

**THE CITY OF KEY WEST
PLANNING BOARD**



Staff Report

To: Chairman and Planning Board Members
Through: Katie P. Halloran, Planning Director
From: Nicholas Perez-Alvarez, Stantec
Meeting Date: December 19, 2024

Agenda Item: **Major Development Plan, Conditional Use – 1904-1906 Flagler Avenue (RE# 00063480-000000) and 1908 Flagler Avenue (RE# 00063450-000000)** - A request for a major development plan and conditional use approval for the expansion of an existing school on property located within the Limited Commercial (CL) Zoning District pursuant to Chapter 108, Section 108-91, and Article III through IX; and Chapter 122, Article IV, Division 4, Subdivision II of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: This application proposes a major development plan approval for the expansion of Somerset Island Prep, an education institution currently serving 101 students, with a proposed increase to 376 total students. Conditional use approval is also required for educational institutions.

Applicant: Trepanier & Associates Inc

Property Owner: 1908 Flagler Corp.

Location: 1904-1906 Flagler Avenue (RE# 00063480-000000) and 1908 Flagler Avenue (RE# 00063450-000000)

Zoning: Limited Commercial (CL)



Background and Analysis

The subject properties, with a combined lot size of 18,710 sq. ft., currently contain a one-story educational institution constructed in 2019 and a one-story commercial structure constructed in 1973. This application proposes major development plan approval for the demolition of the commercial structure to allow for the expansion to the school with a new three-story structure with accessible rooftop. A conditional use revision is also required, as educational facilities are a conditional use in the CL zoning district and the proposed expansion diverges from the existing conditional use parameters, as noted below. The existing school currently accommodates 101 students and the application proposes an increase to a total of 376 students.

The conditional use approval for the existing school constructed in 2019 was approved by the Planning Board in 2014 under Resolution 2014-76 with the following conditions:

General Conditions:

1. The proposed shall be consistent with the attached architectural plans dated November 5, 2014 by Thomas E. Pope, Registered Architect, the civil plans dated November 11, 2014 by Allen E. Perez, P.E., and the landscape plans dated November 7, 2014 by Elizabeth Newland, Landscape Architect.
2. Although subject to a separate City approval, the City shall not bear any of the costs of the proposed sidewalk and any landscaping improvements within City right-of-way.
3. During all phases of demolition and 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 issuance of a Certificate of Occupancy:

4. The property owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.

Conditions subject to a Conditional Approval Permit, and subject to an associated annual inspection:

5. Maximum 55-seat capacity based on the 11 off-street parking spaces proposed, pursuant to the off-street parking requirements of City Code Section 108-572(3).

Proposed Development:

The site data table for the proposed development is shown below.

	<u>Required</u>		<u>Existing</u>		<u>Proposed</u>		<u>Complies</u>
Max. Density	16 du/ac	3.63	N/A		N/A		N/A
Max. FAR	0.8	14,968	0.28	5,318	0.79	14,808	Yes*
Max. Height	40'		20'-2"		47.00'		No, 7' variance requested
Max. bldg coverage	40%	7,484	28%	5,318	42%	7,793	No, 2% variance requested
Max. ISR	60%	11,226	68%	12,775	76%	14,277	No, 16% variance requested
Front setback	25' or 20% of lot depth	20'	19'-6"		0'		No, 20' variance requested
Rear setback	25' or 20% of lot depth	20'	18'-2"		0'		No, 20' variance requested
Side Setback	15' or 10% of lot width up to 20' max, whichever is greater	13.9'	0'-9"		0'		No, 13' variance requested
Side street setback	20'		20'-9"		36'-2"		Yes

*Given the unique context of educational institutions, Planning staff accepted the proposed floor area calculation with the circulation spaces of elevator shafts and stairwells excluded.

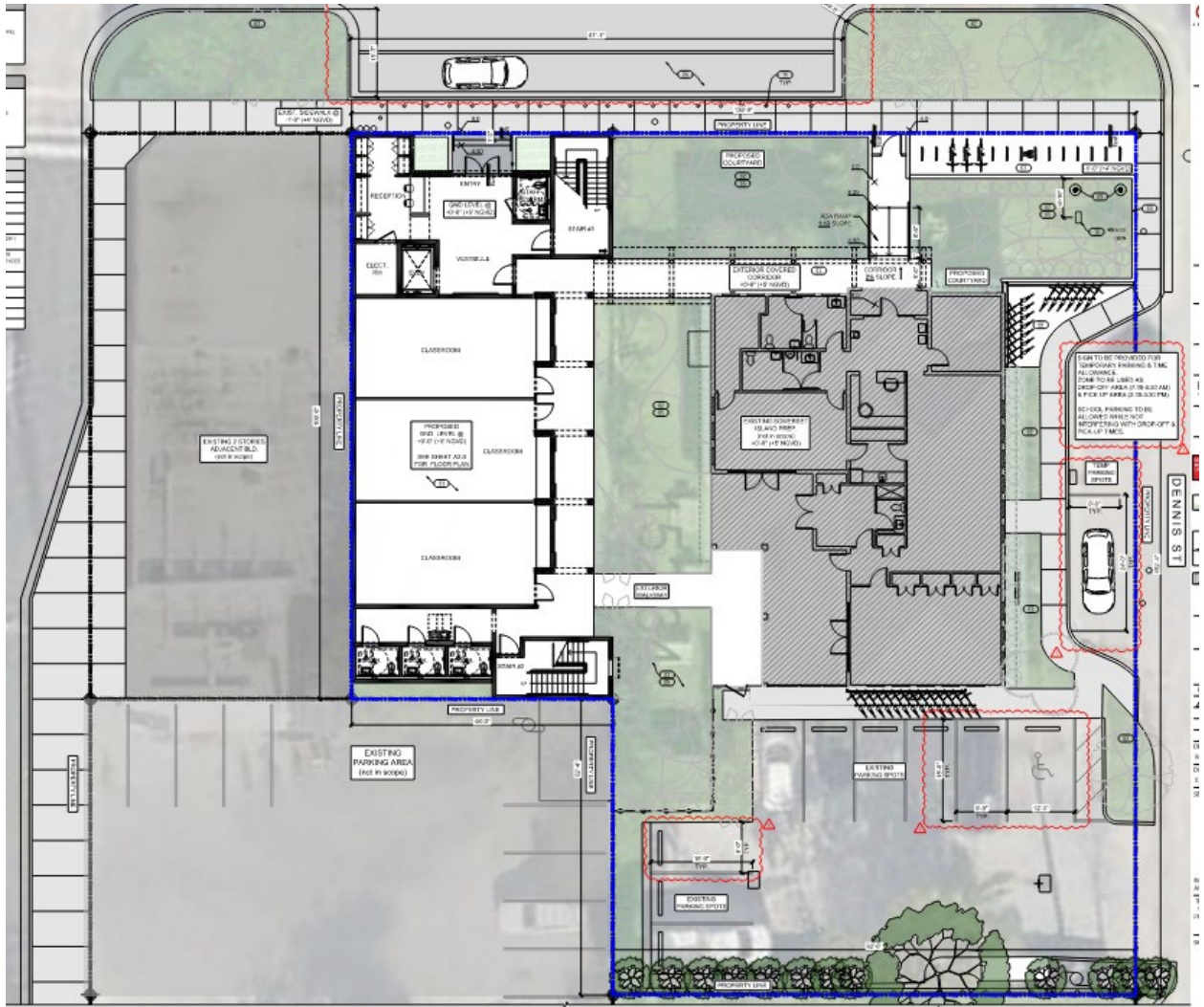
The parking data table is shown below:

	Code	Required	Existing	Proposed	Complies
School	1 space per 5 seats or 1 space per 150 square feet of floor area in the main assembly hall, whichever is greater	76 (376 seats)			
Total		76	11	11	No, 65-space variance requested

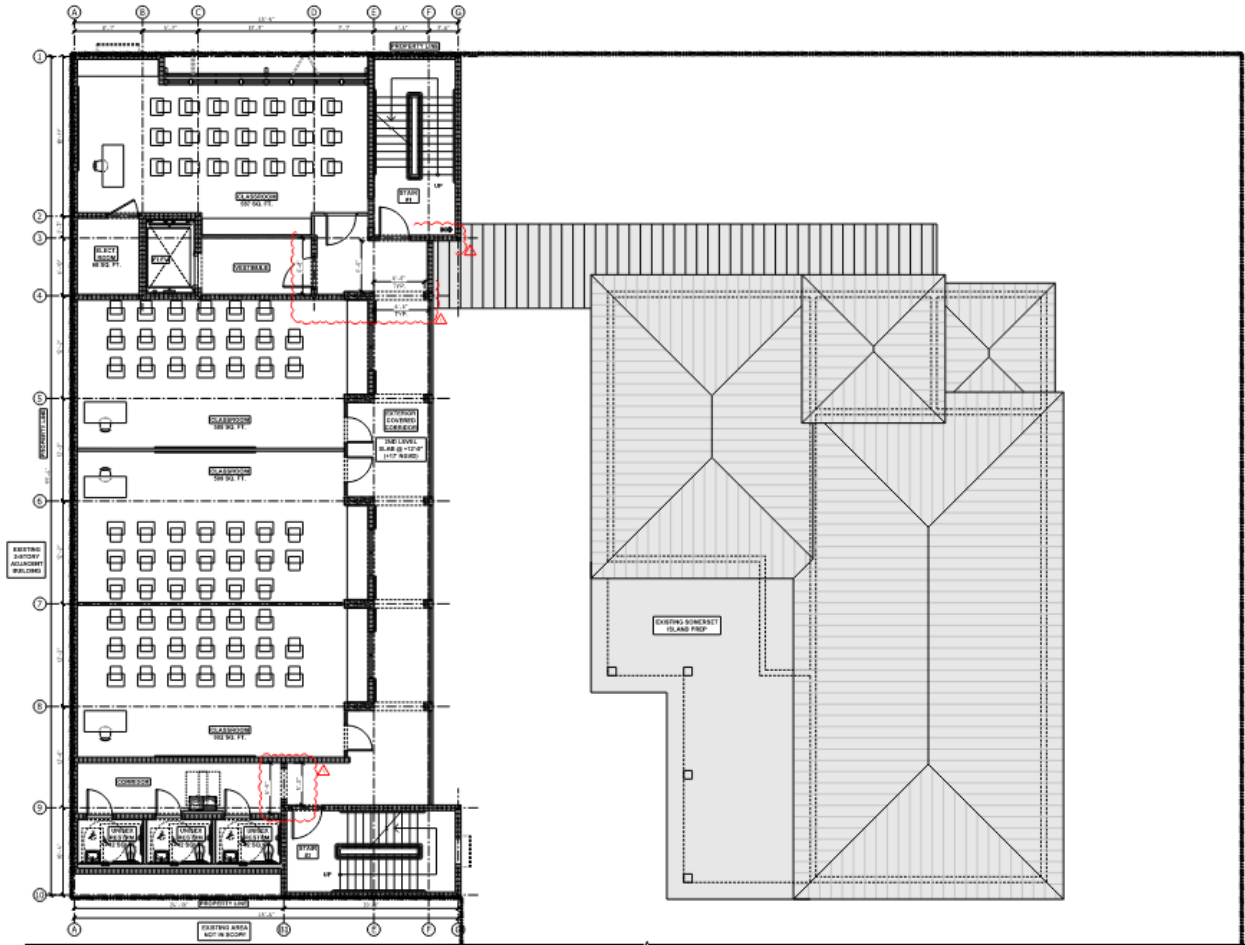
As noted above, a variance application has been submitted for decreases in the minimum front setback from 20-feet to 0-feet, minimum rear setback from 20-feet to 0-feet, minimum side setback from 13.9-feet to 0-feet, maximum building coverage from 40% to 42%, maximum impervious surface ratio from 60% to 76%, and minimum parking from 76 spaces to 11 spaces

A variance application has also been submitted for increase in the maximum height from 40-feet to 47.1-feet, of which City Code requires separate approval by the City’s Board of Adjustment.

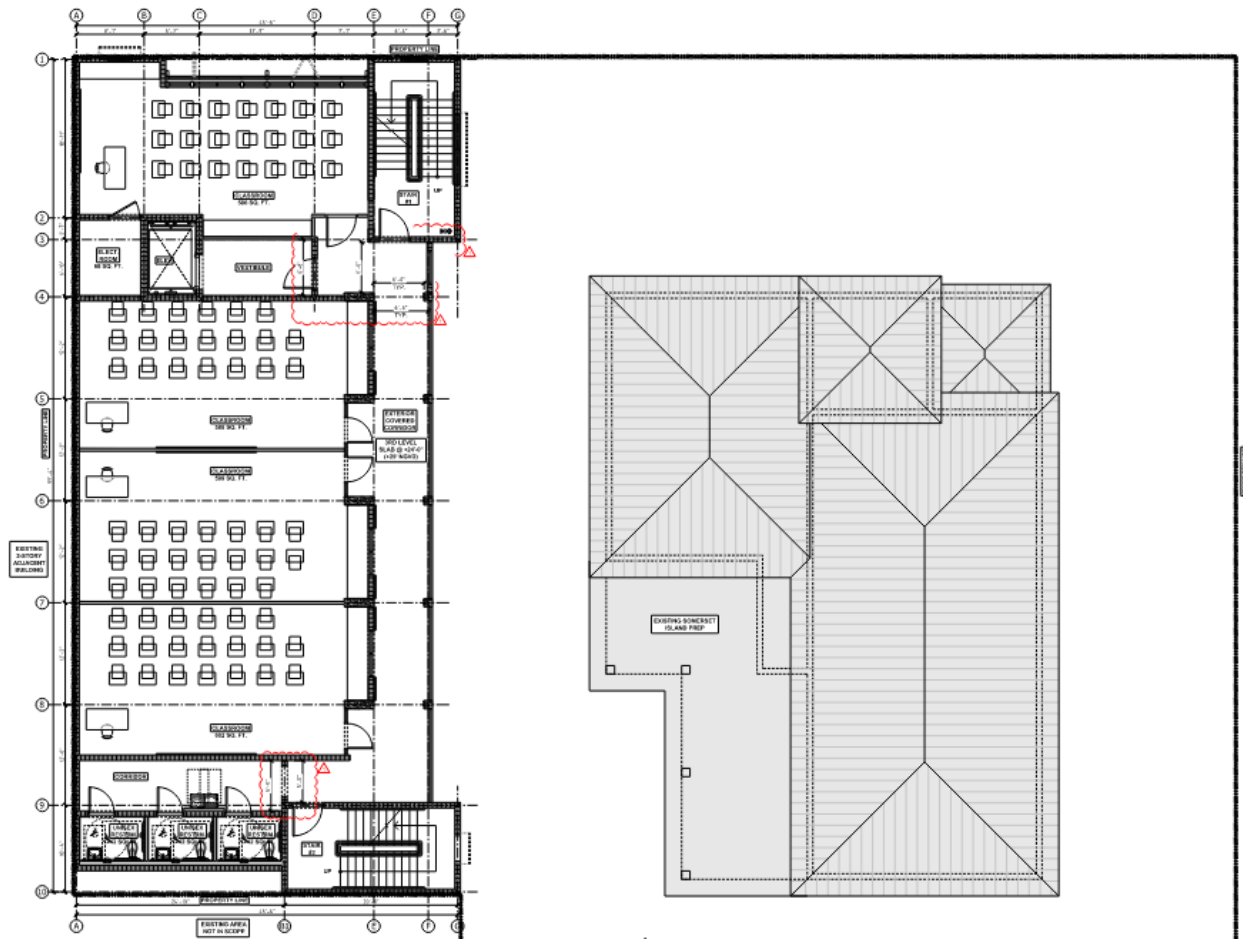
Proposed Site Plan/ Ground Floor Plan, submitted by applicant.



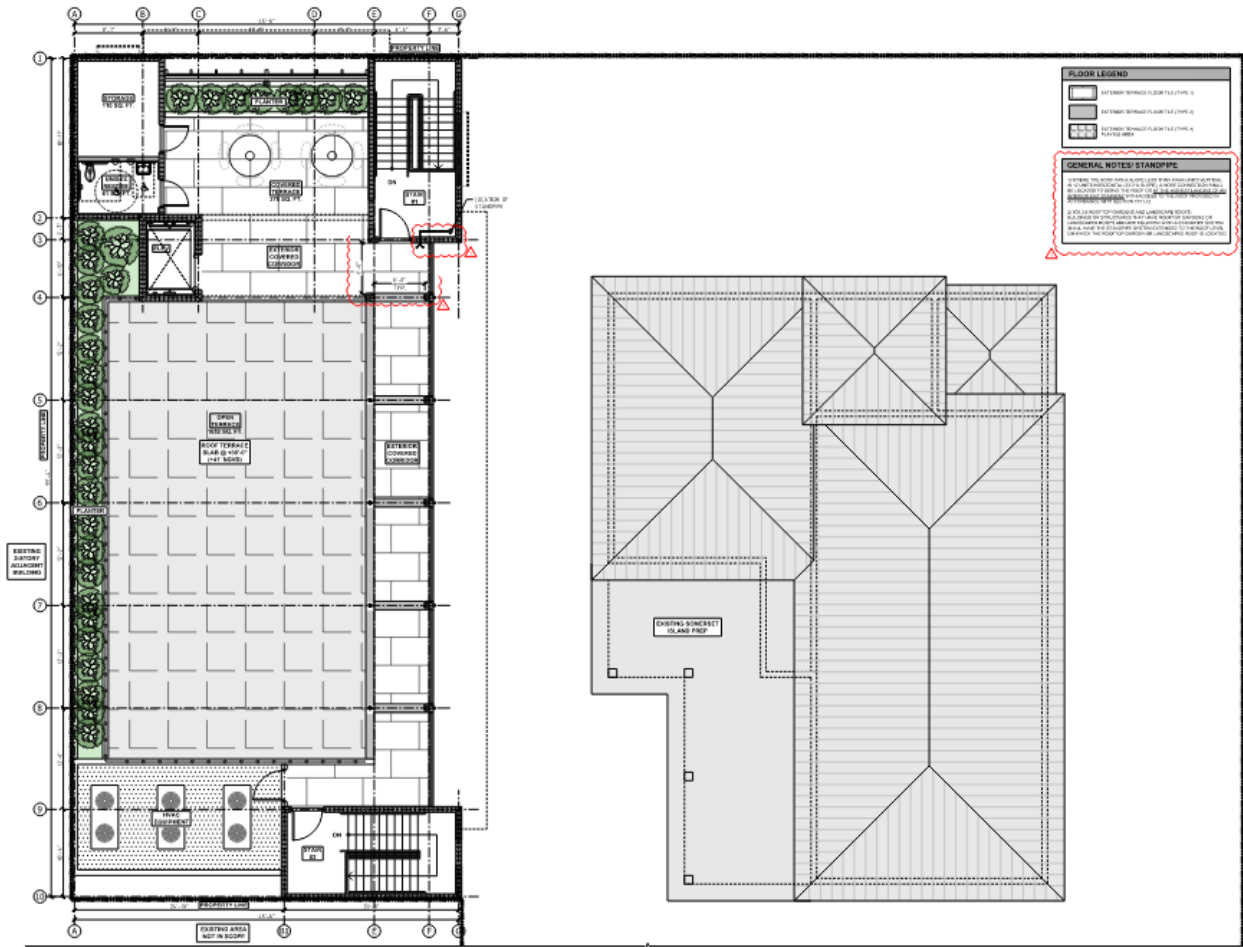
Proposed Second Floor Plan, submitted by applicant.



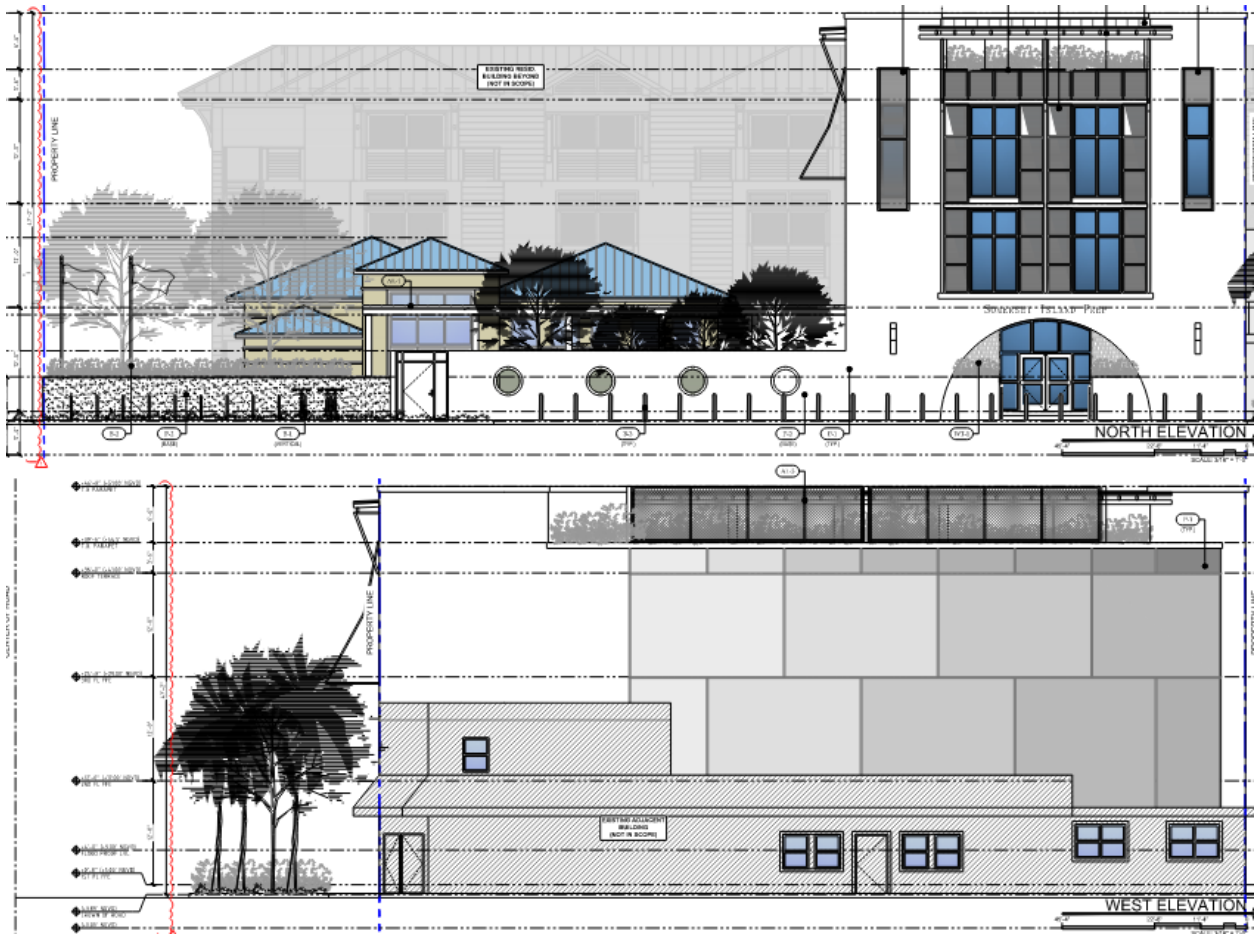
Proposed Third Floor Plan, submitted by applicant.



Proposed Accessible Roof Plan, submitted by applicant.



Proposed Front and Interior Side Elevations, submitted by applicant.



Proposed Rear and Side Street Elevations, submitted by applicant.



Surrounding Zoning and Uses:

Surrounding properties are located within the Limited Commercial (CL) Zoning District. Surrounding uses include commercial properties and single- and multi- family residential homes.

Process:

Development Review Committee:	April 25, 2024
Tree Commission Meeting (Conceptual landscape plan approval with condition):	November 5, 2024
Planning Board Meeting:	December 19, 2024
Tree Commission Meeting (Final landscape plan approval):	TBD
City Commission:	TBD
Local Appeal Period:	10 Days
Planning renders to DOC for review:	Up to 45 days

Relevant Development Plan Code Analysis

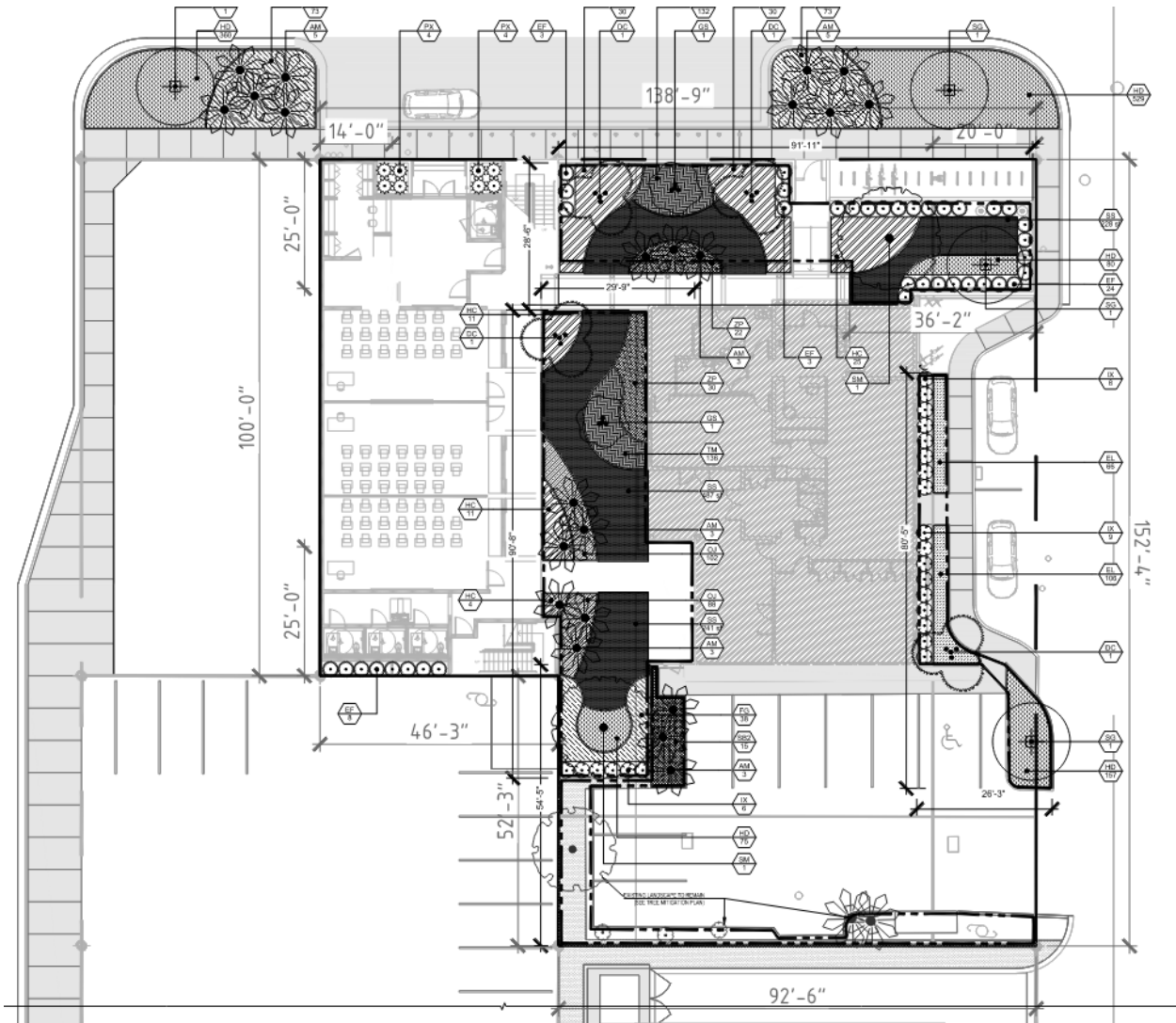
‘Good Neighbor’ Policy: The applicant has indicated that “Good Neighbor” letters were mailed to all property owners within 300-ft. To-date, the Planning Department has not received any letters of support or objection.

Landscaping (Code Chapter 108, Article VI)

A landscape plan is required as part of development plan review, pursuant to City Code Section 108-411. The proposed landscape plan is in substantial compliance with the Section 108 landscaping requirements; however, the waivers listed below would be required:

- Sec. 108-413: Minimum 10’ landscape buffer width along right-of-way required, 0’ to 6’ provided along new building Flagler Street frontage
- Sec. 108-481: Minimum 12’ tree height, two lignum vitae trees proposed at 7’-10’ height
- Sec. 108-481: Minimum 24” shrub height, 23 nora grant, 190 green island ficus, and 52 coontie proposed at 16”-24” height

Proposed Landscape Plan



Concurrency Facilities and Other Utilities or Services (City Code Section 108-233)

Comprehensive Plan Objective 9-1.5 directs the City to ensure that public facilities and services needed to support development are available concurrent with the impacts of new development. The analysis considers potable water, sanitary sewer, solid waste, drainage, vehicle trip generation and recreation. City Code Section 94-36 requires a concurrency review determination to be made concerning the proposed development. Staff reviewed the provided concurrency analysis following the criteria in City Code Section 94-36 and determines that public facilities excluding the transportation network are expected to accommodate the proposed development at the adopted level of service (LOS) standards. The Applicant provided a concurrency analysis as part of the Major Development Plan application, including a traffic study prepared by TrafTech Engineering, Inc. dated September 2024. The traffic study concludes that:

1. The proposed expansion is projected to generate approximately 90 new AM peak hour trips and approximately 55 new trips during the school's afternoon peak hour.
2. All nearby study intersections are projected to operate at an acceptable level of service with the proposed school expansion project in place.
- 3.

An email from the Applicant's traffic engineer provided with the traffic study provides the following traffic management suggestions to minimize traffic and parking impacts:

1. Somerset start time no earlier than 8:00 AM (KWHS starts at 7:30 AM)
2. Somerset end time no earlier than 3:00 PM (KWHS ends at 2:30 PM)
3. Document existing number of bicycle parking for today's 101 students. Document proposed number of bicycle parking for future school expansion with 376 students (101 existing + 275 future).
4. Prohibit students from driving to school and parking at school.
5. Arrange educational program to have staggered start and end times separated by at least 15 minutes. For example, 200 future students start at 8:00 AM and are released at 3:00 PM. The remainder 176 students start at 8:15 AM and are dismissed at 3:15 PM. The closer to 50-50 split the better.

On behalf of the City of Key West, Stantec conducted an independent review of the traffic study and has identified several concerns that have not been addressed listed below:

- Queueing assessment for drop-off/pick-up periods and locations along Flagler Avenue and Dennis Street
- Transportation Management Plan for student drop-off and pick-up periods (queueing assessment could be included in this plan)
- Parking capacity and needs assessment

The trip generation assessment requires documentation from the school/property owners in order to justify the trip reduction percentages. The intersection analysis indicates that the intersections will operate at an acceptable Level of Service (LOS) during the drop-off/pick-up time periods. No major concerns were identified from this intersection analysis; however, the future traffic volumes may need to be modified depending on updates to the trip generation. The traffic circulation plan includes operational aspects that would be beneficial to the traffic operations during the school drop-off/pick-up time periods; however, as detailed in the comments, more information and school commitments are needed to identify concerns, if any, and mitigation measures.

Due to the traffic concerns left unaddressed identified above, staff is unable to fully determine consistency with Chapter 108, Article IV – Traffic Impacts. Staff therefore finds that the project does not fully meet Sec 108-233 to reasonable standards.

RECOMMENDATION

As per Sec. 108-94. - Review by staff. - "Each application for development plan approval shall be reviewed by the city planner and transmitted to the development review committee and other staff

as may be designated by the city planner based upon the type of development proposed. The city planner shall review each application for compliance with land development regulations.”

Due to the requested follow-up information from the traffic study still pending from the applicant, the Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations respectfully recommends to the Planning Board that the request for Major Development Plan with Conditional Use and Landscape Modifications / Waivers be **DENIED**.

Should Planning Board approve this proposed development plan, staff recommends the following conditions listed below.

General conditions:

1. The proposed development shall be consistent with the plans dated March 2024 and revised 09/20/2024 by Civica, and the landscape plan dated July 2024, and revised 09/20/24 by Civica.
2. Although subject to a separate City approval, the City shall not bear any of the costs of the proposed sidewalk and any landscaping improvements within City right-of-way.
3. Final landscape plan approval required from Tree Commission prior to issuance of a building permit if significant changes occur.
4. Maximum 376-seat capacity.
5. During all phases of construction, temporary fencing shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris unless required Right of Way permits are obtained.
6. Prior to City Commission, the applicant shall provide a queuing assessment, transportation management plan, and parking capacity and needs assessment so the Planning Department can further inform the City Commission on anticipated traffic impacts.
7. Prior to issuance of a certificate of occupancy, the property owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.
8. All prior conditions associated with Resolution No. 2014-76 shall be deemed null and void as a part of this resolution.