

## EXECUTIVE SUMMARY



**To:** Patti McLauchlin, City Manager

**From:** Katie P. Halloran, Planning Director

**Meeting Date:** December 7, 2021

**Request:** **Minor Development Plan** - 1020 Margaret Street (RE# 00030490-000000) - A request for approval of a ~~minor~~ major development plan to renovate and redevelop an existing historic single-family structure and construct two (2) new single-family structures and a duplex as well as install an inground pool and a paved parking lot in the Historic Medium Density Residential (HMDR) zoning district and a request to deed restrict Unit 5 in accordance with the City of Key West's Workforce Housing ordinance pursuant to Sections 108-91, 122-596, 122-597, and Section 122-1467(1)(a) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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### BACKGROUND:

The subject parcel is located at 1020 Margaret Street near the corner of Truman Avenue and Margaret Street. According to the Historical Architectural Review Commission, the two current residential structures were constructed in 1906 and 1920 respectively. Both structures are of frame vernacular and are historically significant contributing structures to the Key West Historic District. The parcel is surrounded by HMDR zoned properties to the south, east, and west, and Historic Neighborhood Commercial (HNC-1) zoned properties to the north.

Historically the large parcel has been situated with the two historic structures to the rear of the lot and the front of the lot has been vacant. Both historic structures currently encroach in required setbacks. The applicant has proposed to relocate, elevate, and redevelop the large historic home situated at the rear of the lot to the front of the lot. The applicant originally proposed to also construct three new single family structures and pay a fee-in-lieu to comply with City Affordable Workforce Housing ordinance, but after the October 19, 2021 City Commission hearing, submitted revised site plans.

The revised plans, and new condition of approval, would instead result in relocation of the one historic structure and the construction of a duplex and two single family structures. The duplex would include a deed restriction for Unit 5 for affordable (median income) housing per City Code Division 10. – Work Force Housing. Given the applicant now proposes one additional on-site unit, the project technically converts from a Minor Development Plan in the historic district to a Major Development Plan. Planning Staff have

determined the level of review is sufficient for this project to proceed to City Commission for review and approval. It must be noted that the addition of Unit 5 requires a Building Permit Allocation Unit, and the applicant has submitted an application for this unit as part of the Year 9 BPAS program.

Historic Architecture staff reviewed the minor changes included in the revised plans, signed, sealed, dated 11.12.2021, by William Horn, P.A. These changes modify the front elevation of Unit 5/6, to replace a window with a door, to allow for inclusion of Unit 5, the on-site affordable unit. These modifications are not visible from Margaret Street.

The applicant is also proposing to add seven off-street parking spaces to the property, for a total of seven spaces- six for residents, and one for guests. The applicant is also proposing an in-ground pool, 12' x 22', at the center of the lot, new garbage and recycling facilities, and landscaping.

One of the proposed new residential units, Unit 5, would encroach six feet (6') into the rear setback and would be nine feet (9') from the property line. The relocated historic structure would encroach four feet six inches (4'6") into the front setback and would be five feet six inches (5'6") from the front property line. These encroachments (variances) were permitted by the Planning Board at their regularly scheduled meeting on June 17, 2021, (Planning Board Resolution #2021-25). The Minor Development Plan was also recommended for approval at the subsequent Planning Board meeting on July 15, 2021, through PB Resolution #2021-30. The Minor Development Plan was approved at this subsequent Planning Board meeting given that a neighbor was unsatisfied with the initial proposed location of the trash and recycling facilities. The applicant redesigned this aspect of the site and the project was then recommended for approval by the Planning Board.

The Key West Historic Architectural Review Commission approved the project for a Certificate of Appropriateness at their August 24, 2021 hearing.

The City of Key West Tree Commission approved the Conceptual Landscape with Tree Removal (TP2020-0005) for this project on September 15, 2020, and a revised landscape plan was submitted to the City dated October 15, 2020. The applicants' initial request for a landscape waiver was resolved after the applicant modified their plans to comply in full with landscape requirements. The Final Landscape Plan with Tree Removal (TP2021-0009) was approved on September 7, 2021.

**Process:**

Development Review Committee:	February 20, 2020
Planning Board Meeting(s):	June 17, 2021 (variance) and July 15, 2021 (development plan)
Tree Commission Meeting:	September 7, 2021

HARC Meeting:	August 24, 2021
Ratification by the City Commission:	(postponed) October 19, 2021 (postponed) November 16, 2021 December 7, 2021
Local Appeal Period:	10 Days
Planning renders to DEO for review:	Up to 45 days

**Planning Staff Analysis:**

The proposed minor development plan is in compliance with applicable Land Development Regulations and has been approved for variances; the proposed front setback is 5’6” (minimum front setback is 10’) and the proposed rear setback is 9’ (minimum rear setback is 15’). The front half of the parcel is currently used as a parking area for residents and the rear has two residential structures. The two new proposed detached single-family units being constructed will be three-bedroom units with a total of 1,372 square feet per unit, more or less. The new duplex will include two one-bedroom units. The site plans indicate the renovated and relocated historic contributing structure at the front of the lot is a four-bedroom unit with a total of 2,416 square feet, more or less. The applicant has also proposed on-site amenities, including an in-ground swimming pool and a parking area for the residents.

As noted above, the applicant shall comply with the City of Key West Workforce Housing Code Chapter 122, Division 10, Section 122-1467 (1) (a) through deed restriction of one on-site unit, Unit 5.

The Minor Development Plan was recommended for approval by the Planning Board with the following conditions of approval. Staff recommended modifications are indicated with through strike-through and underline and reflected in the associated Resolution.

**Conditions of Approval:**

1. Approval of a variance to the minimum required front and minimum required rear setback prior to approval of the proposed minor development plan.
2. A semi-pervious material be used for parking surfaces.
3. No units subject to this Minor Development Plan, nor any other units on the parcel, be used for transient rentals.
4. The proposed construction shall be consistent with the plans signed, sealed, and dated ~~6/28/2021~~ 11/12/2021 by William Horn, PA.
5. During all phases of construction, temporary fencing and erosion barriers shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.

**Conditions prior to the City Commission hearing:**

6. Submittal of a stormwater management plan according to Sec. 108-777, to retain the greater of one-inch of runoff based on the site upland area or 2.5" times percent of impervious coverage.
7. The applicant shall obtain final landscape plan approval from the Tree Commission.
8. The applicant shall obtain a Certificate of Appropriateness from the Historic Architectural Review Committee (HARC).

**Conditions prior to Certificate of Occupancy of Residential Units:**

9. Prior to a certificate of occupancy being issued for the residential units, City Code Section 122-1467 (1) shall be met ~~and a fee in lieu of \$200,000 per affordable housing unit shall be paid to the City.~~ through submittal of a recorded deed restriction for Unit 5 for affordable housing (median income).
10. If a Building Permit Allocation System (BPAS) permit is not acquired for 1020 Margaret Street during Year 9 of the City of Key West's BPAS program, the applicant shall be ineligible for a Certificate of Occupancy and must return to City Commission to request modification of the development plan in order to comply with City Code Section 122-1467.

**Options/Advantages/Disadvantages:**

**Option 1:** Approve with conditions the proposed Minor Development Plan for 1020 Margaret Street.

1. **Consistency with the City's Comprehensive Plan, Vision, and Mission:** This action will allow a largely vacant piece of the parcel to be developed with two new single-family homes and one new duplex in addition to the renovation and relocation of one existing single-family home. The relocation of the older historic structure will bring the historic structure into the foreground of the parcel and will allow the structure to be seen by passersby on Margaret Street. The plan has been reviewed for consistency with the Comprehensive Plan and together with approved variances, is also in compliance with the Land Development Regulations.
2. **Financial Impact:** The redevelopment of the property would increase its value and augment the tax base.

**Option 2:** Deny the proposed Minor Development Plan for 1020 Margaret Street.

1. **Consistency with the City's Strategic Plan, Vision, and Mission:** This action would not be inconsistent with the Comprehensive Plan but would disallow redevelopment of the property at 1020 Margaret Street that has been recommended for approval by the Planning Board, Tree Commission, the Historic Architectural Review Commission, and staff.

2. **Financial Impact:** There would be no financial impact to the City.

### **Recommendation**

The Planning Department concurs with the Planning Board's recommendation to approve the minor development plan with conditions, including the Staff recommended modifications noted above and suggests **Option 1, approval with conditions**, for the proposed minor development plan.