

MEMORANDUM



Date:May 7, 2021To:Ms. Katie Halloran, Planning Director
Mr. Daniel Sobczak, Planner IIFrom:Thomas Francis-SiburgCC:Mr. Owen Trepanier
Mr. Marius VenterRe:601 Truman Av. & 919 Simonton St.
Revised MDP, CU & Variance Applications



LAND USE PLANNING DEVELOPMENT CONSULTANTS

Accompanying this submittal are revised applications seeking major development plan, conditional use, and variances for 601 Truman Avenue and 919 Simonton Street. These two independent lots of record are under common ownership and currently used for the small recreation power-driven equipment rentals, low speed vehicle rentals, bicycle rentals, sales, service/repair, manufacturing, outdoor display, and indoor and outdoor storage commonly known as the "Moped Hospital". This project will aggregate the lots for purposes of development.

We propose a phased reduction in the capacity and intensity of the existing operation to allow for the adaptive reuse of the historic service station building as a restaurant use. We further request the time periods of the various approvals run concurrently with the phasing plan.

Phasing Summary:

Phase I encompasses the adaptive reuse and restoration of the historic service station located on the 601 Truman Avenue parcel. The building will be interiorly renovated and exteriorly restored to become the flagship location of the Cuban Coffee Queen. Improvements to the site include stormwater management, landscaping, and parking. Outdoor display and storage will be dramatically reduced, and nonconforming fencing will be eliminated.

Phase II encompasses the 919 Simonton Street parcel. The existing 1,073 sq. ft. of nonconforming commercial structures will be removed and replaced with 934 sq. ft. of commercial floor area in a mixed-use building and create 5 units of deed-restricted affordable housing. Like Phase I, Phase II site work will include improvements to setbacks, stormwater management, landscaping, open space and parking.

The following applications are necessary for this project:

- 1. Major Development Plan w/ Landscape Waiver: > 3 residential units in the Historic District
- 2. Conditional Use: Restaurant use in the HNC-1
- 3. BPAS: 5 affordable units
- 4. Variance: Minimum residential unit size, parking, setbacks, impervious surface, landscaped area, and open space

	DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION City of Key West Planning Department 1300 White Street, Key West, FL 33040 (305) 809-3720
	Development Plan & Conditional Use Application
	Applications will not be accepted unless complete
	Development Plan Conditional Use Historic District Major ✓ Yes ✓ Minor ✓ No ✓
Pleas	e print or type:
1)	Site Address 601 Truman Ave and 919 Simonton Street
2)	Name of Applicant Trepanier & Associates, Inc.
3)	Applicant is: Owner Authorized Representative (attached Authorization and Verification Forms must be completed)
4)	Address of Applicant 1421 1st Street, #101
	Key West, FL 33040
5)	Applicant's Phone # 305-293-8983 Email Thomas@owentrepanier.com
6)	Email Address: Thomas@owentrepanier.com
7)	Name of Owner, if different than above Venter Enterprises, LLC
8)	Address of Owner 608 Griffin Lane
9)	Owner Phone # 305-293-8983 Email Thomas@owentrepanier.com
10)	Zoning District of Parcel HNC-1 RE#
11)	Is Subject Property located within the Historic District? Yes No
	If Yes: Date of approval HARC approval #
	OR: Date of meeting
capacity rental, s	Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary). lication specifically seeks major development plan and conditional use approval for a phased project to reduce the and intensity of the existing small recreational power-driven equipment rental, low speed vehicle rental, bicycle ales, service/repair, manufacturing and outdoor display and storage to allow for the adaptive reuse of the historic station building as a restaurant use.
parcel. T Coffee O	encompasses the adaptive reuse and restoration of the historic service station located on the 601 Truman Avenue The building will be interiorly renovated and exteriorly restored to become the flagship location of the Cuban Queen. Improvements to the site include stormwater management, landscaping, and parking. Outdoor display and will be dramatically reduced, and nonconforming fencing will be completely eliminated.
will be re rental ve	encompasses the 919 Simonton Street parcel. The existing 1,073 sq. ft. of nonconforming commercial structures emoved and replaced with 934 sq. ft. of commercial floor area in a mixed-use building to contain the remaining chicle activity indoors and create 5 units of deed restricted affordable employee housing. Like Phase I, Phase II site I include improvements to setbacks, stormwater management, landscaping, open space and parking.

	DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION City of Key West Planning Department 1300 White Street, Key West, FL 33040 (305) 809-3720
13)	Has subject Property received any variance(s)? Yes No
-	If Yes: Date of approval Resolution #
	Attach resolution(s).
14)	Are there any easements, deed restrictions or other encumbrances on the subject property? Yes No
	If Yes, describe and attach relevant documents.
	A. For both <i>Conditional Uses</i> and <i>Development Plans</i> , provide the information requested from the attached Conditional Use and Development Plan sheet.
	B. For <i>Conditional Uses</i> only, also include the Conditional Use Criteria required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).
	C. For <i>Major Development Plans</i> only, also provide the Development Plan Submission Materials required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.
	D. For both <i>Conditional Uses</i> and <i>Development Plans</i> , one set of plans MUST be signed & sealed by an Engineer or Architect.
Please improj hearin	e note, development plan and conditional use approvals are quasi-judicial hearings and it is per to speak to a Planning Board member or City Commissioner about the project outside of the g.

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Major Development Plan, Conditional Use Application, and Landscape Waiver

Project Analysis

601 Truman Avenue & 919 Simonton Street (RE No. 00017270-000000 & 00017270.0001)



Solution Statement:

601 Truman Avenue and 919 Simonton Street are two independent lots of record under common ownership. Both lots are currently used for the small recreational power-driven equipment rentals, low speed vehicle rentals, bicycle rentals, sales, service/repair, manufacturing, outdoor display, and indoor and outdoor storage commonly known as the "Moped Hospital". This project will aggregate the lots for the purposes of development.

We seek to reduce the scope and scale of the existing operation and convert the corner to a restaurant.

This application specifically seeks major development plan and conditional use approval for a phased project to reduce the capacity and intensity of the rentals, sales, service/repair, manufacturing and outdoor display and storage to allow for the adaptive reuse of the historic service station building as a restaurant use.

Phase I encompasses the adaptive reuse and restoration of the historic service station located on the 601 Truman Avenue parcel. The building will be interiorly renovated and exteriorly restored to become the flagship location of the Cuban Coffee Queen. Improvements to the site include stormwater management, landscaping, and parking. Outdoor display and storage will be dramatically reduced, and nonconforming fencing will be completely eliminated.

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landscape requirements and variances for auto parking spaces, property rear and side setbacks, and impervious surface and open space ratios.

The property is located in the Historic Neighborhood Commercial-1 ("HNC-1") zoning district, the Historic Commercial ("HC") future land use district, and the Historic Commercial Pedestrian-Oriented Area ("Parking Waiver Zone").

Addresses - 601 Truman Avenue RE No. 00017270-000000 and 919 Simonton Street RE No. 00017270.0001.

Site Data	Permitted/ Required	Existing	Proposed Phase 1	Proposed Phase 2	Compliance
Zoning	HNC-1	HNC-1	No Change	No Change	Complies
FLUM	HC	HC	No Change	No Change	Complies
Flood Zone	NGVD 29: X-Zone NAVD 88: AE 9	NGVD 29: X-Zone NAVD 88: AE 9	No Change	No Change	Complies
Year Built	-	Pre-1945	No Change	No Change	Complies
Site Size	4,000 sq. ft.	10,239 sq. ft.	No Change	No Change	Complies
Height	35 ft.	16 ft.	No Change	23.5 ft.	Complies
Density	16 du/ac (4 units) + 1 aff. du bonus	0	0	5 Affordable	Complies
Building Coverage	50% (5,120 sq. ft.)	42.1% (4,308 sq. ft.)	41.6% (4,260 sq. ft.)	50.0% (5,120 sq. ft.)	Complies
Floor Area Ratio	1.0	0.4 (4,308 sq. ft.)	0.4 (4,260 sq. ft.)	0.4 (4,322 sq. ft.)	Complies
Impervious Surface	60% (6,143 sq. ft.)	100%	100%	94.3% (9,656 sq. ft.)	Improvement to Existing Nonconformity
Open Space	Ph 1: 20% (2,048 sq. ft.) Ph 2: 22% ² (2,299 sq. ft.)	0%	0%	5.7% (583 sq. ft.)	Improvement to Existing Nonconformity
Landscape	20% (2,048 sq. ft.)	0%	1.6% (160 sq. ft.)	4.3% (443 sq. ft.)	Improvement to Existing Nonconformity
Setback – Front	5 ft.	5 ft.	5 ft.	5 ft.	Complies
Setback – Side	5 ft.	0 ft.	0 ft.	2.2 ft. ³	Improvement to Existing Nonconformity
Setback – Street Side	7.5 ft.	7.2 ft.	7.2 ft.	7.2 ft.	Improvement to Existing Nonconformity
Setback – Rear	15 ft.	0 ft.	0 ft.	5.2 ft.	Improvement to Existing Nonconformity
Parking – Auto	Existing = 134 Proposed Ph. 1 = 122 Proposed Ph. 2 = 122	2 spaces⁴	5 spaces	5 spaces	Improvement to Existing Nonconformity
Parking – Bicycle/Scooter	Existing = 15 Proposed Ph. 1 = 16 Proposed Ph. 2 = 26	0 spaces	16 spaces	26 spaces	Complies

Site Data (Aggregated 601 Truman & 919 Simonton):

² Pursuant to Sec. 108-346(b), mixed use open space is based on the proportion of residential area (1,910 sq. ft. or 16% of total area) and nonresidential area (9,780 sq. ft. or 84% of total area).

³ Existing historic structure sits 2.2 ft away from lot line to remain; existing accessory structure creating a 0-ft setback at lot line to be fully removed.

⁴ Existing 2 substandard-sized parking spaces.

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Phase II encompasses the 919 Simonton Street parcel. The existing 1,073 sq. ft. of nonconforming commercial structures will be removed and replaced with 934 sq. ft. of commercial floor area in a mixed-use building to contain the remaining rental vehicle activity indoors and create 5 units of deed restricted affordable employee housing. Like Phase I, Phase II site work will include improvements to setbacks, stormwater management, landscaping, open space and parking.

This application is part of several necessary for this project:

- 1. Major Development Plan w/ Landscape Waiver: ≥ 5 residential units
- 2. Conditional Use: restaurant use
- 3. BPAS: 5 affordable units
- 4. Variance: minimum residential unit size, parking requirements, improved setbacks, improved impervious surface, improved landscaped area, and improved open space

Analysis:

The following is an analysis of the proposed project pursuant to major development plan approval criteria. Existing and proposed development is depicted in attached surveys and plans.

Title block (Sec. 108-227):

Name of development:	601 Truman Avenue
Owner/developer:	Venter Enterprises, LLC
Scale:	Engineering plans provided, 1"=20'
Preparation and revision dates:	As noted on plans
Location:	601 Truman Avenue & 919 Simonton Street

Key persons and entities (Sec. 108-228):

Owner:	Venter Enterprises, LLC
Authorized Agent:	Trepanier & Associates, Inc.
Surveyor:	Monroe County Surveying & Mapping
Architect:	T.S. Neal Architects, Inc.
Engineer:	O'Flynn Engineering, LLC
Landscape Architect:	GAI Consultants, Inc.
Legal and Equitable Owner:	Venter Enterprises, LLC
	Marius Venter, MMBR, Venter Enterprises, LLC

Project Description (Sec. 108-229):

The existing historic commercial building built prior to 1945¹, was originally used as a gas station, requiring large front setbacks to allow for vehicle traffic on and off the property. Maintaining the historic characteristics of the structure, this 2-phased project proposes to construct 5 permanent affordable dwelling units as accessory unit infill, rebuild commercial space, introduce commercial restaurant space, and reduce the property's overall parking demand, requiring a waiver from

¹ 1945 Sanborn Map outlines the existing building. The historic Property Card depicts that by 1960, the property had been remodeled to include an additional covered fueling pump station, today this area has been fully enclosed.

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Activity by Property and Phase:

Property Historic Use	Evicting		
	Frincipal	Phase I	Phase II
601 Station manufa Truman Station manufa 2,011 s 4,633 s use.	Small recreational power-driven equipment rentals, sales, service/ repair, indoor and outdoor storage, and manufacturing with 2,011 sq. ft. of outdoor use.	Convert the area and use of the 3,684 sq. ft. of outdoor storage of rental vehicles to restaurant seating, three new auto parking spaces, 16 new bicycle-scooter spaces, and new landscaping area, while maintaining a small display area for approximately 5 rental vehicles on the corner of Simonton and Truman. Reduce accessory small vehicle sales, service/repair, and manufacturing. Change licensing of the vehicle type of 50 small recreational power-driven vehicle rentals. Construct ADA restrooms. Construct ADA restrooms. Convert 1,411 sq. ft. of indoor accessory vehicular sales, service/repair, storage, and manufacturing area to restaurant-related uses (kitchen, seating, etc.), accessory retail, storage and manufacturing. Create approx. 160 sq. ft. of landscaping through the use of pots and planters.	No Change
919 Small re power-rentals, Restaurant repair, i outdoor Simonton Service manufa Station 3,595 s use, inc sq. ft. o nonhist	Small recreational power-driven equipment rentals, sales, service/ repair, indoor and outdoor storage, and manufacturing with 3,595 sq. ft. of outdoor use, inclusive of 1,060 sq. ft. of nonconforming nonhistorical structures.	Demolish 35 sq. ft. of nonconforming nonhistorical commercial structure used for vehicular service/repair, storage, and manufacturing to construct a commercial restaurant grease trap. Create 2 code-compliant auto parking spaces.	Demolish 1,037 sq. ft. of nonconforming nonhistorical commercial structures used for vehicular service/repair, storage and manufacturing. Build 934 sq. ft. of commercial floor area to move vehicular service/repair, and storage area indoors and 155 sq. ft. of covered outdoor service/repair area Build 5 affordable accessory infill units of approximately 271-345 sq. ft. in size. Construct 10 new vertical bicycle parking spaces for the affordable accessory infill units. Reduce impervious surface by approximately 583 sq. ft. (a 5.7% improvement). Create approx. 283 sq. ft. of additional landscaping. Improve stormwater management.

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Other project info. (Sec. 108-230):

1. The following development approval process is anticipated:

	Step	Date
1.	Submit Applications:	
	 Major Development Plan and Conditional Use 	11/06/20
	b. BPAS	
2.	Submit Variance Application (No DRC required)	12/18/20
3.	Submit Revised Applications:	
	 Major Development Plan and Conditional Use 	5/14/21
	b. Variance	5/17/21
	c. BPAS	
4.	Tree Commission Submission	5/19/21
5.	Historical Architecture Review Committee ("HARC") Pre-application	5/21/21
6.	Historical Architecture Review Committee ("HARC") Submission	5/24/21
7.	Tree Commission Hearing (Conceptual Plan)	6/07/21
8.	Development Review Committee ("DRC") Meeting	6/24/21
9.	Tree Commission (Final approval) submission	6/23/21
10.	Tree Commission (Final approval)	7/13/21
11.	Planning Board Meeting	8/19/21
12.	Historical Architecture Review Committee ("HARC") Meeting	8/26/21
13.	City Commission	TBD
14.	City appeal Period	+30 days
15.	Florida Department of Economic Opportunity Appeal Period (45 days)	+45 days

Phasing Schedule (anticipated):

Phase	Commencement	Completion
I	Within 2 years of the effective date of the approval	Within 1 year of commencement
II	Within 5 years of the effective date of the approval ⁵	Within 1 year of commencement

- 2. Target dates for the approval phase and the development phases are anticipated above.
- 3. The expected completion date of the approval phase is TBD. The expected completion date of the phase 1 development is estimated to be within 2 years from the effective date of the approval. The expected date of the phase 2 development is estimated to be within 5 years of the effective date of the approval⁶. The timeline of the phase 2 is being proposed in order to secure funding from the Florida Department of Environmental Protection to mitigate existing buried pollution at 919 Simonton from its previous use as a gas and auto service station during construction.
- 4. The proposed development plan is found herewith.
- 5. The plan proposes 5 accessory infill affordable housing residential dwellings, redesigned commercial floor area, indoor and outdoor restaurant seating area, decreased auto and bicycle parking demand and increased auto and bicycle parking spaces.

Density and Intensity:

Commercial – The proposed redevelopment will be more appropriate to the zoning district and the neighborhood, have less intensity and less impact on the surrounding land uses.

⁵ With the ability to seek up to an additional 5-year extension upon demonstration of cause pursuant to Sec. 108-203.

⁶ With the ability to seek up to an additional 5-year extension upon demonstration of cause pursuant to Sec. 108-203.

Residential – HNC-1 permits 16 units/ac. for a density of 4 units and Sec. 108-998 permits a density bonus of 1 affordable unit for compact infill development, for a maximum of 5 units on the property.

Restaurant Use:

Restaurant use in the HNC-1 is a conditional use.

Parking:

The property is located within the Historic Commercial Pedestrian-Oriented Area. No additional parking is required. Notwithstanding, we propose replacing the 2 substandard parking spaces existing at 919 with 2 spaces compliant with code and add 3 auto spaces at 601 Truman. Accessory unit infill residences require 2 bicycle-scooter spaces per unit. However, the overall reduction in intensity results in a reduction in overall auto parking demand by 12.3 auto spaces.

- 6. N/A This is not a planned unit development.
- 7. The property is in the X flood zone and will be AE-9 upon adoption of new flood mapos and the NAVD 88 datum. Development shall comply with flood resistant development requirements within this zone.
- 8. N/A The property is not located within an environmentally sensitive area.

Residential Development (Sec. 108-231):

A. Dimensional requirements for the HNC-1 zoning district allows for 16 dwelling units per acre (16 du/acre). Per Sec. 108-998, compact infill development and mixed-use development incentives allows an additional 2 units for the proposed development. With a site size of 10,239 sq. ft., the allowable density is 4 units + 1-unit density bonus = 5 units.

Per Sec. 108-91, a residential development project within the historic district of five or more units requires a major development plan approval.

- 1. Phase 2 of this project proposes to construct 5 affordable housing (AH) units as accessory unit infill. All 5 units will be less than 600 sq. ft. in size. The following city approvals are required for the residential aspects of the project:
 - Major development plan application w/ landscape waiver
 - BPAS application for 5 AH units
 - Variances for rear and side setbacks and impervious surface and open space ratios

Allocated density = 4 units Density bonus (Sec. 108-998) = 1 affordable unit Total Proposed = 5 affordable units

Per Sec. 122-1470, accessory infill units of 600 sq. ft. or less are treated as an 0.78 equivalent dwelling unit (EDU). These 5 AH accessory unit infills = 3.9 EDUs (BPAS).



- 2. Tenure will be non-transient renter-occupied.
- 3. The 5 AH residential dwellings are proposed as infill development as part of a single mixeduse multi-family and commercial building.
- B. The project proposes to comply with the City's affordable housing requirements. The 5 AH units are proposed as accessory unit infill, pursuant to Sec. 122-1470.

Intergovernmental coordination (Sec. 108-232):

Coordination will occur through the Development Review Process of the City of Key West and all applicable Regional, State and Federal Agencies including the following:

BPAS – In order to construct residential units on this parcel, the owner must obtain building permit allocations through the city's building permit allocation system (BPAS). The BPAS application process does require all new development to achieve at least a baseline green building certification.

HARC – This property is located within the Historic District and will go through all appropriate HARC approvals as necessary.

FL DEP – This property is identified by the FL Department of Environmental Protection (DEP) as containing buried petroleum pollution contaminants. All ground disturbance, as might occur in the construction process, will be in accordance and coordination with DEP and will go through all appropriate DEP approvals as necessary to mitigate the release of pollution contaminants.

Concurrency Facilities and Other Utilities or Services (Sec. 108-233):

The City's Comprehensive Plan directs the City to ensure that facilities and services needed to support development are available concurrent with the impacts of new development.

Levels of Service – Concurrency analysis is found below. The following concurrency analysis reflects the proposed reduction of existing commercial use and replacement with 3.9 residential units (or 5 affordable units as accessory unit infill). The impacts of the proposed project are generally summarized as follows:

- 1. Potable Water (Policy 4-1.1.2.C):
 - a. Based on the City of Key West adopted level of service the potable water demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.C, the potable water LOS for residential and nonresidential development is 100 gal/capita/day).

Anticipated potable water flow = 2,410 gal/day

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by approximately 960 gallons per day; therefore, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Resi	dential		Commercial	Total	
Designation	LOS	Daily Capacity ⁷	LOS	Daily Capacity ⁸		
Existing & Phase 1	100 g/capita/day	0 cap x LOS = 0 gal	100g/capita/day	10,239 sq. ft. x 1.4157 cap/1000 sq. ft. x LOS = 1,449.5 gal	1,450 gal	
Phase 2	100 g/capita/day	10.257 cap x LOS = 1,025.7 gal	100g/capita/day	9,780 sq. ft. x 1.4157 cap/1000 sq. ft. x LOS = 1,384.5 gal	2,410 gal	
	Change:					

- b. Coordination with FKAA occurs through the DRC review process and FKAA's Project Review process.
- c. The Florida Keys Aqueduct Authority (FKAA) has the capacity to supply adequate service to this property, as demonstrated below.
- d. Potable water to the City of Key West is provided by the FKAA. The FKAA has the capacity to provide 23 million gallons per day to Monroe County as a result of: The South Florida Water Management District's issuance of Water Use Permit #13-0005, which allocates 17 million gallons per day in the dry season; 17.79 million gallons per day which can be withdrawn from the Biscayne Aquifer; and six million gallons per day provided by a reverse osmosis treatment plant in Florida City. As documented above, the City is meeting its Level of Service Standard for Potable Water. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development during short and long-range planning periods, so the current capacity should remain adequate. Ongoing capital improvements will be necessary to maintain and improve standards and service delivery.
- 2. Wastewater Management (Policy 4-1.1.2.A "Sanitary Sewage"):
 - a. Based on the City of Key West adopted level of service the sanitary sewer demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.A, the sanitary sewer LOS for nonresidential development is 660 gal/acre/day) and the sanitary sewer LOS for residential development is 100 gal/capita/day).

Anticipated sanitary sewer flow = 1,174 gal/day

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by 1,019 gallons per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

	Resi	dential	G	ommercial	Total
Designation	LOS	Daily Capacity ⁹	LOS	Daily Capacity ¹⁰	

⁷ For the purposes of LOS, "capita" of residential units was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household (3.9 units x 2.63 persons per unit)

⁸ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.4157 persons per 1,000 sf of Community retail trade

⁹ For the purposes of LOS, "capita" of residential units was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household (3.9 units x 2.63 persons per unit)

¹⁰ For the purposes of LOS, commercial capacity is calculated by the total area of commercial uses: the existing capacity is the entire site; the proposed capacity is the entire site less the area of the ground floor residential unit.

	+1,019				
Phase 2	100 g/capita/day	10.257 cap x LOS = 1,025.7 gal	660 gal/acre/day	0.225 acres x 660 gal = 148.2 gal	1,174 gal
Existing & Phase 1	100 g/capita/day	0 cap x 100g = 0 gal	660 gal/acre/day	0.235 acres x 660 gal = 155.1 gal	155 gal

- b. The City contracts out the operation of the Richard A. Heyman Environmental Pollution Control Facility, its wastewater treatment plant (Plant), and the associated collection system to Operations Management International, Inc. (OMI). The Plant currently has the capacity to treat 10 million gallons per day, exceeding the capacity required to achieve the existing Level of Service Standard by approximately seven million gallons per day. Actual daily flow is 4.5 million gallons per day. This is a reduction from eight (8) million gallons per day due to a 67 million dollars capital improvement to the City's wastewater treatment during the past short-term planning period, including \$56 million for collection system rehabilitation.
- c. The proposed change in wastewater is made up of sanitary sewage waste and is expected to have a total daily 930.2-gallon volume.
- d. As documented above, the City is exceeding its Level of Service Standard for Wastewater. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-range planning periods, so the current capacity should remain adequate. Ongoing capital improvements and continuing conservation efforts will continue to maintain and improve service delivery.
- 3. Water Quality:
 - a. Construction-related water runoff will be mitigated through maintained and proposed onsite pervious surfaces and landscaping.
 - b. Concrete will be removed as part of the construction of the new building at 919 Simonton Street. This will require the 919 Simonton Street lot comply with stormwater drainage requirements of 272 cu. ft.¹¹ This will be accomplished using swales.
- 4. Stormwater Management (Policy 4-1.1.2.E "Drainage"):
 - a. Because the area of the new proposed building will require concrete removal, 919 Simonton Street must comply with stormwater retention of 272 cu. fu.¹² The site will accomplish stormwater retention using swales. The use of swales permits a 50% credit to required stormwater retention.
 - b. 919 Simonton Street lot size = 99.17 ft. x 33 ft. = 3,272.6 sq. ft. Stormwater requirement is 1 cubic inch of the surface of the lot = 0.0833 x 3,272.6 = 272 cu. ft. With the swale credit, stormwater retention = 272 x 50% = 136 cu. ft. Proposed swale = 144 cu. ft. (72 ft. x 4 ft. x 6 in.)
 - c. The redeveloped portion of the property will be brought into compliance with storm water management. See drainage plans below.
- 5. Solid Waste (Policy 4-1.1.2.D):

¹¹ Ms. Ignoffo calculated the stormwater retention requirements. See letter attached below.

¹² Ms. Ignoffo calculated the stormwater retention requirements. See letter attached below.

a. Trash – Based on the City of Key West adopted level of service the solid waste demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.D, the solid waste LOS for nonresidential development is 6.37 lbs/capita/day) and the solid waste LOS for residential development is 2.66 lbs/capita/day).

Anticipated solid waste trash = **115 lbs/day**

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by 23 pounds per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

	Residential		Commercial		
Designation	LOS	Daily Capacity ¹³	LOS	Daily Capacity ¹⁴	
Existing & Phase 1	2.66 lbs/capita/day	0 cap x LOS = 0 lbs	6.37 lbs/capita/day	10,239 sq. ft. x 1.4157 cap/1000 sq. ft. x LOS = 92.3 lbs	92 lbs
Phase 2	2.66 lbs/capita/day	10.257 cap x LOS = 27.3 lbs	6.37 lbs/capita/day	9,780 sq. ft. x 1.4157 cap/1000 sq. ft. x LOS = 88.2 lbs	115 lbs
				Change:	+23

The City currently contracts with Waste Management of Florida, Inc. to collect, transfer and dispose of solid waste and residential recyclables. Commercial recyclables and other non-franchised collection services such as construction and demolition debris and yard waste are available on the open market to all licensed haulers. The City owns and operates a solid waste transfer station on Rockland Key that received 45,402.10 tons of solid waste for disposal and 3,607 tons of recyclables in 2009/10. Waste Management disposes of the solid waste collected in Monroe County, including the City of Key West, at its Central Sanitary Landfill in Broward County. In 2009 Waste Management Inc. reported a reserve capacity of 17 years at this facility. There is therefore an estimated reserve capacity of 15 years as of the date of this report.

As documented above, the City is meeting its Level of Service Standard for solid waste. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-range planning periods, and the current capacity should remain adequate. Ongoing capital improvements will be necessary to improve standards and service delivery.

b. Recyclables – Based on the City of Key West adopted level of service the recyclable waste demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2. D, the recyclable waste LOS for nonresidential development is 0.25 lbs/capita/day) and the recyclable waste LOS for residential development is 0.50 lbs/capita/day).

Anticipated recyclable waste = 9 lbs/day

¹³ For the purposes of LOS, "capita" of residential units was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household (3.9 units x 2.63 persons per unit)

¹⁴ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.4157 persons per 1,000 sf of Community retail trade

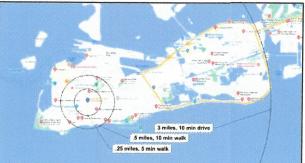
Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by 5 pounds per day. The team will coordinate with waste management services to provide an adequate amount of recycling containers per unit.

Designation	Residential		Commercial		
	LOS	Daily Capacity ¹⁵	LOS	Daily Capacity ¹⁶	
Existing & Phase 1	0.5 lbs/capita/day	0 cap x LOS = 0 lbs	0.25 lbs/capita/day	10,239 sq. ft. x 1.4157 cap/1000 sq. ft. x LOS = 3.6 lbs	4 lbs
Phase 2	0.5 lbs/capita/day	10.257 cap x LOS = 5.1 lbs	0.25 lbs/capita/day	9,780 sq. ft. x 1.4157 cap/1000 sq. ft. x LOS = 3.5 lbs	9 lbs
				Change:	+5

6. Roadways (Policy 2-1.1.1 "Transportation") - Policy 2-1.1.3: Dense Urban Land Area. The City of Key West is a substantially developed dense urban land area and is thereby exempted from transportation concurrency requirements for roadways. The City recognizes that its development characteristics make substantive expansion of capacity of the roadway system prohibitive. The City will therefore prioritize improving the safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development) as its primary strategies for addressing current and projected transportation needs.

Per Policy 2-1.1.3, the transportation concurrency requirement is effectively eliminated in favor of a prioritization of safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development).

 Recreation (Policy 7-1.1.9) - The project does not anticipate having adverse impacts on recreational facilities within the City of Key West. Further, pursuant to Policy 7-1.1.9, from the project site, at 2 two urban open spaces are within a 5 min walk, at least 7 recreational spaces are within a 10 min walk, and nearly all



recreational spaces within the City of Key West are within a 10 min drive.

- 8. Fire Protection The proposed building will be in compliance with fire and life safety protection. See life safety plan below.
- 9. Reclaimed Water System The proposed building will be in compliance with drainage requirements. See drainage plan below.

¹⁵ For the purposes of LOS, "capita" of residential units was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household (3.9 units x 2.63 persons per unit)

¹⁶ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.4157 persons per 1,000 sf of Community retail trade

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> Other Public Facilities - The project does not anticipate having adverse impacts on other public facilities within the City of Key West or of Monroe County. Further, development of this project will be in coordination with FKAA, Keys Energy, and all required permitting offices.

Appearance, design and compatibility. – (Sec. 108-234):

This development plan satisfies criteria established in Chapter 102; Articles III, IV and V of Chapter 108; Section 108-956; and Article II of Chapter 110 of the Key West City Code in the following manner:

- Chapter 102 This property is located within the Historic District and will go through all appropriate HARC approvals as necessary.
- Articles III, IV and V of Chapter 108 As demonstrated by the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements of the Articles.
- Section 108-956 The project team will coordinate with FKAA to ensure access to potable water and a wastewater disposal system.

Chapter 110 – As demonstrated in this application, the proposed development complies with the resource protection requirements of Chapter 110.

Site location and character of use. – (Sec. 108-235):

Location – The subject property is composed of two separate lots of record under common ownership located at the corner of the corner of Simonton and Truman. It is within the historic district and within the HNC-1 zoning district, which allows for mixed-use development but requires conditional use approval for restaurant use and small power-driven recreational vehicles.

Flood zone – According to the 2005 FEMA Flood Insurance Map, the property is located within the X-Zone. This means the property is in a moderate risk area within the 0.2% annual chance floodplain. No base flood elevations or base flood depths are mandated within these zones.

Zoning - ("HNC-1") Sec. 122-806 – The historic neighborhood commercial district – Truman/ Simonton (HNC-1) consists of Simonton, Truman Avenue, and White Street South Corridors. The *HNC*-1 district is located along major segments of Simonton Street, from



Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally includes larger scale commercial uses oriented toward the motoring public.

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Permitted as of right:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Commercial retail low and medium intensity less than or equal to 2,500 square feet.
- (7) Hotels, motels and transient lodging.
- (8) Medical services.
- (9) Parking lots and facilities.
- (10) Veterinary medical services without outside kennels.

Conditional uses in HNC-1 are as follows:

- (1) Group homes with seven to 14 residents as provided in section 122-1246.
- (2) Community centers, clubs and lodges.
- (3) Cultural and civic activities.
- (4) Educational institutions and day care.
- (5) Nursing homes, rest homes and convalescent homes.
- (6) Parks and recreation, active and passive.
- (7) Protective services.
- (8) Public and private utilities.
- (9) Commercial retail low and medium intensity greater than 2,500 square feet.
- (10) Commercial retail high intensity.
- (11) Funeral homes.
- (12) Light industrial.
- (13) Restaurants, excluding drive-through.
- (14) Small recreational power-driven equipment rentals.

Future land use map designation ("FLUM") – According to the City of Key West 2013 Comprehensive Plan, the property's FLUM designation is Historic Commercial ("HC").

Historic & Archeological Resources – The proposed project will coordinate with HARC in its development. The existing historic gas station building, built in 1958, will be

preserved. The building is not a contributing historic structure within the HNC-1 district. No other historic and archeological resources will be impacted by this proposed project.

Appearance of site and structures (Sec. 108-236):

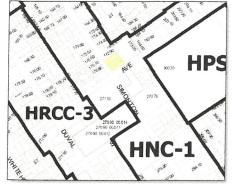
Attached site plan complies with Sections 108-278 through 108-288 of the Key West City Code. (See below.)

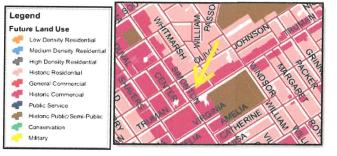
Site Plan (Sec. 108-237):

Site plan of proposed development drawn consistently with Sec. 108-237 is attached.

Architectural Drawings (Sec. 108-238):

All architecture or engineering designs were prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. Ch. 471 and 481, respectively, consistent with the provisions of this Section.





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Site Amenities (Sec 108-239):

The attached site plan includes existing and proposed amenities which are required to comply with appearance, design and compatibility regulations outlined in chapter 102; articles III, IV and V of this chapter; section 108-956; and article II of chapter 110.

Site Survey (Sec 108-240):

Survey of the site is attached.

Soil Survey (Sec 108-241):

Soil surveys are not anticipated as part of this project.

Environmentally Sensitive Areas (Sec. 108-242):

No Environmentally sensitive areas exist on this site.

Land clearing, excavation and fill, tree protection, landscaping and irrigation plan (Sec. 108-243):

All proposed clearing, excavation and landscaping are depicted on attached plans.

On-site and off-site parking and vehicular, bicycle, and pedestrian circulation (Sec. 108-244):

The attached site plan includes the existing and proposed parking and vehicular, bicycle and pedestrian circulation.

Housing (Sec 108-245):

This project includes 5 affordable housing units as accessory unit infill. Each unit will be under 600 sq. ft. in size. The five affordable BPAS units are to be located at 919 Simonton Street.

Economic Resources (Sec 108-246):

Trepanier & Associates, Inc. has contacted the Monroe County Property Appraiser's office to seek assistance in estimating the average ad valorem tax yield from the proposed project.

Special Considerations (Sec 108-247):

The proposal complies with the goals, objectives and policies of the comprehensive plan and as demonstrated by the concurrency analysis there are no conflicts with the existing public facilities, such as potable water, sanitary sewer treatment or transportation.

Construction Management Plan and Inspection Schedule (Sec 108-248):

The construction management plan and inspection schedule is attached below.

Truman Waterfront Port Facilities (Sec 108-249):

N/A – This project is not located at the Truman Waterfront Port.

CONDITIONAL USE – Specific Criteria for Approval (Sec. 122-62):

(a) Findings.

A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan complies with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and the land development regulations.

(b) Characteristics of use:

(1) Scale and intensity

- a. Floor area ratio FAR for the HNC-1 zoning district is 1.0. Existing FAR is 0.3 with 3,351 sq. ft. of commercial floor area. With construction of a new structure for commercial and residential use, and the addition of outdoor consumption area, the FAR will remain at 0.3 with an increase of 21 sq. ft., to 3,372 sq. ft.
- b. Traffic generation A traffic generation report for the site will be generated by Karl B. Peterson, P.E., of KBP Consulting.

	Existing	Proposed
Small recreational vehicle rentals	296 sq. ft.	173 sq. ft.
Accessory rec. vehicle retail sales	329 sq. ft.	173 sq. ft.
Accessory rec. vehicle service / repair	1,111 sq. ft.	595 sq. ft.
Accessory rec. vehicle warehousing / manufacturing	2,004 sq. ft.	924 sq. ft.
Indoor restaurant consumption area	0 sq. ft.	399 sq. ft.
Accessory restaurant merchandise retail sales	0 sq. ft.	268 sq. ft.
Accessory restaurant warehousing / manufacturing	0 sq. ft.	744 sq. ft.
Affordable Residential	0 sq ft.	1,910 sq. ft.

c. Enclosed building square footage

- d. Proposed Employment It is anticipated that additional employment will arise from the proposed plan. Existing employment will be retained as part of existing commercial use. The addition of the restaurant space will require 3 new employees.
- e. Proposed number and type of service vehicles Restaurant proposes to use a couple scooters as service vehicles to make food deliveries.
- f. Off-street parking needs The property is located within the Historic Commercial Pedestrian-Oriented Area. The current parking situation is an existing nonconformity, with no existing approved automobile or bicycle parking spaces, but with 2 unapproved substandard-sized auto parking spaces. Within the Historic Commercial Pedestrian-Oriented Area parking requirements are applied to the proposed development due to the construction and conversion of new nonresidential floor area, pursuant to Sec. 108-573(b). The proposed conversion of FAR has a net-zero (0) effect on auto parking demand, with an existing and proposed demand of 133 auto spaces. The proposed conversion and development increases the demand for bicycle-scooter spaces from 15 to 26 bicycle-scooter spaces.

Per Sec. 108-572, the parking requirement for small recreational power-driven vehicle rentals and bicycle rentals is 1 space per 3 vehicles/bicycle rental units

based on licensed capacity, or 1 space per 200 sq. ft. of gross floor area, whichever is greater, with a 10% bicycle-scooter requirement; the parking requirement for consumption area is 1 space per 45 sq. ft. with a 25% bicycle-scooter requirement; warehousing / storage areas have a parking requirement of 1 space per 600 sq. ft. and a 10% bicycle-scooter requirement; and, per Sec. 122-1470, the accessory unit infill residences do not require automobile parking spaces, but do require 2 bicycle-scooter spaces per unit.

Per Sec. 108-572, the existing and proposed reduction of vehicle and bicycle rental units has a calculated parking demand that is greater when measured by the total count of rental units than when measured by its gross floor area. Existing commercial floor area of the vehicle rental FAR will be converted to consumption area and warehousing / storage use for the proposed restaurant. The proposed development and conversion of uses has associated auto and bicycle-scooter parking demands. Per Sec. 122-1470, the proposed 5 accessory dwelling units only have an associated bicycle-scooter parking demand. If there is a change in the commercial operation, the change in parking demand is to be analyzed in accordance with requirements of the Sec. 108-572.

There is a reduction in auto parking demand between the existing and proposed as a result of the reduction of rental units. Demand for automobile parking will **decrease by 12 spaces** for both phase 1 and 2 of the project. Demand for bicycle-scooter parking will **increase by 11 spaces** for phase 2, with an **increase of 1 space** for phase 1.

Parking Demand		Automobile Spaces		Bicycle-Scooter Spaces	
		Required	Demand	Required	Demand
	177 Moped rentals ¹⁷	1 per 3 small	59.0		5.9
	50 Low speed car rentals ¹⁸	rec. vehicles or 1 per 200 sq. ft.	16.7	10% of auto	1.7
Ę	150 Bicycle rentals ¹⁹	of floor area	50.0		5.0
Existing	Accessory Retail & Service (1,440 sq. ft.)	1 per 300 sq. ft. of floor area	4.8	25% of auto	1.2
	Accessory Manufacturing & Warehousing (2,004 sq. ft.)	1 per 600 sq. ft. of floor area	3.3	10% of auto	0.3
	Total	133.8 (134)			14.1 (15)
	127 Moped rentals	1 per 3 small	50.7		5.07
-	100 Low speed car rentals	rec. vehicles or 1 per 200 sq. ft. of	25.0	10% of auto	2.50
	56 Bicycle rentals	floor area	18.7	4410	1.87
Proposed Phase	Consumption Area (972 sq. ft.)	1 per 45 sq. ft. of floor area	21.6	25% of auto	5.40
opose	Accessory Retail and Service (1,020 sq. ft.)	1 per 300 sq. ft. of floor area	3.4	25% of auto	0.85
Ъ.	Accessory Manufacturing & Warehousing (1,380 sq. ft.)	1 per 600 sq. ft. of floor area	2.3	10% of auto	0.23
	Total	121.	7 (122)		15.92 (16)

¹⁷ Grandfathering letter by Donald Craig; August 27,2013

¹⁸ Grandfathering letter by Donald Craig; August 27,2013

¹⁹ Grandfathering letter by Donald Craig; August 27,2013

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	127 Moped rentals	1 per 3 small rec. vehicles or 1 per 200 sq. ft. of floor area	50.7	10% of auto	5.07
	100 Low speed car rentals		25.0		2.50
5	53 Bicycle rentals		17.7		1.77
Proposed Phase 2	Consumption Area (972 sq. ft.)	1 per 45 sq. ft. of floor area	21.6	25% of auto	5.40
	Accessory Retail and Service (1,036 sq. ft.)	1 per 300 sq. ft. of floor area	4.0	25% of auto	1.00
Propo	Accessory Manufacturing & Warehousing (1,668 sq. ft.)	1 per 600 sq. ft. of floor area	2.5	10% of auto	0.25
_	Accessory Unit Infill (5 AH units)	0 per unit	0	2 per unit	10.00
	Total	121.5 (122)		25.99 (26)	
	Change in Parking Demand		-12.3		+11.89

The development proposes 5 off-street code-compliant auto parking spaces (4 auto + 1 ADA) and 26 bicycle spaces. With its location in the Historic Commercial Pedestrian-Oriented Area, a parking waiver is being applied for the remaining reduced auto parking demand.

- (2) On- or off-site improvement needs
 - a. Utilities

Concurrency Facilities and Other Utilities or Services are summarized as follows:

Levels of Service – The impacts of the proposed project are generally summarized as follows:

- The LOS analysis concludes that overall trip generation from the site is expected to increase.
- Supply of onsite parking will increase while overall demand for parking will decrease.
- Potable water demand for the commercial redevelopment is estimated to increase by approximately 915 gal/day.
- The wastewater flow for the commercial redevelopment is anticipated to increase by approximately 1,014 gay/day.
- The recyclable waste LOS for the commercial redevelopment is anticipated increase by approximately 5 lbs/day.
- The solid waste LOS for the new consumption area is anticipated to increase by approximately 20 lbs/day.
- The proposed change will improve storm water LOS.
- The proposed change is not expected to impact Recreation LOS.
- The team will coordinate with FKAA to ensure the water pressure and flow will be adequate for fire protection for the type of construction proposed.
- No adverse impacts to the quality of receiving waters are anticipated before, during or after construction.
- There are no changes to the existing storm water management system.
- b. Public facilities

See concurrency analysis above.

- Roadway or signalization improvements
 NA No roadway or signalization improvements are required or proposed.
- Accessory structures or facilities
 NA No accessory structures or facilities are required or proposed.
- e. Other unique facilities/structures proposed as part of site improvements NA – No other unique facilities/structures proposed as part of site improvements are required or proposed.
- (3) On-site amenities proposed to enhance site and planned improvements
 - a. Open space

Existing open space is non-conforming. The proposed phased development increases open space. Phase 2 increases open space by **5.7% (583 sq. ft.)**.

b. Setbacks

Existing front setback is conforming and existing street-side, side, and rear setbacks are nonconforming. The proposed development resolves the rear setback. Existing nonconforming nonhistorical structures will be removed, creating a more conforming side setback with the existing nonconforming setback of the historic structure. The location of the existing historic structure remains unchanged, as a result, no change is proposed to its existing nonconforming side and street-side setbacks.

c. Screening and buffers

The proposed development proposes HARC landscaping buffer along parking spaces that adjoin the property line along Simonton Street. The proposed additional structure proposed landscaping buffer along the perimeter of the property.

- d. Landscaped berms No landscape berms are proposed.
- e. Negative impact mitigative techniques (smoke, odor, noise, etc.) No negative impacts are proposed.
- (c) Criteria for conditional use review and approval:
 - (1) Land use compatibility.

The Historic Neighborhood Commercial districts are intended to accommodate both residential and neighborhood commercial uses typically located along major thoroughfares which lead into or are adjacent to the central core commercial area of the city. The property is located at the corner of Truman Avenue and Simonton Street, two major routes through the downtown historic area. The proposed restaurant is a commercial use that is expected to further promote pedestrianoriented activities along this corridor. (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use.

As mentioned above, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use with the exception of parking. However, this neighborhood restaurant/coffee house will serve a predominantly pedestrian-oriented area.

(3) Proper use of mitigative techniques.

No adverse impacts to adjacent land uses are anticipated, the community character is a mix of commercial, transient and single-family homes of various sizes, age and architectural style. Community infrastructure will not be burdened by this project.

(4) Hazardous Waste.

The proposed use will not produce any hazardous waste or use hazardous materials in its operation.

(5) Compliance with applicable laws and ordinances.

All applicable permits required from agencies other than the City of Key West will be obtained.

- (6) Additional criteria applicable to specific land uses.
 - a. No conservation areas exist on the property.
 - b. Residential Developments (Sec. 108-231):

This development plan satisfies criteria established in Chapter 102; Articles III, IV and V of Chapter 108; Section 108-956; and Article II of Chapter 110 of the Key West City Code in the following manner:

- Chapter 102 This property is located within the Historic District and will be subject to HARC approvals and process.
- Articles III, IV and V of Chapter 108 As demonstrated by the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements of the Articles.
- Section 108-956 The project team will coordinate with FKAA to ensure access to potable water and a wastewater disposal system.
- Chapter 110 As demonstrated in this application, the proposed development complies with the resource protection requirements of Chapter 110.

c. Commercial or Mixed-Use Developments

This development plan satisfies criteria established in Chapter 102; Articles I, II, III, IV and V of Chapter 108; Section 108-956; and Article II of Chapter 110 of the Key West City Code in the following manner:

- Chapter 102 This property is located within the Historic District and will be subject to HARC approvals and process.
- Articles III, IV and V of Chapter 108 As demonstrated by the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements of the Articles.

- Section 108-956 The project team will coordinate with FKAA to ensure access to potable water and a wastewater disposal system.
- Chapter 110 As demonstrated in this application, the proposed development complies with the resource protection requirements of Chapter 110.
- d. Development within or adjacent to historic district The property is located within the Historic District and is subject to HARC approvals and process.
- Public facilities or institutional development
 N/A This plan does not propose development of public facilities or institutions.
- f. Activities within tidal waters N/A This plan does not propose any activities within tidal waters.
- g. Adult entertainment establishments.
 N/A This plan does not propose any adult entertainment establishments.

LANDSCAPE WAIVER / MODIFICATION REQUEST

Open Space, Screening, Buffers and Landscaping (Article V and VI) of Chapter 108:

Pursuant to Sec. 108-517, this is a formal request for modification to the standards of Ordinance No. 97-10, to allow the development as depicted on the associated development plans. This request is hereby filed as part of the Major Development Plan and Conditional Use Application with the city planning office.

This request is to modify landscape requirements of Sec. 108 because proposed landscaping, and associated mitigative techniques, are not contrary to the intent of the applicable regulations and a literal enforcement of the standards would be impractical. The property is an existing nonconformity with no existing landscaping and open space, 100% impervious. Improvements, as depicted on the plans, are proposed to open space, buffers, and landscaping.

Section	Requirement	Modification
108-346(b)	Min. 22% Open Space	An improvement of 4.3% landscaped area from 0.0% existing.
108-347	Required Screening	Phase 1: Landscaped planter with Gumbo Limbo tree screening entrance of 3-space parking lot from adjacent property. Phase 2: 4 Cabbage palms in new pervious landscaped area to screen new building from adjacent property.
108-412(a)	Min. 20% Landscaping	An improvement of 4.3% landscaped area from 0.0% existing. Phase 1: 160 sq. ft. of new landscaped planters over impervious area. Phase 2: 23 sq. ft. of new landscaped planter over imperious area AND 260 sq. ft. of new pervious landscaped area.
108-413	10-ft wide street frontage landscaping and screening material	Phase 1: 3 landscaped planters of various sizes along Truman Ave and Simonton Street frontages. Phase 2: 1 landscaped planter along Simonton Street frontage.
108-414	Interior area landscaping	Phase 1: 3 landscaped planters of varying sizes during Phase 1 (one with a Gumbo Limbo tree). Phase 2: 1 landscaped planter within and along parking areas on existing impervious area.
108-416	Nonvehicular use area landscaping	Phase 1: 8 landscaped planters of varying sizes during Phase 1 (one with a Paradise tree, one with a Satinleaf tree, one with a Spanish Stopper tree) on existing impervious area. Phase 2: 260 sq. ft. new pervious landscape area with 4 Cabbage palms.

The following specific waivers/modifications are requested:

This request is to waive/modify the above cited landscape requirements of Sec. 108 in compliance with the following:

1. Protect and preserve the integrity of the existing site.

- 2. The waiver will not have a significant adverse impact on the public interest, or on adjacent property.
- 3. The waiver or modification is not discriminatory, considering similar situations in the general area. The development will provide an alternative landscape solution which will achieve the purposes of the requirement through clearly superior design.
- 4. Strict application of the requirement will effectively deprive the owner and the community of reasonable use of the land for the intended purpose due to its unusual size, shape, and location.
- 5. The effect upon the owner is not outweighed by a valid public purpose in imposing the requirement in this case.
- 6. Strict application of the requirement would be technically impractical.



THE CITY OF KEY WEST Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

August 27, 2013

Mr. Gregory Oropeza Smith / Oropeza, P.L. 138-142 Simonton Street Key West, FL 33040

Subject: Moped Hospital - Grandfathering

Dear Greg:

Yes, as we discussed this afternoon, Moped Hospital is grandfathered from the recently passed ordinance on recreational vehicle rentals, in that the business may have up to 177 moped, 50 electric car and 150 bicycle licenses, even though not all are presently utilized. This operations will be subject to registration, reporting and decal provisions.

.

Very truly yours, Donald Leland Craig

Cc: Larry Erskine, ESQ.

May 5, 2021

Mr. Thomas Francis-Siburg, MSW, MURP, AICP Planner / Development Specialist Trepanier & Associates, Inc. 1421 First Street Key West, Florida 33040-3648

Re: Moped Hospital / Cuban Coffee Queen 601 Truman Avenue, Key West, Florida Traffic Statement

Dear Thomas:

The Moped Hospital is an existing moped, low speed car, and bicycle rental, sales, service / repair and manufacturing business located in the northern quadrant of the intersection at Simonton Street and Truman Avenue in Key West, Monroe County, Florida. More specifically, the subject site is located at 601 Truman Avenue. This project seeks to reduce the intensity of the existing operations at this site and create a coffee shop and employee housing.

The existing operations on the site are licensed for 177 mopeds, 50 car, and 150 bicycles. The proposed operations will be implemented in two (2) phases. Phase 1 will include the addition of the coffee shop (Cuban Coffee Queen) with a floor area of approximately 1,984 square feet, a reduction in the in the number of mopeds from 177 to 127, an increase in the number of cars from 50 to 100, and a decrease in the number of bicycles from 150 to 56. Phase 2 will include the addition of a storage building at the rear of the site with five (5) affordable residential units and the number of bicycle licenses will be further reduced to 53. The floor plans for this development are presented in Attachment A. The purpose of this traffic statement is to document the anticipated traffic impacts associated with these proposed actions.

Trip Generation Analysis - Cuban Coffee Queen

In order to estimate the trip generation characteristics of the proposed Cuban Coffee Queen, traffic counts were performed at another Cuban Coffee Queen store in Key West. The location chosen was their 5 Key Lime Square store which is their busiest store and has the largest number of seats and retail area. (The store area at this location is approximately 2,397 square feet.) The counts were collected on their busiest days of the week (Friday, Saturday and Sunday) during the peak season (3/19/21 - 3/21/21). During each of these days, the number of customers arriving in 30-minute intervals was documented according to their mode of transportation (i.e. automobile, moped, bicycle, or walking). The results of this data collection effort are presented in Attachment B.

For the purposes of this analysis, the number of customers arriving by automobile and moped have been highlighted due to the fact that these modes consume roadway capacity whereas bicyclists and pedestrians generally do not. Over the three-day survey period, the average number of customers arriving by automobile was 19 and the average number of customers arriving by moped was 31. (It is acknowledged that more than one customer may have arrived in/on one vehicle; however, in order to present a conservative analysis each automobile customer was assumed to have arrived in/on one vehicle without any other passengers.) The results of this analysis indicate that, on a typical day, approximately 50 customers arrive at this Cuban Coffee Queen by automobile or moped.

Given that each customer generates two (2) trips per visit (i.e. an entering trip and an exiting trip), this site generates on average 100 vehicle trips per day. During the morning, the number of customers arriving by automobile or moped in the peak hour is 11, or 22 trips. The number of customers in the PM peak hour is five (5), or 10 trips. Since trips for this type of land use are typically based upon the building area, an adjustment for the proposed store size is appropriate. As mentioned previously, the proposed floor area for this use is 1,984 square feet and the size of the store at 5 Key Lime Square is 2,397 square feet. As a result, the estimated number of trips for the proposed location is estimated to be approximately 83% of that observed at the existing location. This adjustment yields 83 daily vehicle trips, 18 AM peak hour vehicle trips, and four (4) PM peak hour vehicle trips.

Trip Generation Analysis – Moped Hospital

As noted previously, the proposed modifications to the operating characteristics of the Moped Hospital involve a reduction of 50 mopeds (from 177 to 127) and an increase of 50 cars (from 50 to 100). The net effect on roadway capacity of a reduction of 50 mopeds and an increase of 50 cars is essentially zero. There will be a significant reduction in the number of bicycles at this location (currently 150 and 53 at Phase 2); however, this reduction will have little impact on roadway capacity in the area. As mentioned previously, there is a net zero impact on roadway capacity of the existing and proposed operating characteristics of the Moped Hospital.

Trip Generation Analysis – Residential Units

Five (5) affordable residential dwelling units will be included as part of the Phase 2 redevelopment of the Moped Hospital site. Per Sec. 122-1470 of the City of Key West Code of Ordinances, bicycle and scooter / moped parking can be provided for infill / affordable housing units in lieu of providing automobile parking. Given that these proposed residential units will comply with this parking alternative, it is evident that the number of traditional vehicle trips to be generated will be less than residential units with automobile parking.

According to the Institute of Transportation Engineers (ITE) *Trip Generation Manual (10th Edition)*, lowrise multifamily housing units generate approximately 7.32 trips per dwelling unit on a weekday. The AM and PM peak hour trip generation rates are 0.46 and 0.56 trips per dwelling unit, respectively. With the aforementioned absence of automobile parking associated with these proposed dwelling units, it appears reasonable to assume that very few trips will be generated by these units. However, in order to present a conservative analysis, a trip reduction of 50% is believed to be more than reasonable. As such, the number of trips to be generated by the five (5) dwelling units is 18 weekday trips, one (1) AM peak hour trip, and one (1) PM peak hour trip.

Traffic Impacts

In accordance with Sec. 18-358 of the City's Code of Ordinances, the traffic impacts associated with the proposed coffee shop and affordable residential units to be co-located with the Moped Hospital must be addressed. More specifically, insignificant (or "de minimis") impacts are defined as those that constitute an impact of less than three percent (3.0%) of the capacity on the local transportation network.

Based upon the location of the existing development and the proposed land uses, it is expected that the vehicles associated with the coffee shop and affordable dwelling units will arrive by and depart throughout the City's street grid network in a variety of directions as to minimize their impacts to any single roadway or intersection. However, for the purposes of this analysis, our focus is on both Simonton Street and Truman Avenue. For the purposes of this analysis, it has been assumed that the new site traffic will equally distribute to both Simonton Street and Truman Avenue.

Therefore, it is estimated that up to 51 daily vehicle trips, ten (10) AM peak hour trips and up to three (3) PM peak hour vehicle trips will impact both of these roadways.

Capacity Analyses

The Florida Department of Transportation (FDOT) maintains a traffic count station (#908112) on Simonton Street approximately 200 feet to the southeast of Petronia Street which is approximately 500 feet to the northwest of the subject site. The most recent annual traffic counts for this station indicate that there are approximately 5,300 vehicles on this roadway segment on a daily basis. Based upon the published K-Factor (peak-to-daily percentage) of 9.00, the peak hour traffic volume at this location is estimated to be approximately 477 vehicles.

The FDOT also maintains a traffic count station (#905011) on Truman Avenue approximately 200 feet east of Duval Street which is roughly 300 feet west of the subject site. The most recent annual traffic counts for this station indicate that there are approximately 11,900 vehicles on this roadway segment on a daily basis. Based upon the published synopsis reports published by the FDOT, the AM peak hour traffic volume at this location is approximately 690 vehicles and the PM peak hour traffic volume at this location is approximately 690 vehicles and the PM peak hour traffic volume at this location is approximately 690 vehicles and the PM peak hour traffic volume at this location to this memorandum.

According to the FDOT's 2020 Quality / Level of Service Handbook, in urbanized areas two-lane undivided, class II (35 miles per hour or slower posted speed limit), state roadways without exclusive turn lanes have a daily capacity of approximately 11,840 vehicles and a peak hour capacity of approximately 1,064 vehicles. These capacities apply to Truman Avenue. For non-state roadways without exclusive turn lanes the daily capacity is approximately 10,360 vehicles and the peak hour capacity is approximately 930 vehicles. These capacities apply to Simonton Street. Please see Attachment D for the referenced level of service thresholds. The daily and peak hour traffic impacts to the adjacent roadway segments are summarized in Table 1 below.

Table 1 Moped Hospital / Cuban Coffee Queen Traffic Impacts 601 Truman Avenue - Key West, Florida						
		Daily	1		Peak Hour	
Roadway	Capacity	Project Traffic	% Impact	Capacity	Project Traffic	% Impact
Truman Avenue (SR 5/ US 1) - W of Simonton Street	11,840	51	0.43%	1,064	10	0.94%
Truman Avenue (SR 5/ US 1) - E of Simonton Street	11,840	51	0.43%	1,064	10	0.94%
Simonton Street - N of Truman Avenue	10,360	51	0.49%	930	10	1.08%
Simonton Street - S of Truman Avenue	10,360	51	0.49%	930	10	1.08%

As indicated in Table 1 above, the projected daily and peak hour vehicle trips associated with the proposed coffee shop and affordable dwelling units are substantially less than the 3.0% significance thresholds on each of the directly impacted roadway segments adjacent to the site. Therefore, these volumes will not constitute a significant impact on the local street network.

Conclusions

Based upon the foregoing analysis and assessment of the traffic operations associated with the proposed Cuban Coffee Queen and the affordable residential dwelling units to be co-located with the existing Moped Hospital at Truman Avenue and Simonton Street in Key West, it is evident that the resulting daily and peak hour traffic can be accommodated within the City's 3.0% traffic impact threshold on the directly impacted roadways.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

KBP CONSULTING, INC.

Kow BER 1

Karl B. Peterson, P.E. Senior Transportation Engineer

Attachment B

Cuban Coffee Queen – 5 Key Lime Square

Customer Data

Cuban Coffee Queen Traffic Counts 5 Key Lime Square - Key West, Florida

28.7 65.3 60.09 40.0 33.0 18.0 60.3 57.7 53.3 40.3 27.7 27.3 12.7 17.7 14.3 10.0 Total 5.3 628 7.0 8.0 9.7 8.0 8.3 7.3 7.7 Walk 19.3 38.0 19.0 12.0 45.3 40.3 44.3 44.0 29.7 25.3 28.7 21.7 12.3 14.7 5.0 463 4.3 9.7 6.3 7.3 8.0 6.7 7.3 6.7 7.3 **Daily Average** 10.3 10.3 11.0 14.3 2.0 1.0 4.0 14.3 8.0 4.3 8.3 6.7 4.0 1.0 0.0 0.3 2.0 114 1.7 4.7 1.3 1.3 0.7 Scooter Bike 2.7 0.0 0.0 3.0 3.0 1.3 2.3 1.0 1.0 0.0 1.0 0.0 0.0 4.7 4.0 4.0 0.7 1.7 1.3 0.7 0.3 0.3 0.3 0.7 0.0 0.0 31 Auto 0.0 1.0 0.0 0.7 1.7 1.7 2.3 2.7 1.3 1.0 1.7 0.7 0.7 0.7 0.7 1.0 0.0 0.0 0.3 0.0 0.0 0.3 0.0 0.3 19 1390 1883 Auto Scooter Bike Walk Total 16 86 196 181 180 173 160 120 121 21 66 83 82 53 54 24 29 43 24 22 30 23 136 133 132 114 121 15 13 58 89 76 86 57 65 29 36 44 19 20 37 22 22 20 24 **Total Count** 343 9 43 43 31 31 33 24 13 25 20 12 ŝ 14 3 4 4 00 0 3 2 9 0 0 12 12 94 5 0 6 0 4 N 0 ŝ 0 0 56 0 846658666 0 0 2 5 S 0 0 -0 Auto Scooter Bike Walk 473 14 56 55 52 45 30 29 22 22 22 ŝ 4 41 0 N 4 11 4 20 11 4 4 6 9 Sunday, 3/21/2021 10 83 0 0 N 00 9 1 00 80 S 00 4 4 N 0 2 3 -1 0 -NO 20 0 9 0 0 0 0 0 0 0 17 0 0 0 0 2 N -N 0 -00 1000000 00 1 -Auto Scooter Bike Walk 514 29 46 39 53 45 36 34 42 28 25 11 14 11 10 10 9 S 6 11 4 ~ S Saturday, 3/20/2021 ~ 112 15 11 13 12 12 σ 00 9 0 0 9 4 4 0 0 N N 0 0 00 -35 0 0 6 0 0 0 0 0 0 0 N 0 4 0 0 0 0 14 0 00000 N 2 N -0 0 2 0 -1 -0 0 0 Bike Walk 403 15 34 27 39 35 33 25 20 15 18 26 12 20 9 4 4 6 9 H 00 4 4 G Friday, 3/19/2021 148 4 20 12 15 17 10 3 S 4 5 4 \sim 3 00 4 N 3 0 1 0 0 4 0 Scooter 39 0 80 80 0 0 ~ 4 0 0 2 0 0 0 Auto 30 0 0 3 2 4 4 2 -2 2 N T 1 -0 0 ч 0 0 -0 -8:30 AM 9:00 AM Close 7:30 AM 8:00 AM 9:30 AM 10:00 AM 10:30 AM 11:00 AM 11:30 AM 12:00 PM 12:30 PM 1:00 PM 1:30 PM 2:00 PM 2:30 PM 3:00 PM 3:30 PM 4:00 PM 4:30 PM 5:00 PM 5:30 PM 6:00 PM 6:30 PM End Total 10:00 AM 11:00 AM 11:30 AM 12:00 PM 12:30 PM 1:30 PM 2:00 PM 2:30 PM 3:00 PM Open 9:30 AM 10:30 AM 1:00 PM 3:30 PM 6:30 PM 7:30 AM 8:00 AM 8:30 AM 9:00 AM 4:00 PM 4:30 PM 5:00 PM 5:30 PM 6:00 PM Period Start

CITY OF KEY WEST, FLORIDA Business Tax Receipt					
This Document is a business tax receipt Holder must meet all City zoning and use provisions. P.O. Box 1409, Key West, Florida 33040 (305) 809-3955					
Business Name MINTY'S GOLF CART AND SCOOTER RENTALS					
Location Addr 601 TRUMAN AVE					
Lic NBR/Class LIC2020- TRANSPORTATION SERVICES 000666					
Issued Date 11/17/2020 Expiration Date: September 30, 2021					
SCOOTERS JET SKIS AND OTHER MOTOR DRIVEN VEHICLE RENTALS					
Comments: AUTHORIZED FOR 177 MOPEDS / 50 E-CARS					
Restrictions:					
MINTY'S GOLF CART AND SCOOTER This document must be prominently displayed.					
RENTALS 601 TRUMAN AVE MINTY'S LLC					
KEY WEST, FL 33040					

CITY OF KEY WEST, FLORIDA

Business Tax Receipt

This Document is a business tax receipt Holder must meet all City zoning and use provisions. P.O. Box 1409, Key West, Florida 33040 (305) 809-3955

Expiration Date: September 30, 2021

Business Name MINTY'S GOLF CART & SCOOTER RENTALS

Location Addr 601 TRUMAN AVE

Lic NBR/Class LIC2020-000667 TRANSPORTATION SERVICES

Issued Date

BICYCLES EQUIPMENT AND OTHER NON MOTOR DRIVEN RENTALS

Comments: AUTHORIZED FOR 150 BICYCLE RENTALS

9/30/2020

Restrictions:

MINTY'S GOLF CART & SCOOTER This document must be prominently displayed. RENTALS 601 TRUMAN AVE MINTY'S LLC

KEY WEST, FL 33040

CITY OF KEY WEST, FLORIDA Business Tax Receipt					
This Document is a business tax receipt Holder must meet all City zoning and use provisions. P.O. Box 1409, Key West, Florida 33040 (305) 809-3955					
Business Name	MINTY'S GOLF CA	RT & SCOOTER RENTALS			
Location Addr	601 TRUMAN AVE				
Lic NBR/Class	LIC2020- 000668	RETAIL WHOLESALE OR MAIL ORDER			
Issued Date	11/17/2020	Expiration Date: September 30, 2021			
RETAIL ESTABLIS	HMENT 0 TO 500 SQ	FT			
Comments: RE	TAIL MOPEDS				
Restrictions:					
MINTY'S GOLF CART & SCOOTER This document must be prominently displayed.					
RENTALS 601 TRUMAN AVE MINTY'S LLC					
KEY WEST, FL 33040					

CITY OF KEY WEST, FLORIDA

Business Tax Receipt

This Document is a business tax receipt Holder must meet all City zoning and use provisions. P.O. Box 1409, Key West, Florida 33040 (305) 809-3955

Business Name LLOYD'S TROPICAL BIKE TOUR

Location Addr 601 TRUMAN AVE

Lic NBR/Class 2223 MISCELLANEOUS OTHER SERVICES

Issued Date 7/6/2020 Expiration Date: September 30, 2021

MISCELLANEOUS OTHER SERVICE

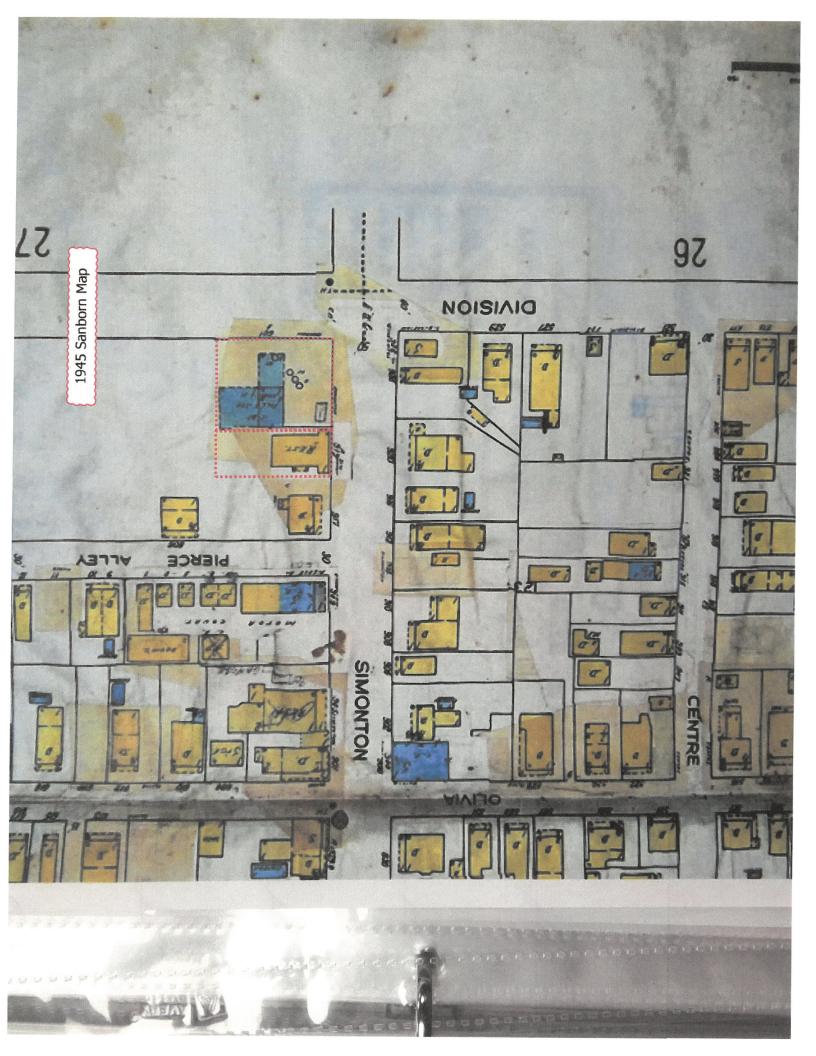
Comments: BIKE TOUR

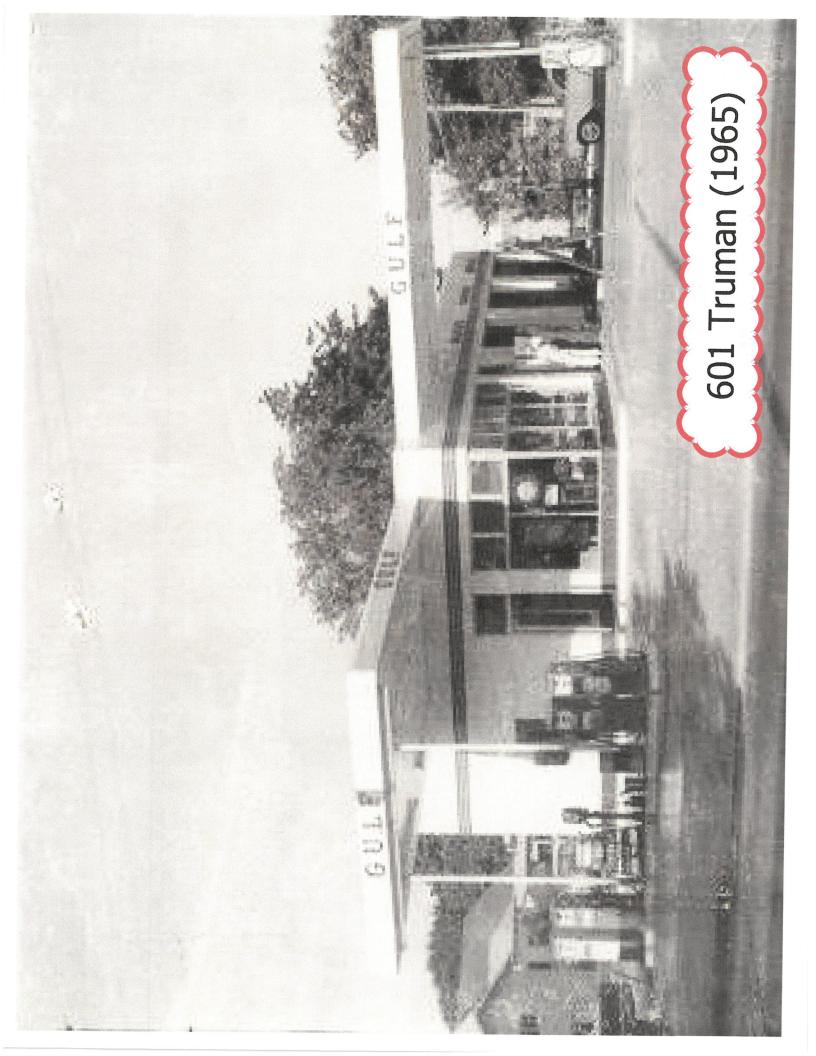
Restrictions:

LLOYD'S TROPICAL BIKE TOUR 110 C PEARY COURT This document must be prominently displayed.

KEY WEST, FL 33040

MAGER, S LLOYD





Attachment C

FDOT Traffic Data

FLORIDA DEPARTMENT OF TRANSPORTATION TRANSPORTATION STATISTICS OFFICE 2019 HISTORICAL AADT REPORT

COUNTY: 90 - MONROE

SITE: 8112 - SIMONTON ST, 200' SOUTH OFPETRONIA ST (2011 OFF SYSTEM CYCLE)

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FLORIDA DEPARTMENT OF TRANSPORTATION TRANSPORTATION STATISTICS OFFICE 2019 HISTORICAL AADT REPORT

COUNTY: 90 - MONROE

SITE: 5011 - SR 5/US-1/TRUMAN AV, 200' E DUVAL ST

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Attachment D

FDOT Level of Service Tables

Generalized Annual Average Daily Volumes for Florida's

Urbanized Areas

January 2020

INTERRUPTED FLOW FACILITIESSTATE SIGNALIZED ARTERIALSClass I (40 mph or higher posted speed limit)Lanes Median B C D E2 Undivided * 16,800 17,700 **4 Divided * 7,800 88,100 **Class II (35 mph or slower posted speed limit)Lanes Median B C D E2 Undivided * 7,800 88,100 **Class II (35 mph or slower posted speed limit)Lanes Median B C D E2 Undivided * 7,300 14,800 15,6004 Divided * 14,500 32,000 67,300 68,1008 Divided * 32,000 67,300 68,100Non-State Signalized Roadway Adjustments (Altroomerpointing aute valumes Volmster Signalized Roadway - 10%Median & Tur Lane Adjustments (Altroomerpointing aute valumes valumes in this table by 0.6Median & Tur Lane Adjustments (Multip) valued vary - 10%Median & Corrung pointing aute valumes valumes in this table by 0.6Median & Tur Lane Adjustment (Multip) valued vary - 10%Mitt Undivided Vera (Multip) valued scampeound groo-directional valumes.1Median & Corrung pointing aute valumes valumes.1Median & Corrung pointing aute valumes valumes.1Multi Undivided Vera (Multip) valued vary - 2,900 7,000 19,700 - 25%HEYCEE KLANDEP' (Multip) valued values at oblew by manker of directional narbody lass to determine two-way maximum service valumes.1Sidewalk Coverage (Multip) value values to determine two-way maximum service valumes.1Sidewalk Coverage (Multip) value values to determine two-way maximum service values.1Sidewalk Coverage (Multip)											January 202	
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Generalized Peak Hour Two-Way Volumes for Florida's

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	INTER	RUPTED F	LOW FAC	ILITIES		January 2020 UNINTERRUPTED FLOW FACILITIES						
	STATE S	SIGNALIZ	ZED ART	FERIALS	5	FREEWAYS						
	Class I (40								rbanized			
Lanes		В	C	D	E	Lanes	В		2	D	Е	
2	Undivided	*	1,510	1,600	**	4	4,050		640	6,800	7,420	
4	Divided	*	3,420	3,580	**	6	5,960	8,3	10	10,220	11,150	
6	Divided	*	5,250	5,390	**	8	7,840	10,9		13,620	14,850	
8	Divided	*	7,090	7,210	**	10	9,800	13,5		17,040	18,580	
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4	Divided	*	1,310	2,920	3,040	4	4,130	5,	640	7,070	7,690	
6	Divided	*	2,090	4,500	4,590	6	6,200			10,510	11,530	
8	Divided	*	2,880	6,060	6,130	8	8,270			13,960	15,380	
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QUALITY/LEVEL OF SERVICE HANDBOOK

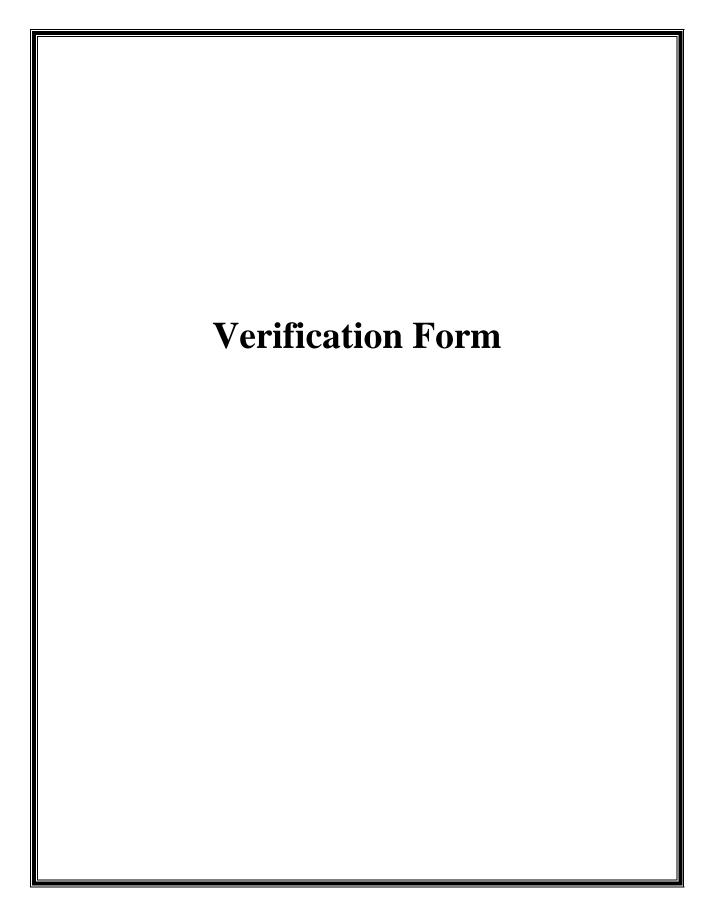
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85-100%





City of Key West Planning Department Verification Form

(Where Applicant is an entity)

I,	Thomas Francis-Siburg	, in my capacity as	Associate
	(print name)	- · · · · ·	(print position; president, managing member)
of	Trepanier & Associa	ates, Inc.	
		(print name of	f entity)

being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

601 Truman Ave & 919 Simonton Street

Street address of subject property

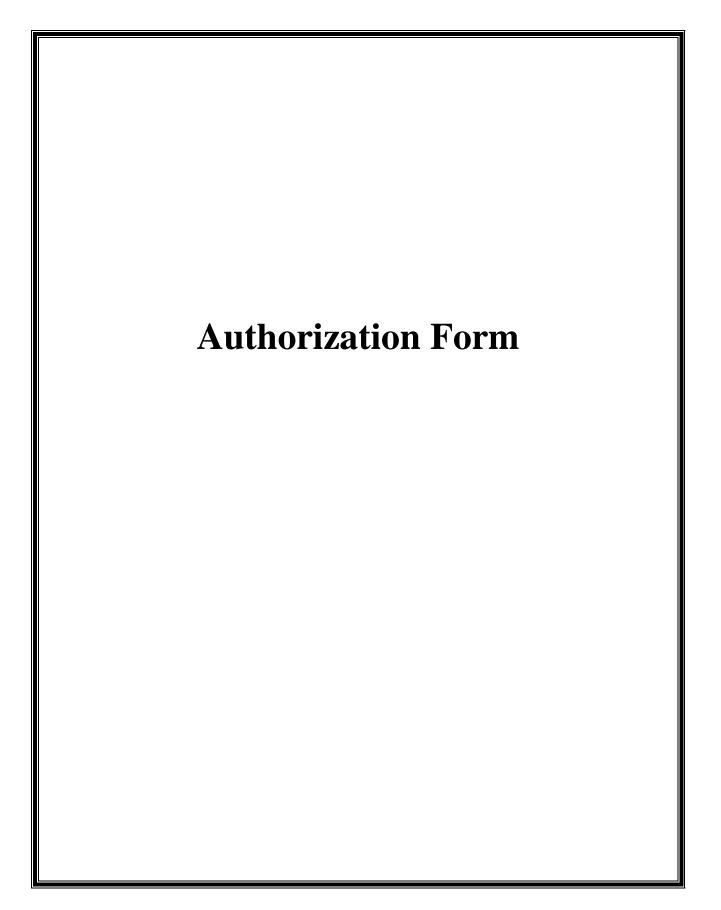
I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that I am the Authorized Representative of the property involved in this application; that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.

In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

Commission Number, if any

Signature of Applicant

Subscribed and sworn to (or affirmed) before me on this	<u>3-27-202</u> by date
He/She is personally known to me or has presented	as identification.
Richard Prents Name of Acknowledger typed, printed or stamped	RICHARD PUENTE Notary Public – State of Florida Commission # GG 168119 My Comm Expires Mar 2, 2022 Bonded Ihrough National Notary Assn
GG168119	



City of Key West Planning Department



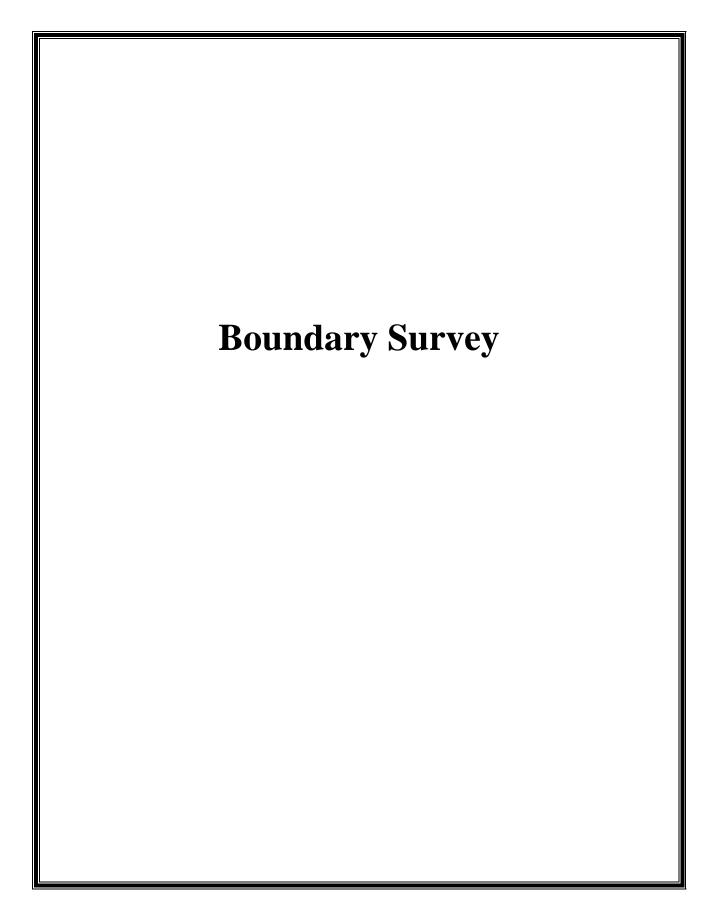
Authorization Form

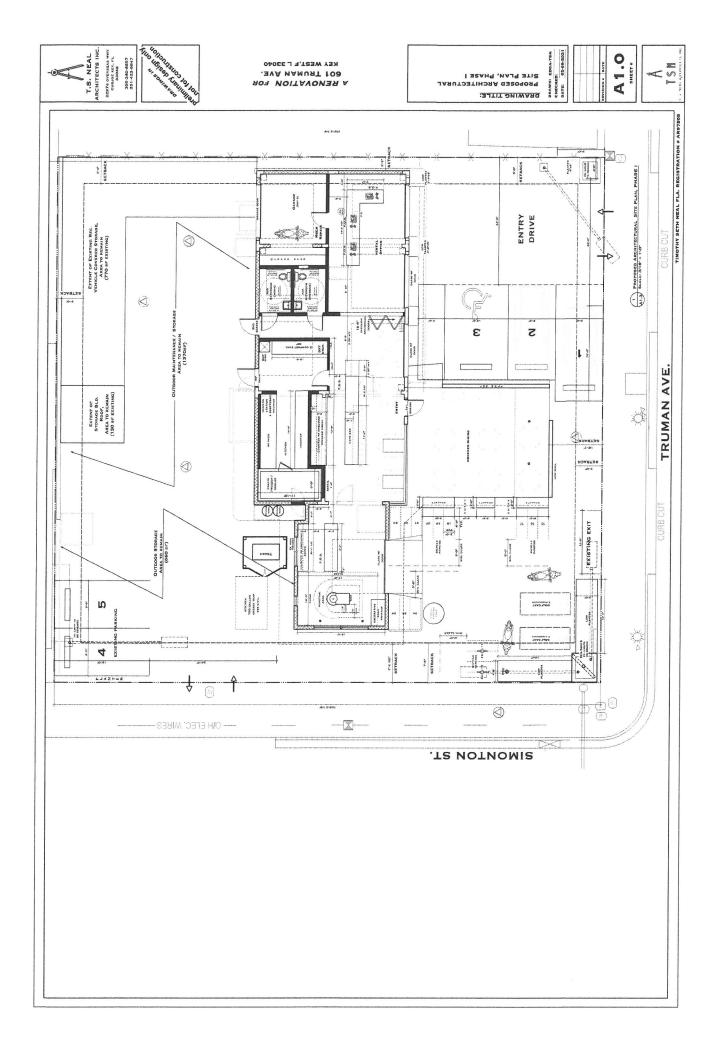
(Where Owner is a Business Entity)

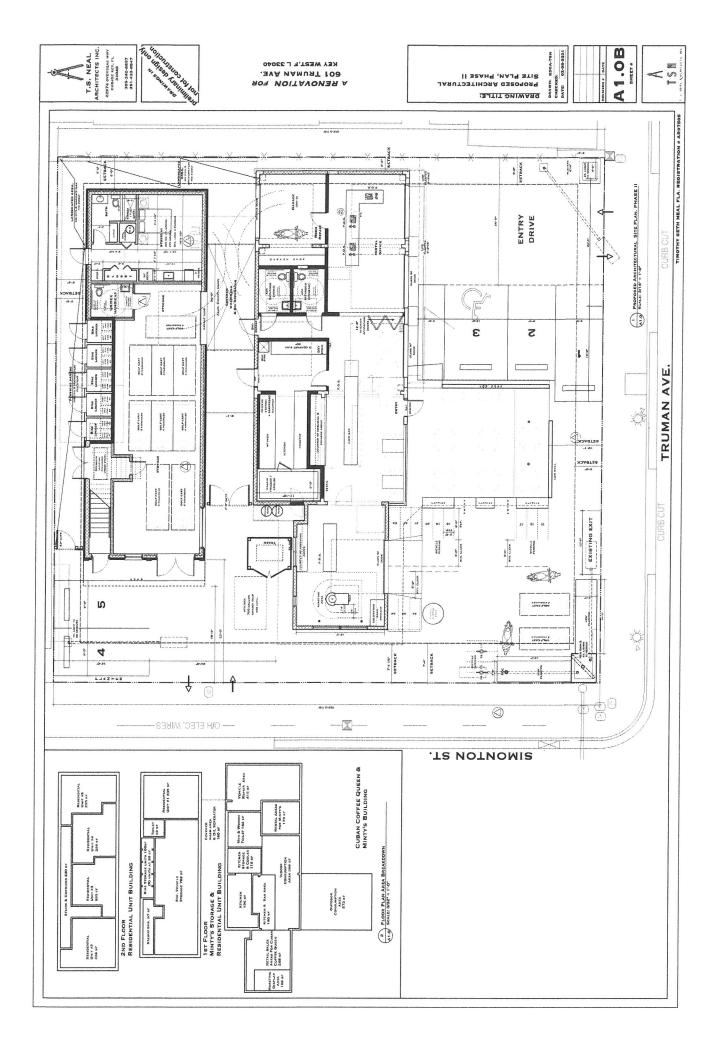
Please complete this form if someone other than the owner is representing the property owner in this matter.

, Marius Venter	as				
Please Print Name of person with autho	rity to execute documents on behalf of entity				
Manager	of Venter Enterprises, LLC				
authorize Trepanier and Assocai	ates, Inc.				
Please Print Nan	ne of Representative				
to be the representative for this application and act of	on my/our behalf before the City of Key West.				
hhla					
flenature of person with authority to ex	ecute documents on behalf on entity owner				
U	10/16/2020				
Subscribed and sworn to (or affirmed) before me on this					
by Marius Venter					
Name of person with authority to exec	cute documents on behalf on entity owner				
He/She is personally known to me or has presented	as identification.				
Konn	······································				
Notary's Signature and Seal	Notary Public State of Florida Lauren Christine Mongetti My Commission GG 909917				
	Expires 07/11/2023				
Name of Acknowledger typed, printed or stamped					

Commission Number, if any







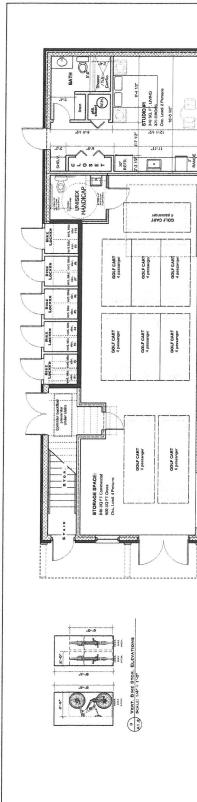


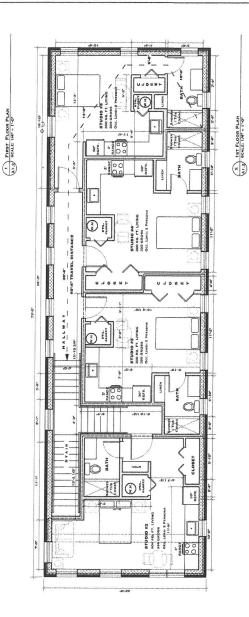


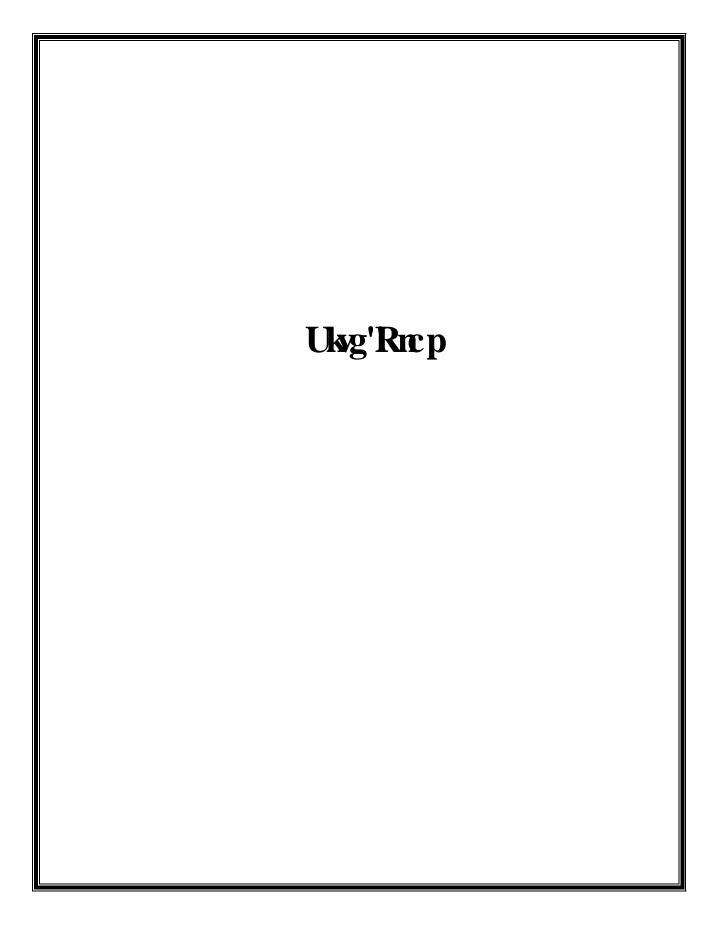




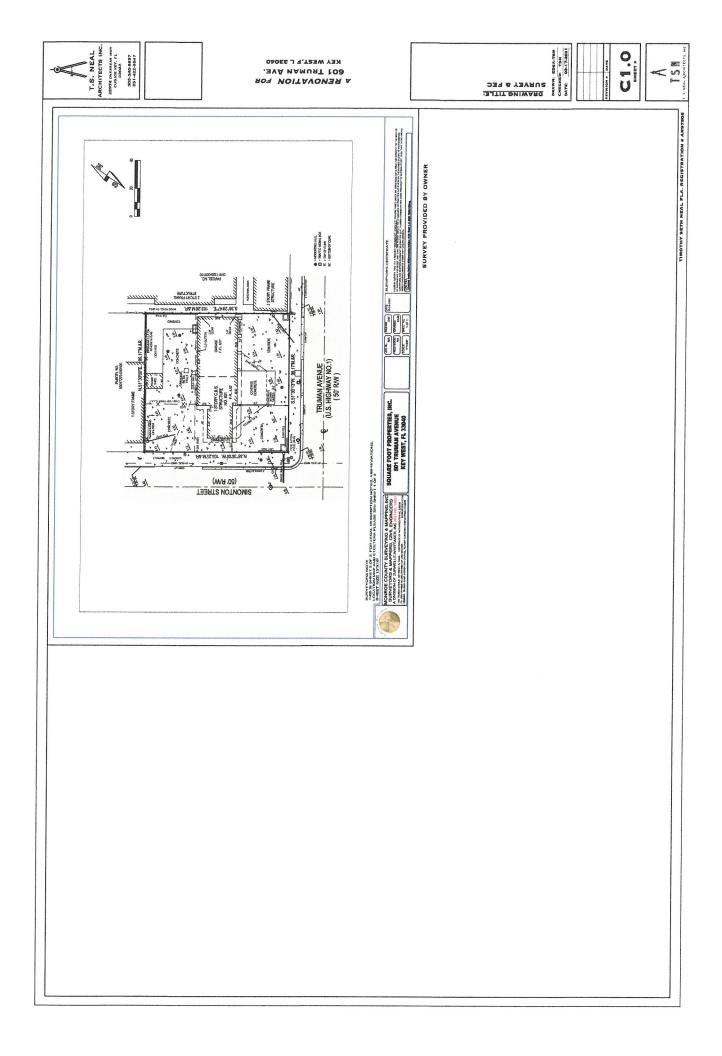
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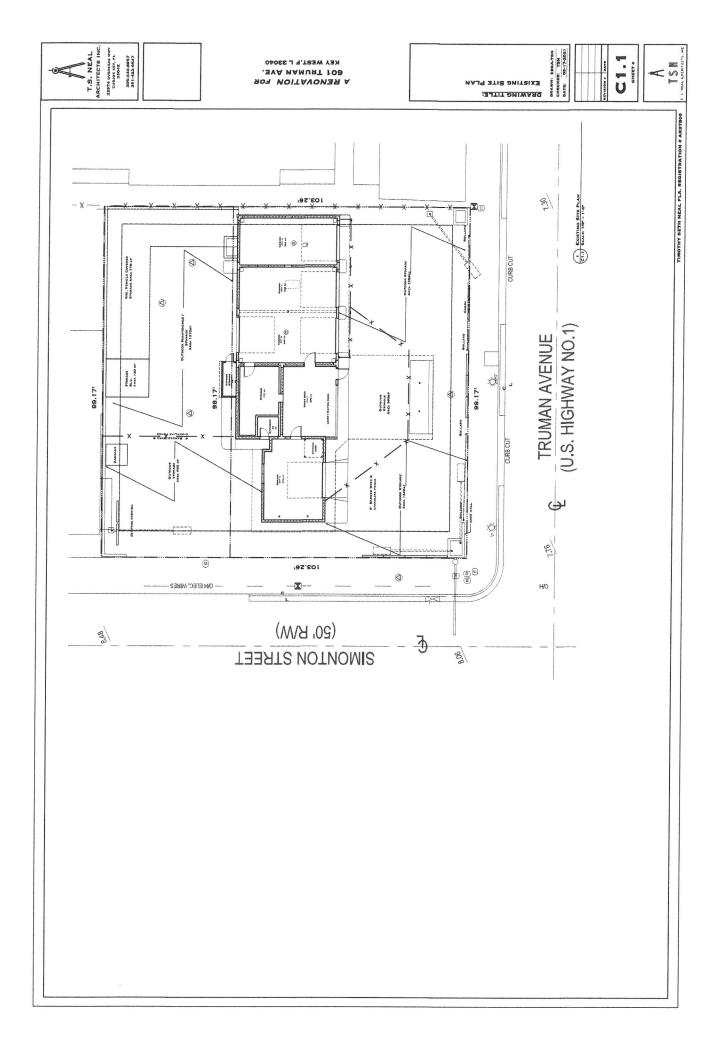


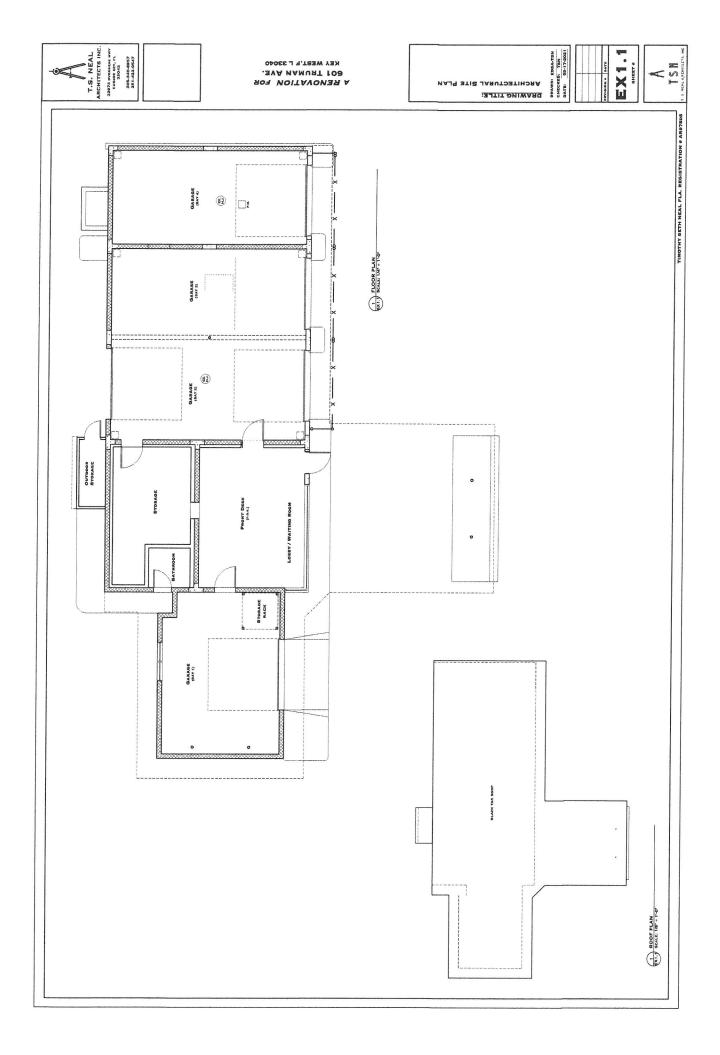


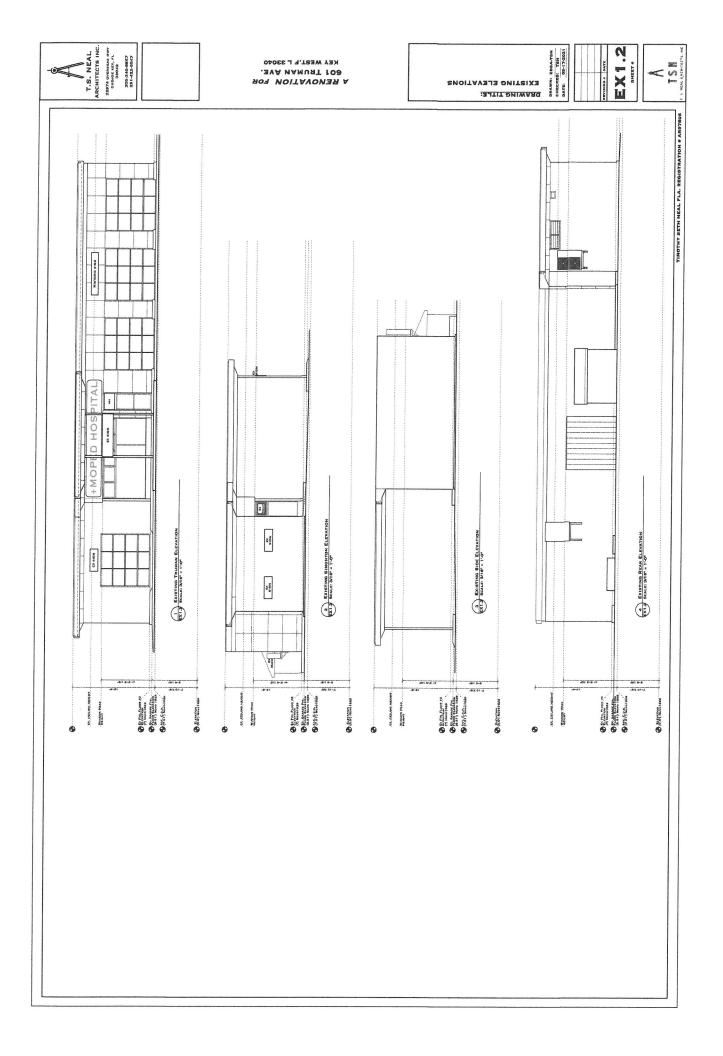


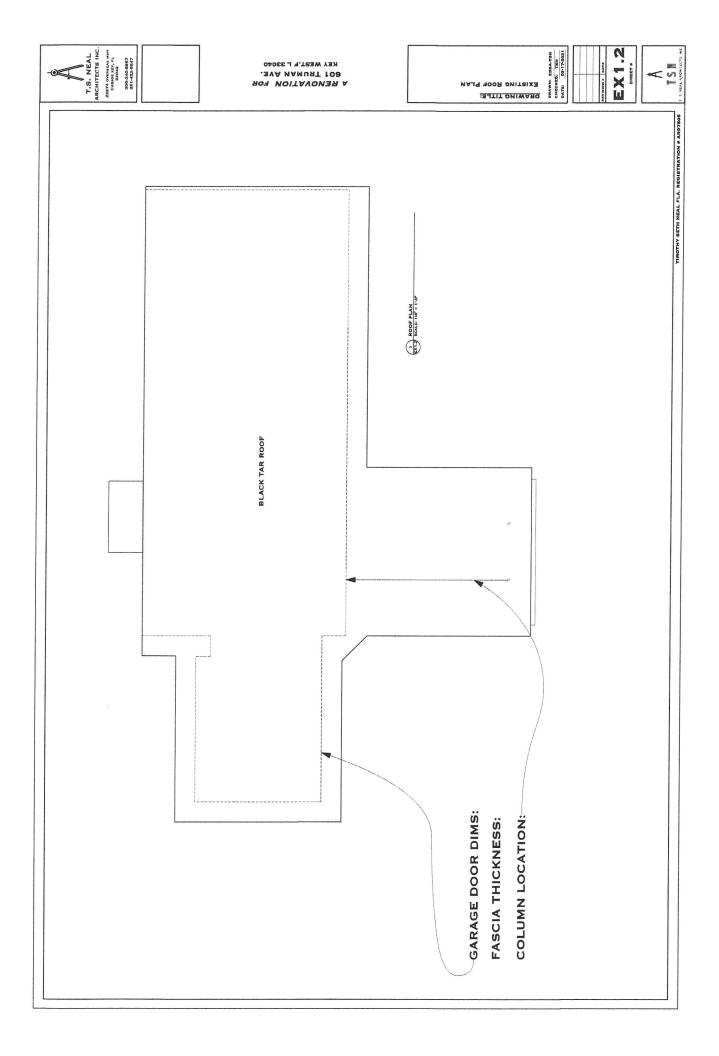
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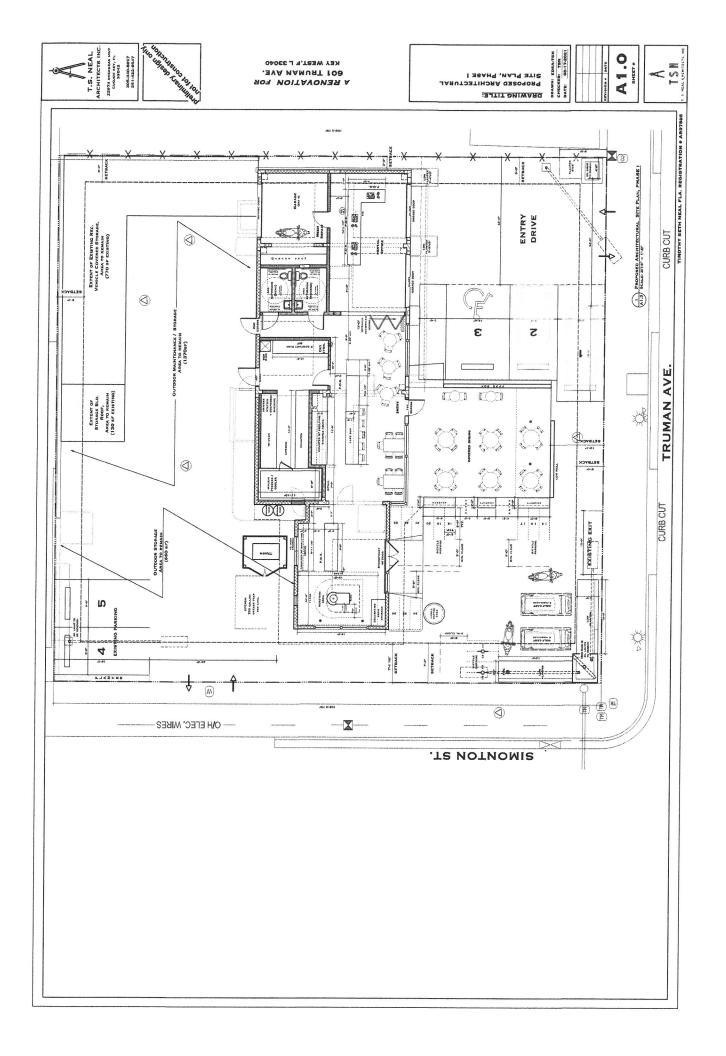


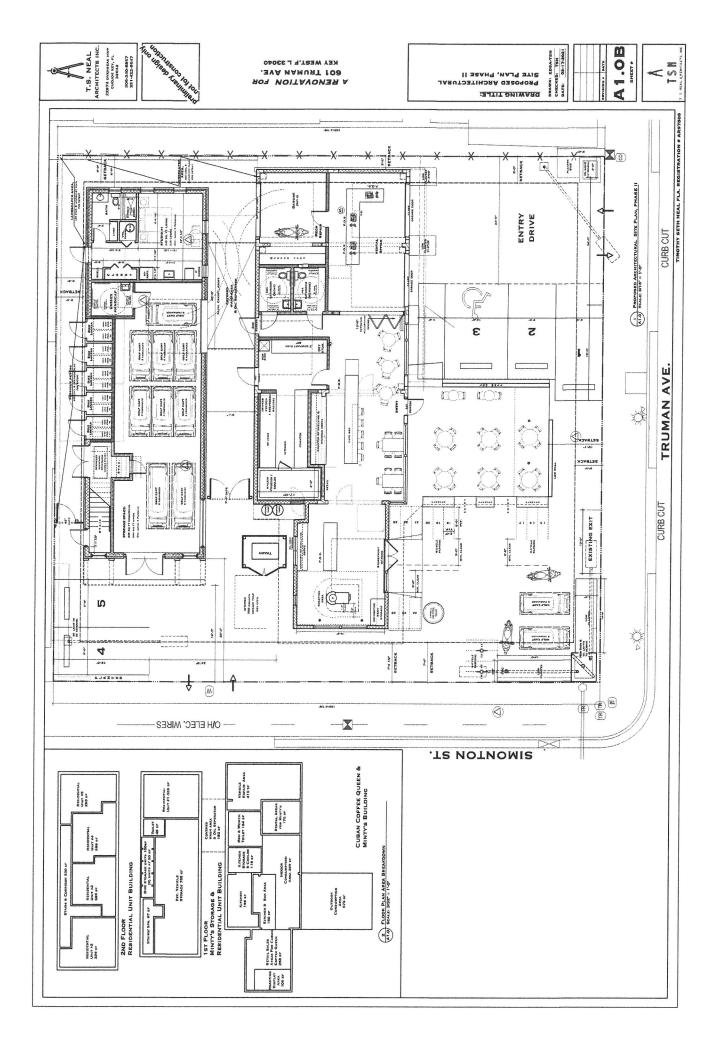


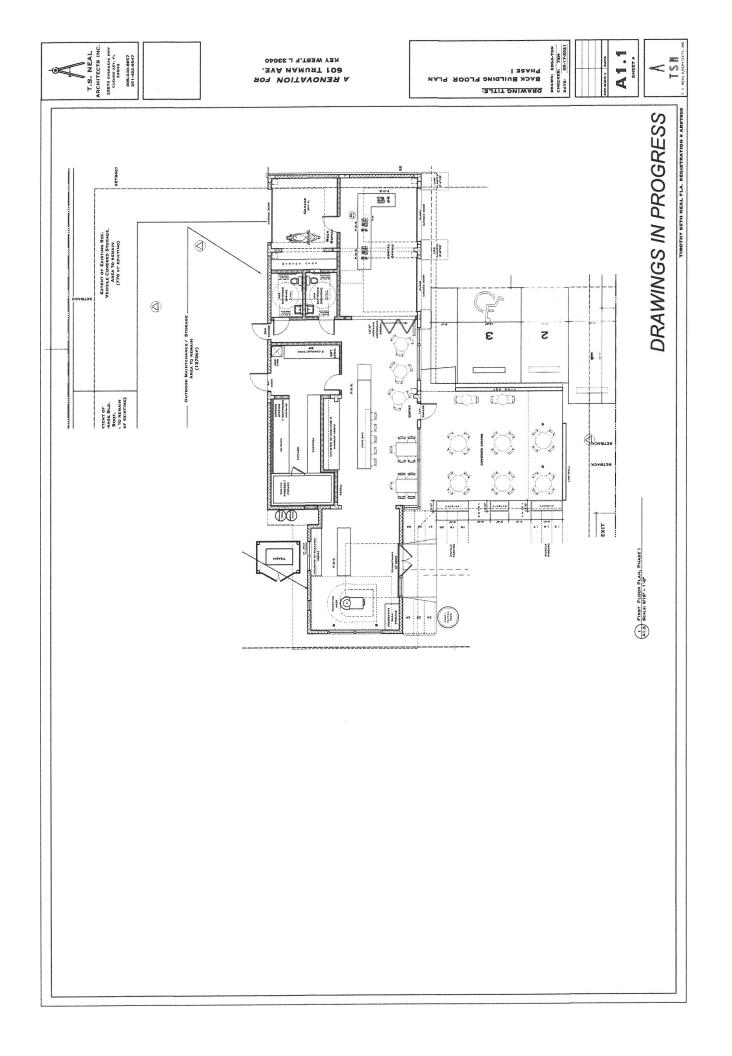


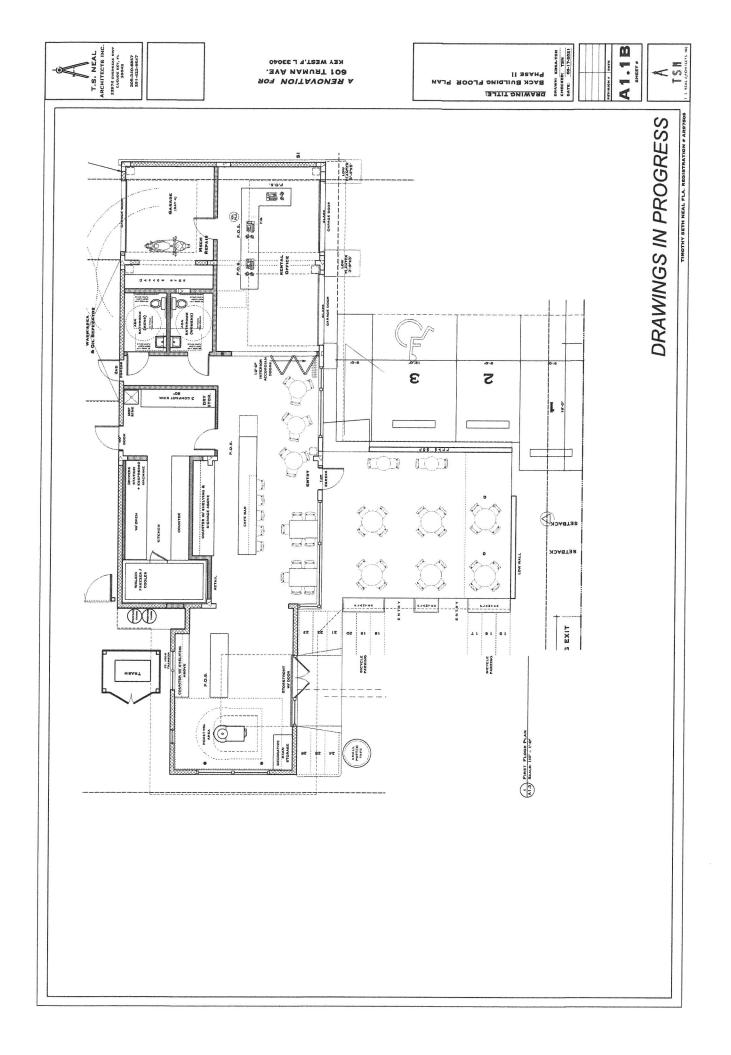


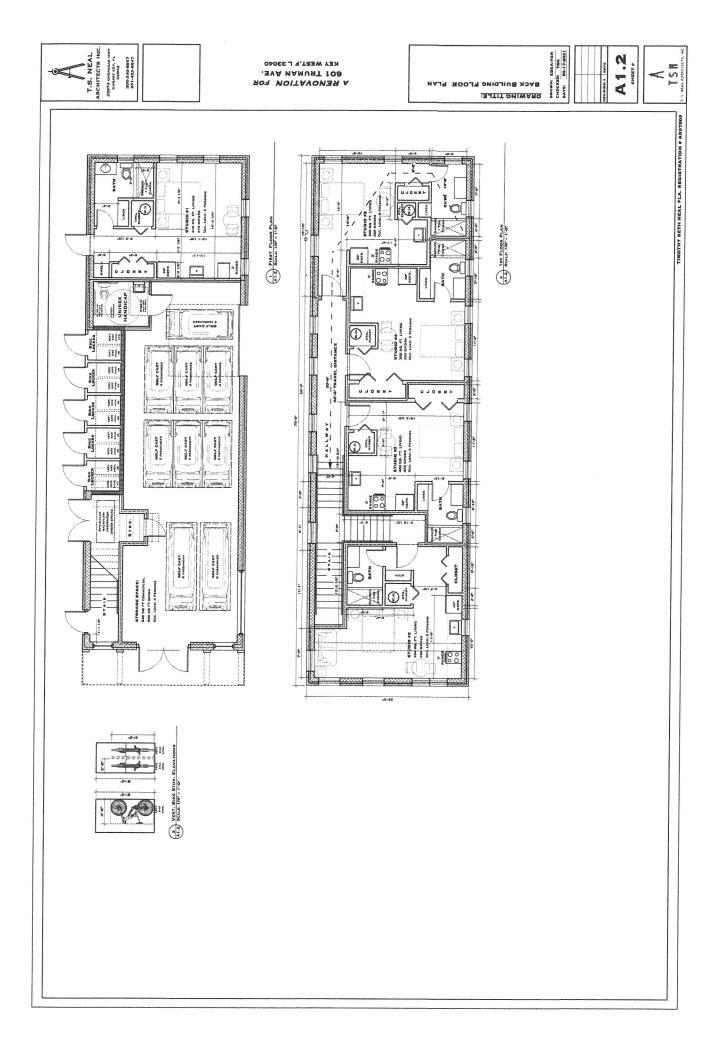




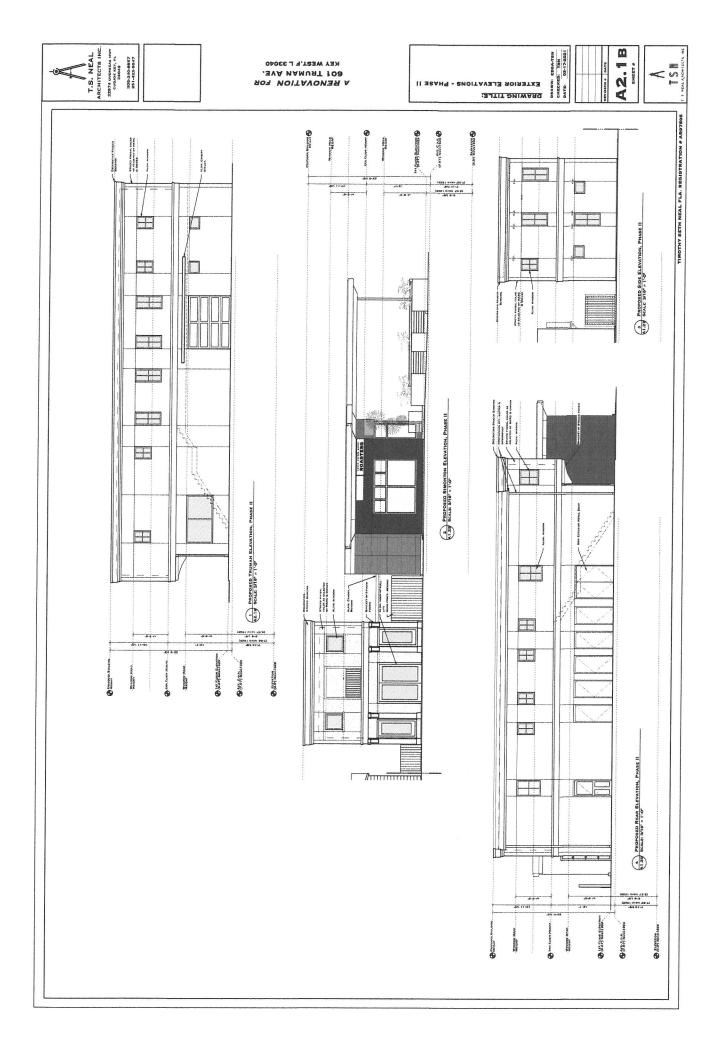


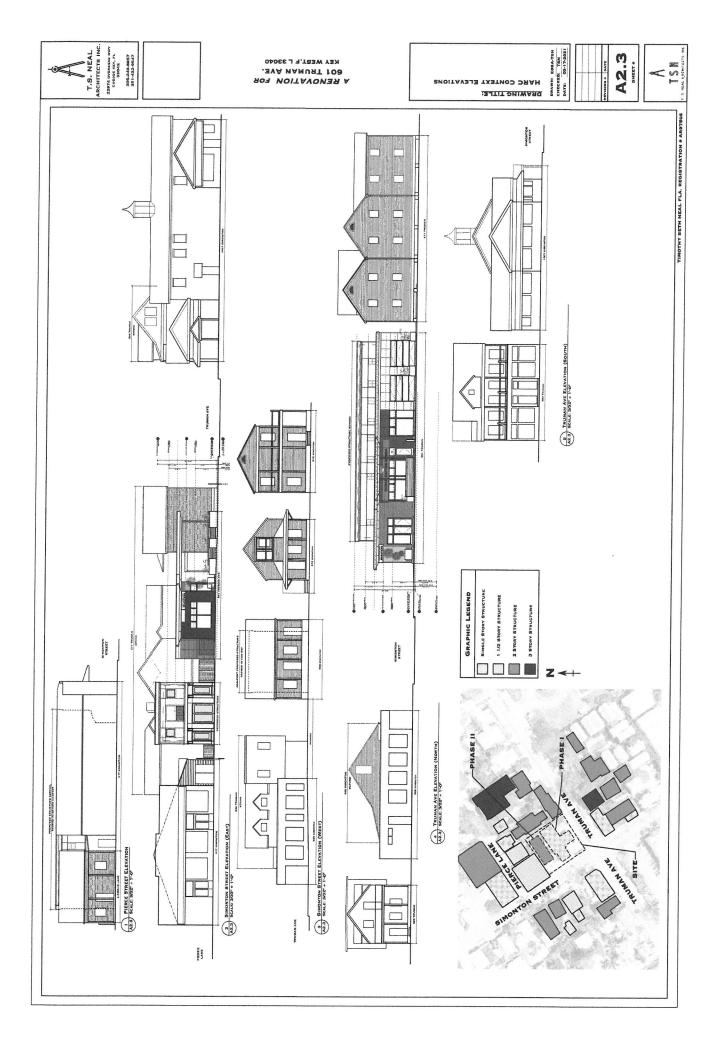










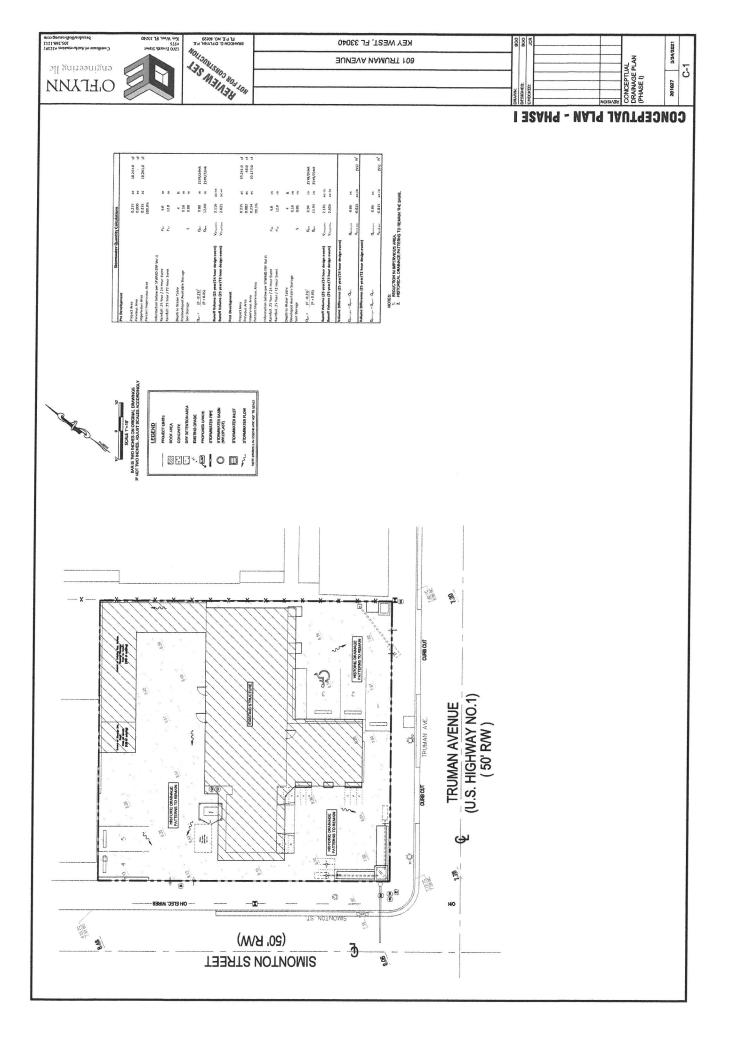


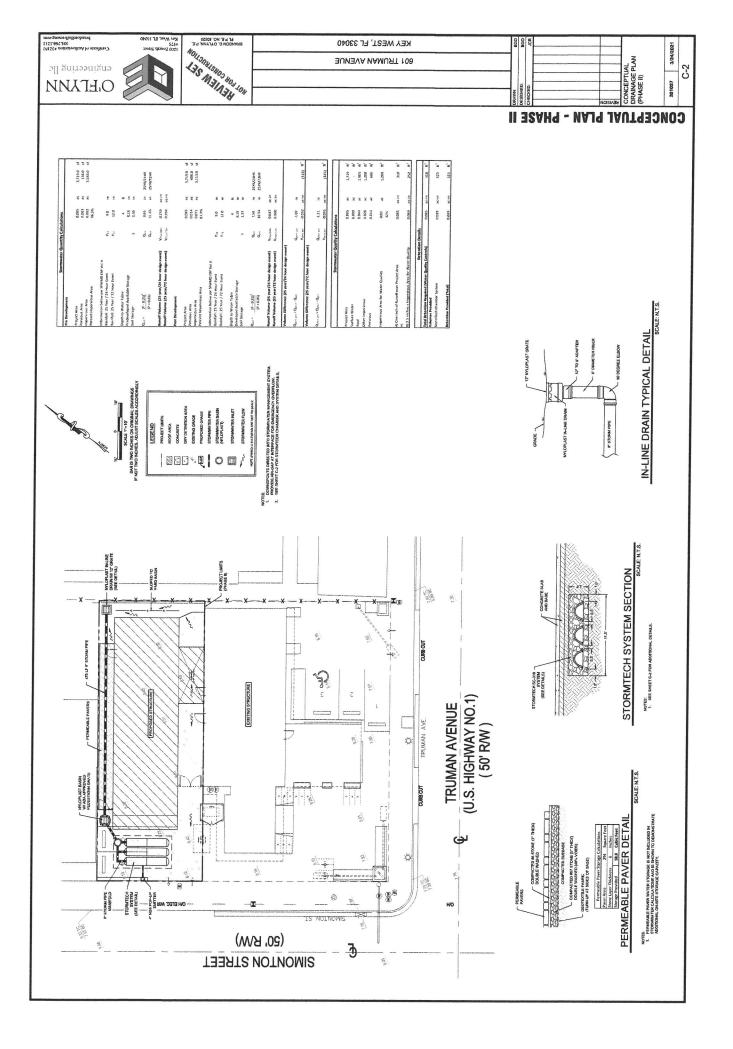
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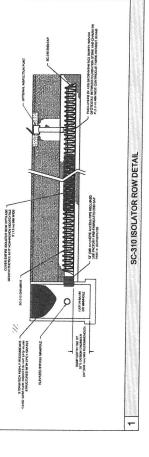
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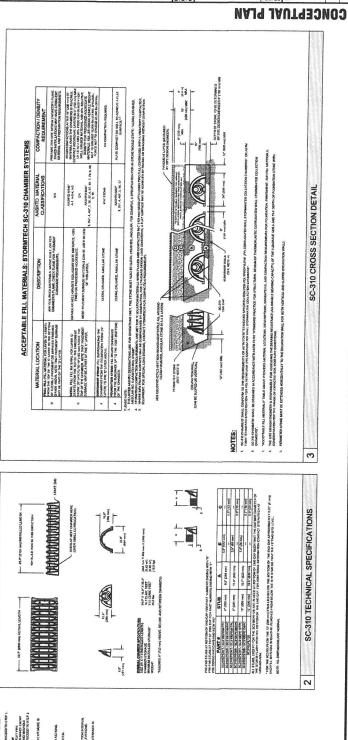
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O'FLYNN

EL S'E' NO' 90620 EKVNDON O' OLEANN' S'E'

KEY WEST, FL 33040

BUNAVA NAMURT 108



323 35 cubic ft.

20.75 ft. 11.50 ft. 238.61 sq

System Components num Width: x. Bed Stze Required:

System Volume and Bed Size

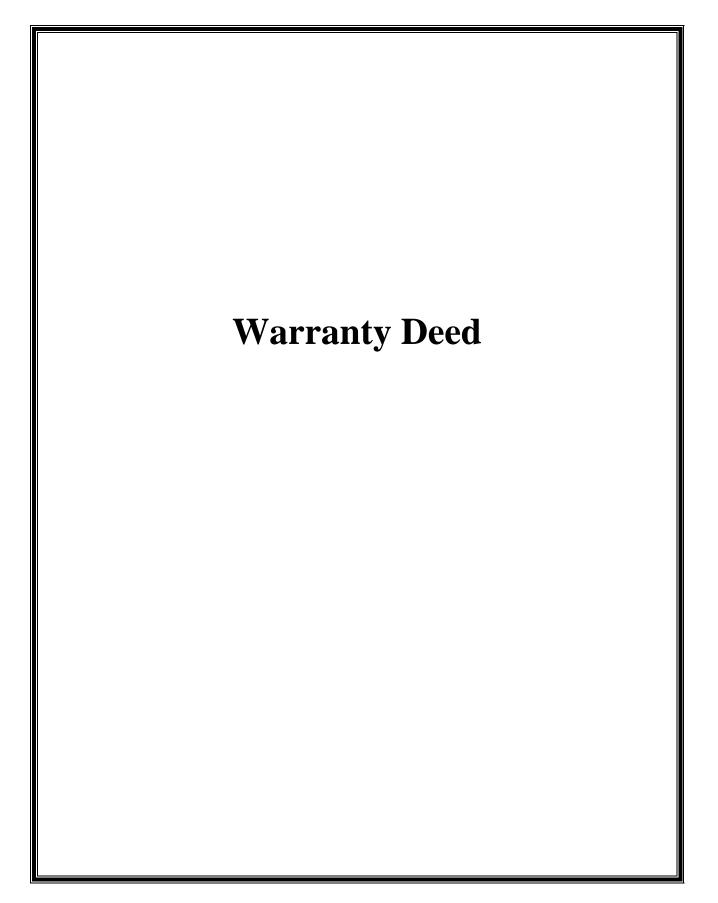
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DRAWN: DESIGNED CHECKED:

DETAILS

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J



Doc # 2285415 Bk# 3049 Pg# 1163 Recorded 10/9/2020 at 12:32 PM Pages 6 Filed and Recorded in Official Records of MONROE COUNTY KEVIN MADOK REC: \$52.50 Deed Doc Stamp \$10,675.00

7

Prepared by and return to: Gregory S. Oropeza, Esq. Attorney at Law Oropeza Stones Cardenas, PLLC 221 Simonton Street Key West, FL 33040 305-294-0252 File Number: 20-619 Consideration: \$1,525,000.00

Parcel Identification No. 00017270-000000 and 00017270-000100

[Space Above This Line For Recording Data]_____

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 30Th day of September, 2020 between Square Foot Properties, Inc., a Florida corporation whose post office address is 22 Spoonbill Way, Key West, FL 33040 of the County of Monroe, State of Florida, grantor*, and Venter Enterprises, LLC, a Florida limited liability company whose post office address is 608 Griffin Lane, Key West, FL 33040 of the County of Monroe, State of Florida, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

On the Island of Key West and is known as a part of Tract Four according to William A. Whitehead's map of said island, delineated in February, 1829, and is further known as a part of Lot Two in Square Number Seven according to Simonton & Wall's Addition to Key West, recorded in Deed Book "E", Page 245, of the Public Records of Monroe County, Florida, but is now better known and described as part of Lot One of Block One, according to a diagram of Charles R. Pierce's Subdivision of Lots One and Two, Square Seven in said Tract Four, according to C.W. Tift's map dated 1874, which diagram of Charles R. Pierce's is recorded in Plat Book 1 on Page 20, of the Public Records of Monroe County, Florida. Said part of Lot One according to Charles R. Pierce's diagram

Commencing at the corner of Division and Simonton Streets and running thence in a Northeasterly direction along the Northwesterly side of Division Street Ninety-nine (99) feet and Two (2) inches; thence at right angles in a Northwesterly direction Sixty-seven (67) feet; thence at right angles in a Southwesterly direction Ninety-nine (99) feet and Two (2) inches out to Simonton Street; thence at right angles in a Southeasterly direction along Simonton Street Sixty-seven (67) feet to the Point of Beginning.

AND

On the Island of Key West and is known as a part of Tract Four (4), according to William A. Whitehead's map of said Island delineated in February, 1829, and is further known as a part of Lot Two (2), in Square Seven (7), according to Simonton and Wall's Addition to Key West, recorded in Deed Book "E", Page 245, of the Public Records of Monroe County, Florida, but is now better known and described as part of Lot One (1) and part of Lot Two (2), of Block One (1), according to a diagram of Charles R. Pierce's subdivision of Lots One (1) and Two (2), Square Seven (7), in said Tract Four (4), according to C.W. Tift's map, dated 1874, which diagram of Charles R. Pierce's subdivision is recorded in Plat Book 1, at Page 20, of the Public Records of Monroe County, Florida.

DoubleTime[®]

Doc. # 2285415 Page Number: 2 of 6

Commencing at a point on the Northeasterly side of Simonton Street, distant 67 feet Northwesterly from the corner of the intersection of Simonton Street and Truman Avenue (formerly Division Street) and from said point run thence North 38° 30' West 36.25 feet; thence North 51° 30' East 99.165 feet; thence South 38° 30' East 36.25 feet; thence South 51° 30' West 99.2 feet to the Point or Place of Beginning on Simonton Street.

Subject to taxes for 2020 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Square Foot Properties, Inc., a Florida corporation

By Signature of Witness

Lisa J. Smith-Duffy, President

Printed Name of Witness

ANN HINES

Signature of Witness

Printed Name of Witness

Warranty Deed (Statutory Form) - Page 2

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Doc. # 2285415 Page Number: 3 of 6

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State of England Countryof .

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this 28 day of September, 2020 by Lisa J. Smith-Duffy, President of Square Foot Properties, Inc., a Florida corporation, on behalf of the corporation. Me/she [] is persenally known to me or final produced by the second se

	Notary Public
	Printed Name: BALDEU.K. BATTY
BALDEV K. BATT	My Commission Empires. In for Lyo
NOTARY PUBLIC	This 28th september 2020

Warranty Deed (Statutory Form) - Page 3	
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Landmark Web Official Records Search

Doc. # 2285415 Page Number: 4 of 6

Prepared by and Return to: Oropeza Stones & Cardenas 221 Simonton Street Key West, FL 33040

RESOLUTIONS OF CORPORATE BOARD AUTHORIZING EXECUTION OF SALE OF ALL ASSETS NOT IN THE ORDINARY COURSE OF BUSINESS AND SHAREHOLDER APPROVAL AND COMPLIANCE WITH FLORIDA STATUTES §607.1202

LISA J. SMITH-DUFFY, the President/Secretary/Treasurer, sole Director and sole Shareholder of SQUARE FOOT PROPERTIES, INC., a Florida corporation (the "Corporation"), does hereby certify as follows:

1. I am the duly elected and qualified President/Secretary/Treasurer of SQUARE FOOT PROPERTIES, INC., a Florida corporation (the "Corporation") and the keeper of the records and corporate seal of said Corporation.

2. The Corporation owns fee simple title to real properties located 601 Truman Avenue, Key West, Florida and 919 Simonton Street, Key West, Florida, which properties are more particularly described as follows:

On the Island of Key West and is known as a part of Tract Four according to William A. Whitehead's map of said Island, delineated in February, 1829, and is further known as a part of Lot Two in Square Number Seven according to Simonton & Wall's Addition to Key West, recorded in Deed Book "E", Page 245, of the Public Records of Monroe County, Florida, but is now better known and described as part of Lot One of Block One, according to a diagram of Charles R. Pierce's Subdivision of Lots One and Two, Square Seven in said Tract Four, according to C.W. Tift's map dated 1874, which diagram of Charles R. Pierce's is recorded in Plat Book 1 on Page 20, of the Public Records of Monroe County, Florida. Said part of Lot One according to Charles R. Pierce's diagram being described by metes and bounds as follows:

Commencing at the corner of Division and Simonton Streets and running thence in a Northeasterly direction along the Northwesterly side of Division Street Ninety-nine (99) feet and Two (2) inches; thence at right angles in a Northwesterly direction Sixty-seven (67) feet; thence at right angles in a Southwesterly direction Ninety-nine (99) feet and Two (2) inches out to Simonton Street; thence at right angles in a Southeasterly direction along Simonton Street Sixty-seven (67) feet to the Point of Beginning.

AND

On the Island of Key West and is known as a part of Tract Four (4), according to William A. Whitehead's map of said Island delineated in February, 1829, and Is further known as a part of Lot Two (2), in Square Seven (7), according to Simonton and Wall's Addition to Key West, recorded in Deed Book "E", Page 245, of the Public Records of Monroe County, Florida, but is now better known and described as part of Lot One (1) and part of Lot Two (2), of Block One (1), according to a diagram of Charles R. Pierce's subdivision of Lots One (1) and

กระการสร้างให้สร้านกระการกระการสร้างสารสรรณหารณหารณหารถไฟนารถนายายกรณหารณหารณหารณหารณหารณหารณหา้นหารถการสร้างให้

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Doc. # 2285415 Page Number: 5 of 6

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Two (2), Square Seven (7), in said Tract Four (4), according to C.W. Tift's map, dated 1874, which diagram of Charles R. Pierce's subdivision is recorded in Plat Book 1, at Page 20, of the Public Records of Monroe County, Florida.

Commencing at a point on the Northeasterly side of Simonton Street, distant 67 feet Northwesterly from the corner of the intersection of Simonton Street and Truman Avenue (formerly Division Street) and from said point run thence North 38° 30' West 36.25 feet; thence North 51° 30' East 99.165 feet; thence South 38° 30' East 36.25 feet; thence South 51° 30' West 99.2 feet to the Point or Place of Beginning on Simonton Street.

(collectively the "Property")

3. The following is a true and correct copy of resolutions duly adopted at a special meeting of the Board of Directors of SQUARE FOOT PROPERTIES, INC., a Florida corporation held in accordance with its bylaws at its offices located in Key West, Florida, on the _____ day of September, 2020, and the same are now in full force and effect.

COPY OF RESOLUTIONS

RESOLVED that the execution and delivery of that certain Commercial Contract (the "Contract") dated August 10, 2020, for the purchase and sale of the Property, by and between, SQUARE FOOT PROPERTIES, INC., a Florida corporation, as Seller, and MARIUS VENTER, which Contract was assigned to VENTER ENTERPRISES, LLC, a Florida limited liability company, as Buyer, and any and all amendments thereto (the "Contract Documents"), and other documents referred to therein, and/or related thereto are hereby ratified and approved; and

FURTHER RESOLVED that the taking of any and all necessary action to consummate purchase and sale of the Property (the "Purchase and Sale Transaction") and the execution of all documents by LISA J. SMITH-DUFFY, on behalf of the Corporation, to effect said Purchase and Sale Transaction, are hereby ratified and approved; and

FURTHER RESOLVED that, the Purchase and Sale Transaction is a disposition of all or substantially all of the Company's property otherwise than in the usual and regular course of business, requiring approval of all shareholders in accordance with the requirements of Florida Statutes §607.1202; and

4. The following named person has been duly elected to the office of President of SQUARE FOOT PROPERTIES, INC., a Florida corporation, he/she continues to hold this office at the present time, and the signature appearing hereon is the genuine, original signature of said person;

lisa J. Smith-Duffy	
D1F3F0E1BC2B404	
LISA I SMITH DUCEY	

LISA J. SMITH-DUFFY, as President

5. LISA J. SMITH-DUFFY, is duly authorized to enter into the Purchase and Sale Transaction, and is duly authorized to execute any and all documents on behalf of the Corporation, in connection with said transaction.

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WHEREOF, I have hereunto affixed my name as President/Secretary/Treasurer of said Corporation, this _____ day of September, 2020.

SQUARE FOOT PROPERTIES, INC., a Florida corporation, By:

LISA J. SMITH-DUFFY, President/Secretary/Treasurer

and a second second

I / WE HEREBY CERTIFY that I/we are all of the directors of SQUARE FOOT PROPERTIES, INC., a Florida corporation and that the foregoing is a true and correct copy of resolutions passed as therein set forth, and that the same are now in full force and effect, and that the Purchase and Sale Transaction referenced therein is approved.

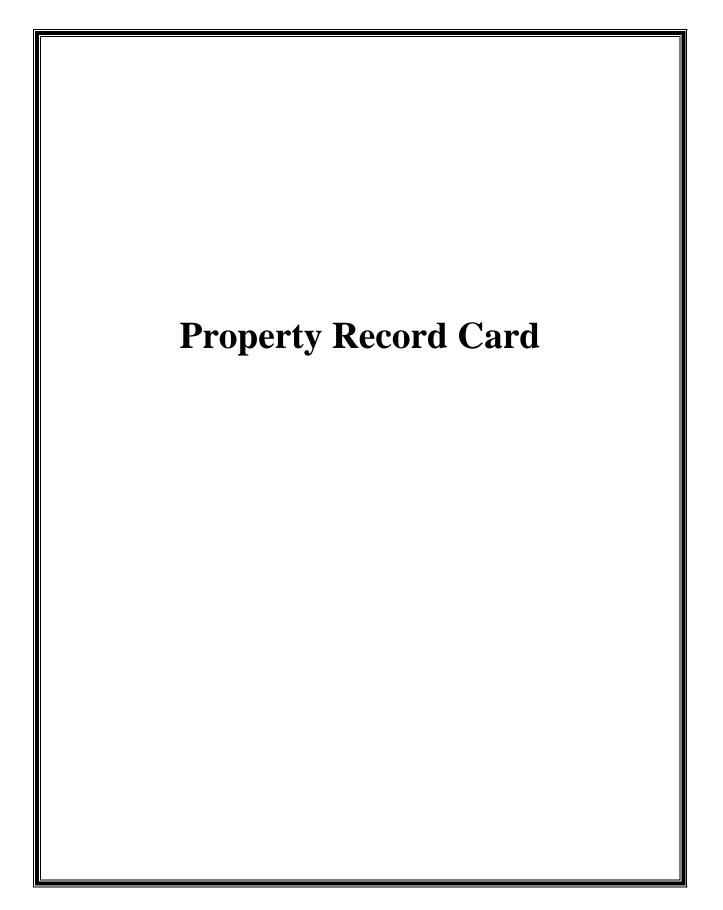
LISA J. SMITH-DUFFY, sole director of SQUARE FOOT PROPERTIES, INC., a Florida corporation

I / WE HEREBY CERTIFIY that I/we are all of the shareholders of SQUARE FOOT PROPERTIES, INC., a Florida corporation, and that the foregoing is a true and correct copy of resolutions passed as therein set forth, and that the same are now in full force and effect, and that the Purchase and Sale Transaction referenced therein is approved.

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LISA J. SMITH-DUFFY, sole shareholder of SQUARE FOOT PROPERTIES, INC., a Florida corporation

https://or.monroe-clerk.com/LandmarkWeb/search/index?theme=.blue§ion=searchCriteriaBookPage&quickSearchSelection=#



(gPublic.net Monroe County, FL

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

00017270-000000
1017736
1017736
10KW
601 TRUMAN Ave. KEY WEST
KW PT LOT 1 SQR 7 TR 4 G2-177 OR807-1018/20 OR976-9/11 OR1706-2011/12 OR2662-2113/14 OR3049-1163 (Note: Not to be used on legal documents.)
32080
SERVICE SHOPS (2500)
06/68/25
No



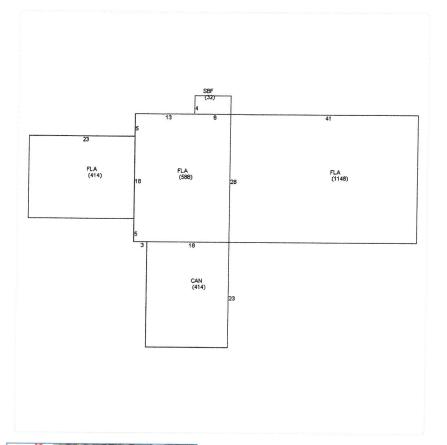
Owner

VENTER ENTERPRISES LLC 608 Griffin Ln Key West FL 33040

			2020	2019	2018	2017
+	Market Improvement Value		\$179,730	\$179,730	\$180.060	\$180.060
+	Market Misc Value		\$18,271	\$18.271	\$18.271	\$18,271
+	Market Land Value		\$731,205	\$838,141	\$809.239	\$379.505
=	Just Market Value		\$929,206	\$1,036,142	\$1,007.570	\$577,836
-	Total Assessed Value		\$769,098	\$699,180	\$635,619	\$577.836
-	School Exempt Value		\$0	\$0	\$0	\$0
=	School Taxable Value		\$929,206	\$1,036,142	\$1,007,570	\$577,836
	nd Use	Number of Units	Unit Type	F	rontage	Depth
(25	500)	6,644.00	Square Foot	6	7	99

Commercia	al Buildings										
Style Gross Sq Ft Finished Sq Perimiter Stories Interior Wal Exterior Wa Quality Roof Type Roof Materi Exterior Wa	SERV Sł 2,596 Ft 2,150 0 3 Ils Ils C.B.S. 400 () iał Il1 C.B.S.	HOPS ETC / 2	5C								
Exterior Wa Foundation Interior Finis Ground Floo Floor Cover Full Bathroo Half Bathroo Heating Type	sh prArea pms 2 pms 0 e										
Year Built	1958										
Year Remode	eled ar Built 1994										
Condition	ar Bullt 1994										
Code	Description	S	ketch Area	Finished Area	Perimeter						
CAN	CANOPY		14	0	0						
FLA	FLOOR LIV AREA		,150	2,150	0						
SBF	UTIL FIN BLK	3:		0	0						
	OTILITINGLE										
TOTAL		2,	596	2,150	0						
Description				Year Built		Roll Year		Quantity	Units	Grade	
CONC PATH	0			1975		1976		1	4080 SF	2	
CH LINK FE	NCE			1980		1981		1	4080 SF 336 SF		
CONC PATH	0			1980		1981		1	360 SF	1 2	
						1/01		1	300 5F	2	
Sale Date	Sale F	rice	Instrument		Instrument Number		Deed Book	Deed Page	Sale Qualification	Vacant or Improved	
9/30/2020	\$1,52	5,000	Warranty D		2285415		3049	1163	99 - Unqualified	Improved	
12/12/2013			Warranty D				2662	2113	05 - Qualified		
6/27/2001	\$411,						1706			Improved	
6/27/2001 \$411,000 Warranty Deed 1706 2011 M - Unqualified							M - Onquaimed	Improved			
Number \$	Date	e Issued \$		Date Completed	•	Amount \$		Permit Type 🖨			
04-2583		2004		11/5/2004	•	\$1,500		Fernic Type +			lotes \$
04-2302		3/2004		11/5/2004		\$4,800				BLOVK-IN 2 A/C	
0201175		2002		10/7/2002		\$1,000				INSTALL 3 A/C,DUG	
0000347		/2002		12/7/2002						CLEAN/PAIN	
000004/	2/11	2000		12///2000		\$10,000				27 SQS RUBBER ROLL R	OOFIN

Sketches (click to enlarge)





No data available for the following modules: Buildings, Mobile Home Buildings, Exemptions.

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Version 2.3.9

(gPublic.net Monroe County, FL

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

Summary			-						
Parcel ID Account# Property ID Millage Group Location Address Legal Description Neighborhood Property Class Subdivision SecTrup/Rng	00017270-000100 8804016 D 8804016 DV 1500 100 Viter State 919 SIMONTON St, KEY WEST Vadress 919 SIMONTON St, KEY WEST Note: Not to be used on legal documents.) 1000 132080 Class PARKING LOT (2800) n Note: Not to be used on legal documents.)								
Affordable Housin	06/68/25 g No								
Owner									
VENTER ENTERPR 608 Griffin Ln Key West FL 3304(
				2020		2019	2018		
+ Market Impro				\$0		\$0	\$0		
+ Market Misc V				\$0		\$0	\$0		
+ Market Land \				\$442,365	\$55	7,764	\$552.552		
 Just Market Va 				\$442,365	\$55	\$552,552			
 Total Assessed 				\$344,898	\$344,898 \$313,544				
 School Exemption 				\$0			\$0		
 School Taxable 	Value			\$442,365	\$55	\$557,764 \$552,552			
Land Use	,	Number of Units		Unit Type		Frontage	-		
(2800)		3,595.00		Square Foot			Depth 0		
						0	U		
Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved		
9/30/2020	\$1,525,000	Warranty Deed	2285415	3049	1163	99 - Unqualified	Improved		
12/12/2013	\$825,000	Warranty Deed		2662	2113	05 - Qualified	Improved		
6/27/2001	\$1	Warranty Deed		1706	2011	M - Unqualified	Improved		
99. 1729	2	30 2			÷				



No data available for the following modules: Buildings, Commercial Buildings, Mobile Home Buildings, Yard Items, Exemptions, Permits, Sketches (click to enlarge), Photos.

Last Data Upload: 10/21/2020.2:31:43 AM

Schneider

2017

\$0

\$0

\$0

\$259,128

\$259,128

\$259,128

\$259,128