

Development Review Committee Minutes

September 25, 2014 **DRAFT**

Senior Planner, Kevin Bond called the Development Review Committee meeting of September 25, 2014 to order at 10:08 AM at Old City Hall in the antechamber at 510 Greene Street, Key West.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present were: Senior Planner, Kevin Bond (designated staff of Planning Director, Don Craig); Recreation Director, Rod Delostrinos; Fire Department, Jason Barroso; Engineering Services, Elizabeth Ignaffo; Building Official, Ron Wampler; Urban Forestry Manager, Karen DeMaria; HARC Assistant Planner, Kelly Perkins; Director of Transportation, Norman Whitaker; Sustainability Coordinator, Allison Higgins; Solid Waste/Recycling Coordinator, Will Thompson and Art in Public Places, Dick Moody.

Not present were: Police Department, Steve Torrence; Floodplain Manager, Scott Fraser; ADA Coordinator, Peg Corbett.

Additional comments provided by: Keys Energy Supervisor of Engineering Matthew Alfonso

Also in attendance was Planning Department staff: Carlene Smith and Venetia Flowers.

APPROVAL OF AGENDA

Motion to approve the agenda was made by Ms. Karen DeMaria and seconded by Mr. Norman Whitaker.

APPROVAL OF MINUTES

Motion to approve the July 24, 2014 minutes was made by Ms. Elizabeth Ignaffo and seconded by Ms. Karen DeMaria.

Motion to approve the August 28, 2014 minutes was made by Ms. Ms. Elizabeth Ignaffo and seconded by Mrs. Karen DeMaria.

DISCUSSION ITEMS

New Business

1. **Variance – 708 Whitmarsh Lane (RE # 00015500-000000; AK # 1015873)** – A request for variances to side and rear yard setbacks in order to construct a second story addition on a portion of an existing structure on property located within the Historic High Density Residential (HHDR) zoning district pursuant to Sections 90-395 and 122-630(6)b. & c. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Ms. Smith gave members an overview of the variance request and reminded the applicant that she still needed a survey or existing site plan, and due to the existing setback the building may need to be sprinkled.

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The applicant, Peter Pike gave members an overview of the variance request.

PLANNING DIRECTOR: Mr. Bond noted that there was no survey or existing site plan with the application.

FIRE: Mr. Barroso asked that the applicant please make an appointment with the fire department to ensure no setback concerns/accessibility issues.

ENGINEERING: Ms. Ignaffo directed the applicant to direct the downspouts back onto property, into landscaped areas.

BUILDING: Mr. Wampler ask for clarification regarding the minimum height of the building that need to be maintained. He also noted that there were no windows; so the interior environment requirements also apply.

TREE: Ms. DeMaria reminded the applicant that any trees within the work area must be protected during demolition and construction and to be aware of the height of building and the canopy of the existing large tree in the area. Any tree being removed or any heavy maintenance trimming may require permitting from the Tree Commission.

HARC: Ms. Perkins stated that the application needs to make an appointment with her department as the project will need HARC approval.

ART IN PUBLIC PLACES: No Comments

SUSTAINABILITY: No Comments

TRANSPORTATION: No Comments

RECREATION: No Comments

SOLID WASTE: No Comments

KEYS ENERGY: No objections

- 2. Conditional Use – 401 South Street (RE # 00036210-000000; AK # 1037079) –** A request for conditional use approval to allow a cultural and civic oriented art studio and gallery on property located within the Historic High Density Residential (HHDR) zoning district pursuant to Sections 122-62 and 122-628(2) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Ms. Smith gave members an overview of the conditional use request.

The applicant, Greg Oropeza, gave members an overview of the conditional use request.

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PLANNING DIRECTOR: Mr. Bond stated that since the project is in a residential zone there needs to be clarification of the proposed use of the property between retail use, cultural use and civic use and that the cultural and civic use need to be the main focus and the retail an accessory use. He also stated that since it is a change of use, it is going to trigger a parking study for both bicycles and vehicles and a traffic study may be required.

FIRE: Mr. Barroso asked that the applicant please make an appointment with the Fire department to ensure no setback concerns/accessibility issues.

ENGINEERING: Ms. Igaffo requested the applicant to please provide a site plan showing the ADA accessible route into the building, from the sidewalk and ADA accessible parking space, include dimensions for the walkways and ramp.

- She also requested that they please provide a parking area plan, encompassing the ADA accessible parking space, standard vehicle space, scooter parking, and bicycle rack, showing pavement material and lighting detail, and including a stormwater management plan for the parking area.
- Please show the location for recycle and trash storage, screened from adjacent properties and public right-of-way, in accordance with Sec. 108-279. Please contact Will Thompson, Solid Waste Coordinator at 809-3776, to assist with setting up the recycling account.
- Prior to certificate of occupancy, please contact Carolyn Walker, for assistance with impact fee calculation. Credit will be applied for the residential impact reduction.

BUILDING: Mr. Wampler reminded the applicant that if there was going to be a change of use that 20% of the budget has to address accessibility issues and there must be fire separation between the first and second floors. Also the second story as a residential use there will have to be some sort of chair lift installed.

TREE: No comment

HARC: Ms. Perkins reminded the applicant that any public displays requires a HARC permit.

ART IN PUBLIC PLACES: Mr. Moody asked for clarification regarding the display of artwork outside. The applicant stated that there would be no active displays outside but there would be classes held outside. It was noted that the project was not going to trigger the 1% and the applicant stated that it would not.

SUSTAINABILITY: Ms. Higgins offered the following comments,

- As per Comp Plan policies 2-1.1.1, 2-1.1.3, 2-1.1.12: To alleviate traffic and increase multimodal travel, we request a condition that you to add on site bike parking and add alternative transportation information to your website and/or promotional materials.
- As per Comp Plan policies 1-1.9.2 & 6-1.1.3: As part of your interior upgrade, we request a condition that you increase the efficiency of your fixtures to reduce water and energy use of the whole building by 15%. There is currently a contest for LED lighting which includes free estimates for retrofits.

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- As per Comp Plan policies 2-1.1.12, 5-1.1.8 & 6-1.16: Obtain a Green Business Certification within one year of completion of project.

TRANSPORTATION: Mr. Whitaker stated that he would like to make sure that the project is ADA Accessible for people on the bus.

RECREATION: No Comments

SOLID WASTE: Mr. Thompson requested the applicant to please show the location for recycle and trash storage, screened from adjacent properties and public right-of-way, in accordance with Sec. 108-279. He asked the applicant call him to assist with setting up the recycling account. Mr. Thompson also stated that he would like the applicant to have adequate space to deal with trash issues and mentioned that it is illegal for a private entity to use public trash cans for waste.

KEYS ENERGY: No objections

3. **Minor Development Plan – 101 Duval Street (RE # 00000470-000000; AK # 1000469)** - A request for minor development plan approval for the addition of 1,094 square feet of commercial retail by the enclosure of an existing courtyard as part of an interior renovation for use as a 10,631-square-foot retail drug store with 36 parking spaces on property located within the Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) Zoning District pursuant to Section 108-91.A.1.(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the minor development plan request.

The applicant, Bart Smith, Attorney and Jose Gordillo, Robert Reid Wedding Architects gave members an overview of the minor development plan request and will follow the updated parking code.

PLANNING DIRECTOR: Mr. Bond stated that the applicant would need to apply for an easement or a revocable license to make changes to the front steps of the building that are encroaching into the City's Right of Way, before any building licenses can be applied for.

FIRE: Mr. Barroso asked that the applicant please make an appointment with the fire department to ensure no setback concerns/accessibility issues and to discuss the plan for sprinkling. He would also like to see a full set of plans.

ENGINEERING: Ms. Igaffo asked the applicant to please provide an operation plan for the car lift that includes a lock-out to prevent unauthorized operation. Please provide a foundation plan for the car lift structure. Please provide sufficient lighting in the car lift area, for safe nighttime operation.

- In accordance with Sec. 108-609, please ensure automobile repair work will not be conducted on the car lift.
- In accordance with Sec. 108-576, please provide a recorded deed or perpetual easement for the offsite parking spaces.

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- Please show the location for recycle and trash storage, screened from adjacent properties and public right-of-way, in accordance with Sec. 108-279. Please contact Will Thompson, Solid Waste Coordinator at 809-3776, to assist with setting up the recycling account.
- Please provide a stormwater management plan for the property, indicating how the roof drains will be connected, and showing pretreatment for the parking lot.

BUILDING: Mr. Wampler noted that if there was going to be a change of use electrical service will need to be modified and the applicant should contact Keys Energy to check. He also reminded the applicant that 20% of the budget should go for ADA accessibility and to have any barriers removed and restroom access. The existing building codes will be applied as to a level 3 remodel. Mr. Wampler asked for clarification of the parking lift and wanted to be sure adequate safety elements and that there is consideration of flooding due to elevations.

TREE: Ms. DeMaria stated that the applicant needs to provide Existing Tree Map and Landscape Plan for review. She also stated that the Strangler Fig tree on Duval Street is in poor condition, and that City has trees in the area on Duval Street. She would like to see some trees along the Front Street side because the area is quite barren and the area is prone to being wet. The Forestry Manager needs to look at courtyard area and existing trees to determine whether it is regulated or not.

HARC: Ms. Perkins reminded the applicant that any signage requires a HARC permit.

ART IN PUBLIC PLACES: No comments

SUSTAINABILITY:

Ms. Higgins stated she “applaud your ingenuity in increasing parking options in this congested area. I am interested to watch over the progress and performance of this system”.

- What is the total increase in bicycle parking? The applicant stated there are 10 spots. Where are they going? Need to be visible or they won't be used.
- As per GHG related Comp Plan policies 1-1.9.2 & 6-1.1.3: As part of your interior upgrade, we request a condition that you increase the efficiency of your fixtures to reduce water and energy use of the whole building by 15%. There is currently a contest for LED lighting which includes free estimates for retrofits.
- If doors are to be left open, then a blower door must be installed and functioning.
- As per Comp Plan policies 2-1.1.12, 5-1.1.8, 6-1.16: Obtain a Green Business Certification within one year of completion of project.

TRANSPORTATION: Mr. Whitaker stated that he would like to make sure that the project is ADA Accessible as well as the parking and sidewalks.

RECREATION: No Comments

SOLID WASTE: Mr. Thompson stated that the current trash situation was a shared dumpster in Mallory Square. He asked for clarification of the placement of dumpsters on the property and would they be giving up parking to make room for dumpsters under the building. He would also like the applicant to

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call him at 809-3776 to develop a recycling program that would include the vast amount of cardboard. He told the applicant that they need to meet with Waste Management to determine where the dumpsters can go.

KEYS ENERGY: Mr. Alfonso requested a full set of plans and a project review form to ensure the applicant and surrounding customers have adequate power.

4. **Variance – 101 Duval Street (RE # 00000470-000000; AK # 1000469)** – A request for a variance approval to maximum building coverage in order to cover and enclose an existing courtyard on property located within the Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) Zoning District pursuant to Sections 90-395 and 122-690(4)a. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the variance request.

The applicant, Bart Smith, Attorney and Jose Gordillo, Robert Reid Wedding Architects gave members an overview of the variance request.

PLANNING DIRECTOR: Mr. Bond stated that the variance application was straight forward.

FIRE: Please see comments for Item 3.

ENGINEERING: Ms. Ignaffo asked for clarification regarding the stormwater vault or well, and provide a stormwater management plan for the property, indicating how the roof drains will be connected, and showing pretreatment for the parking lot.

BUILDING: Mr. Wampler asked for clarification regarding the sprinkler system of the building. He stated that since the square footage of the building is increasing they would need to consider sprinkling and fire separations.

TREE: No comment

HARC: No Comments

ART IN PUBLIC PLACES: No comments

SUSTAINABILITY: Ms. Higgins offered the following comments as per COMP PLAN:

- **Policy 1-1.1.3: “Intensity Defined.** The maximum FARs are further restricted by quantitative and qualitative criteria included in the Land Development Regulations, including but not limited to, such factors as minimum open space; concurrency management and level of service standards for traffic circulation; storm water management and other public facilities and services; off-street parking and internal circulation; height restrictions; landscaping; other required on-site improvements and design amenities required to achieve land use compatibility.”

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- The variance is for Floor Area, but the existing factors of open space and impervious surfaces are already grossly exceeded. I would suggest we look at the original development conditions before decisions are made.
- Because the area is in the lowest spot of the watershed, I would be interested in having you work with the Urban Forester and Stormwater Utility on finding an appropriate off site project or in lieu of payment to help with open space and stormwater retention needs within the City as a condition of approval.

Other Related Stormwater / Opens Space Policies to help off-site/in lieu of options:

- **Policy 6-1.14 Carbon Sequestration Through Plants.** As part of an overall landscaping plan to increase beautification and walkability, the City shall incorporate greenhouse gas sequestration goals and priorities to meet the City's Climate Action Plan goals. *Monitoring Measure: Inclusion of greenhouse gas sequestration goals in landscaping and urban design plans.*
- **Policy 1-1.1.14: Prepare for Future Sea Level Rise.** The City, together with the private sector, shall consider proactive steps and pilot programs to adapt for sea level rise and storm surges, including but not limited to preserving transportation options, increasing residential building resiliency and indoor air quality, preserving landscaping and residential building aesthetics, and preserving water quality.
- **Policy 1-1.3.2: Designate Various Types of Mixed Use Commercial Nodes to Accommodate Diverse Commercial Uses.** The Land Development Regulations shall address issues surrounding:
 3. Perimeter and internal landscaping
 7. The Land Development Regulations shall include a regulatory framework for public and private partnership in providing strategically located parking facilities in order to restrict and/or minimize vehicular traffic in the Historic Preservation District.
 8. Open space preservation and maximum impervious surface
 11. Urban design amenities, including, but not limited to, signage controls, pedestrian amenities, landscaping improvements, building height limitations, architectural controls in the Historic Preservation District, and other similar design features.
 12. Efficiency in natural resource use.

TRANSPORTATION: No Comments

RECREATION: No Comments

SOLID WASTE: No Comments

KEYS ENERGY: No objections

5. **Major Development Plan – 111 Olivia Street (RE # 00014720-000000; AK # 1015091)** – A request for major development plan approval for the reconstruction of greater than 2,500 square feet of nonresidential floor area as part of the renovation and repair of the Frederick Douglass Community Center on property located within the HNC-3 and HMDR Zoning Districts pursuant to Section 108-91.A.2.(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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Mr. Bond gave members an overview of the major development plan request.

The applicant, Michael Vieux, City of Key West Engineering Department, gave members an overview of the major development plan request.

PLANNING DIRECTOR: Mr. Bond noted that a stormwater plan, landscaping plan and outdoor lighting plan in the application and that as a Major Development Plan it will likely exceed the \$100,000 cost trigger for public art.

FIRE: Mr. Barroso asked that the applicant please make an appointment with the Fire department to ensure discuss a life safety plan and provide them with a full set of plans.

City0624ENGINEERING: Ms. Ignaffo asked the applicant to provide a site plan showing the following:

- ADA accessible route from the ADA accessible parking space to the Frederick Douglass Community Center entrance; and
- Location for recycle and trash storage. Exterior storage areas shall be screened from adjacent properties and public right-of-way.

Please provide a drainage plan showing the following:

- The existing stormwater drainage system;
- Indicate how rainwater will be drained from the roof; and
- Incorporate a roof drainage system that will accommodate rain barrels.

BUILDING: Mr. Wampler asked for clarification of the elevation as the plans were unclear and asked the applicant to include a flood level elevation in the plan. If it turns out that the main floor levels are going to be below flood level the City may want to include flood proofing in the future.

TREE: Ms. DeMaria would like to look at entire property for existing vegetation map and landscape plan—enhance existing areas. She also stated that any trees within the work area must be protected during demolition and construction.

HARC: Ms. Perkins asked the applicant to clarify if all the demolition had been previously condemned. Applicant stated that the part they are. She also reminded the applicant to meet with HARC.

ART IN PUBLIC PLACES: Mr. Moody stated it was very nice to see that they had set aside the 1% for public art and wanted to know what the estimated value of the project is. He also wanted to know if the Art in Public Places plan included on or off-site art because there is plenty of room for public art, but he wouldn't want to see parking places removed for it. He also hopes to include something regarding the history of Fredrick Douglas, possibly a statue.

SUSTAINABILITY: Ms. Higgins offered the following comments,

- As per Comp Plan policies 9-1.6: Major renovations of public buildings have to be green certified second tier.

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- Strongly consider calling entire outside area part of project area.
- Include gutters to cistern at Garden. Estimate volume – enough to fill street sweepers?
- I can help with Landscape plan. Would like to get Habitat Certified.
- What is the expected longevity of the building after these improvements? Mike: 40-50 years.
- As per Comp Plan policies we need to incorporated Sea Level Rise adaptation actions into the plans. The applicant stated that they have included dry floodproofing as side bid.
- As per Comp Plan policies 2-1.1.1, 2-1.1.3, 2-1.1.12: To alleviate traffic and increase multimodal travel, we request a condition that you to add on site bike parking and add alternative transportation information to your website and/or event promotional materials.
- Ms. Higgins also stated that she is strongly interested in the possibility of giving up two parking spaces to better link the future Frederick Douglass Learning Garden with the shade structure on the corner of Fort and Olivia. It would be worthwhile exploring the overflow parking availability of the new Fort St parking lot.

TRANSPORTATION: Mr. Whitaker stated that his only concern was the ADA accessibility issue and just to make sure that any rebuilds enhance or improve on the guidelines. He also stated that there will be three different bus routes that will be available for this property and the closest bus stop will be at Petronia and Emma. Mr. Bond stated that he would like to see increased ridership by having bus schedules available at the Community Center. He also stated that the bus stop has to be ADA accessible because it is City property.

RECREATION: Mr. Delostrinos stated that the building is still going to be used for the afterschool program and they are going to need a protected pathway to the outdoor restroom. He also asked if the construction crew is going to use the outdoor restrooms during construction, that they are only open when the staff is on-site. He also stated that there room by the restrooms for Art in Public Places.

SOLID WASTE: No Comments.

KEYS ENERGY: Mr. Alfonso requested a full set of plans and a project review form to ensure the applicant and surrounding customers' adequate power. He also stated that the customer will need to maintain a minimum of 7.5' horizontal clearance from the building.

ADJOURNMENT

Meeting adjourned at 11:22 AM.

Respectfully submitted by,
Venetia A Flowers, Administrative Assistant II
Planning Department