

THE CITY OF KEY WEST PLANNING BOARD
Staff Report



To: Chairman and Planning Board Members

Through: Katie P. Halloran, Planning Director

From: Scarlet R. Hammons, AICP CTP, The Corradino Group

Meeting Date: December 19, 2022

Application: **Major Development Plan – 918 Fort Street (RE# 00001630-000801)** – A request for approval of a major development plan 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 and 122-717(2) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: The applicant is requesting approval of a major development plan to construct a one hundred and twenty-six (126) unit affordable housing development consisting of three buildings that are two and three-stories with on-site parking. The units will be a combination of for-sale and rental buildings.

Applicant: The Naval Properties Local Development Authority of the City of Key West; Bahama Village Community, LTD and Bahama Village on Fort, LTD

Property Owner: The Naval Properties Local Development Authority of the City of Key West

Location: 918 Fort Street (RE# 00001630-000801)



Proposed Development Area, Approximately 3.17 AC



Total Site Area, Per Monroe County Property Appraiser

Background:

The City adopted comprehensive plan and land development regulations amendments to create density and BPAS units of 40 dwelling units per acre to create affordable housing on this site, known as the “3.2 acres”. In September 2021 the City released and advertised a Request for Proposal, soliciting proposals from the public based upon specific criteria. The City accepted the RFP rankings of the selection committee and moved forward with an agreement with the top ranked proposer, Lofts at Bahama Village GP, LLC, with partners including Vestcor, AH Monroe.

The subject property at 918 Fort Street is located on the west side of Fort Street roughly between Angela and Olivia Street, just south of the Truman Waterfront Park, and consists of two lots of record. The leased areas consist of 103,989 square feet and 33,962 square feet respectively. Both leased areas are essentially vacant land, the south parcel is used as an athletic field. The property is located within the Historic Neighborhood Commercial – 4 Bahama Village Truman Waterfront (HNC-4) Zoning District. The site is within the Bahama Village Community Redevelopment Area, established in 1992. In 2002, the US Government conveyed the Truman Waterfront to the City of Key West in conjunction with a Memorandum of Agreement (Navy MOA) between the USA and the City. This property falls within the Navy MOA.

The two leased areas are separated by Allen Avenue, which will remain a public roadway. To the northwest of the property is a Navy communication tower, referred to as the TACTS Tower. Pursuant to the Navy MOA with the exception of roadways, walkways, and low level vegetation, no development may occur within 20’ of the property line around the TACTS Tower. The US Navy requires an additional 50’ setback along the side abutting the entrance gate to the Truman Annex Base.

Request:

The applicant proposes to construct 126 affordable residential units, with on site parking, and to enter into a parking agreement with the City to utilize 16 parking spaces currently designated for the Truman Waterfront Park. The applicant is requesting a major development plan approval for the 126-affordable unit multi-family development. The proposed development consists of three residential buildings which together will total 52,870 square feet. Buildings A and B are located on the south parcel, and will be rental units. Building C consist of 28 units and is the sole building with units for sale. Each unit will have a private balcony. Building A, the largest of the three buildings will include the rental office, a gym and a lounge for the use of the residents. As proposed, the unit sizes are 655 SF for a one bedroom; 985 SF for a two bedroom and 1,245 SF for a three bedroom. The following is the breakdown of units per building:

Building A	Rental Units
1 Bedrooms 655 SF	30
2 Bedrooms 985 SF	33
3 Bedrooms 1,245 SF	11
Total	74

Building B	Rental Units
1 Bedrooms 655 SF	6
2 Bedrooms 985 SF	6
3 Bedrooms 1,245 SF	12

Total	24
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Building C	For Sale Units
1 Bedrooms 655 SF	0
2 Bedrooms 985 SF	18
3 Bedrooms 1,245 SF	10
Total	28

The two rental buildings will consist of mixed income limitations according to the executed Declaration of Affordable Housing Restrictions. There will be ten units for “extremely low-income” residents; 39 units for “very low-income” residents; 29 units for “low-income” residents and 20 units for “moderate-income” residents. The units for sale will be sold according to income restrictions as follows: 3 units for “very low-income” owners; 11 units for “low-income” owners and 14 units for “middle-income” owners.

The proposed development consists of a total of 126 parking spaces and 122 bicycle spaces. All parking spaces, with the exception of the ADA spaces, will be utilizing a pervious parking material to limit the impervious areas on the site, and will be compliant to code requirements. The pervious parking surface will be reviewed by the City Engineer for approval. The applicant is requesting approval for a bicycle substitution variance and a parking agreement to utilize 16 parking spaces at the Truman Waterfront Park. The applicant is also pursuing a landscape waiver.

Pursuant to the development and the code of ordinances, and due to the land deed restrictions from the Navy when the parcel was conveyed, Bahama Village Partnerships requires a special long term contract in order to provide for its use of 16 parking spaces at the City’s Truman Waterfront Park Parking Lot. The initial term of the agreement is for 20 years with the provision that it must be reviewed for extension or modification prior to the expiration date in 2043. The City has proposed a lump sum payment to compensate for documented lost revenue over the next 20 years. Per the agreement, the lump sum will be due at such time the spaces are being used, or at issuance of the first certificate of occupancy (including any temporary certificates of occupancy). The lump sum amount proposed by the City is \$685,259. The spaces will not be signed or marked and the tenants will use a placard in the car to indicate they are authorized residents of the units. Each homeowner unit will have a marked parking space within the limits of the leased areas.

Major Development Plan review is required due to the construction of a multifamily development within the historic district with more than five (5) units, pursuant to Section 108-91.A.2.(b) of the Land Development Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West.

The site data table below provides an analysis of the proposed development against the requirements for properties located in the HNC- 4 zoning district.

918 Fort Street Site Data Table				
Site Data	Required/Permitted	Existing	Proposed	Compliance
Zoning	HNC-4	HNC - 4	HNC - 4	Yes
FLUM	Historic Commercial		No Change	Yes
FEMA Flood Level(s)	AE6 & AE7		No Change	N/A
Site Size	137,950 SF or 3.17 AC		No Change	N/A
Building Size	N/A	0	52,870 SF	N/A
Building Coverage	Max 50%	0	38.3% (52,870 SF)	Yes
Impervious Surface	Max 70%	6.6%	69.4% (95,905 SF)	Yes
Building Height	35 FT	N/A	35 FT	Yes
Open Space	Min 20%	Approx. 100%	30.6% (29,898 SF)	Yes
Density	40 Units per acre	0	126 Units	Yes
FAR	N/A	N/A	N/A	N/A
Setbacks				--
Front	5 FT	N/A	5 FT	Yes
Side	5 FT	N/A	5 FT	Yes
Streetside	5 FT	N/A	5 FT	Yes
Rear	10 FT	N/A	10 FT	Yes
Parking	126, one space per unit	16 (Truman Waterfront Parking)	83 spaces	Yes with Agreement
Bicycle	13	0	13	Yes
Bicycle Substitution per Sec. 108-574	Substitute 4 Bike = 1 Vehicle	0	108 new bicycle spaces to substitute for 27 vehicle spaces	Yes

Proposed Elevations





Elevation depicting buildings with interior corridors and balconies for every unit

Surrounding Zoning and Uses:

Surrounding properties are located within the Historic Bahama Village Sub-Area and the zoning includes Military (M), Historic Public and Semi Public Services -1 (HPS-1), Historic Medium Density Residential (HMDR), Historic Neighborhood Commercial -2 (HNC-2) Zoning Districts. Surrounding uses include multifamily residential, the US Navy Base, parks and recreational facilities and the historic diesel plant building.

Process:

Development Review Committee:	September 22, 2022
Tree Commission:	October 4, 2022
Planning Board Meeting:	December 19, 2022
HARC Commission Meeting:	December 20, 2022
City Commission:	January 4, 2023
Local Appeal Period:	10 Days
Planning renders to DEO for review:	Up to 45 days

Staff Analysis - Evaluation:

Section 108-91 states that a multifamily residential development with five (5) or more units in the Historic District is classified as a major development plan. The proposed major development plan includes the construction of three, three-story multifamily residential buildings with 126 affordable units, a parking lot with 126 parking spaces, and parking for 121 bicycles.

The applicant has not proposed a phased development plan and would develop the lot concurrently. Section 108-196 states that the Planning Board shall act by resolution to recommend to, approve, approve with conditions, or disapprove a major development plan based on specific development review criteria contained in the Land Development Regulations and the intent of both the City Code and the LDRs.

Concurrency Facilities and Other Utilities or Services (City Code Section 108-233)

Comprehensive Plan Objective 9-1.5 directs the City to ensure that public facilities and services needed to support development are available concurrent with the impacts of new development. The analysis considers potable water, sanitary sewer, solid waste, drainage, roadway level of service and recreation. City Code Section 94-36 requires a concurrency review determination to be made concerning the proposed development. The Applicant provided a concurrency analysis as part of the Major Development Plan application. Staff reviewed the provided concurrency analysis following the criteria in City Code Section 94-36 and determines that public facilities are expected to accommodate the proposed development at the adopted level of service (LOS) standards.

1. Potable water supply

The potable water LOS standard for residential and nonresidential uses is 100 gallons per capita per day, pursuant to City Policy 4-1.1.2.C. Utilizing this LOS standard, potable water demand is estimated as follows:

Residential: $302 \text{ cap/day} \times 100 \text{ gal/cap/day} = 30,240 \text{ gal}$

The adopted potable water LOS standard is anticipated to be adequate to serve the proposed development. The property is serviced with potable water by the Florida Keys Aqueduct Authority (FKAA), which has the capacity to provide 23 million gallons per day to Monroe County per SFWMD Water Use Permit #13-0005.

2. Wastewater management

The sanitary sewer LOS standard for residential uses is 100 gallons per capita per day and nonresidential uses is 660 gallons per acre per day, pursuant to City Policy 4-1.1.2.A. Utilizing this LOS standard, sanitary sewer capacity demand is estimated as follows:

Residential: $302 \text{ cap/day} \times 100 \text{ gal/cap/day} = 30,240 \text{ gal}$

Therefore, the adopted sanitary sewer capacity LOS standard is anticipated to be adequate to serve the proposed development.

3. Water quality

The Applicant prepared a Construction Management Plan citing best management practice proposed to manage construction-related stormwater runoff. The applicant submitted landscaping plans proposing revegetation and landscaping of the site.

4. Drainage

The stormwater management or drainage LOS standard pursuant to City Policy 4-1.1.2.E is: i) post-development runoff shall not exceed predevelopment runoff for a 25-year storm event, up to and including an event with a 24-hour duration; ii) onsite treatment of the first one inch of rainfall must be provided to meet water quality standards; and iii) storm water facilities must be designed so as to not degrade any receiving water body.

A drainage plan was submitted indicating that a complete stormwater management system will be installed. Stormwater would be retained on-site utilizing an exfiltration trench that will exceed the minimum retention capacity required by code. Therefore, no adverse impacts to stormwater management or drainage facilities are anticipated.

5. Solid waste

The solid waste LOS standard for residential uses 2.66 pounds per capita per day, pursuant to City Policy 4-1.1.2.D. The proposed residential development is anticipated to accommodate approximately 302 persons per day. Utilizing this LOS standard, the demand for solid waste collection and disposal capacity is estimated as follows:
Residential: $302 \text{ cap} \times 2.66 \text{ lbs/cap/day} = 803 \text{ lbs./day}$

The recyclable waste LOS standard for residential uses 0.5 pounds per capita per day, pursuant to City Policy 4-1.1.2.D. The proposed residential development is anticipated to accommodate approximately 302 persons per day. Utilizing this LOS standard, the demand for solid waste collection and disposal capacity is estimated as follows:

Residential: $302 \text{ cap} \times 0.5 \text{ lbs/cap/day} = 151 \text{ lbs./day}$

The property is currently serviced by Waste Management of Florida, Inc. to collect, transfer and dispose of solid waste and residential recyclables. The dumpster trash and recycling areas are provided on the site plan. The adopted solid and recyclable waste LOS standard is anticipated to be adequate to serve the proposed development.

6. Roadways

The roadway LOS standard is set forth in City Policy 2-1.1.3. The site plan shows four access driveways. Two from Fort Street and one through the existing Truman Waterfront Park parking lot providing ingress and egress access to the site. Allan Avenue also provides access to the site and will remain a public road. Per Policy 2-1.1.3, the transportation concurrency requirement is effectively eliminated in favor of a prioritization of safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development). The site plan outlines the multimodal improvements proposed.

The applicant provided a Trip Generation Analysis prepared by KPB Consulting Inc., that concluded the proposed project is anticipated to generate 609 daily vehicle trips, 44 AM peak hour vehicle trips (13 inbound and 31 outbound), and 62 vehicle trips (37 inbound and 25 outbound) during the typical afternoon peak hour. Based upon the proposed development program and the corresponding trip generation characteristics, the traffic impacts will be minimal, and no further analyses are warranted.

7. Recreation

The plans do not show onsite recreation as defined in Section 86-9 of the LDRs. However, it is not anticipated that the City's adopted level of service for public recreation will be adversely impacted.

8. Fire Protection

A life safety plan will be required prior to issuance of a building permit.

9. Reclaimed water system

The site plan details proposed drainage. There is no reclaimed water system proposed.

10. Other public facilities

Based on comments received from the DRC members, and based on the Applicant's concurrency analysis, all public facilities would be expected to accommodate the proposed development at the adopted LOS standards.

Residential Development (Sec. 108-231):

Dimensional requirements for the HNC-4 zoning district allows for 40 units per acre. The project proposes 126 affordable units. The units are proposed as 1, 2 and 3-bedroom units, and will range between 655 sq. ft. and 1,245 sq. ft. The following city approvals are required for the residential aspects of the project:

- Major development plan application: 126 affordable units
- BPAS application: 126 affordable units

Tenure will be a combination of non-transient renter-occupied and owner-occupied units. The 126 affordable units are proposed as part of a multi-family apartment and condominium association community. The project proposes to comply with the City's affordable housing requirements.

Intergovernmental coordination (Sec. 108-232):

Coordination will occur through the Development Review Process of the City of Key West and all applicable Regional, State and Federal Agencies including the following:

- BPAS – In order to construct residential units on this parcel, the owner has been awarded unit allocations through the city's building permit allocation system. The BPAS application process requires all new development to achieve a baseline green building certification.

Appearance, design and compatibility (City Code Section 108-234) :

The development plan satisfies criteria established in Chapter 102; Articles III, IV and V of Chapter 108; Section 108-956; and Article II of Chapter 110 of the Key West City Code in the following manner:

Chapter 102 – This property is located outside of the National Register of Historic Places but within the local Historic District and requires all appropriate HARC approvals as necessary.

Articles III, IV and V of Chapter 108 – Based on the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements of the Articles.

Section 108-956 – The project team will coordinate with FKAA to ensure access to potable water and a wastewater disposal system.

Chapter 110 –The proposed development complies with the resource protection requirements of Chapter 110.

City Code Chapter 102 (historic preservation)

The vacant property is located within the historic district and there are no building or historically contributing structures on-site. However, the proposed development would need to obtain a Certificate of Appropriateness from the Historic Architectural Review Commission (HARC) for the proposed design prior to City Commission review as a Development Plan and prior to issuance of building permits. HARC staff will review building permits to assure that the construction plans submitted are the same as approved under the Certificate of Appropriateness.

City Code Section 108-956 (potable water and wastewater)

Potable water and wastewater were found to comply in the concurrency determination above.

Article II (archaeological resources) of City Code Chapter 110 (resource protection)

There are no known archaeological resources on the property. If any archeological resources are discovered during construction, the Applicant would be required to comply with this article of the LDRs.

Site location and character of use (City Code Section 108-235)

(a) *Compliance.* The submitted development plan has been reviewed for compliance with all applicable performance criteria set forth in Code Chapter 94 (concurrency management), Code Chapter 102 (historic preservation), Code Chapter 106 (performance standards), Articles I and III through IX of Code Chapter 108

(planning and development), Code Chapter 110 (resource protection) and Code Chapter 114 (signs).

(b) *Vicinity map*. The property is bounded by Truman Waterfront Park, the US Navy Base, the Diesel Plant building and multi-family and single-family residential.

(c) *Land use compatibility*. Uses within 300 feet include surrounding uses include residential, the Truman Waterfront Park, the US Navy Base and residential. No unincorporated parts of the county are located nearby, nor would any be impacted by the proposed development.

(d) *Historic and archeological resource protection*. The proposed project will coordinate with HARC in its development. No existing historic structures are present on the property.

(e) *Subdivision of land*. No subdivision of land is proposed.

Appearance of site and structures (City Code Section 108-236)

The Applicant submitted a development plan that generally exhibits harmonious overall design characteristics in compliance with the performance standards stipulated in Code Sections 108-278 through 108-288, as analyzed below.

Site plan (City Code Section 108-237)

The Applicant submitted a site plan pursuant to City Code Section 108-237, which is analyzed in greater detail below.

Architectural drawings (City Code Section 108-238)

The Applicant submitted extensive architectural drawings prepared by a professional architect registered in Florida pursuant to City Code Section 108-238.

Site amenities (City Code Section 108-239)

Proposed site amenities include landscaping, bike racks for 120 bicycles, a fitness center and lounge and outdoor lighting.

Site survey (City Code Section 108-240)

The Applicant submitted a site survey pursuant to City Code Section 108-240.

Soil survey (City Code Section 108-241)

Soil surveys are not anticipated as part of the project. No soil survey was provided.

Environmentally sensitive areas (City Code Section 108-242)

No environmentally sensitive areas are located on or near the property, which is located within the AE-6 and 7 flood zones.

Land clearing, excavation and fill, tree protection, landscaping and irrigation plan (City Code Section 108-243)

(a) *Land clearing, excavation and fill*. The proposed development would involve land clearing.

(b) *Tree protection*. The City's Urban Forestry Manager and the Tree Commission have reviewed and approved the proposed tree removal and tree disposition plan at their April 11 Tree Commission meeting.

(c) *Landscaping plan*. The submitted plan indicates landscaping incorporated throughout the property. Landscaped open space is in full compliance with all landscape buffer requirements of the LDRs and a buffer from the Navy Base. No environmentally sensitive areas exist.

(d) *Irrigation plan*. A drainage plan was submitted indicating that a full stormwater management system will be installed. Stormwater will be retained on-site utilizing an exfiltration trench and retention pond.

On-site and off-site parking and vehicular, bicycle, and pedestrian circulation (City Code Section 108-244)

The applicant is requesting a parking variance, a parking agreement and a bicycle substitution variance to accommodate parking requirements less than allowed within the HNC-4 Zoning District. The applicant is

proposing to build 83 new spaces, conveniently located along the perimeter of each building and along Allen Avenue. Of the 83 spaces, 8 are for handicapped parking. There will be 108 bicycle spaces that can be used to offset 27 vehicle spaces through the bicycle substitution variance pursuant to City Code, and subject to Planning Board approval. The remaining 16 spaces needed to provide for the code requirement of 126 will be accommodated through a parking agreement with the City for residents to utilize a portion of the Truman Waterfront Park parking lot.

Housing (City Code Section 108-245)

This project includes 126 affordable housing units. Each unit will be greater than 600 sq. ft. in size. The development does not anticipate a detrimental effect on hurricane evacuation.

Economic resources (City Code Section 108-246)

The proposed nonresidential use anticipates a maximum of 2 employees, likely limited to 1 part-time employee. The Applicant is pending estimate of the average the average ad valorem tax yield from the proposed project.

Special Considerations (City Code Section 108-247)

- (a) The relationship of the proposed development to the City's land use plans, objectives and policies is being evaluated as part of this analysis. The relationship of the proposed development to public facilities was evaluated above and no conflicts were identified.
- (b) The project located within the historic district and the AE-6 and 7 flood zones.
- (c) No unincorporated portions of the county would be impacted by the proposed development.
- (d) The project does not front a shoreline, so shoreline access would not be impeded.
- (e) No special facilities are proposed to accommodate bus ridership.
- (f) Passive recreation space is not proposed, a fitness center and lounge are incorporated into building B.
- (g) Coordination with applicable agencies is being facilitated through the DRC.
- (h) No wetlands or submerged land would be impacted.

Construction management plan and inspection schedule (City Code Section 108-248)

The proposed construction is to be complete in one phase.

Truman Waterfront Port facilities (City Code Section 108-249)

Not applicable.

Site plan (City Code Chapter 108, Article III)

The City shall not approve a site plan unless a finding is made that such site plan conforms to all applicable sections of the LDRs, pursuant to City Code Section 108-276, as analyzed below.

Site location and character of use (City Code Section 108-277)

The proposed development involves the construction of three multifamily structure, each three-stories with 126 units and off-street parking with a combined total of 27 spaces and 120 bicycle spaces. The proposed uses are permitted uses within the HNC-4 Zoning District.

Appearance of site and structures (City Code Section 108-278)

The project involves new construction of three one and two-story multifamily buildings and 83 off-street parking spaces. All work will follow the City's historic architectural guidelines.

Location and screening of mechanical equipment, utility hardware and waste storage areas (City Code Section 108-279)

All mechanical equipment and utility hardware would be screened with landscaping. Dumpsters for garbage and recycling would be screened within an enclosure.

Front-end loaded refuse container location requirements (City Code Section 108-280)

The City coordinated the location and design of the refuse containers with Waste Management to allow adequate access for refuse vehicles. The dumpster enclosure and landscaping would screen the refuse containers from streets and adjacent properties. A request had been made to move the Building C dumpster location. If the dumpster is to remain next to the public park area then conditions need to include maintenance to control odors and debris, and fencing around the area.

Roll-off compactor container location requirements (City Code Section 108-281)

None proposed.

Utility lines (City Code Section 108-282)

All new utilities lines would be placed underground.

Commercial and manufacturing activities conducted in enclosed buildings (City Code Section 108-283)

None proposed.

Exterior lighting (City Code Section 108-284)

All new exterior lighting is proposed for the property. All lights would be shielded to prevent glare onto adjacent properties as required by code. Lighting would be provided within the parking area and pedestrian lighting through the property.

Signs (City Code Section 108-285)

The plans do not indicate any installation of signs within the property boundaries. A building permit and a certificate of appropriateness would be required for the installation of any signs, except for traffic and vehicular route, which must comply with City Code Chapter 114 and the Historic Architectural Guidelines.

Pedestrian sidewalks (City Code Section 108-286)

The site plan provides for adequate pedestrian circulation throughout the site and connection to the surrounding neighborhood. The Planning Department is recommending a condition that the site will have a sidewalk directly connecting to the Truman Waterfront Parking lot.

Loading docks (City Code Section 108-287)

None proposed.

Storage areas (City Code Section 108-288)

No exterior storage areas are proposed.

Land clearing, excavation or fill (City Code Section 108-289)

No work would impact a floodplain or conservation area. A proposed stormwater management would address drainage and runoff from the site. Vegetation removal was reviewed and approved by the Urban Forestry Manager and the Tree Commission.

Landscaping (Code Chapter 108, Article VI)

A landscape plan is required as part of a development plan review, pursuant to City Code Section 108-411.

An application was submitted to the Tree Commission for Conceptual Landscape Plan approval with tree removal for a major development plan to redevelop the property with affordable housing units. This review is to verify compliance to Sec 108 of the City Code regarding landscaping and buffer requirements to help the

Planning Board with their review. This review is based on the site and landscape plan submitted to the Planning Department on October 20, 2022.

Review of Section 108:

1. Sec 108-243, plans: The property is a mostly scarified, disturbed, upland area.

A completed landscape plan, signed and sealed, has been submitted. A tree protection plan to protect the trees in the Truman Park area immediately adjacent to the proposed work area has not been submitted and a detailed irrigation plan has not been submitted. Plans do indicate that a fully automatic irrigation system will be installed.

At this time, a transplantation plan has also not been finalized. Nine Autograph trees in the Truman Park parking area are proposed to be moved to other areas in the park and some Sabal Palms on Fort Street will be transplanted to the Fort Street parking lot area.

2. Sec 108-279, 280, 281, screening: The proposed dumpster location in the Building C area is situated immediately adjacent to a public parking area for a public park in a very visible area. The type of dumpster facility is not known. A request had been made to move this location. If the dumpster is to remain next to the public park area then conditions need to include maintenance to control odors and debris and fencing. The landscape plan does show some shrubs and two small trees proposed to be planted around the area.
3. Sec 108-289, land clearing: The project will require the removal of 2-Gumbo Limbo trees (#1 & #2), 5-Sabal Palms (#4, #5, #6, #7, & #22), and 1-Coconut Palm (#3), and the transplantation of 9-Clusia trees (#12, #13, #14, #15, #16, #17, #18, #19, & #20) that are currently growing in the Truman Waterfront Park parking lot area to other areas in the park. On October 4, 2022, the Tree Commission approved the removal of the trees and palms which requires the planting of a total of 20.2 caliper inches of approved trees and (6) native palms, 4 ft tall each palm, FL #1, from the approved lists, to be planted on site and incorporated into the landscape plan. The Tree Commission requested a discussion on the possibility of transplanting 3-Sabal Palms to the Fort Street Parking lot, as recommended by the Urban Forestry Manager.

An erosion control plan has been submitted.

4. Sec 108-346, open space, landscaping, and exotic vegetation: The required open space is 20%. The project is proposing 31% open space. The proposed project area is currently a disturbed, scarified area and there are some young Brazilian pepper plants, an invasive exotic plant species, on the site that will be removed. Due to the seed source being in the soil, the property maintenance plan must include a statement regarding maintenance of the property to remove any invasive exotic plant species.
5. Sec 108-347, bufferyards: The proposed use of the property is considered multi- family. According to the property appraiser site, the properties along most of the property line areas are Navy or City owned-municipal and utility lands including Truman Waterfront Park, and multifamily, Housing Authority property.

The Navy requires a 50 ft wide buffer open area from their property lines.

Property line areas not immediately adjacent to a road and subject to this section of code include an approximate 56 ft long section of the large parcel that is adjacent to the Fort Street parking area, and

three property line areas surrounding Building C.

According to City code, the buffer requirement for the section of the large parcel not bordered by a street would be D2 (multifamily-med impact) which requires an opaque fence or wall as well as 64 plant units/landscaping per 100 linear feet. No landscaping is proposed for this area due to the Navy buffer requirements of 50 ft from their property line. Sod will be installed. No fencing will be installed in this area.

Regarding the smaller parcel-Building C buffer areas, approximately 200 linear feet of property line abuts utility zoned property that consists of the historic Diesel Plant property. There are future plans to redevelop this area and structures. At this time, a B2 impact would be appropriate which requires an opaque fence or wall as well as 40 plant units/landscaping per 100 linear feet. Plans indicate a 5-10 ft wide planted buffer area with 126 plant units. No fencing will be installed in this area.

The northern property line area abuts a parking area for the Truman Waterfront Park. A 5-10 ft wide landscape area is proposed adjacent to the proposed structure/parking planter area.

The western property line area abuts Navy lands-Tower. Plans indicate a requested 20 ft wide buffer from the Navy. Groundcover plants are proposed to be installed.

Waiver Required

6. Sec 108-348, allows for credit of existing plant material: No existing vegetation will remain on the property. Some young trees and palms to be impacted by the project will be transplanted to nearby areas.
7. Sec 108-411, landscape plan approval: A landscape plan dated October 4, 2022, was submitted the day before the Tree Commission meeting and did not include plant details. The Tree Commission approved this conceptual landscape plan pending final landscape plan approval to allow the review process to continue to the Planning Board and HARC. Final landscape plan approval must be heard by Urban Forestry Manager, pursuant to Tree Commission direction.
8. Sec 108-412, minimum landscape requirements: The plan does incorporate over 70% native vegetation and plans indicate that 31% of the property will be landscaped with a mixture of trees and shrubs. The rest of the property not covered in hardscape or groundcover will be mulched or have sod placed.
9. 108-413, landscape requirement along street frontages: The property is 3.17 acres therefore, this section of the code requires 160 plant units per 100 linear ft in a 40 ft wide landscape area adjacent to the roadways.

Regarding the large parcel, along the south and western property line, Navy property line area-Earl Douglas Road and Evans Street, the Navy is requiring a 50 ft wide buffer area with no trees, shrubs, or structures. The landscape plan proposes to install sod in this area.

Along the eastern property line area with Fort Street, the applicant is proposing 200 plant units in a 7-12 ft wide planting area. This portion of the code requires 592 plant units in a 40 ft wide area.

Along the northern property line, Allen Avenue area on the south side of the road, the applicant is proposing to plant 188 plant units in a 2.5-7.5 ft wide area. This portion of code requires 480 plant units in a 40 ft wide area. On the north side of the road adjacent to the smaller parcel-Building C, 50 plant

units are proposed to be planted in an 87 linear foot by 7.5 to 12 ft wide area.

Waiver Required

10. Sec 108-414, interior parking areas: The minimum landscape area in the vehicle use areas is 20%. Each landscape area shall have a minimum dimension of six feet with a minimum of 60 square feet of continuous landscape open area that contains at least one shade tree and includes grass or other groundcover (one tree for every 100 square foot of landscape area).

Submitted plans indicate approximately 23% vehicle use landscape areas with canopy trees and groundcover located in each planter area. The dimensions of the planter areas are not known. Interior parking landscape strips are not required. Curbing and parking stops are indicated on the plans.

11. Sec 108-415 perimeter parking areas: Not applicable.
12. Sec 108-416, interior area landscaping: This section of code specifically looks at the planting of trees in areas not reviewed under buffer or parking requirements. This review is not applicable to this application.

This section of code also requires that all areas not covered by buildings or hardscape will have grass, groundcover, shrubs or other landscaping materials. The proposed landscape plan does meet this requirement.
13. Sec 108-447, protection of plant material: The plan does appear to include curbing or sidewalk around proposed landscape areas.
14. Sec 108-448, required coverage: It does appear that all landscape strips are covered with living material or mulch.
15. Sec 108-450, landscape screening: Some landscape screening has been provided around the dumpster areas.
16. Sec 108-481, plant material specifications: The proposed landscape plan meets the requirements for plant specifications and there is a variety of plant species.
17. Sec 108-515, irrigation plan required: An irrigation plan has not been submitted. Plans do indicate that landscape areas shall be irrigated with a fully automated irrigation system.

Off-street parking and loading (Code Chapter 108, Article VII)

The proposed development includes 99 total parking spaces and 121 bicycle parking spaces. Of the 99 parking spaces, 8 are ADA spaces.

Stormwater and surface water management (Code Chapter 108, Article VIII)

A drainage plan was submitted indicating that surface water management is designed for the 25-year/72-hour storm event, as required. Stormwater would be retained on-site through an exfiltration trench in the parking area. Landscape buffers surrounding the development will collect building runoff on-site.

Utilities (Code Chapter 108, Article IX)

Access to potable water, access to wastewater disposal systems and conservation of potable water supply were analyzed in the above concurrency management determination and were found in compliance.

Art in Public Places (City Code Section 2-487)

The proposed development, being a Major Development Plan, qualifies for the City's Art in Public Places (AIPP) program, pursuant to City Code Section 2-487. The AIPP program requires 1% of construction costs to be set-aside for the acquisition, commission, and installation of artwork on the subject property. The program applies to new construction projects exceeding \$500,000 and renovation projects exceeding \$100,000. Eligible construction costs have not been determined based on hard and soft costs.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends to the Planning Board that the request for Major Development Plan be **approved** with the following conditions:

General conditions:

1. The proposed construction shall be in substantial compliance with the site plan signed, sealed, and dated 12/1/2022 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, as 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 and serviced 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 ~~shall be provided to the City of Key West on a yearly basis to ensure permeability remains as provided in manufacturer's specifications- may be requested by the City Engineer if pervious paving material failure is apparent.~~
8. 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.

Conditions prior to the City Commission hearing:

9. The pervious parking material and on-going maintenance plan must be approved by the City Engineer.
- ~~10. The site plan submitted to the City on Monday, December 12, cannot be sufficiently reviewed by Staff~~

~~for the December 19, 2022, Planning Board due to the lateness of the submittal. The new proposed parking spaces on the site plan in the landscaped open space north of the condominium structure, in front of the Diesel Plant should be reconsidered and removed from the site plan. These proposed spaces have not been reviewed by staff for life/traffic safety, historic district guidelines, and do not comply with the Conceptual Landscape Plan for this project or previously approved Truman Waterfront Master Plan site plans. This open space should be considered a gateway for Bahama Village to enter Truman Waterfront Park and to access the Diesel Plant. This area should enhance pedestrian and bicycle connectivity from Bahama Village to the Park, and is not appropriate for additional parking. However, it is not permissible to displace City owned parking spaces from this parking lot: see Condition #8.~~

10. Prior to City Commission, the applicant shall provide a parking plan to depict marked homeowner parking spaces for all twenty-six (26) condominium units within the limits of the leased areas. Each single parking space shall remain with the relevant homeowner's unit and shall not be subleased to a non-resident of 918 Fort Street. The parking plan shall indicate which parking places are being proposed to be relocated from the adjacent City-owned Truman Waterfront Park parking lot. If the applicant is proposing to reconstruct three City parking spaces adjacent to the leased area, these spaces must be clearly marked as "public parking" and the parking plan shall reflect their proposed location.

~~the applicant shall provide a parking plan to depict marked homeowner parking spaces for all 28 condominium units within the limits of the leased areas. The parking plan shall indicate which parking places are being proposed to be relocated from the adjacent City-owned Truman Waterfront Park parking lot.~~

- ~~11. The applicant shall coordinate with City staff to develop a strategy to integrate all 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 City Attorney and City Planner shall advise whether Truman Waterfront Park development plan approval modification will be required with review and approval from the Planning Board, HARC, the Parks & Recreation Board and City Commission, or whether modifications can be made administratively.~~
11. The applicant must obtain a Certificate of Appropriateness from the Historic Architectural Review Commission (HARC) for on-site structures and signage visible from the right-of-way, except for traffic and internal vehicular signs.
12. Final Landscape plan approval is required from the Tree Commission/Urban Forestry Manager.
- ~~13. City Engineering Department shall provide information regarding usage of solar panels to serve this project.~~
13. A site plan shall be submitted for review depicting a total of 121 bicycle spaces.
14. A Pavement and Signage plan shall be submitted for review.
15. Applicant shall coordinate with staff to establish compliance with cistern requirements associated with City Code Section 108-991; unless an exemption is approved, cisterns shall be added to the site plan.
- ~~16. The Parks & Recreation Board should review these plans prior to City Commission pursuant to City Commission resolution. The next meeting is December 21, at 5 p.m.~~
- ~~17. The Bahama Village Redevelopment Advisory Committee should review these plans prior to City Commission. Their next scheduled meeting is January 5, at 5:30 p.m.~~

Conditions prior to issuance of a building permit:

16. 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.

17. 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.
18. 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.
19. A tree protection plan is needed to protect the trees in the Truman Park parking area during construction.
20. 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.
21. A detailed irrigation plan is needed.
22. Coordination with the City Utilities Department shall be required for connections to the public sewer water systems.
- ~~23. The pervious parking material and on-going maintenance plan must be approved by the City Engineer.~~

Conditions prior to issuance of a Certificate of Occupancy:

23. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.
- ~~24. All twenty six (26) homeowner units shall have one marked parking space located as close as possible to the homeowner structure within the lease premises. Each single parking space shall remain with the relevant homeowner's unit and shall not be subleased to a non-resident of 918 Fort Street.~~
24. City BPAS Code requires all new development to achieve a baseline green building certification.
25. 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 integrate all 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 City Attorney and City Planner shall advise whether Truman Waterfront Park development plan approval modification will be required with review and approval from the Planning Board, HARC, the Parks & Recreation Board and City Commission, or whether modifications can be made administratively. 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.