MINUTES

DEVELOPMENT REVIEW COMMITTEE MEETING

OLD CITY HALL, 510 GREENE STREET

JULY 25, 2013

A regular meeting of the Key West Development Review Committee of the City of Key West, Florida, was held in Commission Chambers, Old City Hall, 510 Greene Street, on Thursday, July 25, 2013.

City Planner Donald Craig called the meeting to order at 10:00 a.m.

The pledge of allegiance to the flag of the United States of America was given by all present.

Answering roll call were City Planner Donald Craig, Fire Department Lieutenant Jason Barroso, Engineering Services Elizabeth Ignaffo, Urban Forestry Manager Karen DeMaria, HARC Planner Enid Torregrosa, Sustainability Coordinator Alison Higgins. Police Department Officer Steve Torrence arrived at 10:06 a.m.

Also present were Planning Department Staff Brendon Cunningham, Nicole Malo, Scott Frasier and Senior Deputy City Clerk Sue Harrison.

APPROVAL OF AGENDA:

There were no changes to the agenda.

APPROVAL OF MINUTES:

June 27, 2013

Ms. Torregrosa and Ms. Ignaffo had changes to the minutes. The item was postponed to the next meeting on August 22, 2013 without objection.

OLD BUSINESS:

1) Variances -1317 Thompson Street (RE# 00043460-000000, AK. # 1044091)- A request for side yard, rear yard, street side setbacks, impervious surface ratio, building coverage requirements and detached habitable space for an after-the-fact conversion of accessory shed and construction of new enclosed entrance hallway to join habitable space to principal structure in the SF zoning district per Section 90-391, Sections 122-238(6)a 2, 122-238(6)a 3, 122-238(6)a 4, 122-238(4)a, 122-238(4)b and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Mr. Craig read the title of the variance and Ms. Nicole Malo commented on the item. Ms. Malo had concerns about the 0 feet side setback and the 96.5% impervious surface request and drainage.

FEMA: Scott Fraiser, FEMA Coordinator, stated that items 2 and 4 on the application were inaccurate. He stated in the City's history of its participation with the National Flood Insurance Program since the early 1970's it has never seen fit to issue a variance for flood plain management purposes because the consequences to the City are so dire.

SUSTAINABILITY COORDINATOR: Ms. Higgins stated if the variance was granted the applicant should get a free energy survey from Keys Energy.

URBAN FORESTER: No comments

HARC PLANNER: No comments

ENGINEERING: Ms. Ignaffo commented that the shed was on a concrete base so impervious area has not increased and was less than 500 feet. She asked if there are gutters and downspouts; please direct gutter downspouts back onto the property and into planter.

FIRE DEPARTMENT: Lt. Barroso expressed concerns with accessibility and they would like to meet with the applicant to come up with option regarding better access for life safety concerns.

POLICE DEPARTMENT: No comments

KEYS ENERGY: No objections

Ms. Ginny Stones, 221 Simonton Street, for the applicant presented described the project to the members. Ms. Stones stated this application was similar to the one granted in 2003. She and the applicant would meet with the Fire Marshal to discuss anything that can be done to meet their concerns. Ms. Stones also stated that the property was substantially guttered but they would be happy to work with the City to meet the concerns about water run-off.

PLANNING DIRECTOR: Mr. Craig thought it would be appropriate for Ms. Stones to meet with

Mr. Fraiser and Mr. Wampler regarding the FEMA issue.

Ms. Malo questioned Ms. Stones regarding closing in the breezeway. Ms. Stones stated the breezeway was covered by canvas but not enclosed.

2) Variances- 308 Petronia Street (RE# 00014220-000000, AK# 1014605) - A request to waive the 5 required automobile parking spaces to allow an adilitional15 seats at an existing take-out restaurant in the HNC-3 zoning district per Section 108-573(c)(l) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Mr. Craig read the title of the variance and Mr. Cunningham commented on the item. He stated this take out restaurant requested additional seating outside and as they are in the parking waiver zone they recommended ample bicycle parking.

SUSTAINABILITY COORDINATOR: Ms. Higgins was in favor of the business promoti1"1g walking and biking in that area.

URBAN FORESTER: Ms. DeMaria stated there should be nothing tied to or nailed to any of the trees.

BARC PLANNER: Ms. Torregrosa asked if there would be any canopy proposed; Mr. Cunningham stated there would not be anything other than what was existing.

ENGINEERING: No comments

FIRE DEPARTMENT: No comments

POLICE DEPARTMENT: No comments

Ginny Stones, 221 Simonton Street, for the applicants. Ms. Stones stated this take-out facility had been in business since the 1960's and customers would take their purchases to the yard next door to consume. Through the years the outdoor seats were captured and grandfathered then existing and put them within the impact fee exempt count for restaurant seats. This is not a destination restaurant and they do no advertising. This will bring the shop into compliance for current licensing.

PLANNING DIRECTOR: Mr. Craig asked that Ms. Stones put in writing what she had reported in order to provide the Planning Board the history and that this be added to the application along with photographs.

KEYS ENERGY SERVICES: No objections

NEW BUSINESS:

3) Transient License Transfer- 520 Angela Street Front and Rear (RE# 00015700-000000, AK# 1016063; RE# 00015700-000100, AK.# 1016071)- A request for a Transient License Transfer of three unassigned units and licenses to property in the HNC-1 zoning district per Section 122-1338 (2) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Mr. Craig read the title of the Transient License Transfer request and Mr. Cunningham commented on the item. Mr. Cunningham stated the licenses were currently held in unassigned status and Ms. Milano has purchased these units and licenses for the purpose of expanding her guest house operation which will require renovation to accommodate two units and the third would go to her existing house for possible transient rental.

SUSTAINIBILITY COORDINATOR: No comment

URBAN FORESTER: No comment

HARC PLANNER: The proposed design was approved by HARC. Ms. Torregrosa recommended the blanks on the application be completed before going before the Planning Board.

ENGINEERING: No comment

FIRE DEPARTMENT: The receiver site should comply with Code regulations regarding smoke alarms, fire extinguishers, emergency light fixtures signs, etc. and they should contact the Fire Marshal.

POLICE DEPARTMENT: No comment

KEYS ENERGY SERVICES: No objections

Ms. Kate Milano, 520 Angela Street, spoke to the members regarding her application.

PLANNING DIRECTOR: Mr. Craig stated they would pass this on to the Planning Board with the amended application.

4) Special Exception, Alcohol Sales in Proximity to a Church- 830 Truman Avenue (RE# 00030470-000000, AK # 1031241)- A request for a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church and for property located within the HNC-1 zoning district, pursuant to Section 18-28 (b)(2) of the Code of Ordinances of the City of Key West.

Mr. Craig read the title of the Special Exception and Ms. Malo commented on the item. Ms. Malo stated this application for the Silver Palms Hotel is based on their proximity to St. Mary's Church. Alcohol sales would be limited to hotel guests only at the pool with limited hours.

SUSTAINABILITY COORDINATOR: Ms. Higgins suggested the hotel become DEP Green certified.

URBAN FORESTER: No comment

HARC PLANNER: Ms. Torregrosa asked if there would be any structure or shade awning proposed. The applicant stated there was no room for a stationary bar with cover. The purpose was to just provide drinks for their guests.

ENGINEERING: No comment

FIRE DEPARTMENT: No comment

POLICE DEPARTMENT: Officer Torrence asked the applicant if he had previous experience with alcohol sales. The applicant had another hotel out of town with a bar and they have had experience with alcohol sales. He had also spoken with Fr. John Backer of St. Mary's and he had no problem with this request.

KEYS ENERGY SERVICES: No objections

PLANNING DIRECTOR: Mr. Craig stated the service to guests only would be a condition that would be stated to the Planning Board. Mr. Craig requested .the applicant add a copy of the survey to the application.

Mr. Soni stated they have features within the hotel to keep it Green Certified.

5) Variances – 416 Elizabeth Street (RE# 00006240-000000, AK.# 1006467) -A request for a variance for detached habitable space to construct a structure for use as a pool house or satellite bedroom in the HMDR zoning district per Section 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Mr. Craig read the title of the Special Exception and Ms. Malo commented on the item. She stated there was some confusion regarding information on the site data table regarding the number of units on the site that needed to be clarified on the application. Ms. Malo also stated open space is applicable on residential property. There was a reference to a landscape plan but it was not attached.

SUSTAINABILITY COORDINATOR: Ms. Higgins suggested the homeowner should get a free energy survey from Keys Energy.

URBAN FORESTER: Ms. DeMaria stated she had been to the property and said there had been a diseased tree removed. She had issues with the property survey lines being different from those submitted with the plans. She asked about the adjoining property at 616 Eaton Street.
Mr. Bert Bender, 410 Angela Street, for the Applicant, stated the properties are contiguous and are owned by the Applicant.

HARC PLANNER: No Comments

ENGINEERING: Ms. Ignaffo stated the square footage of the new pool house will exceed 500 feet; please provide stormwater management plan that provides treatment for one-inch over the project area encompassing Parcel 5. Roof gutter downspouts shall be directed into swale and landscaped areas.

FIRE DEPARTMENT: Lt. Barroso stated the setbacks looked good and asked that no other items or utilities be put in the setbacks. He wanted the Fire Marshal to inspect the property.

POLICE DEPARTMENT: No comments

PLANNING DIRECTOR: Mr. Craig asked for clarification regarding the number of units on the property. Mr. Bender clarified that there are four units allowed but there is only one unit.

KEYS ENERGY SERVICES: No objections

6) Variances -1209 Margaret Street (RE# 00029710-000100, AK# 9085414)- A request for variances to building coverage and front and side-yard setback requirements to renovate a structure in the HMDR zoning district per Section 122-600 (4) a. & b. building coverage and impervious surface, and (6) a. b. & c. front, side and rear-yard setback requirements of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Mr. Craig read the title of the variance. Ms. Malo described the application. She had some concerns about an illegal subdivision in 2006. She said there are some encroachments and the need for the variances.

SUSTAINABILITY COORDINATOR: Ms. Higgins suggested the homeowner should get a free energy survey from Keys Energy.

URBAN FORESTER: Ms. DeMaria stated they needed to follow the code regarding tree protection.

HARC PLANNER: Ms. Torregrosa stated this project had not yet been reviewed by HARC. She had met with the applicants to work with them on the design.

ENGINEERING: Ms. Ignaffo asked if there are separate utilities service lines for the structures. Pursuant to City of Key West Code of Ordinances, Sec. 74-141, a separate building sewer is required for every building. Please confirm separate sanitary sewer connections exist for the front and rear properties located at 1209 Margaret Street, and have been permitted, installed and inspected, in accordance with Florida Building Code: Plumbing.

FIRE DEPARTMENT: Lt. Barroso said there are issues regarding the setbacks and life safety but they were willing to work with the applicant to work out the issues.

POLICE DEPARTMENT: No comment

PLANNING DIRECTOR: Mr. Craig had concerns about the illegal subdivision and advancing an application for enlargement of a structure on a parcel that was created without benefit of approval from the city. He suggested the applicant come in to the Planning Department to meet with Planning and Legal to understand whether they can advance the application.

KEYS ENERGY SERVICES: Applicant will need to upgrade the meter center to meet current code.

Rick Milelli, Meridian Engineering, 201 Front Street, for the applicant, stated the applicant had just purchased the property and these issues did not come up on the title search. They would come in to meet with the Planning Department.

7) Exception for Outdoor Merchandise Display- 201William Street #110 (RE# 00072082-004200, AK.# 8818602) -A request to allow the display of merchandise sold in-store for property 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.

Mr. Craig read the title of the Outdoor Exception. Ms. Malo described the application and property and indicated the applicant was not able to be at the meeting today. Her concerns were to the signage on the display, that there are more than two signs on the property and the tables were in the city's right-of-way.

SUSTAINABILITY COORDINATOR: Ms. Higgins stated they should look into a blower door to save energy.

URBAN FORESTER: No comments

HARC PLANNER: Ms. Torregrosa had concerns about the number of signs and the need to verify if the existing sign was ever permitted.

ENGINEERING: No comments

FIRE DEPARTMENT: There should be no blockage of ingress or egress to the entrance of the property.

POLICE DEPARTMENT: Same as Fire Department

PLANNING DIRECTOR: Mr. Craig had issues with the right-of-way.

KEYS ENERGY SERVICES: No objections

8) Exception for Outdoor Merchandise Display- 330 Duval Street (RE# 00004380-000000, AK# 1004570)- A request to allow the display of merchandise sold in-store for property 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.

Mr. Craig read the title of the Outdoor Exception. Ms. Malo had concerns that the application did not fully describe what is described in the site-sketch and with the empty table with the sale sign. She did not think that two mannequins were appropriate and there should be a limit to how many cases/displays allowed.

SUSTAINABILITY COORDINATOR: Ms. Higgins suggested installing a blower door to conserve energy.

URBAN FORESTER: No comments

HARC PLANNER: Ms. Torregrosa had a problem with the signage and the photos that were submitted without the application. She also wanted to see a survey to show the property lines. Ms. Torregrosa also had concerns about ADA Compliance.

ENGINEERING: No comment

FIRE DEPARTMENT: There should be no blockage to ingress or egress to the property.

POLICE DEPARTMENT: Officer Torrence had concerns about the table and sunglass rack as well as the blockage of the doorway.

PLANNING DIRECTOR: Mr. Craig suggested there was too much going on outside and the sign issues perhaps not being Code Compliant.

KEYS ENERGY SERVICES: No objections

9) Conditional Use-3101N. Roosevelt Blvd.(RE# 00002360-000000, AD# 1002453)- A request for conditional use approval to operate small recreational equipment rentals at property located in the CG zoning district per Section 122-418(19) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Mr. Craig read the title of the Conditional Use. Mr. Cunningham described the application to run rental of motor scooters, bicycles and electric cars at Ibis Bay Resort. There had been a previous license but has since expired. The new owner would like to re-establish this business for guest only.

SUSTAINABILITY COORDINATOR: Ms. Higgins suggested looking into 4-stroke scooters.

URBAN FORESTER: No Comments

HARC PLANNER: No Comments

ENGINEERING: Ms. Ignaffo spoke about the ADA parking spaces on the property. She asked that the ADA spaces be allocated on site in accordance with the number of spaces that are currently there and providing accessible routes to the building and that the existing parking bicycle rack be located on the site. Please provide a parking area plan that shows ADA accessible parking spaces on the shortest accessible route to the restaurant building, office building, and ADA accessible hotel rooms, in accordance with the Florida Building Code: Accessibility.

The Site Plan proposes locating rental scooter parking where the bicycle rack is located. Please show the new location for the employee and visitor bicycle rack on the Site Plan.

FIRE DEPARTMENT: Lt.Barroso had concerns about storing flammable liquids, batteries, tires, etc. and an improved storage for fire extinguishers in proximity to the guest rooms.

POLICE DEPARTMENT: Officer Torrence asked where the practice area for the scooter rental was. He stated by ordinance an area is required.

The applicant stated there currently was not an area but he would look into it. He would look into the other concerns as stated.

PLANNING DIRECTOR: Mr. Craig stated since this would be for guests only there should be no outdoor signage for rental to the public. Mr. Craig also asked Mr. Cunningham to check on existing license for jet-ski rentals for guests and any restriction on signage. Mr. Craig also had concerns about the practice area for the scooters.

KEYS ENERGY SERVICES: No objections

10) Conditional Use – 2826 – 2832 N. Roosevelt Blvd. (RE# 00066150-000100, AK# 1068993;RE# 00065640-000700, AK# 1068497; RE# 00065640-000701, AK# 8819358; RE# 00065380-000000, AK# 1068080)-A request for conditional use approval to operate an automobile sales and service at property located in the CG zoning district per Section 1222-418(20) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Mr. Craig read the title for the Conditional Use. Mr. Cunningham presented the item as this was "The Tunnel" property and a KIA dealership would be opened there. There would be site modifications and improvements and an addition on the building. There would be 16 off-street parking spaces, 2 ADA and additionally 4 bicycle parking spaces. This is an appropriate location for a car dealership.

SUSTAINABILITY COORDINATOR: No comment

URBAN FORESTER: Ms. DeMaria stated if any trees or vegetation was to be on the property that the applicant should check with her office.

HARC PLANNER: No comments

ENGINEERING: Ms.lgnaffo commented on storage of fluids and they should be stored on a spill containment pallet and have all necessary fire protection measures in place. The location for trash and recycling is not noted on the site plan and stormwater management plan is not shown on the application. She stated Mr. Pike would be providing one. The landscape is not shown and the pavement is not shown. She is asking for a specific parking lot plan. She stated there are no dimensions for the ADA parking spaces. Ms. lgnaffo also mentioned driveway entrances and to coordinate with the FDOT.

Stormwater Drainage

Please provide a stormwater management plan, in accordance with City of Key West Code of Ordinances, Sec. 108-711, that contains the first flush of runoff equivalent to the first inch over the project site area.

Solid Waste

Oil and hydraulic fluid waste and materials shall be stored and transported consistent with best management principles and practices, i.e., incorporate spill containment pallets and fire protection measures in storage areas and licensed waste haulers.

Show the location for trash storage areas. Dumpster location shall be screened, pursuant to Sec. 108-279. Trash storage areas shall be sized to include garbage and recycling storage.

Parking Area

Please provide a parking plan for the upland area, in conformance with Chapter 108, Article VII, including stormwater drainage system, lighting plan, and landscape waiver.

Driveway

The proposed site plan shows two driveways located less than 100 feet apart, which may create safety and operational hazards. Multiple driveway connections for a single parcel, including adjacent properties under common use, may be allowed with Florida Department of Transportation approval. Please coordinate driveway access entrances with FDOT.

ADA Accessibility

ADA accessible routes from the ADA accessible spaces and North Roosevelt Boulevard are not shown on the proposed site plan. Please indicate accessible routes and provide width dimensions.

FIRE DEPARTMENT: Lt.Barroso wanted to meet with the applicant and would reserve comment

at this time.

POLICE DEPARTMENT: Officer Torrence commented on the driveways and coordination with FDOT. He also observed that with heavy rains there may be ponding on the street and he did not know if the new roadway would improve this problem but to not place the cars too close to the roadway.

PLANNING DIRECTOR: Mr. Craig echoed Engineering's concerns regarding the entrances being coordinated with FDOT and questioned the two entrances being only 50 feet apart. He didn't think two where necessary at this location.

!<EYS ENERGY SERVICES: Applicant will need to provide a site plan and project review form for all electrical loads, thus to ensure the applicant and surrounding customers have adequate power.

Greg Oropeza, 138 Simonton Street, for the applicant. Mr. Oropeza stated they had met with FDOT and had no objections to one larger curb-cut. A revised site plan had been submitted that included landscaping, lighting and better references to the drainage. All car parking storage would remain unpaved to help with the drainage. There would be landscaping and lighting. He stated KIA has a 20-year commitment to this property. He said the service area was covered and open-aired.

Mr. Cunningham verified this would also come before the Tree Commission.

ADJOURNMENT:

There being no further business the meeting adjourned at 11:31 a.m.

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Susan P. Harrison, CMC
Senior Deputy City Clerk