

RESOLUTION No. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING A MAJOR DEVELOPMENT PLAN FOR PROPERTY LOCATED AT NELSON ENGLISH AND WILLIE WARD PARKS IN THE HMDR AND THE HHDR ZONING DISTRICTS - 306 CATHERINE STREET (RE# 00026460-000000), 304 CATHERINE STREET (RE# 00026470-000000, 00026480-000000), 300 LOUISA STREET (RE#00026500-000000), 307 LOUISA STREET (RE# 00026490-000000, 00026510-000000, 00026520-000000), 250 AMELIA STREET (RE# 00026610-000000, 00026610-000100), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 108-91 of the Code of Ordinances provides that within the HMDR and HHDR zoning districts the addition of outdoor activity or similar activities equal or greater than 2,500 square feet requires approval of a Major Development Plan; and

WHEREAS, the applicant proposed a Master Plan with associated Landscape Plan and Civil Drainage Plan to redevelop the Nelson English and Willie Ward Parks; and

WHEREAS, parcel RE# 00026460-000000 and RE# 00026490-000000, considered part of Willie Ward Park, are owned by the Monroe County Land Authority (MCLA) and leased to the City, and the lease agreement requires that the MCLA approve any improvements to the property; and

WHEREAS, the MCLA has made verbal communication with the Planning Department that the proposed site plan for the redevelopment of parcel RE# 00026460-000000 and RE# 00026490-000000 that includes minor modifications/improvements to the existing passive recreation areas are acceptable; and

WHEREAS, upon final City Commission approval of the site plan, the MCLA has committed to issuing a written approval; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on February 16, 2012, resulting in Planning Board Resolution No. 2012-07; 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 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 a Master Plan for the redevelopment of Nelson English and Willie Ward Parks in the HMDR and HHDR zoning districts at 306 Catherine Street (RE# 00026460-000000), 304 Catherine Street (RE# 00026470-000000, 00026480-000000), 300 Louisa Street (RE#00026500-000000), 307 Louisa Street (RE# 00026490-000000, 00026510-000000, 00026520-000000), 250 Amelia Street (RE# 00026610-000000, 00026610-000100), as shown in the attached plans stamped January 27, 2012, with the six conditions provided in Planning Board Resolution No. 2012-07 and specified as follows: (1) The applicant is responsible for designing and submitting a Signage Plan that is compatible with section 108-285 of the code of ordinances to the Planning Department for approval before implementation; (2) new lighting shall be designed to "Dark Sky" lighting standards and shall meet energy efficiency standards established by an accepted third party environmental standard consistent with F.S. Chapter 255.2575(2). All new lighting must be approved by HARC; (3) Tree Commission approval is required for each phase of the removal/relocation and replacement of the Landscape Plan; (4) the restrooms are required to be built to FEMA flood standards; (5) directional traffic patterns on Thomas Street and Catherine Street through the park shall be one way, entering at Thomas Street and exiting onto Catherine Street. Catherine Street, from Whitehead Street to the

park, shall be a two-way street; (6) In accordance with Resolution 92-168, the MCLA shall provide written approval for improvements to parcels RE# 26460-000000 and RE# 00026490-000000 prior to building permit issuance.

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 Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications

attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA 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 _____, 2012.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2012.

Filed with the Clerk _____, 2012.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK