

621 Duval Street – Major Development Plan

MAJOR DEVELOPMENT PLAN – 621 DUVAL STREET (RE: 00012380-000000) - A REQUEST FOR A MAJOR DEVELOPMENT PLAN APPROVAL FOR THE DEVELOPMENT OF A NEW TWO STORY COMMERCIAL AND RESIDENTIAL STRUCTURE INCLUDING SIX RESIDENTIAL MARKET RATE UNITS, ALONG WITH LANDSCAPE WAIVERS ON A PROPERTY LOCATED WITHIN THE HISTORIC RESIDENTIAL COMMERCIAL CORE -1 (HRCC-1) ZONING DISTRICT, PURSUANT TO CHAPTER 122, ARTICLE IV, DIVISION 7, SUBDIVISION II, ENTITLED “HRCC-1 DUVAL STREET GULFSIDE DISTRICT”; AND CHAPTER 108, ARTICLE II, DIVISION 3, ENTITLED "SCOPE; MAJOR AND MINOR DEVELOPMENTS" OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.

Project Background

- Applicant – Trepanier & Associates
- Zoning – Historic Residential Commercial Core -1 (HRCC-1)
- Currently improved with commercial units at 619 and 621 Duval. (CBD, and ART stores)
- Project was heard at DRC in April.



History of the Units

- *Pre 1995 - 2 retail stores and 7 residential units existed according to a 2019 staff build back letter.*
- *August 1995 – A fire destroys the structures*
- *Nov 1995 – Retail and restaurant reconstruction is approved through Res 95-439 (No residential units)*
- *2005 – PB Res 05-169 Grants property to build 6 affordable residential units.*
- *2006 - CC Res -06-047 Grants Major Development Plan Approval for 6 affordable units*
- *2007 - Res 07-043 Grants a one year extension for the Development Plan*
- *2008- Building Permits were granted for 6 affordable units, however, the units were not constructed.*
- *BPAS AND LUD ORDINANCES – APRIL 2010 CENSUS CUT OFF DATE.*
- *2019 – Trepanier requests a build back letter from City, Roy Bishop writes to Trepanier stating in final sentence “In summary, this letter establishes mixed-use of commercial and residential units existed on the properties”*
- *2023 – Trepanier meets with Planning Director and is told that the units destroyed in 1995 are not allowed to be built back without BPAS allocations*
- *2023 - Trepanier sends letter to Charles Ittah disagreeing with this opinion from Planning Director*
- *Jan 2024 – Trepanier meets with Raj Ramsingh to discuss Major Development, Build back rights, and Variances.*
- *March 2024 – Trepanier submits MDP for 6 market rate units at 621 Duval Street.*

Obtaining a Unit in Key West

- Beneficial Use
 - Vacant Lots of record.
 - Residentially zoned
 - No other purpose or use for the property.
- Lawful Unit Determination
 - Unit existed on or about April, 2010
 - Based around 2010 Census Data. No evidence that this study included vested rights. No built-out units at 621 Duval in 2010

If an applicant does not fit either route:

BPAS is the viable option to obtain a legal unit in Key West.

Sec 108-992 Exemptions (to BPAS)

(1)The holder of an unexpired vested rights order approved by the city.

Where is the order? These expired in 2010 with 2010 Census.

Site Data

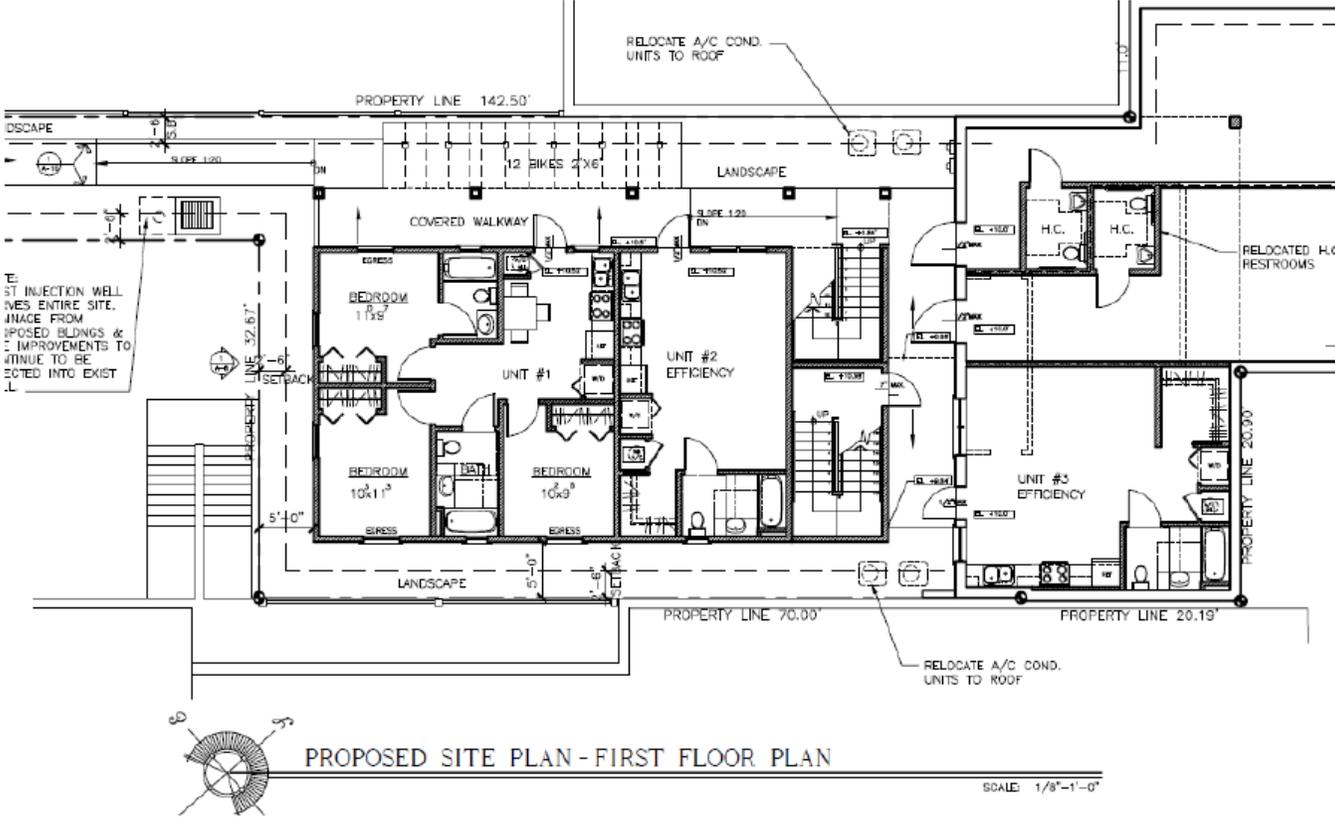
Site Data Table				
Site Data	Permitted	Existing/Pre 1995 Fire	Proposed 2024	Compliance
Zoning	HRCC-1			
Min Lot Size	4,000	7,557	-	Yes
F.A.R	1.0	0.39	0.46	Yes
Density	22 D/U per Acre (3.81 Units)	0	6	No*
Max Height	35'	35'	35'	Yes
Open Space	30% Min	30% (2,274 sf)	14% (1,060 sf)	No
Building Coverage	50% Max	60% (4,527 sf)	78% (5,925 sf)	No
Impervious	70% Max	69% (5,234 sf)	86% (6,497 sf)	No
Front Setback	0'	0' 0"	0' 0"	Yes
Side	2' 6"	0' 0"	New Rear Bldg – 4'	Yes
Street Side	2' 6"	0' 0"	New Rear Bldg – 6' 6"	Yes
Rear	10'	0' 0"	New Rear Bldg – 4'	Yes
Parking	18 Auto Spaces	0	0 (12 Bike/Scooter)	No*

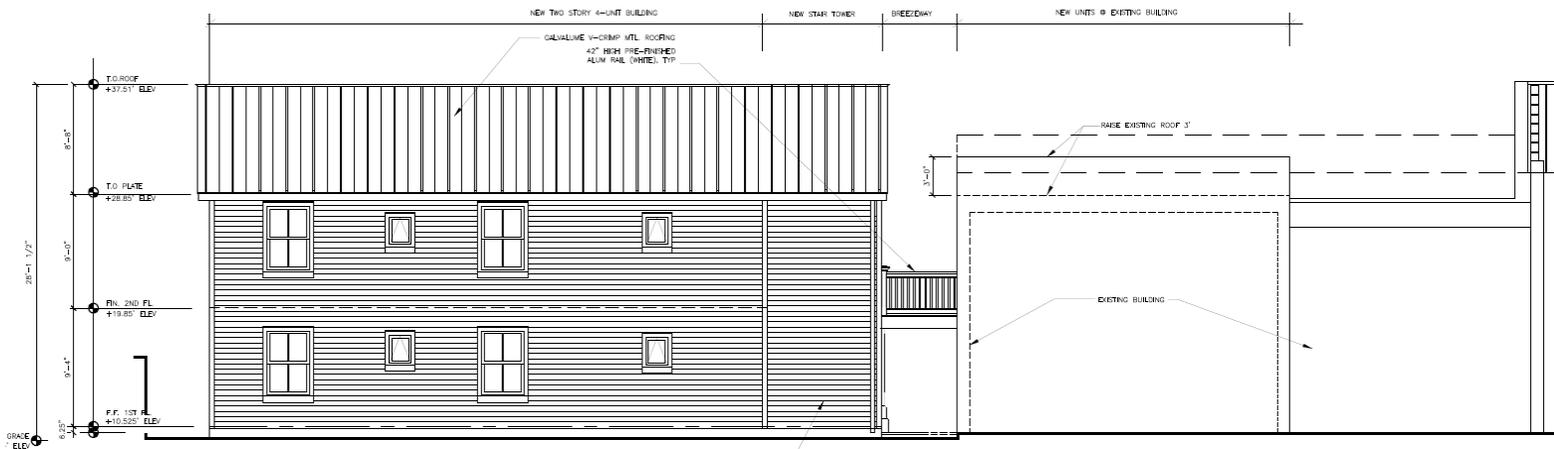
*Applicant is using nonconforming preexisting density rights of 6 units.

*Applicant is using nonconforming parking from 1995 build.

Floor Plans

Proposed Floor Plans, submitted by applicant.

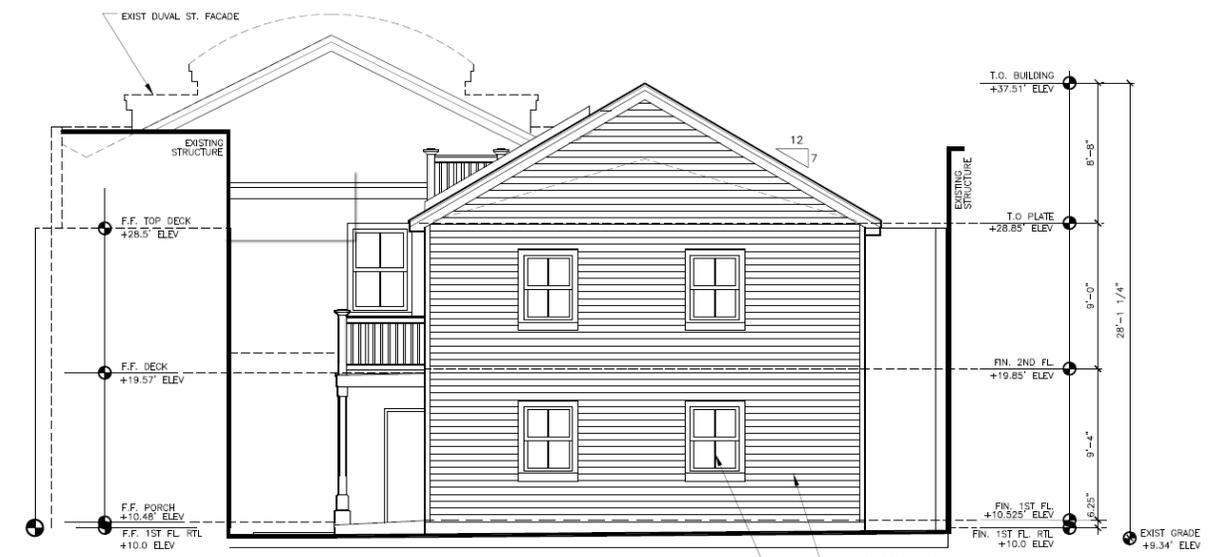




FINISH (WHITE) ALUM. SINGLE HANG WINDOWS
 STORMPROOF
 MIN. 5 S.F. EMERGENCY EGRESS AT 1ST FLOOR
 BEDROOMS AND 5.7 S.F. AT 2ND FLOOR

PAINTED FIBERCEMENT SIDING -TYP-

2 EAST ELEVATION & TOP SECTION
 SCALE: 1/4"=1'-0"



F.F. TOP DECK +28.5' ELEV
 F.F. DECK +19.57' ELEV
 F.F. PORCH +10.48' ELEV
 F.F. 1ST FL. RTL +10.0 ELEV

T.O. BUILDING +37.51' ELEV
 T.O. PLATE +28.85' ELEV
 FIN. 2ND FL. +19.85' ELEV
 FIN. 1ST FL. +10.525' ELEV
 FIN. 1ST FL. RTL +10.0 ELEV

EXIST GRADE +9.34' ELEV

1 SOUTH ELEVATION
 SCALE: 1/4"=1'-0"

PAINTED FIBERCEMENT SIDING -TYP-
 STORMPROOF, IMPACT WINDOWS, PREFINISHED ALUM. (WHITE), TYP

Elevation

Review

As per 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.”

Previous approval:- Planning Board approved variances to max permitted building coverage, max impervious surface ratio and minimum open space percentage through Resolution 2024-037 on November 20, 2024. **Tree Commission** conceptual landscape plan approval provided on October 1, 2024, with final plan approval by the Urban Forestry Manager, December 21, 2024. HARC Certificate of Appropriateness approval provided on December 17, 2024.

Previous recommendation: Planning Board recommended approval of the proposed Major Development Plan at 621 Duval Street through Resolution No 2024-038 on November 20, 2024.

Pending Planning Department staff concern:

- BPAS/Density

Review and Recommendation

The Planning Board has recommended approval of the proposed Major Development Plan at 621 Duval Street through Resolution No 2024-038.

Planning Department staff recommend the City Commission review the need for Building Permit Allocation System units for construction of the proposed six market rate units. This recommendation is reflected through proposed condition #6, below. Conditions underlined below are staff recommendations above and beyond those conditions recommended for approval by Planning Board through Resolution No. 2024-038.

Conditions

1. The proposed development shall be consistent with the plans dated October 21, 2024 by William Horn, the landscape plans dated October 9, 2024 by Keith Oropeza, notwithstanding any revisions requested and recommended by staff. Construction drawings for permitting shall be dated as approved herein, with any proposed revisions (modifications) clearly noted. Development plan modifications that do not rise to the status of minor or major plan modifications may be approved by the city planner as per Section 108-91(c)(1). All modifications shall be submitted for review and approval to the Planning Department prior to building permit application. Minor and major development plan modifications are addressed as per Section 108(c).
2. Final landscape plan approval required from Tree Commission prior to issuance of a building permit. If no significant changes occur to the approved landscape plan, then the Urban Forestry Manager can review for approval.
3. Heavy maintenance trimming of the Gumbo Limbo tree located at 620 Josephine Parker Way shall be done prior to issuance of building permits by a certified arborist.
4. No impacts shall occur to the root system of the Gumbo Limbo tree during construction. The tree and its trunk and root system shall be protected. Foundation piers must be shifted if roots 4 inches in diameter or greater are within the construction area (permit and certified arborist required-arborist must be onsite during root work).
5. During all phases of construction, temporary fencing shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris unless permitted by the City.
6. Per the Fire Marshall's request, the multi-family two story structure must have a sprinkler system installed in each unit.
7. All six (6) of the market rate residential units are subject to the Building Permit Allocation (BPAS) process. No permits to be issued unless and until any needed market rate residential allocations have been secured through the annual BPAS cycle.