

EXECUTIVE
SUMMARY



To: Patti McLauchlin, City Manager

From: Katie P. Halloran, Planning Director

Meeting Date: December 6th, 2022

RE: **Minor Modification of a Major Development Plan – 1319 William Street & 1316 Royal Street, Units #1-6 (RE #00036920-000000) – A request to modify the major development plan approval under Resolution No. 2021-197, for property located within the Historic Medium Density Residential District (HMDR) zoning district pursuant to Section 108-91.C of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Background:

In September of 2021, under Resolution No. 21-197, the City Commission conditionally granted approval for:

- A Major Development Plan for 1319 William Street & 1316 Royal Street to construct 6 new single-family homes;
- two (2) waivers to the City's landscape requirements; and
- a linkage provision with property located at 1703 Von Phister Street (RE #00042950-000000) to comply with affordable workforce housing requirements.

The scope of work under the approved MDP request includes the demolition of the remaining portions of the former palliative center to construct six (6) new single-family homes behind the two (2) existing non-transient rental units facing William Street. Of the 6 new units, 2 are BPAS allocations with approvals set to expire October 2023. The proposed development has a total of eight (8) non-transient units. In 2021, the Commission also granted landscape waivers. The waivers allow for a reduction to the minimum width of the required landscape area fronting Royal Street, from twenty (20) feet to ten (10) feet, and relief from the perimeter screening requirement along the entire parking area.

An Affordable Workforce Housing Requirement Linkage Provision was also approved under the MDP request. Per Section 122-1467, projects of less than ten residential units are required to develop or redevelop at least 30 percent of units as affordable (median income) housing. The applicant was approved to utilize the linkage provision in Section 122-467(1)(b) which allows two projects to link and allows the affordable housing requirement of one development project

to be built at the site of another project, so long as the affordable housing requirement of the latter development is fulfilled as well. The applicant has been approved to link this Major Development Plan with property at 1703 Von Phister Street (RE #00042950-000000). The applicant is required to receive a Certificate of Occupancy for two affordable deed restricted units at 1703 Von Phister Street prior to issuance of a CO for units at 1319 William/1316 Royal Street.

In conjunction with the modification request the applicant petitioned the City Commission for a 12-month extension of the approvals in Resolution No. 2021-197. At their October 19th meeting, the Commission granted approvals of the extension is request. The expiration date for Resolution. No. 2021-197 is pending application for a development permit extension associated with a Hurricane Ian Executive Order.



Request:

Today the applicant is requesting to modify the approved MDP to further extend the construction period and introduce a construction management and phasing plan as provided by Section 108-248 of the Code.

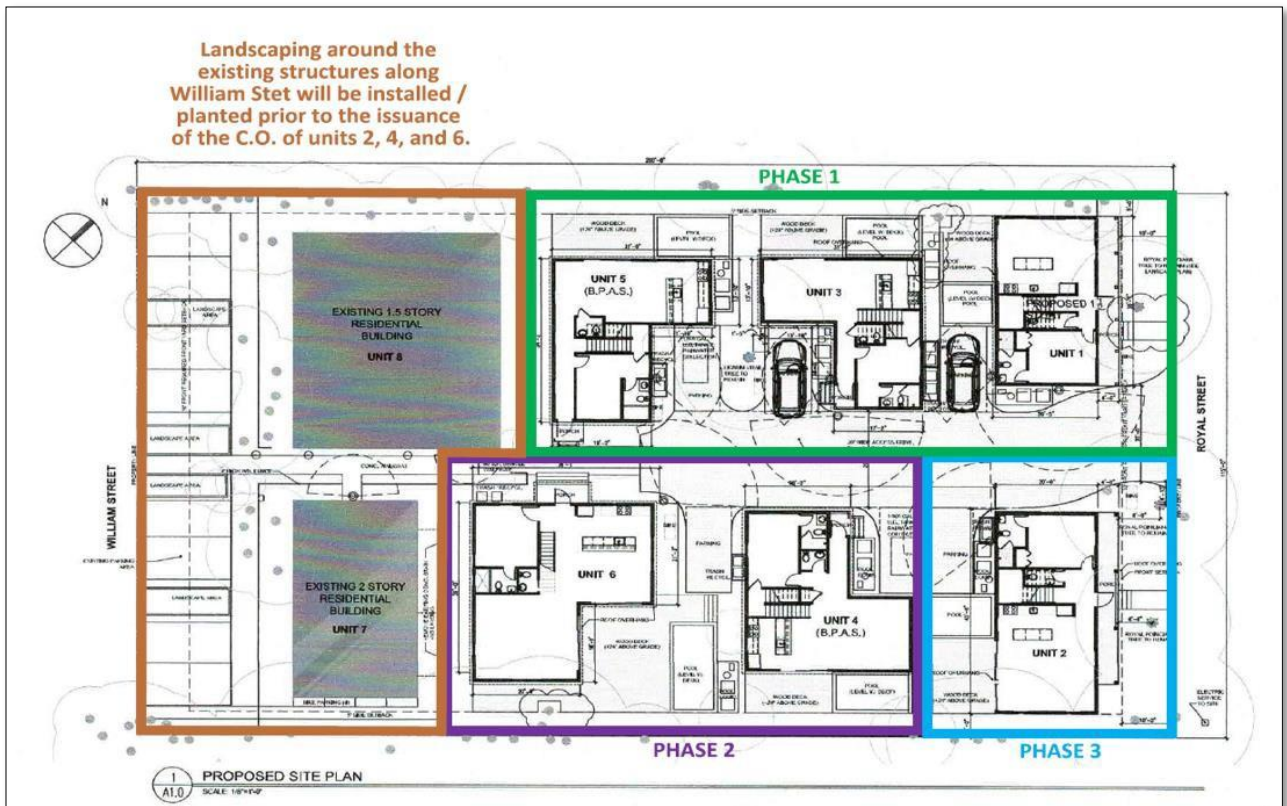
The applicant filed a minor modification to the approved MDP in April 2022. The modification request is to include a phasing plan, which was not considered in the original approval under Resolution No. 21-197. Per Section 108-248 any development containing “two or more phases and/or the project's proposed construction schedule is anticipated to exceed a period of one year, the applicant shall be required to submit a construction management plan and inspection schedule as part of the development plan.”

For the requested modification the applicant submitted a Construction Management Plan and Inspection Schedule. The proposed phasing plan does not modify any design aspects, density or intensity that was approved. The plan outlines the proposed phasing schedule for the development to span over a period of four (4) years, into April 2026.

There are a total of three (3) phases. The project phases are summarized below.

Phase	Units	Anticipated Start Date	Notes
Phase 1	#1, #3, #5	November 15, 2022	#5 BPAS Unit expires 10/2023
Phase 2	#4 & #6	#4: prior 10/2023 #6: April 15, 2024	#4 BPAS Unit expires 10/2023
Phase 3	#2	April 15, 2026	


The construction management plan and phasing proposal addresses landscaping, infrastructure, and the required public art. Infrastructure associated with and adjacent to each individual unit will be installed prior to the issuance of the Certificate of Occupancy (C.O.) for each individual unit. Landscaping and public art will be installed prior to the issuance of the C.O. for the units, #2, #4, and #6. A phasing diagram was provided by the applicant to visually facilitate the phasing plan.



Construction Management Plan and Inspection Schedule

1319 William & 1300 Royal Street
(RE No. 00036920-000000)

Revised 9/14/2022



Construction Management Plan and Inspection (Sec. 108-248):

PHASING SCHEDULE

Phase	Units	ROGO		Commencement	Completion
		Type	Exp. Date		
1	1	Beneficial	NA	11/15/22 - <i>Commenced</i>	Progress and completion pursuant to the KW LDRs and Florida Building Code
	3	Beneficial	NA	11/15/22 - <i>Commenced</i>	
	5	BPAS	10/31/23	11/15/22 - <i>Commenced</i>	
2	4	BPAS	10/31/23	04/15/24 or prior to the expiration of the associated BPAS, whichever is sooner ¹	
	6	Beneficial	NA	04/15/24	
3	2	Beneficial	NA	04/15/26	

PROJECT DOCUMENTATION

The contractor shall maintain all applicable local, state, and federal licenses and permits that apply to the construction project.

Compliance with any and all required public notifications shall be met.

A project sign shall be constructed and posted that identifies, at a minimum, the property owner, contractor, and land use planner.

IMPLEMENTATION

Proposed Construction Management Plan and Inspection Schedule, submitted by the Applicant.

Major Development Review Process:

City Commission Approval of MDP Request (Resolution No. 21-197):	September 14 th , 2021
Development Review Committee:	May 26 th , 2022
City Commission Extension of Resolution No. 21-197	October 19 th , 2022
Planning Board Meeting:	October 25 th , 2022
Urban Forestry Manger Approval:	September 8 th , 2022
City Commission:	December 6 th , 2022
Local Appeal Period:	10 Days
Planning renders to DEO for review:	Up to 45 days

Planning Staff Analysis:

Staff determined the proposal is in compliance with the criteria for requests for minor modification to a Major Development Plan Review (Section 108- 91.C.2).

Planning staff and the Planning Board, as required by Section 108 of the City Code reviewed the request for compliance with the Land Development Regulations and the Comprehensive Plan as detailed in the attached Planning Board staff report. The proposed Major Development Plan was reviewed before the Planning Board on October 25th, 2022. The Planning Board recommended approval with conditions through Resolution No. 2022-050 attached.

Recommendation:

The Planning Department and Planning Board, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommend that the request for a Minor Modification to an approved Major Development Plan be Approved with the following conditions:

General Conditions:

1. The proposed construction shall at 1319 William Street and 1316 Royal Street shall be consistent with the site plan signed, sealed and dated September 11, 2020, by William Byron Shepler, R.A. 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. All conditions in Resolution No. 2021-197 shall be incorporated into the approving resolution for the requested minor modification.
3. Applicant shall adhere to the Construction Management Plan and Inspection Schedule dated 9/14/2022.