
(Where Authorized Representative is an entity)

I, James A. Nichols, in my capacity as Member
(print name) (print position: president, managing member)
of Key West Senior Development, LLC
(print name of entity serving as Authorized Representative)

being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

1664 Dunlap Drive, (corner of Duck Avenue and 17th Street, area also known as Poinciana Plaza)

Street Address of subject property

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

[Signature]
Signature of Authorized Representative

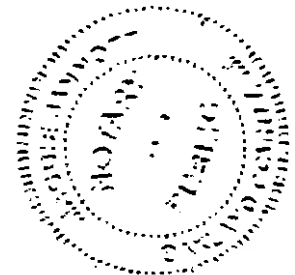
Subscribed and sworn to (or affirmed) before me on this 12/15/2015 by
date

James A. Nichols
Name of Authorized Representative

He/She is personally known to me or has presented Driver's License as identification.

[Signature]
Notary Signature and Seal

Maggie Jannott
Name of Acknowledger typed, printed or stamped



MAGGIE JANNOTT
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires 4-24-2019
Acting in the County of Oakland

City of Key West
Planning Department



Tiffany Stuart, Rockford Construction (on behalf of Developer,
Jim Nichols, Member of Key West Senior Development, LLC)

Verification Form

(Where Authorized Representative is an entity)

I, Tiffany Stuart, in my capacity as Assistant Project Manager
(print name) (print position; president, managing member)

of Rockford Construction
(print name of entity serving as Authorized Representative)

being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

Duck Avenue and 17th Street (Poinciana Plaza)
Street Address of subject property

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

Tiffany N. Stuart
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this April 27 2015 by
Tiffany Stuart
Name of Authorized Representative
date

He/She is personally known to me or has presented _____ as identification.

Patricia J. Campau
Notary's Signature and Seal

Patricia J. Campau
Notary Public
My Commission Exp. 09/28/2017
Kent County, Michigan

Name of Acknowledger typed, printed or stamped

Commission Number, if any

Authorization

City of Key West
Planning Department



Authorization Form
(Where Owner is a Business Entity)

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, J. Manuel Castillo, Sr. as
Please Print Name of person with authority to execute documents on behalf of entity

Executive Director of Housing Authority of the
Name of office (President, Managing Member) *Name of owner from deed*
City of Key West, FL

authorize James Nichols, Member of Key West Senior Development, LLC
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

[Signature]
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 12-15-15
Date

by J.M. Castillo Sr. EXEC DIR
Name of person with authority to execute documents on behalf on entity owner

He/She is personally known to me or has presented _____ as identification.

[Signature]
Notary's Signature and Seal

Yurima Morales
Name of Acknowledger typed, printed or stamped

FF 232312
Commission Number, if any



City of Key West
Planning Department



Authorization Form
(Where Owner is a Business Entity)

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, J. Manuel Castillo, Sr. as
Please Print Name of person with authority to execute documents on behalf of entity

Executive Director of Housing Authority of the
City of Key West, FL
Name of office (President, Managing Member) *Name of owner from deed*
Tiffany Stuart, Rockford Construction (on behalf of Developer,
authorize Jim Nichols, Member of Key West Senior Development, LLC)
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

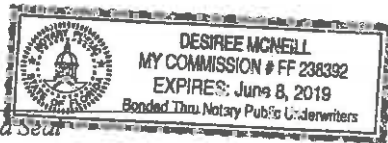
J.M. Castillo Sr. Exec Dir
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 9-30-15
Date

by Desiree McNeill
Name of person with authority to execute documents on behalf on entity owner

He/She is personally known to me or has presented _____ as identification.

Desiree McNeill
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

Commission Number, if any

Survey



Exhibit B – Site Data Table

Building Permit Allocation System Application

305-809-3720 • www.cityofkeywest-fl.gov

SITE DATA TABLE

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. provide square footages and percentages.

Site Data Table				
	Code Requirement	Existing	Proposed	Variance Request (y/n)
Zoning	MDR-1	This project is proposed to be within the set requirements. However, this project will need a Conditional use for "Nursing homes, rest homes and convalescent homes."		
Flood Zone	AE, EL 7'			
Size of Site	90,028 SF			
Height	35'		35'	
Front Setback	none shown		N/A	
Side Setback	none shown		N/A	
Side Setback	none shown		N/A	
Street Side Setback	none shown		N/A	
Rear Setback	none shown		N/A	
Residential Floor Area	N/A		69,420 SF	N/A
Density	N/A (due to proposed use)		108*0.1=10.8 BPAS	N/A
Commercial Floor Area			N/A	N/A
F.A.R (Commercial)	1.0		1.0	
Building Coverage	40%		29.4%	
Impervious Surface	60%		57.5%	
Parking	27		37 total	
Handicap Parking			4	N/A
Bicycle Parking			10	
Open Space/ Landscaping			42.5%	
Number and type of units			60 Independent Living 48 Assisted Living	N/A
Consumption Area or Number of seats			2,134 SF	N/A

Text above in green font depicts revisions from the previously submitted BPAS application.

Site Plans

SITE VICINITY MAP



GEOTECHNICAL ENGINEERING SERVICES
Poinciana Gardens Senior Living
(N.E.C.) Duck Avenue and Dunlap
Key West, Florida

DATE: 10/23/2015

DRAWN: CA

CHKD.: DB

SHEET No.: 1

PSI PROJECT No.: 0397-984

psi *Information*
To Build On
Engineering • Consulting • Testing

SITE PHOTOGRAPHS



GEOTECHNICAL ENGINEERING SERVICES
Poinciana Gardens Senior Living
(N.E.C.) Duck Avenue and Dunlap Drive
Key West, Florida

DATE: 10/23/2015

DRAWN: CA

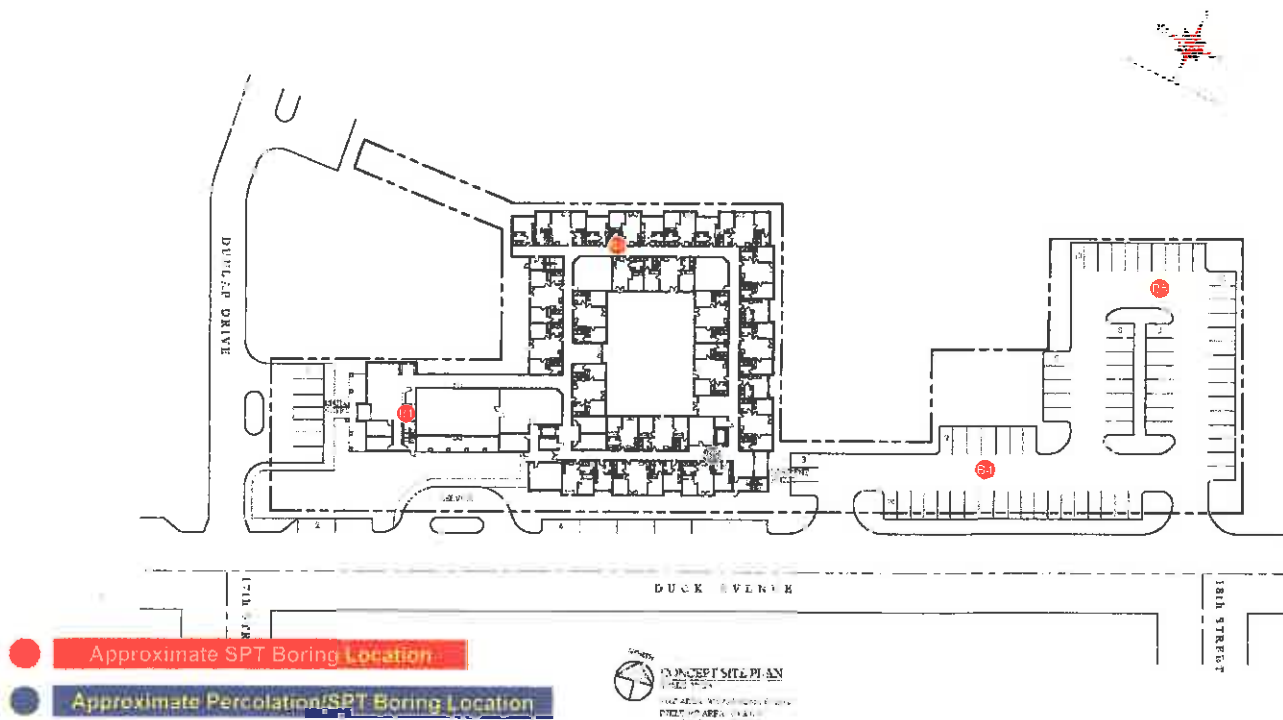
SHEET No.: 2

PSI PROJECT No.: 0397-984

CHKD.: DB

psi Information
To Build On
Engineering • Consulting • Testing

BORING LOCATION PLAN



GEOTECHNICAL ENGINEERING SERVICES
Polclana Gardens Senior Living
(N.E.C.) Duck Avenue and Dunlap Drive
Key West, Florida

DATE: 10/23/2015

DRAWN: CA

CHKD: DB

psi *Information*
To Build On
Engineering • Consulting • Testing

SHEET No.: 3

PSI PROJECT No.: 0397-984



CITY OF KEY WEST - 2030 FUTURE LAND USE MAP

ARTICLE II. - NONCONFORMITIES

FOOTNOTE(S):

— (2) —

Cross reference— Buildings and building regulations, ch. 14. [\(Back\)](#)

Sec. 122-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acquiring authority means the governmental entity proposing to acquire private property for a public transportation or other public purpose, pursuant to eminent domain action or by voluntary conveyance. Acquiring authorities include, but are not limited to, Monroe County, the City of Key West, and the Florida Department of Transportation ("FDOT").

Cure plan means a site plan submitted by an acquiring authority or a private property owner for a site subject to an eminent domain action or a voluntary conveyance for public transportation or other public purpose. The cure plan shall show proposed changes to structures or other features of the remainder parcel necessary to make the remainder parcel comply with the applicable land development regulations or, comply to the degree feasible.

Dwelling unit. See section 86-9.

Eminent domain action means one or a series of actions taken by an acquiring authority to obtain fee simple title to all or some part of privately held real property for a public use.

Eminent domain/public purpose waiver means authorization from the City of Key West for the continued use and enjoyment of a remainder parcel subsequent to an eminent domain action or a voluntary conveyance for public transportation or other public purpose. An eminent domain/public purpose waiver shall not be issued where the remainder parcel and the existing structures located thereon conform with the applicable zoning district land development regulations as of the date that title transferred to an acquiring authority under an eminent domain action or through a voluntary conveyance.

Noncomplying building or structure means any building or other structure, for which the use is lawful (permitted or nonconforming), but the building or other structure does not comply with all applicable sections of the land development regulations, including, but not limited to, size and dimension regulations, off-street parking requirements, landscape requirements, nuisance abatement standards, or height requirements, either on the effective date of the ordinance from which this section derives or as a result of any subsequent amendment.

Nonconforming density means the number of dwelling or living units per acre greater than the number allowed by the land development regulations, which were legally established or licensed prior to the effective date of the ordinance from which this section derives.

Nonconforming use means a use of a building or structure or a tract of land which does not, on the effective date of the ordinance from which this section derives or amendment thereto, conform to any one of the current permitted uses of the zoning district in which it is located, but which was legally established in accordance with the zoning in effect at the time of its inception or which use predates all zoning codes and which use has not changed or been abandoned. This definition shall not operate to make legal an unlicensed transient rental accommodation located in a residential structure.

Owner of a remainder parcel means the owner in fee simple title of a remainder parcel who is a successor in interest to a private property owner's interest in the remainder parcel; or, the owner in fee simple title of a remainder parcel whose title to the remainder parcel is derived from the private property owner or the private property owner's successors in title.

Parent tract means the parcel of land that existed prior to an acquiring authority's acquisition of some portion of the parcel through eminent domain action or voluntary conveyance for public transportation or other public purpose.

Private property owner means the owner in fee simple title of a parent tract.

Remainder parcel means that portion of the parent tract remaining in private ownership following an eminent domain action or a voluntary conveyance for public transportation or other public purpose.

Voluntary conveyance means the transfer of title to any portion of a parent tract by the private property owner to an acquiring authority for public transportation or other public purpose in lieu of an eminent domain action.

(Ord. No. 00-10, § 3, 6-6-2000; Ord. No. 12-18, § 1, 7-17-2012)

Cross reference— Definitions generally, § 1-2.

Sec. 122-27. - Intent.

The intent of this article is to permit a nonconforming use and a noncomplying structure or building to be continued, to be reconstructed or replaced, or to be repaired or maintained under certain conditions, but not to encourage their expansion. Nonconforming densities may also be continued, reconstructed, replaced, repaired or maintained, although a distinction is made for reconstruction or replacement purposes between transient and permanent residential densities.

(Ord. No. 00-10, § 4, 6-6-2000)

Sec. 122-28. - Replacement or reconstruction.

- (a) *Applicability.* This section applies both to voluntary reconstruction or replacement of dwelling units and involuntary reconstruction or replacement of dwelling units. Nothing in this section is intended to supersede applicable Federal Emergency Management Agency requirements for elevation in flood zones.
- (b) *Dwelling units (residential).* Residential dwelling units may be replaced at their existing nonconforming density. Except as provided in subsection (f) of this section, dwelling units involuntarily destroyed do not require variances to be reconstructed or replaced. If a voluntary reconstruction or replacement occurs, if the dwelling units exist or existed in a noncomplying building or structure, the reconstruction or replacement that exceeds 66 percent of the assessed or appraised value of the building or structure shall require a variance granted by the planning board. In a voluntary reconstruction of a structure on a corner lot, the property owner must apply to the planning board for all necessary setback variances. All noncomplying accessory structures to the principal building or structure (e.g., a shed, pool, fence, etc., but not including a condominium clubhouse) shall also require a variance in order to be reconstructed or replaced, either voluntarily or involuntarily. If a proposed reconstruction or replacement would not otherwise require a variance but would add a new building or structure to the site to accommodate density, a variance shall be required for the additional building or structure. A residential building in which one or more units hold a residential transient use business tax receipt shall be deemed residential for the purposes of this section.
- (c) *Dwelling units (transient).* Transient dwelling units may be replaced at their existing nonconforming density so long as the reconstruction or replacement complies with all zoning district regulations, review procedures and performance criteria contained in the land development regulations. No variances shall be granted to accommodate such reconstruction or replacement; provided, however, that a variance may be granted to setbacks only if existing setback regulations would create undue hardship.
- (d) *Properties without dwelling units.* For a proposed reconstruction or replacement of a property without dwelling units, where that property is either a nonconforming use or a noncomplying building or structure, (i) if the property is involuntarily destroyed, reconstruction or replacement does not require

a variance; and (ii) if voluntarily destroyed to the extent that reconstruction or replacement would exceed 50 percent of the property's appraised or assessed value, the applicant must apply to the planning board for a variance.

- (e) *Mixed use properties.* If a property contains both a dwelling unit and a commercial use, its reconstruction or replacement shall be governed, separately, under each applicable subsection set forth in this section.
- (f) *Historic district.* Notwithstanding any other subsection contained in this section, if a noncomplying building or structure is a contributing building or structure according to the historic architectural review commission (HARC) and it is involuntarily destroyed, such building or structure may be reconstructed or replaced without a variance so long as it is to be rebuilt in the three-dimensional footprint of the original building and built in the historic vernacular as approved by the historic architectural review commission.
- (g) *Miscellaneous.* With respect to subsections (a) through (f) of this section, the development review committee and the planning board, in evaluating petitions for variance, shall balance the need to protect life and property with the need to preserve the economic base of the community. Under no circumstances shall a voluntarily or involuntarily destroyed nonconforming use or noncomplying building or structure be replaced to a degree or level that increases or expands the prior existing nonconforming use or noncomplying building or structure.

(Ord. No. 00-10, § 5, 6-6-2000; Res. No. 06-292, § 1, 9-6-2006; Ord. No. 08-04, § 24, 5-20-2008)

Sec. 122-29. - Repairs and maintenance.

- (a) *Generally.* Any building or structure devoted in whole or in part to a nonconforming density or nonconforming use may be repaired and maintained as provided in this section. If repair or maintenance shall exceed the criteria set forth in this section, renovation of the building or structure shall be governed by section 122-28
- (b) *Residential or transient dwelling units.* For residential or transient dwelling units, work may be done in any period of 12 consecutive months for repairs and maintenance to an extent not exceeding 66 percent of the current assessed or appraised value.
- (c) *Property without dwelling units or mixed use (commercial).* For property without dwelling units or mixed use (commercial), work may be done in any period for 12 consecutive months on ordinary repairs and maintenance to an extent not exceeding 50 percent of the current assessed or appraised value.

(Ord. No. 00-10, § 6, 6-6-2000)

Sec. 122-30. - Abandonment of nonconforming use.

If a nonconforming use ceases, except when government action impedes access to the premises, any and every future use of the building or structure and/or premises shall be in conformity with the use sections of the land development regulations. All material and equipment associated with the abandoned nonconforming use shall be completely removed from the premises by its owner. No new structure or addition that does not conform to the requirements of this article shall be erected in connection with such nonconforming use. A nonconforming use shall be considered abandoned when such use has ceased for a period of 24 months. If a dispute occurs with the city about whether a use has been abandoned, the owner shall be entitled to a hearing before the planning board.

(Ord. No. 00-10, § 7, 3-3-2000; Ord. No. 08-04, § 25, 5-20-2008)

Sec. 122-31. - Noncomplying lots or building sites of record.

- (a) In any district in which single-family dwellings are allowed, a single-family dwelling and customary accessory buildings may be erected on any legal nonconforming single lot that is in existence on January 1, 1994, and that is in different ownership from the adjoining property. This subsection shall

apply even though such lot fails to meet the requirements for area, depth or width, provided that all other zoning requirements shall apply.

- (b) If two or more adjoining lots or portions of lots in single ownership on January 1, 1994, do not meet the requirements for building site width, depth and area as established by this article, the land involved shall be considered to be an undivided parcel, and no portion of the parcel shall be used or sold that does not meet building site width, depth and area requirements, nor shall any division of the parcel be made that leaves remaining any lot with substandard width, depth, area, parking, open space or stormwater retention. Notwithstanding anything to the contrary in this subsection, two or more adjoining lots or building sites shall not be considered to be an undivided parcel, and may be sold or used for single-family dwellings, if allowed by applicable district regulations, so long as each lot or building site is at least 75 percent of the minimum lot size of the applicable district regulations and is not otherwise required to provide required parking for the adjacent parcel.

(Ord. No. 00-10, § 8, 6-6-2000)

Sec. 122-32. - Additional regulations.

- (a) A nonconforming use, nonconforming density or a noncomplying building or structure may be continued, subject to this article.
- (b) A casual, intermittent, temporary or illegal use of land, building or structure shall not be sufficient to establish the existence of a nonconforming use, nonconforming density or noncomplying building or structure.
- (c) Should any noncomplying building or structure be moved for any reason from its location, it shall thereafter conform to the regulations or the zoning district of its new location.
- (d) A nonconforming use shall not be extended, expanded, enlarged, or increased in intensity. This prohibition shall include but not be limited to the extension of a nonconforming use within a building or structure or to any other building or structure.
- (e) A nonconforming use of a building or structure may be changed to another nonconforming use if the planning board finds that:
 - (1) The new use is equally or more appropriate to the zoning district; and
 - (2) The change of use would not intensify the use of the premises by increasing the need for parking facilities; increasing vehicular traffic to the neighborhood; increasing noise, dust, fumes or other environmental hazards; or by having an adverse impact on drainage.
- (f) This article shall apply to signs, consistent with chapter 114

(Ord. No. 00-10, § 9, 6-6-2000; Ord. No. 08-04, § 26, 5-20-2008)

Sec. 122-33. - Eminent domain/public purpose waiver.

An eminent domain/public purpose waiver is intended to provide private property owners and owners of remainder parcels a viable and fair alternative to the adverse impact on their real property, as a result of an eminent domain action or voluntary conveyance to an acquiring authority. It allows the continued use of the remainder parcel in a manner similar to its pre-acquisition, pre-taking, or pre-conveyance condition. Waivers provided pursuant to this section 122-33 can be obtained for nonconforming lots and structures. Waivers cannot be granted for nonconforming uses.

- (a) Applicability.
 - (1) Vacant parcels, whether conforming or nonconforming lots, shall be eligible for an eminent domain/public purpose waiver from land development regulations including, but not limited to, minimum lot size, setbacks, parking, open space, pervious versus impervious area, density, floor area ratios, landscaping and landscape buffers, and signage setbacks, pursuant to sections 122-33(c), (d), and (e).

- (2) Developed parcels. Where an eminent domain action or voluntary conveyance for public transportation or other public purpose reduces the lot size and creates a nonconforming remainder parcel but does not require the relocation of site features, said parcel shall be eligible for an eminent domain/public purpose waiver from land development regulations including, but not limited to, minimum lot size, setbacks, parking, open space, pervious versus impervious area, floor area ratios, density, landscaping and landscape buffers, and signage setbacks, pursuant to sections 122-33(c), (d) and (e).
 - (3) Developed parcels. Where an eminent domain action or voluntary conveyance for public transportation or other public purpose requires the relocation of site features including, but not limited to, buildings, parking spaces, landscaping, stormwater facilities, dumpsters, light poles and signs, such a parcel shall be eligible for an eminent domain/public purpose waiver, pursuant to sections 122-33(c) and (e).
- (b) An acquiring authority, a private property owner, and an owner of a remainder parcel are each hereby granted the authority to apply for a waiver from the land development regulations on a remainder parcel that has resulted or will result from an eminent domain action or voluntary conveyance for public transportation or other public purpose. The application may be made prior to or after the acquiring authority has obtained title to some part of the parent tract. The city planner shall have authority to grant eminent domain/public purpose waivers pursuant to sections 122-33(c), (d) and (e).
- (c) Procedure for an acquiring authority or private property owner to apply for an eminent domain/public purpose waiver.
 - (1) An acquiring authority or a private property owner may apply in writing to the city planner for a waiver pursuant to sections 122-33(c) and (e). The applicable fee, established by resolution, shall be submitted with the following documents:
 - a. An as-built drawing of the parent tract and a legal description of the portion to be acquired by or transferred to the acquiring authority and the remainder parcel shall be submitted for those circumstances described in sections 122-33(a)(1), (2) and (3) above. The as-built drawing must show the parent tract and the remainder parcel with the proposed changes to the site including, but not limited to, buildings, parking, landscaping, stormwater facilities, topographic data and adjacent right-of-way; and
 - b. A site plan (a cure plan as defined herein) showing the parent tract and the remainder parcel with the proposed changes to the site including, but not limited to, buildings, parking, landscaping, stormwater facilities, topographic data and adjacent right-of-way. Submittal of a cure plan shall not be necessary on a vacant parcel but shall be required for those parcels described in section 122-33(a)(3) above.
 - (2) If an application for a waiver is submitted by an acquiring authority, the private property owner shall be notified via certified mail (return receipt requested) by the city planner within ten days of the application submittal date. Likewise if the private property owner applies for a waiver, the acquiring authority shall be notified via certified mail (return receipt requested) by the city planner within ten days of the application submittal date.
 - (3) The city planner shall grant or deny a waiver pursuant to section 122-33(c) in accordance with the standards set forth in section 122-33(e) below. A certified letter (return receipt requested) shall be issued within 30 days to the acquiring authority and the private property owner following the decision. The private property owner shall not be required to accept the waiver or implement a cure plan, as approved by the city planner.
- (d) Procedure for an owner of a remainder parcel to apply for an eminent domain/public purpose waiver.
 - (1) An owner of a remainder parcel may apply in writing to the city planner for a waiver pursuant to sections 122-33(d) and (e). The applicable fee, established by resolution, shall be submitted with the following documents:

- a. An as-built drawing depicting the remainder parcel and that portion of the parent tract previously acquired by or transferred to the acquiring authority following an eminent domain action or as a result of a voluntary conveyance shall be submitted for those circumstances described in section 122-33(a)(1) and (2) above; and
 - b. A certified copy of the recorded document evidencing the acquiring authority's acquisition of a portion of the parent tract following an eminent domain action or a certified copy of the deed of conveyance wherein the private property owner conveyed a portion of the parent tract to the acquiring authority as a result of a voluntary conveyance for public transportation or other public purpose.
- (2) The city planner shall grant or deny a waiver pursuant to section 122-33(d) in accordance with the standards set forth in section 122-22(e) below. A certified letter (return receipt requested) shall be issued within 30 days to the owner of a remainder parcel following the decision.
- (e) Standards for issuance of eminent domain/public purpose waivers.
 - (1) If an existing lot, parcel or structure becomes nonconforming (or an existing nonconformity becomes less conforming) as a result of a voluntary conveyance to an acquiring authority or an eminent domain action, a waiver may be granted by the city planner, provided a determination is made by the city planner that:
 - a. The requested waiver will not adversely affect safety, aesthetic or environmental conditions of neighboring properties; and
 - b. The requested waiver shall not adversely affect the safety of pedestrians or operations of motor vehicles; and
 - c. The requested waiver will not encourage or promote the continuation of existing uses of the property which have been or will be rendered unfeasible or impractical due to the impacts of the taking, conveyance, and/or construction of the roadway or other facility including, but not limited to, aesthetic, visual noise, dust, vibration safety, land use compatibility, environmental or other impacts.

(Ord. No. 12-18, § 2, 7-17-2012)

Sec. 122-34. - Status of parcels during or after acquisition by eminent domain action or voluntary conveyance for public transportation or other public purpose.

- (a) Where a waiver is issued pursuant to section 122-33(c) and (d), the waiver shall become effective and the remainder parcel shall be considered compliant to the degree feasible after an acquiring authority takes title to any portion of real property subject to an eminent domain action or voluntary conveyance for public transportation or other public purpose.
- (b) Where a private property owner accepts a waiver on a remainder parcel that was also a vacant parcel or where no cure plan was necessary, the waiver shall remain valid and applicable to the remainder parcel indefinitely. However, future site plan and building permit approvals shall comply with all provisions in the land development regulations except those listed in the waiver.
- (c) Where a private property owner accepts a waiver based upon a cure plan, the physical changes to the remainder parcel, specified in the cure plan, shall occur within two years of the waiver and cure plan being approved. Future site plan and building permit approvals shall comply with all provisions in the land development regulations except those listed in the waiver.
- (d) Waivers issued pursuant to this section may be appealed in the manner provided for appeals of administrative interpretations of the city planner pursuant to section 90-430
- (e) The city planner shall cause waivers issued pursuant to this section to be filed with the city clerk and recorded in the public records of Monroe County no later than 30 days from the effective date of the waiver.

- (f) The provisions of sections 122-33(c), (d), and (e) shall not be interpreted to allow for the continued existence of building or safety code violations that are determined to be an immediate threat to the public health, safety or welfare.
- (g) The appropriate city staff are hereby authorized to take any necessary steps to enforce all applicable building and safety codes though the subject property is part of a pending governmental acquisition.

(Ord. No. 12-18, § 3, 7-17-2012)

PREREQUISITES:

Version 10 Revised 9-26-14

Prerequisite 1: Swimming Pool / Spa

- P1.1 ☐ N/A Sanitation system that reduces chlorine use
- P1.2 ☐ N/A Pool Cover
- P1.3 ☐ N/A Solar pool heating system
- P1.4 ☐ N/A Dedicated PV's to run pool equipment
- P1.5 ☐ Yes Home has no pool or spa

Prerequisite 2: Waterfront Considerations

- P2.1 ☐ N/A Use of native aquatic vegetation in shoreline area
- P2.2 ☐ N/A No turf adjacent to water (Low maintain plants instead)
- P2.3 ☐ N/A Use of terraces, swales, or berms to slow storm water
- P2.4 ☐ Yes Home site does not border natural water body

Prerequisite 3: No Invasive Exotic Species

- P3.1 ☐ Yes Landscape Considerations
 - ☐ New Is the landscape existing or new

CATEGORY 1: ENERGY

Category Minimum 30 / Category Maximum 75

HERS Index - Energy Rating

E1.1 3 - 75 **Confirmed Florida HERS Rating - 3 points for each HERS Index point below 80**

Does the Home have a confirmed HERS Index

Confirmed HERS Index

Design, Finishes, Amenities

E2.1	<input type="text" value="1"/>	1	Thermal Bypass Inspection
E2.2	<input type="text" value="1"/>	1	Ductwork joints sealed with mastic
E2.3	<input type="text" value="1"/>	1	Ductwork smoke tested allowing leaks to be sealed prior to drywall
E2.4	<input type="text" value="1"/>	1	Cross vent and ceiling fans code credit
E2.5	<input type="text" value="1"/>	1	Roofed porch, Min 100ft ² AND 3 sides open
E2.6	<input type="text" value="N/A"/>	1	Passive solar space heating system
E2.7	<input type="text" value="N/A"/>	1	Passive solar day-lighting
E2.8	<input type="text" value="N/A"/>	1	Deciduous trees on south
E2.9	<input type="text" value="0"/>	1 - 4	House shaded on east and west by trees <input type="text" value="0"/> % of the designated wall areas (average of east and west walls) that are shaded by trees.
E2.10	<input type="text" value="1"/>	1	Washer and dryer outside of conditioned space
E2.11	<input type="text" value="1"/>	1	Floor joist perimeter insulated and sealed
E2.12	<input type="text" value="1"/>	1	Light colored exterior walls (80% minimum) <input type="text" value="55"/> Enter the Solar Reflective Index (SRI) of Paint
E2.13	<input type="text" value="2"/>	1 - 2	Light colored interior walls, ceilings, carpet/floors <input type="text" value="Yes"/> all major living spaces wall and ceiling surfaces have a reflectance of at least 50% <input type="text" value="55"/> Enter the Light Reflectance Value (LRV) of Paint <input type="text" value="Yes"/> bedrooms and all major living spaces have floors, walls, & ceilings are light-colored <input type="text" value="55"/> Enter the Light Reflectance Value (LRV) of Paint
E2.14	<input type="text" value="1"/>	1	Max 100W fixtures in bathrooms
E2.15	<input type="text" value="1"/>	1	Pre-plumb for solar hot water
E2.16	<input type="text" value="2"/>	2	Install a State Certified rated solar hot water system
E2.17	<input type="text" value="1"/>	1	Compact hot water distribution
E2.18	<input type="text" value="1"/>	1	Insulate all hot water pipes
E2.19	<input type="text" value="1"/>	1	Energy-efficient clothes dryers
E2.20	<input type="text" value="1"/>	1	Energy-efficient ovens/ranges
E2.21	<input type="text" value="1"/>	1	Energy Star® clothes washers
E2.22	<input type="text" value="1"/>	1	Efficient well pumping
E2.23	<input type="text" value="0"/>	1	Efficient envelope volume <input type="text" value="0"/> Total Gross Wall Area <input type="text" value="1"/> Conditional Square Footage <input type="text" value="1"/> Number of Stories
E2.24	<input type="text" value="1"/>	1	Dwelling unit attached, zero lot-line, row house
E2.25	<input type="text" value="2"/>	2	Recessed, sealed IC fixtures
E2.26	<input type="text" value="3"/>	3	Energy Star® Advanced Lighting Package
E2.27	<input type="text" value="2"/>	2	Outdoor lights are energy efficient.
E2.28	<input type="text" value="1"/>	1	Install motion sensors on a minimum of 60% of the hard wired lighting fixtures
E2.29	<input type="text" value="1"/>	1	Energy Efficient Sheathing
	<input type="text" value="48"/>	112	Total Points

Total points for Category 1 (30 min / 75 max)

Name of HERS Rater:

Certifying Agent Category 1:

CATEGORY 2: WATER

Category Minimum 15 / Category Maximum 40

N/A Is the landscape existing or new

W1 Fixtures

- | | | | |
|------|---|-------|--|
| W1.1 | 2 | 2 - 3 | Water saving clothes washer |
| | | | 4.5 : Water factor (WF) of clothes washer |
| W1.2 | 1 | 1 | Low-flow shower heads (must be ≤ 2.0 gpm) |
| W1.3 | 1 | 1 | All showers equipped with only 1 showerhead per shower |
| W1.4 | 1 | 1 - 2 | all lavatory sink faucets have flow rates of ≤ 2.0 gpm (all ≤ 1.5 gpm = 2 pts) |
| W1.5 | 2 | 2 | High Efficiency Dual-flush or Single Flush Toilets (all toilets ≤ 1.28 gpf) |
| W1.6 | 1 | 1 | Toilet with UNAR Map Rating of 600 gpf or greater |

W2 Greywater Reuse

- | | | |
|------|-------|----------------------------|
| W2.1 | 1 - 3 | Greywater System Installed |
|------|-------|----------------------------|

W3 Rainwater Harvesting

- | | | |
|------|-------|---------------------------------------|
| W3.1 | 1 - 3 | Rainwater Harvesting System installed |
|------|-------|---------------------------------------|

W4 Reclaimed Water Reuse

- | | | |
|------|---|--------------------------------------|
| W4.1 | 2 | Water for irrigation |
| W4.2 | 2 | Meter on reclaimed irrigation system |
| W4.3 | 2 | Volume-based pricing arrangement |
| W4.4 | 2 | For toilet flushing |

W5 Installed Landscape

- | | | |
|------|-------|--|
| W5.1 | 2 | Drought-tolerant turf, no turf in densely shaded areas |
| W5.2 | 1 - 3 | 60%, 80%, 100%, of plants/trees from drought-tolerant list |
| | | 80% : Percentage of drought tolerant plant |
| W5.3 | 2 | All plants/trees selected to be compatible with local environment / microclimate |
| W5.4 | 3 | Turf less than 50% of landscape |
| W5.5 | 2 | Evenly shaped turf areas, no turf on berms |
| W5.6 | 2 | Plants with similar maintenance requirements grouped together |
| W5.7 | 1 | Mulch applied 3 - 4 inches deep around plants / no volcano mulch |
| W5.8 | 1 | Non-Cypress mulch used |
| W5.9 | 2 | Soil tested and amended where necessary |

W6 Installed Irrigation

- | | | |
|------|-----|---|
| W6.1 | 10 | No permanent installed irrigation system |
| W6.2 | 2 | Innovative irrigation technology |
| W6.3 | 3 | Irrigated land according to FGBC standard |
| | Yes | Separate zones for turf and landscape beds - multi program controller |
| | No | High-volume irrigation does not exceed 60% of landscape area |
| | No | Head to head coverage for rotor/spray heads |
| | Yes | Correctly installed Micro-irrigation in landscape beds and narrow areas |
| | Yes | Minimize overspray on impermeable surfaces |

- | | | |
|------|----|-----|
| W6.4 | 1 | 1 |
| | OR | Yes |
| | | Yes |
| W6.5 | 1 | 1 |
| W6.6 | 1 | 2 |
| W6.7 | 1 | 1 |
- Pressure compensating spray heads installed in spray zones
- Pressure regulating valves are installed for spray zones
- In poor drainage (low) areas, heads are installed with check valves
- High volume irrigated areas have matched precipitation rates
- Pop-up sprinkler heads significantly rise above turf grass height

W7 Additional Water Certification Requirements

- | | | | |
|------|----|----|--|
| W7.1 | 5 | 5 | Meet or exceed Florida Water Star™ or WaterSense standards: |
| W7.2 | 2 | 2 | Florida Friendly Landscape™ Program New Construction Certification |
| | 41 | 57 | Total Points |

40 Total points for Category 2 (15 min / 40 max)

Certifying Agent Category 2:

Landscape Auditor:

Credentials of Auditor:

CATEGORY 3: LOT CHOICE

Version 10 Revised 9-26-14

Category Minimum 0 / Category Maximum 15

LC1.1	0	1 - 6	House built within designated FGBC green land development
			<div> <div>No</div> <div>0</div> <div>Name of FGBC Green Development</div> </div> <div>% of land development that scored beyond the minimum compliance of FGBC standard</div>
LC1.2	N/A	2	Home within a certified green local government
LC1.3	2	2	Built on an infill site
LC1.4	1	1	Site within 1/8 mile of existing infrastructure
LC1.5	2	2	Site within 1/4 mile to mass transit
LC1.6	2	2	Site within 1/2 mile of public open/green space
LC1.7	2	2	Site within 1/4 mile of existing basic community resources
			<div>1/2 Mile away from basic community resources</div> <div> <div>Yes</div> <div>Arts and entertainment center</div> </div> <div> <div>Yes</div> <div>Bank</div> </div> <div> <div>Yes</div> <div>Community or civic center</div> </div> <div> <div>Yes</div> <div>Convenience store</div> </div> <div> <div>No</div> <div>Daycare center</div> </div> <div> <div>Yes</div> <div>Fire station</div> </div> <div> <div>Yes</div> <div>Fitness center or gym</div> </div> <div> <div>No</div> <div>Laundry or dry cleaner</div> </div> <div> <div>No</div> <div>Library</div> </div> <div> <div>Yes</div> <div>Medical or dental office</div> </div> <div> <div>Yes</div> <div>Pharmacy</div> </div> <div> <div>No</div> <div>Police station</div> </div> <div> <div>No</div> <div>Post office</div> </div> <div> <div>Yes</div> <div>Place of worship</div> </div> <div> <div>Yes</div> <div>Restaurant</div> </div> <div> <div>Yes</div> <div>School</div> </div> <div> <div>Yes</div> <div>Supermarket</div> </div> <div> <div>Yes</div> <div>Other Neighborhood-serving retail</div> </div> <div> <div>Yes</div> <div>Other office building or major employment center</div> </div>
LC1.8	N/A	2	Site located in small lot cluster development
LC1.9	N/A	2	Brownfield site
	9	21	Total Points
	9	Total points for Category 3 (0 min / 15 max)	

Certifying Agent Category 3:

#VALUE!

CATEGORY 4: SITE

Category Minimum 5 / Category Maximum 30

- 1 That all credits in this category deal only with buildable land. What this means is that if the land is not legally allowed to be disturbed then you may not count this as part of the percentage required for the given credit.

Native Tree and Plan Preservation

- S1.1 2 **Maximize tree survivability**
- S1.2 1 - 2 Minimize soil compaction
Restrict all construction equipment from driving on site during construction except for
- S1.3 2 Replant or donate removed vegetation
- S1.4 1 - 9 Preserve or create wildlife habitat / shelter
 % of property that was created or preserved as a wildlife habitat or shelter

On Site Use of Cleared Materials

- S2.1 2 Mill clear trees
- S2.2 1 - 2 Reuse cleared materials for mulch / landscape
Mulch is both cleared and reused:

Erosion Control / Topsoil Preservation

- S3.1 2 **Develop an erosion control site plan**
- S3.2 1 Stabilize disturbed soil
- S3.3 2 Stage disturbance
- S3.4 1 Control sediment runoff during construction
- S3.5 1 Save and reuse any removed topsoil

Drainage / Retention

- S4.1 2 Onsite designated retention area
- S4.2 2 Direct filtered rooftop runoff to planted area(s)
- S4.3 1 - 4 Maintain pervious surface area (If not taking points input 1 for Total Lot Area)
Partial Pervious

<input type="text" value="0"/>	% Pervious Material	<input type="text" value="20000"/>	Total Lot Area (sq. ft.)
<input type="text" value="12000"/>	Coverage Area (sq. ft.)	<input type="text" value="8000"/>	100% Pervious sq. ft.
<input type="text" value="0"/>	Equivalent Pervious Area -->	<input type="text" value="8000"/>	Equivalent Pervious Area (semi-pervious)
<input type="text" value="2"/>	Total points for pervious area		
- 34 Total Points

Total points for Category 4 (5 min / 30 max)

Certifying Agent Category 4:

0

CATEGORY 5: HEALTH

Version 10 Revised 9-26-14

Category Minimum 15 / Category Maximum 35

Combustion

- | | | | |
|------|---|-------|---|
| H1.1 | 3 | 3 | Detached garage/carport OR air barrier between living space & garage AND no air handler or ducts in garage |
| H1.2 | 1 | 1 | Garage (attached or detached)- exhaust fan on motion sensor and timer |
| H1.3 | 1 | 1 | Interior Fireplace - Direct vent, sealed combustion w/electronic ignition, factory built wood burning or no fireplace |
| H1.4 | 2 | 1 - 2 | No unsealed space or water heating combustion located inside the conditioned area - or electric |

Space Heating

- | | |
|-----|-----------------------------|
| Yes | Electric |
| N/A | Sealed combustion equipment |
| N/A | Sealed combustion closet |

Water Heating

- | | |
|-----|------------------------------|
| Yes | Electric |
| N/A | Sealed combustion equipment |
| N/A | Sealed combustion closet |
| N/A | Outside of conditioned space |

Moisture Control

- | | | | |
|------|---|---|--|
| H2.1 | 0 | 1 | Drainage tile on and around top of footing |
| H2.2 | 0 | 1 | Drainage board for below grade walls |
| H2.3 | 0 | 1 | Gravel bed beneath slab on grade floors |
| H2.4 | 1 | 1 | Seal slab penetration |
| H2.5 | 0 | 1 | Capillary break between foundation and framing |
| H2.6 | 0 | 3 | Central dehumidification system |
| H2.7 | 0 | 1 | No vapor barrier on inside of assemblies |
| H2.8 | 1 | 1 | Moisture control for tub/shower and shower surrounds |

Source Control

- | | | | |
|------|---|-------|--|
| H3.1 | 1 | 1 | No exposed urea-formaldehyde wood products |
| H3.2 | 2 | 2 | Zero VOC paints, stains, and finishes |
| H3.3 | 1 | 1 | Low VOC paints, stains, and finishes |
| H3.4 | 1 | 1 | Low VOC sealants and adhesives |
| H3.5 | 1 | 1 - 2 | Minimize carpet use (<50% 1pt, No wall to wall carpet 2pts) |
| H3.6 | 0 | 1 | Healthy flooring |
| H3.7 | 0 | 1 | Healthy insulation |
| H3.8 | 1 | 1 - 2 | Protect ducts, range hood, and bath exhaust fans during construction |
| H3.9 | 3 | 3 | Integrated pest management plan |

Cleanability

- | | | | | | | | | | |
|------|---|-------|-----------------------|-----|-------------------|-----|--------------------------------|-----|--|
| H4.1 | 0 | 1 - 2 | Central vacuum system | N/A | System roughed in | N/A | Installed with exhaust outdoor | N/A | Installed with exhaust indoor thru HEPA filter |
| H4.2 | 0 | 1 | Useable entry area | | | | | | |

Universal Design

- | | | | |
|------|---|-------|----------------------------------|
| H5.1 | 3 | 1 - 3 | Universally designed living area |
|------|---|-------|----------------------------------|

Ventilation

- | | | | |
|-------|-----|-------|---|
| H6.1 | 0 | 2 - 4 | Controlled mechanical ventilation |
| H6.2 | 1 | 1 | Radon/Soil gas vent system installed |
| H6.3 | 1 | 1 | Floor drain sealed |
| H6.4 | 1 | 1 | Energy Star® bath fans with timer or humidistat |
| H6.5 | 1 | 1 | Kitchen range hood vented to exterior |
| H6.6 | 1 | 1 | Laundry rooms inside conditioned space must have a make-up air source |
| H6.7 | N/A | 3 | Whole house positive filtration |
| H6.8 | 2 | 1 - 2 | Efficient HVAC filter |
| H6.9 | 1 | 1 | HVAC filter easily accessible |
| H6.10 | 1 | 1 | Install screens on all windows and doors |
| H6.11 | N/A | 1 | Manual D duct design |
| | 30 | 52 | Total Points |

30 Total points for Category 5 (15 min / 35 max)

Certifying Agent Category 5:

CATEGORY 6: MATERIALS

Version 10 Revised 9-26-14

Category Minimum 10 / Category Maximum 35

Components

M1.1	-	1	Recycled content roof material
M1.2	2	2 - 3	Certified sustainable lumber
		No	homes with minimum of 1 story wood frame exterior walls have 80% of all lumber certified
		Yes	home has no exterior wood walls & 80% of remaining lumber used for the home is certified.
M1.3	-	1	Engineered / alternative material for outdoor living
M1.4	-	1	Concrete with fly ash or blast furnace slag
M1.5	-	1	Recycled content siding or soffit material
M1.6	-	1	Eco-friendly insulation
M1.7	-	1	Recycled content drywall
M1.8	-	1	Recycled content paint
M1.9	1	1	Steel interior studs
M1.10	-	1	Eco-friendly flooring material
M1.11	-	1	Eco-friendly ceiling materials
M1.12	1	1 - 3	Locally produced materials
		Yes	minimum 80% of all new windows & doors are from local manufacturers & are operable
		N/A	50% of all doors are reused doors or 50% of all windows are reused windows
		N/A	80% of all structural components are from local sources - includes panelized & modular systems

Waste Reduction

M2.1	N/A	3	Resource efficient wall system with integral insulation
M2.2	2	2	Develop a construction and demolition waste management plan
M2.3	3	2 - 4	Implement job site waste management
		3	# of items implemented
			trash, perimeter water, storage List items (i.e.: a, b, c, etc.)
M2.4	-	1	Compost bin/built in collection of recyclables
M2.5	1	1 - 2	Engineered roof and floor components
		Yes	80% of floor (or code allowance)
		N/A	80% of roof (or code allowance)
M2.6	1	1	Finger jointed or laminated products
M2.7	1	1	Eco-friendly trim
M2.8	-	1	Perimeter based on 2 foot dimensions
M2.9	-	1	Over 50% of each interior wall adheres to a 2' layout
M2.10	-	1	Stack framing
M2.11	-	1	2-stud corners with drywall clips
M2.12	-	1	T-wall with drywall clips

Durability

M3.1	1	1	Roof slope $\geq 3:12$ but $\leq 6:12$
M3.2	-	1	Large overhangs (eave and gable)
M3.3	-	1	Air admittance vents
M3.4	-	1	Wood frame house and/or wood frame 2nd floors designed with vented rain screen
M3.5	1	1	Siding and exterior trim primed all sides
M3.6	1	1	Plants/turf minimum of 2ft. from foundation
M3.7	1	1	Sprinklers and emitters are located a minimum of 2 ft from foundation
M3.8	-	1	Use armored, PEX, or metal hoses (except copper) from service to all fixtures/appliances
M3.9	-	2	Automatic in home water sensor/shut off system installed
M3.10	-	1	Access panel to non-accessible plumbing fixture installed
M3.11	-	1	Laundry room below living floor or drain installed
	16	47	Total Points

16 Total points for Category 6 (10 min / 35 max)

Certifying Agent Category 6:

0

CATEGORY 7: DISASTER MITIGATION

Version 10 Revised 9-26-14

Category Minimum 5 / Category Maximum 30

Hurricane (wind, rain, storm surge)

DM1.1	2	Safe room
DM1.2	2	Unvented attic or No attic
DM1.3	2	Window, door, and skylight protection or impact resistant type
DM1.4	1	Attached garage and exterior door protection
DM1.5	1	Exterior structures and equipment properly anchored
DM1.6	2	Secondary water protection installed on roof
DM1.7	2	Adhesive applied to roof sheathing
DM1.8	5	Comply with Fortified For Safer Living Standards

Flood (must incorporate all three)

DM2	3	Yes	Finished floor level at least 12" above 100 yr flood plain
		Yes	Bottom of slab at least 8" above the top of backfilled dirt, graded for proper drainage
		Yes	Garage floor & driveway sloped to drain out. Garage floor at least 4" lower than living floor

Fire (must incorporate all three for 3.1)

DM3.1	3	Yes	Fire resistant exterior wall cladding
		Yes	Fire resistant roof covering or sub-roof
		Yes	Fire resistant soffit and vent material
DM3.2	0	3	Fire Sprinklers installed to cover 100% of living area of home

This should be "3" but the formula isn't pulling correctly to the summary sheet.

Lightning & Electronics Protection

DM4	1 - 2	Installed Surge Suppression or Lightning Protection System
-----	-------	--

Termites (must comply w/required credits listed below AND EITHER DM 4.1 OR DM 4.2 OR DM 4.3 to receive points)

- required Seal slab penetrations
- required Vegetation > 2 ft. from foundation
- required Slopes graded away from building

DM 5.1	10	10	DM 5.1: Chemical Soil Treatment Used
		Yes	Exterior cladding installed to prohibit intrusion
		Yes	Rain gutters installed (downspouts discharge a minimum of 3' from home) OR meet large overhangs (≥2')
		Yes	Condensate line(s) discharge a min of 2' from home & are located 5' or more from dryer vent
		Yes	Irrigation/sprinkler water does not hit building
		Yes	Damage replacement warranty issued and available for annual renewal
	OR		
DM 5.2		10	DM 5.2: Chemical Soil Treatment Avoided
		-	Chemical soil treatment avoided
		-	Alternative Florida Building Code approved method of foundation protection employed
	OR		
DM 5.3		12	DM 5.3: Treated wood products
		-	All wood products serving structural or exterior finish purposes are borate or ACQ treated
DM5.4		1	80% of Cellulose insulation used is Borate treated
	25	38	Total Points

25 Total points for Category 7 (5 min / 30 max)

Actually 28, see note above.

Certifying Agent Category 7:

The groundwater table was observed in the borings at depths ranging from 3.0 to 4.6 feet below existing grade at the time of drilling (October 2015). The difference in the water level is primarily a result of slight changes in the ground surface elevation between the borehole locations.

It should be noted that groundwater levels at the site fluctuate daily due to tidal changes and seasonally in response to rainfall and the infiltration rate of the soil. Therefore, at a time of the year different from the time of drilling, there is a possibility of a change in the recorded levels. We estimate that during the peak of the wet hydroperiod, with rainfall and recharge at a maximum, groundwater levels at the site could be one to two feet higher than those reported herein (i.e. seasonal high groundwater table level).

We recommend that the contractor determine the actual groundwater levels at the time of construction to assess groundwater impact on his construction procedure. Please refer to the boring logs presented in the **Appendix** for details on the subsurface conditions encountered at the exploration locations.

3.0 RECOMMENDATIONS

3.1 FOUNDATIONS

After completion of site preparation procedures as noted in **Section 4.0** of the report, the proposed structure can be supported on shallow foundations that are designed using a maximum net allowable bearing pressure of 4,000 pounds per square foot (psf), resting on the natural limestone. If required for complying with "Monroe County, Florida, Code of Ordinances" Section 122-3 (c), rock anchors may be used to supplement the shallow foundations and is discussed in **Section 3.2** of the report.

The bottom of the footings should be at least 18 inches below the finished exterior grade in order to provide confinement. We further recommend that the footings supporting isolated columns have a minimum width of 36 inches and that continuous footings (if present) have a minimum width of at least 18 inches, even if those dimensions produce a bearing pressure less than the allowable. The purpose of limiting the minimum footing size is to prevent a "punching" shear failure and to reduce the possibility of bearing on an isolated weak zone.

The contractor should anticipate a high resistance to excavation activities (i.e. during footing excavation, as well as during the installation of below grade utilities) as moderately to strongly cemented limestone was encountered at relatively shallow depths. The limestone formation may require the use of special equipment and breaking tools during construction excavation work, installation of well points (if required for dewatering) and associated earthwork activities.

Foundations subject to transient lateral loads will resist these forces through a combination of base shearing resistance mobilized at the footing-subgrade interface and earth pressure acting on the vertical faces of the footings at right angles to the direction of applied load. Base shearing resistance may be determined using a friction factor of 0.55. Passive earth pressure resistance should be computed using an equivalent fluid pressure of 180 pounds per square foot per foot of depth, for granular backfill material. Resistance to sliding determined in accordance with the noted parameters should be considered ultimate resistance. Accordingly, the design for sliding resistance should include a factor of safety. We recommend that a factor of safety of at least 1.5 be used.

To calculate the resistance of a footing to uplift forces, a prismatic failure block with vertical faces should be assumed above the footing base. The resisting forces will be provided by the combination of footing weight, overburden soil weight in the failure block, and shearing resistance along the faces of the soil block. The weight of the soil above the water table should be taken as 110 pounds per cubic foot (pcf). For submerged soil, a buoyant weight of 48 pcf should be used. The factor of safety against uplift should not be less than 1.5.

The amount of settlement of a structure founded on top of granular soils is primarily governed by the elastic compressibility of the material, the size and depth of its foundations, and the pressure imposed on the supporting materials by the foundations. Based on the field test data obtained, our experience with similar structures and empirical relationships for bearing capacity and settlement, we have estimated that the maximum total settlement of the foundations will be less than one inch. Differential settlement, between adjacent foundations, should be approximately one-half of the total settlement movement. Angular distortions that occur along wall footings due to differential settlement are not expected to be more than 1 in 600 (i.e. one half inch in 25 feet).

Compacted structural fill that will provide support to the footings have very low compressibility characteristics and any settlement due to pressure applied by the foundations is likely to occur almost immediately upon application of the loads. In this case, nearly all of the settlement of the structure foundations due to dead loads is expected to take place during construction. The portion of the settlement due to the live load of the building will generally take place soon after the first application of this load.

Our settlement estimates are contingent upon subgrade preparation being carried out as recommended herein. Total and differential settlements of the noted magnitudes are usually considered tolerable for the anticipated construction; however, the tolerance of the proposed structure to the predicted total and differential settlements should be confirmed by the structural engineer/architect. Additionally, our settlement estimates are based on the foundation loads being on the order of magnitude noted earlier in **Section 1.0** of this report.

3.2 ROCK ANCHORS

For the purpose of anchoring the building foundation into the limestone formation, thereby providing uplift resistance, 16-inch diameter drilled cast-in-place rock anchors are typically used in Monroe County. The rock anchors will need to be installed a minimum of three feet into the natural limestone strata. The allowable capacity in uplift for a 16-inch diameter rock anchor is noted below in **Table A**. (Full length reinforcement should be placed in the anchor in order to develop the necessary uplift capacity with an adequate factor of safety.)

Table A: Recommendations for Drilled Cast-in-Place Rock Anchors

Diameter (inches)	Minimum Rock Socket Length (feet)	Allowable Uplift Capacity (Tons)
16	3	15

Note: The top of limestone surface was encountered at an approximate depth of two feet below grade as it existed at the time of drilling the borings in October 2015.

3.3 GROUND FLOOR SLAB

We recommend that the procedures described in **Section 4.0** of this report be used to prepare the floor slab subgrade. Ground floor slabs can bear directly on top of compacted structural fill material. A modulus of subgrade reaction value of 150 pounds per cubic inch (pci) may be used for design.

To avoid potential moisture problems, we recommend that floor slab subgrade soils be covered with a vapor barrier (such as visqueen, normally 6 mil thick) prior to constructing the slab-on-grade floors. The floor slabs should be reinforced to make them as rigid as practical. Proper joints should be provided at the junctions of the slabs and foundation system so that a small amount of independent movement can occur without causing structural damage. An ultimate friction factor of 0.21 should be used for the vapor barrier-soil interface with an appropriate factor of safety. The use of vapor barrier should only be considered within enclosed spaces. The use of vapor barrier will not be necessary beneath exterior slabs.

4.0 SITE PREPARATION

Based on the results of our field exploration, we anticipate site preparation procedures to include the steps listed below. All work should be carried out in accordance with current regulatory criteria with the site preparation work and construction activities being carried out with care so as not to impact the adjacent existing construction that is to remain. The earthwork and testing required herein should be performed under the supervision of PSI personnel.

1. The location of any existing underground utility lines within the construction area should be established. Provisions should be made to relocate any interfering utility lines within the construction area. Abandoned utilities should be removed or grouted to reduce the possibility of subsurface erosion that could result in future settlement. Excavations resulting from the removal of unwanted pipes should be infilled with suitable granular soils that are thoroughly compacted.
2. Portions of the existing structures intended for demolition and the associated foundation elements should be removed. All construction debris along with other unwanted ground cover (asphalt, concrete, vegetation, etc.) should be completely removed from the site and be properly disposed of. This work should be carried out in accordance with current regulatory criteria. If the existing foundations intended for demolition are left in place they could have potential impacts on the new construction.
3. The cleared exposed subgrade should be densified using a self-propelled vibratory roller which imparts a dynamic force of not less than 20 tons. Densification of the soils should be performed within the proposed development areas plus a 5-foot wide perimeter extending beyond the outside edge of the same, where practical. Densification operations should continue until the subgrade soils are firm and unyielding. Any area of the exposed surface that deflects excessively under the weight of the compaction equipment should be excavated approximately 24 inches and be replaced with compacted structural fill. Soils in this interval should be compacted to at least 95 percent of the Modified Proctor maximum dry density determined per ASTM D-1557.

4. Structural fill material may be composed of either clean sands or limerock. The fill should consist of an inorganic, non-plastic material, free of any man-made debris and limerock with a three inch maximum particle size. Proper control of the placement and compaction of new fills for the project should be exercised by a representative of the geotechnical engineer. The fill materials should be placed in lifts not exceeding 12 inches in loose thickness. Each lift should be compacted to at least 95 percent of the Modified Proctor maximum dry density near the optimum moisture content as determined by ASTM D-1557. Fill to be compacted with a vibratory plate tamper or a small walk behind vibratory roller should be placed in lifts not exceeding six inches in loose thickness.
 - A) The structural fill to be used above the water table should have a Unified Soil Classification System designation of GP, GW, SP, SW, GP-GM, GW-GM, SW-SM, or SP-SM containing less than 12 percent material passing the No. 200 sieve.
 - B) The structural fill or backfill to be placed below the water table and to a height of one foot above it should consist of a combination of FDOT 57 Stone and structural fill material mixed in an approximate 50% proportion by volume. Density testing will not be required within this layer, however the subgrade preparation work should be observed by a representative from our office to confirm that the material is in a stable and unyielding condition.
 - C) The use of a commercially available fill material by the name "Cyclone Sand" should not be permitted for the project. Cyclone sand contains large amounts of fines and is therefore very sensitive to moisture. The moisture sensitivity of the material makes it difficult to compact and achieve the desired densities.
5. The footings for the proposed structure should be placed on the natural limestone.
 - A) For footings resting on the natural limestone formation, in lieu of compaction, the bottom of excavation should be observed by a geotechnical engineer from this office to verify the integrity of the limestone.
 - B) All open foundation excavations should be observed and approved by a licensed geotechnical engineer or his representative prior to pouring concrete.
6. Groundwater control may be required at this site for either excavation dewatering or removal of temporarily perched water from a rain event. Such water can be controlled by pumping from sumps located in ditches or pits. Groundwater should be maintained at least one foot below the bottom of any excavation made during construction operations, or, at least two feet below the surface of any compaction operations.
7. It is mandated by federal regulations that all excavations, whether they be utility trenches, basement excavations or footing excavations, be constructed in accordance with OSHA guidelines. It is our understanding that these regulations are being strictly enforced and if they are not closely followed, the owner and the contractor could be liable for substantial penalties.

5.0 PAVEMENT SECTION SUGGESTIONS

Flexible pavement sections in this geographic area typically consist of an asphaltic concrete wearing course, a limerock base course and a stabilized subgrade (sub-base). Based on our experience in the area, the typical pavement section thicknesses noted in Table B below are considered suitable for the project.

Table B: Typical Pavement Section Suggestions

Type of Pavement	Layer	Material Description	Layer Thickness (inches)	
			Light Duty	Medium Duty
Flexible	(A)	Florida DOT Asphalt Type S	1.5	2.0
	(B)	Crushed limerock with a minimum LBR of 100, compacted to 98% of the Modified Proctor maximum dry density	6.0	8.0
	(SB)	Stabilized sub-grade (sub-base) fill with a minimum LBR of 40 compacted to 95% of the Modified Proctor maximum dry density	12.0	12.0
Rigid	(C)	Florida DOT Portland Cement Concrete	5.0	6.0
	(SB)	Stabilized sub-base compacted to 95% of the Modified Proctor maximum dry density	12.0	12.0
(A) = Asphaltic Concrete, (B) = Base Course, (SB) = Stabilized Sub-grade (Sub-base) (C) = Concrete				

The base course materials in the pavements should consist of crushed limerock having a minimum Limerock Bearing Ratio (LBR) of 100. Base materials should meet the requirements presented in the latest revisions of the Florida Department of Transportation "Specifications for Road and Bridge Construction", Section 911 (limestone). The base course should be compacted to at least 98 percent of the material's maximum dry density (ASTM D-1557). The subgrade should be stabilized to a depth of 12 inches to achieve a minimum LBR of 40. This can be obtained by blending base material (limerock) with the existing subgrade soils. The required mixing ratio should be determined by laboratory testing. The stabilized subgrade should be compacted to at least 95 percent of the maximum dry density (ASTM D-1557). The LBR requirement for the subgrade soils is only necessary for the "flexible" pavement section.

Where dumpsters are to be parked on the pavement, so that a considerable load is transferred from relatively small steel supports, it is recommended that rigid concrete pavement be constructed. In addition, in areas utilized for loading and unloading heavy duty-trucks, consideration should also be given to using a rigid pavement. In accordance with the geotechnical requirements, a minimum portland concrete pavement thickness of 5 inches should be used in parking areas (light duty) and 6 inches in loading areas (medium duty), if rigid pavements are to be employed.

The concrete should be reinforced as necessary to withstand the traffic loadings anticipated and jointed to reduce the potential for crack development. The minimum rigid pavement thickness recommended herein is based upon concrete with an unconfined compressive strength of 4,000 pounds per square inch (psi) and a modulus of rupture of 450 psi. Fill that may be required to raise grades in pavement areas should be compacted to at least 95 percent of the material's maximum dry density (ASTM D-1557).

Lastly, we recommend that a minimum separation of two feet be maintained between the bottom of the base and the seasonal high groundwater table levels.

Actual pavement section thicknesses and the reinforcement details for the rigid pavement section should be provided by the Design Civil Engineer based on traffic loads, volume, and the owner's design life requirements. The noted sections represent minimum thicknesses for typical local construction practices and, as such, periodic maintenance should be anticipated. All pavement materials and construction procedures should conform to FDOT, American Concrete Institute (ACI), or appropriate city/county requirements.

6.0 REPORT LIMITATIONS

Our professional services have been performed, findings obtained, and recommendations prepared in accordance with generally accepted geotechnical engineering principles and practices at the time of this report. This company is not responsible for the conclusions, opinions or recommendations made by others based on this data. No other warranties are implied or expressed. After the plans and specifications are complete, it is recommended that PSI be provided the opportunity to review the final design and specifications, in order to verify that the earthwork and foundation recommendations are properly interpreted and implemented. At that time, it may be necessary to submit supplemental recommendations.

The scope of investigation was intended to evaluate soil conditions within the influence of the proposed shallow foundations. The analyses and recommendations submitted in this report are based upon the data obtained from the soil borings performed at the locations indicated. If any subsoil variations become evident during the course of this project, a re-evaluation of the recommendations contained in this report will be necessary after we have had an opportunity to observe the characteristics of the conditions encountered. The applicability of the report should also be reviewed in the event significant changes occur in the design, nature or location of the proposed structure.

The scope of our services did not include an environmental assessment for the presence or absence of hazardous or toxic materials in the soil and groundwater. Any statements in this report regarding odors, staining of soils, or other unusual conditions observed are strictly for the information of our client.

This report has been prepared for the exclusive use of Key West Senior Living, LLC and their design consultants, for the specific application to the design and construction of the Poinciana Gardens Senior Living in Key West, Florida.

7.0 CLOSURE

We trust this report is adequate for your current needs; however, should you have any questions or should additional information be required, please do not hesitate to contact our office at (305) 471-7725.

Respectfully Submitted,

Professional Service Industries, Inc.
Certificate of Authorization No: 3684



Jonathan Bassett, E.I.
Project Engineer



Dhuruva (Dru) Badri, P.E.
Department Manager
FL License No. 68718

APPENDIX

Sheet 1:	Site Vicinity Map
Sheet 2:	Site Photographs
Sheet 3:	Boring Location Plan Boring Logs
Table 1:	Summary of Percolation Test Result Schematic of Usual Open-Hole Percolation Test



Professional Service Industries, Inc.
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Miami, FL 33166
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LOG OF BORING B-1

Sheet 1 of 1

PSI Job No.: 0397-984
Project: Poinciana Gardens Senior Living
Location: (N.E.C.) Duck Avenue and Dunlap Drive
Key West, Florida

Drilling Method: SPT
Sampling Method: SS
Hammer Type: Automatic
Boring Location: Refer to Sheet 3

WATER LEVELS

While Drilling 4.2 feet
Upon Completion 4.2 feet
Delay N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	Moisture, %	STANDARD PENETRATION TEST DATA N in blows/ft	Additional Remarks
											Moisture: <input type="checkbox"/> Moisture <input type="checkbox"/> PL <input type="checkbox"/> LL STRENGTH, tsf: <input type="checkbox"/> Qu <input type="checkbox"/> Qp	
0	0			1			Dark Brown Organic Fine SAND with Traces of Limerock and Vegetation (Topsoil)	OL SP	8-35-41-50			>>②
				2			Dark Brown Organic Fine SAND with Traces of Roots		N=76 (50/5")			>>⑥
				3			Light Brown/Gray LIMESTONE with Fine Sand		N=50/5"			>>③
	5			4					46-(50/3")			>>③
				5					N=50/3"			
	10			6					36-35-41-(50/4")			>>⑥
				7					N=76			
	15			8					25-31-36-45			>>⑥
				9					N=67			
	20			10								
	25			11								
	30								15-15-18			
									N=33			
	35								17-18-18			
									N=36			
	40								16-17-20			
									N=37			
									15-17-19			
									N=36			
									14-13-13			
									N=26			
									8-7-7			
									N=14			

Completion Depth: 40.0 ft
Date Boring Started: 10/13/15
Date Boring Completed: 10/13/15
Logged By: I.L.
Drilling Contractor: PSI, Inc.

Sample Types:
☐ Auger Cutting
☒ Split-Spoon
☐ Rock Core
☐ Shelby Tube
☐ Hand Auger
☐ Calif. Sampler
☐ Texas Cone

Latitude:
Longitude:
Drill Rig: CME-75
Remarks:

The stratification lines represent approximate boundaries. The transition may be gradual.



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LOG OF BORING B-2

Sheet 1 of 1

PSI Job No.: 0397-984
Project: Poinciana Gardens Senior Living
Location: (N.E.C.) Duck Avenue and Dunlap Drive
Key West, Florida

Drilling Method: SPT
Sampling Method: SS
Hammer Type: Automatic
Boring Location: Refer to Sheet 3

WATER LEVELS
▽ While Drilling 4.6 feet
▽ Upon Completion 4.6 feet
▽ Delay N/A

Elevation (feet)	Depth (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	Moisture, %	STANDARD PENETRATION TEST DATA N in blows/ft	Additional Remarks
											X Moisture PL LL 0 25 50 STRENGTH, tsf ▲ Qu * Qp 0 2.0 4.0	
	0			1			Dark Brown Organic Fine SAND with Traces of Limerock and Vegetation (Topsoil)	OL	12-31-(50/4") N=81/4"			>>⊙
				2			Light Brown/Gray LIMESTONE with Fine Sand		48-50-(50/5") N=100/5" (50/5") N=50/5"			>>⊙
	5			3								>>⊙
				4					39-42-31-(50/4") N=73			>>⊙
	10			5					32-39-48-(50/5") N=87			>>⊙
				6					13-15-20 N=35			
	15			7					18-17-15 N=32			
	20			8					19-21-27 N=48			
	25			9					18-15-13 N=28			
	30			10					12-11-11 N=22			
	35			11					9-6-5 N=11			
	40											

Completion Depth: 40.0 ft
Date Boring Started: 10/13/15
Date Boring Completed: 10/13/15
Logged By: I.L.
Drilling Contractor: PSI, Inc.

Sample Types:
 Auger Cutting
 Split-Spoon
 Rock Core
 Shelby Tube
 Hand Auger
 Calif. Sampler
 Texas Cone

Latitude:
Longitude:
Drill Rig: CME-75
Remarks:

The stratification lines represent approximate boundaries. The transition may be gradual.



Professional Service Industries, Inc.
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Miami, FL 33166
Telephone: (305) 471-7725
Fax: (305) 593-1915

LOG OF BORING B-3

Sheet 1 of 1

PSI Job No.: 0397-984
Project: Poinciana Gardens Senior Living
Location: (N.E.C.) Duck Avenue and Dunlap Drive
Key West, Florida

Drilling Method: SPT
Sampling Method: SS
Hammer Type: Automatic
Boring Location: Refer to Sheet 3

WATER LEVELS

While Drilling 4.4 feet
Upon Completion 4.4 feet
Delay N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	Moisture, %	STANDARD PENETRATION TEST DATA N in blows/ft @	Additional Remarks
											X Moisture PL LL 0 25 50 STRENGTH, tsf ▲ Qu * Qp 0 2.0 4.0	
0				1			Dark Brown Organic Fine SAND with Traces of Limerock and Vegetation (Topsoil)	OL	18-28-(50/5") N=78/11"			>>⊙
				2			Light Brown/Gray LIMESTONE with Fine Sand		50-(50/5") N=50/5"			>>⊙
				3					(50/4") N=50/4"			>>⊙
5				4					27-30-28-(50/3") N=58			>>⊙
				5					20-23-(50/5") N=73/11"			>>⊙
10				6			Note: Percolation Test Performed at 15 Feet Below the Ground Surface		12-16-21 N=37			
15				7					17-16-15 N=31			
20				8					18-20-25 N=45			
25				9					14-16-18 N=34			
30				10					11-10-11 N=21			
35				11					5-5-5 N=10			
40												

Completion Depth: 40.0 ft
Date Boring Started: 10/14/15
Date Boring Completed: 10/14/15
Logged By: I.L.
Drilling Contractor: PSI, Inc.

Sample Types:
 Auger Cutting
 Split-Spoon
 Rock Core
 Shelby Tube
 Hand Auger
 Calif. Sampler
 Texas Cone

Latitude:
Longitude:
Drill Rig: CME-75
Remarks:

The stratification lines represent approximate boundaries. The transition may be gradual.



Professional Service Industries, Inc.
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LOG OF BORING B-4

Sheet 1 of 1

PSI Job No.: 0397-984
Project: Poinciana Gardens Senior Living
Location: (N.E.C.) Duck Avenue and Dunlap Drive
Key West, Florida

Drilling Method: SPT
Sampling Method: SS
Hammer Type: Automatic
Boring Location: Refer to Sheet 3

WATER LEVELS

While Drilling 3.3 feet
Upon Completion 3.3 feet
Delay N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	Moisture, %	STANDARD PENETRATION TEST DATA N in blows/ft	Additional Remarks
											X Moisture PL LL 0 25 50 STRENGTH, tsf ▲ Qu ✱ Qp 0 2.0 4.0	
	0			1			Dark Brown Organic Fine SAND with Traces of Limerock and Vegetation (Topsoil)	OL	3-3-8-31			
				2			Light Brown/Gray LIMEROCK with Silty Fine Sand	GP	N=11 (50/5")			>>⊙
				3			Light Brown/Gray LIMESTONE with Fine Sand		N=50/5"			>>⊙
	5								50-(50/3")			
									N=50/3"			

Completion Depth: 6.0 ft
Date Boring Started: 10/14/15
Date Boring Completed: 10/14/15
Logged By: I.L.
Drilling Contractor: PSI, Inc.

Sample Types:
 Auger Cutting
 Split-Spoon
 Rock Core
 Shelby Tube
 Hand Auger
 Calif. Sampler
 Texas Cone

Latitude:
Longitude:
Drill Rig: CME-75
Remarks:

The stratification lines represent approximate boundaries. The transition may be gradual.



Professional Service Industries, Inc.
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Miami, FL 33166
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LOG OF BORING B-5

Sheet 1 of 1

PSI Job No.: 0397-984
Project: Poinciana Gardens Senior Living
Location: (N.E.C.) Duck Avenue and Dunlap Drive
Key West, Florida

Drilling Method: SPT
Sampling Method: SS
Hammer Type: Automatic
Boring Location: Refer to Sheet 3

WATER LEVELS

▽ While Drilling 3.0 feet
▽ Upon Completion 3.0 feet
▽ Delay N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	Moisture, %	STANDARD PENETRATION TEST DATA N in blows/ft @	Additional Remarks
											<div>× Moisture □ PL + LL</div> <div>0 25 50</div> <div>STRENGTH, tsf</div> <div>▲ Qu * Qp</div> <div>0 2.0 4.0</div>	
	0			1			Dark Brown Organic Fine SAND with Traces of Limerock and Vegetation (Topsoil)	OL	7-7-5-3			
				2			Light Brown/Gray LIMEROCK with Silty Fine Sand	GP	N=12			
									18-20-21-23			
									N=41			
	5			3			Light Brown/Gray LIMESTONE with Fine Sand		21-19-17-18			
									N=36			

Completion Depth: 6.0 ft
Date Boring Started: 10/14/15
Date Boring Completed: 10/14/15
Logged By: I.L.
Drilling Contractor: PSI, Inc.

Sample Types:
Auger Cutting
Split-Spoon
Rock Core
Shelby Tube
Hand Auger
Calif. Sampler
Texas Cone

Latitude:
Longitude:
Drill Rig: CME-75
Remarks:

The stratification lines represent approximate boundaries. The transition may be gradual.

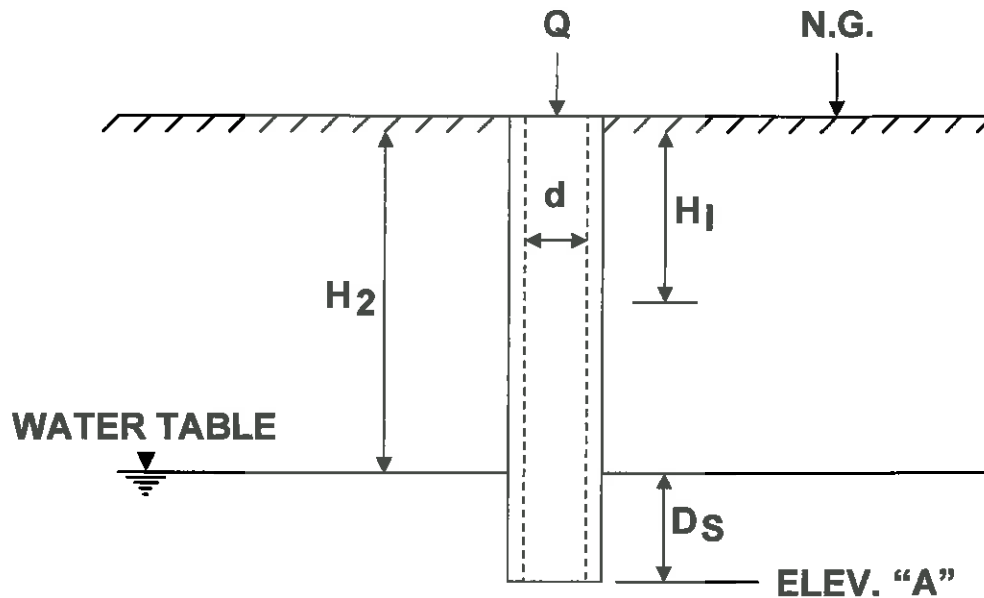
TABLE 1: SUMMARY OF PERCOLATION TEST RESULTS
POINCIANA GARDENS SENIOR LIVING
(N.E.C.) DUCK AVENUE AND DUNLAP DRIVE
KEY WEST, FLORIDA
PSI PROJECT No.: 0397-984

Test No.	Date Performed	Diameter		Depth of Hole (Feet)	Depth to Groundwater Level Below Ground Surface (Feet)		Hydraulic Head, H2 (Feet)	Saturated Hole Depth, Ds (Feet)	Average Flow Rate, Q (gpm)	K, Hydraulic Conductivity cfs/ft ² -ft
		Casing (Inches)	Perforated PVC (Inches)		Prior to Test	During Test				
B-3	14-Oct-15	6	4	15.0	4.4	0.0	4.4	10.6	5.0	1.2E-04

Note:

- (1) The above hydraulic conductivity value is for a french drain installed to the same depth as the borehole test. The value represents an ultimate value. The designer should apply an appropriate factor of safety.
- (2) The hydraulic conductivity value was calculated based on the South Florida Water Management District's USUAL OPEN HOLE CONSTANT HEAD percolation test procedure as shown on the following page.
- (3) A diameter of six inches was used in the computation of the Hydraulic Conductivity value presented in the above table.

USUAL OPEN – HOLE TEST



$$K = \frac{4Q}{\pi d (2H_2^2 + 4H_2D_S + H_2d)}$$

K= HYDRAULIC CONDUCTIVITY (CFS/FT.² - FT.HEAD)

Q= “STABILIZED” FLOW RATE (CFS)

d= DIAMETER OF TEST HOLE (FEET)

H₂ = DEPTH TO WATER TABLE (FEET)

D_S = SATURATED HOLE DEPTH (FEET)

ELEV. “A”= PROPOSED TRENCH BOTTOM ELEV.

H₁ = AVERAGE HEAD ON UNSATURATED HOLE SURFACE (FT.HEAD)

Additional Information



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

September 22, 2015

James A. Nichols
Key West Senior Development, LLC
490 Martell Drive
Bloomfield Hills, Michigan 48304

RE: Zoning Verification Letter
3200 Block Duck Avenue, Key West, Florida 33040
(RE # 00000840-000000, AK # 1000850)

Dear Mr. Nichols:

The following letter is written in response to a request for zoning verification regarding the above-referenced property. The subject property is zoned Medium Density Residential District – 1 (MDR-1), and the future land use classification is Medium Density Residential pursuant to the City of Key West Future Land Use Map.

The current use of the property as 153 affordable residential units operated through the Key West Housing Authority is a permitted use in the MDR-1 Zoning District pursuant to the City of Key West Land Development Regulations (LDR). The property is a legal, conforming use, and there are currently no known code violations associated with this property. The proposed use of a 108 unit nursing home on the property would at minimum require major development plan and conditional use approval per Section 108-91(B)(2)(a) and 122-278(3). Please be aware that nursing homes for purposes of density and the City's Building Permit Allocation System (BPAS) must comply with Section 86-9(2)(h).

If damaged, the project, including the building, parking, and landscaping may be reconstructed in the same footprint. If any nonconformities exist at the time of such damage or destruction, then the provisions of Sections 122-26 through 122-34 of the LDR (attached) will apply, including Section 122-28 which addresses reconstruction or replacement of properties which are involuntarily destroyed.

Please do not hesitate to contact me at 305-809-3778 with any questions or comments that you may have.

Respectfully,

Patrick Wright
Planner II

Attachments:

- 1 MDR-1 Zoning District Regulations
- 2 City of Key West Land Development Regulations Section 108-91
- 3 City of Key West Land Development Regulations Section 86-9(2)(h)
- 4 Key West Zoning Map
- 5 Nonconformities (Sections 122-26 through 122-34)

Subdivision IV.1. - Medium Density Residential District-1 (MDR-1)**Sec. 122-276. - Intent.**

The MDR-1 district is established to implement comprehensive plan policies for areas designated "MDR-1" on the comprehensive plan future land use map. The MDR-1 district shall provide the Poinciana Housing Parcel with a designation appropriate to the existing medium density multiple-family development on the site and compatible with the existing and future land uses. The MDR-1 district shall accommodate a mixture of multiple-family structure types, supportive community facilities, and accessory land uses. This district shall not accommodate guest homes, commercial uses or freestanding office buildings. However, accessory uses, including approved home occupations, conducted within the residential structures are permitted so long as all such accessory uses are customarily incidental to and subordinate to the residential use. Other customary accessory uses and community facilities may also be located in areas designated MDR-1.

(Ord. No. 99-18, § 1 (Exh. A(2-5.2.3(1)(A))), 9-8-1999)

Sec. 122-277. - Uses permitted.

Uses permitted in the medium density residential district-1 (MDR-1) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Places of worship.
- (3) Multiple-family residential dwellings.
- (4) Community centers.
- (5) Group homes with less than or equal to six residents as provided in section 122-1246.
- (6) Parks and recreation, active and passive.
- (7) Special needs social services.
- (8) Protective services.

(Ord. No. 99-18, § 1 (Exh. A(2-5.2.3(1)(B))), 9-8-1999)

Sec. 122-278. - Conditional uses.

Conditional uses in the medium density residential district-1 (MDR-1) are as follows:

- (1) Group homes with 7 to 14 residents as provided in section 122-1246.
- (2) Educational institutions and day care.
- (3) Nursing homes, rest homes and convalescent homes.
- (4) Public and private utilities.

(Ord. No. 99-18, § 1 (Exh. A(2-5.2.3(1)(C))), 9-8-1999)

Sec. 122-279. - Prohibited uses.

In the medium density residential district-1 (MDR-1), all uses not specifically or provisionally provided for in this subdivision are prohibited.

(Ord. No. 99-18, § 1 (Exh. A(2-5.2.3(1)(D))), 9-8-1999)

Sec. 122-280. - Dimensional regulations.

The dimensional requirements in the medium density residential district-1 (MDR-1) are as follows:

- (1) Maximum density: Eight dwelling units per acre (8 du/acre).
- (2) Maximum FAR: 1.0.
- (3) Maximum height: 35 feet.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 50 percent.
 1. Single-family and two-family: 35 percent.
 2. Multiple-family and community facilities: 40 percent.
 - b. Maximum impervious surface ratio:
 1. Single-family and two-family: 50 percent.
 2. Multiple-family and community facilities: 60 percent.
- (5) Minimum lot size:
 - a. Multiple-family: 10,000 square feet.
 - b. Single-family: 5,000 square feet.
 - c. Minimum width:
 1. Multiple-family and community facilities: 80 feet.
 - d. Minimum depth: 100 feet.
- (6) Minimum setbacks:
 - a. Multiple-family and community facilities:
 - b. Single-family and two-family:
 1. Front: 10 feet.
 2. Side: 55 feet or 10 percent of lot width to a maximum of 15 feet, whichever is greater
 3. Rear: 20 feet.
 4. Street side: 20 feet.

(Ord. No. 99-18, § 1 (Exh. A(2-5.2.3(1)(E))), 9-8-1999)

Secs. 122-281—122-295. - Reserved.

DIVISION 3. • APPLICABILITY AND FILING PROCEDURE⁽²⁾*Footnotes:**— (2) —**Editor's note—Ord. No. 05-04, adopted Jan. 19, 2005, repealed and/or amended §§ 108-91—108-101 to read as herein set out. Formerly §§ 108-91—108-101 pertained to the same subject matter and derived from Ord. No. 97-10, adopted July 3, 1997.***Sec. 108-91. - Scope; major and minor developments.**

The following types of development shall require minor and major development plan approval.

A. *Within the Historic District:*

1. Minor development plan required for:
 - (a) Permanent residential and transient residential development: addition or reconstruction of three or four units.
 - (b) Nonresidential floor area: addition or reconstruction of 500 to 2,499 square feet of gross floor area.
 - (c) Commercial land use: addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities of 500 to 2,499 square feet.
2. Major development plan required for:
 - (a) Permanent residential and transient residential development: addition or reconstruction of five or more units.
 - (b) Nonresidential floor area: addition or reconstruction of equal to or greater than 2,500 square feet of gross floor area.
 - (c) Commercial land use: addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities equal to or greater than 2,500 square feet.
 - (d) Any development located within tidal waters extending 600 feet seaward of the corporate city limits.
 - (e) A port facility expansion proposed in the Truman Waterfront Parcel.

B. *Outside of the Historic District:*

1. Minor development plan required for:
 - (a) Permanent residential and transient residential development: addition or reconstruction of five to ten more units.
 - (b) Nonresidential floor area: addition or reconstruction of 1,000 to 4,999 square feet of gross floor area.
 - (c) Commercial land use: addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities of 1,000 to 4,999 square feet.
2. Major development plan required for:
 - (a) Permanent residential and transient residential development: addition or reconstruction of eleven or more units.
 - (b) Nonresidential floor area: addition or reconstruction of equal to or greater than

5,000 square feet of gross floor area.

- (c) Commercial land use: addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities equal to or greater than 5,000 square feet.
- (d) Any development located within tidal waters extending 600 feet seaward of the corporate city limits.

C. *Modifications of development plan:*

1. ***Administrative Modifications.*** The following and similar modifications that do not rise to the status of minor or major plan modifications may be approved by the city planner:
 - (a) Reduction of building size;
 - (b) Reduction of impervious area;
 - (c) Expansion of landscaping; or
 - (d) A revision to enhance storm water management, landscaping, handicapped accessibility, and/or utilities.
2. ***Minor Modifications.*** The following and similar modifications must be approved by the city planner, city engineer and planning board chairperson and reported to the planning board at a regularly scheduled meeting:
 - (a) Relocation of at least ten feet of pools, parking spaces, drives and driveways, or buildings from the location shown on the approved plan;
 - (b) Addition of parking spaces not to exceed 25 percent (including fractions thereof) of the total number of existing parking spaces or five spaces, whichever is the lesser amount, and no such additional parking shall consume the approved landscaped area;
 - (c) Attached or detached additions to buildings in the historic district that do not increase the floor area in excess of 500 square feet;
 - (d) Installation of utility system improvements including buildings not exceeding 200 square feet; or
 - (e) Any use, except single-family dwelling units and accessory structures thereto, or change in use resulting in less than 1,000 square feet of impervious surface area on the entire site.
3. ***Major Modifications.*** Modifications exceeding those to be treated as administrative or minor will be treated in the same manner as the original approval.
4. Changes to specific conditions required by the original approval shall require approval by the administrative body that originally approved the development and shall be noticed in accordance with division 2 of article VIII of chapter 90.

D. *Administrative determination:*

1. For development not fitting within the categories set forth herein, the city planner shall determine the appropriate review process after considering similarity, complexity of the development, impacts on the demand for city services, and the potential for adverse impact(s) upon neighboring areas.
- 2.

In applying the criteria set forth herein, all phases of the total project or development shall be considered. In determining the appropriate level of review, the city planner may aggregate previous development completed within two years of a new application.

(Ord. No. 05-04, § 22, 1-19-2005)

Sec. 108-92. - Preapplication.

An optional nonbinding preapplication conference is encouraged for development plan review. The purpose of the preapplication conference is to provide potential applicants an opportunity to discuss conceptual development and determine applicable public policy and regulatory procedures.

(Ord. No. 05-04, § 23, 1-19-2005)

Sec. 108-93. - Filing, application and fee.

An application for development plan approval shall be filed with the city's planning department in a form prescribed by the city planner. The fee schedule for development plan review shall be determined by resolution of the city commission.

(Ord. No. 05-04, § 24, 1-19-2005)

Sec. 108-94. - Review by staff.

Each application for development plan approval shall be reviewed by the city planner and transmitted to the development review committee and other staff as may be designated by the city planner based upon the type of development proposed. The city planner shall review each application for compliance with land development regulations.

(Ord. No. 05-04, § 25, 1-19-2005)

Sec. 108-95. - Performance guarantee.

A performance guarantee may be required from applicants as a condition of development plan approval if all required on- or off-site infrastructure improvements are not in place at the time of development plan approval. The performance guarantee shall be in the form of a performance bond or other instrument approved by the city commission. The performance guarantee shall be furnished and payable to the city in the sum of 125 percent of the total cost of the city engineer's estimates for extension of potable water distribution system components; sanitary sewer system components; street improvements, including acceleration and/or deceleration lanes, traffic control devices, markings, signage, and/or related street improvements; sidewalks, curbs, and/or gutters; stormwater management improvements; and/or other improvements required in the development plan approval. The terms of the performance guarantee may be modified by the city commission after considering recommendations of staff and the city attorney.

(Ord. No. 05-04, § 26, 1-19-2005)

Secs. 108-96—108-130. - Reserved.

From Section 86-9(2)

h. Nursing homes, rest homes, assisted living facilities and convalescent homes mean activities customarily performed at a home for the elderly or infirm in which three or more persons not of the immediate family are received, kept or provided with food, shelter and care for compensation. This activity shall not include duly state-licensed volunteer adult foster care homes in which three or fewer foster adults are placed. Neither does the principal activity include hospitals, clinics or similar institutions that diagnose and treat the sick or injured.

For purposes of permitted density and intensity, the floor area ratio shall govern, not units per acre. Individual living units or resident nursing beds shall be treated as 0.1 equivalent unit under the city's building permit allocation ordinance, section 108-994. If a facility is developed to remain operational during and after a category 5 hurricane, and therefore does not contribute to the evacuation of vehicles, the city commission may exempt this facility from the requirements of the building permit allocation ordinance or may authorize an alternate equivalency factor.



Florida Keys Aqueduct Authority

1100 Kennedy Drive
Key West, Florida 33040
Telephone (305) 296-2454
www.fkaa.com



J. Robert Dean
Chairman
District 3

Antoinette M. Appell
Vice-Chairman
District 4

Cara Higgins
District 1

David C. Ritz
District 5

Kirk C. Zuelch
Executive Director

November 30, 2015

Tiffany Stuart
Rockford Construction
601 First Street NW
Grand Rapids, MI 49504

RE: Poinciana Gardens Senior Living
Manuel Castillo, Housing Authority of Key West
Duck Avenue & 17th Terrace
RE # 00054250-000000

Dear Ms. Stuart,

This letter will serve as preliminary coordination of the above referenced project with the Florida Keys Aqueduct Authority.

There is a 6" water main that will need to be relocated prior to construction of proposed facility. This work will require a FKAA utility permit. I have included permit procedures and permit application which will need to be submitted for permitting.

A complete set of Civil and Architectural plans will be required to determine meter requirements and system development charges.

Should you have any questions or require any further information please feel free to call me.

Sincerely,
Florida Keys Aqueduct Authority

Marnie L. Walterson
Distribution Design Supervisor

CC Christie Martin, Customer Service Manager-Key West
Yusi Bonachea, Customer Service Manager-Marathon
Sue Reich, Customer Service Manager-Tavernier



(305) 295-1000
1001 James Street
PO Box 6100
Key West, FL 33040-6100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

September 1, 2015

Ms. Tiffany Stewart
Assistant Project Manager
Rockford Construction
601 First Street NW
Grand Rapids, MI 49504

RE: Poinciana Gardens
Duck Avenue and 17th Street, Key West, Florida

Dear Ms. Stewart:

This is to acknowledge that the above mentioned party has begun a coordination process with Keys Energy Services (Keys).

KEYS' Engineering Section requests that they be provided with a **full set of plans and a Project Review Form** (separate form for each new meter) for the referenced project.

These plans are necessary in order for us to ensure that there is adequate service for your project, as well as our existing, surrounding customers.

Please return the **full set of plans and the Project Review Form** to one of our Customer Accounts Representatives.

Should you have any questions, please contact me at (305) 295-1080.

Sincerely,

Armando Mira
Customer Accounts Field Representative

AM/am

Enclosures

C:

M. Alfonso, Supervisor of Engineering

File: CUS-200



Carl Gilley Landscape Design
Thrinax, Inc.

Planning Dept.
Tree Commission
City of Key West
Tuesday, December 15, 2015

Re: Landscape Waiver for Poinciana Gardens Senior Living Facility Project

This letter is a formal request for a waiver to the landscape requirement of a major development.

Poinciana Gardens will not meet the Cities landscape requirement in several areas, the first is the 'Street Front Buffers', Sec. 108-413. A required 30' buffer is not possible because the building/parking only allows for a 10' buffer. We have increased the plant units to help bolster the buffer.

The second waiver is for the north 'Landscape Buffer', Sec. 108-413 in which we have also increased the plant units beyond the required amount in order to boost the buffer.

A final waiver is needed for the 'Perimeter Parking Landscape Requirement' Sec. 108-415. Because of the odd property shape we can't meet this requirement fully. We have more than met our canopy tree requirement but have fallen short on the shrub requirement.

Sincerely,

Carl Gilley
Carl Gilley