

EXECUTIVE SUMMARY



To: Jim Scholl, City Manager
From: Thaddeus Cohen, Planning Director
Meeting Date: September 1, 2015

RE: A request for a 12 month extension to an approved major development plan and landscape and buffer-yard waivers which allowed for the phased demolition and reconstruction of 7 of the 16 existing convalescent-units, construction of 7 new units and an administration building on property located at 1512 Dennis Street & 1515-1525 Bertha Street (RE# 00063400-000000, AK# 1063835 & RE# 00063400-000100; AK# 8850701) and within the CL zoning district pursuant to Section 108-203(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

ACTION STATEMENT:

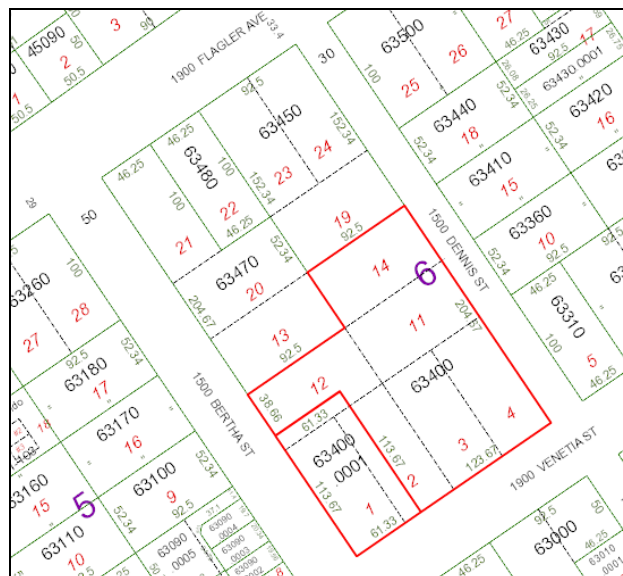
Request: To extend the major development plan approval and landscape and buffer-yard waivers for 12 months at 1512 Dennis Street & 1515 - 1525 Bertha Street (City Commission Resolution 14-315).

Applicant: Trepanier and Associates, Inc.

Property Owner: Aids Help of Monroe County, Inc.

Location: 1512 Dennis Street & 1515-1525 Bertha Street (RE# 00063400-000000, AK# 1063835 & RE#00063400-000100; AK# 8850701)

Zoning: Limited Commercial (CL) zoning district



BACKGROUND:

On October 21, 2014, the City Commission conditionally granted major development plan and conditional use approval with landscape and buffer-yard waivers for property located at 1512 Dennis Street and 1515-1525 Bertha Street per City Commission Resolution 14-315. The scope of work included reconstructing 7 of the 16 existing units, constructing 7 new units and the administration building. The reconstruction will provide upgraded modern facilities for the residents of Marty’s Place. The addition of the administration building will offer on-site health services as well as general property management facilities which are absent at this time.

On July 27, 2015, the applicant requested a 12 month extension in abundance of caution in order to secure additional funding for the project.

City Actions:

City Commission Approval:	October 21, 2014 (CC Res 14-315)
Planning Board Approval:	July 17, 2014 (PB Res 2014-40)
Tree Commission (Preliminary):	June 10, 2014
Tree Commission (Final):	October 14, 2014
Development Review Committee Meeting:	March 27, 2014

PLANNING STAFF ANALYSIS:

Section 108-203(b) of the City’s Land Development Regulations governs development plan extension requests in the following manner:

“If the property receiving development plan approval shall be sold, transferred, leased, or the ownership thereof changes in any way whatsoever, the development plan approval shall be transferable. A development plan approval may be extended only one time for 12 months by a favorable vote by the body that granted the original approval, if the applicant submits a petition for such extension prior to the development plan's expiration and demonstrates reasonable cause for the extension. The burden of proof in justifying reasonable cause shall rest with the applicant. Subsequent extensions may be granted but shall be fully noticed in accordance with division 2 of article VIII of chapter 90.”

Based on the criteria in Section 108-203(b) of the Land Development Regulations, the applicant requested the petition for extension prior to the development plan's expiration, and has demonstrated reasonable cause for the extension.

Options / Advantages / Disadvantages:

Option 1. Approve the 12 month extension request for the major development plan approval and landscape and buffer-yard waivers:

Consistency with the City’s Strategic Plan, Vision and Mission: Granting the request would be consistent with Economy and Environment goals of the Strategic Plan.

Financial Impact: The City would collect building permit, licensing and impact fees during subsequent phases of development. There would be no cost to the City for granting the request.

Option 2. Deny the request based on findings that the applicant has not demonstrated reasonable cause for the extension.

Consistency with the City's Strategic Plan, Vision and Mission: Denial of the request would not be inconsistent with the Strategic Plan.

Financial Impact: There would be no cost to the City for denying the request.

RECOMMENDATION: Option 1.

Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, Staff recommends **Option 1**.