

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING A MAJOR DEVELOPMENT PLAN AND A LANDSCAPE WAIVER APPROVAL PURSUANT TO SECTIONS 108-91.A.2.(B) AND 108-517 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR THE CONSTRUCTION OF A 3,693 SQUARE FOOT ONE STORY COMMUNITY HEALTH CENTER CONTAINING PRIMARY CARE OFFICES, DENTAL OFFICES, LABORATORY TESTING, AND CLERICAL OFFICE SPACE ON PROPERTY LOCATED AT 727 FORT STREET (RE # 00013990-000000) IN THE HISTORIC MEDIUM DENSITY RESIDENTIAL (HMDR) ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 108-91 of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that within the Historic District, a Major Development Plan is required for the addition or reconstruction of equal to or greater than 2,500 square feet of gross floor area; and

WHEREAS, the proposed use of the property is medical services, which is an approved use within the Historic Neighborhood Commercial (HNC-4) zoning district pursuant to Code Section 122-872 (6) and

WHEREAS, waivers to the City's landscaping requirements request are pursuant to City Code Section 108-517; and

WHEREAS, Code Section 108-196(a) require the Planning Board to review and approve, approve with conditions or deny the proposed Major Development Plan in an advisory capacity to the City

Commission; and

WHEREAS, Code Section 108-517(a) requires the Planning Board to consider the landscape waiver request and render the final action; and

WHEREAS, this matter came before and was approved by the Planning Board at a duly noticed public hearing on September 17, 2020; and

WHEREAS, the granting of a Major Development Plan and Landscape Waiver application is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the City Commission finds that the granting of a Major Development Plan and Landscape Waiver application is in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

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

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. The Major Development Plan and Landscape Waiver for the construction of a 3,693 square foot one story community health center containing primary care offices, dental offices,

laboratory testing, and clerical office space on property located at 727 Fort Street (RE# 00013990-000000) in The Historic Medium Density Residential (HMDR) zoning district pursuant to Sections 108-91.A.2.(b) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans dated July 20, 2020, is hereby approved with the following conditions:

General conditions:

Conditions of Approval:

1. A stormwater management plan be submitted according to Sec. 108-777, that requires developments to provide a stormwater management plan that retains the greater of one inch of runoff based on the site upland area or 2.5 inches times percent of impervious coverage.

2. The applicant shall obtain final landscape plan approval from the Tree Commission and fully comply with the Urban Forester's recommendations on modified screening, buffering, and landscape requirements.

3. Building plans must comply with plans submitted by ARCHITECTURA GROUP MIAMI INC on 6/1/2020 and 7/20/20 and submitted with this Resolution.

4. The parking lot at 918 Fort Street, owned by the City of Key West, and currently unencumbered. The Fort Street Parking Lot

is located approximately 370 feet from the proposed community health clinic (the principal structure of the activity at 727 Fort Street). The City of Key West shall retain the public parking lot on Fort street for the duration of the principal use of the community health center. Signage indicating that off-site parking is available at the Fort Street Parking Lot shall be installed on the project site at 727 Fort Street. Proposed off-site parking signage shall be reviewed and approved in accordance with adopted Historic Architectural Review Commission guidelines.

Conditions prior to issuance of a Certificate of Occupancy:

1. The property must be rezoned to the Historic Neighborhood Commercial (HNC-4) zoning district, or another zoning district in which *Medical Services* is a permitted use, before a final certificate of occupancy can be granted.

2. All requirements per Section 2-487 for Art in Public Places be met unless waived per Section 2-487 (c) (1) c.

Section 3. Full, complete and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

Section 4. This Major Development Plan and Landscape Waiver application approval by the Planning Board does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the applicant's assertion of legal authority respecting the property.

Section 5. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Board.

Section 6. 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 or development order shall be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 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 45-day review period, the DEO can appeal the permit or development order 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.

Read and adopted by the City Commission at a meeting held this
_____ day of _____, 2020.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2020.

Filed with the Clerk on _____, 2020.

Mayor Teri Johnston	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Vice Mayor Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK