



## EXECUTIVE SUMMARY

**To:** Jim Scholl, City Manager

**Through:** Thaddeus Cohen, Planning Director

**From:** Patrick Wright, Planner II

**Meeting Date:** June 21, 2016

**RE:** **Conditional Use – 1664 Dunlap Drive (RE # 00054250-000000; AK # 1054879)** – A request for conditional use approval for a nursing home, rest home and convalescent home use on property located within the Medium Density Residential District - 1 (MDR-1) Zoning District pursuant to Sections 122-62 and 122-278 (3) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

### ACTION STATEMENT:

**Request:** To allow a new 108 unit senior living facility.

**Applicant:** Rockford Construction Company Inc., Key West Senior Development, LLC and The Housing Authority of the City of Key West Florida

**Property Owners:** Housing Authority of the City of Key West Florida

**Location:** 1664 Dunlap Drive (RE # 00054250-000000; AK # 1054879)

**Zoning:** Medium Density Residential District - 1 – (MDR-1)



**BACKGROUND:**

The subject property is bound by Duck Avenue, 19<sup>th</sup> Street, Donald Avenue and bisected by Dunlap Drive. The property is surrounded on all sides by Medium Density and Single Family residential zoning districts. The parcel is approximately 21.61 acres.

The parcel is owned by the Housing Authority of The City of Key West Florida and currently contains thirty-four (34) buildings with one hundred and forty four (144) dwelling units, and 1 existing commercial building with rental and a maintenance office.

The proposed project seeks to provide a 108 unit 140 bed facility for both supported independent living as well as well as full care licensed assisted living. The proposed facility will contain supportive spaces including guest and resident vestibules and lobbies, administrative offices, a commercial kitchen with two dining rooms. A first floor non-resident respite care facility is also proposed with a minimum of twenty-five (25) non-residents per day. Additional proposed services include a visiting doctor’s office, arts and craft areas, activity and lounge rooms, a therapy room as well as an exterior courtyard and community garden.

On March 17<sup>th</sup>, 2016 the project was issued 10.8 equivalent single family units through Year 3 of the City’s Building Permit Allocation System (Planning Board Resolution 2016-16). These units were subject to the nursing home, rest home, assisted living facility and convalescent home residential structure type and therefore had an Equivalent Single Family Unit Factor (ESFU) of 0.10 ESFU.

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

- Major Development Plan review is required due to permanent residential development; addition of eleven or more units, pursuant to 108-91.B.2(a) of the Land Development Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”); and
- Conditional Use review is required for the use of nursing homes, rest homes and convalescent homes, pursuant to 122-278 (3) of the Land Development Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”);

**City Actions:**

Development Review Committee (DRC):	January 28, 2016
Preliminary Tree Commission:	March 8, 2016
Planning Board:	April 21, 2016 (PB Res No. 2016-25)
Final Tree Commission:	May 10, 2016
City Commission:	June 21, 2016

**PLANNING STAFF ANALYSIS:**

***Development Plan Review***

Code Section 122-62(a) provides, in part, that “a conditional use shall be permitted upon a finding by the Planning Board that the proposed use, application, and, if applicable, development plan comply with the criteria specified in this section, including specific conditions established

by the Planning Board and/or the City Commission during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations.” This section also specifies that “a conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public’s interest,” as detailed in the attached Planning Board staff report. On April 21, 2016, the Planning Board reviewed the request and staff recommendations, pursuant to City Code Section 122-62(a), and passed Resolution No. 2016-25 advising approval with conditions to the City Commission.

City Code Section 122-63 states that on all development, except major developments as defined in sections 108-165 and 108-166, the planning board's decision shall be final unless that decision is appealed to the city commission within ten days following the planning board's action. Refer to section 122-65. Where a conditional use is proposed as part of a major development as defined in sections 108-165 and 108-166, the planning board's decision regarding the conditional use approval is advisory only, and the final decision shall be rendered by the city commission when the major development plan is considered by the city commission.

**Options / Advantages / Disadvantages:**

**Option 1.** Approve the request with conditions (listed below) as advised by the Planning Board in Resolution No. 2016-25, and additional conditions recommended by staff:

**Consistency with the City’s Strategic Plan, Vision and Mission:** Granting the request would be consistent with Economy and Environment goals of the Strategic Plan.

**Financial Impact:** The City would collect building permit, licensing and impact fees during subsequent phases of development. There would be no cost to the City for granting the request.

**Option 2.** Deny the request based on findings that the proposed development does not comply with the criteria established by the Comprehensive Plan and the Land Development Regulations.

**Consistency with the City’s Strategic Plan, Vision and Mission:** Denial of the requested development plan would not be inconsistent with the Strategic Plan.

**Financial Impact:** There would be no cost to the City for denying the request.

**RECOMMENDATION: Option 1.**

Staff and the Planning Board, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends **Option 1** to the City Commission approving the request with conditions as outlined below:

**General conditions:**

1. The non-resident respite care facility on the first floor shall be limited to 25 non-residents per day for purposes of limiting traffic and parking congestion.

**Conditions prior to issuance of a Certificate of Occupancy and/or Business Tax Receipt:**

2. The owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the conditions of the Planning Board resolution.