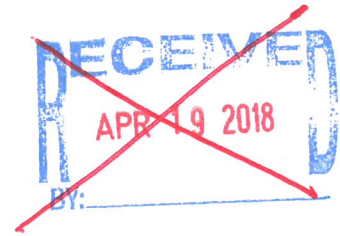


**Minor Development Plan & Conditional Use**



**A. Existing Conditions**

1. Size of Site: 11,614 square feet
2. Buildings, Structures and Parking

There are no buildings or structures on the site. At the southernmost end of the site there is a seawall and a public pier. There are nine illegal parking spaces on site that back out into two oncoming lanes of traffic.

3. FEMA Flood Zone: VE and AE as shown on the attached FEMA map
4. Topography: The site is flat and at sea level
5. Easements:

The site is currently a public street with sidewalks on the eastern and western boundaries. The site intersects South Street.

6. Location of Utility Lines:

There are utility lines and utility poles on the eastern and western boundaries of the site located along the sidewalks. It is unknown whether there are water and sewer lines on site.

**B. Existing size, type and location of trees, hedges, and other features:**

There are no trees or hedges on site. There is a deteriorating seawall and gate at the southern end of the property.

**C. Existing storm water retention areas and drainage flows:**

The City of Key West has constructed a drainage system at the southern end of the site which currently fails at high tide. There are currently two drainage outfalls located on either side of the street.

**D. Duval Street Park site plan shows adjoining addresses, and the uses for each address are as follows:**

Property shown as 1400 Duval Street is a thirteen- room guest house.

Property shown as 1401 Duval Street is a five -room guest house.

Property shown as 1405 is the City's 150-seat restaurant.

**Section 108-228 Identification of the Persons**

1. Owner: City of Key West
2. Owner's Authorized Agent: Michael Halpern
3. Engineer: Perez Engineering
4. Architect: Tom Pope
5. Surveyor: Florida Keys Land Surveying

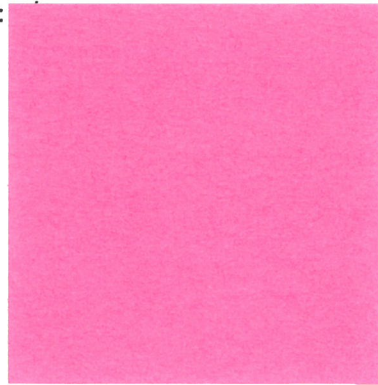
6. Landscaper Architect: Keith Oropeza S&ME
7. Others Involved in Application: none
8. Key West, Florida has full legal ownership interest in the property.

**Section 108-229 Project Description**

1. Zoning: HCT
2. Project Size: 11,614 square feet
3. Legal Description: 1400 block of Duval Street  
Key West, Florida (See City of Key West survey)
4. Building Size: not applicable
5. Floor Area Ratio: not applicable
6. Lot Coverage: not applicable
7. Impervious Surface: 11,614 square feet
8. Pervious Surface: none
9. Landscape Areas: See landscape plan attached
10. Parking Spaces: none
11. Delineation of location of existing and proposed structures: none
12. Existing and proposed development type: none
13. Setbacks: none

**Section 108-230 Other Project Information**

1. Proposed phases of development: single phase
2. Target Dates for each phase: n/a
3. Expected date of completion: 6 months following City of Key West approval
4. Proposed development plan" attached
5. Characteristics of proposed development:  
The proposed development will be an 11,614 square foot pocket park with 2400 square feet of sidewalk café permitted to the adjoining property owners.
6. Planned unit development design techniques:
7. Building and siting specifications: n/a
8. Protection against encroachment: n/a



## Section 122-62 Specific Criteria for Approval

### (b) Characteristics of use described:

#### 1. Scale and intensity of proposed conditional use:

- a. Floor area ration: not applicable
- b. Traffic generation: The park would contain 2400 square feet of café area.  
Trip Generation Rates from the 8<sup>th</sup> edition ITE Trip Generation Report estimate 89.95 tripends per day for each 1000 square feet of restaurant space. The sidewalk café is not expected to generate anywhere near that volume of traffic as most of the customers are expected to be pedestrians walking to the pier and the park.
- c. Square feet of enclosed building: n/a
- d. Proposed employment: It is expected that the sidewalk cafes will provide about 40 new jobs, almost all in service.
- e. Proposed number and types of service vehicles: It is expected that there will be no additional service vehicles, as the sidewalk cafes will be serviced by the same vehicles currently serving the adjoined property owners.
- f. Off-street parking needs: The park is designed as a pedestrian walking park. The sidewalk cafes are designed to serve tourists and locals walking in the area. It is not expected that the proposed park will generate additional need for parking.

#### 2. On or off-site improvement needs:

- a. Utilities: already existing
- b. Public facilities: already existing
- c. Roadway or signalization improvements: none needed
- d. Necessary structures or facilities: n/a
- e. Other unique facilities: The park will contain a unique sculpture garden featuring local artists.

#### 3. Onsite amenities proposed to enhance site and planned improvements

- a. Open space: The entire park is open space.
- b. Setbacks: There are no improvements being built in the setbacks other

than landscape and sculpture pads. The park is designed to be used and incorporate adjacent properties.

- c. Screening and buffers: The park is not designed to provide screening and buffers to the adjacent properties. The intent of the development is to incorporate the park with the adjacent properties and specially to emphasize the public beach adjacent to the park.
- d. Landscape, berms proposed to mitigate adverse impacts to the adjacent properties: Landscaping is shown on landscape plan. All of the adjacent properties are participating in the park development.
- e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts: Any music or events to be held at the park will be required to comply with the City noise ordinances. It is not expected that the park will produce any smoke, odor, or other noxious impacts.

(c) Criteria for conditional use review and approval

1. Land Use Compatibility: The park is surrounded by two hotels and a restaurant. The adjacent property owners are participating in the development of the park. The park and sidewalk cafes will serve the needs of the local residents and hotel visitors.
2. Sufficient site size, adequate site specification and infrastructure to accommodate the proposed use: The size of the pocket park is determined by the size of the street that is being closed to traffic to provide a pedestrian-only experience. The proposed access and internal circulation is open and pedestrian-oriented. The infrastructure is already in place. While there are no potential adverse impacts associated with the proposed site improvements, it is expected that the existing drainage problems will be reduced with the construction of the proposed drainage plan.
3. Proper use of mitigative techniques: There are no anticipated adverse impacts to adjacent land uses. The adjacent property owners are participating with the City of Key West in the development of the park. The sidewalk cafes are expected to enhance

the Key West experience of the adjoining land uses.

4. Hazardous waste: not applicable

5. Compliance with applicable laws and ordinances: It is not anticipated that the

Development of the park will require county, state, or federal approvals or permits.

Monroe County Manager  
1100 Simonton Street  
Key West, FL 33040

Dear County Manager,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11, 614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Michael Halpern  
Attorney for the development of the Duval Street Park

Florida State Fish & Wildlife Conservation Commission  
Farris Bryant Building  
620 S. Meridian Street  
Tallahassee, FL 32399-1600

Dear Director,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11, 614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

Sincerely,

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Michael Halpern  
Attorney for the development of the Duval Street Park

Florida Keys Aqueduct Authority  
1100 Kennedy Drive  
Key West, FL 33040

Dear Director,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11, 614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

Sincerely,

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Michael Halpern  
Attorney for the development of the Duval Street Park



Florida State Department of Community Affairs  
1400 Village Square Blvd.  
Number 3-243  
Tallahassee, FL 32312

Dear Director,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11, 614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

Sincerely,

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Michael Halpern  
Attorney for the development of the Duval Street Park

Florida State Department of Transportation  
605 Suwannee Street  
Tallahassee, FL 32399-0450

Dear Director,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11, 614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

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Michael Halpern  
Attorney for the development of the Duval Street Park

South Florida Water Management District  
3301 Gun Club Road  
West Palm Beach, FL 33406

Dear Director,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11, 614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

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Michael Halpern  
Attorney for the development of the Duval Street Park

Army Corps of Engineers  
9900 SW 107<sup>th</sup> Ave. Suite 203  
Miami, FL 33176

Dear Director,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11, 614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

Sincerely,

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Michael Halpern  
Attorney for the development of the Duval Street Park

Florida State Department of Environmental Protection  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399-3000

Dear Director,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11,614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

Sincerely,

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Michael Halpern  
Attorney for the development of the Duval Street Park

Keys Energy  
P.O. Box 6100  
1001 James Street  
Key West, FL 33040

Dear Director,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11,614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

Sincerely,

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Michael Halpern  
Attorney for the development of the Duval Street Park

South Florida Regional Planning Council  
3440 Hollywood Blvd. #140  
Hollywood, FL 33021

Dear Director,

Please be informed that the City of Key West, joined by the adjoining property owners, propose developing a pocket park in the 1400 block of Duval Street. The park will be approximately 11, 614 square feet, and will contain a sculpture garden and 2400 square feet of sidewalk cafes to be operated by the adjoining property owners. All utilities are currently on site, and it is not expected that any buildings will be constructed in the proposed park.

There shall be no development in wetlands or environmentally sensitive areas.

The developer of the park is required under section 108-232 of the City of Key West's Code of Ordinances to coordinate the proposed development with your agency. Please provide my office with any questions, comments, or concerns that your agency may have related to this proposed park development.

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Michael Halpern  
Attorney for the development of the Duval Street Park

## Trip Generation Rates from the 8th Edition ITE Trip Generation Report

**NA: Not Available**  
**DU: Dwelling Unit**  
**Occ. Room: Occupied Room**

KSF<sup>2</sup>: Units of 1,000 square feet

Fuel Position: # of vehicles that could be fueled simultaneously

### Instructions:

Enter Numbers into the "Expected Units" in the Corresponding Yellow Column

Description / ITE Code	Units	Rate Weekday Daily Traffic	PM Peak Period Rate	% PM In	% PM Out	Expected Units (independent variable)	Calculated Daily Trips	PM Peak Trips - Total	PM In	PM Out
Quality Restaurant 931	KSF <sup>2</sup>	89.95	7.49	67%	33%		0	0	NA	NA
Quality Restaurant 931	Seats	2.86	0.26	67%	33%		0	0	NA	NA
High Turnover/Sit Down Rest 932	KSF <sup>2</sup>	127.15	11.15	59%	41%		0	0	NA	NA
High Turnover/Sit Down Rest 932	Seats	4.83	0.41	57%	43%		0	0	NA	NA
Fast Food w/o Drive Thru 933	KSF <sup>2</sup>	716.00	26.15	51%	49%		0	0	NA	NA
Fast Food w/o Drive Thru 933	Seats	42.12	2.13	64%	36%		0	0	NA	NA
Fast Food w/ Drive Thru 934	KSF <sup>2</sup>	496.12	33.48	52%	48%		0	0	NA	NA
Fast Food w/ Drive Thru 934	Seats	19.52	0.94	53%	47%		0	0	NA	NA
Drive Thru Only 935	KSF <sup>2</sup>	NA	153.85	54%	46%		0	0	NA	NA
Drinking Place 925	KSF <sup>2</sup>	NA	11.34	66%	34%		0	0	NA	NA



