

**THE CITY OF KEY WEST  
PLANNING BOARD  
Staff Report**



**To:** Chairman and Planning Board Members

**From:** Nicole Malo, Planner II

**Through:** Donald Leland Craig, AICP, City Planner

**Meeting Date:** March 20, 2014

**Agenda Item:** **Variance – Variances - Truman Waterfront Park (RE# 00001630 001000; AK #9038855; RE# 00001630-001100; AK# 9038866)** - A request for variances to substitute additional bicycle parking to allow for the development of the proposed Truman Waterfront Park Master Plan as per Section 108-574, and Section 90-391 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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**Request:** To consider a variance to allow the substitution of 200 bicycle spaces in addition to the required 74 bicycle spaces in order to substitute for 50 vehicle parking spaces that cannot be accommodated on the site to allow for the development of the Truman waterfront Park Master Plan.

**Applicant:** Bermello Ajamil, LLC

**Property Owner:** City of Key West

**Location:** Truman Waterfront Parcel  
RE# 00001630-001000, AK 9038855 and RE# 00001630-001100,  
AK# 9038866

**Zoning:** Historic Public Service and Semipublic Service District – 1 Truman Waterfront (HPS-1)  
Historic Medium Density Residential (HMDR)  
Historic Residential Commercial Core – 4 Truman Waterfront (HRCC- 4)  
Historic Neighborhood Commercial – 2 (HNC-2)



City of Key West Property.  
Parcel ID 00001630-001000, AK 9038855



City of Key West Property.  
Parcel ID 00001630-001100, AK# 9038866

## **Background:**

The proposed Truman Waterfront Park Master plan is a result of over 15 years of planning with input from the public at community and joint agency meetings, the Navy, the Bahama Village Redevelopment Advisory Committee (BVRAC), the Truman Waterfront Advisory Board (TWAB), and the various City Commissions sitting as the Naval Properties Land Redevelopment Agency (LRA).

The entire property, known as the Truman Waterfront (TW) Parcel, was planned for transfer from the Navy to City ownership through the Base Reuse and Alignment (BRAC) process that began in 1995. As part of the BRAC process in 1997 the BRAC Master Plan was adopted with detailed land uses for the property (Exhibit 1 - 1997 the BRAC Master Plan). To date the 1997 BRAC Master Plan has been used as the backbone that has formed all of the former and current Master Plans. Although the proposed locations for the uses may have migrated around the site, most of the uses contemplated remain within the Master Plan or somewhere on the TW Parcel today. Subsequently in 1999 the Land Development Regulations for the five different zoning districts each with distinct allowed uses and bulk regulations that currently make up the property were adopted from the Base Reuse Plan. The City and Navy then agreed upon and signed a Memorandum of Understanding (MOU), a Memorandum of Agreement and finally the Quit Claim Deed in 2002 and the property was transferred through the Economic Development Conveyance. All three of the agreements contain development restrictions for how the property is to be developed (See Exhibit 2 -2002 MOU and Quit Claim Deed). The proposed Master Plan has been fully coordinated and developed with input from the Naval Air Station Key West office and is in compliance with the land use controls and restrictions listed in the conveyance documents. The original TW Parcel contemplated for transfer was 50 acres; however upon final transfer the battery property along Fort Street and the Mole Pier were withdrawn leaving the 32.31 acres of upland and Marina development rights within Truman Harbor Development Zone to the City. Additionally, since 2013 the Navy has restricted the City's right to construct a marina within the Truman Harbor Development Zone for security and training purposes.

At the October 2, 2007 election the voters of the City of Key West elected to lease 4 acres of the Truman Waterfront Parcel for a mixed income assisted and independent living facility for senior citizens (Resolution 07-09). Subsequently, the City went through the public bidding process and contracted with private developers for the marina and portions of the remaining upland areas (Exhibit 3 - Meisel & Spottswood Conceptual Plan). Other plans were brought forward around this time for the development of the remaining 6.6 acres of the site within the HPS-1, HNC-2 HCL zoning districts that never materialized. It was also at this time that the Bahama Conch Community Land Trust (BCCLT), that managed the Bahama Village Community Redevelopment Area, which overlaps the boundary of the Truman Waterfront Parcel, was absolved via Resolution 08-225. The following year the Bahama Village Redevelopment Advisory Committee (BVRAC) and the Truman Waterfront Advisory Board (TWAB) were created.

On April 24, 2010, after several plans for the development of the remaining Truman Waterfront (TW) Parcel had failed, including the Meisel & Spottswood plan for the Truman Harbor Marina and upland area, a joint public meeting was held between the BVRAC, TWAB, and the LRA at

the Frederic Douglas Gym in Bahama Village to build consensus for the use of the remaining 6.6 acres. The 6.6 acre area was previously considered as a third development site with economic development potential for the Bahama Village Redevelopment Area; although the discussion evolved into consideration of uses for the entire Truman Waterfront Parcel site. A professional mediator facilitated the process and significant input was gathered from the neighbors, community members and government officials. As a result of that meeting the City Commission adopted Resolution 10-265 (Exhibit 4 - Resolution 10-265) containing the Facilitators Summary Report and eleven guidelines for development of the property. Most importantly as a result of the meeting it was decided that the remainder of the TW Parcel not encumbered by the assisted living facility would be planned as a whole. The eleven area development guidelines that were adopted read as follows:

- The 6.6 acres shall be reintegrated with, and considered part of the overall Truman Waterfront.
- Development of the "6.6-acre parcel" is completed to maximize its integration into and for the economic benefit of the adjacent Bahama Village neighborhood.
- The former Navy galley building shall be repaired (Bldg. 1287, 17,500 sq. ft.) or a new one be constructed to house a multi-use community center with possible future expansion capacity.
- Outdoor multiple use recreation complexes shall be created on the Truman Waterfront and shall remain in City ownership and not subject to long term leases. The complexes shall include but not be limited to a multiple purpose recreational field with minimal dimensions of 110 yards by 70 yards but not less than 1.6 acres in size and recreation basketball courts.
- The Truman Waterfront Advisory Board expresses its support for Resolution 09-057.
- Limited commercial areas shall be developed in conjunction with a workforce housing component. The commercial space may be utilized by neighborhood orientated type businesses including but not limited to local artists, fishermen, and entrepreneurs or as an open market space.
- A community park and community garden component shall be created that showcases Key West history and the Key West African American heritage.
- All development shall be constructed in accordance with Florida Statute 255.2575(2),
- Any and all development shall be economically viable and enhance the existing Tax Increment Funding District (TIF), and provide economic opportunities to all the citizens of Key West.
- Development shall encourage access to and use of the property by biking or walking,
- The TWAB recommends that development of this project be a joint effort between both the City and private entities.

Comprehensive Plan Policy 1-1.6.4: Truman Waterfront Organizing Elements supports the above desired uses in addition to providing for all new development and redevelopment within the Truman Waterfront Parcel to be consistent with the following key organizing elements:

1. Recreation and open space linked through landscaped multimodal green ways and view corridors with multiple access points connecting the large park and recreational area on the northwestern portion of the site.

2. Uninterrupted public access to the waterfront through a wide promenade along the full length of the harbor.
3. Landscaped and hardscaped areas which are well-lit and designed to provide a safe area for use by a diverse mix of recreational users.
4. Affordable housing, neighborhood retail and social service uses which function as an extension of the neighborhood fabric of Bahama Village.
5. Educational and historical activity nodes.
6. Expanded use of the portions of the Truman Waterfront property for port activities.
7. Multiple ingress/egress points into the Truman Waterfront property.
8. High profile green design and livability principles, including but not limited to the International Dark Sky Association, the National Complete Streets Coalition, and highest level green building certifications.

As a result the City went through the public procurement process and hired the design consultant of Bermello Ajamil and Partners at the end of 2011 to design a public park. Shortly afterwards in April of 2012 the LRA were presented with several Design Programs for how best to fit the most desired uses within the unique space of the Park. The Design Program Element that was adopted through Resolution 12-129 by the LRA has been used to configure the Master Plan as proposed (Exhibit 5 – Resolution 12-129). Later that summer after design planning and public vetting through the TWAB on July, 2012 (Revised July 25) the Truman Waterfront Park Master Plan was recommended to the LRA for approval by BVRAC and TWAB. On October 18, 2012 the City Commission sitting as the LRA approved the final iteration of the Master Plan (Exhibit 6 - BVRAC, TWAB and LRA Adopted Master Plan. Resolution 12-285). Although not all of the requested Development Guidelines could be fulfilled on the limited Park site, every effort was made to accommodate as many needs as possible while retaining ample open space.

Following the adoption of the Master Plan staff and the design consultants met with public interest groups such as the Arts Council and its subsidiaries, the Police Athletic League and the Police Cavalry Unit, American Youth Soccer Organization (AYSO), the Boys and Girls Club and other afterschool programs, TAMPOA, the State Parks Organization and other adjacent property owners, and relevant City staff to review the Master Plan (Exhibit 7 - Focus Group datum). On January 14, 2013 the consultant submitted an application for Major Development Plan (Exhibit 8 - 2013 Development Plan) and variance request for bicycle substitution to the Planning Department. The Development Review Committee (DRC) reviewed the Major Development Plan and Variance at a special meeting held on January 31, 2013. The plans were amended based on the DRC comments and are also incorporated into this report although no significant concerns were brought up (Exhibit 9 - DRC Minutes 20130131). On March 4, 2013 the Master Plan was transmitted to the Navy, in order to begin a preliminary 90 day review period. The Navy's response was received on June 6, 2013 with twenty comments. The City responded to the Navy's comments on January 31, 2104 (Exhibit 10 - Navy Response Letter and City Response to Navy). The Plans were amended and several conditions proposed as part of this development plan request to address the Navy's concerns. Coordination efforts have been ongoing regarding the Plans and timeline for adoption. Following adoption the Major Development Plan, Conditional Use and Variance will again be sent to the US Navy for the mandated 90 day review period. With the preliminary 90

day review by the US Navy already completed, the response time and approval for construction is expected to be shortened.

Additionally, as contemplated in the Base Reuse Plan and Master Plan adopted by the LRA, the Land Development Regulations (LDR's) for the Historic Public Service (HPS) zoning district were amended to allow restaurants and food service facilities associated with recreational activities. In addition changes to the HRCC-4 zoning district were adopted to allow Cultural and Civic Uses which were are presently allowed as of right in the PS and HPS zoning districts. The amendments were adopted by the City Commission on December 3, 2013. Concurrently a Comprehensive Plan amendment was also adopted in order to update the land uses allowed within the HRCC-4 land use district to create lower impact uses compatible with public parks. The DEO posted the Final Order for the changes to the comprehensive Plan and LDR's on February 28, 2014 and they are in the final days of the appeal period that will expire by March 21, 2014 (Exhibit 11- DEO Final Order Ordinance 13-25).

Based upon the state review and adoption timeline for the above mentioned Comprehensive Plan and LDR amendments the DRC reviewed the Conditional Use request for the restaurant at a publicly noticed meeting held on March 14, 2014 (Exhibit 12 - DRC Minutes 20140314). The restaurant is proposed to be located in Navy Building 103 with an indoor and outdoor seating area limited to 316 seats. The resulting DRC comments regarding the Conditional Use did not affect the proposed Plans, but have been incorporated into several conditions of approval and described in detail in this report.

More recently, the timeline for contract negotiations for the Assisted Living Facility lapsed and the LRA rejected the ALF lease through Resolution 13-225 freeing up 2.63 acres of the Truman Waterfront Parcel adjacent to Fort Street for possible new development opportunities; although, the redevelopment of the site is not contemplated as part of this master plan. Also apart from this Master Plan approval process but adjacent to the proposed Park within the Truman Waterfront Parcel a community garden is proposed with a small outdoor market place area (Exhibit 13 – Conceptual Community Garden Plan). The community garden has been approved and funded by the Community Redevelopment Agency and should serve as a complimentary Park use that helps to fulfil a component of the adopted Truman Waterfront Development Guidelines and Base Reuse Plan.

A Bicycle Substitution Variance is being requested concurrently with this development plan and conditional use and is proposed as a condition of approval.

### **Existing Conditions**

The 28 acres proposed for development include scarified lands previously used for Navy operations and a former Navy Galley, Building 1287 (aka the PAL Gym), and large maintenance facility, Building 103. A structural analysis report was conducted for the two existing buildings on the site and Building 103, because of it is a giant shell of a building with very little obstruction inside, was determined to be structurally sound and adaptable; however, portions of building 1287 were determined to be structurally compromised and unsuitable for adaptive reuse for its intended purpose as a community center. Additionally, the building encroaches 47' into the Navy's required 50' security setback and is not in compliance with the Deed restrictions; and after attempting to fit the necessary standard

sized multi-use field on the property it was determined to fit only on the portion of the site where the building 1287 is currently located. Therefore, it was determined that the proposed plan to demolish existing building 1287 and relocate the community center was the most efficient use of the property.

The site is traversed by numerous underground utilities to Naval and State Park facilities as identified in the land conveyance deed; and an existing roadway is used to access Navy property in two locations, Fort Zachary Taylor State Park, the NOAA offices and the Eco Discovery Center. Although undeveloped, the site is visited by pedestrians and bicyclists who enjoy the open spaces and waterfront promenade. The site also accommodates two to three boat races and several local cultural events annually such as the Taste of Key West that draws thousands of visitors.

Existing conditions of the site are shown on the attached survey and Tree Disposition Plan (Appendix C. 7 Tree Disposition Plans).

**Request:**

The applicant is requesting a variance to allow the substitution of 200 bicycle spaces in addition to the required 74 bicycle spaces in order to substitute for 50 vehicle parking spaces that cannot be accommodated on the site to allow for the development of the Truman waterfront Park Master Plan.

The proposed Park Master Plan parking requirement analysis is based upon the specific uses within the park that trigger parking. For the uses proposed for the community recreation center, building 103, the horse stables and the amphitheater 366 parking spaces are required as described below in the Truman Waterfront Park Automobile and Bicycle Parking Calculations Table. However, in an effort to provide scooter parking for the site, not currently required in the parking calculations, over 36 parking spaces were converted to scooter parking and 15 for additional bicycle parking therefore reducing the amount of vehicular parking spaces that could fit on the site without eliminating open space.

There are three parking lots on the site that can accommodate 316 vehicles; in addition, the roadway was designed with shoulders 8' in width for bicycle parking lanes that can be used to accommodate overflow parking of 91 vehicular parking spaces during special events. Because a significant number of vehicular spaces have been dedicated to scooter parking the designers are requesting that the 50 vehicular parking spaces are instead substituted with 200 additional parking bollards across the site.

The associated development plan is proposed to accommodate the following uses and amenities that require parking:

**Buildings are required to be Green Building Certified in accordance with Comprehensive Plan Policy 1-1.6.4:**

- New **Community Recreation Center** of 24,304 square feet to include indoor gym, industrial sized kitchen and classrooms.
- Retrofit of existing **Building 103** to be used as a museum with a conditional use request for a restaurant as a revenue generating use.

- New **Amphitheatre** with 250 fixed seats, a 3,000 square foot theater building with bathrooms and changing rooms and 15,000 square foot event lawn.
- **Police horse stables** – 2,525 s.f building and outdoor coral area.

**The following uses do not trigger parking requirements pursuant to City Code:**

- Two children's **playground facilities**. One located in the front of Building 103 and one adjacent to the proposed community recreation center.
- An **interactive water feature** located near the outdoor restaurant area in the front of Building 103.
- **Multi-use sports field** of 360 by 230 feet which includes the recovery zone on all sides of the field (field is 310' x 180'). This sized field is large enough to meet high school league standards for various sports which is not accommodated for anywhere in the City at this time.
- **Recreational exercise pathways** both through the open space areas in the Merili McCoy Public Garden to the North and adjacent to the main roadway in both directions as separate **safe sidewalks** of 7-10' and **designated bicycle lanes** 8' in width.
- Several significant **open space areas** for active and passive recreation.
- Stormwater management.
- Cisterns and onsite water retention for water reuse.
- Topographic change elements including an elevated sunset look out area behind the amphitheater.
- Heavy landscaping for shade and aesthetic purposes.
- New roadways through the park connecting Southard Street and Angela Street through the park and to the State Park. New vehicular access from Angela Street. Traffic calming amenities are approved.
- Public Art throughout.
- Parking in three parking lots for 225 vehicles plus on street parking for an additional 91 vehicles for special events creating a total of 316 parking spaces for the Park.
- Parking throughout the park for 276 bicycles.
- Public restrooms will be provided.
- Safe pedestrian corridor crossings.
- Sidewalks and safe pedestrian corridors within parking lots.



Truman Waterfront Park Automobile and Bicycle Parking Calculations									
Description	Area (SF)		Type of Use	Parking Space Requirement Ratio	Number of Parking Spaces Required	Number of Parking Spaces Provided	Bicycles Spaces as % of Required Vehicular Parking Spaces	Number of Bicycle Spaces Required	Number of Bicycle Spaces Provided
Community Center	Assembly Area	10,821	Community Center	1 space per 150 SF Floor Area in Main Assembly Hall	72	72	35%	25	90
Stables	Building Total	2,525	Public Administration Offices	1 space for each 300 SF building floor area	8	8	25%	2	6
Historic Building 103	Serving Area	4,700	Restaurant	1 space for each 45 SF building floor area	104	106	25%	26	84
	Assembly Area	4,350	Museum	1 space for each 150 SF building floor area	29		10%	3	
Amphitheater*	Open Lawn, (assembly area)	15,259	Place of Assembly	1 space for each 150 SF of assembly area	102	130	10%	10	96
	Fixed Seating	250	Auditorium Seating	1 space for each 5 seats	50		10%	5	
<b>TOTALS</b>		<b>37,905</b>			<b>366</b>	<b>316</b>		<b>72</b>	<b>276</b>
Additional Vehicular Parking Spaces Needed					50				
Total Bicycle Parking Spaces in Excess of Required Spaces 276-72					204				
Excess Bicycle Parking Divided by 4, Yields Vehicular Substitute Spaces					51				
<b>Total Parking Spaces Provided + Bicycle Space Credits</b>					<b>367</b>				

**Process:**

**Development Review Committee Meeting:**

**HARC Meeting:**

**Tree Commission Meeting:**

**Planning Board Meeting:**

January 31, 2013

February 24, 2014

April 8 or May 13, 2014

March 20, 2014



FIGURE #13 - Site Vehicular Circulation and Parking

**Analysis – Evaluation for Compliance With The Land Development Regulations:**

*Sec. 108-574. Substitution of bicycle parking spaces.*

*An applicant for development plan approval pursuant to article II of this chapter may file a request for a variance to substitute additional bicycle parking (i.e., bicycle parking in excess of that required pursuant to section 108-572). The planning board may grant such variance upon a finding that such additional bicycle parking would be beneficial and would satisfy the specific conditions of sections 90-394 and 90-395. However, hardship conditions shall not be a mandatory condition of obtaining the subject variance. If the planning board determines the requested bicycle parking is compliant with the referenced criteria, the planning board shall require that such additional parking be located on a site within 100 feet of the subject site. Furthermore, in determining the appropriate substitution, four bicycle parking spaces shall be equivalent to one motorized vehicle parking space. All such approved bicycle parking spaces shall satisfy pavement, maintenance, and construction specifications of subdivision II of this division as well as bicycle parking, design, lighting, and security criteria of Section 108-643.*

The Planning Board before granting a variance must find all of the following:

- 1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.**

The Truman Waterfront Park is centrally located at the boundary of the city's highest density residential areas and downtown district where the largest groups of would be users of the park are within easy walking and bicycling distances. Moreover, many park users will also access the Park from the Westin Marina which prohibits vehicular access through the future admirals cut pedestrian bridge. Additionally, public transportation to the site is readily available within the Park.

The parking requirements within the Land Development Regulations do not contemplate parking requirements within or for park uses. Therefore, the 366 parking spaces determined to be necessary for the proposed site uses may be in excess of what should be provided for a public park. Special conditions exist because the proposed public waterfront park would have to be significantly encumbered by pavement in order to accommodate vehicles instead of providing open and recreational spaces.

**2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.**

The conditions and circumstances that result in the need for a bicycle substitution variance are the result of the applicant's design. The decision to substitute bicycle parking for the 50 vehicular parking spaces creating the need for the variances, are conditions created by the applicant that reduce impervious surface and increase open space in the City's largest open space park within the City. The decision to provide additional bicycle parking is seen as reflective of actual transportation modes utilized by residents and visitors alike within the City. The substitution is not a result of negligence by the owners but the need to balance multimodal transportation needs.

**3. Special privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the Land Development Regulations to other lands, buildings or structures in the same zoning district.**

Because the application is for a public park and the variance request provides for multi modal parking equivalent to that for vehicular parking, granting the variance request may not confer upon the applicant special privileges provisionally denied to other lands, buildings or structures in the same zoning district that are typically for private usage.

**5. Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

Based upon the needs based analysis produced at the beginning of the project for the Community Center, Amphitheater and Horse Stables the proposed scope of the buildings are the minimum size warranted to accommodate the public need. Building 103 is an existing historic building that cannot be reduced in scale. The request to substitute bicycle parking for 50 vehicular parking spaces is the minimum variance that will make possible reasonable use of the land, building, or structure without creating additional impervious surface or using additional open space within the park for vehicles.

**6. Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the Land Development Regulations**

**and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.**

The granting of the variance to allow bicycle parking instead of vehicular parking is not injurious to the public welfare and in fact encourages healthy recreational activity and allows additional open space and recreation areas for the City's residents within the limited Park area. Since the beginning of the planning process members of the public have voiced their concerns regarding the over paving of the park lands.

In addition, promoting non-vehicular access to the Park will enable the City to lessen automobile dependence and trips to this congested area and mitigate any further degradation of the Level of Service Standard of the City's streets.

- 7. Existing nonconforming uses of other property not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.**

The existing nonconforming uses of other property are not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

**The Planning Board shall make factual findings regarding the following:**

- 1. That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.**

The standards established by Section 90-395 of the City Code, except for the hardship criteria that is not applicable to this type of request, have been met by the applicant.

- 2. That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.**

The proposed plan is the result of many public hearings and meetings. The department has not received any notice from concerned neighbors to date.

**RECOMMENDATION:**

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends that the request for variance to substitute 50 vehicular parking spaces for 200 additional bicycle parking spaces for the development of the Truman Waterfront Park Master Plan be **approved** with the following condition:

1. That the Major Development Plan and Conditional use for the Truman waterfront Park Master Plan is approved by the City Commission.

# **Draft Resolution**

**PLANNING BOARD  
RESOLUTION NO. 2014-xx**

**A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING WITH CONDITIONS A VARIANCE TO THE MINIMUM OFF-STREET PARKING REQUIREMENTS IN ORDER TO SUBSTITUTE 200 BICYCLE PARKING SPACES FOR THE DEVELOPMENT OF THE TRUMAN WATERFRONT PARK AMSTER PLAN FOR PROPERTY LOCATED AT THE TRUMAN WATERFRONT PARK (RE # 00001630 001000; AK #9038855; RE# 00001630-001100; AK# 9038866) WITHIN THE HISTORIC RESIDENTIAL COMMERCIAL CORE – TRUMAN WATERFRONT (HRCC-4), HISTORIC NEIGHBORHOOD COMMERCIAL-2 (HNC-2), HISTORIC MEDIUM DENSITY RESIDENTIAL, HISTORIC PUBLIC SERVICE AND DEMI PUBLIC SERVICE (HPS-1) ZONING DISTRICTS PURSUANT TO SECTION 108-574 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the applicant proposes to develop a park for the city and its users; and

**WHEREAS**, Section 108-574 of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”) provides for the minimum off-street parking requirements for land-use types; and

**WHEREAS**, Section 108-574 of the LDRs allows applicants to request that bicycle parking spaces be allowed to be substituted for vehicular parking spaces at a rate of 4:1 bicycle to vehicles in addition to the bicycle parking spaces required; and

**WHEREAS** Section 108-574 stipulates that the criteria to be applied is found in Code Section 90-395 with the exception of the hardship criteria that is not applicable; and

**WHEREAS**, Code Section 90-391 allows applicants to request variances to the Land Development Regulations through the Planning Board; and

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director

**WHEREAS**, the applicant requests to substitute 200 additional bicycle parking spaces for the 50 vehicular parking spaces generated by the Proposed Development; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on March 20, 2014; and

**WHEREAS**, the Planning Board finds that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures or buildings in the same district; and

**WHEREAS**, the Planning Board finds that the special conditions do not result from the action or negligence of the applicant; and

**WHEREAS**, the Planning Board finds that granting the variances requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district; and

**WHEREAS**, the Planning Board finds that the variances granted are the minimum variances that will make possible the reasonable use of the land, building or structure; and

**WHEREAS**, the Planning Board finds that the granting of the variances will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

**WHEREAS**, the Planning Board finds that no nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts are grounds for the issuance of the requested variances; and

**WHEREAS**, the Planning Board finds that the applicant has demonstrated a “good neighbor

policy” by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.

**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.** An approval by Resolution of the Key West Planning Board for a variance to substitute 200 additional bicycle parking spaces for the required 50 vehicular parking spaces generated by the Proposed Development according to the attached plans dated March 4, 2014 by for the Truman Waterfront Park Master Plan:

1. That the Major Development Plan and Conditional Use for the Truman Waterfront Park Master Plan are approved.

**Section 3.** That the timeline for completing the development for which this variance is apart of approval shall be extended as part of the Major Development Plan. It is a condition of these variances that full, complete and final application for all conditions of this approval for any use and occupancy for which these variances are wholly or partly necessary, shall be submitted in their entirety within in conjunction with the development plan.

**Section 4.** The failure to fully and completely apply the conditions of approval for permits for use and occupancy pursuant to these variances in accordance with the terms of the approval as described in Section 3 hereof, shall immediately operate to terminate these variances, which variances shall be of no force or effect.



**Section 5.** These variances do not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

**Section 6.** 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 Commission.

**Section 7.** 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 period has expired, this permit or development order will 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 forty five (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 forty five (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 20th day of March, 2014.

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director

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

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Richard Klitenick, Planning Board Chairman

Date

**Attest:**

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Donald Leland Craig, AICP, Planning Director

Date

**Filed with the Clerk:**

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Cheryl Smith, City Clerk

Date

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

# Application

**Variance Application**  
**City of Key West Planning Department**  
**3140 Flagler Avenue, Key West, FL 33040**  
**(305) 809-3720**



**Variance Application**

Please completely fill out this application and attach all necessary documents. This will help our staff to process your request quickly and obtain necessary information without delay. If you have any questions please call 305-809-3720 to schedule an appointment with a Planner.

Please print or type a response to the following:

1. Site Address **Truman Waterfront Park**
2. Name of Applicant **Bermello Ajamil & Partners Inc.**
3. Applicant is: Owner \_\_\_\_\_ Authorized Representative   **X**
4. Address of Applicant **2601 South Bayshore Drive, Suite 1000, Miami, Florida 33133**
5. Phone # of Applicant **786-486-5269** Mobile# **786-486-5269**
6. E-Mail Address [rhollingworth@bamiami.com](mailto:rhollingworth@bamiami.com)
7. Name of Owner, if different than above **City of Key West**
8. Address of Owner **P.O. Box 1409, 3140 Flagler Avenue, Key West, FL**
9. Phone # of Owner **305-809-3792**
10. Email Address **dbradsha@keywestcity.com**
11. Zoning District of Parcel **HPS, HPS-1, HRCC-4, HNC-2, HMDR**  
RE# **0001630-001000, 0001630-000801, 0001630-001100**
12. Description of Proposed Construction, Development, and Use  
**The proposed project is a new City public park on 28.21 acres. The only existing building to remain is Building #103 which will be renovated for a museum and restaurant. Also included in the master plan is a new community center, an outdoor amphitheater and a stable for the KWPD including parking required for each of these uses within the park.**
13. List and describe the specific variance(s) being requested:  
**A variance for the substitution of 200 additional bicycle parking spaces for 50 required parking spaces per Section 108-574.**

**Variance Application**  
**City of Key West Planning Department**  
**3140 Flagler Avenue, Key West, FL 33040**  
**(305) 809-3720**



14. Please fill out the relevant Site Data in the table below.

Truman Waterfront Park Automobile and Bicycle Parking Calculations										
Description	Area (SF)		Type of Use	Parking Space Requirement Ratio	Number of Parking Spaces Required	Number of Parking Spaces Provided	Bicycles Spaces as % of Required Vehicular Parking Spaces	Number of Bicycle Spaces Required	Number of Bicycle Spaces Provided	
Community Center	Assembly Area	10,821	Community Center	1 space per 150 SF Floor Area in Main Assembly Hall	72	72	35%	25	90	
Stables	Building Total	2,525	Public Administration Offices	1 space for each 300 SF building floor area	8	8	25%	2	6	
Historic Building 103	Serving Area	4,700	Restaurant	1 space for each 45 SF building floor area	104	106	25%	26	84	
	Assembly Area	4,350	Museum	1 space for each 150 SF building floor area	29		10%	3		
Amphitheater*	Open Lawn, (assembly area)	15,259	Place of Assembly	1 space for each 150 SF of assembly area	102	130	10%	10	96	
	Fixed Seating	250	Auditorium Seating	1 space for each 5 seats	50		10%	5		
<b>TOTALS</b>		<b>37,905</b>			<b>366</b>	<b>316</b>		<b>72</b>	<b>276</b>	
Additional Vehicular Parking Spaces Needed							50			
Total Bicycle Parking Spaces in Excess of Required Spaces							276-72	204		
Excess Bicycle Parking Divided by 4, Yields Vehicular Substitute Spaces							51			
<b>Total Parking Spaces Provided + Bicycle Space Credits</b>							<b>367</b>			

\*Amphitheater and Event parking will be provided on street in bike lanes during events.

15. Is Subject Property located within the Historic District? Yes  No   
 If Yes, attach HARC approval and approved site plans

Meeting Date **No approval to date** HARC Approval #

16. Are there any easements, deed restrictions or other encumbrances attached to the subject property? Yes  No  If Yes, please describe and attach relevant documents

**All easements and deed restrictions are listed in the Land Conveyance Deed from the Navy to the City.**

17. Will the work be within the dripline (canopy) of any tree on or off the property?

YES  NO

If yes, provide date of landscape approval, and attach a copy of such approval.

**No landscape approval to date**

**Variance Application**  
**City of Key West Planning Department**  
**3140 Flagler Avenue, Key West, FL 33040**  
**(305) 809-3720**



This application is pursuant to Section 106-51 & 52 City of Key West Land Development Regulations.

If the applicant would like additional information, electronic version of the City's Code of Ordinances can be found either through [www.keywestcity.com](http://www.keywestcity.com), Planning Department archives or at [www.municode.com](http://www.municode.com). Once there, search Online Library/Florida/Key West/Chapter 122.

**\*Please note, variance approvals are quasi-judicial hearings, and it is improper for the owner or signatory to speak to a Planning Board member or City Commissioner about the hearing.**

**Variance Application  
City of Key West Planning Department  
3140 Flagler Avenue, Key West, FL 33040  
(305) 809-3720**



**Standards for Considering Variances**

**Before any variance may be granted, the Planning Board and/or Board of Adjustment must find all of the following requirements are met:**

1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.

**The special condition of this site is the fact it will be developed for a City park and public open space as its primary use. The proposed buildings within the park are accessory to the park use. The Park's location is in close proximity to Downtown and mixed use residential neighborhoods and provides for easy pedestrian and bicycle access as well as other non-private vehicle modes of transportation. The Park's design encourages access by bicycle, pedestrian ways and promenades as well as mass transit. There is an extensive system of walkways proposed leading into and through the site including four transit stops within the park.**

2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.

**The conditions of this site, the location, size and configuration were not created by the applicant. A public park is a permitted use under the City's land development code and open space is at a premium in the City of Key West. The inclusion of a community facility has been in the plans and is a use desired by the community and the development of this project benefits the entire City. Allocating an extensive amount of park land to surface parking will eliminate a substantial amount of open park space, create large paved areas, encourage vehicular traffic to the park through the adjacent neighborhoods and not encourage alternative modes of transportation access by residents and visitors.**

3. Special privileges not conferred. That granting the variance(s) requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district.

**The proposed use is a public use distinct from other types of uses and lands in the City. Granting of this variance for bicycle substitution will not confer special privileges to the applicant as the park use is unique to the City and a public community oriented use. The owner is also providing extensive pathways to and through the park to encourage pedestrian access in addition to bicycle and multi modal access.**

**Variance Application**  
**City of Key West Planning Department**  
**3140 Flagler Avenue, Key West, FL 33040**  
**(305) 809-3720**



4. Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

**The size of the parcel conveyed to the City by the Navy and bordered by additional federal lands, residential development and the ocean, and the need and desire of the community, limits the area where parking can be provided. Therefore, if the vehicle parking required by the City's code is placed on the site, a significant area of park green space will be covered in paving and will eliminate the intent of creating accessible open space, thus creating a hardship. The available site area and tight urban conditions result in a hardship that will limit the public's intended use of the land.**

5. Only minimum variance(s) granted. That the variance(s) granted is/are the minimum variance(s) that will make possible the reasonable use of the land, building or structure.

**The total number of parking spaces required is 366 and the total number provided is 316. Because this difference of 50 spaces is relatively small, a bicycle substitution request is appropriate. The total variance request is for the additional 200 bicycle parking spaces in excess of the minimum required per code to substitute the 50 parking spaces needed to meet the site's parking requirements. This is the minimum variance that will allow the site to serve as a public park.**

6. Not injurious to the public welfare. That granting of the variance(s) will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

**The granting of a variance to substitute the additional bicycle parking on this property for the construction of a public park is a benefit to the City of Key West and is in the best public interest and welfare. This park will provide needed recreation space and amenities for all residents of Key West.**

7. Existing nonconforming uses of other property shall not be considered as the basis for approval. That no other nonconforming use of neighboring lands, structures, or buildings in the same district, and that no other permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

**Existing non conforming uses of other properties does not serve as the basis for the request and approval of this variance.**



**Variance Application**  
**City of Key West Planning Department**  
**3140 Flagler Avenue, Key West, FL 33040**  
**(305) 809-3720**



**The Planning Board and/or Board of Adjustment shall make factual findings regarding the following:**

- That the standards established in subsection (a) have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors. Please describe how you have addressed the "good neighbor policy."

# **Authorization**

**City of Key West  
Planning Department**



**Authorization Form**  
*(Individual Owner)*

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

I, City of Key West authorize  
*Please Print Name(s) of Owner(s) (as appears on the deed)*

Bermello Ajamil & Partners, Inc.  
*Please Print Name of Representative*

to be the representative for this application and act on my/our behalf before the City of Key West.

*[Signature]* City Manager Signature of Joint/Co-owner if applicable  
*Signature of Owner*

Subscribed and sworn to (or affirmed) before me on this 1/16/13 by  
*date*

Bogdan Vitas  
*Name of Authorized Representative*

He/She is personally known to me or has presented \_\_\_\_\_ as identification.

*[Signature]*  
*Notary's Signature and Seal*

Maria G. Ratcliff  
*Name of Acknowledger typed, printed or stamped*



March 22, 2015  
*Commission Number, if any*

**City of Key West  
Planning Department**



**Verification Form**

*(Where Authorized Representative is an entity)*

I, Randy Hollingworth, in my capacity as Vice President  
*(print name)* *(print position; president, managing member)*  
of Bermello Ajamil & Partners, Inc.  
*(print name of entity serving as Authorized Representative)*

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:

Truman Waterfront Park, Key West, Florida  
*Street Address of subject property*

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. 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.

*Signature of Authorized Representative*

Subscribed and sworn to (or affirmed) before me on this February 28, 2014 by

RANDY HOLLINGWORTH  
*Name of Authorized Representative*

*date*

He/She is personally known to me or has presented \_\_\_\_\_ as identification.

*Notary's Signature and Seal*

*Name of Acknowledged Party*



*Commission Number, if any*

*The following information supporting the application for a bicycle substitution variance can be found in the uploads for Major Development Plan and Conditional Use for the Truman Waterfront Park Master Plan*

## **Index**

### **Major Development Plan and Conditional Use Staff Report and Exhibits:**

- 1. Draft Resolution**
- 2. Exhibit 1 - 1997 BRAC TW Site Plan**
- 3. Exhibit 2 - 2002 Memorandum of Understanding with the US Navy and Quit Claim Deed**
- 4. Exhibit 3 - Meisel and Spottswood Conceptual Plan**
- 5. Exhibit 4 - Resolution 10-265**
- 6. Exhibit 5 - Resolution 12-129**
- 7. Exhibit 6 - BVRAC, TWAB, and LRA Adopted Master Plan**
- 8. Exhibit 7 - Focus Group Datum**
- 9. Exhibit 8 - 2013 Development Plan**
- 10. Exhibit 9 - DRC Minutes and Comments**
- 11. Exhibit 10 (Attached Separately)- Navy Review Correspondence**
- 12. Exhibit 11 - Ordinance 13-25**
- 13. Noticing**

### **Development Plan and Conditional Use Application Narrative**

#### **Index of Application Documentation**

#### **Appendix A – B. Ownership Information**

#### **Appendix C. 1 - Illustrative Plan, Survey Overlay Plan and Overall Site Plan**

#### **Appendix C. 2 - Boat Parking Plan**

#### **Appendix C. 3 - Landscape Cross Sections**

#### **Appendix C. 4 - Turning Radius Plan**

#### **Appendix C. 5 - Dimensioned Site Plans**

#### **Appendix C. 6 - Survey plans**

#### **Appendix C. 7 - Tree Disposition Plans**

#### **Appendix C. 8 - Conceptual Drainage Plans**

#### **Appendix C. 9 – Community Center**

#### **Appendix C. 10 – Horse Stables**

#### **Appendix C. 11 – Historic Building 103**

#### **Appendix C. 12 – Amphitheatre Elevations**

#### **Appendix C. 13 - Lighting Plans**

#### **Appendix C. 14 - Draft Landscape Plans**

#### **Appendix D – F. Traffic Analysis**

#### **Appendix G – Legal Description**

**DRC**  
**Minutes & Comments**

# Minutes of the Development Review Committee

January 31, 2013

Approved March 28, 2013

Planning Director, Don Craig called the Development Review Committee Meeting of January 31, 2013 to order at 10:02am at Old City Hall, in the antechamber at 510 Greene Street, Key West.

## ROLL CALL

**Present were:** Planning Director, Don Craig; Recreation Director, Rod Delostrinos; Engineering Services Director, Elizabeth Ignaffo; Forestry Manager, Karen DeMaria; ADA Coordinator, Diane Nicklaus; Fire Department, Jason Barroso; Police, Steve Torrence; HARC Planner, Enid Torregrosa; Building Official, John Woodson; Sustainability Coordinator, Alison Higgins.

**Also in attendance were:** Planning Department staff: Brendon Cunningham and Nicole Malo.

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

## DISCUSSION ITEMS

### New Business

- 1. Major Development Plan – Truman Waterfront Park (RE# 00001630-001000, RE# 00001630-000801 and RE# 00001630-001100 ) – A request for a Major Development Plan for the Truman Waterfront Park as per Section 108-91 (2) b. and c., of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Items 1 and 2 were heard concurrently.

Ms. Malo gave members an overview of the major development plan request.

The applicant, Randy Hollingworth, Bermello Ajamil & Partners, Inc., gave members an overview of the request.

The following member of the public gave comments: Ron Demes, Ex-Officio, U.S. Navy

Mr. Barroso informed the applicant of the following:

- Angela Street two-way from Simonton Street out of the Fire Station #2 all the way through into Truman Waterfront entrance for Angela Street.
- Eaton Street entrance emergency access for Fire Department and Rescue vehicles only. Will need all weather surfaces to support Emergency vehicles.
- Amphitheater needs a designated area for Fire Department and Rescue vehicles only. Will need to provide a Fire Department connection and sprinkler Amphitheater. Location of connection to be approved by Fire Marshall prior to development approval.
- All fire hydrants, fire wells, and hose cabinets need to be applied for and approved by the Fire Marshall prior to development approval.
- All turnarounds and main entrance roundabout shall accommodate our largest truck Ladder 1.
- Provide Fire Department access for Fire Truck for emergency purposes located on both sides of the boat ramp. This will provide access to existing boat pier and outer mole area. Will need all weather surfaces to support Emergency vehicles.

# Minutes of the Development Review Committee

January 31, 2013

Approved March 28, 2013

Mrs. DeMaria objected to the planting of Redbay and Eucalyptus trees as canopy trees. She stated the trees do not naturally occur anywhere in the Florida Keys and therefore, should not be considered for planting. It is preferred that the consultant use trees native to the Florida Keys or trees found to naturally occur in the Key West area (such as those listed in Sec 110-253 of the City of Key West Tree Protection code). She then stated that the project needs to be reviewed twice by the Tree Commission. The first time for preliminary review and the second time for plan approval just prior to getting final authorization from the City Commission. Permits will be required for the actual removal, relocation work and will be considered at a separate time. Mrs. DeMaria also stated that a short term and long term maintenance plan is needed to ensure the survivability and long term health of all the plants proposed to be placed in the park (trees, shrubs, flowers, grasses). At the present time, the City of Key West does not have the staff or the equipment to properly take care of any planting planned for the project.

Mr. Delostrinos requested a long term maintenance plan to increase in-house staff levels or contract out.

Ms. Higgins commented on the great job on the multi-modal. She requested to include preferred parking for low emission vehicles since parking lots are often included in a buildings property boundary for LEED projects. She requested for next iteration, more information on what the surface materials are and how pervious they are.

- Concurrency Information: City will be working with our new LDR's to create ways to reduce the demand side of our LOS's.
- Regarding water, she requested to aim for even less than 50% less than zoning requires and less than 4% of FKAA allowed potable. Cistern use on buildings will be helpful as a start, then greywater for landscaping.
- Regarding solid waste, she stated the applicant sure to add separate spots for trash, recycling and yard waste.
- She commented that the estimated numbers may be off as the horse stable puts out 200lbs of compostable per day.
- She commented on the lighting specifically mentioned Dark Skies guidelines and include information on Life Cycle costs as we get further refined in detail.
- Landscaping: From the plan thus far, they are very close to being able to get the park certified with Florida Yards and Neighborhoods as well as National Wildlife Federation. We should do so.

Mrs. Ignaffo stated that Pursuant to the Code of Ordinances, Chapter 108, Article II, the following comments pertaining to the Site, Conceptual Drainage, and Lighting, and Community Center Plans are provided:

- Sanitary Sewer
- The proposed Amphitheater includes 250 fixed seats and 15,000 square foot lawn area, sufficient facilities shall be provided to serve the maximum occupancy, in accordance with the Florida Building Code: Plumbing Section 403 and Chapter 64E-6.0101, F.A.C. If portable restrooms will be utilized, please designate locations within the Amphitheater, and comply with Life Safety Code means of egress.
- She requested they coordinate sanitary sewer design and points of connection through Engineering Services
- Department.
- Coordinate potable water service through Florida Keys Aqueduct Authority, including utility design, points of connection, and capacity determination for fire protection, facilities, water features, and irrigation.
- Storm water Management System



# Minutes of the Development Review Committee

January 31, 2013

Approved March 28, 2013

- Conceptual Drainage Plan proposes construction of a system of storm drain inlets, piping, and dry retention ponds to receive and treat storm water runoff equivalent to one and a half inches over the entire park area, followed by disposal via two gravity injection wells. The Conceptual Drainage Plan will provide pre-treatment and disposal, as required in Chapter 108, Article VIII.
- Solid Waste
- A waste storage facility, i.e., dumpster yard, shall be provided for the Amphitheater, and located to allow access to dumpsters for use and pickup by service personnel. The yard shall be sized to contain multiple containers, providing capacity for recycle, trash, cardboard, bulk materials.
- Trash, recycle, and landscaping waste storage of sufficient capacity shall be provided for at the Community Center, Building 103, and Maintenance Facility. All waste storage areas shall be screen and located, in accordance Secs. 108-279 and -280.
- Roadway
- The plan proposes two-way park access at Angela Street and Southard Street, and construction of a 40-foot roadway that includes eight-foot bike lanes on each side, vehicle roundabouts, and a 32-foot road with four-foot bike lanes on each side.
- A relatively straight section of roadway from the Mole Pier park entrance roundabout to the Naval Base entrance may experience traffic traveling at a higher than acceptable rate of speed. This section of roadway includes three pedestrian crossings. Pedestrian and bicyclist safety is a concern.
- Traffic calming treatments that have been incorporated into the plan include textured and color pigmented pavement at crosswalks and along bike lanes which will create driver awareness to pedestrians and bicyclists. Marked crosswalks are typically ineffective at affecting a motorist's velocity. More appropriate traffic calming treatments for reducing vehicle speed include raised crosswalks and roadway geometry features, such as curved and narrowed travel lane width, installation of speed humps with barrier between travel lane and bicycle lane, and creation of median islands at pedestrian crossings. Please address and build into the roadway design traffic calming measures that will reduce the speed of traffic and ensure the safety of pedestrians and bicyclists.
- Olivia Street, Petronia Street and Geraldine Street are shown on the plan to be two-way traffic. These streets are one-way traffic. Please revise the site plan to show these streets to one-way. Parking Areas and Loading Spaces Scooter parking spaces are not shown on the site plan. Please provide scooter parking spaces,
- minimum dimensions 3'x6', equally spaced, and located near features and entrances. Parking facilities are located more than 500 feet from the CGC Ingham Museum. Passenger bus drop-off loading zone is not provided. Please provide parking and passenger loading zone facilities to accommodate visitors with disabilities. ADA accessible parking spaces and routes shall be provided in accordance with Florida Building Code: Accessibility.
- The parking area for the Amphitheater is located across the road. Pedestrian crosswalks are not provided from the parking area to the Amphitheater. Crosswalks should be raised or incorporate medians, which are traffic calming measures that will slow vehicles, thereby reducing speeds. The Amphitheater loading zone space is not shown on the site plan. Please provide loading zones for the Amphitheater, as necessary for delivery of production equipment, supplies, and emergency vehicle access. Vehicle access to the rear of the Amphitheater is not show. Please provide a service/emergency access road to the rear of the Amphitheater. Provide passenger and bus drop/off loading zones for the Community Center, and include bus parking, sufficient to serve events held at the Amphitheater and Community Center. Provide and identify passenger drop/off and delivery loading zones for the Historic Building 103. Provide employee vehicle parking and equipment storage area at the Potential Maintenance Facility.
- Site Lighting
- Exterior lighting shall be shielded to minimize impact on the surrounding properties, installed in accordance with Sec. 108-284. Parking areas and bicycle racks shall be thoroughly illuminated. Please coordinate lighting plans, including fixture intensities and locations, with the U.S. Navy and U.S. Coast Guard, Sector Key West.

# Minutes of the Development Review Committee

January 31, 2013

Approved March 28, 2013

Mr. Torrence requested traffic for trollies, proper lighting, lot (lighting requested industry/park standards). Emergency call boxes throughout park.

Keys Energy comments:

- KEYS will need to have an easement for access to power poles within the Navy 50 foot set. No trees or swales are to be within the easement. KEYS will need to have heavy truck access.
- Existing overhead temporary facilities feeding the Coast Guard "The Ingram" will need to be relocated and cost to be paid by others.
- Requested an easement for the existing electrical facilities behind KEYS' Angela Street substation. No trees or swales are to be within the easement. KEYS will need to have heavy truck access.
- Requested a Master Plan for the current and future facilities as it relates to electrical loads.

2. **Variances – Truman Waterfront Park (RE# 00001630-001000, RE# 00001630-000801 and RE# 00001630-001100) – A request for variances to parking requirements and to substitute additional bicycle parking for the Truman Waterfront Park Master Plan as per Section 108-572, Section 108-574, and Section 90-391 of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Item heard with item 5, please see comments above.

## ADJOURNMENT

Meeting adjourned at 11:19am.

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



(305) 295-1000  
1001 James Street  
PO Box 6100  
Key West, FL 33040-6100  
[www.KeysEnergy.com](http://www.KeysEnergy.com)

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UTILITY BOARD OF THE CITY OF KEY WEST

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January 31<sup>st</sup>, 2013

Mr. Don Craig  
City of Key West  
PO Box 1409  
Key West, Florida 33040

RE: SPECIAL DEVELOPMENT REVIEW COMMITTEE MEETING  
KEYS ENERGY SERVICES COMMENTS MEETING OF January 31<sup>st</sup>, 2013.

Dear Mr. Don Craig:

Keys Energy Services (KEYS) received the Special Development Review Committee Agenda for January 31<sup>st</sup>, 2013. KEYS has reviewed the items that will be discussed at the City's Development Review Committee meeting.

Below are KEYS' comments:

1. LOCATION: Truman Waterfront Park – Major Development Plan  
COMMENT: KEYS will need to have an easement for access to power poles within the Navy 50 foot set. No trees or swales are to be within the easement. KEYS will need to have heavy truck access.

Existing overhead temporary facilities feeding the Coast Guard "The Ingram" will need to be relocated and cost to be paid by others.

KEYS will need an easement for the existing electrical facilities behind KEYS' Angela Street substation. No trees or swales are to be within the easement. KEYS will need to have heavy truck access.

Need to have Master Plan for current and future facilities as it relates to electrical loads.
2. LOCATION: Truman Waterfront Park – Variances  
COMMENT: KEYS has no objections to the Variances.

Thank you for giving KEYS the opportunity to participate in the City's review process. If you have any questions, please call me at 295-1055.

Sincerely,

*Matthew Alfonso*

Matthew Alfonso

Matthew Alfonso  
Supervisor of Engineering  
[Matthew.Alfonso@KeysEnergy.com](mailto:Matthew.Alfonso@KeysEnergy.com)

MA/mpd

c:  
L. Tejada, General Manager & CEO  
J. Wetzler, Asst. General Manager & CFO  
D. Finigan, Director of Engineering & Control  
A. Tejada, Director of Customer Service  
File: PLI-132



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Meeting Agenda Full Detail - Final Development Review Committee

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Thursday, January 31, 2013

10:00 AM

Old City Hall

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**ADA Assistance:** It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**Call Meeting to Order**

**Pledge of Allegiance to the Flag**

**Roll Call**

**Approval of Agenda**

**Discussion Items**

- 1** **Major Development Plan - Truman Waterfront Park (RE# 00001630-001000, RE# 00001630-000801 and RE# 00001630-001100 )** - A request for a Major Development Plan for the Truman Waterfront Park as per Section 108-91 (2) b. and c., of the Land Development Regulations of the Code of Ordinances of the City of Key West.

**Attachments:** [Summary of Park Master Plan](#)  
[Truman Waterfront Submittal and Approval Schedule.pdf](#)  
[Application, Authorization, Ownership](#)  
[Quitclaim Deed](#)  
[Application Narrative](#)  
[MCPA Record Cards](#)  
[Site Plan Index](#)  
[Overall Site Plans](#)  
[Survey](#)  
[Horse Stables Elevation and Floor Plan](#)  
[Community Center Elevation and Floor Plan](#)  
[Tree Disposition Plan \(Sections\)](#)  
[Landscape Plan](#)  
[Conceptual Drainage Plan \(Sections\)](#)  
[Electrical and Lighting Plan](#)  
[Building 103 Elevation and Floor Plans](#)  
[Traffic Impact Statement](#)

**3**

**Variations - Truman Waterfront Park (RE# 00001630-001000, RE# 00001630-000801 and RE# 00001630-001100 )** - A request for variations to parking requirements and to substitute additional bicycle parking for the Truman Waterfront Park Master Plan as per Section 108-572, Section 108-574, and Section 90-391 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

- Attachments:**
- [Summary of Park Master Plan](#)
  - [Truman Waterfront Submittal and Approval Schedule.pdf](#)
  - [Variance Application](#)
  - [Authorization, Ownership](#)
  - [MCPA Record Cards](#)
  - [Survey](#)
  - [Overall Site Plans](#)
  - [Tree Disposition Plan \(Sections\)](#)
  - [Conceptual Drainage Plan \(Sections\)](#)
  - [Landscape Plan](#)
  - [Community Center Elevation and Floor Plan](#)
  - [Horse Stables Elevation and Floor Plan](#)
  - [Building 103 Elevation and Floor Plans](#)
  - [Electrical and Lighting Plan](#)
  - [Traffic Impact Statement](#)
  - [Summary of Park Master Plan](#)
  - [Appendix C - ALL Site Plans](#)
  - [Site Survey Plans](#)
  - [Zoning Overlay Map](#)

## Adjournment

## MEMORANDUM

DATE: January 31, 2013

RE: Truman Waterfront Park-DRC Meeting Notes and Comments

FROM: Karen DeMaria, Urban Forestry Manager, City of Key West

On behalf of the Tree Commission, I reviewed the preliminary plans for the Truman Waterfront Park and made the following comments during the DRC meeting on January 31, 2013.

\*I object to the planting of Redbay and Eucalyptus trees as canopy trees. These trees do not naturally occur anywhere in the Florida Keys and therefore, should not be considered for planting. It is preferred that the consultant use trees native to the Florida Keys or trees found to naturally occur in the Key West area (such as those listed in Sec 110-253 of the City of Key West Tree Protection code).

\*The project needs to be reviewed twice by the Tree Commission. The first time for preliminary review and the second time for plan approval just prior to getting final authorization from the City Commission. Permits will be required for the actual removal, relocation work and will be considered at a separate time.

\*A short term and long term maintenance plan is needed to ensure the survivability and long term health of all the plants proposed to be placed in the park (trees, shrubs, flowers, grasses). At the present time, the City of Key West does not have the staff nor the equipment to properly take care of any planting planned for the project.

**Public Notices**  
**(radius map & mailing list)**



# Public Meeting Notice

The Key West Planning Board will hold a public hearing **at 6:00 p.m., March 20, 2014 at Old City Hall, 510 Greene Street**, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

**Major Development Plan, Conditional Use and Parking Variance to allow bicycle substitution - Truman Waterfront Park (RE# 00001630-001000, AK 9038855; RE# 00001630-001100, AK# 9038866)**  
– Requests for a major development plan, conditional use and variance to substitute additional bicycle parking, for the development of Truman Waterfront Park Master Plan located in the Historic Public Service and Semipublic Service -1 (HPS-1), Historic Medium Density Residential (HMDR), Historic Residential Commercial Core – 4 (HRCC-4) and the Historic Neighborhood Commercial – 2 (HNC-2) zoning districts, pursuant to Section 90-391, 108-574, 108-91(A).(2.)b. and c., and 122-61 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at [www.keywestcity.com](http://www.keywestcity.com).

**THIS NOTICE CAN NOT BE REMOVED FROM THE SITE UNTIL AFTER PLANNING BOARD DETERMINATION**