

**EXECUTIVE
SUMMARY**



To: Jim Scholl, City Manager
Through: Patrick Wright, Planning Director
From: Ginny Haller, Planner II
Meeting Date: August 15, 2017

Agenda Item: **Major Development Plan – 3900 South Roosevelt Boulevard (RE# 00066180-000200)** -A request for major development plan approval for the construction of 56 new market rate residential units and 24 new affordable units on property located within the High Density Residential (HDR) zoning district pursuant to Sections 108-91.B.2(a) and 108-413 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

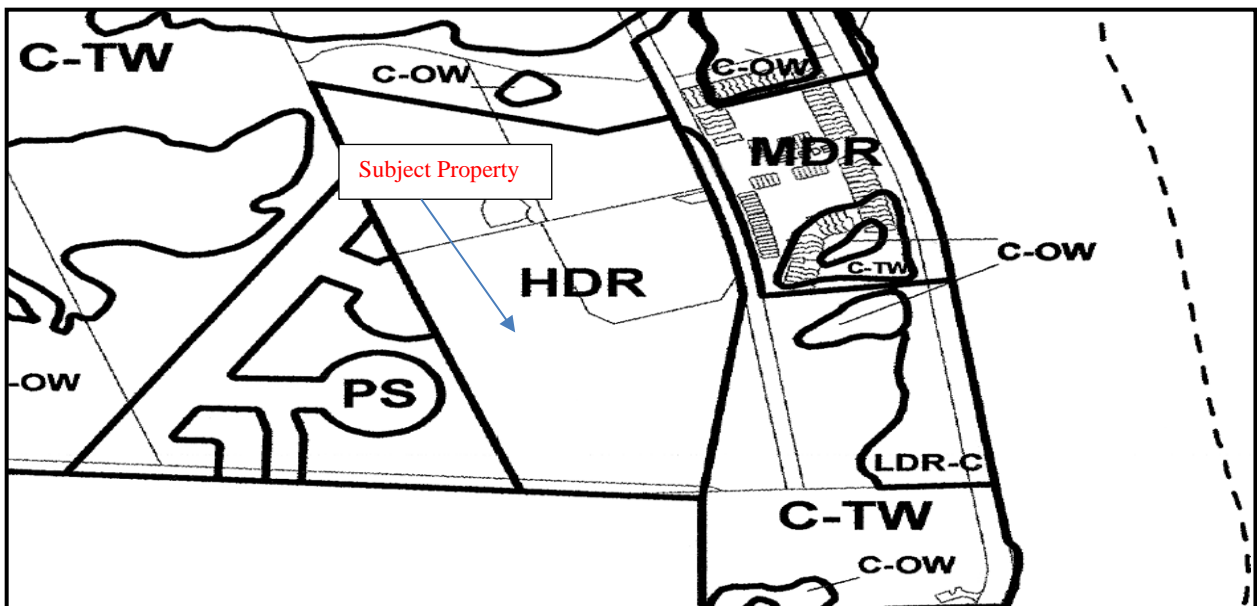
Request: Major development plan approval for the construction of 56 new market rate units and 24 new affordable units.

Applicant: Critical Concern Consultants

Property Owners: Ocean Walk Key West Owner, LLC

Location: 3900 South Roosevelt Boulevard (00066180-000200)

Zoning: High Density Residential (HDR)



BACKGROUND:

The subject property is located at 3900 South Roosevelt Boulevard and is bound by the multi-family residential units at Seaside and Las Salinas Condominium. The property is surrounded by Public Service, Medium Density Residential, Conservation-Tidal Wetlands, and Conservation - Outstanding waters of the State zoning districts. The parcel is approximately 17.11 acres of land including environmentally sensitive areas.

The parcel at Ocean Walk contains 296 existing dwelling units within two buildings that were constructed in 1989:

- Building one contains 88 units and is 26.6 feet in height with covered parking on the ground floor and apartments on the second and third floors;
- Building two contains 208 units and is 43.5 feet in height with covered parking on the ground floor and apartments on the second through fifth floors.

The proposed major development plan seeks to add 56 new market rate units and 24 new deed restricted affordable units for a total of 80 new units to be located in two new structures. The proposal is located in the High Density Residential (HDR) zoning district which allows residential uses, including single-family, two-family, multi-family dwelling units at a maximum density of 22 units per acre. The project was awarded Building Permit Allocation System (BPAS) units in Year 2 and Year 4:

- Planning Board Resolution 2015-26, the project was awarded 28 market rate equivalent single family units and 12 affordable equivalent units through Year 2 of the Building Permit Allocations System;
- Planning Board Resolution 2017-06, the project was awarded 28 market rate equivalent single family units and 12 affordable equivalent single family units through Year 4 of the Building Permit Allocation System.

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

- Major Development Plan review is required due to permanent residential development; addition of eleven or more units, pursuant to 108-91.B.2(a) of the LDRs of the Code of Ordinances of the City of Key West;
- Development Agreement has been requested per Article IX of the LDRs of the Code of Ordinances of the City of Key West.

City Actions:

City Commission Authorization to enter Development Agreement:	January 5, 2016 (Resolution 16-021)
Development Review Committee (DRC):	March 24, 2016
Development Review Committee (DRC):	October 27, 2016
Conceptual Landscape Plan:	January 10, 2017
Planning Board:	May 18, 2017 (Postponed)

Planning Board:	June 15, 2017
Final Landscape Plan Approval:	July 31, 2017
City Commission:	August 15, 2017
DEO review	Up to 45 days, following local appeal period

PLANNING STAFF ANALYSIS

Development Plan review

City Code Section 108-91.B.2 (a) requires Major Development Plan review for permanent residential development; addition of eleven or more units. City Code Section 108-196(a) states after reviewing a Major Development Plan or a Minor Development Plan for a property and staff recommendations therefor, the Planning Board shall act by resolution to approve, approve with conditions, or disapprove it based on specific development review criteria contained in the LDRs and the intent of the LDRs and comprehensive plan. The Planning Board resolution shall provide written comments documenting any conditions of approval that the Planning Board finds necessary to effectuate the purpose of Development Plan review and carry out the spirit and purpose of the Comprehensive Plan and the LDRs. If the Development Plan is recommended for disapproval, the Planning Board resolution shall specify in writing the reasons for recommending such denial. The Planning Board's decision on a Major Development Plan in the historic district shall be advisory 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 LDRs 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 judgement, to effectuate the purpose of this article and carry out the spirit and purpose of the Comprehensive Plan and the LDRs. 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. 2017-24 required two conditions to be satisfied prior to the City Commission hearing (see conditions #7 & 8). Subsequent to the Planning Board approval, all conditions have been satisfied. Any outstanding issues are reflected in the 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. 2017-24, and additional conditions recommended by staff:

Consistency with the City's Strategic Plan, Vision and Mission: Granting the request would be consistent with the Economic and Environmental goals of the Strategic Plan. This action would provide additional residential dwelling

units in the High Density Residential zoning district.

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

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 June 14, 2016 by K2M Design, Inc., and by the Proposed Site Plan dated June 7, 2017.
2. Shared maintenance of off-site improvements and construction, to include but not be limited to speed bumps, sidewalk extensions, crosswalks, and sidewalk lighting.
3. 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.
4. Ocean Walk will provide daily maintenance and cleanup of roadway.
5. Ocean Walk will temporarily keep security gate in open position, commencing prior to commencement of construction at least one year, or until such time as Las Salinas gate has been replaced during construction.
6. As outlined in the Development Agreement the Twenty-four (24) affordable units will be required to file deed restrictions with the City per Section 122-1467(d). The deed restriction shall be in a form provided by the City and shall be for a period of at least 50 years. It shall be recorded in the Monroe County records. During the final year of the deed restriction, the City may act by Resolution to renew the affordability restriction for an additional 50-year term.

Conditions prior to issuance of a building permit:

7. 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.
8. Applicant shall coordinate with Keys Energy Services a full project review.

9. Wetland Buffer Zone pursuant to Section 110-91 shall be consistent with South Florida Water Management District standards.
10. The applicant shall submit a completed Form 7460-1 to the Federal Aviation Authority.

Conditions prior to issuance of a certificate of occupancy:

11. The total score claimed of 85 points, in which the 28 market rate and 12 affordable Building Allocation System (BPAS) units were awarded through Planning Board Resolution 2015-26, shall be confirmed by City staff. The total score claimed of 85 points, in which the 28 market rate and 12 affordable Building Allocation System (BPAS) units were awarded through Planning Board Resolution 2017-06, shall be confirmed by City staff.
12. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.