THE CITY OF KEY WEST

PLANNING BOARD

Staff Report

To: Chairman and Planning Board Members

Through: Katie P. Halloran, Planning Director

From: Stephanie de la Rosa, Stantec

Meeting Date: May 29, 2025

Agenda Item: **Major Development Plan – 1671 Dunlap Drive (RE# 00054250-000000) -** A request for a major development plan approval for the construction of two apartment buildings consisting of 54 units with landscape waivers for requirements along street frontage, for requirements for interior areas of parking lots and parking perimeter landscaping width, on property located within the Medium Density Residential District-1 (MDR-1) Zoning District pursuant to Chapter 108, Section 108-91, and Article III through IX; and Chapter 122, Article IV, Division 3, Subdivision IV.1, Section 108-481, Section 108-413, Section 108-414, and Section 108-415 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Variance – 1671 Dunlap Drive (RE# 00054250-000000) - A request for a variance to minimum parking requirements, to allow the substitution of 32 vehicle parking spaces by 128 bike spaces on property located within the Medium Density Residential District-1 (MDR-1); pursuant to Section 90-395, Section 108-572 and Section 108-574 of the Code of Ordinances of the City of Key West, Florida.

Request: This application requests a major development plan for the construction of two multi-family residential structures, vehicle parking, bike & e-bike parking, and a landscape waiver for the construction of 54 affordable housing units.

Applicant: Pope-Scarbrough Architects

Property Owner: Housing Authority of the City of Key West Florida

Location: 1671 Dunlap Drive (RE# 00054250-000000)

Zoning: Medium Density Residential District (MDR-1)

Subject property outlined in orange and the project area is depicted in red.

Background and Analysis

The subject property consists of an approximately 21.6 acres parcel owned by the Housing Authority of the City of Key West Florida (KWHA). The parcel contains 145 affordable housing units in 34 multi-family structures which were constructed in the 1960s for military housing. The parcel also contains a 106-unit assisted and supportive living facility known as Poinciana Gardens.

Fifty-four BPAS units were issued via Planning Board Resolution 2024-026. The construction of 11 or more units requires major development plan approval. This application requests major development plan approval to construct two structures containing the 54 units of infill affordable housing with a mix of one-, two-, and three-bedroom units:

- Building 1: 34 units within 34,970 SF
- Building 2: 20 units within 18,530 SF

The units would be owned and operated by KWHA and subject to the City's affordable housing ordinance.

The applicant has also requested Planning Board approval for a bicycle substitution variance for required parking. Outside of the historic district, two parking spaces are required per dwelling unit. The applicant proposes to construct 71 additional vehicular parking spaces. The total number of parking spaces on site for all of the existing and proposed dwelling units would be 32 fewer spaces than required. Per Sec. 108-574, an applicant may file a request for a non-hardship variance to substitute additional bicycle parking in exchange for required vehicular parking spaces, using a 1-to-4 ratio of vehicle-to-bicycle parking spaces. The applicant proposes 128 additional bicycle parking spaces in lieu of the proposed deficit of 32 spaces.

Site Data Table

The site data table for the proposed development is shown below. The site plan meets the dimensional criteria for the zoning district and meets open space requirements.

Dimensional Requirement	**Required/ Allowed**	**Existing**	**Proposed**	**Variance Required?**
Max. Density	16 du/acre – 345 units	251	305	No
Max. Height	35'-0"	N/A	39'-9"	No*
Max. Building Coverage	40% (376,661 SF)	14.1% (132,800 SF)	16 % (150,581 SF)	No
Max. Impervious Surface	60% (564,992 SF)	39.3% (370,401 SF)	43.9% (413,282 SF)	No
Minimum Open Space Ratio	35% (329,579 SF)	61% (571,252 SF)	56% (528,371 SF)	No
Minimum Side Setback	25'-0"	N/A	27'2"	No
Minimum Street Side Setback	25'-0"	N/A	N/A	No

Minimum Front Setback (Duck Ave)	30'-0"	N/A		No
Minimum Rear setback	25'-0"	N/A	35'10.25"	No
Minimum Wetland setback	25'-0"	N/A	26'10"	No

*Pursuant to Sec. 122-1149 (d), An exception to the building height regulations may be permitted in cases where a building is raised above ground to meet or exceed FEMA established base flood elevation levels under the following conditions:

1.Only the equivalent measure of distance from the existing ground level, prior to infill, to the required base flood elevation of the building, and up to a maximum of four (4) feet above the base flood elevation, may exceed the building height regulations.

2. No exception shall result in a building height that would exceed 40 feet.

The building elevations provided with the application follow the requirements stated above.

Article IV: Traffic Impacts & Article VII: Off-Street Parking & Loading

The applicant has provided the following vehicular parking data:

Units & Requirement	**Existing**		**Proposed**		**Variance Required?**
	Units	**Spaces**	**Units**	**Spaces**	
Multi-family units *(2 spaces/unit)*	145 units 290 spaces required	291	199 units 398 spaces required	362 (71 new spaces)	
Assisted living *(1 space/4 beds)*	130 beds 33 spaces required	37	130 beds 33 spaces required	37	
Total	145 units 130 beds 323 spaces required	328	199 units 130 beds 431 spaces required	399	**Yes** **32 spaces**

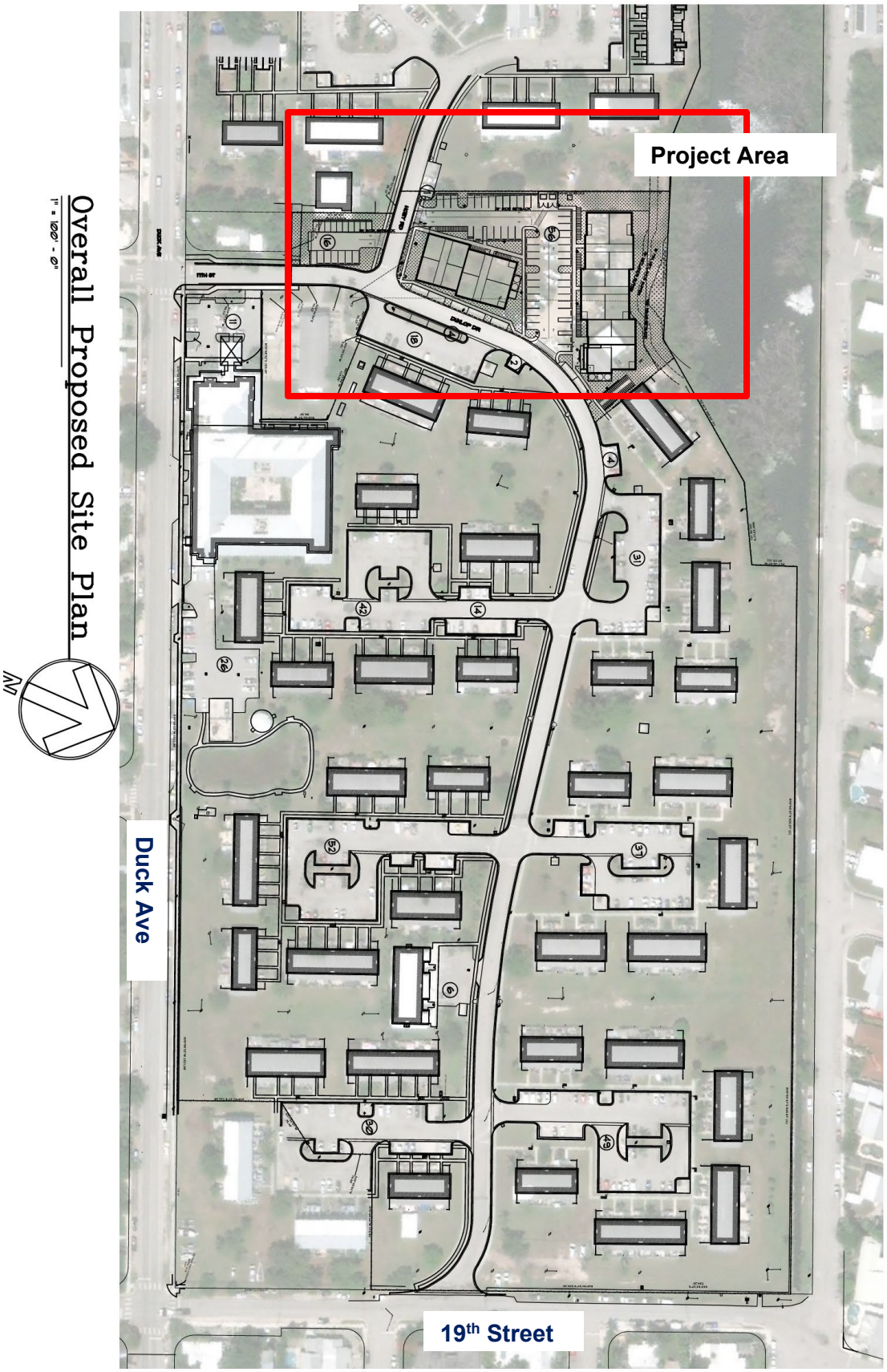
Per Sec. 108-572, one bicycle parking space shall be provided for every 10 required vehicular parking spaces for multi-family structures and assisted living facilities. The applicant proposes to meet this requirement.

Substitution of Bicycle Parking Spaces

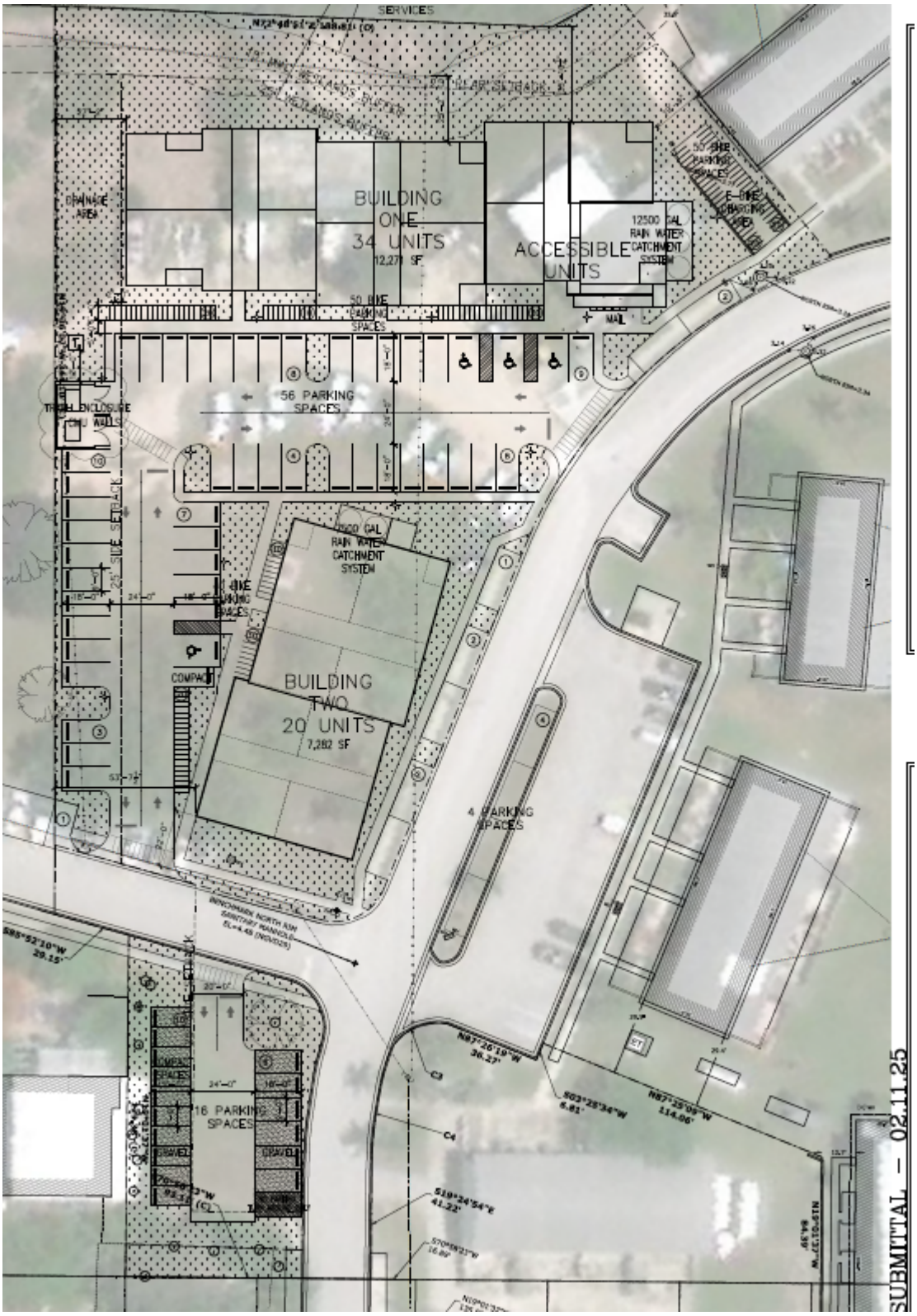
Per Sec. 108-574, an applicant may file a request for a variance to substitute additional bicycle parking in exchange for required vehicular parking spaces. The applicant has requested a bicycle parking substitution variance for the deficit of 32 required vehicle spaces. Per Sec. 108-574, a request for a bicycle substitution variance shall consider 4 bicycle parking spaces to be equivalent to one vehicle parking space. The applicant proposes to construct 72 new vehicular spaces, and provide 128 additional bicycle parking spaces based on the 1:4 exchange ratio (32 vehicle spaces x 4 bicycle spaces = 128).

> *The planning board may grant such variance upon a finding that such additional bicycle parking would be beneficial and would satisfy the specific conditions of Sections 90-394 and 90-395. However, hardship conditions shall not be a mandatory condition of obtaining the subject variance. If the planning board determines the requested bicycle parking is compliant with the referenced criteria, the planning board shall require that such additional parking be located on a site within 100 feet of the subject site. Furthermore, in determining the appropriate substitution, four bicycle parking spaces shall be equivalent to one motorized vehicle parking space.*

Overall Site Plan



Proposed Project Area



Proposed Elevations – Building 1

East Elevation

West Elevation

North Elevation

South Elevation

Proposed Elevations – Building 2

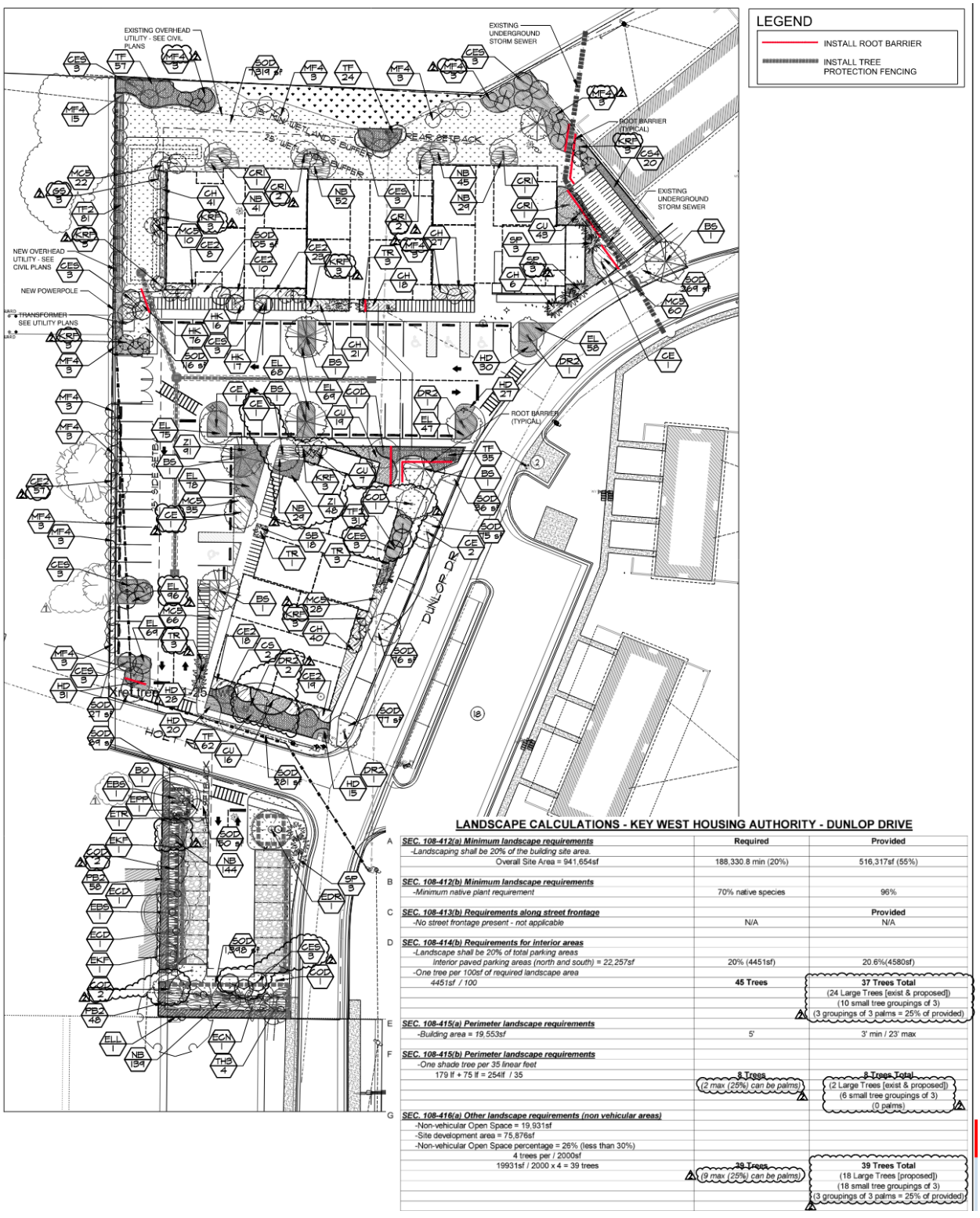
North Elevation

South Elevation

West Elevation

East Elevation

Proposed Landscape Plan



LANDSCAPE CALCULATIONS - KEY WEST HOUSING AUTHORITY - DUNLOP DRIVE

		Required	Provided
A	***SEC. 108-412(a) Minimum landscape requirements***		
	-Landscaping shall be 20% of the building site area.		
	Overall Site Area = 941,654sf	188,330.8 min (20%)	516,317sf (55%)
B	***SEC. 108-412(b) Minimum landscape requirements***		
	-Minimum native plant requirement	70% native species	96%
C	***SEC. 108-413(b) Requirements along street frontage***		**Provided**
	-No street frontage present - not applicable	N/A	N/A
D	***SEC. 108-414(b) Requirements for interior areas***		
	-Landscape shall be 20% of total parking areas		
	Interior paved parking areas (north and south) = 22,257sf	20% (4451sf)	20.6%(4580sf)
	-One tree per 100sf of required landscape area		
	4451sf / 100	**45 Trees**	**37 Trees Total** (24 Large Trees [exist & proposed]) (10 small tree groupings of 3) (3 groupings of 3 palms = 25% of provided)
E	***SEC. 108-415(a) Perimeter landscape requirements***		
	-Building area = 19,553sf	5'	3' min / 23' max
F	***SEC. 108-415(b) Perimeter landscape requirements***		
	-One shade tree per 35 linear feet		
	179 lf + 75 lf = 254lf / 35	**8 Trees** (2 max (25%) can be palms)	**8 Trees Total** (2 Large Trees [exist & proposed]) (6 small tree groupings of 3) (0 palms)
G	***SEC. 108-416(a) Other landscape requirements (non vehicular areas)***		
	-Non-vehicular Open Space = 19,931sf		
	-Site development area = 75,876sf		
	-Non-vehicular Open Space percentage = 26% (less than 30%)		
	4 trees per / 2000sf		
	19931sf / 2000 x 4 = 39 trees	**39 Trees** (9 max (25%) can be palms)	**39 Trees Total** (18 Large Trees [proposed]) (18 small tree groupings of 3) (3 groupings of 3 palms = 25% of provided)

Staff Analysis: Major Development Plan

Surrounding Zoning and Uses:

Surrounding properties are located within the MDR-1 zoning district to the West, and the Single-Family Residential zoning district to the North, East and South.

The subject parcel is part of a larger "Poinciana Housing Site" which comprises the approximately 36.2 acres of land that were deeded by the US Navy to the City of Key West Naval Properties Local Redevelopment Agency (LRA) and KWHA as part the 1994 Defense Base Closure and Realignment Act. The properties were conveyed for the purpose of supporting affordable housing and homeless and special needs services.

Immediately to the west of the subject parcel is the Poinciana Special Needs Section which is owed by the City of Key West and subject to a master long-term lease with KWHA. KWHA manages subleases with local continuum of care providers who provide various types of housing and supportive services for homeless and special needs individuals and families. The Poinciana Special Needs Section is in the early phases of a redevelopment plan which proposes to redevelop the 1960s-era structures into new structures accommodating 103 units for emergency, transitional, short-term and permanent affordable housing.

At the westernmost end of the site is Poinciana Royale, which was approved as a 50-unit rest home facility for individuals who qualify for affordable housing (Resolution 07-275, 09-066.)

Process:

Development Review Committee:	March 27, 2025
Tree Commission Meeting (Conceptual landscape plan & tree removal approval):	April 15, 2025
Planning Board Meeting:	May 29, 2025
HARC Commission Meeting:	N/A
Tree Commission Meeting (Final landscape plan approval):	May 20, 2025
City Commission:	TBD
Local Appeal Period:	10 Days
Planning renders to DOC for review:	Up to 45 days

Concurrency Analysis

Code Section 108-233 and Comprehensive Plan Objective 9-1.5 require the City to conduct concurrency reviews to ensure that that facilities and services needed to support development are available concurrent with the impacts of such development. Facilities

subject to concurrency reviews are listed below, along with staff's evaluation are listed below:

FACILITIES/SERVICES	COMMENTS	COMPLIES?
Potable water	The applicant has provided a letter from the Florida Keys Aqueduct Authority indicating that the existing 6" water main on Dunlap Drive appears adequate to serve the project.	Yes.
Wastewater	The Utilities Department has indicated that gravity mains exist on Hoey Rd and Dunlap Dr. The applicant will coordinate connections to the public sanitary sewer through Utilities.	Yes.
Water quality	Impervious surface is in compliance. The contractor will supply a Stormwater Pollution Prevention Plan at the building permit stage.	Yes.
Stormwater	The applicant has provided a conceptual stormwater management plan which has been approved by the City Stormwater Engineer. Final stormwater management plan approval shall be required as part of the permitting process.	Yes.
Solid Waste	The applicant has coordinated with Waste Management regarding the location and configuration of the solid waste storage area.	Yes.
Recreation	The recreation LOS standard is five acres of recreation and open space per 1,000 permanent residents pursuant to City Code Section 94-70. There is sufficient open space on site.	Yes.
Fire Protection	A life safety plan will be required prior to issuance of a building permit. The Fire Marshal did not indicate any additional concerns at the March 27th DRC meeting.	Yes.
Reclaimed Water	N/A	Yes.
Other public facilities	N/A	Yes.

Conclusion: Staff reviewed 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.

Chapter 108 Development Review Summary

CODE SECTION	COMMENTS	COMPLIES?
Article III: Site Plan		
Sec. 108-279. - Location and screening of mechanical equipment, utility hardware and waste storage areas.	• The applicant has addressed all screening requirements with the Utilities Department.	Yes.

Sec. 108-289. - Land clearing, excavation or fill.	• Drainage improvements are proposed. Applicant shall provide soil erosion and sediment control plan and stormwater pollution prevention plan to the City stormwater engineer and comply with approved plan. Applicant shall coordinate dewatering activities with the Utilities Department. Spoil materials and effluent are prohibited from entering the storm drain or discharging into tidal waters.	Yes.
Sec. 108-286. - Pedestrian sidewalks.	• New pedestrian walkways are proposed within the property's roadway network.	Yes.
Article IV: Traffic Impacts		
Sec. 108-317. - Internal circulation system design and access/egress considerations. / Sec. 108-318. - Separation of vehicles, bicycles and pedestrians.	• This is an infill development and the traffic circulation system within the property is proposed to remain unaltered. • New sidewalks are proposed within the scope of work area.	Yes.
Article V: Open Space, Screening & Buffers		
Sec. 108-346. - Open space, landscaping and removal of exotic vegetation.	• Open space requirement is met. • Exotic vegetation shall be removed.	Yes.
Sec. 108-352. - Reducing landscape and/or bufferyard requirements.	• A landscape waiver is being requested for the 40' required street frontage landscape buffer. The proposed street frontage landscaping is identified in the landscape plan.	No. Waiver required.
Article VI: Landscaping		
Sec. 108-411. - Landscape plan approval.	• Conceptual landscape plan approval has been issued by the Tree Commission.	Yes.
Sec. 108-413. - Requirements along street frontage.	• The site requires a landscape strip along the frontage at least 40' in width, with at least 160 plant units per 100 linear feet. The applicant requests a waiver to the frontage landscape minimum depth requirement.	No. Waiver required.
Sec. 108-414. – Requirements for interior areas.	• Requirements for interior areas of parking lots (Sec 108-414(b)): 37 trees were provided versus 45 trees required.	No. Waiver required.
Sec. 108-415. - Parking perimeter landscaping width requirements	• 3'min/23'max provided versus 10' minimum required.	No. Waiver required.
Sec. 108-517. - Waivers or modifications.	• Per Section 108-517, the Planning Board may waive or modify the standards of Chapter 108 Article VI upon a finding that the modification meets the criteria outlined	Yes.

	in Section 108-517. Staff has reviewed the application and found it consistent with these criteria.	
Article VII: Off-Street Parking and Loading		
Sec. 108-572. - Schedule of off-street parking requirements by use generally & Sec. 108-574. - Substitution of bicycle parking spaces.	• The applicant proposes 71 new parking spaces and has requested a bicycle substitution variances for the remaining spaces.	
Article VIII: Stormwater and Surface Water Management		
Sec. 108-777. - Water quality criteria. & Sec. 108-778. - Water quantity criteria.	• The applicant shall comply with all stormwater and surface water management criteria of the Code of Ordinances.	Yes
Article IX: Utilities		
Sec. 108-956. - Potable water and wastewater.	• Applicant has sufficient access to potable water and wastewater disposal system.	Yes.

Review Summary: Chapter 110 - Resource Protection

CODE SECTION	COMMENTS	COMPLIES?
Article III – Environmental Resources		
Division 2 - Wetlands	• The applicant shall maintain an upper wetland buffer zone and all work shall be consistent with South Florida Water Management District permitting standards for upland buffers adjacent to wetlands to sufficiently protect adjacent wetlands.	
Article VI: Tree Protection		
Sec. 110-366. - Protective barricades; performance bond.	• The applicant shall provide protective barricading for trees on site before and during construction activities.	Yes.
Sec. 110-325. - Review and action by tree commission.	• The Tree Commission has authorized the removal of 15 trees and 6 palms and approved the proposed mitigation.	Yes.

Staff Analysis: Variance Request

Bicycle Substitution - Variance Review Criteria

Per Sec. 108-574, an applicant may file a request for a variance to substitute additional bicycle parking in exchange for required vehicular parking spaces.

An applicant for development plan approval pursuant to article II of this chapter may file a request for a variance to substitute additional bicycle parking (i.e., bicycle parking in excess of that required pursuant to Section 108-572). The planning board may grant such variance upon a finding that such additional bicycle parking would be beneficial and would satisfy the specific conditions of Sections 90-394 and 90-395. However, hardship conditions shall not be a mandatory condition of obtaining the subject variance. If the planning board determines the requested bicycle parking is compliant with the referenced criteria, the planning board shall require that such additional parking be located on a site within 100 feet of the subject site. Furthermore, in determining the appropriate substitution, four bicycle parking spaces shall be equivalent to one motorized vehicle parking space.

The applicant has requested a bicycle parking substitution variance for the deficit of 32 required vehicle spaces. Per Sec. 108-574, a request for a bicycle substitution variance shall consider 4 bicycle parking spaces to be equivalent to one vehicle parking space. The applicant proposes to construct 71 new vehicular spaces, and provide 128 additional bicycle parking spaces based on the 1:4 exchange ratio (32 vehicle spaces x 4 bicycle spaces = 128).

Specific Conditions of Sec. 90-394 and Sec. 90-395:

Sec. 90-394:

- The planning board shall not grant a variance to permit a use not permitted by right or as a conditional use in the zoning district involved or any use expressly or by implication prohibited by the terms of the ordinance in the zoning district. COMPLIES
- No nonconforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted use of lands, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance. COMPLIES
- No variance shall be granted that increases or has the effect of increasing density or intensity of a use beyond that permitted by the comprehensive plan or these LDRs. COMPLIES

Sec. 90-395:

1. *Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same zoning district.*

   Staff does not find special conditions or circumstances which are peculiar to the land, structure or building involved. NOT IN COMPLIANCE.

2. *Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.*

   N/A - Staff does not find special conditions or circumstances which are peculiar to the land, structure or building involved. NOT IN COMPLIANCE.

3. *Special Privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings, or structures in the same zoning district.*

   The granting of the variances would allow the proposed new units to be constructed without providing the required number of vehicular parking spaces, which is required for all new units in the same zoning district. However, the project responds to the need for affordable housing within the city and does offer parking spaces for scooters and bicycles. COMPLIES.

4. *Hardship Conditions Exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by the other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.*

   Pursuant to Section 108-574, hardship conditions shall not be a mandatory condition of obtaining the subject variance. If the planning board determines the requested bicycle parking is compliant with the referenced criteria, the planning board shall require that such additional parking be located on a site within 100 feet of the subject site. The project site plan indicates that the bicycle parking is appropriately located in relation to the buildings. COMPLIES.

5. *Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.*

   The subject land is currently utilized for affordable housing and the variance is not required for that use to continue. However, the applicant wishes to maximize the community benefit of the site by providing affordable housing units as proposed. The applicant also proposes to provide additional bicycle parking spaces and fire-safe electric bicycle parking as a substitute for the deficit of vehicle spaces. NOT IN COMPLIANCE.

6. *Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.*

Granting of the variance would allow for the construction of the 54 affordable housing units as proposed, which addresses a community need. However, staff does not have sufficient data on parking needs in the neighborhood to confirm that granting of the variance would not result in overflow parking in the surrounding area.

7. *Existing nonconforming uses of other property shall not be considered as the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.*

   The nonconformities of other properties were not considered as a basis in staff's analysis. COMPLIES.

   90-395(b): The planning board shall make factual findings regarding the following:
   1) That the standards established in subsection (a) have been met by the applicant for a variance.
   2) That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.

VARIANCE REQUEST FINDINGS

The Planning Department finds that the request has met all of the standards of Section 90-394, and has not met all of the standards for considering variances as required by Section 90-395.

MAJOR DEVELOPMENT PLAN 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 conditions listed below.

General conditions:

1. The proposed development shall be consistent with the attached plans by Pope-Scarbrough Architects, dated February 11th 2025 and revised sheets A0.1 and A0.2 dated April 4th, 2025.
2. Stormwater management shall be consistent with the Land Development Regulations and shall be consistent with the attached conceptual drainage plan (Sheet Number C-200) by Perez Engineering dated February 3, 2025. A final landscape plan approval shall be provided to and approved by the City Stormwater Engineer prior to building permit issuance.

3. Landscaping shall be consistent with the attached plans signed and sealed by John F. Harrigan on April 28, 2025, contingent on final landscape plan approval prior to City Commission hearing.

4. During all phases of construction, temporary fencing shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris unless the required right-of-way permit is obtained. The hours of construction shall follow City Code. A construction management plan including a Stormwater Pollution Prevention Plan shall be provided to and approved by the City Stormwater Engineer prior to commencement of construction activities.

5. The applicant shall coordinate with the Art in Public Places Board and set aside one percent (1%) of the construction costs for public art in compliance with City Code Section 2-487, as it may be amended from time to time.

6. The applicant shall provide vehicular and bicycle parking pursuant to an approved bicycle parking substitution variance. Per Section 108-574, all such 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. Prior to issuance of building permits, the applicant shall coordinate with South Florida Water Management District (SFWMD) and provide the City documentation necessary to confirm compliance with SFWMD requirements.