

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING A MAJOR DEVELOPMENT PLAN APPROVAL FOR PERMANENT RESIDENTIAL DEVELOPMENT OF 103 WORKFORCE AFFORDABLE HOUSING UNITS ON PROPERTY LOCATED AT 5220, 5224, 5228, & 5230 COLLEGE ROAD (RE# 00072082-002200, 00072082-002100, 00072080-002200, & 00072082-002400 WITHIN THE HIGH-DENSITY RESIDENTIAL COLLEGE ROAD (HDR-1) ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 108-91 B. 2. (a) of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that outside of the Historic District, a Major Development Plan is required for permanent residential development addition of eleven or more units; and

WHEREAS, Section 108-196 (a) authorizes 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 the Planning Board at a duly noticed public hearing on June 20, 2019, resulting in Planning Board Resolution no. 2019-47 advising approval with conditions to the City Commission; and

WHEREAS, pursuant to Code Section 108-198, the City Commission shall review and

act upon Major Development Plan proposals; and

WHEREAS, granting of the Major Development Plan will be 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: That the City Commission grants approval of the application for Major Development Plan for permanent residential development of 103 workforce affordable housing units plus 1 unit for resident services on property located at 5220, 5224, 5228, & 5230 College Road (RE# 00072082-002200, 00072082-002100, 00072080-002200, & 00072082-002400) within the High-Density Residential College Road District (HDR-1) zoning district pursuant to Section 108-91 B. 2. (a) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans, with the conditions provided in Planning Board Resolution no. 2019-47, and specified as follows:

General conditions:

1. The hours of construction shall be in compliance with City Code and be limited to 8 AM to 7 PM on Monday to Friday, and 9 AM to 5 PM on Saturday.

2. 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.
3. If the project opts to utilize the units that were awarded through Resolution no. 2019-25, it will be subject to the prerequisites of section 108-997 (b). If the project opts to utilize units from the “Affordable – Early Evacuation Pool” it will be subject to a separate set of requirements.
4. The proposed development shall be consistent with the signed and sealed plans by William P. Horn, P.A., Allen E. Perez, P.E., Sudhir Kumar Gupta, P.E., and Ladd B. Roberts, L.A. No approval granted for any other work or improvements shown on the plans other than the proposed development of one hundred and three (103) 1-bedroom housing units plus one (1) unit for resident services.

Conditions prior to issuance of a building permit:

5. Applicant shall coordinate with Keys Energy Services a full project review.
6. Applicant shall coordinate with Florida Keys Aqueduct Authority (FKAA) a full project review.
7. Applicant shall coordinate with Key West Resort Utilities (KWRU) a full project review.
8. 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.

Conditions prior to issuance of a Certificate of Occupancy and/or tax receipt:

9. No building permit shall become final and no certificate of occupancy shall be issued until any and all impact fees are paid.

Section 3: Full, complete and final application for all permits required for which this Resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

Section 4: This Major Development Plan does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the applicant's assertion of legal authority respecting the property.

Section 5: 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 6: 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 will be rendered to the Florida Department of Economic Opportunity (DEO). Pursuant to Chapter 73C, F.A.C., this permit is not effective for forty-five (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 forty-five (45) day review period the DEO can appeal the permit 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.

Passed and adopted by the City Commission at a meeting held this ____ day of _____, 2019.

Authenticated by the presiding officer and the Clerk of the Commission on _____, 2019.

Filed with the Clerk _____, 2019.

Mayor Teri Johnston _____

Commissioner Gregory Davila _____

Commissioner Mary Lou Hoover _____

Vice-Mayor Sam Kaufman _____

Commissioner Clayton Lopez _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

