

EXECUTIVE SUMMARY



To: City Manager
Through: Donald Leland Craig, AICP, Planning Director
From: Brendon Cunningham, Senior Planner
Meeting Date: August 20, 2013
RE: **A Major Development Plan for property located at 1015-1025 Simonton Street (RE#00027070-0000000, AK#1027847)**

ACTION STATEMENT:

Request: To remove existing trailers, mobile homes, and RVs and demolish two structures and construct twenty-one single family units on the property located at the corner of Simonton Street and Virginia Street.

Location: 1015-1025 Simonton Street
(RE#00027070-0000000, AK#1027847).



BACKGROUND:

The property is an existing trailer park that has been in existence for over fifty years on the corner of Simonton and Virginia Streets providing permanent, non-transient housing. The size of the property is 42,224.67 square feet, just less than one acre, and has an internal asphalt roadway which is used by automobiles. Currently, the park has 44 units rented through six month leases. The trailer park is located in the Historic Neighborhood Commercial District – Truman/Simonton (HNC-1) which is intended to accommodate

both residential and neighborhood commercial uses. Residential activities permitted within the HNC-1 districts include single-family and duplex structures as well as multiple-family structures.

The Major Development Plan developed from a Code Compliance case in November 2011, which identified that eleven trailers in the park encroached 15 feet in the City's right-of-way on Virginia Street. In May 2012, the property received a revocable license agreement for one year for the use of approximately 6,200 square feet of right-of-way abutting the Virginia Street side of the property (C.C. Res. No. 12-174). The revocable license agreement was extended for 180 days on May 7, 2013 (C.C Res. No. 13-122) in order to allow the owner to complete the application process for the Major Development Plan and variances. The development plan, as approved, contains numerous conditions to accommodate locational issues and the size of the development. These are repeated for Commission approval.

As a footnote, this property was determined to have vested rights for a total of 44 "Equivalent Single Family Units" (ESFU) based on research completed by planning staff under former City Planner Amy Kimball-Murley. The current City Planner concurs. Further, numerous RVs and campers are present on the site. While they may be considered as transient by nature, both the current and previous planners determined that none of those extant on the site were used as such. Therefore, potential transient use was considered to be inconsistent with, and inappropriate for, the redevelopment of this property. Further, as a result of this approval, six units will be given to the City for use as affordable housing. The remainder will be held by the property owner for use at a later date.

Surrounding Zoning and Uses:

North:	Commercial and Residential	HNC-1
South:	Commercial and Residential	HNC-1
East:	Institutional (Church)	HPS
West:	Institutional (Govt) Mixed Use	HRCC-3 & HRC-1

Previous City Actions

Tree Commission:	May 13 (Conceptual plan); June 10, 2013
HARC Meeting:	May 14, 2013
DRC Meeting:	April 25, 2013
Planning Board Meeting (MDP):	May 23, 2013, continued June 20, 2013
Planning Board Meeting (Variances/Waiver):	June 20, 2013

Options/Advantages/Disadvantages:

Option 1: Approve the Major Development Plan.

1. **Consistency with the City's Strategic Plan, Vision, and Mission:** Facilitating the redevelopment of the property is consistent with the City's Strategic Plan, Vision, and Mission.
2. **Financial Impact:** There is not an anticipated financial impact to the City related to this request. Although long term property values in and around the property should improve through this redevelopment.

Option 2: Deny the Major Development Plan.

1. **Consistency with the City's Strategic Plan, Vision, and Mission:** The denial of the request is not consistent with the City's Strategic Plan, Vision, and Mission.
2. **Financial Impact:** There is not an anticipated financial impact to the City related to this request. However, denying the request may cause the city to lose the opportunity for a significant improvement to one of the city's significant neighborhoods.

Recommendation

The Planning Department recommends **approval** of Option 1 with the following conditions:

Conditions to be completed prior to the issuance of a Building Permit and ongoing through construction:

1. Plans cited as basis for approval dated May 1, 2013;
2. That the approval of the Major Development Plan be contingent upon the approval of the variances to off-street parking requirements, impervious surface and landscape waiver;
3. That Certificates of Elevations shall be provided to confirm that the structure meets FEMA base flood elevation requirements;
4. That a stormwater plan for the proposal be submitted that meets City, State and South Florida Water Management best practice requirements;
5. Submit a full set of plans, project review forms, and CAD files to Keys Energy in response to their comments of the Development Review Committee meeting of April 25, 2013;
6. A landscape plan consistent with the site plan shall be submitted and a final landscape plan be approved by the Tree Commission;
7. A site lighting plan consistent with the City's dark sky lighting standards as per Section 108-284 shall be submitted;
8. In order to reduce impacts on the surrounding community, a Construction Management Plan will be followed with an emphasis on keeping noise, dust and debris to a minimum. The Plan shall include:
 - a. A six foot opaque construction fence will be erected around the property and maintained throughout the construction period;

- b. During demolition and removal of the trailers, the area will be pressure sprayed with water to control dust;
- c. Adjacent streets shall be cleared of dust, dirt, and debris at the end of each work day;
- d. All waste containers shall be covered at the end of each working day;
- e. Current regulations as to the start and stop of each work day will be met: Monday through Friday 8 a.m. to 7 p.m. and Saturdays 9 a.m. to 5 p.m. with no Sundays or holidays; and
- f. Virginia and Simonton Streets remain open during construction;

Conditions to be completed prior to the issuance of a certificate of occupancy:

- 9. Develop plans for the Art in Public Places component of the development;
- 10. HARC approval for the proposed sign at the corner of Virginia and Simonton Streets and any other signage visible from public right-of-way, other than street address signs;
- 11. The plans shall be submitted to indicate a complete reconstruction of the Virginia Street right-of-way from the intersection of Virginia and Simonton Streets east and northeast to the termination of Virginia Street at the wall separating the right-of-way from the Archdiocese property to the northeast. The developer shall assume 50% of the entire cost or donate \$200,000, whichever is greater. Such plans must be approved by the City's Engineering Services and provide the following list of minimum improvements:
 - a. 5 foot sidewalk of each side of street;
 - b. Minimum of 4 parking spaces on south side of Virginia Street;
 - c. Minimum of 4 parking spaces on the north side of Virginia Street;
 - d. Maintain existing driveways for off-street parking entrances on south side of Virginia Street;
 - e. Minimum of at least 3 bulb-out landscape areas on the north side of Virginia Street for the placement of trees;
 - f. Provide at least 1 bulb-out landscape area on the south side of Virginia Street for the placement of trees;
 - g. Provide for the placement of trees at the south east corner of the Virginia Street terminus;
- 12. Replace and repair the sidewalk on Simonton Street the length of the property along that street side with a 5 foot sidewalk which can be reduced to a 4 foot minimum in order to accommodate existing trees;
- 13. Mitigation for the removal of trees from the right-of-way shall be accomplished by the developer/property owner, and with the permission of the City, placed in the right-of-way of Virginia Street at the developers expense of maintenance for one year following the C.O. Alternatively, the developer may mitigate on their property;
- 14. Dedicate to the City 6 unused BPAS allocations reserved, but unused for the City's use for beneficial use or affordable housing (6 units are equivalent to 30%

of 21 units), and such dedication is in fulfillment of the property's obligation as per Section 122-1467 of the Code of Ordinances;

15. In the event either the developer and the adjoining neighbors are unable to agree on a common fence, then a 6 foot high wall or solid fence shall be erected on the north and east boundaries of the property subject to final H.A.R.C. review and approval.