



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

Through: Thaddeus Cohen, Planning Director

From: Patrick Wright, Planner II

Meeting Date: January 20, 2016

RE: **Major Development Plan – 541 White Street (RE # 00006730-000200; AK # 9100458)** - A request for major development plan approval for the construction of 48 new affordable residential units on property located within Historic Special Medium Density Residential (HSMDR) zoning district pursuant to Section 108-91.A.2.(a) 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 48 new affordable residential units

Applicant: Donna M. Bosold

Property Owners: Peary Court Holdings, LP

Location: 541 White Street
(RE # 00006730-000200; AK # 9100458)

Zoning: Historic Special Medium Density Residential District (HSMDR)



BACKGROUND:

The subject property is bound by Palm Avenue, Eaton Street, White Street, Eisenhower Drive and Angela Street within the HMSDR Zoning District. It consists of one 24 acre parcel under single ownership. The property has historically been utilized as army barracks dating as far back as the mid nineteenth century and redeveloped in the early 1990s to 160 Navy housing units. Three of those units were destroyed by fire leaving the 157 units that currently exist on the site today. The property also housed a 10,000 square foot bank building occupied by Keys Federal Credit Union that was demolished in 2013. The site of the bank building, together with other currently vacant land within the property, is now proposed for the development of 48 affordable housing units.

In 2012 the Navy sold the property to a non-governmental entity thus making it and its 160 units subject to local zoning control. The City Commission adopted Ordinance 12-33 in September of 2012 which established the HSMDR zoning district for Peary Court as well as set aside 48 affordable building permit allocation (BPAS) units by recommendation of the State Department of Economic Opportunity to satisfy the 30% affordable housing requirements.

This request for Major Development Plan approval along with the requested Development Agreement pursuant to Section 122-611(e) seek to construct the 48 affordable units as allocated by the city and as set forth in City Ordinance 12-33. If approved the development would result in a total of 205 units on the parcel with buildback rights of three additional units totaling 208 potential units.

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

- Major Development Plan review to include modifications or waivers to reduce landscaping requirements is required due to the reconstruction of five or more residential units, pursuant to Section 108-91.A.2.(a) and 108-517 of the Land Development Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”)

City Actions:

Development Review Committee (DRC):	June 25, 2015
Development Review Committee (DRC):	August 27, 2015
Preliminary Tree Commission:	October 13, 2015
Planning Board:	October 15, 2015 (PB Res No. 2015-48)
HARC:	November 16, 2015
Final Tree Commission:	November 10, 2015
City Commission:	January 20, 2016

PLANNING STAFF ANALYSIS:

Development Plan Review

City Code Section 108-91.A.2.(a) requires the construction of five (5) or more permanent and transient residential units within the historic district 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 October 15, 2015, the Planning Board reviewed the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2015-48 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. 2015-48 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. 2015-48, 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 September 14, 2015 by Allen E. Perez, P.E., and the landscape plans dated October 27, 2015 by Ladd Roberts, Landscape Architect.

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. Per the recommendation of the City's Traffic Consultant and the City's Engineering Department, the property owner shall pay the sum of \$3,000 to extend the striping for the turning lane at the White and Eaton intersection due to it being recognized as an underperforming intersection.
4. The applicant shall obtain a SFWMD permit as requested by the Utilities.
5. 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:

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