

# Minutes of the Key West Planning Board

November 15, 2012

## DRAFT ACTION MINUTES

Vice-Chairman Tim Root called the Key West Planning Board Meeting of November 15, 2012 to order at 6:00pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.

### ROLL CALL

**Present were:** Chairman Richard Klitenick (arrived 6:50pm), Vice-Chairman Tim Root, Greg Oropeza, James Gilleran and Michael Browning.

**Excused absence:** Sam Holland and Lisa Tennyson

**Also in attendance were:** Planning Director, Donald Craig; Chief Assistant City Attorney, Larry Erskine; Urban Forester, Paul Williams; Planning Department staff: Brendon Cunningham, Ginny Haller and Karen de Berjeois.

### PLEDGE OF ALLEGIANCE

### APPROVAL OF AGENDA

Mr. Craig informed members of the removal of item # 1, stating that the applicant will reapply.

Mr. Craig then requested items # 3 and 4 be moved to the end of the agenda in order to allow time for a quorum since Mr. Root would have to recuse himself.

**A motion to approve the agenda as amended was made by Mr. Browning and seconded by Mr. Oropeza.**

**Motion carried by unanimous voice vote.**

**SO ORDERED.**

### APPROVAL OF MINUTES

**October 18, 2012**

**A motion to approve the October 18, 2012 meeting minutes was made by Mr. Gilleran and seconded by Mr. Oropeza.**

**Motion carried by unanimous voice vote.**

**SO ORDERED.**

### RESOLUTIONS

#### Old Business

- 1. Conditional Use - 1200 White Street (RE# 00033010-000000) - A request to allow small recreational power-driven equipment rentals in the HNC-1 zoning district per Section 122-808 (14) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

**Application was withdrawn.**

- 2. Landscape Waiver - 825 Duval Street (RE# 00016830-000000) – A request to the waiver of landscaping requirements along street frontage in the HRCC-3 zoning district as per Section 108-413 of the Land**

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### Development Regulations of the Code of Ordinances of the City of Key West.

Ms. Haller gave members an overview of the Landscape Waiver. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommended that the request to waive the landscape area be approved with the condition that the applicant locate an additional six (6) shrubs in planters (less than 30 inches in height) in the "No Parking Area" so as to prevent parking of automobiles in this area. The "No Parking Area" is referenced on the Planting Plan signed and dated 11-6-2012.

The applicant's representative, Barry Barroso, was present for any questions.

There were no public comments.

**A motion to approve the Variance with the recommendation of the Planning Department was made by Mr. Gilleran and seconded by Mr. Browning.**

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

### New Business

- 5. Major Development Plan and Conditional Use – 616 Simonton Street (RE# 00012210-000000; 00012220-000000) – A request for the redevelopment of the existing City of Key West Fire Station into a 7,926 square foot Fire Station #2 and 40,720 square foot parking lot in the HPS and HNC-1 zoning districts per Section 108-91 (A)(2)(b), and Sections 122-958(3) and 122-808 (7) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

The applicant, Anthony D. Sarno, mbi-k2m Architecture, Inc., gave members an overview of the Major Development Plan and Conditional Use request as well as the Variance request (item # 6).

Ms. Haller gave members an overview of the Major Development Plan and Conditional Use request as well as the Variance request. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommended the request for Major Development Plan, Conditional Use and Variance request be approved with the following conditions:

#### **Conditions to be completed prior to the issuance of a Building Permit and ongoing through construction:**

1. Plans cited as basis for approval on page 5 of 18 are incorporated by reference.
2. The ADA parking spaces must meet Federal guidelines.
3. Variances associated with the Major Development Plan request be approved by the Planning Board, as applicable.
4. In order to reduce impacts on the surrounding community, the Construction Management Plan will be followed with an emphasis on keeping noise, dust and debris to a minimum. The Plan shall include:
  - A. An eight foot opaque construction fence will be erected around the property;
  - B. During demolition, the building will be pressure sprayed with water to control dust;
  - C. Adjacent streets shall be cleared of dust, dirt, and debris at the end of each work day;
  - D. All waste containers should be covered at the end of each working day;
  - E. Current regulations as to the start and stop of each work day will be met: Monday through Friday 8 a.m. to 7 p.m. and Saturdays 9 a.m. to 5 p.m. with no Sundays or holidays; and

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- F. Josephine Parker Road would remain open throughout construction.
- G. The Construction Management Plan shall include "Construction of the facility will meet or exceed the criteria in the City's Local Business Preference Regulations."

### Conditions to be completed prior to the issuance of a certificate of occupancy:

- 5. The two properties are combined with a unity of title to create one real estate number.

### Conditions subject to a Conditional Approval Permit, per Ordinance 10-22. Conditions subject to an associated annual inspection.

- 6. Hours of operation of the public restrooms are limited to 8 AM to 10 PM daily.

The following members of the public spoke on the matter:

- Richard J. McChesney, 526 Southard
- Tim Grosseup, 601 Angela
- Anthony Yaniz, (no address provided)

Chairman Klitenick arrived at 6:50pm and established with counsel that his is familiar with the project and that he is allowed to vote on the Major Development Plan and Conditional Use request.

**A motion to approve the Major Development Plan and Conditional Use to include Planning Department recommendations was made by Mr. Browning and seconded by Mr. Gilleran.**

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

- 6. **Variations - 616 Simonton Street (RE# 00012210-000000 & 00012220-000000) – A request for impervious surface ratio in the HNC-1 zoning district per Section 122-810(4)b; and for non-habitable building height, impervious surface ratio, open space, landscape buffer, and landscape waiver in the HPS zoning district as per Sections 122-960(3), 122-960(4)b, and 108-346 (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Overview and public comments were held concurrently with item #5.

**A motion to approve the Variance to include Planning Department recommendations was made by Mr. Browning and seconded by Chairman Klitenick.**

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

**Old Business**

- 3. **Major Development Plan - 951 Caroline Street (RE# 00002970-000000) – A request to amend a Major Development Plan and Conditional Use approval (CC Res. 99-225) in the HRCC-2 zoning district per Section 108-91(A.) (2)(b); and minimum landscaped areas per Section 108-412(a) and to modify landscaping standards along street frontage per Section 108-413(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Vice-Chairman Root recused himself from this request due to a conflict of interest of financial gain.

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The Major Development Plan and the Variance request (items # 3 and 4) were heard simultaneously.

The owner, Mr. Craig Hunt, gave members an overview of the Major Development Plan and Variance request.

The applicant, Owen Trepanier, Trepanier & Associates, Inc. gave members an overview of the Major Development Plan and Variance request.

Mr. Cunningham gave members an overview of the Major Development Plan and Variance request. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommended the request for Major Development Plan and Variance request be approved with the following conditions:

Condition to be completed prior to the issuance of building permits:

- Any parking agreement is approved by the City Commission.

Condition to be completed prior to the issuance of a Certificate of Occupancy:

- All five (5) auto and 123 bicycle scooter-parking spaces are installed.

Mr. Browning disclosed that he has a business arrangement with the applicant, Owen Trepanier; however, it does not prejudice his decision making capacity.

There were no public comments.

**A motion to approve the Major Development Plan with the two conditions recommended by Planning Department was made by Mr. Oropeza and seconded by Mr. Gilleran.**

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

- 4. Variances - 951 Caroline Street (RE# 00002970-000000) – A request in the HRCC-2 zoning district for building coverage, impervious surface ratio, front-yard and street-side setback per Section 122-720 (4) a. & b. and (6) a. & d. and parking requirements per Section 108-572(16) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Vice-Chairman Root recused himself from this request due to a conflict of interest of financial gain.

The Variance request and the Major Development Plan were heard simultaneously. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for Major Development Plan and Variance request be approved with the following conditions:

Condition to be completed prior to the issuance of building permits:

- Any parking agreement is approved by the City Commission.

Condition to be completed prior to the issuance of a Certificate of Occupancy:

- All five (5) auto and 123 bicycle scooter-parking spaces are installed.

**A motion to approve the Variance with the two conditions recommended by Planning Department was made by Mr. Browning and seconded by Mr. Oropeza.**

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**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

**PLANNER'S REPORT**

**Fee Resolution Report**

Mr. Craig gave members an overview of the fee resolution request.

**A motion to approve the Fee Resolution request was made by Mr. Gilleran and seconded by Mr. Holland.**

**Motion was carried by unanimous voice vote.**

**ADJOURNMENT**

**A motion to adjourn was made by Mr. Browning and seconded by Ms. Tennyson.**

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

Meeting adjourned at 6:53 pm.

**Respectfully submitted by,  
Karen de Berjeois  
Administrative Assistant II  
Planning Department**