



## EXECUTIVE SUMMARY

**To:** Jim Scholl, City Manager

**Through:** Thaddeus Cohen, Planning Director

**From:** Patrick Wright, Planner II

**Meeting Date:** February 17, 2016

**RE:** **Major Modification to a Major Development Plan – 5711 College Rd. (RE # 00063450-000000; AK # 1063886)** - A request for major modification to a major development plan approval for the construction of 23,784 square feet of gross nonresidential floor area for the new Florida Keys SPCA offices and animal shelter on property located within the Public and Semipublic Services (PS) Zoning District pursuant to Sections 108-91.B.2. (b), 108-91.C.3 (a) and 122-1017 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

### ACTION STATEMENT:

**Request:** Major development plan approval for the construction of 23,784 square feet of gross nonresidential floor area for the new Florida Keys SPCA offices and animal shelter

**Applicant:** Florida Keys SPCA and The Bacon Group, Architects

**Property Owners:** City of Key West

**Location:** 5711 College Road (RE # 00063450-000000; AK # 1063886)

**Zoning:** Public and Semipublic Services – (PS)



**BACKGROUND:**

The subject property is located on North Stock Island along College Road. The property is bound by Gerald Adams Elementary School to the east. Key West Golf Course to the south, Sunset Marina to the West and the Gulf of Mexico to the north.

In 2010 the City Commission approved a major development plan to allow for the construction of the new transportation facility on this parcel. This approval expired due to building permits not being pulled within two years of the approval. Due to the expiration the project was brought back to the City Commission for a second time and approved in 2012. At that time consideration for a new location for the Florida Keys SPCA on the same property was not made.

The proposed SPCA building and the new transportation facility both sit on the same 50.81 acre city owned parcel. The developable portion of this parcel is roughly 4.5 acres. The proposed 23,784 square foot two story building will house the new Florida Keys SPCA facility and would be completely located on the portion of the property referred to as Parcel F.

In order to allow the proposed development, several development approvals would be necessary or are requested by the applicant:

- Major Development Plan review is required due to the addition of equal to or greater than 5,000 square feet of nonresidential gross floor area, pursuant to 108-91.B.2(b) and Section 108-91.C.3 which requires major modification of the Land Development Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”); and

**City Actions:**

Development Review Committee (DRC):	November 21, 2014
Preliminary Tree Commission:	January 13, 2015
Planning Board:	December 17, 2015 (PB Res No. 2015-58)
Final Tree Commission:	January 12, 2016
City Commission:	February 17, 2016

**PLANNING STAFF ANALYSIS:**

***Development Plan Review***

City Code Section 108-91.B.2.(b) requires the addition or reconstruction of nonresidential floor area equal to or greater than 5,000 square feet of gross floor area to be reviewed as a Major Development Plan. Planning staff and the Planning Board, as required by Chapter 108 of the City LDRs, reviewed the request for compliance with the City's LDRs and Comprehensive Plan as detailed in the attached Planning Board staff report. On December 15, 2015, the Planning Board reviewed the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2015-58 advising approval with conditions to the City Commission.

City Code Section 108-198 states that the City Commission shall approve with or without conditions or disapprove the development plan based on specific development review criteria

contained in the LDRs and based on the intent of the LDR's and Comprehensive Plan. The City Commission may attach to its approval of a development plan any reasonable conditions, limitations or requirements that are found necessary, in its judgment, to effectuate the purpose of this article and carry out the spirit and purpose of the comprehensive plan and the LDR's. Any condition shall be made a written record and affixed to the development plan as approved. If the City Commission disapproves a development plan, the reasons shall be stated in writing.

It should be noted that Planning Board Resolution No. 2015-58 required two conditions to be satisfied prior to the City Commission hearing (see conditions #3 & 4). Subsequent to the Planning Board approval, all conditions have been satisfied. Any outstanding issues are reflected in the staff recommendations below. The resulting set of revised plans is attached.

**Options / Advantages / Disadvantages:**

**Option 1.** Approve the request with conditions (listed below) as advised by the Planning Board in Resolution No. 2015-58, and additional conditions recommended by staff:

**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 proposed development does not comply with the criteria established by the Comprehensive Plan and the Land Development Regulations.

**Consistency with the City's Strategic Plan, Vision and Mission:** Denial of the requested development plan 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.**

Staff and the Planning Board, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends **Option 1** to the City Commission approving the request with conditions as outlined below:

**General conditions:**

1. The proposed development shall be consistent with the plans dated December 1, 2015 by Rick Bacon, P.A., and the landscape plans dated May 25, 2015 by Craig Reynolds, Landscape Architect; notwithstanding the revisions requested and recommended by staff.
2. During all phases of 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 building permit:**

3. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee

**Conditions prior to issuance of a Certificate of Occupancy:**

4. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.