



THE CITY OF KEY WEST
1300 White Street – Key West, Florida 33040

CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT
MINOR MODIFICATION TO A DEVELOPMENT PLAN
WRITTEN DECISION OF APPROVAL No. 2023-05

November 16, 2023

RE: Minor Modification to a Major Development Plan – 918 Fort Street (RE# 00001630-000801) – A request for a Minor Modification to a Major Development Plan to allow for the relocation of bicycle racks at a property located at 918 Fort Street in the Historic Neighborhood Commercial – 4 zoning district Section 108-91(C)(2) of the City of Key West Code of Ordinances.


City Commission Resolution 2023-025 approved a major development plan to allow for the construction of a 126-unit affordable multi-family residential development on property located at 918 Fort Street, known as the Lofts at Bahama Village, or the 3.2 project. (Attachment A).

The developer has submitted a request to modify the approved site plan to allow for the relocation of a bicycle rack. The revised site plans, dated 07/27/23 and signed and sealed by Joshua Jennings, P.E., were modified in response to a June 2, 2023 letter from the Commanding Officer of the Naval Air Station Key West, requesting that the bicycle racks be set back at least ten feet from the property line of a parcel of Navy property that contains the TACTS tower. (Exhibit C).

The City of Key West Land Development Regulations provide for modifications to approved development plans in Chapter 108, Article II, Division 3, Section 108-91(C). This modification most closely approximates a level of review as described in Section 108-91(C)(2)(a), as such this request has been reviewed and approved by the city planner, city engineer and planning board chairperson and the approval shall be reported to the planning board at a regularly scheduled meeting. This approval does not authorize any modifications not specifically described herein.

Attachments:

- A. Resolution 2023-025
- B. Revised Plans Signed and Sealed by Joshua Jennings, 7/27/2023
- C. NAS Key West Letter


Ian McDowell, City Engineer


Katie P. Halloran
Planning Director/City Planner



THE CITY OF KEY WEST
1300 White Street – Key West, Florida 33040

A handwritten signature in blue ink that reads "Sam Holland".

Sam Holland
Chairman, City of Key West Planning
Board



DEPARTMENT OF THE NAVY

NAVAL AIR STATION KEY WEST
PO BOX 9001
KEY WEST FLORIDA 33040-9001

11000
Ser N00/084
June 2, 2023

Mr. Albert Childress
City Manager
City of Key West
P.O. Box 1409
Key West, FL 33041-1409

Dear Mr. Childress:

This letter is written in response to your 9 March 2023 letter requesting Naval Air Station (NAS) Key West review and concurrence of the site plan and design of the Lofts at Bahama Village submitted by the City of Key West Naval Properties Local Redevelopment Authority (LRA) and its development partner, Lofts at Bahama Village, LLC. The submittal NAS Key West received was signed and sealed 3 January 2023 by Joshua J. Jennings and approved by the City of Key West City Commission Resolution #23-035, with conditions, on 25 January 2023.

Upon review, NAS Key West concurs with the design and required variances as listed in Enclosure (1), provided item a. on page 8 is moved to a minimum of ten feet from the Navy property line. This submittal meets the intent of the Quitclaim Deed with no expected negative impacts to installation security or operations.

NAS Key West recognizes the sidewalk shown in Enclosure (1), page 11 may be impacted and will require notification, plan review, and concurrence of equal or better replacement prior to changes.

Sincerely,

A handwritten signature in black ink, appearing to read "E. A. Regoli", is positioned above the typed name.

E. A. REGOLI
Captain, U.S. Navy
Commanding Officer

Enclosure: 1. City of Key West Lofts at Bahama Village review request letter with enclosures.

Copy to: Tina Burns, Housing and Community Development Director, Katie Halloran, Planning Department Director, Gary Volenec, Engineering Department Director, Todd Stoughton, Assistant City Manager, and Ron Ramsingh, City Attorney,



Patti McLauchlin
City Manager
City of Key West

THE CITY OF KEY WEST

P.O. BOX 1409
KEY WEST, FL 33041-1409

1300 White Street
(305) 809-3944
FAX 809-3886
pmclauchlin@cityofkeywest-fl.gov

Captain Elizabeth Regoli, Commanding Officer, NAS Key West
P.O. Box 9001
Key West, FL 33040

March 9, 2023

Dear Captain Regoli,

The City of Key West Naval Properties Local Redevelopment Authority (LRA), in conjunction with its development partner, Lofts at Bahama Village GP, LLC, are requesting an official review of the site plan and design of the Lofts at Bahama Village as approved by the City Commission of the City of Key West, Florida, approved Resolution #23-035, with conditions, on January 25, 2023. The City of Key West's Condition #1 requires substantial compliance with the site plans signed, sealed, and dated 1/3/2023 by Joshua J. Jennings, per enclosure (A).

The LRA also requests variances to U.S. Government standoff restrictions set forth in the Quitclaim Deed, associated with the property at 918 Fort Street in Key West, Florida. The request is in accordance with the December 3rd, 2002 Quitclaim Deed, section B.9 entitled, "Development and Use Restriction and Covenants", between the LRA and the United States of America.

Previous partnership efforts identified variances needed for the following site features located within the restricted standoff distance areas as highlighted in enclosure (B):

- a. Proposed bicycle and scooter parking.
- b. Both proposed underground drainage ditches adjacent to the tower property line (Allen Ave)
- c. Proposed underground storm water injection well (Allen Ave)
- d. Proposed underground nutrient separating base (Allen Ave)
- e. Associated infrastructure supporting items b-d

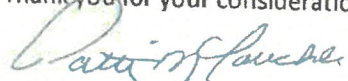
Please verify the project will not interfere with U.S. Government security or operations and provide concurrence for the 1/3/2023 design and associated variances. Approval of the design and associated variances will allow the construction of the City of Key West's approved best use design for a 126 unit housing development, including affordable housing units, at 918 Fort Street. We appreciate Naval Air Station Key West's continued partnership and timely correspondence during the review of this project.

Additionally, the LRA and its partner request to make improvements to the sidewalk located on the west side of the tower, per enclosure (C). All planned improvements will be submitted to

00274883 - v1 *Key to the Caribbean - Average yearly temperature*
77° F.

the Navy for approval prior to implementation. The sidewalk modifications will ensure direct Americans with Disabilities Act (ADA) compliance and connectivity between the city-owned Truman Waterfront Park Parking Lot #5, and the multi-family residential building south of Allen Avenue. It is anticipated these improvements will benefit federal staff accessing the tower.

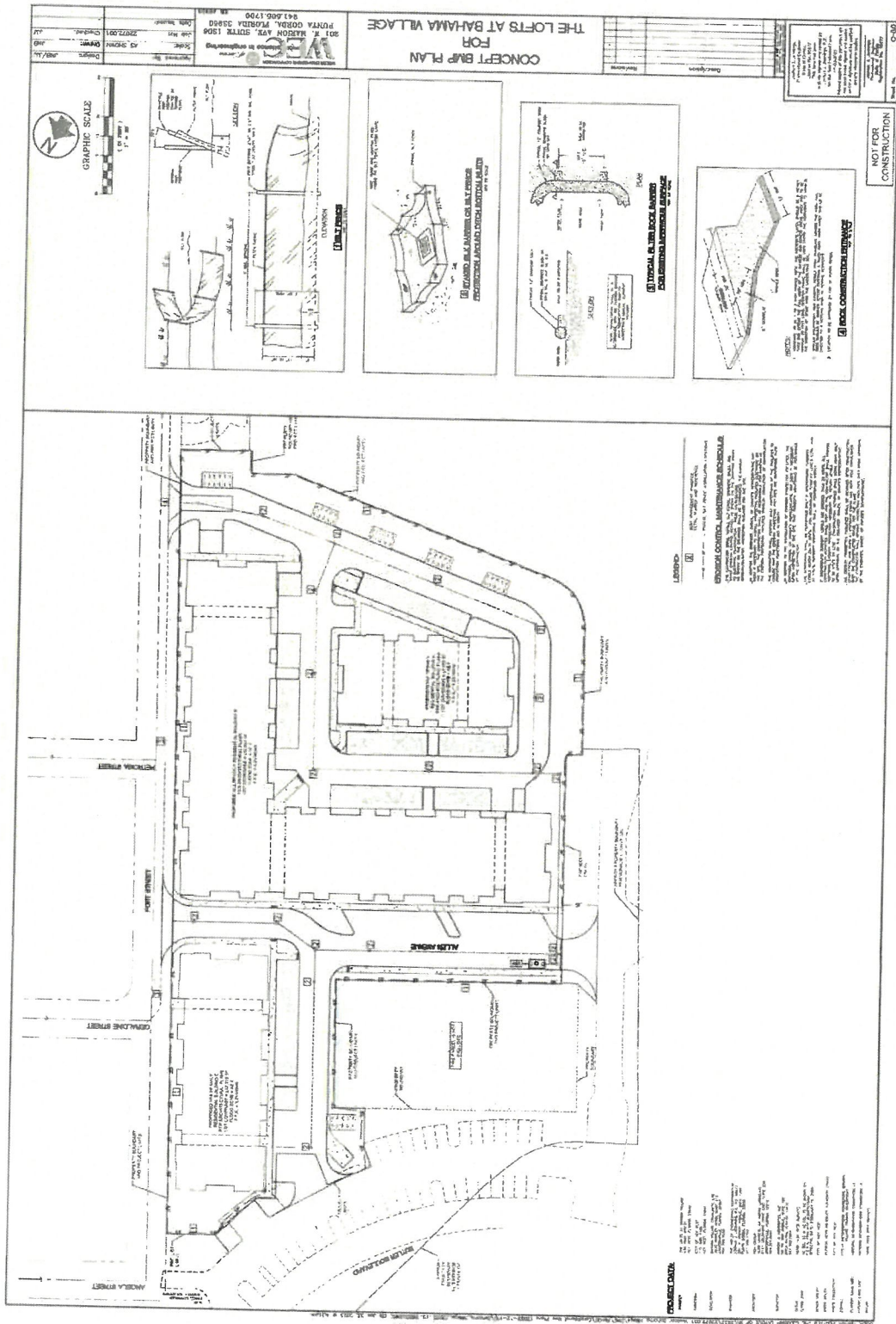
Thank you for your consideration,



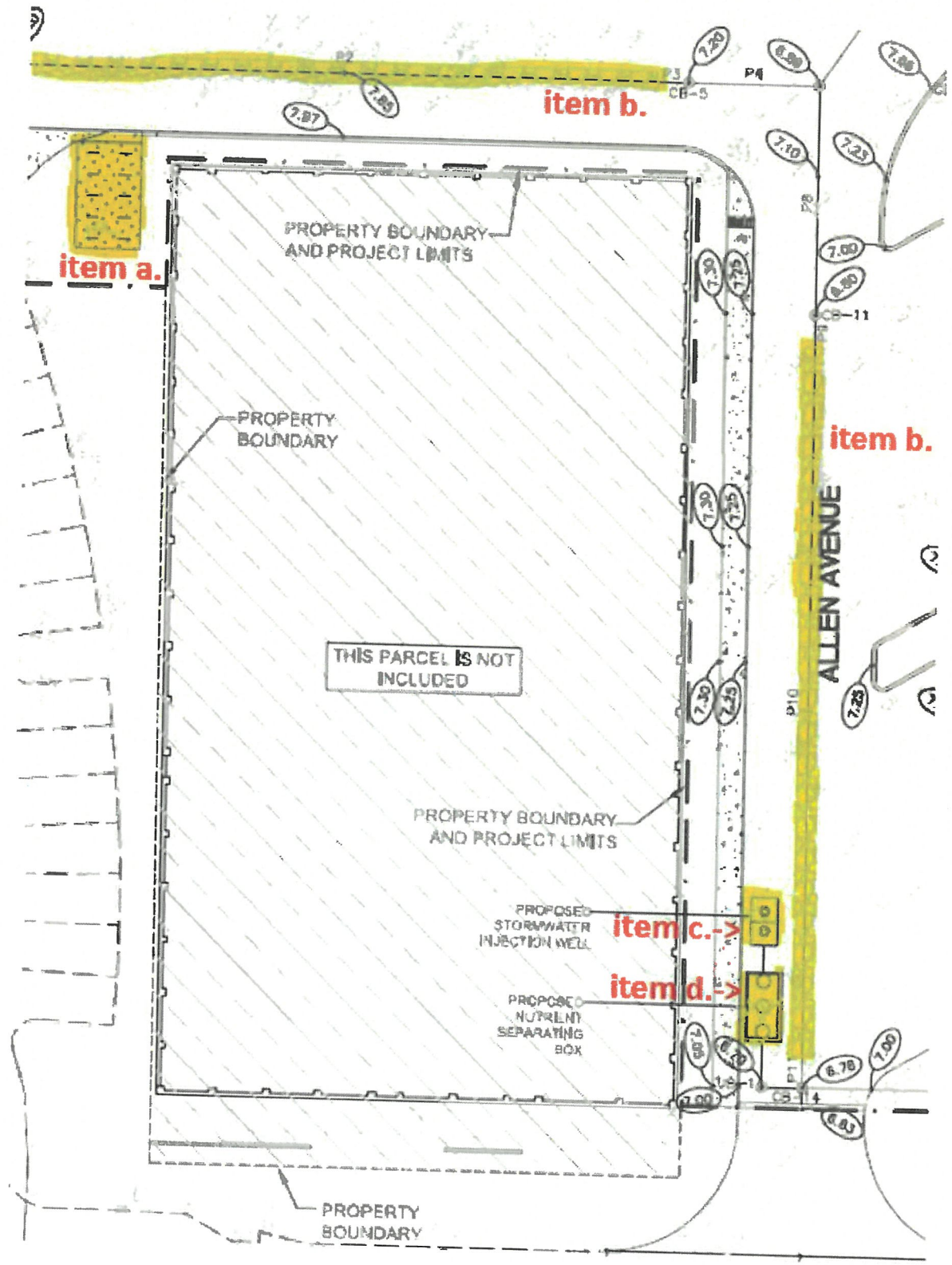
Patti McLauchlin, City Manager

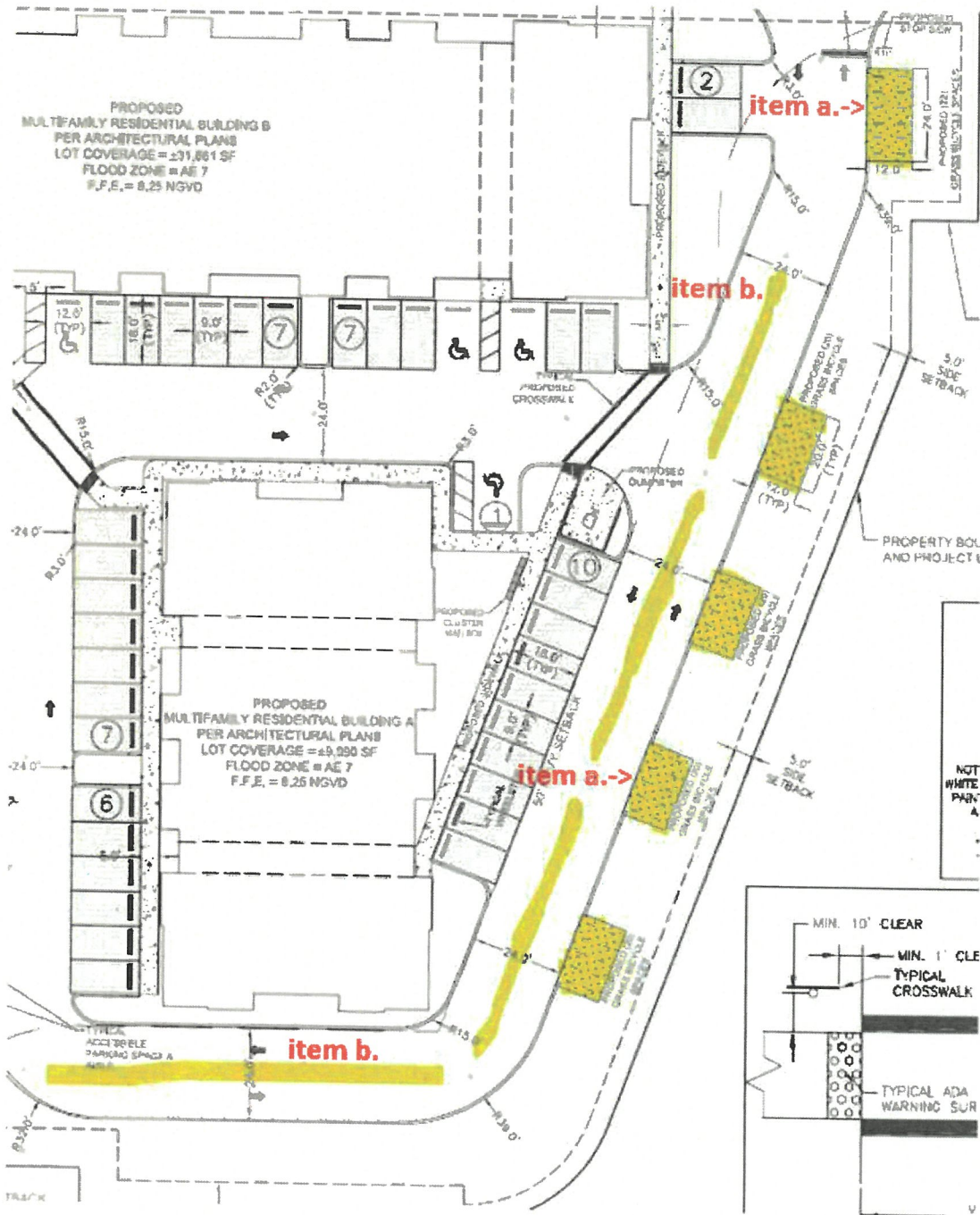
Cc: Ron Ramsingh, City of Key West Interim City Attorney
Cheri Smith, City of Key West City Clerk
Katie P. Halloran, City of Key West Planning Department Director

Enclosure A



Enclosure B





Enclosure C

Proposed Sidewalk Improvement Area



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Enclosure 1

2/1/2023

Not permitted for official use

RESOLUTION NO. 23-025

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING MAJOR DEVELOPMENT PLAN APPROVAL FOR PROPERTY LOCATED AT 918 FORT STREET (RE# 00001630-000801) - FOR THE CONSTRUCTION OF 126 AFFORDABLE HOUSING RESIDENTIAL UNITS ON PROPERTY LOCATED WITHIN THE HISTORIC NEIGHBORHOOD COMMERCIAL 4 - BAHAMA VILLAGE TRUMAN WATERFRONT (HNC-4) ZONING DISTRICT PURSUANT TO CHAPTER 108, ARTICLE III THROUGH IX 122-1467 AND 122-872(2) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.

WHEREAS, Section 108-91(A)(2)(a) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provides that within the Historic Neighborhood Commercial 4 – Bahama Village Truman Waterfront Zoning District, a Major Development Plan is required for the construction of permanent residential developments with five or more units; and

WHEREAS, the proposed use of the property consisting of multiple-family residential dwelling units is a permitted use within the Historic Neighborhood Commercial 4 – Bahama Village Truman Waterfront zoning district pursuant to Code Section 122-872; and

WHEREAS, Code Section 108-196(a) requires the Planning Board to review and approve, approve with conditions or deny the proposed Major Development Plan in an advisory capacity to the City Commission; and

WHEREAS, this matter came before and was approved by the Planning Board at a duly noticed public hearing on December 19, 2022; and

WHEREAS, the granting of a Major Development Plan application is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the City Commission finds that the granting of a Major Development

application 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

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

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

Section 2. The Major Development Plan to construct a one hundred and twenty-six (126) unit affordable multi-family residential community on property located at 918 Fort Street (RE# 00001630-000801) within the Historic Neighborhood Commercial 4 – Bahama Village Truman Waterfront zoning districts, pursuant to Section 108-91.A.2 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans dated January 3, 2023, is hereby approved with the following conditions:

General Conditions:

1. The proposed construction shall be in substantial compliance with the site plan signed, sealed, and dated 1/3/2023 by Joshua J. Jennings. Construction drawings for permitting shall be dated as approved herein, with any proposed revisions (modifications) clearly noted and dated. Development plan modifications that do not rise to the status of minor or major plan modifications may be approved by the city planner as per Section 108-91(c)(1). All modifications shall be submitted for review and approval to the Planning Department prior to building permit application. Minor and major development plan modifications are addressed as per Section 108(C.).
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.
3. An ADA compliant five-foot sidewalk is required to provide a direct connection to Truman Waterfront Park surface parking lot, including along Evans Street, if permissible by the Navy, and must tie into the existing grid with ADA connections across any driveway. This sidewalk would be needed to provide access for rental

- housing residents (southern leased area) who would park at the Truman Waterfront Park parking lot, if the parking agreement is approved.
4. Once a year, all listed invasive plant species (Australian Pine-Casuarina equisetifolia, Brazilian Pepper-Schinus terebinthifolia, and Lead Tree-Leucaena leucocephala) shall be removed from the site.
 5. The dumpster area near Building C is to be maintained to control odors and debris, and shall be fully fenced and screened with landscape material.
 6. All approved bicycle parking spaces shall satisfy pavement, maintenance, and construction specifications of subdivision II of this division as well as bicycle parking, design, lighting, and security criteria of section 108-643.
 7. Pervious parking material maintenance records may be requested by the City Engineer if pervious paving material failure is apparent.
 8. Per the City Engineer, throughout the parking areas, flush concrete curbing must be installed between the proposed porous paving system and asphalt to protect the asphalt edge from degradation.
 9. This Major Development Plan is contingent on City Commission approval of a Parking Agreement for sixteen (16) vehicular parking spaces. Furthermore, the Parking Agreement should be reviewed prior to the expiration date in 2043, or City of Key West daily parking rate fees shall be remitted to the City.
 10. The applicant shall adhere to the submitted parking plan. All twenty-eight homeowners' units shall have a marked parking space for their unit and those spaces shall not be subleased to a non-resident of 918 Fort Street. City parking spaces adjacent to the applicant's leased areas shall remain clearly marked as "public parking".

Conditions prior to issuance of a building permit:

11. The applicant shall provide a Life Safety Plan, consistent with any local, state or federal laws, for review and approval by the City's Fire Department.
12. 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.
13. Permits to remove and transplant the trees and palms will not be issued until building or demolition permits are submitted to the building department. Application must be made to the urban forestry manager for processing of the permits.
14. A tree protection plan is needed to protect the trees in the Truman Park parking area during construction.
15. A transplantation plan is needed regarding the replanting of nine autograph trees from the Truman Park parking area to nearby park property areas and three Sabal palms to the Fort Street parking area.
16. A detailed irrigation plan is needed.
17. Coordination with the City Utilities Department shall be required for connections to the public sewer water systems.

Conditions prior to issuance of a Certificate of Occupancy:

18. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.
19. City BPAS Code requires all new development to achieve a baseline green building certification.

20. The applicant shall submit a minor modification application to the City to modify the Major Development Plan and Conditional Use Approval for the Truman Waterfront Parcel (City Commission Resolution 14-137, and subsequent site plan approvals as needed) to relocate the seven parking spaces proposed to be displaced from the city-owned Truman Waterfront Park parking lot. The applicant shall compensate the City in full to grade, pave, re-landscape, and construct the assumed four missing parking spaces elsewhere in the park. The relocation of four parking spaces shall be reviewed and approved/denied through the minor modification process pursuant to City Code Section 108-91. Prior to issuance of Certificate of Occupancy for any rental units at 918 Fort Street, the applicant shall complete the City review/approval process to relocate the parking spaces and shall remit full payment for reconstruction of the spaces as provided above. The issuance of a Certificate(s) of Occupancy shall not be delayed if in the event that any outstanding parking requirements have not been satisfied and the delay is attributable to the City in identifying and constructing said spaces. In such an event, the Applicant shall pay to the City an amount that equates to the cost of construction of said spaces as determined by the City Engineer 30 days prior to the issuance of the Certificate(s) of Occupancy.
21. The applicant shall make every effort to provide habitat for threatened, endangered, and migratory bird species.

Section 3. This resolution 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 4. 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 5. 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 or development order shall be rendered to the Florida Department of Economic

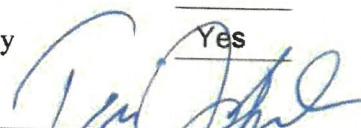
Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 45 days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the 45-day review period, the DEO can 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 until the appeal is resolved by agreement or order.

Read and passed on first reading at a regularly scheduled meeting held this 18th day of January 2023.

Authenticated by the presiding officer and Clerk of the Commission on January 25th, 2023.

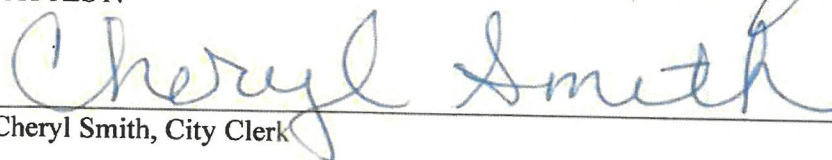
Filed with the Clerk the 24th day of January 2023.

Mayor Teri Johnston	<u>Yes</u>
Commissioner Lissette Carey	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Clayton Lopez	<u>Absent</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>



TERI JOHNSTON, MAYOR

ATTEST:



Cheryl Smith, City Clerk

1-24-23
Date