

Minutes of the Development Review Committee

Meeting of June 25, 2009

Amy Kimball-Murley, Planning Director, convened a meeting of the Development Review Committee of the City of Key West at 2:05 pm, June 25, 2009. The meeting was held in the First Floor Conference Room at City Hall, 525 Angela Street, Key West, Florida.

1. Roll Call

Present for the Roll Call were:

Amy Kimball-Murley, Planning Director
Gary Bowman, General Services
John Wilkins, ADA Coordinator
Enid Torregrosa, HARC Planner

Mike Davila, Fire Marshal
Cynthia Coogle, Landscape Coordinator
Diane Nicklaus, Building Department

Planning Staff:

Brendon Cunningham
Nicole Malo
Carlene Cowart

Ashley Monnier
Rodney Corriveau

Comments received from:

Matthew Alfonso, Keys Energy

Others present were:

Owen Trepanier, 402 Applerouth
Sarah Davis, 402 Applerouth
Matthew Piekarski, 2816 Fogarty Ave
Liliane Anderson, 800 Caroline
Rick Richter, 104 Palmetto

Dan Strosnider, 402 Applerouth
Amy Piekarski, 2816 Fogarty Ave
Jack Anderson, 800 Caroline
Maria Smith, 1424 Vernoma

2. Approval of Agenda

No changes were made to the agenda.

3. Approval of Minutes

a. May 28, 2009

Motion to approve the Minutes from the May 28, 2009 DRC Meeting was made by Mr. Cunningham and seconded by Mr. Wilkins.

4. New Business

- a. Conditional Use - 207 Petronia Street (RE# 00013740-000000) - An application for a Conditional Use Permit to operate a restaurant in the Historic Residential Commercial Core (HNC-3) zoning district per Section 122-868 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Owen Trepanier with Trepanier & Associates, reviewed the conditional use application with committee members. Mr. Trepanier stated that some windows will be converted

and doors will be moved. Also, the stairs will be relocated, which are not shown on the site plans provided prior to the meeting.

Committee members reviewed and discussed the request with the applicant and made the following recommendations:

1. Applicant will provide a new site plan demonstrating the relocation of the stairs, the property lines and setbacks, location of the trash and recycling containers and show loading and unloading zone.
 2. Applicant is urged to seek grants from the Bahama Village Redevelopment Advisory Board.
 3. Applicant is urged to create a landscape plan that incorporates a pedestrian realm.
 4. Applicant will need to define current parking spaces as commercial or residential. If the parking spaces are commercial, then a handicap parking spot will be required.
 5. Applicant will replace the bathroom door with a pocket door.
 6. Applicant will ensure that 5% of the exterior and interior seating is ADA accessible.
 7. Applicant was made aware that additional seating area may trigger additional parking.
 8. Applicant will ensure that they maintain a 36" ADA pathway through out the restaurant.
 9. Applicant will ensure that all customer areas including condiment areas are 34" in height.
 10. Applicant will provide ADA ramp access form right-of-way.
 11. Applicant will seek HARC approval on exterior changes and signage.
 12. Applicant will provide buffers between commercial and residential.
 13. Applicant will provide Tree Commission existing and proposed landscape plan and seek approval.
 14. Staff is urged to communicate with applicant on landscaping issues to avoid last minute changes.
 15. Applicant will provide new storm water plans.
 16. Applicant is urged to indicate how they will conserve water and energy.
 17. Applicant will incorporate administrative interpretation of bars and restaurants; 51% revenue, 49% alcohol.
- b. Minor Development Plan and Conditional Use - 3401 Northside Drive (RE#00065570-000100) - Minor Development Plan and Conditional Use for property located in the Single Family Residential (SF) zoning district for the purpose of expanding an existing teaching/medical facility per Sections 108-91 (B)1.(b) and 122-236(2) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

AND

- c. Variances - 3401 Northside Drive (RE#00065570-000100) - Variances for property located in the Single Family Residential (SF) zoning district for the purpose of expanding an existing teaching/medical facility per Section 122-238 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Owen Trepanier with Trepanier and Associates, reviewed the minor development plan and conditional use and the variance application with committee members.

Committee members reviewed and discussed the application and made the following recommendations:

1. Applicant was informed that 10% of parking will need to be designated handicap parking.
2. Applicant will reconsider parking layout.
3. There will need to be an accessible route to the door.
4. 20% of the development value needs to be applied to ADA modifications.
5. Applicant will need to ensure the ramp is not too steep.
6. Applicant will ensure bathroom is ADA accessible.

7. Landscaping will need to be properly maintained.
 8. Applicant will submit landscape plan. Landscaping should not include more than 25% Palm and no more than 50% can be the same type of plant.
 9. Applicant will provide drainage cuts.
 10. Applicant will need to tie down the large propane tank and ensure that it is 10' from any potential ignition source.
 11. Applicant will maintain a 5' setback for fire access.
 12. Applicant will indicate on their report how the hazardous materials are disposed.
 13. If Applicant chooses a loading zone, a canopy will be required.
 14. Members recommended that applicant meet good neighbor policy.
- d. **Conditional Use – 2832 North Roosevelt Blvd (00065380-000000) – A Conditional Use for a cellular phone tower in the Commercial General (CG) zoning district per Section 122-418 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

AND

- e. **Variance – 2832 North Roosevelt Blvd (00065380-000000) – A Variance for height of 105 ft. for a cellular phone tower in the Commercial General (CG) zoning district per Section 122-1149 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Sarah Davis with Trepanier and Associates, reviewed the conditional use and the variance application with committee members.

Committee members reviewed and discussed the application and made the following recommendations:

1. Members recommended the applicant seek the minimum height allowed to achieve essential public service.
 2. Applicant will provide elevation plans from different angles.
 3. Applicant will provide a more detailed site plan.
 4. Applicant will pursue sharing other existing towers.
 5. FCC will require State Historic Preservation to approve this application before moving forward.
 6. Applicant will provide an aerial photo.
 7. Applicant will provide a landscape buffer plan for review.
 8. Fire access will need to be maintained and trailers will need to be moved.
- f. **Development Plan Extension – 716-718 South Street (RE# 00037880-000100 and 00036870-000000) – A Development Plan Extension for a Major Development Plan in the High Residential Office district (HRO) zoning district per Section 108-203(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Dan Strosnider with Trepanier and Associates, reviewed the development plan extension with committee members.

Committee members reviewed and discussed the extension and made the following recommendations:

1. Stormwater plans will need to be updated prior to application moving forward.
2. Development Plan was approved by HARC on December 13, 2005, prior to the August 1, 2006 HARC guidelines requiring the applicant to come back to HARC for review.
3. Applicant will need to go back to Tree Commission for approval.

- g. Amendment to a Transient License Transfer - from 915 Windsor Lane (RE#00020090-000000) to 3591 South Roosevelt Boulevard (RE#000954350-000000) – An amendment to an approved Transient License Transfer - from 915 Windsor Lane located in the Historic Medium Density Residential (HMDR) zoning district to 3591 South Roosevelt Boulevard located in the Commercial Tourist (CT) zoning district per Sections 122-1338 and 122-1339 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Michael Ingram, reviewed the amendment to the transient license transfer request with committee members. Michael informed members that the remaining licenses will remain unassigned.

Committee members reviewed and discussed the application. Mrs. Kimball-Murley stated that we will need to know the full intentions of the usage of the licenses.

- h. Outdoor Display - 715 Duval Street (RE # 00015780-000402) – An application for an Exception for an Outdoor Merchandise Display to allow the display, rolling and sale of cigars on a portable table in the Historic Residential Commercial Core (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.**

The applicant, Owen Trepanier with Trepanier & Associates, reviewed the outdoor display request with committee members. Applicant stated that the owner purchased the business in 2006. The outdoor display expired and is requesting an extension. Applicant is requesting that the application be put on hold so that the owner can pursue having a booth instead. The owner will design a booth and request HARC approval.

Committee members agreed that a booth would make more sense. Staff will notify Code Compliance and let them know that the owner is working to resolve the outdoor display issue. Mr. Wilkins reminded applicant that if a booth is approved, that it cannot be located on the City's right-of-way.

- i. Outdoor Display - 800-802 Caroline Street (RE # 00003220-000000) – An application for an Exception for an Outdoor Merchandise Display to allow the use of a mannequin to display clothing in the Historic Neighborhood Commercial (HNC-2) zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Jack Anderson, reviewed the outdoor display request with committee members.

Committee members reviewed and discussed the application and made the following recommendations:

1. Applicant will need to provide clear dimensions and demonstrate the lines and the measurements where the display will be located.
2. Applicant will need to make sure that there is a minimum 36" of space between the display and the end of the porch to allow for handicap access.
3. Applicant will need to specify their hours of operation.

- j. Conditional Use - 527 Duval Street (RE# 00009650-000000) - An application to amend the Conditional Use approval granted in Resolution Number 2001-027 to permit the existing Walgreen's to sell packaged beer and wine in the Historic Residential Commercial Core (HRCC-1) zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Sarah Davis with Trepanier and Associates, reviewed the application to amend the conditional use application with committee members.

Committee members reviewed and discussed the application and made the following recommendations:

1. Applicant will need to indicate the placement of the alcoholic beverages on the site plan.
2. Applicant will indicate on their report the hours when the alcohol will be sold.
3. Staff informed applicant to anticipate being asked the purpose of the request.
4. Members recommended that applicant meet good neighbor policy.

5. Adjournment

Meeting adjourned at 5:00 pm.

Submitted written comments are attached.

Respectively Submitted,

Carlene Cowart
Administrative Coordinator