PLANNING BOARD RESOLUTION NO. 2019-50

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING APPROVAL OF A MAJOR DEVELOPMENT PLAN, CONDITIONAL USE, AND LANDSCAPE **MODIFICATION** WAIVER APPLICATION TO DEVELOP A HOTEL AMENITY TO INCLUDE A POOL, A FLOWRIDER® DOUBLE AND ASSOCIATED MECHANICAL EQUIPMENT, SIX CABANAS, RESTROOMS, STORAGE SPACE, TWO AIRSTREAM® TRAILERS, AND TWO FOOD TRUCKS AT PROPERTIES LOCATED AT 3824 AND 3840 NORTH ROOSEVELT BOULEVARD (RE# 00065550-000000 AND RE# 00064950-000000) WITHIN THE COMMERCIAL GENERAL (CG) ZONING DISTRICT **PURSUANT** TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 108-91 B. 2. (c) of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that outside of the Historic District, a major development plan is required for an addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities equal to or greater than 5,000 square feet; and

WHEREAS, Section 108-196 (a) provides that the planning board's decision on a major development plan shall be advisory to the city commission; and

WHEREAS, Section 122-418 provides that conditional use review is required for commercial amusement within the General Commercial (CG) zoning district; and

Page 1 of 6 Resolution No. 2019-50

Chairman Planning Director

WHEREAS, Chapter 108 Article VI provides for landscaping requirements for a proposed development plan; and

WHEREAS, Section 108-517 provides that an applicant may request a waiver or modification of the standards of Chapter 108 Article VI; and

WHEREAS, Section 108-517 provides that the planning board shall render the final action for an application for a waiver or modification to the standards of Chapter 108 Article VI; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 18, 2019; and

WHEREAS, the Planning Board finds that the granting of a Major Development Plan, Conditional Use, and Landscape Modification / Waiver application is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the Planning Board finds that the granting of a Major Development Plan, Conditional Use, and Landscape Modification / Waiver is in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

- **Section 1.** That the above recitals are incorporated by reference as if fully set forth herein.
- Section 2. The Major Development Plan, Conditional Use, and Landscape Modification /
 Waiver application to develop a hotel amenity to include a pool, a Flowrider® Double and associated

 Page 2 of 6
 Resolution No. 2019-50

Chairman

Planning Director

mechanical equipment, six cabanas, restrooms, storage space, two Airstream® trailers, and two food trucks on property located at 3824 and 3840 North Roosevelt Boulevard (RE# 00065550-000000 & 00064950-000000) within the General Commercial (CG) zoning district pursuant to Section 108-91 B. 2 (c), Section 122-418, and Section 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans, is hereby approved with

the following conditions:

General conditions:

1. The hours of construction shall be in compliance with City Code and be limited to 8

AM to 7 PM on Monday to Friday, and 9 AM to 5 PM on Saturday.

2. During all phases of construction, temporary fencing shall be installed and

maintained. All adjacent City streets and sidewalks shall be kept clean and clear of

construction debris.

3. The proposed development shall be consistent with the signed and sealed plans by

K2M Design and David Douglas Associates, Inc. No approval granted for any other work or

improvements shown on the plans other than the proposed pool, FlowRider® Double and

associated mechanical equipment, six cabanas, restrooms, storage space, two Airstream®

trailers, and two food trucks.

4. Hours of operation may be 7-days a week, from 9am to 9pm. Any proposed

extension in hours of operation must be approved by the Planning Board pursuant to section

122-63 (e).

Conditions prior to placement on a City Commission agenda:

Page 3 of 6 Resolution No. 2019-50

Chairman

Planning Director

5. The applicant shall obtain final landscape plan approval from the Tree Commission.

6. Any comments or requests by the City's traffic engineering consultant relating to the

applicant's expanded traffic statement received prior to the City Commission hearing shall be

addressed.

7. Pursuant to section 108-243, an irrigation plan, prepared by a registered landscape

architect, engineer, or an irrigation contractor working under the supervision of a registered

landscape architect or engineer shall be submitted prior to the City Commission hearing.

8. A lighting plan shall be submitted that shows light sources shielded and arranged to

eliminate glare from roadways and streets and directed away from properties lying outside

the district. The plan shall show that street lighting will be installed on all internal and

perimeter streets, within parking areas, and along pedestrian walkways. Shielding of lighting

elements shall be accomplished by using an opaque shade to direct the light.

Conditions prior to issuance of a building permit:

9. Pursuant to the note to file, dated December 10, 2013, the unit at the Welcome Center

located at 3840 North Roosevelt Boulevard will revert back to the City for redistribution for

other potential projects when the site is redeveloped.

10. Applicant shall coordinate with Keys Energy Services a full project review.

11. Approval of a Public Art Plan shall be obtained from the AIPP Board pursuant to City

Code Section 2-487 and may include payment of an in-lieu fee.

Page 4 of 6 Resolution No. 2019-50

Chairman

Planning Director

12. A unity of title shall be submitted to the Planning Director.

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

13. No building permit shall become final and no certificate of occupancy shall be

issued until any and all impact fees are paid.

14. The owner shall obtain and maintain a Conditional Approval Permit, pursuant to City

Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the

property on an annual basis upon reasonable notice to determine compliance with the

conditions of the Planning Board and City Commission resolutions.

Section 3. Full, complete, and final application for all permits required for which this

resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the

date hereof.

Section 4. This Major Development Plan, Conditional Use, and Landscape Modification

/ Waiver application approval by the Planning Board does not constitute a finding as to ownership or

right to possession of the property, and assumes, without finding, the correctness of the applicant's

assertion of legal authority respecting the property.

Section 5. This resolution shall go into effect immediately upon its passage and adoption

and authentication by the signatures of the presiding officer and the Clerk of the Board.

Section 6. This resolution is subject to appeal periods as provided by the City of Key

West Code of Ordinances (including the Land Development Regulations). After the City appeal

Page 5 of 6 Resolution No. 2019-50

Chairman

Planning Director

period has expired, this permit or development order shall be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 45 days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the 45-day review period, the DEO can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a regularly scheduled meeting held this 18th day of July 2019.

Authenticated by the Chairman of the Planning Board and the Planning Director.

Sa Halal	7-76-19
Sam Holland, Planning Board Chairman	Date

Attest:

Patrick Wright, Planning Director

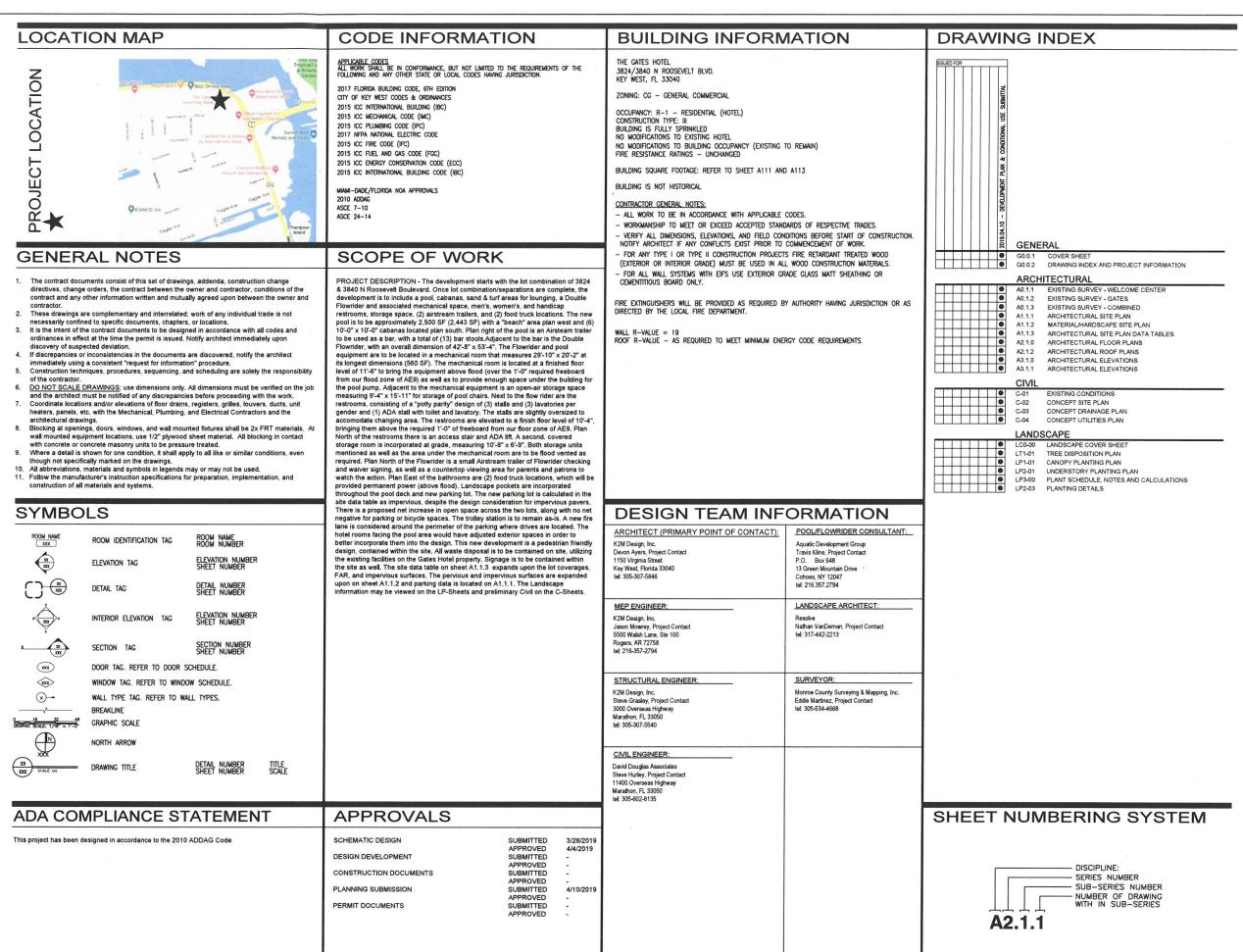
Date

Filed with the Clerk:

Cheryl Smith, City Clerk Date

Page 6 of 6 Resolution No. 2019-50

Chairman
PW Planning Director



Architecture, Engineering URL: www.k2mdesign.com PROF. REG. AA26001059

Building Relationships Based on Trust and Result

CIVIL ENGINEER: David Douglas Associates, I Aquatic Development Group LANDSCAPE ARCHITECT: Resolve

WEST WATER PARK 124/3840 N. ROOSEVELT BLVD. KEY WEST, FL 33040 HIGHGATE 2ND FLOOR: NEW YO

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Drawing Size | Project #: 24x36 | 19039

DRAWING INDEX LEGEND. & **ABBREVIATIONS**

KEY

G0.0.2

Date: 2019.04.10 ©2019 by K2M Design, Inc

URL: www.k2mdesign.com PROF. REG. AA26001059

Aquatic Development Group

KEY WEST WATER PARK 3824/3840 N. ROOSEVELT BLVD. KEY WEST, FL 33040 HIGHGATE 2ND FLOOR; NEW YOR

Drawing Size | Project #: 24x36 | 19039

EXISTING SURVEY (WELCOME CENTER)

A0.1.1

Date: 2019.04.10 ©2019 by K2M Design, Inc.

MEMBER: FLORIDA LAND SURVEYOR'S COUNCIL, FLORIDA SURVEYING AND MAPPING SOCIETY

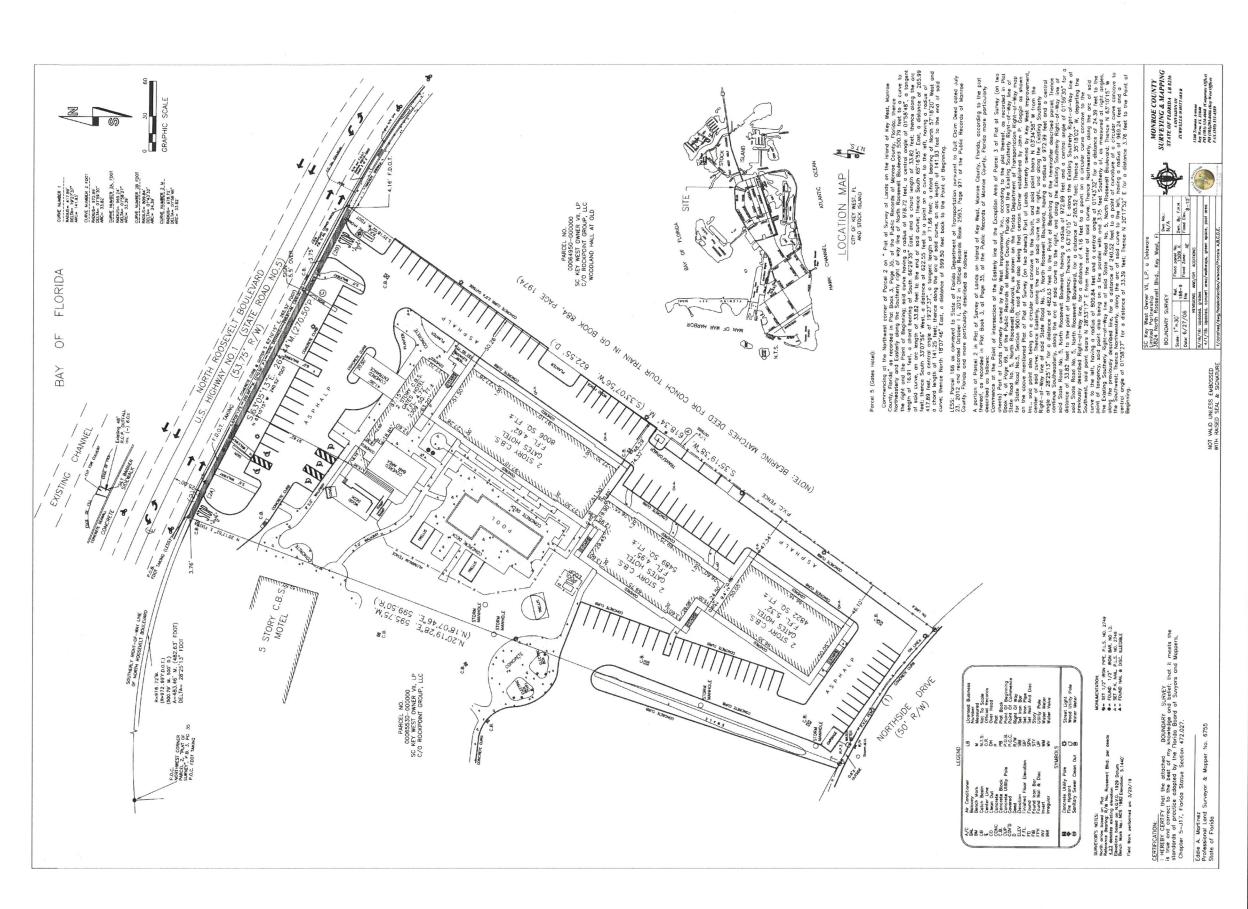
3840 North Roosevelt Blvd., Key West, FL

EDDIE A. MARTINEZ PROFESSIONAL SURVEYOR AND PROFESSIONAL SURVEYOR AND MAPPER NO. LS6755 STATE OF FLORIDA

SHEET No. 2 OF 2

SCALE: 1"=30"

VISIBLE EMPLOYMENT OF THE PROPERTY OF THE PROP



Key Largo, FL Key West, FL Marathon, FL

KEY WEST WATER PARK 3824/3840 N. ROOSEVELT BLVD. KEY WEST, FL 33040 HIGHGATE 870 7TH AVE; 2ND FLOOR; NEW YORK,

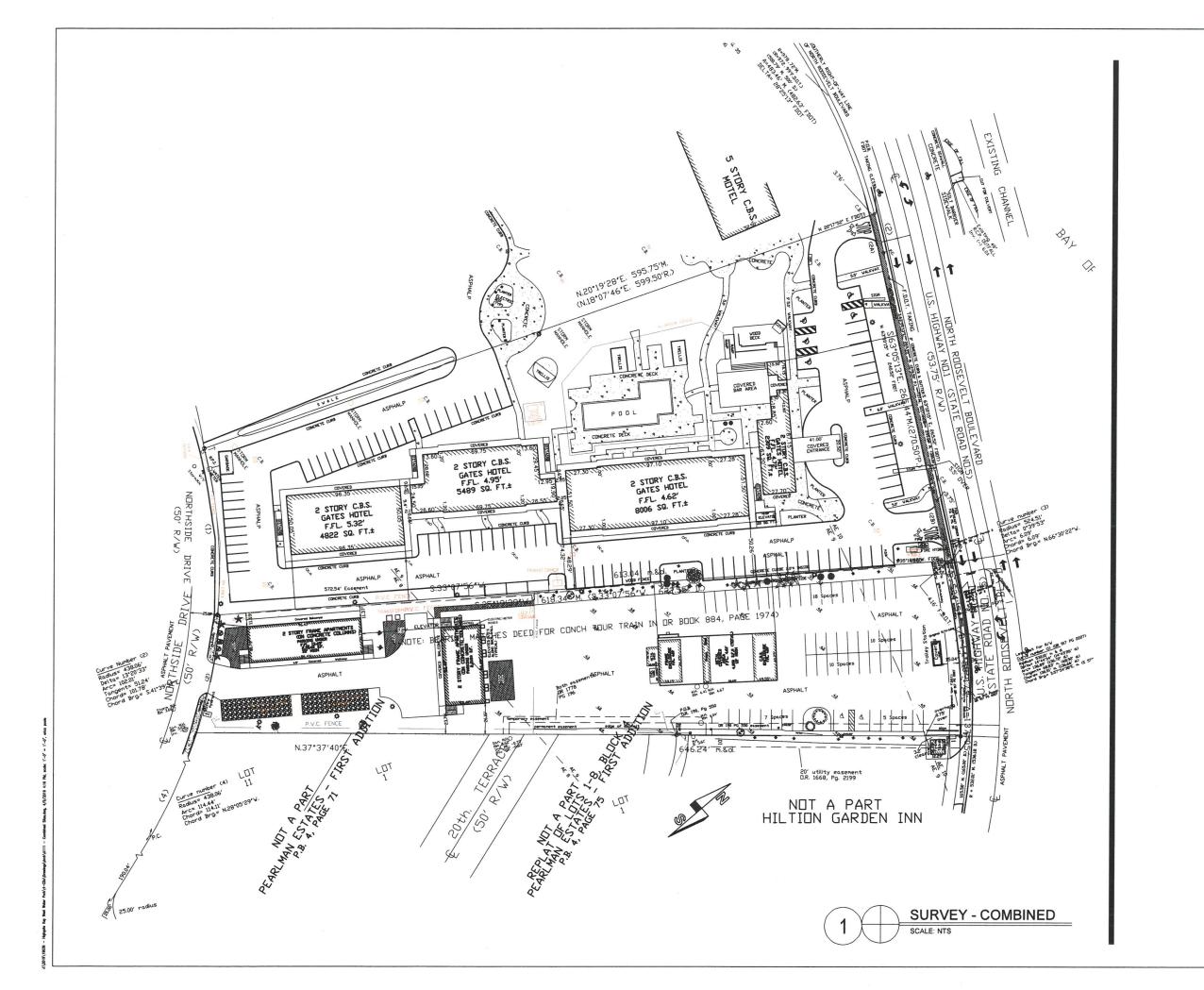
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EXISTING SURVEY (GATES)

A0.1.2

Date: 2019.04.10



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KEY WEST WATER PARK 3824/3840 N. ROOSEVELT BLVD. KEY WEST, FL 33040 HIGHGATE 2ND FLOOR; NEW YORK, NY

870 7TH AVE;

Drawing Size 24x38 Project #: 19039

Drawn By: Checked By EHP

EXISTING SURVEY (COMBINED)

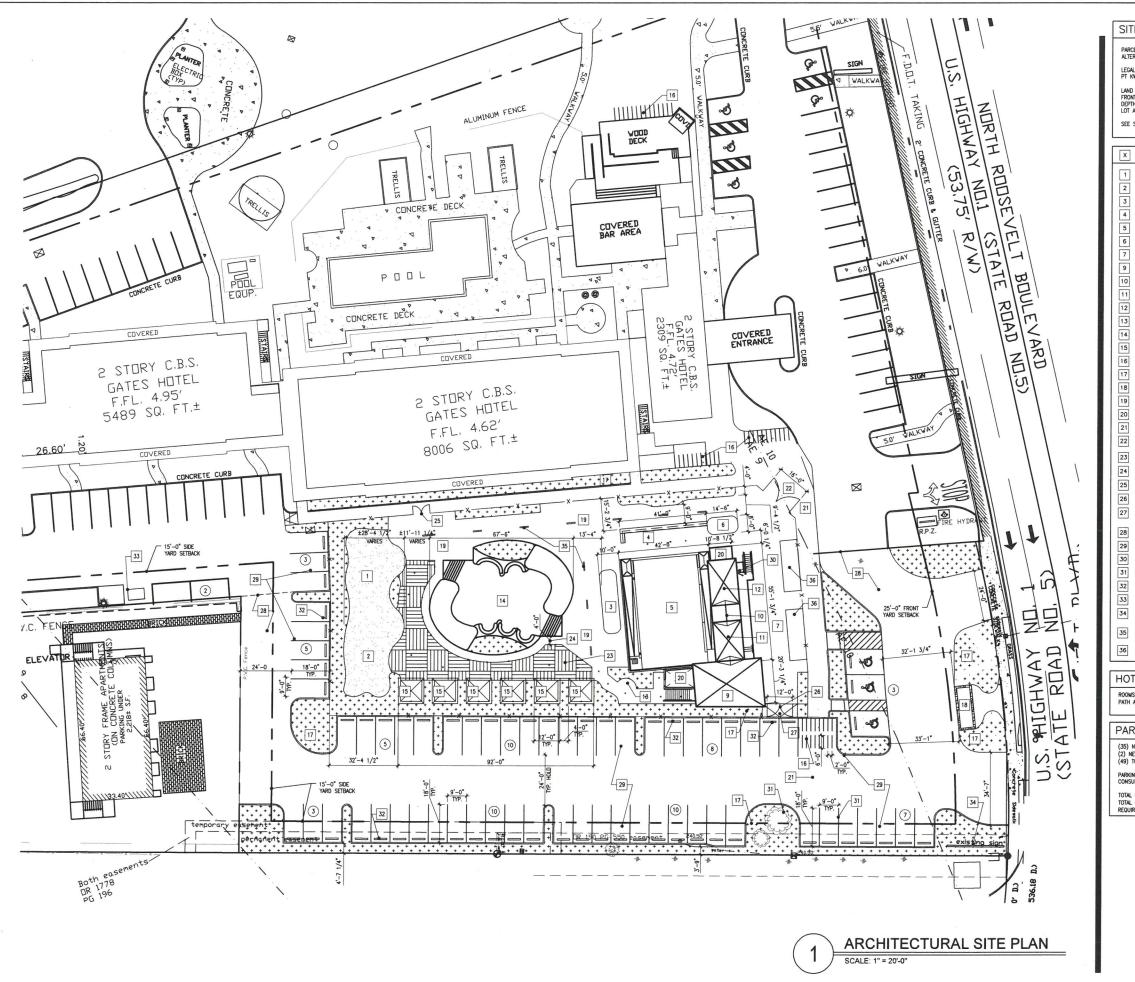
7-25-19

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Date: 2019.04.10

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SITE INFORMATION

PARCEL ID - 00064950-000000 ALTERNATE KEY - 1065471

LEGAL DESCRIPTION:
PT KW NO 1 A PARCEL OF LAND LYING SW OF NORTH ROOSEVELT BOULEVARD

LAND USE - COMMERCIAL HIGHWAY (100H) FRONTAGE - 137 FT DEPTH - 646 FT LOT AREA - 78,259 SF

SEE SHEET A1.1.3 FOR SITE DATA TABLE

X CODED NOTES

AIRSTREAM BAR W/ (13) BAR TOP SEATS

BAR-TOP VIEWING AREA

FLOWRIDER "KIOSK/CHECK IN" AIRSTREAM STATION

FOOD TRUCK ALLEY W/ (2) 24'-0" FOOD TRUCKS

EQUIPMENT ROOM

WOMENS TOILET ROOM MENS TOILET ROOM

SHOWER RINSE OFF LOCATION

16 BIKE RACK LOCATION AND QUANTITY INSTALLED PER CODE

HATCH INDICATES LANDSCAPING

18 TROLLEY STATION

CONCRETE POOL DECK

ACCESSIBLE PATH TO HOTEL

22 14'-0" ENTRANCE/EXIT GATE

25 8'-0" ACCESSIBLE ENTRANCE/EXIT GATE

29 NEW PARKING SPACES, SEE PARKING PLAN ON A112

HANDICAP ACCESSIBLE PARKING SPACE - POURED CONCRETE

34 EXISTING BILLBOARD - TO BE REFACED, OF LIKE SIZE & FUNCTION

36 FOOD TRUCK

HOTEL ROOMS

ROOMS ALONG POOL AREA TO HAVE EXTENDED PATIO COURTYARDS, CONNECTING T PATH ALONG POOL DECK VIA GATE. PATHS TO BE MIN. 42" WIDE.

PARKING

(35) NEW STANDARD PARKING SPACES
(2) NEW ADA PARKING SPACES
(49) TOTAL BICYCLE PARKING SPACES ON SITE

PARKING REQUIREMENT BASED ON BAR CONSUMPTION AREA = 1 PER 45 SF CONSUMPTION AREA

TOTAL CONSUMPTION AREA (BAR) = 294 SF TOTAL CONSUMPTION AREA (FOOD TRUCKS) = 546 SF REQUIRED PARKING = 18.667 (19) SPACES

civil engineer: David Douglas Associates,

Architecture, Engineering, Interior Design, Asset Management, Specialty Consulting

URL: www.k2mdesign.com PROF, REG, AA26001059

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POOUFLOWRIDER: Aquatic Development Group LANDSCAPE ARCHITECT: Resolve

2019.06.10 - DESIGN DEVELOPMENT

WEST WATER PARK 124/3840 N. ROOSEVELT BLVD.
KEY WEST, FL 33040 HIGHGATE 2ND FLOOR; NEW YORK,

870 7TH AVE;

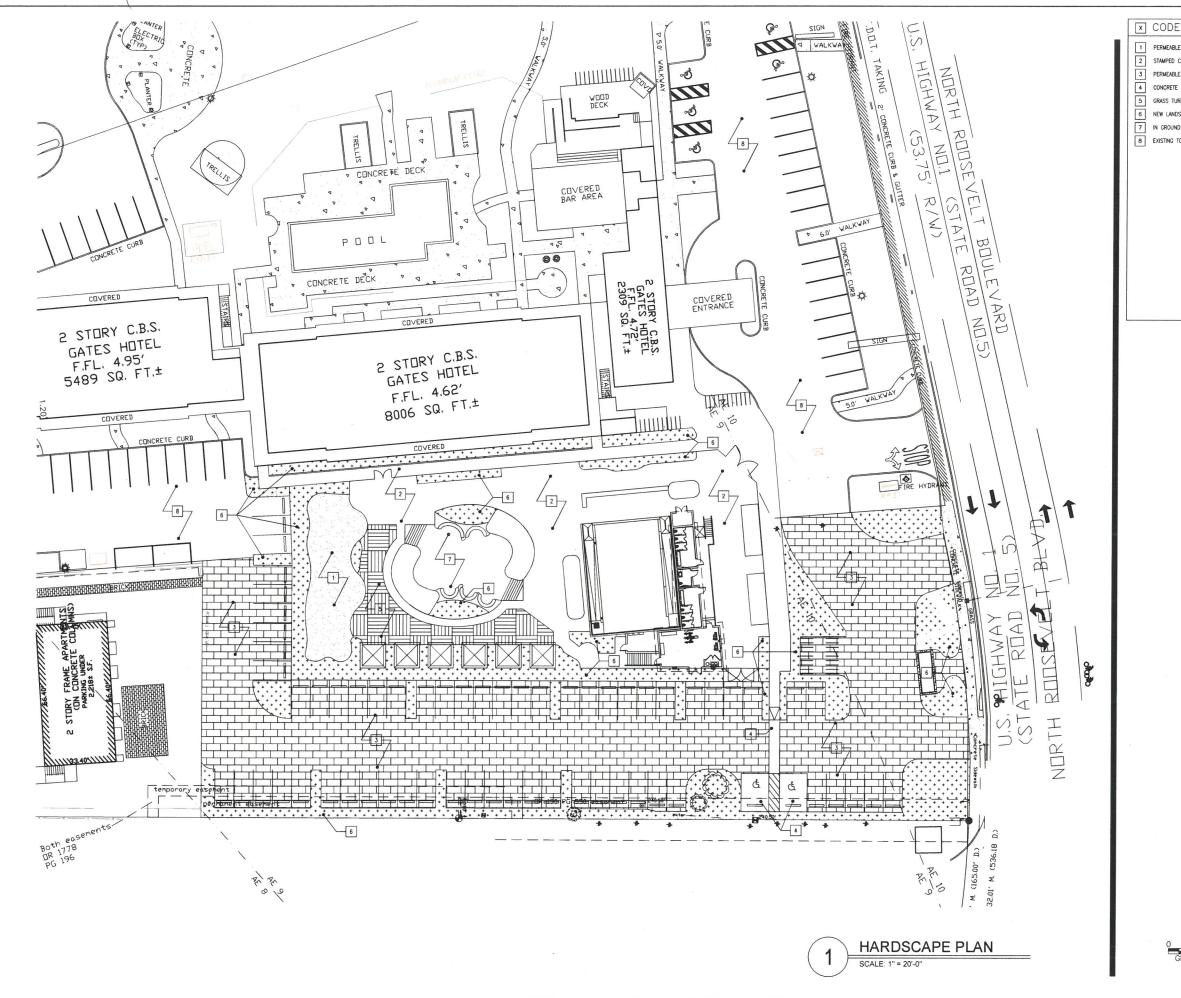
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ARCHITECTURAL SITE PLAN

A1.1.1

Date: 2019.08.01 ©2019 by K2M Design, Inc.

7-25-19



X CODED NOTES

PERMEABLE SAND AREA

STAMPED CONCRETE

PERMEABLE DRIVEWAY TILES

7 IN GROUND POOL

8 EXISTING TO REMAIN ASPHALT

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POOL/FLOWRIDER: Aquatic Development Grou LANDSCAPE ARCHITECT: Resolve

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MATERIAL/HARDSCAPE SITE PLAN

A1.1.2

Date: 2019.04.10

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SITE DATA TABLE								
	CODE REQUIREMENT	EXISTING	EXISTING (N.	EXISTING (GATES)	TOTAL EXISTING	PROPOSED W/	PROPOSED	VARIANCE REQUES
		(NORTHSIDE DRIVE)	ROOSEVELT BLVD.)			DEVELOPMENT		
Zoning	CG - General Commercial				L		I	L
Flood Zone	AE 8/9/10	1						
Size of Site	78,259 SF (Min. 15,000 SF)	1						
Height	40'-0"						40'-0"	N/A
Front Setback	25'-0"	1					25'-0"	N/A
Side Setback	15'-0"	1					15'-0"	N/A
Side Setback	15'-0"	1					15'-0"	N/A
Street Side Setback	20'-0"	1					20'-0"	N/A
Rear Setback	25'-0"	1					25'-0"	N/A
Residential Floor Area	N/A	ETR	N/A	N/A	ETR	N/A	ETR	N/A
Density	16 du/acre	ETR	N/A	N/A	ETR	N/A	ETR	N/A
Commercial Floor Area	= 10,000 SF</td <td>0</td> <td>4,461</td> <td>31,078</td> <td>4,461</td> <td>7,267</td> <td>7,267</td> <td>N/A</td>	0	4,461	31,078	4,461	7,267	7,267	N/A
F.A.R. (Commercial)	0.8	0	0.057003028	0.236766086	0.057003028	0.092858329	0.092858329	N/A
Building Coverage	40%	24%	9%	24%	15%	20%	20%	N/A
Impervious Surface	60%	54%	88%	73%	75%	70%	70%	N/A
Parking	•	ETR	50 (N/A)	92	92	125	NET INCREASE 33 FOR NEW DEVELOPMENT @ GATES	NO
Handicap Parking	2**	ETR	2	3	5	8	8	NO
Bicycle Parking	***	ETR	0%	ETR	ETR	46.55	49	N/A
Open Space/Landscaping		46%	12%	27%	25%	30%	30%	N/A
Number & Type of Units	N/A	ETR	N/A	ETR	ETR	N/A	ETR	N/A
Consumption Area or	13	N/A	N/A	ETR	0	13	13	N/A
Number of Seats	13	N/A	N/A	EIN	•	13	15	14/7
°1 per 5 seats (ETR Per Va	ndances)							
**26-50> 2								
*** 35% public/private								
recreation						1		

				Breakdowns (SF)			
Existing Developm	ents						
		N. Roosevelt	Northside Drive	Total Existing - Welcome Center Lo	1	Gates	Total Existing - Welcome Center Front Half & Gate
Lot Areas		48,234.94	30,058.53	78,259		131,262	179,49
Existing Coverages							
Asphalt		38,022	6,860	44,882			44,88
Buildings	Trolley	168			Lobby/Bar/Entry/Decks	6,172	
	Buildings	4,207			Hotel Rooms	24,906	
	Fuel	86			Equipment Pad	275	
	Apartment Building A		4249	See Building/Lot Coverages Below			See Building/Lot Coverages Below
	Apartment Building B		3018	See Building/Lot Coverages Below	Trellis	894	See building/tot coverages below
Pavers	Front		516		Parking Lot	48,185	
	Site		1,099		Pathways	12,975	
	Path		365		Pool	2,098	
Impervious Surface		42,483	16,107	58,590		95,505	137,980
Impervious Surface %		88%	54%	75%		73%	77%
Building Coverage		4,461	7,267	11,728		31,353	35,814
Building Coverage %		9%	24%	15%		24%	20%
Open Space		5,751.94	13,951.53	19,703.47		35,756.61	41,508.55
Open Space %		12%	46%	25%		27%	23%
	Proposed Dev	elopments					
		N. Roosevelt & Gates	Northside Drive - ETR				
Lot Area		179,496.94	30,058.53				
Coverages							
Asphalt/Parking		63,757	6,860				
Buildings	Trolley	169					

	Proposed Dev	velopments	
		N. Roosevelt & Gates	Northside Drive - ETR
Lot Area		179,496.94	30,058.53
Coverages			
Asphalt/Parking		63,757	6,860
Buildings	Trolley	168	
	Cabanas	864	
	Buildings	3,942	
	Countertop Viewing	91	
	Hotel Buildings	31,078	
	Apartment Building A	32,070	4249
	Apartment Building B		3018
Pathways/Pavers	Gates	12,175	516
	N. Roosevelt	2,942	1,099
	Pool Deck	7,995	365
Pool	Waterpark	2,443	
	Gates	2,098	
Impervious Surface		125,455	16,107
Impervious Surface %		70%	54%
Building Coverage		36,052	7,267
Building Coverage %		20%	24%
Open Space		54,042	13951.53
Open Space %		30%	46%

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CONTRACTOR OF THE CONTRACTOR O

Submissions: 2019.04.10 - DEVELOPMENT REVIEW & CONDITIONAL USE SUBMITTAL 2019.05.10 - DESIGN DEVELOPMENT 2019.08.01 - CONSTRUCTION DOCUMENT

KEY WEST WATER PARK
3824/3840 N. ROOSEVELT BLVD.
KEY WEST, FL 33040
HIGHGATE
870 7TH AVE; 2ND FLOOR; NEW YORK, NY 10019

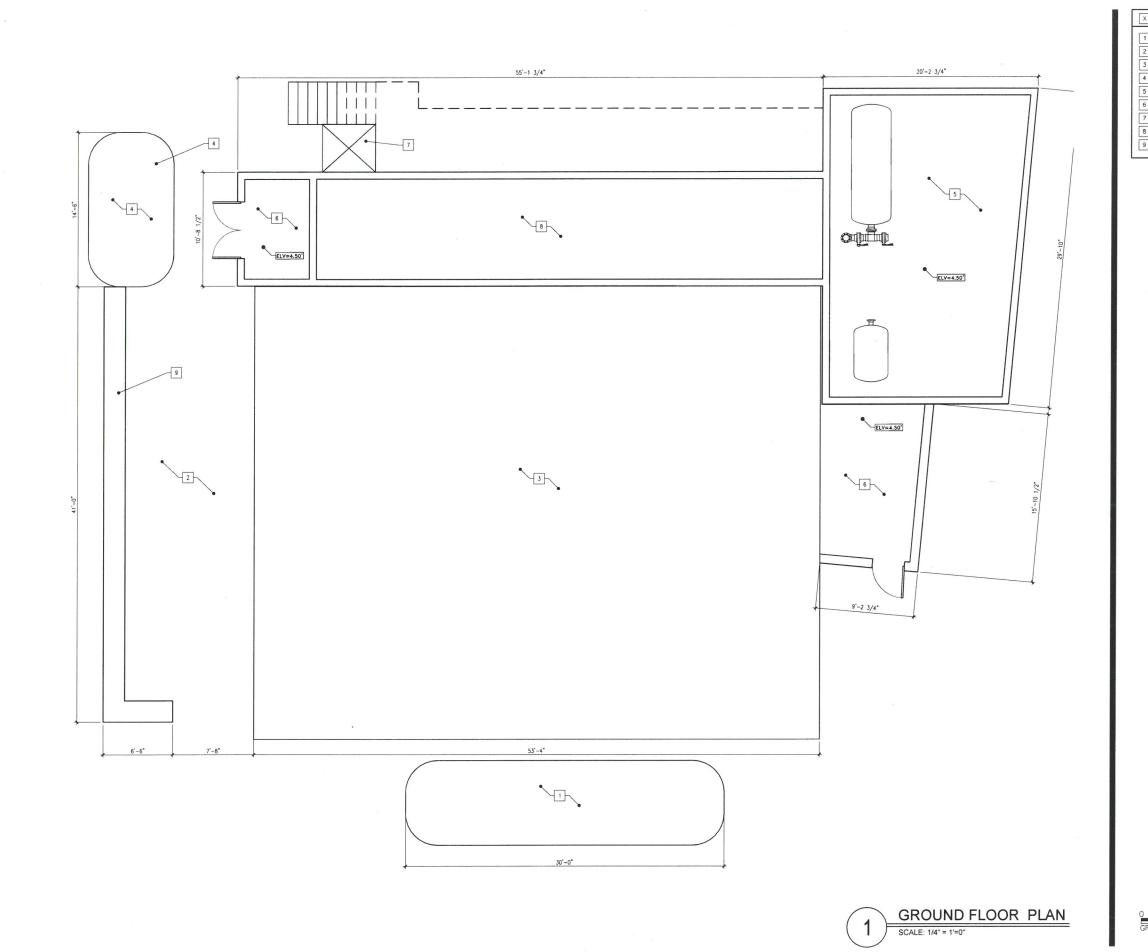
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7-25-19

ARCHITECTURAL SITE PLAN DATA TABLES

Sheet Number:

Date: 2019,08.01 ©2019 by K2M Design, Inc.



CODED NOTES

AIRSTREAM BAR W/ (13) BAR TOP SEATS

BAR-TOP VIEWING AREA

FLOWRIDER "KIOSK/CHECK IN" AIRSTREAM STATION

POOL EQUIPMENT ROOM

STORAGE

ACCESSIBLE LIFT 8 UNOCCUPIED SPACE

9 COUNTERTOP VIEWING AREA

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Consultants:

CIVIL ENGINEER: David Douglas Associates, POOL/FLOWRIDER: Aquatic Development Group LANDSCAPE ARCHITECT: Resolve

KEY WEST WATER PARK
3824/3840 N. ROOSEVELT BLVD.
KEY WEST, FL 33040
HIGHGATE
870 7TH AVE; 2ND FLOOR; NEW YORK, NY 10019

PLOTTED: 4/9/2019 2:32 PM

 Drawing Size
 Project #.

 24x36
 19039

 Drawn By:
 Checked By:

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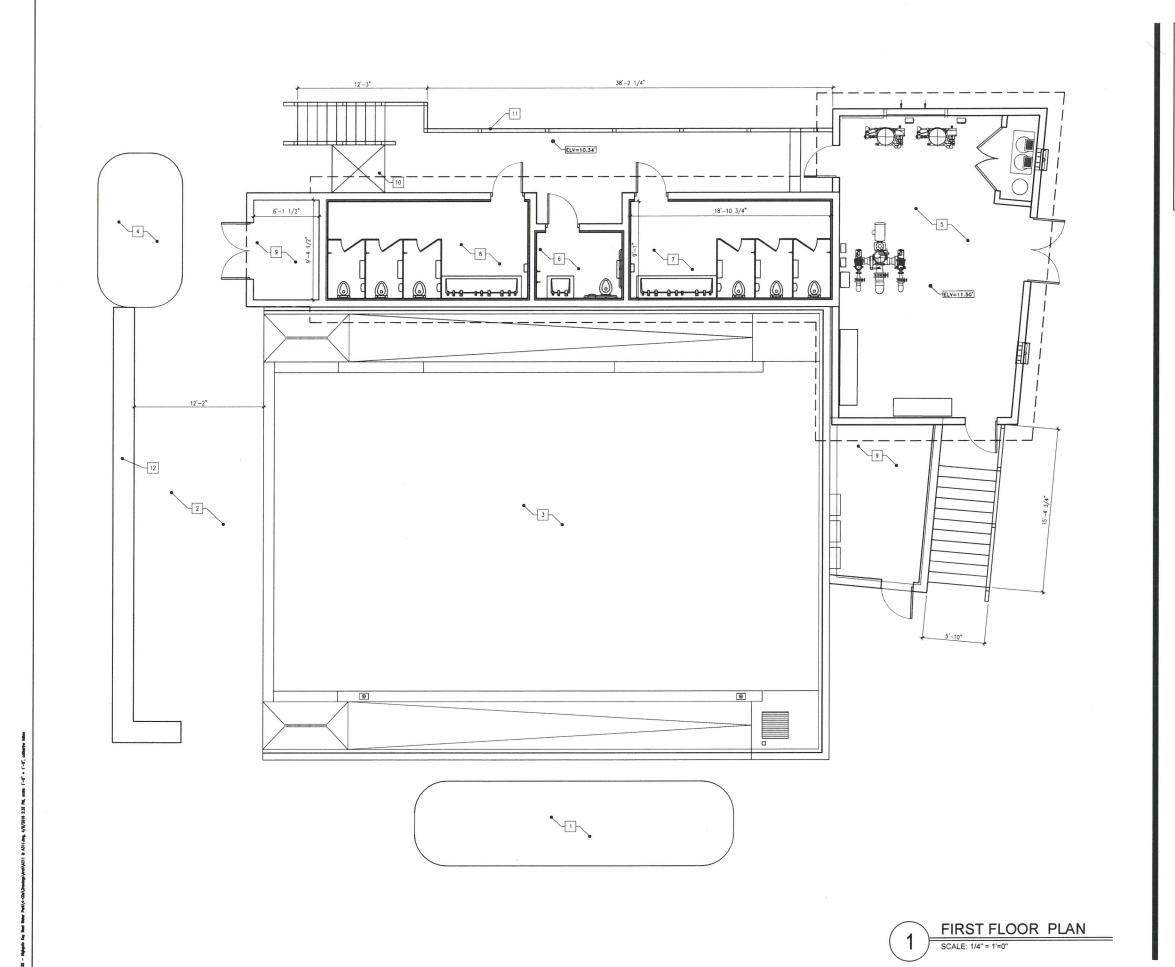
ARCHITECTURAL FLOOR PLANS

Sheet Number:

A2.1.0

Date: 2019.04.10

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CODED NOTES

FLOWRIDER

FLOWRIDER "KIOSK/CHECK IN" AIRSTREAM STATION

5 EQUIPMENT ROOM

HANDICAP ACCESSIBLE TOILET ROOM

WOMENS TOILET ROOM

MENS TOILET ROOM
 STORAGE
 TO ACCESSIBLE LIFT
 T42* HANDRAIL
 COUNTERTOP VIEWING AREA

Key Largo, FL Key West, FL Marathon, FL

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civil engineer: David Douglas Associates, I POOL/FLOWRIDER:
Aquatic Development Group

KEY WEST WATER PARK
3824/3840 N. ROOSEVELT BLVD.
KEY WEST, FL 33040
HIGHGATE
870 7TH AVE; 2ND FLOOR; NEW YORK, NY 10019

7-25-19

Drawing Size Project #: 19039

Drawn By: Checked By: XXX

ARCHITECTURAL FLOOR PLANS

Sheet Number:

A2.1.1 Date: 2019.04.10

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23'-4 1/2" 47'-8 1/2" 2 5'-11 1/4" 0.T.B.

> **ROOF PLAN** SCALE: 1/4" = 1'=0"

× CODED NOTES

1 STANDING SEAM METAL ROOF

2 OUTLINE OF BUILDING BELOW

Architecture, Engineering, Interior Design, Asset Management, Specialty Consulting

Key Largo, FL Key West, FL Marathon, FL

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Consultants:

CIVIL ENGINEER: David Douglas Associates, POOL/FLOWRIDER: Aquatic Development Group LANDSCAPE ARCHITECT: Resolve

KEY WEST WATER PARK
3824/3840 N. ROOSEVELT BLVD.
KEY WEST, FL 33040
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Drawing Size Project #. 19039
Drawn By: XXX Checked By: XXX

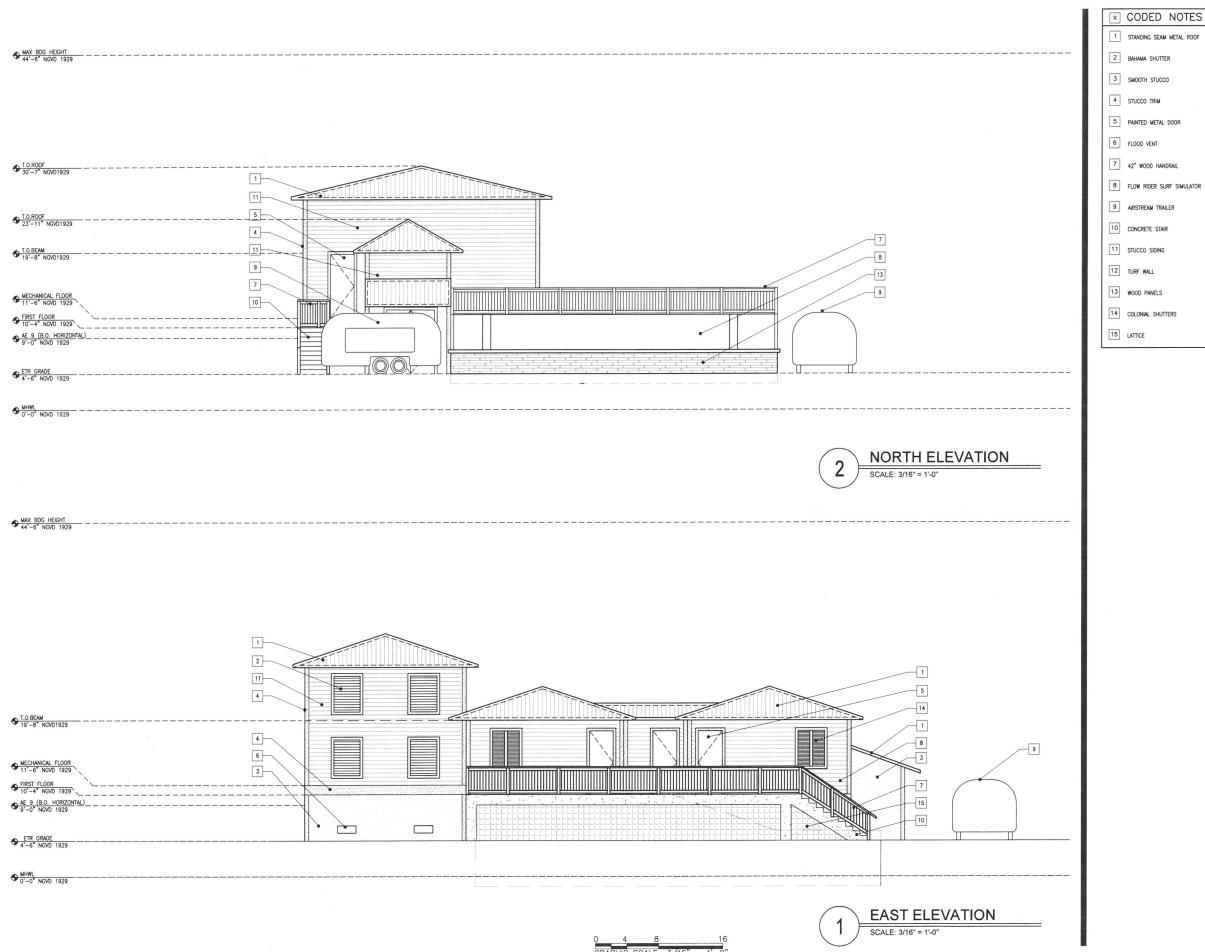
ARCHITECTURAL ROOF PLANS

GRAPHIC SCALE: 1/4" = 1'-0"

A2.1.2

Date: 2019.04.10

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	X CODED NOTES
	1 STANDING SEAM METAL ROOF
-	2 BAHAMA SHUTTER
	3 SMOOTH STUCCO
	4 STUCCO TRIM
	5 PAINTED METAL DOOR
	6 FLOOD VENT
	7 42" WOOD HANDRAIL

9 AIRSTREAM TRAILER

10 CONCRETE STAIR

11 STUCCO SIDING

13 WOOD PANELS

14 COLONIAL SHUTTERS

15 LATTICE

Key Largo, FL Key West, FL Marathon, FL

URL: www.k2mdesign.com PROF, REG, AA26001059 Building Relationships Based on Trust and Results

CIVIL ENGINEER: David Douglas Associate

LANDSCAPE ARCHITECT

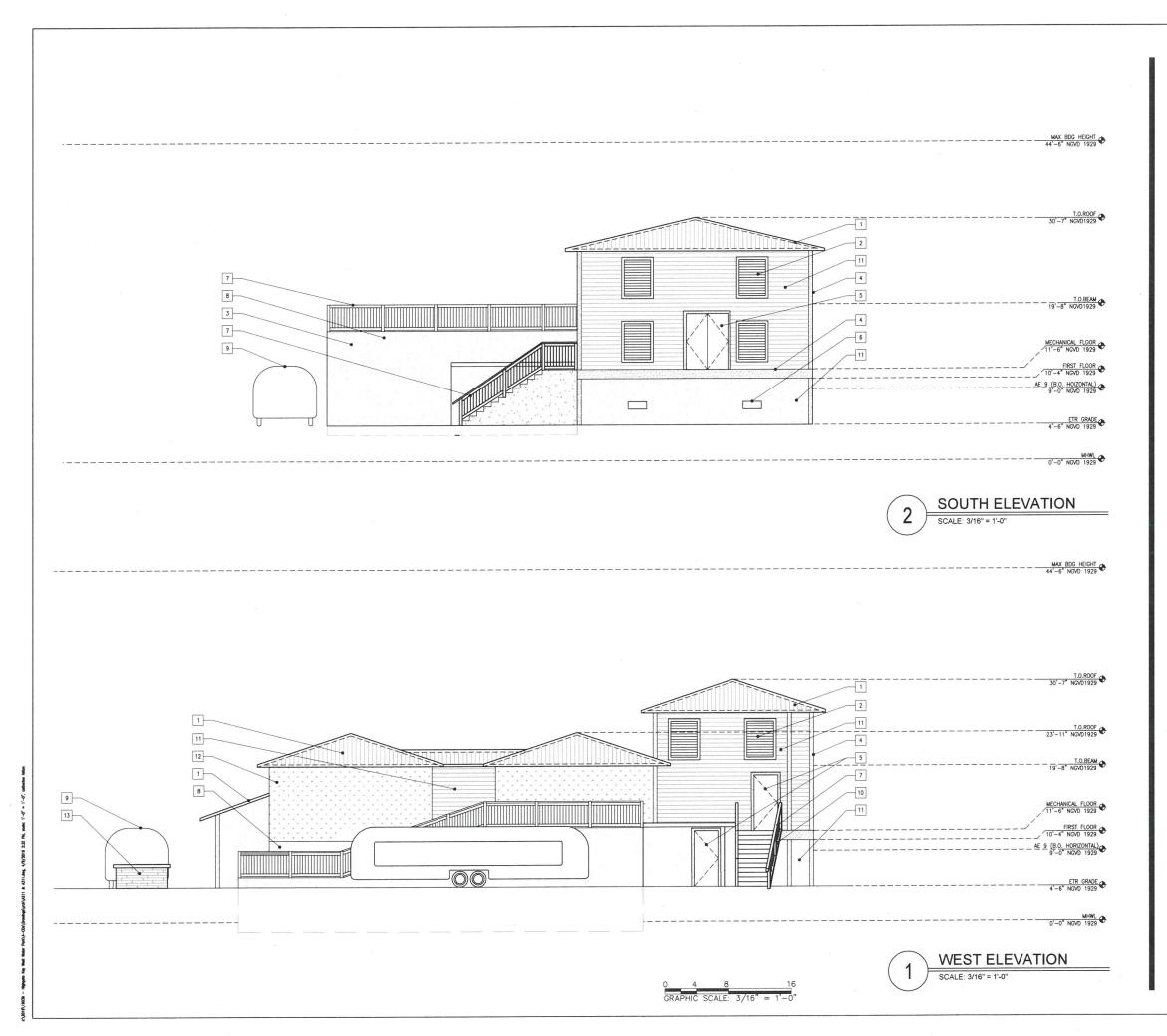
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ARCHITECTURAL ELEVATIONS

A3.1.0

Date: 2019.04.10 ©2019 by K2M Design, Inc.

17.35.19



X CODED NOTES 1 STANDING SEAM METAL ROOF

6 FLOOD VENT

7 42" WOOD HANDRAIL

8 FLOW RIDER SURF SIMULATOR

9 AIRSTREAM TRAILER

10 CONCRETE STAIR

11 STUCCO SIDING 12 TURF WALL

13 WOOD PANELS

Key Largo, FL Key West, FL Marathon, FL

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CIVIL ENGINEER.

David Douglas Associates, Ir POOL/FLOWRIDER: Aquatic Development Group

KEY WEST WATER PARK 3824/3840 N. ROOSEVELT BLVD. KEY WEST, FL 33040 HIGHGATE 2ND FLOOR; NEW YOL 870 7TH AVE;

ARCHITECTURAL ELEVATIONS

A3.1.1

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