

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING MAJOR DEVELOPMENT PLAN, CONDITIONAL USE AND LANDSCAPE WAIVER APPROVALS PURSUANT TO SECTIONS 108-91.A.2., 108-517, 122-62 AND 122-958 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR THE ADAPTIVE REUSE OF A FORMER SCHOOL INTO NEW CITY GOVERNMENT OFFICES WITH RELATED CULTURAL AND CIVIC ACTIVITIES ON PROPERTY LOCATED AT 1300 WHITE STREET (RE # 00040100-000000, AK # 1040827) IN THE HISTORIC PUBLIC AND SEMIPUBLIC SERVICES (HPS) ZONING DISTRICT; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 108-91.A.2. of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that within the Historic District, a Major Development Plan is required for the addition or reconstruction of equal to or greater than 2,500 square feet of gross floor area; and

WHEREAS, the applicant proposes to use the property for the adaptive reuse of the historic Glynn Archer School into the new 37,051 square foot Key West City Hall with related cultural and civic activities in the new Commission Chambers, which is considered cultural and civic activities and is a conditional use with the Historic Public and Semipublic Services (HPS) Zoning District pursuant to Code Section 122-958(2); and

WHEREAS, the applicant has requested waivers to the City's landscaping requirements pursuant to City Code Section 108-517; and

WHEREAS, Code Sections 108-196(a) and 122-62(a) require the Planning Board to review and approve, approve with conditions or deny the proposed Major Development Plan and Conditional Use in an advisory capacity to the City Commission; and

WHEREAS, Code Section 108-517(a) requires the Planning Board to consider the landscape waiver request and render the final action; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on March 20, 2014, resulting in Planning Board Resolution No. 2014-18; and

WHEREAS, the granting of the Major Development Plan, Conditional Use and Landscape Waiver application is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the Planning Board determined that the granting of the Major Development Plan, Conditional Use and Landscape Waiver is in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

WHEREAS, pursuant to Section 108-198, the City Commission shall review and act upon Major Development Plan proposals; and

WHEREAS, the granting of the Major Development Plan and Conditional Use will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be

injurious to the neighborhood, or otherwise detrimental to the public welfare; and

NOW THEREFORE BE IT RESOLVED by the City Commission of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. That the City Commission grants approval of the application for Major Development Plan, Conditional Use and Landscape Waiver for the adaptive reuse of a former school into new city government offices with related cultural and civic activities on property located at 1300 White Street (RE # 000040100-000000, AK # 1040827) in the HPS Zoning District pursuant to Sections 108-91.A.2., 108-517, 122-62 and 122-958 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans dated March 3, 2014, with the conditions provided in Planning Board Resolution 2014-18, and specified as follows:

General conditions:

1. This approval shall not become effective until the concurrent applications for height variance and petition for vacation of City property are approved and effective.

2. All sidewalks and walkways shall have a minimum 36-inch width and clearance from objects and landscaping. Five feet is preferred wherever possible.

3. All landscaping shall comply with clear sight requirements pursuant to City Code Section 108-452 and 122-1406.

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.

Conditions prior to issuance of a Certificate of Occupancy:

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

6. All on-site and off-site improvements shall be completed in order to provide the required ADA-accessible route extending 800 linear feet out and leading to the parking area.

Section 3. Full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

Section 4. This Major Development Plan does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 6. This Resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C, F.A.C., this permit is not effective for forty five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DEO can appeal the permit to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Passed and adopted by the City Commission at a meeting held
this _____ day of _____, 2014.

Authenticated by the presiding officer and Clerk of the
Commission on _____, 2014.

Filed with the Clerk _____, 2014.

Mayor Craig Cates	_____
Vice Mayor Mark Rossi	_____
Commissioner Teri Johnston	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____
Commissioner Tony Yaniz	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK