

RESOLUTION NO. 26-\_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA HEREBY APPROVING A MAJOR DEVELOPMENT PLAN AND CONDITIONAL USE, PURSUANT TO SECTIONS 122-277. USES PERMITTED. AND 122-278. CONDITIONAL USES., SUBDIVISION IV.1.-MEDIUM DENSITY RESIDENTIAL DISTRICT-1.MDR-1), DISTRICT 3.- RESIDENTIAL DISTRICTS., ARTICLE IV. - DISTRICTS., CHAPTER 122 - ZONING., SUBPART B - LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR THE REDEVELOPMENT OF PROPERTY LOCATED AT 3401 DUCK AVENUE (RE# 00064740-000000), SPECIFICALLY 1621 AND 1622 SPALDING COURT, KEY WEST, FLORIDA; PROVIDING FOR CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Commission of the City of Key West, Florida ("City Commission") has received an application for a Major Development Plan and Conditional Use for the property located at 3401 Duck Avenue (RE# 00064740-000000), Key West, Florida within the Medium Density Residential-1 (MDR-1) zoning district; and

WHEREAS, the application seeks to redevelop a portion of the Poinciana Royale campus, specifically 1621 and 1622 Spalding Court, through the removal of two (2) existing non-conforming two (2)-story quadplex structures and the construction of one (1) three (3)-story residential structure containing forty (40) residential units; and

WHEREAS, the subject property was originally developed in the 1950's and 1960's as part of Naval Air Station Key West housing and is now owned by the City of Key West, consisting of multiple

residential structures that provide affordable housing and supportive services; and

WHEREAS, the redevelopment is identified as Phase II of the Poinciana Royale campus improvements and is intended to replace obsolete housing with modern residential facilities to better serve residents; and

WHEREAS, pursuant to Section 108-994, Table 1.0 of the City's Land Development Regulations, assisted living and similar congregate care facilities are assigned a BPAS equivalency factor of 0.10, such that ten (10) beds equate to one (1) BPAS unit; and

WHEREAS, the proposed redevelopment utilizes 4.3 BPAS units to accommodate forty-three (43) resident beds, with the remaining 5.7 BPAS units retained with the parent parcel for potential future development subject to separate approvals; and

WHEREAS, the property also has an allocation of 38.8 early evacuation BPAS units previously approved in July 2025, which remain available for future use; and

WHEREAS, on February 19, 2026, after conducting a public hearing, the Planning Board reviewed the application and recommended approval with conditions, via Planning Board Resolution No. 2026-003, finding the request consistent with the Comprehensive Plan and Land Development Regulations; and

WHEREAS, the City Commission has reviewed the application, staff report and record of proceedings and has conducted a duly noticed public hearing in accordance with the law; and

WHEREAS, the City Commission finds that the proposed Major Development Plan and Conditional Use meet the applicable criteria set forth in Sections 122-277 and 122-278 of the City's Land Development Regulations, subject to the conditions set forth herein;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: Recitals. The above-stated recitals are hereby adopted and incorporated as findings of the City Commission.

Section 2: Approval. The City Commission hereby approves the Major Development Plan and Conditional Use for the redevelopment of 1621 and 1622 Spalding Court within the property located at 3401 Duck Avenue (RE#00064740-000000), Key West, Florida as described in the application, subject to the following conditions:

1. Development shall be in substantial compliance with the approved plans and representations made to the Planning Board. Any substantial deviation shall require additional review and approval by the appropriate reviewing body.
2. All Development Review Committee (DRC) comments shall be addressed to the satisfaction of the appropriate reviewing departments prior to issuance of building permits.

3. Final utility, stormwater, solid waste, and ADA plans shall be reviewed and approved by the appropriate departments.
4. A height variance for rooftop mechanical equipment is required pursuant to Section 122-1149 of the Land Development Regulations.
5. Conditional Use approval shall be limited to the use and intensity described herein and shall not run with expanded uses without further approval.

Section 3: Conditions Are Binding. The conditions of approval are binding upon the applicant and any successors and assigns and shall be adhered to throughout the life of the development.

Section 4. Effective Date. That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Authority.

Section 5: This Resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Economic Opportunity (DEO). Pursuant to Chapter 73C, F.A.C., this permit is not effective for forty-five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty-five (45) day review period the DEO can appeal the permit to the Florida Land and Water Adjudicatory Commission; and

that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Passed and adopted by the City Commission at a meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Authenticated by the Presiding Officer and Clerk of the Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Filed with the Clerk on \_\_\_\_\_, 2026.

Mayor Danise Henriquez	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Sam Kaufman	_____
Commissioner Greg Veliz	_____

\_\_\_\_\_  
DANISE HENRIQUEZ, MAYOR

ATTEST:

\_\_\_\_\_  
KERI O'BRIEN, CITY CLERK