

Minutes of the Development Review Committee of the City of Key West December 16, 2011

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Call Meeting To Order

Don Craig, City Planning Department Director, called the City of Key West Development Review Committee (DRC) Meeting of December 16, 2011 to order at **10:04 am** at Old City Hall, in the antechamber at 510 Greene Street, Key West.

Pledge of Allegiance to the Flag

Roll Call

DRC Member or Designated Staff	DRC Representative	Present	Absent
ADA Coordinator	Diane Nicklaus	X	
Building Official	John Woodson/John Cruz		X
Community Housing	Omar Garcia		X
Department of Transportation	Myra Wittenberg/Carolyn Haia		X
Fire Chief	Alan Averette	X	
Florida Keys Aqueduct Authority	Ed Nicolle/Jolynn Reynolds		X
General Services/Engineering Director	Elizabeth Ignoffo	X	
HARC Planner	Enid Torregrosa	X	
Keys Energy	Matthew Alfonso/Dale Finigan		X
Landscaping Coordinator	Karen DeMaria	X	
Planning Director	Don Craig	X	
Police Chief	Steve Torrence		X
Public Works	Greg Veliz		X

Also present:

Agency / Department	Name	Present	Absent
Planning Department	Ashley Monnier		
Planning Department	Brendon Cunningham	X	
Planning Department	Nicole Malo	X	
Planning Department/Recording Secretary	Jo Bennett	X	

Approval of Agenda

Actions/Motions:

There were no changes to the Agenda. The agenda was **Approved** by a unanimous vote.

Approval of Minutes

1 November 18, 2011 Minutes

Actions/Motions:

A motion was made by Ms. Elizabeth Ignoffo, seconded by Ms. Diane Nicklaus, that the minutes be **Approved** with the addition Ms. Torregrosa requested to item 4. The motion **Passed** by a unanimous vote.

Discussion Items

2 A Conditional Use - 1128 & 1130 Duval Street (RE #00027950-000000) - A Conditional Use application for a wine bar located in the HRCC-3 zoning district per Section 122-748 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Staff Report:

Brendon Cunningham presented the project, which is for a Conditional Use request to add

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a wine bar to an existing business which is located in the HRCC-3 zoning district. Mr. Cunningham stated that this type of project we have starting seeing relatively frequently. Mr. Cunningham stated that he did not see an issue with the request and he does not see where it would cause any adverse effect on the neighborhood. Mr. Cunningham concluded stating adding the beer and wine added to the already retail use results in the conditional use request.

Applicant:

John Ashby presented the project on behalf of the owner. Mr. Ashby stated that the owner has recently opened the retail store Green Pineapple Boutique in the location of the old Lucky Street Gallery. Mr. Ashby added that the store sells everything and the store's theme is sustainable and fare trade items. The wine service will be ancillary to the retail use to sell organic. Mr. Ashby added that seating will be limited no more than 10 seats. Mr. Ashby stated that the facility is already ADA compatible. Mr. Ashby remained to respond to any questions.

DRC Member Comments:

HARC – Any signage will require a HARC approval.

Planning Director – Mr. Craig inquired if there would be any entertainment. Mr. Ashby responded that there is no plan for entertainment – at most you will hear the same type of music similar to any other boutique store. Mr. Craig inquired concerning the hours of operation. Mr. Ashby responded the hours would more than likely be same as the boutique which is 10am to 10pm. Mr. Ashby added that maybe longer hours will be necessary for special events.

Florida Keys Aqueduct Authority - Mr. Craig read the comments submitted by Marnie Walterson from Florida Keys Aqueduct Authority into the record – *"This site is presently being served by a 5/8" meter FCAA Location #001735 There is a 12" water main located on Duval Street. A complete set of plans will be required for review to determine meter requirements and any System Development Charges."*

Keys Energy - Mr. Craig read the comments submitted by Matthew Alfonso from Keys Energy Services submitted by into the record – *"Keys has no objections to the Conditional use."*

There were no additional Committee member comments for the record.

Public Comments:

There were no public comments.

3 **Variances - 812 & 814 Baptist Lane (00014520-000000) - An Variance application for side and rear-yard setback requirements in the HMDR zoning district per Section 122-600 (6) b. & c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Staff Report:

Brendon Cunningham presented the project. Mr. Cunningham stated this is a typical variance application for when someone is trying to restore a deteriorated structure within the Historic District. Mr. Cunningham stated that the structure is located within rear and side yard setback but the applicant intends to remodel and restore the existing building. Mr. Cunningham added some history concerning this property is that we recognize that it has two (2) legal units and the applicant wishes to restore the two (2) units to be used as rental

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housing.

Applicant:

Ty Symroski and Chris Liddle were present to present the project. Mr. Symroski stated that he is working with the applicant who is the owner. Mr. Symroski stated that Mr. Cunningham described the application properly. Mr. Symroski covered the overall structures on the property and explained that they are in the process of reducing the scale of the project to focus on just the one (1) two (2) units building and some internal improvements to the accessory building. Mr. Symroski mentioned that there is a Sapodilla tree on the property that they intend to preserve. Mr. Symroski and Mr. Liddle remained to respond to any questions from the Committee members.

DRC Member Comments:

General Services/Engineering – Ms. Ignoffo asked how they are reducing the impervious surface area. Mr. Symroski responded that is being accomplished by re-organizing the parking and moving it to one location rather than having all over the place. Ms. Ignoffo asked how the parking would be addressed if the next item on the agenda (the vacation) is not approved. Mr. Symroski responded that the plan would be to continue to use the parking in that area. Ms. Ignoffo asked if that would then enter into a lease with the City. Mr. Symroski responded that they could approach the lease with the City or move the parking forward. Ms. Ignoffo inquired as to how many parking spaces were planned? Mr. Symroski responded that by code six (6) parking spaces are required but the plan is for nine (9). Mr. Symroski stated that at this time they did not expect to get into parking lot construction since they are just working on one (1) of the buildings. Ms. Ignoffo responded that it needs to be determined if parking needs to be addressed and if so, a complete Parking Lot Plan will be needed.

Landscaping – Ms. DeMaria stated that she had already spoke with Mr. Symroski concerning the Sapodilla tree. Ms. DeMaria reminded the applicant that any work around trees need to be reviewed with the Tree Commission. If digging is taking place a certified arborist will be required on site.

HARC – Ms. Torregrosa stated that HARC has the project scheduled to the January 11, 2012 meeting. Ms. Torregrosa inquired how much of the historic fabric will remain. Mr. Liddle responded his best estimate would be seventy-five (75%) percent. Ms. Torregrosa suggested that the applicant review the application to insure the wording surrounding reconstruction verse restoration. Ms. Torregrosa stated that currently the wording is confusing. Mr. Liddle stated that if they cannot restore something they will reconstruct it.

Building Department – Need to coordinate with the FEMA Coordinator concerning the elevation.

Fire –Mr. Averette stated that Fire always prefers 5 feet all the way around but if they are not completely rebuilding then they need to discuss the existing conditions. Mr. Symroski responded that they would come sit down with Fire to discuss fire safety.

Planning Director – Mr. Craig stated that there were a couple of things that need to be addressed: 1) Mr. Craig informed the applicant that a referendum will be required for the next item – the vacation. Mr. Symroski responded that if that is the case then they should look into an easement instead but he would like to hear the DRC comments concerning the vacation. 2) Mr. Craig stated that is very important to get clarification concerning the building in the Northwest corner of the property as to it being a restoration or a new construction. Mr. Craig stated that it is incumbent to the applicant to show that it is a restoration.

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	<p>Florida Keys Aqueduct Authority - Mr. Craig read the comments submitted by Marnie Walterson from Florida Keys Aqueduct Authority into the record – <i>"The FKAA has no objection for the request for a variance application for side and rear-yard setback requirements in the HMDR zoning district per Section 122-600 (6) b. & c. of the Land Development Regulations of the Code of Ordinances of the City of Key West."</i></p> <p>Keys Energy - Mr. Craig read the comments submitted by Matthew Alfonso from Keys Energy Services submitted by into the record – <i>"Keys has no objections to the Variances."</i></p> <p>There were no additional Committee member comments for the record.</p> <p>Public Comments: There were no public comments.</p>
4	<p>Petition for Vacation of City Property - 812 & 814 Baptist Lane (00014520-000000) - A Vacation of R.O.W request per Article VII 7.03 and Sections 90-586 through 90-589 of the Land Development Regulations of the Code of Ordinances of the City of Key West</p> <p>Staff Report: Brendon Cunningham stated that this item was discussed during the pervious discussion. Mr. Cunningham explained the conveyance and vacation processes and that the vacation requires a City referendum.</p> <p>Applicant: Ty Symroski and Chris Liddle were present to present the project. Mr. Symroski stated that it is their desire to clear up some issues in the area by conveying some of the property owner's land that is currently being used as part of a pedestrian path and obtaining the bulb out area that is currently being used for parking by residents in the area. Mr. Symroski stated that he would wait for the questions and statements from the committee members.</p> <p>DRC Member Comments: Fire – Mr. Averette stated that Fire has an issue concerning the Fire Lane.</p> <p>General Services/Engineering – Ms. Ignoffo stated that General Services objects to the vacation due to the lane being too narrow and utilities may be impacted. Ms. Ignoffo added that any parking in the bulb out area. Mr. Liddle stated that he did not feel what they are proposing makes anything worst. Both Mr. Symroski and Mr. Liddle stated that they feel that conveying their belief is that what they are proposing will improve the situation.</p> <p>Planning Director – Mr. Craig stated that the ownership of Baptist Lane is unclear. Mr. Craig stated that if General Services and Fire has a significant concerns then the recommendation from DRC would be "no" and if DRC says "no" so will Planning. Mr. Craig explained to the applicant it might be best for them to start working on a parking plan for only six (6) spaces without using the City property. Mr. Craig also suggested that the applicant clear up these issues prior to taking this to HARC for approval.</p> <p>Florida Keys Aqueduct Authority - Mr. Craig read the comments submitted by Marnie Walterson from Florida Keys Aqueduct Authority into the record – <i>"The FKAA has a 6" water main that runs from Petronia Street to Olivia Street on Baptist Lane (Patone)and there are properties currently being fed by that 6" water main."</i></p> <p>Keys Energy - Mr. Craig read the comments submitted by Matthew Alfonso from Keys Energy Services submitted by into the record – <i>"Customer will need to provide easement to</i></p>

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	<p><i>Keys to access and maintain overhead facilities for the adjacent properties."</i></p> <p>There were no additional Committee member comments for the record.</p> <p>Public Comments: There were no public comments.</p>
5	<p>Variance - 617 Mickens Lane (RE Number 00012810-000000) - A variance for a rear yard setback, impervious surface and open space in the HRO zoning district per Section 90-391, Section 122-600(4)a and Section 122-600(6)c of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida</p> <p>Staff Report: Nicole Malo stated this is a rear yard setback, impervious surface and open space variance request which will allow the owners to move forward with a two-story addition to the back of the existing structure with a single story off to the side of the new two-story. Ms. Malo stated that she added the impervious surface and open space due to lack of clear information. Ms. Malo added that those variances may be able to be removed once the following information is completed:</p> <ul style="list-style-type: none">➤ There are site data table issues which need to be addressed.➤ Site plan needs to be improved and numbers need to be exact.➤ Additional dimensions are needed on the site plan.➤ Need a description of materials to be used.➤ There are questions about the elevations and the base flood.➤ A storm water plan is needed.➤ Signed and sealed plans are needed.➤ Site plans need to be separate from the elevation plans. <p>Applicant: Michael Skoglund was present to respond to questions.</p> <p>DRC Member Comments: General Services/Engineering – Ms. Ignoffo stated that a drainage plan is necessary. Ms. Ignoffo also asked for the existing plans. Ms. Ignoffo inquired if the pool is new or existing. Mr. Skoglund responded the pool is existing.</p> <p>Landscaping – Ms. DeMaria stated the vegetation needs to be reviewed and addressed as appropriate. Mr. responded that there is nothing large on-site.</p> <p>HARC – Ms. Torregrosa stated that HARC has already approved the project.</p> <p>Building Department – Need to coordinate with the FEMA Coordinator.</p> <p>Fire – Mr. Averette stated that Fire needs 5 feet all the way around.</p> <p>Planning Director – Mr. Craig stated that the site plan must be significantly improved.</p> <p>Florida Keys Aqueduct Authority - Mr. Craig read the comments submitted by Marnie Walterson from Florida Keys Aqueduct Authority into the record – <i>"The FCAA has no objection for the request for a variance for a rear yard setback, impervious surface and open space in the HRO zoning district per Section 90-391, Section 122-600(4)a and Section 122-600(6)c of the Land Development Regulations of the Code of Ordinances of the City of</i></p>

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	<p>Key West.”</p> <p>Keys Energy - Mr. Craig read the comments submitted by Matthew Alfonso from Keys Energy Services submitted by into the record – <i>“Keys has no objections to the Variance.”</i></p> <p>There were no additional Committee member comments for the record.</p> <p>Public Comments: There were no public comments.</p>
6	<p>Variance - 1107 Grinnell Street (RE Number 00031760-000100) - A variance for rear yard setback and building coverage in the HMDR zoning district per Section 90-391, Section 122-600(4)a and Section 122-600(6)c of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida</p> <p>Staff Report: Nicole Malo presented the request, stating it is for a couple of small variances. Ms. Malo stated she has been working and coordinated the request with the applicant. Ms. Malo stated she no problem with the site plans.</p> <p>Applicant: Bill Horn gave a brief overview of the project and remained present to respond to any questions.</p> <p>DRC Member Comments: General Services/Engineering – Ms. Ignoffo inquired if the pavers were existing. Mr. Horn responded that they would be new. Ms. Ignoffo stated that they need to discuss the calculation for impervious surface. Mr. Horn responded that if necessary they will also request an impervious surface request.</p> <p>Landscaping – Ms. DeMaria stated the vegetation needs to be reviewed and addressed as appropriate.</p> <p>HARC – Ms. Torregrosa stated that HARC has already approved the project.</p> <p>Fire – Mr. Averette inquired as to how much access space was available. Mr. Horn responded 5 feet. Mr. Averette stated that Fire needs 5 feet all the way around.</p> <p>Planning Director – Mr. Craig requested a signed and sealed survey.</p> <p>Florida Keys Aqueduct Authority - Mr. Craig read the comments submitted by Marnie Walterson from Florida Keys Aqueduct Authority into the record – <i>“The FKAA has no objection for the request for a variance for a rear yard setback, impervious surface and open space in the HRO zoning district per Section 90-391, Section 122-600(4)a and Section 122-600(6)c of the Land Development Regulations of the Code of Ordinances of the City of Key West.”</i></p> <p>Keys Energy - Mr. Craig read the comments submitted by Matthew Alfonso from Keys Energy Services submitted by into the record – <i>“Customer will need to submit plans and coordinate with Keys for electrical service upgrade.”</i></p> <p>There were no additional Committee member comments for the record.</p> <p>Public Comments:</p>

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	There were no public comments.
7	<p>Major Development Plan - 201 William Street (00072082-004200) - A Major Development Plan for addition of outdoor commercial activity at the Waterfront Market in the HRCC-2 zoning district per Section 108-91A(2)c of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida</p> <p>Staff Report: Nicole Malo presented the project, which is for a major development at the old Waterfront Market building. Ms. Malo stated the proposal is for a micro brewery, restaurant, and bar which have already been reviewed and approved by HARC. Ms. Malo requested the applicant to provide a summary of the proposed removal and addition of any floor area. Ms. Malo also requested that the applicant include demolition plans. Ms. Malo stated she spoke with the FEMA Coordinator who has supplied a letter stating he saw no issue with this plan. Ms. Malo concluded that she has already coordinated with the project planners concerning Section 108 needing to be addressed and written statements are needed.</p> <p>Applicant: Bill Horn along with Chris Schultz presented a PowerPoint presentation for the project. Mr. Horn stated that there will some changes to the roof top area to accommodate a request from Pritam Singh to move the potential of any noise away from the direction of his proposed new project location. Mr. Horn and Marilyn Wilbarger remained available to respond to any questions.</p> <p>DRC Member Comments: Engineering – Ms. Ignoffo requested parking plans, stating that the head-on parking needs to be addressed. Ms. Ignoffo stated that the Fire Zone Access needs to be maintained. Ms. Ignoffo mentioned the access way to the Public Restrooms needs to be maintained. Ms. Ignoffo also mentioned that the transformer pads need to be screened if at all possible. Ms. Wilbarger responded that the Keys Energy transformers will need to remain but potentially landscape around them.</p> <p>Landscaping - Ms. DeMaria reviewed the vegetation currently on the site. Ms. DeMaria stated that the Thatch palms will need a permit to be removed or relocated. All other landscaping does not need permits.</p> <p>HARC – Ms. Torregrosa stated that the correct HARC number and correct HARC application date needs to be corrected on the application. Mr. Torregrosa stated that she will be supplying a HARC letter of approval to be included in the package going forward.</p> <p>ADA – Ms. Nicklaus stated she would withhold ADA review until such time as permitting plan review takes place. Ms. Nicklaus inquired concerning additional ADA baths to accommodate future expansion and different hours of operation for the main building and the roof top may impact access to the ADA restrooms.</p> <p>Fire – Mr. Averette stated that the sprinkler system satisfies his concerns and that he only other concern is with the turn-a-round which is not part of this project.</p> <p>Planning - Mr. Craig asked the applicant to clarify the interaction of the two restaurant areas including hours of operation, kitchen use and ADA access. Mr. Craig also requested clarity of the number of seats in each area of the establishment. Mr. Craig inquired</p>

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	<p>concerning the use and hours of the upper restaurant. Mr. Craig stated that the apparent small size of the kitchen could lead people to question the intended use (bar or restaurant). Mr. Craig stated that the applicant should address future expansion and different hours of operation for the main building and the roof top may impact access to the ADA restrooms.</p> <p>Florida Keys Aqueduct Authority – Mr. Craig read the comments submitted by Marnie Walterson from Florida Keys Aqueduct Authority into the record – <i>"This site is presently being served by multiple FKAA Location #s. There is an 8" water main located on William Street. A complete set of plans will be required for review to determine meter requirements and any System Development Charges."</i></p> <p>Keys Energy – Mr. Craig read the comments submitted by Matthew Alfonso from Keys Energy Services submitted by into the record – <i>"Customer will need to submit project review form. Keys will need to verify existing electrical facilities."</i></p> <p>There were no additional Committee member comments for the record.</p> <p>Public Comments: There were no public comments.</p>
Adjournment	
	<p>Actions/Motions: A motion was made by Mr. Alan Averette seconded by Ms. Elizabeth Ignoffo, that the meeting be Adjourned. The motion Passed by a unanimous vote.</p> <p>Meeting adjourned at 11:27 am.</p>

Respectively Submitted by,

Jo Bennett

**Administrative Coordinator
Planning Department**