

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A MAJOR DEVELOPMENT PLAN TO REDEVELOP THE CITY OF KEY WEST SOLID WASTE TRANSFER STATION INTO THE PROPOSED KEY WEST DEPARTMENT OF TRANSPORTATION (KWDOT) PUBLIC TRANSIT AND PARKING FACILITY LOCATED AT 5701 COLLEGE ROAD; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE;

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

WHEREAS, in Resolution No. 10-158, the City Commission approved a Major Development Plan for the subject property; and

WHEREAS, construction did not commence within 12 months of the date of approval, and so, in accordance with section 108-203(a) of the Code of Ordinances, the approved Major Development Plan expired; and

WHEREAS, at a special meeting on April 23, 2012, the Key West Planning Board recommended approval of the previously-approved plans, with conditions; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached Major Development Plan for the redevelopment of the City of Key West Solid Waste Transfer Station into the proposed Key West Department of Transportation (KWDOT) Public Transit and Parking Facility, located at 5701 College Road, is conditionally approved.

Section 2: That the plan is conditioned upon (1) the applicant obtaining an Environmental Resource Permit for storm water treatment for the portion of the property north of College Road, as required by the South Florida Water Management District prior to building permit approval, and (2) That the project permit schedule be extended from 12 months to 24 months, due to the phased nature of the project and the protracted time required for final design and bidding.

Section 3. That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission, 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 or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order 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 the development order; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit or development order 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