

# Minutes of the Development Review Committee

## Meeting of May 27, 2010

Amy Kimball-Murley, Planning Director, convened a meeting of the Development Review Committee of the City of Key West at 2:00 PM, May 27, 2010. The meeting was held at Old City Hall, in the antechamber at 510 Greene Street, Key West.

### 1. Roll Call

#### Present for the Roll Call were:

Amy Kimball-Murley, Planning Director  
John Cruz, Building Official  
JR Torres, KWPD  
Gary Bowman, Engineering & General Services

Alan Averette, Fire Department  
Cynthia Domenech-Coogle, Community Services  
Enid Torregrosa, HARC Planner  
Diane Nicklaus, ADA Coordinator

#### Planning Staff:

Brendon Cunningham  
Ashley Monnier  
Patrick Wright

Carlene Cowart  
Nicole Malo

#### Comments received from:

FKAA

Keys Energy

### 2. Approval of Agenda

A motion to approve the agenda was made by Mrs. Torregrosa; it was seconded by Mr. Cruz.

### 3. Approval of minutes

#### a. April 22, 2010

Deferred

### 4. New Business

- a. **Variations – 2718 Harris Street (RE# 00067640-000000) – A variance request for proposed rear-yard setback, building coverage and impervious surface ratio in the Single Family zoning district per Sections 122-238 (6)(a)(3), 122-238 (4)(a), and 122-238 (4)(b)(1) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Ms. Malo gave an overview of the project. The applicant wishes to cover an existing brick patio with new construction.

Mr. Bowman, Mrs. Torregrosa, Mr. Torres, Mrs. Domenech-Coogle and Mrs. Nicklaus had no comments.

Mr. Averette clarified that the proposed porch was going to be open-air.

Mr. Cruz asked if the structure was meeting the 150 uplift on the roof. The applicant stated that they were meeting the uplift.

Mrs. Kimball-Murley reviewed the hardship criteria for variances and gave the applicant and members of the public an overview of the variance process and the importance of the good neighbor policy.

- b. Exception for Outdoor Display – Lazy Way Lane (RE# 00072082-003903, 00072082-003904 and 00072082-003905) – An application for Exception for Outdoor Merchandise Display, to allow the display of merchandise sold in store, for eight retail spaces within two parcels located on Lazy Way Lane in the HRCC-1 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Ms. Malo gave an overview of the project. The applicant wishes to standardize the type of outdoor display and limit display to certain items, specifically on the porches in front of the structures. The merchandise for display is limited to merchandise sold at the businesses.

Mrs. Kimball-Murley noted that this was a group application that was going to apply a standard for all current and future tenants. She stated that ingress and egress would also need to be considered especially concerning fire codes.

Mr. Bowman, Mr. Cruz, and Mr. Torres had no comments.

Mr. Averette clarified that the displays would be on the porches, and that there was available space for emergency egress.

Mrs. Torregrosa stated that three sections of the building have gabled front porches, flat façade, and the corner on Elizabeth Street has a different appeal than the rest of the building. Mrs. Torregrosa stated that the final design of the displays should not detract from the architecture of the building, specifically the hanging of displays from the buildings. She stated that ingress and egress should be considered for safety especially on the portion of the building that has a palm tree next to the front door.

Mrs. Nicklaus stated ADA accessibility needs to be considered as well as the capability of reach for the outdoor display items. She also stated that she needs to further clarify access as well as ingress and egress on the site.

Mrs. Domenech-Coogle asked the applicant if they planned on removing any of the palm trees from the area. Ms. Marilyn Wilbarger stated that they had not planned to remove any trees from the property. Mrs. Domenech-Coogle informed the applicant that it was against code to hang display items from trees.

The following member of the public spoke on the matter:

- Bill O'Conner, 627 Elizabeth St.

- c. Exception for Outdoor Merchandise Display - 129 Duval Street (RE# 00000520-000100) – An application for Exception for Outdoor Merchandise Display in the HRCC-1 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Mrs. Monnier gave an overview of the project. She stated that the applicant wishes to display two surf boards outside the entrance to the shop as well as adding a booth for ticket sales. Other activities proposed would be body painting as well as outdoor speakers. Coordination with HARC would be required to determine much of the proposed plans. Mrs. Monnier stated that the applicant still needed to provide a design for the booth, a copy of the deed, authorization form, verification form, and further work to the site plan.

Mr. Bowman and Mr. Torres had no comments.

Mr. Averette stated that as long as the doors are clear from obstruction the egress is sufficient.

Mrs. Torregrosa stated that some of the proposal will require HARC determinations. She asked the applicant to clarify the function of the red Craftsman roller. Marius Venter explained that the box was a small tool box on wheels used for storage. He also explained the dimensions and purpose of the porch. He clarified that the surf shack does not sell surfboards, so they would not be considered signage.

Mrs. Torregrosa explained that they would need to further clarify the items considered outdoor display and bring it before HARC.

Mrs. Nicklaus stated that the porch and ticket booth must be compliant with ADA.

Mr. Cruz stated that the building department would need to review further plans for the ticket booth.

Mrs. Domenech-Coogle questioned what the current regulations were for body painting. Mrs. Monnier stated that what the applicant is proposing is within the definition of body painting in the code.

Mrs. Kimball-Murley stated that the regulations for outdoor speakers were stringent. She expressed her concern about volume regulation and questioned if further approval for that part of the proposal was possible.

Marius Venter stated that he added different parts to the application so that they could be brought up individually to the committee members on staff's recommendation.

Mrs. Kimball-Murley stated that the application would need proper site plans, as well as a more detailed description of what was being proposed, before the DRC could give useful feedback on the proposed project.

**d. Easement – 5203 College Road (RE# 00072082-002300) – An easement request with the City of Key West in the Conservation Mangrove (CM) zoning district per Section 2-938 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Mrs. Monnier gave an overview of the project. She stated that in the 1960s a jet fuel pipeline had been installed from Naval Air Station Trumbo Point to Naval Air Station Boca Chica. Part of the pipeline is in a portion of city owned land, and was installed without obtaining an easement from the city. Mrs. Monnier expressed concern that the environmental resource permitting was possibly dated.

Mrs. Kimball-Murley asked for clarification from the applicant on whether there is possible construction proposed within the easement.

Bill Pence gave a history of the construction and route of the pipeline. He stated that city crews doing clearing work had struck the pipeline recently, so the proposed construction would be to take the pipeline deeper underground as to avoid further incidences. The proposed change in the pipeline would be at the portion of pipe that is in the block valve which is in an enclosed private fence. The pipeline would be changing depth from 3 feet to 7 feet. He also stated that there is no new construction planned with the easement except to take the pipeline deeper into the ground. Once every five years the pipeline is evacuated and pressure tested and they would like to do the construction during that time.

Mrs. Kimball-Murley stated that potential construction impacts would need to at a minimum conform to natural resource protection regulations.

Mr. Bowman asked the applicant if the application was just for a clarification of the easement in the legal description. Bill Pence clarified that there was no error in the legal description, but the application was meant to establish a lawful right for the presence of the pipeline.

Mr. Bowman asked the applicant if they were going to contact the city Building Department in regards to any construction. Bill Pence confirmed that he would contact the city Building Department. He stated

that he had discussed with staff that he had no objection to the easement if it included language that construction and repairs could take place that would follow city codes.

Mr. Bowman asked the applicant if the project fell under the DEP permitting for minerals or jet fuel. Bill Pence stated that they were evaluating any possible permitting necessary. He expressed concern over the time period in which they planned to do the construction and whether they would have a lawful right to be doing the work if it had not gone to city commission by the time they started the construction.

Mr. Bowman and Mr. Averette asked the applicant for clarification on how the pipeline would be evacuated, as well as the location and function of the block valves. They also expressed concerns over safety and fire issues. Bill Pence explained the process as well as the function of the valves and the regulatory standards and procedures they must be compliant with.

Mrs. Nicklaus recommended the applicant coordinate right-of-way permitting with her.

Mr. Cruz recommended that the applicant be in contact with the Building Department

Mrs. Domenech-Coogle expressed concern over permitting with DEP.

Mrs. Torregrosa and Mr. Torres had no comments.

Mrs. Kimball-Murley stated that the applicant would need to provide further documents to move forward, including a special purpose survey. Mrs. Kimball-Murley stated that certain parts of the survey would need clarification.

Patrick Wright read the following comments in the record:

The FKAA has their 20" transmission water main running on the west side of the road same side of the road the easement is being requested on. Minimum clearances must be maintained when working near our water main. Call Sunshine One-Call prior to any work.

- e. **Variance – 530 Grinnell Street (RE# 00007600-000000) – A variance request to allow the installation of an air conditioning unit in the side and rear yard setbacks in the Historic High Density Residential (HHDR) zoning district per Section 122-1184 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Ms. Malo gave an overview of the project. She stated that she was concerned that the proposed improvements would exceed 66% of the property value. She also recommended that the applicant discuss the proposed location with their neighbors because of the proximity of the air conditioner to the neighbor's property.

Guillermo Orozco stated that he had discussed the 66% issue with the contractors and they stated because of the scope of the work it would not be an issue.

Mrs. Kimball-Murley suggested the applicant coordinate with the Building Department to determine if they were close to the 66% rule.

Mr. Averette asked the applicant if the air conditioner would remain within the footprint of the house. Guillermo Orozco informed Mr. Averette that the air conditioner would stay within the existing footprint.

Mrs. Torregrosa, Mr. Bowman, Mr. Cruz, Mrs. Domenech-Coogle, and Mr. Torres had no comments.

Guillermo Orozco stated that he had contacted the neighbors and had received a letter which he would give to staff.

Mrs. Kimball-Murley stated the importance of the good neighbor policy in this process.

Mr. Cruz asked what kind of air conditioning unit would be used in concern for noise output. Guillermo Orozco stated that the unit was made by Rheem which is one of the quieter brands.

- f. **Intergovernmental Coordination - Monroe County Comprehensive Plan Amendment - Wisteria Island - A request from Monroe County, per the Goals, Objectives and Policies in the adopted Monroe County Intergovernmental Coordination Element, for a City of Key West impact review of a proposed modification to the Future Land Use Classification and an associated sub-area policy text amendment for Wisteria Island. The proposed amendment is the to the "Mixed Use Commercial" Future Land Use Classification. The associated subarea policy may limit development to approximately 75 units of mixed residential and transient development, a 100-ball mooring field, a 45 slip marina, a water taxi and 39,500 square feet of commercial space.**

Patrick Wright read the following comments in the record:

- Keys Energy: Keys Energy does not have any electrical facilities that currently supply the project being considered. Key's electrical infrastructure on the mainland (Key West side) has sufficient electrical capacity to meet the electrical demand for the project as proposed. The developer/owner is responsible for providing electrical high voltage service to the island (cost and labor – i.e. design, permitting, and construction). This includes but is not limited to all landside interconnection upgrades, subaqueous cable, and island's high voltage system. Developer and owner and all future residents will be required to enter into a "Special Service Contract" for such unique service. Developer needs to make contact with Keys Energy for our specific design requirements, ownership delineation of facilities and sample contracts that will be used. Key's is not opposed to working with the Wisteria Island developer and the current owner of Sunset Key to investigate (contractually and technically) if Wisteria Island can be supplied from the existing high voltage lines on Sunset Key. Develop shall understand that this is not a typical project, thus very good and detailed coordination with Keys shall occur.
- Florida Keys Aqueduct Authority: The FKAA currently has no utilities serving Wisteria Island. A full set of Architectural and Civil plans will be required to determine if the installation of FKAA utilities would be feasible.

Mrs. Kimball-Murley informed Development Review Committee (DRC) members and members of the public that the City of Key West and Monroe County both have in their adopted Comprehensive Plan, Intergovernmental Coordination elements. Those elements require that amendments which may have an impact beyond the boundaries of the relevant jurisdiction be coordinated. She then stated that a little over three weeks ago, Monroe County initiated intergovernmental coordination with the City for that specific purpose relative to the goals, objectives and policies in their intergovernmental coordination element on this proposed future land use map and associated sub-policy amendment for Wisteria Island.

Mrs. Kimball-Murley stated that this DRC meeting is the city's first step in trying to understand the project and to assess whether there are any impacts created by the project within city boundaries, and if so whether mitigation measures can be implemented. This meeting is the first step as this amendment is moved forward through a regulatory process. The city will likely convene another DRC or in another type of manner to assess the project at a later date in the amendment process.

Mrs. Kimball-Murley then outlined the major steps of a Comprehensive Plan amendment. She stated that Monroe County's Planning Board will make a recommendation to the Monroe County Commission. The County's Commission would then transmit this item to the state, regional planning council and associated agencies and the City of Key West for review and comment. This phase is often called the objections, recommendations and comments stage. After the second reading, there is a review period that occurs under two different statutory areas because the project is located in an Area of Critical State Concern. She then stressed to the members of the public that the DRC is not a decision making body nor is it a public hearing body although we do welcome public comments as part of this process. The DRC is a technical review committee looking at the information available and in fact may have more questions than answers today.

Mrs. Kimball-Murley stated that the developer had some concerns that the terminology used by the City is different than that used by Monroe County. The City of Key West has different land development regulations and comprehensive plan. The way we describe projects is distinctively different than Monroe County. There are two specific areas where Key West's definitions differ from the county's definitions. The 55-slip docking facility appears to be a marina under the City of Key West marina definition but may not be under the county definition; and, the City does not have non-residential rate of growth ordinance for commercial and associated square footage. We welcome a description of what is actually proposed here in more detail and the more information we can get in advance, the better we can respond professionally. She then stressed that infrastructure provision is a key statutory component of any comprehensive plan amendment.

Ms. Christine Hurley, Director of the Growth Management Division for Monroe County, gave members a description of the proposed amendments. She stated that they have had this project since last November. Originally the applicant requested a straight mixed used commercial future land use designation, which allows a whole host of development. In working with them over several months of discussions, including the Department of Community Affairs and Environmental Protection at the state level, DCA suggested that the county accompany the future land use map amendment with a subarea policy, which is basically a comprehensive plan text amendment that is only applicable to this geographic area. In general, there has been a lot of press over the last week since we started the review process and this is the very beginning. The county staff is hoping to ask the County's Planning Commission for a motion on June 9<sup>th</sup> and are hoping the Board of County Commissioners will review this on June 29<sup>th</sup>. There are two transmittal hearings allowed under the state's growth management act and this is the first transmittal hearing. For it to count as the second transmittal hearing, the county has to adopt it before the end of the year. A transmittal hearing is expected mid-year and an adoption could occur at the earliest at the end of the year after a lot of different agencies have reviewed this project.

Ms. Hurley stated that the way they have structured the subarea policy is that staff has recommended that the applicant would need to construct and obtain a certificate of completeness on a 100 plus public access mooring field with a two acre public recreation open space. Along with that, they could also construct a vessel pump out facility, docking facilities for a water taxi, a dinghy dock and up to 55 wet slips, 20 for the public short term slip utilization and 35 for private use. A harbor master building, a ship store, infrastructure facilities, water, sewer, fire prevention and suppression systems that go along with the uses as described. In addition the amendment includes 35 market rate permanent houses, 35 transient units with up to 85 bedrooms, five affordable housing units, and a restaurant/bar facility. The way the policy is drafted in reference to the commercial square footage allows up to 35,500 non-residential square feet. If the restaurant/bar is less than 10,000 square feet, a minor conditional use would be required. That would be a conditional use that goes through a hearing process but is ultimately administratively approved by the Planning Director. If the restaurant/bar facility exceeds 10,000 square feet, which includes outdoor uncovered seating, it would require a major conditional use, which would need to be approved by the Planning Commission. Ms. Hurley informed members that the housing portion would require a major conditional use.

Mrs. Kimball-Murley asked Ms. Hurley for clarification on the constituency of the public access mooring field, and if the vessels located in the water surrounding Key West would be pulled into this mooring field or whether it would provide an opportunity for those who voluntarily want to come to the mooring field. Ms. Hurley stated that it would be similar to the mooring field that Key West operates now, in which the people that exist now have an opportunity to rent a ball.

Mrs. Kimball-Murley then inquired about the County's pilot program that would enable the County to take on more of a regulatory approach to vessels that are moored under certain circumstances outside of these regulated areas. Rich Jones, Marine Resources Administrator, clarified for members that they are a partner with Monroe County, the City of Key West and the City of Marathon for the FWC pilot program. Mr. Jones gave a brief overview of the pilot program. The FWC pilot program would allow the local government to develop regulatory policies to regulate the anchoring activity of non-live aboard vessels. This same program may apply to the area outside Wisteria Island. Mrs. Kimball-Murley asked

that from a regulatory and enforcement program stand point, does the County have a long range plan relative to adopting regulations that allow that additional enforcement and then providing staff and some sort of supplemental patrol unit. Mr. Jones stated that FWC will provide the enforcement arm of the pilot program. FWC already provides enforcement for all of the regulatory zones in the counties and in the cities. The program would have to be passed by the local government and approved by the FWC. He then clarified for Mrs. Domenech-Coogle that they will start developing this ordinance in about a year, and if passed, would go into effect 2012, and then the entire pilot program would expire July 1, 2014 unless the Legislature decides otherwise. Mrs. Kimball-Murley expressed her concern that adding a mooring field to this location is adding another use, which generates impacts, not necessarily negatively construed, but one that should be part of the analysis. Ms. Hurley addressed Mrs. Kimball-Murley's concern, in which, what she is referring to is the pump out facility that would be installed on the island would be connected to sewage, which would create impacts.

Ms. Marilyn Wilbarger, City of Key West Senior Property Manager, stated that at this point, the Key West Bight is already overcrowded with dinghies. If over 100 more balls out there, the city would need to consider the impact it would have on public property. Ms. Wilbarger asked for clarification if the boaters would be asked to or required to leave their dinghies on Wisteria as opposed to trying to bring them into Key West. Ms. Hurley stated that they are hoping that the water taxi and the dinghy docks will serve that area and still come into Key West.

Mrs. Domenech-Coogle asked Ms. Hurley if the entire scope is taking into consideration not only Key West Bight but also the unattended dinghies at Simonton Beach and all areas that are used for landing areas for crafts. Ms. Hurley stated that they have not analyzed that at this time.

Lieutenant Torres asked Ms. Hurley who will maintain the law enforcement activity on the island since the Key West Police Department does not have jurisdiction as well as how response time would be handled. Ms. Hurley stated that she believes the Sheriff's department will handle the law enforcement. Lieutenant Torres clarified for Ms. Hurley that Key West Police does maintain enforcement on Sunset Key since they were incorporated into the city. Mrs. Kimball-Murley added that Key West has an active marine patrol unit and that type of interaction between law enforcement agencies may require interlocal agreements beyond what we may have now which is mutual aid to accommodate those types of services.

Mrs. Kimball-Murley asked for clarification on the ownership/management overlap between Sunset Key and Wisteria Island. Roger Bernstein, President of FEB Corporation stated that they have owned Wisteria Island for 43 years and there is no cross ownership with the Sunset Key operation. Individual members of the Walsh family have inquired an ownership interest in FEB Corporation and they are developing the mooring field together. Any arrangements in respect to utilities or other services that transit Sunset Key would be subject of appropriate arms length contracts. Mr. Bernstein clarified for Mrs. Kimball-Murley that at this point they have not decided on management for the housing portion. Mr. Bernstein then added that the DEP will require a mooring field management plan. The developer's intention is not to add dinghy impacts to the waterfront of Key West but rather to reduce them by keeping the dinghy traffic on Wisteria Island and providing scheduled water taxi service between Wisteria and the existing pier at the Westin marina.

HARC Planner, Mrs. Enid Torregrosa, asked Ms. Hurley how they will handle the existing wreck on site. Mr. Bernstein stated that they have commissioned research on whether or not that vessel is in fact the remains of the Wisteria. The research is going as far back as 1861 and bringing it forward. Mr. Bernstein stated that if the vessel turns out to be the Wisteria, it would be moved, protected and kept as a historical artifact.

Mrs. Kimball-Murley asked Ms. Hurley if it is the County's assumption that the city will be providing waste water management. Ms. Hurley stated that in order to protect both the city and county as far as the infrastructure provision, infrastructure is referenced in two places in the sub area policy. Water, sewer and solid waste services shall be constructed by the owner of Wisteria Island at the owner's expense. All approvals and permits by service providers shall be granted prior to application for minor or major conditional use for upland development permitted within this policy, meaning, they will seek

approval from the service provider prior to seeking the minor or major conditional use. Mrs. Kimball-Murley then asked if their analysis is based on water, sewer and solid waste services going through the City. Ms. Hurley stated that their policy language depends on it happening. What they are anticipating is that they would process this policy language and simultaneously apply to actually get development approval for any of these items they will have to demonstrate that services can be provided and if they cannot, then they will be unable to move forward with development.

Mrs. Kimball-Murley asked for clarification on the intention to facilitate the sewer for waste water impacts through an extension on the line from Sunset Key since there is no anticipation of a separate extension to Wisteria. Ms. Hurley stated that the applicant has provided that information but that they have not evaluated the lines at this point. Mrs. Kimball-Murley then requested additional information on what the anticipated non-residential square footage uses may be as well as uses for the 75 units and 55 slips and mooring field. She then stated that they would need to discuss in further detail precise levels of analysis as well as the process relative to how the city accepts waste water from outside its jurisdictional boundaries. Ms. Hurley stated that the applicant has included those estimated feature capacities needed. Mrs. Kimball-Murley stated that she was unclear if those numbers included the mooring field since that was excluded from the analysis in some cases.

The owner's representative, Owen Trepanier with Trepanier and Associates, gave an overview of the proposed request and concurrency perspective.

Mrs. Kimball-Murley asked Mr. Trepanier for clarification if the analysis provided includes the full program of development as discussed today. Mr. Trepanier stated that they included the mooring field as a brand new impact in the sewer and solid waste analysis.

George Hermanson, Engineer with Hole Montes, stated that they were the engineers who designed all of the infrastructure improvements in Sunset Key in the mid 1990's. They have been asked to partake in this project. They believe the most feasible method of connecting Wisteria is to go through Sunset Key rather than providing a separate connection. The difference would be that the line would be installed as a directional drill. This would provide that the transmission mains would be buried in the material below the bottom of the channel versus laying at the bottom of the channel. He then stated that Sunset Key would be adequate to provide services to Wisteria. Under this scenario, Wisteria would be 50-60% of the demand that Sunset Key is ultimately going to have. He then added that similar to Sunset Key, there would have to be some improvements on Wisteria to handle fluctuations in water demand, emergency water storage, pumping facility, emergency power facility and fire protection system. He stated that he would provide copies of existing permits and information.

Gary Bowman, Director of Engineering and General Services, asked Mr. Hermanson if there is a chance of fracturing the poly-fused pipe when they do the drilling, and if so, will there be valves on either side in order to be able to shut it down. Mr. Hermanson stated that there is a practical distance in which directional bore can be done; he thinks it is probably twice the distance and there are provisions for drilling through coral rock. He then stated that shut off valves are provided at either end for emergencies.

Mr. Bowman then inquired if they would periodically evacuate the pipe and pressure test it. Mr. Hermanson stated that he has suggested that they possibly provide a redundant pipe so that if there is a breakdown, they can switch to another pipe.

Mrs. Domenech-Coogle inquired if the boring would be done under the mangroves and up into the middle of the island. Mr. Hermanson stated that they have not established an exact location at this time. Mr. Trepanier stated that as part of the sub area policy, there is a provision where we have to protect the one and a half acre mangrove area. The only things that can go in there are pile supportive accessory structures in order to bridge two areas of upland.

Mr. Trepanier then gave an overview on their analysis on solid waste. Mr. Trepanier clarified for Mrs. Kimball-Murley that they are anticipating that the solid waste will flow through the city lease area at

Trumbo Road. He then stated that they have not assessed whether that lease area in the terms of use is adequate to handle the increased capacity of this operation; however, if changes are required they would definitely pursue those types of changes. Mrs. Kimball-Murley asked for an analysis on how the proposed amendment would impact resources or areas within the city so that the city has a full understanding of all concurrency issues and utility provision requests for each type of infrastructure impact.

Mr. Trepanier clarified for Mrs. Domenech-Coogle that solid waste included yard waste as well.

Mrs. Kimball-Murley asked that the applicant be mindful of increasing recycling and overall green activities.

Mr. Trepanier then gave an overview of the concurrency of potable water. Mr. Bowman informed Mr. Trepanier that if potable water calculations are not correct, then it would change the sewer flow.

Mrs. Kimball-Murley stated that the concurrency level of service for waste water and may not adequately assess the needs for utility provision and capacity.

Mrs. Kimball-Murley asked that the applicant provide information on how the passengers will get to and from the island and where they will park their vehicles. Mr. Trepanier stated that they did an analysis of the parking garage at the Westin and how many spaces are required for the uses that are approved.

John Wilkins, City of Key West Parking Manager, asked Mr. Trepanier for a copy of the analysis showing that they would actually have the parking spaces at the Westin since it has been his experience this last season that the Westin, Mallory Square and most of the on street parking is used to capacity. He then stated that it is not that we do not have the parking available, but that it may not be available in the area that they are proposing.

Mrs. Kimball-Murley stated that there is a federally designated deep water harbor in Key West and that it is an Army Corp of Engineers operations and maintenance responsibility; however, the city is a local sponsor for that harbor. There needs to be coordination with the Captain of the Port, but the federal harbor issue is one in which the Army Corp of Engineers would be involved. As the local sponsor of the harbor and the fact the harbor is so important to so many users, we need to understand impacts to that harbor.

Ms. Hurley informed members that the County's Fire Chief forwarded her the mutual aid agreement referencing the first responder process. Alan Averette, KW Lieutenant Fire Inspector, stated that Key West Fire Department would require sprinkled buildings, fire hydrants, a pumper truck, an EMS cart and even possibly another boat in order to consider providing service. Ms. Hurley then asked if there is a document outlining the requirements made for Sunset Key.

Mr. Trepanier asked Lieutenant Torres how the KW Police Department currently responds to Wisteria. Lieutenant Torres stated that they have responded to calls for Wisteria; however, they cannot go out there without having County, Coast Guard or State or Federal Law Enforcement Agency in order to be able to enforce any type of law since it is outside of our jurisdiction. Mrs. Kimball-Murley stated that local governments would need to coordinate to provide coverage.

Mrs. Kimball-Murley stated that moving a unit from Key Largo and density from Key Largo to the very edge of our regulatory environment in the Florida Keys could have an impact on the first segments of the hurricane evacuation model. She then asked Ms. Hurley if there was an analysis of hurricane evacuation impacts to the city. Ms. Hurley stated they had a big discussion with the Department of Community Affairs in reference to the subarea policy. The current subarea policy would not allow any units to be moved from Key Largo down; however, it does anticipate the movement from the lower keys subarea, which would be the end of the seven mile bridge down the keys. She then stated that they have a consultant on board who has done a very good job trying to work with the agencies that are involved and could model that impact.

Mrs. Kimball-Murley then inquired if there is any analysis for employee housing. Ms. Hurley stated that this has not been evaluated at this time since it is difficult to do when we do not know the square footage of the restaurant. Mrs. Kimball-Murley stressed the importance of looking at affordable housing.

Mrs. Kimball-Murley thanked the county and applicant for attending the DRC. She then stated that there may be additional issues that may arise that have not been identified today.

The following members of the public spoke on the item:

- Arnaro Girard, 1214 Newton Street
- Scott Fraser, PO Box 4215
- John Jones, 1024 James Street
- Andrea Quigley, Baptist Lane
- Jack Hackett, 1517 Seidenberg Street
- Suanne Kitcher, 1701 White Street
- Robert Bernstein, PO Box 2455
- Cliff Hartman, 505 Southard Street
- George Halloran, 16 B Hilton Haven
- Christine Russell, 1014 Grinnell Street
- Sloan Bashinsky, 1631 Grand Street

**5. Discussion Items**

There were no discussion items.

**6. Adjournment**

A motion to adjourn was made by Mr. Averette and seconded by Mrs. Nicklaus.

Motion was carried by unanimous voice vote.

Meeting adjourned at 5:50 pm.

Respectively Submitted,

Patrick Wright  
Administrative Coordinator

and

Carlene Cowart  
Development Review Administrator