



## EXECUTIVE SUMMARY

**To:** Jim Scholl, City Manager

**Through:** Thaddeus Cohen, Planning Director

**From:** Melissa Paul-Leto, Planner Analyst

**Meeting Date:** November 1, 2016

**RE:** **Major Development Plan – 2700-2706 Flagler Avenue (RE # 00065090-000000, AK # 1065617)** - A request for major development plan for the construction of 37 deed restricted apartments on property located within the Public and Semipublic Services (PS) Zoning District pursuant to Sections 108-91.B.2(a) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

### ACTION STATEMENT:

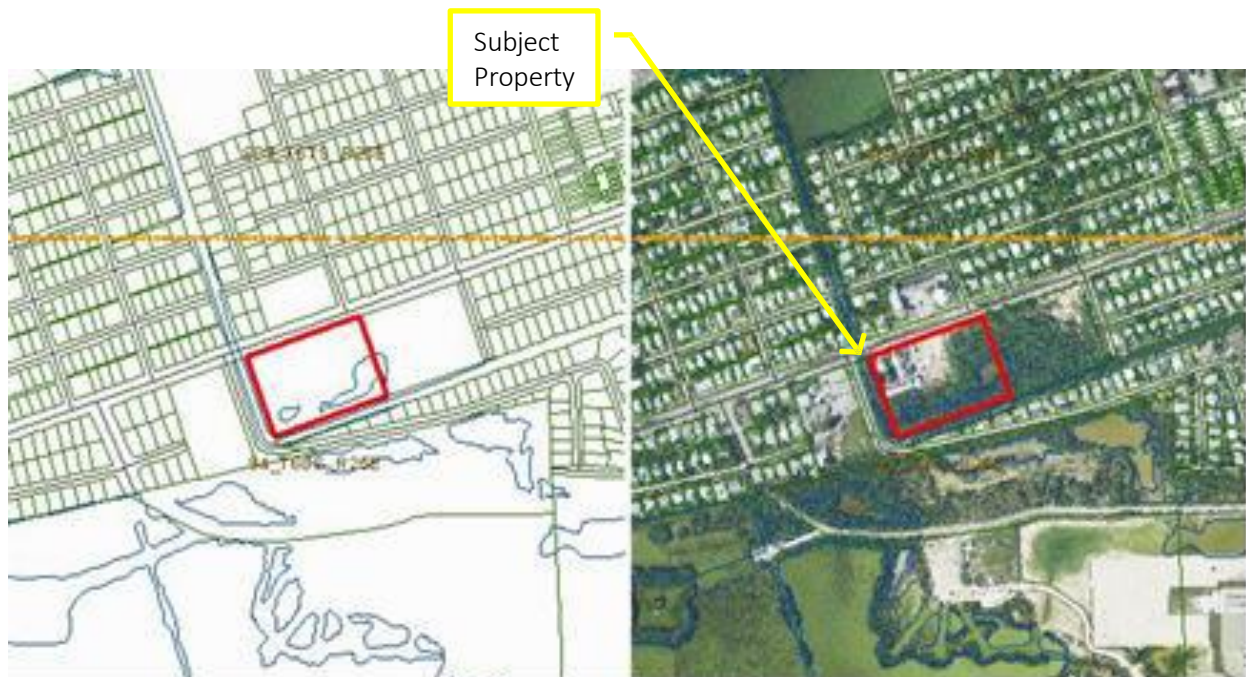
**Request:** Major Development plan approval for the construction of 37 deed restricted apartments.

**Applicant:** Barbara Mitchell and Bill Horn

**Property Owners:** Carroll Coleman and Diocese of Miami, Catholic Charities

**Location:** 2700-2706 Flagler Avenue (RE # 00065090-000000, AK # 1065617)

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



**BACKGROUND:**

The subject property is located on the north side of Key West on Flagler Avenue. It is surrounded by properties located within the Tidal Wetlands of the State and the Single Family Zoning District. There are multi-family residential housing to the north, single family residential homes next to Grace Lutheran Church and School to the west, Peace Covenant Presbyterian Congregation to the south and some single family residential homes to the east. The parcel is approximately 4.93 acres not including environmentally sensitive areas.

The existing property consists of the following structures: 1 one story frame structure, 1 one story concrete block structure, 1 one story frame structure on concrete columns, one shade structure and 4 miscellaneous sheds. The Catholic Charities at St. Bede’s Village currently operates 2 services on the property. One service involves housing, two structures on site; one structure contains ten apartments that house low-income elderly or disabled residents and the second structure provides dormitory style space for a housing program for men. The second service on the property is Saint Mary’s Soup Kitchen. Saint Mary’s Soup kitchen provides one hot meal per day on-site from 4 to 5 p.m... Additionally, there are office spaces as well as meeting rooms utilized by the participants/residents onsite.

In November 2003, Resolution No. 2003-39 was granted for the ten 354 square feet low-income apartments to house elderly or disabled residents. In 2004, The City awarded the property owner Building Permit Allocations to construct a group home building. The applicant was awarded 29 affordable BPAS units as part of the Year 1 BPAS allocation. The allocations were awarded for the proposed construction of Building B through E. On March 17, 2016, Resolution No. 2016-16 awarded Catholic Charities an additional 0.80 BPAS allocations in order to construct Building F.

The proposed development is comprised of six modular structures. Five of these buildings (B, C, D and F) will contain the residential units and the sixth building (G) will contain the office and meeting rooms as well as the commissary kitchen. Thirty (30) vehicular parking spaces will be provided, including two (2) ADA van-accessible spaces, twelve (12) bicycle parking spaces and eight (8) scooter parking spaces.

In order to allow the proposed development, the following development approval 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 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):	October 22, 2015
Preliminary Tree Commission:	December 8, 2015
Planning Board:	July 21, 2016
Final Tree Commission:	September 13, 2016
City Commission:	November 1, 2016
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 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 July 21, 2016, the Planning Board reviewed the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2016-40 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. 2016-40 required five conditions to be satisfied prior to the City Commission hearing (see conditions #4, #5, #6, #7 and #8). Subsequent to the Planning Board approval, all conditions have been satisfied.

**Options / Advantages / Disadvantages:**

**Option 1.** Approve the request with conditions (listed below) as advised by the Planning Board in Resolution No. 2016-40.

**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 March 2, 2016 by William P. Horn.
2. 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.
3. It is recommended that the applicant participate in Waste Management's commercial recycling program and/or participant in a certified green business program, such as through Florida Keys Green Living & Energy Education (GLEE).

**Conditions prior to issuance of a building permit:**

4. 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.
5. Submit drawings for the proposed Signage.

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

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