

Application

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

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



Development Plan & Conditional Use Application

Applications will not be accepted unless complete

Development Plan

Major _____

Minor **X - Minor Modification**

(Pursuant to 108-91.C.2(B))

Conditional Use

X _____

Historic District

Yes **X** _____

No _____

Please print or type:

- 1) Site Address 1119 WHITE STREET KEY WEST, FL 33040
- 2) Name of Applicant TREPANIER AND ASSOCIATES, INC
- 3) Applicant is: Owner _____ Authorized Representative X
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 1421 1ST STREET UNIT 101
KEY WEST, FL 33040
- 5) Applicant's Phone # 305-293-8983 Email lori@owentrepanier.com
- 6) **Email Address:** lori@owentrepanier.com
- 7) Name of Owner, if different than above 1119 WHITE STREET LLC
- 8) Address of Owner 1119 WHITE STREET
- 9) Owner Phone # c/o 305-293-8983 Email c/o lori@owentrepanier.com
Renovate the existing property to allow for a 50-seat diner.
- 10) Minor Modification of a Minor Development Plan (Res. 02-101) to allow for one additional automobile
- 11) parking space to on-site parking. Amendment to a Conditional Use (Res. 2002-005) to allow an increase in
interior consumption area and reduction in exterior consumption area. A Landscape Waiver to recognize
the lack of a Hibiscus hedge along the western property line. A bicycle substitution (Res. 02-142) to allow
for 40 bicycle spaces in substitution for 9.7 automobile spaces.

12) _____ buildings
_____ s more
than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

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



13) Has subject Property received any variance(s)? Yes No

If Yes: Date of approval 05/17/02 Resolution # 02-142

Attach resolution(s).

14) Are there any easements, deed restrictions or other encumbrances on the subject property?

Yes No

If Yes, describe and attach relevant documents.

Conditions of Resolution Nos. No 02-101 (development Plan), No. 2002-005 (Conditional Use, and No. 02-142 (bicycle substitution)

A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.

B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).

C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.

D. For both *Conditional Uses* and *Development Plans*, one set of plans **MUST** be signed & sealed by an Engineer or Architect.

Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing.

RESOLUTION NO. 02-142

VARIANCE: 1119 WHITE STREET

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT TO ALLOW THE ADDITION OF 90 SQUARE FEET OF CONSUMPTION AREA (6 SEATS) TO A BAKERY/RESTAURANT BY GRANTING A VARIANCE TO ARTICLE XV, SECTION 3-15.2.C, SUBSTITUTION OF BICYCLE PARKING SPACES REGULATIONS FOR PROPERTY IN THE HNC-1, HISTORIC NEIGHBORHOOD COMMERCIAL DISTRICT - TRUMAN/SIMONTON ZONING DISTRICT, UNDER THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA. SPECIFICALLY PERMITTING A VARIANCE: SUBSTITUTING EIGHT BICYCLE/SCOOTER PARKING SPACES FOR TWO AUTOMOBILE PARKING SPACES. FOR PROPERTY LOCATED AT 1119 WHITE STREET (RE# 00034460-000000).

WHEREAS, the Board of Adjustment finds that a literal enforcement of the land development regulations will involve or result in an unnecessary hardship to the applicant with reference to the applicant's property; and

WHEREAS, the Board of Adjustment finds that circumstances peculiar to the land or its structure(s) are the basis for the hardship and such hardship is not created by the applicant; and

WHEREAS, the Board of Adjustment finds that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure; and

WHEREAS, the Board of Adjustment finds that a variance would be in harmony with the general purpose and intent of the Land Development Regulations, and would not be injurious to the neighborhood or otherwise detrimental to the public welfare; and

WHEREAS, the Board of Adjustment finds that the applicant has demonstrated a "good neighbor policy" by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the City of Key West, Florida:

Section 1. A variance to **ARTICLE XV, SECTION 3-15.2.C, SUBSTITUTION OF BICYCLE PARKING SPACES** regulations, for property in the **HNC-1, HISTORIC NEIGHBORHOOD COMMERCIAL DISTRICT - TRUMAN/SIMONTON** Zoning District, under the Land Development Regulations of the City of Key West, Florida, is hereby granted as follows: **SUBSTITUTING EIGHT BICYCLE/SCOOTER PARKING SPACES FOR TWO AUTOMOBILE PARKING SPACES. THE PURPOSE OF THE REQUEST IS TO ALLOW**

THE ADDITION OF 90 SQUARE FEET OF CONSUMPTION AREA (6 SEATS) TO A BAKERY/RESTAURANT FOR PROPERTY LOCATED AT 1119 WHITE STREET (RE# 00034460-000000).

Section 2. It is a condition of this variance that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this variance is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this variance, shall be submitted in its entirety within 12 months after the date hereof; and further, that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of the 12-month period without the applicant obtaining an extension from the Board of Adjustment and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

Section 3. The failure to submit a full and complete application for permits for new construction for which this variance is wholly or partly necessary, or the failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as described in Section 2 hereof, shall immediately operate to terminate this variance, which variance

shall be of no force or effect.

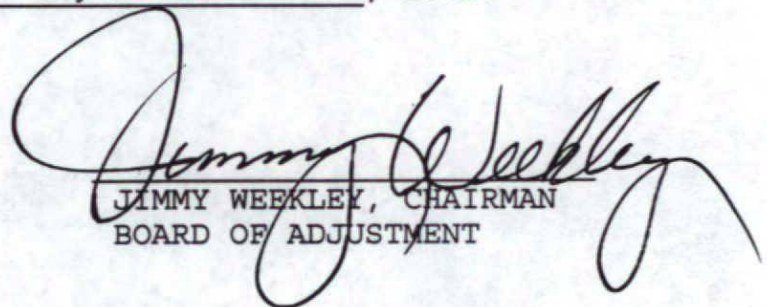
Section 4. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

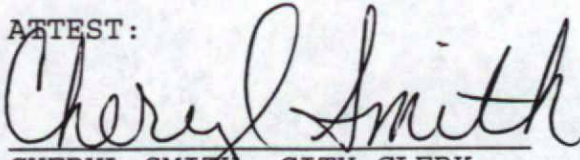
Section 5. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 8th day of May, 2002.


Authenticated by the presiding officer and Clerk of the Board on 17th day of May, 2002.

Filed with the Clerk on May 17, 2002.


JIMMY WEEKLEY, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:

CHERYL SMITH, CITY CLERK

**CITY OF KEY WEST
PLANNING DEPARTMENT
MEMORANDUM**

To: Ms. Cheryl Smith, City Clerk
From: Owen Trepanier, Senior Planner 
Date: 3 April 2002
Re: **Substitution of Bicycle Parking for 1119 White Street
BOA Meeting of 05-08-02**

REQUEST

Address: 1119 White Street RE #: 00034460-000000
Zoning: HNC-1 (Historic Neighborhood Commercial District - Truman/Simonton)
Purpose: To add 90 sq. ft. of consumption area (or 6 seats) to an 18-seat bakery/restaurant by substituting 8 bicycle or scooter parking spaces for 2 automobile parking spaces.

Technical Description: **Substitution of Bicycle Parking Spaces** Article XV, Section 3-15.2.C: By substituting 8 bicycle/scooter parking spaces for 2 automobile parking spaces.

ANALYSIS

The City Commission approved a Minor Development Plan for this property on 2 April 2002. The approval contained a condition that this restaurant/bakery operate with only 90 sq. ft. of consumption area until more parking or a variance is obtained.

This location has a major bike path (White St.) along its front, as well as many residences in the immediate area. The plans approved by the Commission contain substantial pedestrian and bicycle infrastructure improvements. Plans show 6 bicycle parking spaces on site, if this variance is approved the applicant will need to have at least 10 bicycle spaces on site.

RECOMMENDATION

The Planning Department has not received input from the public or the Fire Inspector, however based on a site visit and discussions with the applicant, we recommend **APPROVAL** of this minimal substitution to make reasonable use of the land and building.

Variance Application
City of Key West
Planning Department



Please print or type a response to the following:

- 1. Site Address 1119 WHITE STREET
- 2. Name of Applicant JILL ZDANOW
- 3. Applicant is: Owner Authorized Representative
(attached Authorization Form must be completed)
- 4. Address of Applicant 17179 AMBERJACK LANE
SUGAR LOAF, FL 33042
- 5. Phone # of Applicant 3052936927 Mobile# 3045000 Fax# _____
- 6. Name of Owner, if different than above SHELDON SEGAL Segel
- 7. Address of Owner 1605 VON PHISTER ST.
KEY WEST, FL 33040
- 8. Phone Number of Owner 292 7722 Fax# 292 2162
- 9. Zoning District of Parcel HNC-1 RE# 0003460-000000 (OT)
- 10. Description of Proposed Construction, Development, and Use
CAFE AND BAKERY TO USE SCOOTER
AND BICYCLE SPACES IN LIEU OF
CAR PARKING.

11. Description of Variances Being Requested:

Standard Allowed/Required	Standard Requested	Existing Condition
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

12. Is Subject Property located within the Historic District? Yes No _____
If Yes, indicate date of HARC approval as well as the HARC Approval Number. Attach minutes
of the meeting. Date 2/26/02 HARC # H02-02-01-144

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

The following must be included with this application:

- Copy of a recorded deed showing ownership and a legal description of the subject property
- Site Plan as specified on Variance Application Information Sheet
- Survey
- Elevations
- Application Fee (to be determined according to fee schedule)
- Notarized Verification Form
- Notarized Authorization Form (if applicable)

To come
As AP



City Planner Description of Requested Variance:

REQUEST

Address: **1119 White Street** RE #: 00034460-000000

Zoning: HNC-1 (Historic Neighborhood Commercial District - Truman/Simonton)

Purpose: To add 90 sq. ft. of consumption area (or 6 seats) to an 18-seat bakery/restaurant by substituting 8 bicycle or scooter parking spaces for 2 automobile parking spaces.

Technical

Description: **Substitution of Bicycle Parking Spaces** Article XV, Section 3-15.2.C: By substituting 8 bicycle/scooter parking spaces for 2 automobile parking spaces.

JUSTIFICATION



1) Describe how enforcement of the City's Land Development Regulations will result in an unnecessary hardship to you. (A hardship cannot be self-created.)

WILL NOT ALLOW AMPLE PARKING AND SEATS FOR MY CUSTOMERS, THIS WILL IMPACT THE VIABILITY OF MY BUSINESS

2) Describe how the need for the variance is because of a unique circumstance regarding your property and is not due to something you have done.

PROPERTY IS DEVELOPED AND PARKING DOES NOT CONFORM.

3) Explain why this is the minimum variance necessary to make reasonable use of your property.

AMPLE PARKING WOULD INABLE ME TO HAVE THE AMOUNT OF SEATS APPROPRIATE FOR THE TYPE OF BUSINESS THAT I AM DEVELOPING.

Authorization Form

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

I, SHEL SEGEL _____ authorize
Please Print Name(s) of Owner(s)

JILL ZDANOW _____
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the Board of Adjustment.

[Signature]
Signature of Owner

Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on March 11, 2002 (date) by

Sheldon Segel _____
Please Print Name of Affiant

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

[Signature]
Notary's Signature and Seal

Name of Acknowledger printed or stamped



Title or Rank

Commission Number, if any

RECEIVED

MAR 08 2002

CITY OF KEY WEST
PLANNING DEPT.

Verification Form

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form."

I, JILL L. ZDANOW, being duly sworn, depose and say
Name(s) of Applicant(s)

that: I am (check one) the Owner Owner's Legal Representative

for the property identified as:

CAFE / BAKERY
Street Address and Commonly Used Name if any

[Signature] Signature of Owner/Legal Representative _____ Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on March 8, 2002 (date) by
Jill L. Zdanow (name). He/She is personally known to me or has
presented FL DC 2350 432 69 702 0 as
identification.

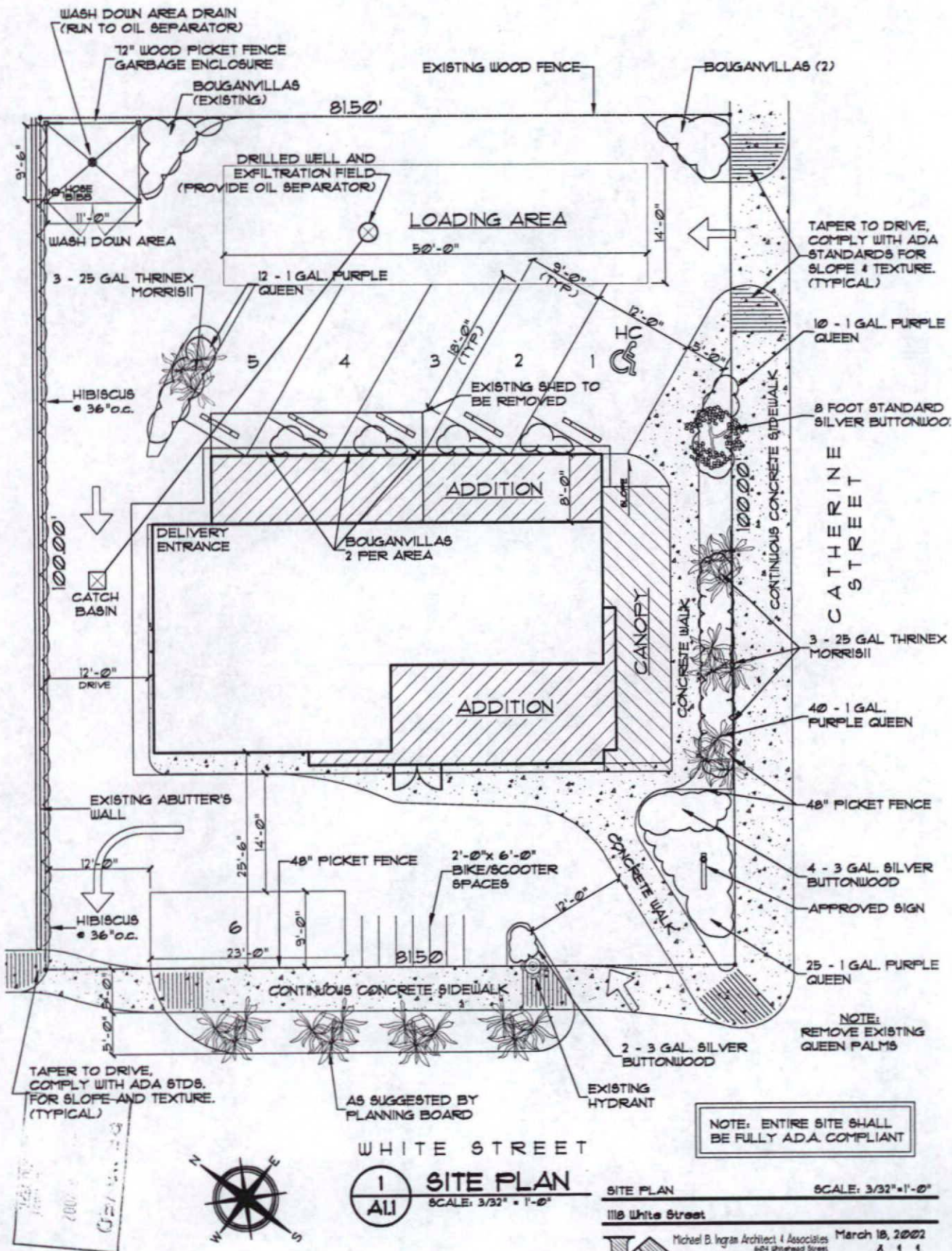
[Signature]
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

Title or Rank

Commission Number, if any



MAP OF BOUNDARY SURVEY
 LOT 3 AND 4
 CORRECTED SUBDIVISION OF
 PART OF MIDDLE 1/3, TRACT 14

ADDRESS:
 1119 WHITE STREET
 KEY WEST, FLORIDA
 33040

ALL ANGLES DEPICTED
 ARE 90 DEGREE UNLESS
 OTHERWISE INDICATED
 ALL DIMENSIONS ARE
 IN FEET UNLESS
 OTHERWISE INDICATED
 BEARING PAGE
 DERIVED FROM PLAT

RECEIVED

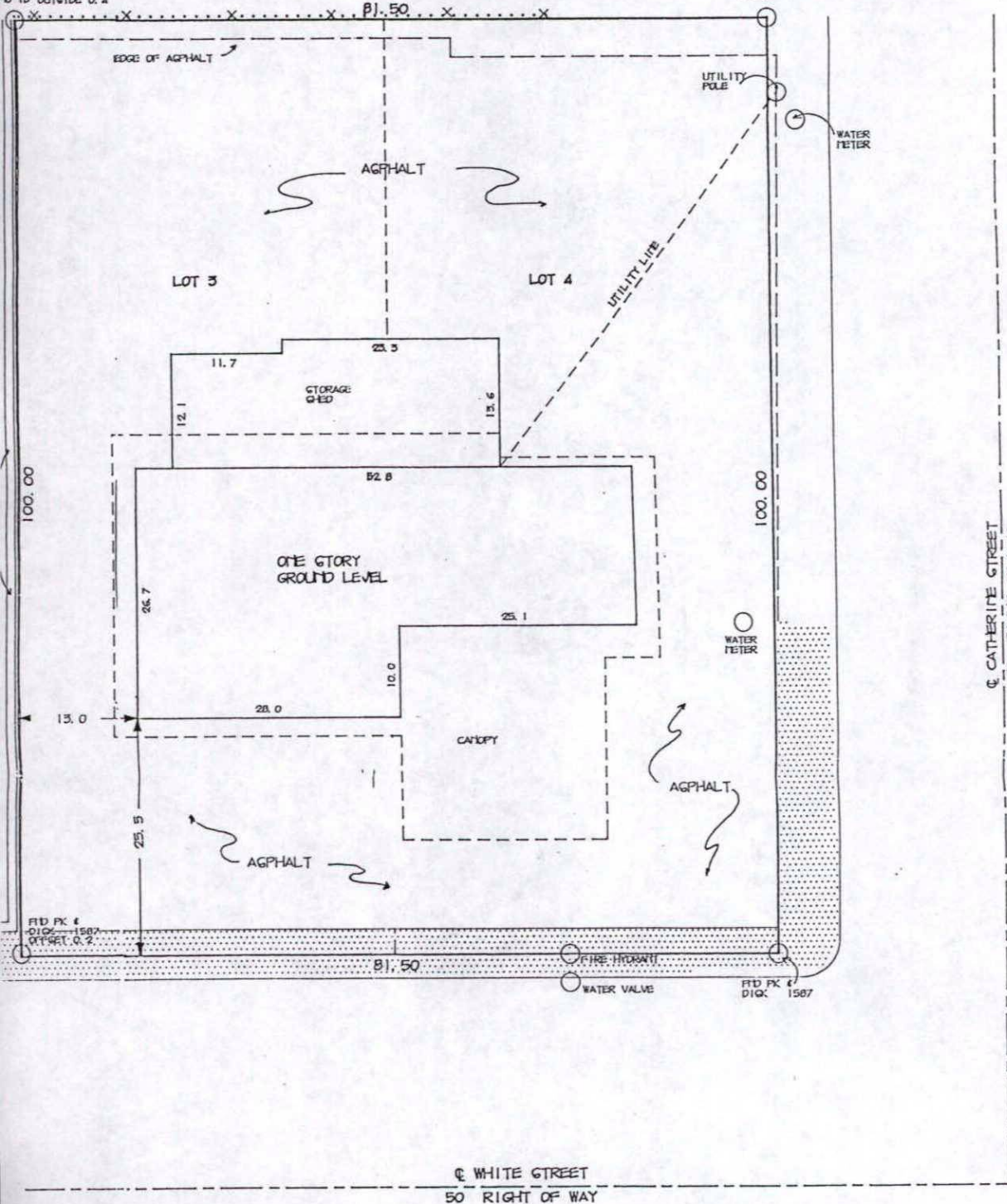
MAR 08 2002

CITY OF KEY WEST
 PLANNING NORTH
 SCALE: 1" = 10'

SCALED FROM PLAT

TO 3/4" IP
 TO ID OUTSIDE 0.4

PD 3/4" IP
 TO ID



THIS MAP WAS PREPARED BY THE SURVEYOR OR HIS REPRESENTATIVE. THE PUBLIC IS ADVISED THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THESE DESCRIPTIONS NOR FOR ANY ERRORS.

THIS SURVEY HAS BEEN PERFORMED BY THE CLERK OF MONROE PARISH IN THE PUBLIC RECORDS OFFICE AND IS NOT TO BE RELIED UPON BY THE SURVEYOR TO CORRECT THE ACCURACY OF THESE DESCRIPTIONS AND MEASUREMENTS UNLESS SPECIALLY NOTED TO BE CORRECTED BY THE CLERK OF MONROE PARISH.

NOTE: FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.

CERTIFIED TO:

BROWNING, EDEN, SIRECI & KLITENICK, P.A.; FIRST STATE BANK OF THE FLORIDA KEYS, its successors and/or assigns, ATTORNEYS; TITLE INSURANCE FUND, INC.; SHELDON I. SEGEL AND VIVIAN T. SEGEL.

RECEIVED
 MAR 08 2008
 CITY OF KEY WEST
 PLANNING DEPT

LEGAL DESCRIPTION

On the Island of Key West and is known as a Part of Tract 14, according to William A. Whitehead's Map of said Island, delineated in February, 1829, but now better known and described as Lots 3 and 4, according to corrected subdivision of Part of Middle 1/3, Tract 14, plat of which appears on record in Plat Book 1, Page 59 in the Office of the Clerk of the Circuit Court of Monroe County, Florida, said lots being described by metes and bounds as follows: Beginning at a point on the Northwestern side of Catherine Street, which point is distant 218 feet Southwesterly from the Westerly corner of the intersection of Catherine and Georgia Street and running thence along the said Northwestern side of Catherine Street in a Southwesterly direction 100 feet to White Street; thence at right angles along the Northeastery side of White Street in a Northwesterly direction 81 feet, 6 inches; thence at right angles in a Northeasterly direction 100 feet, thence at right angles in a Southeasterly direction 81 feet, 6 inches to the point of place of beginning.



LOCATION MAP
N.T.S.

SCALE 1" = 10'	A = CENTRAL ANGLE ASPH = ASPHALT CALC = CALCULATED C = CENTER LINE CM = CONCRETE MONUMENT CONC = CONCRETE	COVD = COVERED DEASE = DRAINAGE EASEMENT EL = ELEVATION ENCL = ENCLOSED ENCR = ENCROACHMENT FND = FOUND	FF = FINISHED FLOOR FP = IRON PIPE FR = IRON ROD L = ARC LENGTH MEAS = MEASURED NGVD = NATIONAL GEODESIC NAD83 = DATUM (FEET)	OS = OFFSET PC = POINT OF CURVE PCC = POINT OF COMPOUND CURVE PCP = PERMANENT CONTROL POINT PK = PARKER PLAIN MARK PL = PROPERTY LINE	PBS = POINT OF BEGINNING POC = POINT OF COMMENCEMENT PRC = POINT OF REVERSE CURVE PRM = PERMANENT REFERENCE MONUMENT PT = POINT OF TANGENT R = RADIUS	RES = RESIDENCE TYP = TYPICAL WEASE = UTILITY EASEMENT
-------------------	--	--	---	--	--	--

DATE MADE
9/11/00

BY
KB

CHECKED BY
RR

INDEXED
0090801

BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 11G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THIS SURVEY, WHEN SCHEDULE B HAS BEEN PROVIDED MEETS THE PROVISIONS OF FLORIDA STATUTES, FORM 9, SUBPARAGRAPH 1(B) (SETBACKS), 1(B)(3) (ENCROACHMENTS), & 1(E) (EASEMENTS). SCHEDULE "B" HAS NOT BEEN PROVIDED.

SIGNED: *Robert E. Reece*
 ROBERT E. REECE, PLS. #3612
 REGISTERED PROFESSIONAL SURVEYOR AND MAPPER

NOT VALID WITHOUT THE
 SIGNATURE AND THE FRAISED
 SEAL OF A FLORIDA
 SURVEYOR AND MAPPER

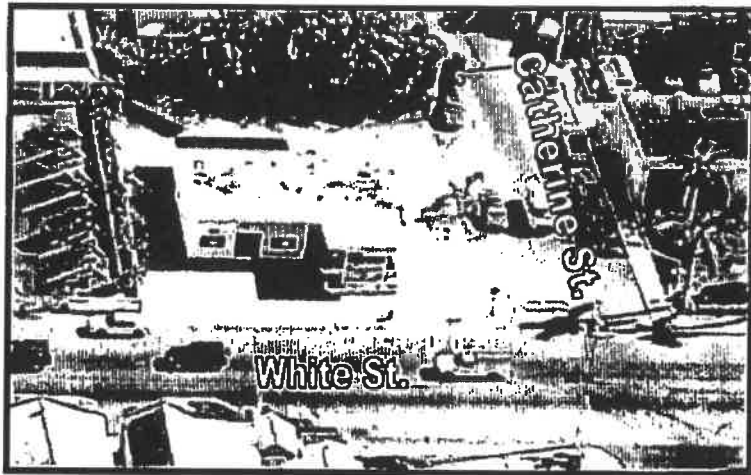
ROBERT E. REECE, P.A.
 PROFESSIONAL SURVEYOR
 AND MAPPER
 30677 OVERSEAS HIGHWAY
 BIG PINE KEY, FL 33043

**CITY OF KEY WEST
PLANNING DEPARTMENT
MEMORANDUM**

To: Mr. Julio Avel, City Manager
From: Owen Trepanier, Senior Planner
Date: 20 March 2002
RE: **Minor Development Plan & Conditional Use Approval in HNC-1
1119 White Street – 24 Seat Bakery/Restaurant
City Commission Meeting of 04-02-02**

1. ISSUE:

Minor Development Plan & Conditional Use Approval for the redevelopment of an existing building and parking lot, at 1119 White Street, into a 24-seat Bakery/Restaurant.



Minor Developments (>500 sq. ft.) in the Historic District require approval from the City Commission.

PREVIOUS CITY ACTION:

- | | |
|---|-----------------------------------|
| 1. HARC (H02-02-01-144): 01-22-02 | Approved |
| 2. DRC: 01/31/02 | Staff Comments |
| 3. Planning Board: 02-21-02 (Minor Development Plan and Conditional Use; Res. No. 2002-005) | Approved w/
Conditions |

2. BACKGROUND

The Planning Board approved this Minor Development and Conditional Use with the following conditions:

1. The hours to be open for business are from 5:00 AM to 10:00 PM.
2. There will be no amplified music outside.
3. The Development Review Commission issues will be resolved prior to going to the City Commission.

Ty Symroski, City Planner:

Is there a drive-thru on the left side of the building (See #1 on Floor Plan)?

Jim Malcolm, Bicycle-Pedestrian Coordinator:

- a. *Make #7 parking space as scooter parking.*
- b. *Needs landscape Plan.*
- c. *Bicycle parking on White Street needs to be 2' x 6'.*
- d. *Bicycle parking can't block ADA access route between sidewalk and front door.*
- e. *Two queen palms on Catherine Street need to be moved.*
- f. *All sidewalks should be differentiated and continuous across driveways (See #2 on Site Plan).*
- g. *44" of the area under canopy needs to be accessible for providing access from handicap parking.*

Roland Flowers, City Engineer:

- a. *How will storm water be handled in front?*
- b. *Raise sidewalk to standard cross slope according to code.*
- c. *Needs Drainage Plan.*

Diane Sylvia, HARC Planner:

Building Color and Signage need HARC approval.

Charles Stephenson, Chief Building Official:

Grease trap and fire protection needs to be addressed.

David Fernandez, Utilities Director:

Written comments: Properly engineered grease traps are needed.

Ed Nicolle, FCAA:

This site is served by FCAA account # 00213 which is a 5/8" meter which appears adequate to serve a small bakery/restaurant. A complete set of plans including the kitchen fixtures will be required to review to determine System Development Fees and that type of backflow prevention will be required.

Dale Finigan, CES:

The meter center will need to be relocated outside the new building addition. CES recommends secondary underground to pole, D36-6-5. If customer chooses underground CES needs to change out pole to concrete pole. The riser will need to be at least 18 feet from final grade for delivery truck traffic. CES' pole D36-6-5 is about 7' off the property line, but in the right-of-way. Customer may need to relocate proposed driveway.

4. Any liquor license shall be for beer and wine only.
5. Any modification to this plan will cause the applicant to come back before the Planning Board and go through the Conditional Use process.
6. There will be no more than 24 seats with the required parking.

ANALYSIS:

This project is for a 24-seat Bakery/Restaurant. Plans submitted show 6 parking spaces, enough for 270 sq. ft. of consumption area (18 seats). The overall site parking, internal circulation and general traffic safety will be improved. The need to back out over sidewalks and into traffic will be eliminated. A loading zone will be incorporated into the design. Landscaping will be improved. Trash will be screened from view.

DRC:

The current plans and the Building Code requirements adequately address DRC comments that were recorded prior to the 02-21-02 Planning Board. C.E.S. comments were accidentally left out of the Planning Board Report.

NEIGHBOR IMPACTS:

These plans show the dumpster in the rear left corner of the property. It appears to block the adjacent property owner's access to their propane tank.

PARKING:

There is no conforming parking currently on site. These plans show 6 conforming parking spaces, which will allow for 270 sq. ft. of consumption area. Since Fire Codes require 15 sq. ft. per seat, this project can only have 18 seats with the proposed parking. In order to have 24 seats, an additional 90 sq. ft. of consumption area is needed, which will require 2 additional parking spaces.

Parking Requirements	
Restaurant Use	1 Parking space per 45 sq. ft. of Consumption area
Per Seat Space Requirements	
1 Seat	15 sq. ft. of space

SIDEWALKS:

Currently there are no sidewalks on the property. Earlier iterations had sidewalks onsite. However, this design did not allow for properly sized parking spaces or aisles, and created a traffic safety hazard along White Street. The Planning Department, in consultation with Engineering Services, proposed moving the sidewalk onto public property with the addition of a landscape strip. This will prevent illegal parking along White Street and also prevent the creation of sight triangle obstructions, thereby eliminating the safety hazard.

The landscape strip along White Street is shown 5 feet wide. If it was 6 feet, as suggested by the Bicycle/Pedestrian/ADA Coordinator, the City could install bike racks to better serve the entire area. The Applicant and the City could fund the sidewalk and landscaping along White Street jointly. The Applicant could install the sidewalks and the curbing in lieu of traffic impact fees and the City could plant the strip and install bike racks.

3. OPTIONS, ADVANTAGES AND DISADVANTAGES:

A. Approve

(1) Advantage:

- The parking lot and corner safety will be drastically improved for vehicles.
- Bicycle-Pedestrian safety will improve with the installation of sidewalks and bike racks.
- The current need to back out over sidewalks and into traffic will be eliminated.
- The current dilapidated building and unsightly area will be cleaned up.

- Landscaping on site will be improved.
 - Trash will be screened from view.
- (2) Disadvantage: None Known.

B. Deny

- (1) Advantage: None Known
- (2) Disadvantage: No improvements to the safety and aesthetics to the site will be made at this time.

4. FISCAL IMPACTS

If approved, the City will realize an increase in both sales and property tax revenues.

5. RECOMMENDED ACTION

The Planning Department recommends **APPROVAL** with the conditions laid out in the Planning Board Recommendation as follows, along with 4 additional conditions:

1. The hours to be open for business are from 5:00 AM to 10:00 PM.
2. There will be no amplified music inside or outside of the premises.
3. Any modification to this plan will cause the applicant to come back before the Planning Board and go through the conditional use process.
4. There will be no more than 24 seats with the required parking.

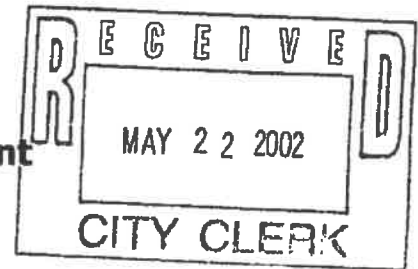
Additional Conditions:

5. The propane access to the adjacent lot shall be preserved.
6. The project shall operate with only 270 sq. ft. of consumption area (18 seats) until enough parking for 360 sq. ft. (24 seats) is created or a variance obtained.
7. Applicant shall have Traffic Impact Fees credited when sidewalks and curbing are installed.
8. The landscape strip along White Street will be 6 feet wide to accommodate future bicycle racks for the area.

Drawings provided with this report:

Plans	By	Date	Revised	Page #
Site Plan	M.B. Ingram	03-18-02	n/a	A1.1
Floor Plan	M.B. Ingram	03-18-02	n/a	A2.1
Site Survey	R.A. Reece	09-11-00	n/a	n/a

**Key West Planning Department
Memorandum**



To: Cheri Smith, City Clerk
From: Owen Trepanier, Senior Planner
Date: 21 May 2002
RE: **Resolution No. 02-101**

A handwritten signature in black ink, appearing to read "Owen Trepanier".

Section 1 of Resolution 02-101 provides that the Minor Development Plan for 1119 White Street contains 9 conditions. The attachment to the Resolution shows 8 conditions, considering changes made by the City Commission. Section 1 of the Resolution should have stated 8 conditions as well. Please attach this memorandum to your file for this agenda item in order to explain the discrepancy.

cc: Ty Symroski, City Planner
Robert Tischenkel, City Attorney
Sheldon Segal, Applicant

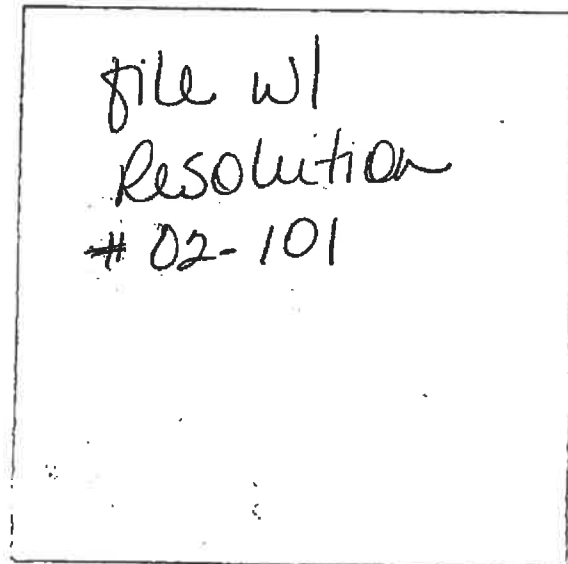
**Key West Planning Department
Memorandum**

To: Cheri Smith, City Clerk
From: Owen Trepanier, Senior Planner
Date: 21 May 2002
RE: **Resolution No. 02-101**



Section 1 of Resolution 02-101 provides that the Minor Development Plan for 1119 White Street contains 9 conditions. The attachment to the Resolution shows 8 conditions, considering changes made by the City Commission. Section 1 of the Resolution should have stated 8 conditions as well. Please attach this memorandum to your file for this agenda item in order to explain the discrepancy.

cc: Ty Symroski, City Planner
Robert Tischenkel, City Attorney
Sheldon Segal, Applicant



file w/
Resolution
02-101

RESOLUTION NO. 02-101

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED MINOR DEVELOPMENT PLAN FOR 1119 WHITE STREET; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, at its regular meeting of February 21, 2002, the Planning Board approved the application for minor development plan with conditions, which have been supplemented by the Planning Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached Minor Development Plan for 1119 White Street is hereby approved, subject to nine conditions as set forth on page 4 of the attached Planning Department memorandum of March 20, 2002.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 2nd day of April, 2002.

Authenticated by the presiding officer and Clerk of the Commission on April 3rd, 2002.

Filed with the Clerk April 3rd, 2002.

ATTEST:

Cheryl Smith
CHERYL SMITH CITY CLERK

Jimmy Weekley
JIMMY WEEKLEY, MAYOR

**PLANNING BOARD RESOLUTION
No. 2002-005**

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD PURSUANT TO SECTIONS 4-18.3 AND 2-6.3 OF THE LAND DEVELOPMENT REGULATIONS RECOMMENDING APPROVAL BY THE CITY COMMISSION OF AN APPLICATION FOR A MINOR DEVELOPMENT PLAN AND CONDITIONAL USE FOR A 24 SEAT RESTAURANT AND BAKERY AT 1119 WHITE STREET ON PARCEL RE#00034460-000000; PROVIDING FOR CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the owner of 1119 White Street, Sheldon Segel, by his agent, Michael Ingram, Architect, filed an Application for a Minor Development Plan & Conditional Use for the property located at 1119 White Street for use as a 24 seat restaurant and bakery; and

WHEREAS, the parcel to be developed is identified as RE#00034460-000000; and

WHEREAS, the parcel is located in the HNC-1 (Historic Neighborhood Commercial Corridor: Simonton-Truman) zoning district in which retail food sales are a permitted use and a restaurant is a conditional use; and

WHEREAS, the Development Review Committee reviewed the project at its meeting of January 31, 2002 with the following comments (the applicant did not attend):

"DRC Comments:

1. Ty Symroski, City Planner:
 - a. Construct a \leq 600 sq. ft. apartment upstairs.
 - b. Is there a drive-thru on the left side of the building (See #1 on Floor Plan)?
 - c. Is wall perpendicular to White blocking line of site?
2. Jim Malcolm, Bicycle-Pedestrian Coordinator:
 - a. Make #7 parking space as scooter parking.
 - b. Needs landscape Plan.
 - c. Bicycle parking on White Street needs to be 2' x 6'.
 - d. Bicycle parking can't block ADA access route between sidewalk and front door.

- e. Two queen palms on Catherine Street need to be moved.
 - f. All sidewalks should be differentiated and continuous across driveways (See #2 on Site Plan).
 - g. 44" of the area under canopy needs to be accessible for providing access from handicap parking.
3. Roland Flowers, City Engineer:
 - a. How will storm water be handled in-front?
 - b. Raise sidewalk to standard cross slope according to code.
 - c. Needs Drainage Plan.
 4. Dianne Sylvia, HARC Planner:
 - a. Building Color and Signage need HARC approval.
 - b. Design approved January 22, 2002
 5. Charles Stevenson, Chief Building Official:
 - a. Grease trap and fire protection needs to be addressed.
 - b. Will street parking change with the new design?
 6. David Fernandez, Utilities Director:
Written comments: Properly engineered grease traps are needed.
 7. Ed Nicolle, Distribution Design Manager, FCAA:
Written comments from FCAA: This site is served by FCAA account # 00213, which is a 5/8", meter which appears adequate to serve a small bakery/restaurant. A complete set of plans including the kitchen fixtures will be required to review to determine System Development Fees and that type of backflow prevention will be required.

WHEREAS, the project received HARC approval on February 26, 2002 (H02-02-01-144); and

WHEREAS, after due public notice, including the mailing of notices to property owners within three hundred feet, the Planning Board held a regular meeting on February 21, 2002 to consider this application; and

WHEREAS, there were 77 notices mailed, 11 returned, nine with no objection and two with concerns about limiting the use specifically so that the effect on the neighborhood residents will be limited, limiting seating and outside activity so that expansion will not occur without further approvals being sought; and

WHEREAS, new plans addressing the considerations of the Development Review Committee had not been furnished prior to the public notice period or in time to provide them to the Board members prior to the meeting; and

WHEREAS, Senior Planner Owen Trepanier's report of February 14, 2002 recommended tabling the matter until further plans were received; and

WHEREAS, Michael Ingram, Architect, and the lessees (Jill and Alexis Zdanow) of the property who would be operating the bakery were present; and

WHEREAS, previous plans considered by the Development Review Committee and provided to the Planning Board were as follows:

Plans	By	Date	Revised	Pg #
Survey	Robert Reece	09-11-00		
Floor Plan	Michael Ingram	01-17-02		1/A2.1
Site Plan	Michael Ingram	01-17-02		A-1

WHEREAS, Michael Ingram submitted new plans dated February 13, 2002, to the Board members at the meeting which were examined by the members; and

WHEREAS, most of the concerns of the Development Review Committee had been addressed; and

WHEREAS, Jim Malcolm, Bicycle/Pedestrian/ADA Coordinator, stated that the plans must meet criteria for ADA accessibility; and

WHEREAS, there were no members of the public present to address the application; and

WHEREAS, the Board members were concerned about the hours of operation, amplified music, and the serving of alcoholic beverages in order to maintain the current level of noise and activity on White Street; and

WHEREAS, Jill Zdanow stated that this would not be a late night establishment, that they might get a beer and wine license in order to participate in the community events promoting the White Street area, and Alexis Zdanow stated that there would be no outside amplified music; and

WHEREAS, the City Planner Ty Symroski recommended that the hours be late enough so that the restaurant could have a dinner hour if it was successful and contribute to the evolution of the White Street area; and

WHEREAS, the concerns of the Board members were the hours of operation, amplified music, that all Development Review Committee issues be resolved before being presented to the City Commission, that there be no liquor sales other than beer and wine, that there be only 24 restaurant seats with parking and that any changes come back to the Board; and

WHEREAS, the applicant and the owners of the business heard the discussion, gave their requests and opinions and agreed to the conditions as set forth in this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. To recommend approval to the City Commission of the City of Key West of the Application for Conditional Use and Minor Development Plan at 1119 White Street for a bakery and a 24 seat restaurant with the following conditions:


1. The hours to be open for business are from 5:00 AM to 10:00 PM.
2. There will be no amplified music outside.
3. The Development Review Commission issues will be resolved prior to going to the City Commission.
4. Any liquor license shall be for beer and wine only.
5. Any modification to this plan will cause the applicant to come back before the Planning Board and go through the conditional use process.
6. There will be no more than 24 seats and the required parking.

Section 2. That this resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the Chairman of the Planning Board and City Planner.

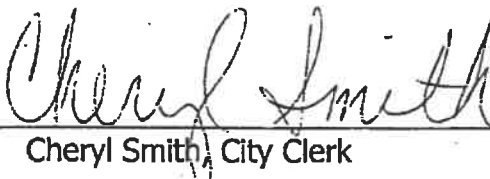
Passed at a meeting held this 21st day of February 2002.



John Mertz, Chairman
Key West Planning Board
3/21/02
Date

ATTEST:


Ty Symroski
City Planner
3/20/02
Date

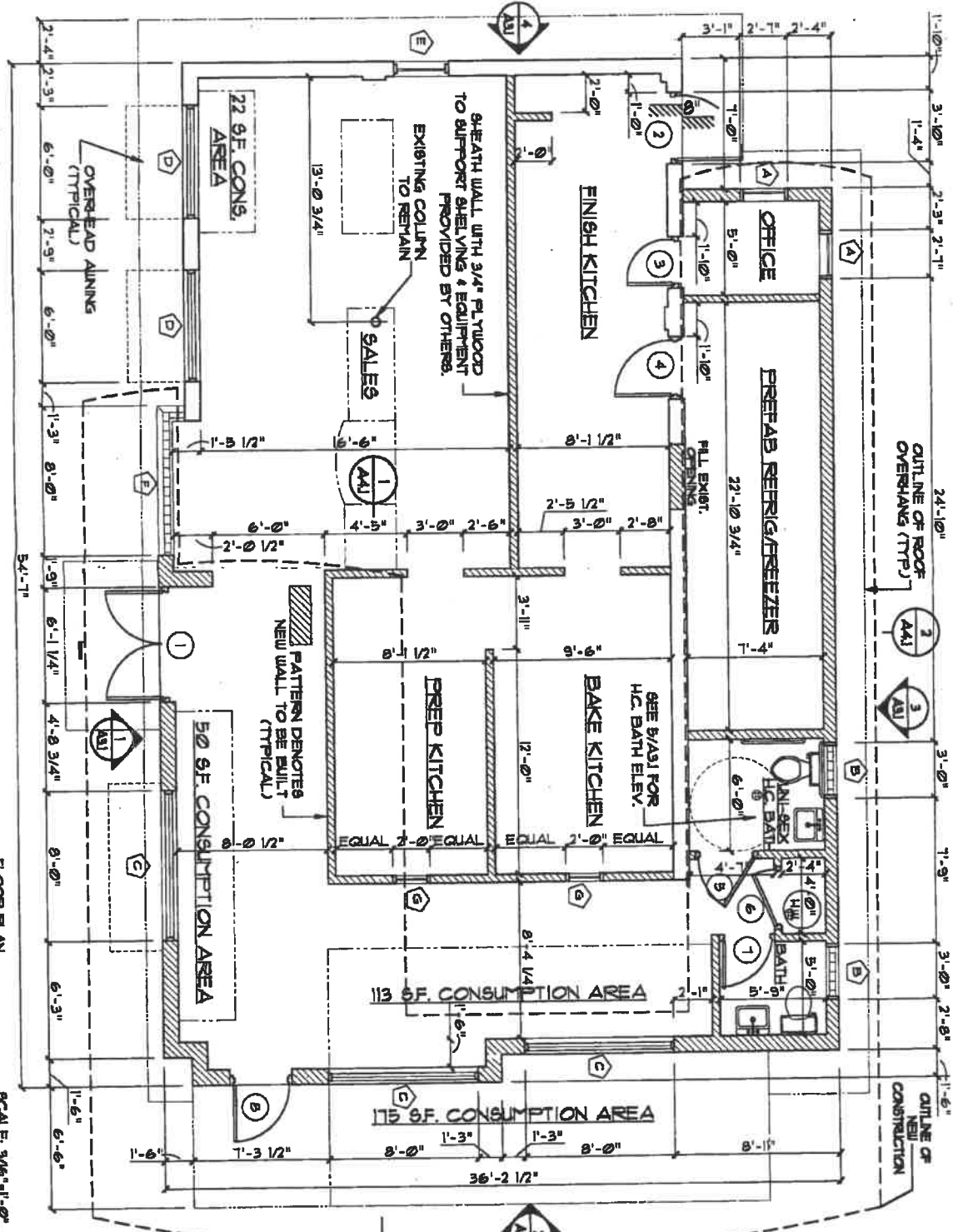
Filed with the Clerk 

Cheryl Smith, City Clerk
3-25-02
Date



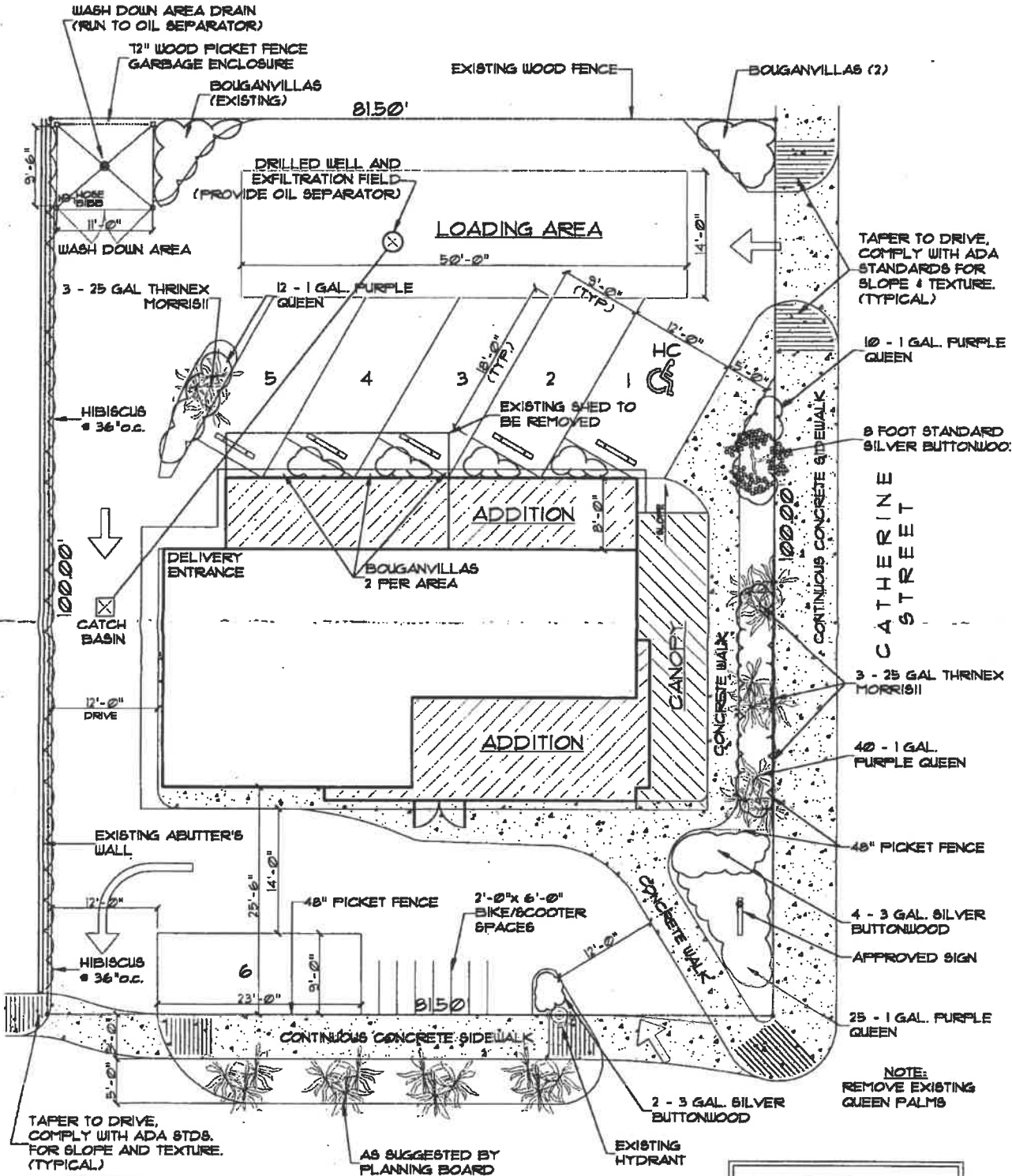
2
A21

NEW PLAN (INDICATING ADDITION)
 SCALE: 1/4" = 1'-0"
 360 SF. TOTAL CONSUMPTION AREA
 - 270 SF. CONSUMPTION AREA
 = 90 SF. POSSIBLE CONSUMPTION AREA

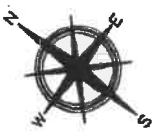


FLOOR PLAN
 115 Union Street
 Michael B. Logan Architect & Associates
 4940 Shinnick Street
 Cary, NC 27513
 P: 919.336.1722
 F: 919.336.1723
 MARCH 18, 2007
A2.1

SCALE: 3/16" = 1'-0"



APPROVED
 11/18/2002
 CITY ENGINEER
 CITY DEPT.



WHITE STREET

1 SITE PLAN
 SCALE: 3/32" = 1'-0"

APPROVED
 CITY OF KEY WEST
 PLANNING DEPT.

Ty Symoch
 CITY PLANNER
 5/30/2002
 RATE CL. 02-101

NOTE: ENTIRE SITE SHALL BE FULLY ADA COMPLIANT

SITE PLAN SCALE: 3/32" = 1'-0"

1110 White Street

Michael B. Ingram Architects & Associates
 601 Whitehead Street
 Key West, FL 33640
 P.O. 305-792-1172 • Fax: 305-257-7862
 Equal Opportunity & Affirmative Action Employer M/F/H/V

March 18, 2002

All

AS NOTED

**CITY OF KEY WEST
PLANNING DEPARTMENT
MEMORANDUM**

To: Mr. Julio Avel, City Manager
From: Owen Trepanier, Senior Planner
Date: 20 March 2002
RE: **Minor Development Plan & Conditional Use Approval in HNC-1
1119 White Street – 24 Seat Bakery/Restaurant
City Commission Meeting of 04-02-02**

1. ISSUE:

Minor Development Plan & Conditional Use Approval for the redevelopment of an existing building and parking lot, at 1119 White Street, into a 24-seat Bakery/Restaurant.



Minor Developments (>500 sq. ft.) in the Historic District require approval from the City Commission.

PREVIOUS CITY ACTION:

- | | |
|---|-----------------------------------|
| 1. HARC (H02-02-01-144): 01-22-02 | Approved |
| 2. DRC: 01/31/02 | Staff Comments |
| 3. Planning Board: 02-21-02 (Minor Development Plan and Conditional Use; Res. No. 2002-005) | Approved w/
Conditions |

2. BACKGROUND

The Planning Board approved this Minor Development and Conditional Use with the following conditions:

1. The hours to be open for business are from 5:00 AM to 10:00 PM.
2. There will be no amplified music outside.
3. The Development Review Commission issues will be resolved prior to going to the City Commission.

Ty Symroski, City Planner:

Is there a drive-thru on the left side of the building (See #1 on Floor Plan)?

Jim Malcolm, Bicycle-Pedestrian Coordinator:

- a. *Make #7 parking space as scooter parking.*
- b. *Needs landscape Plan.*
- c. *Bicycle parking on White Street needs to be 2' x 6'.*
- d. *Bicycle parking can't block ADA access route between sidewalk and front door.*
- e. *Two queen palms on Catherine Street need to be moved.*
- f. *All sidewalks should be differentiated and continuous across driveways (See #2 on Site Plan).*
- g. *44" of the area under canopy needs to be accessible for providing access from handicap parking.*

Roland Flowers, City Engineer:

- a. *How will storm water be handled in front?*
- b. *Raise sidewalk to standard cross slope according to code.*
- c. *Needs Drainage Plan.*

Diane Sylvia, HARC Planner:

Building Color and Signage need HARC approval.

Charles Stephenson, Chief Building Official:

Grease trap and fire protection needs to be addressed.

David Fernandez, Utilities Director:

Written comments: Properly engineered grease traps are needed.

Ed Nicolle, FCAA:

This site is served by FCAA account # 00213 which is a 5/8" meter which appears adequate to serve a small bakery/restaurant. A complete set of plans including the kitchen fixtures will be required to review to determine System Development Fees and that type of backflow prevention will be required.

Dale Finigan, CES:

The meter center will need to be relocated outside the new building addition. CES recommends secondary underground to pole, D36-6-5. If customer chooses underground CES needs to change out pole to concrete pole. The riser will need to be at least 18 feet from final grade for delivery truck traffic. CES' pole D36-6-5 is about 7' off the property line, but in the right-of-way. Customer may need to relocate proposed driveway.

4. Any liquor license shall be for beer and wine only.
5. Any modification to this plan will cause the applicant to come back before the Planning Board and go through the Conditional Use process.
6. There will be no more than 24 seats with the required parking.

ANALYSIS:

This project is for a 24-seat Bakery/Restaurant. Plans submitted show 6 parking spaces, enough for 270 sq. ft. of consumption area (18 seats). The overall site parking, internal circulation and general traffic safety will be improved. The need to back out over sidewalks and into traffic will be eliminated. A loading zone will be incorporated into the design. Landscaping will be improved. Trash will be screened from view.

DRC:

The current plans and the Building Code requirements adequately address DRC comments that were recorded prior to the 02-21-02 Planning Board. C.E.S. comments were accidentally left out of the Planning Board Report.

NEIGHBOR IMPACTS:

These plans show the dumpster in the rear left corner of the property. It appears to block the adjacent property owner's access to their propane tank.

PARKING:

There is no conforming parking currently on site. These plans show 6 conforming parking spaces, which will allow for 270 sq. ft. of consumption area. Since Fire Codes require 15 sq. ft. per seat, this project can only have

Parking Requirements	
Restaurant Use	1 Parking space per 45 sq. ft. of Consumption area
Per Seat Space Requirements	
1 Seat	15 sq. ft. of space

18 seats with the proposed parking. In order to have 24 seats, an additional 90 sq. ft. of consumption area is needed, which will require 2 additional parking spaces.

SIDEWALKS:

Currently there are no sidewalks on the property. Earlier iterations had sidewalks onsite. However, this design did not allow for properly sized parking spaces or aisles, and created a traffic safety hazard along White Street. The Planning Department, in consultation with Engineering Services, proposed moving the sidewalk onto public property with the addition of a landscape strip. This will prevent illegal parking along White Street and also prevent the creation of sight triangle obstructions, thereby eliminating the safety hazard.

The landscape strip along White Street is shown 5 feet wide. If it was 6 feet, as suggested by the Bicycle/Pedestrian/ADA Coordinator, the City could install bike racks to better serve the entire area. The Applicant and the City could fund the sidewalk and landscaping along White Street jointly. The Applicant could install the sidewalks and the curbing in lieu of traffic impact fees and the City could plant the strip and install bike racks.

3. OPTIONS, ADVANTAGES AND DISADVANTAGES:

A. Approve

(1) Advantage:

- The parking lot and corner safety will be drastically improved for vehicles.
- Bicycle-Pedestrian safety will improve with the installation of sidewalks and bike racks.
- The current need to back out over sidewalks and into traffic will be eliminated.
- The current dilapidated building and unsightly area will be cleaned up.

- Landscaping on site will be improved.
 - Trash will be screened from view.
- (2) Disadvantage: None Known.

B. Deny

- (1) Advantage: None Known
- (2) Disadvantage: No improvements to the safety and aesthetics to the site will be made at this time.

4. FISCAL IMPACTS

If approved, the City will realize an increase in both sales and property tax revenues.

5. RECOMMENDED ACTION

The Planning Department recommends **APPROVAL** with the conditions laid out in the Planning Board Recommendation as follows, along with 4 additional conditions:

1. The hours to be open for business are from 5:00 AM to 10:00 PM.
2. There will be no amplified music inside or outside of the premises.
3. Any modification to this plan will cause the applicant to come back before the Planning Board and go through the conditional use process.
4. There will be no more than 24 seats with the required parking.

Additional Conditions:

5. The propane access to the adjacent lot shall be preserved.
6. The project shall operate with only 270 sq. ft. of consumption area (18 seats) until enough parking for 360 sq. ft. (24 seats) is created or a variance obtained.
7. Applicant shall have Traffic Impact Fees credited when sidewalks and curbing are installed.
8. The landscape strip along White Street will be 6 feet wide to accommodate future bicycle racks for the area.

Drawings provided with this report:

Plans	By	Date	Revised	Page #
Site Plan	M.B. Ingram	03-18-02	n/a	A1.1
Floor Plan	M.B. Ingram	03-18-02	n/a	A2.1
Site Survey	R.A. Reece	09-11-00	n/a	n/a

1119 White Street

Revised 06/27/17

Amendment to Conditional Use (Res. 2002-005)
Minor Modification to a Minor Development Plan (Res. 02-101)
Bicycle Substitution (Res. 02-142)



TREPANIER



& ASSOCIATES INC

LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Project Description:

This property was granted Minor Development Plan and Conditional Use approval for a 24-seat Bakery/Restaurant in 2002, pursuant to Res. No. Resolution 02-101. This application seeks to modify that approval to allow the conversion to a 50-seat Diner.

The property is located on White Street between Catherine and Virginia in the HNC-1 zoning district. The historic neighborhood commercial district - Truman/Simonton (HNC-1) consists of Simonton, Truman Avenue, and White Street South Corridors. The HNC-1 district is located along major segments of Simonton Street, from Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally, includes larger scale commercial uses oriented toward the motoring public.

Title block (Sec. 108-227)

Name of development:	1119 White Street
Owner/developer:	1119 White Street, LLC
Scale:	1" = 16'-0"
Preparation and revision dates:	As noted on plans
Location:	1119 White Street

Key persons and entities involved in this project are as follows:

Owner:	1119 White Street, LLC
Authorized Agent:	Trepanier & Associates, Inc.
Engineer:	Artibus Design
Surveyor:	Florida Keys Land Surveying
Legal and Equitable Owners:	Damian McCarthy, Member Edgar Braswell, Buyer

Existing development is depicted in attached surveys and plans, including:

- Size of site
- Buildings
- Structures
- Parking
- FEMA flood zones
- Topography
- Easements
- Existing vegetation
- Existing stormwater
- Adjacent land uses
- Adjacent buildings
- Setbacks
- Driveway dimensions and material
- Utility locations
- Garbage and recycling
- Signs
- Lighting
- Project Statistics
- Building Elevations
- Height of buildings
- Height of existing and proposed grades
- Drainage plan
- Landscape Plan

Solutions Statement:

The subject property is located on a corner lot at 1119 White Street within the HNC-1 zoning district; one of the historic/ commercial corridors in the City. This property received Conditional Use, Minor Development Plan and Variance approvals as a 24-seat take-out restaurant (“I Love Bagels”). Per code section 108-91(C)(2)(b) Modifications of development plan, this application proposes alter the approvals to allow for a more traditional neighborhood cafe.

Plans for the site are primarily interior, with no significant changes to building coverage, open space, impervious surface, or storm water management. We propose altering the mix of auto vs. bike parking to make the property more multi-model oriented, consistent with Comprehensive Plan Policy 2-1.1.3.

The proposed development is wholly consistent with the character and intent of the HNC-1 future land use designation and the current zoning district as demonstrated below.

Site Data Table:

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Zoning	HNC-1	--	No Change	Complies
FEMA	X-Zone	--	No Change	Complies
F.A.R.	1.0	1,712 SF	No Change	Complies
Max Height	35'	12'-8"	No Change	Complies
Building Coverage	50% (4,087 sq. ft.)	29% (2,435 sq. ft.)	No Change	Complies
Impervious Area	60% (4,904 sq. ft.)	89% (7,344 sq. ft.)	No Change	Complies
Open Space (min)	35% (2,861 sq. ft.)	10% (830 sq. ft.)	No Change	Complies
Consumption Area	360 sq. ft	360 sq. ft.	750 sq. ft.	Complies
Seats	24	24	50	Complies
Setbacks: Front	5'	22'-9"	No Change	Complies
Side	5'	10'-5"	No Change	Complies
Street Side	7'-6"	6'-10"	No Change	Complies
Rear	15"	37'-10"	No Change	Complies
Parking	16.7	6	7	Bicycle Substitution
Bicycles	4.2	10	43	

Other Project Information:

- The target date for commencement shall follow entitlement approvals as quickly as possible.

Intergovernmental Coordination

Required intergovernmental coordination shall be handled within the DRC process.

Schedule and Process:

The following development approval schedule and process is anticipated:

Step	Tentative Date
1. Submit Application	01/19/17
2. Development Review Committee Meeting	03/23/17
3. Planning Board Meeting	07/20/17
4. City Commission Meeting	08/15/17
5. City Commission Appeal Period	30 days
6. Florida Department of Economic Opportunity Appeal Period	45 days

Appearance, design, and compatibility (Section 108-234):

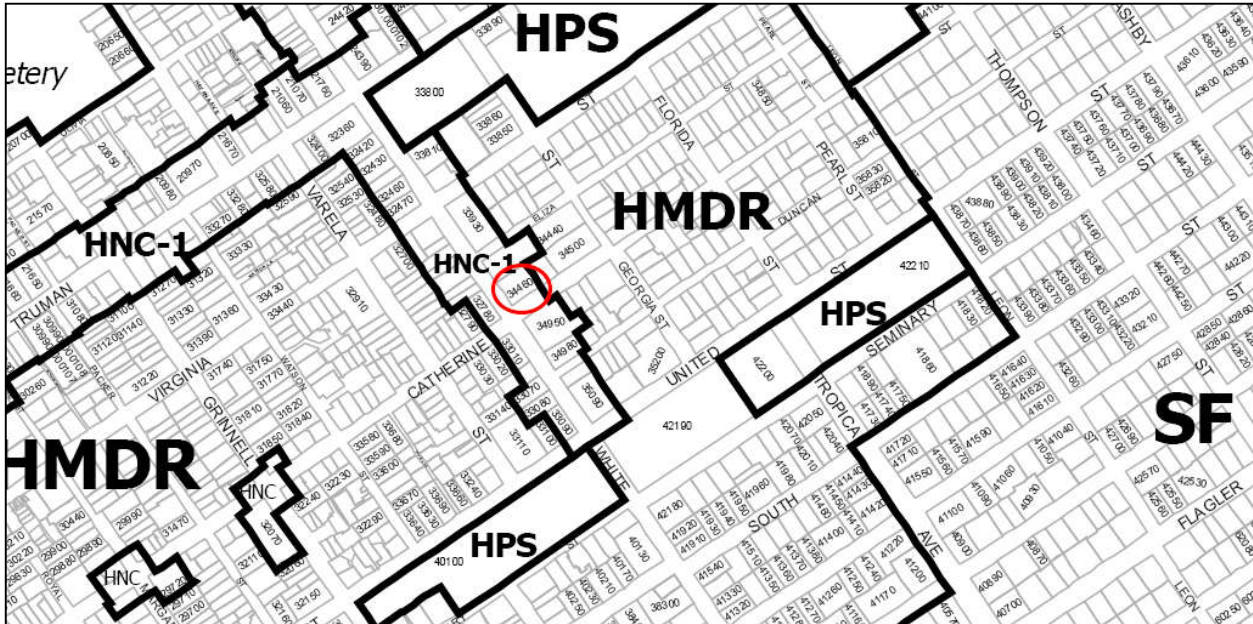
This development plan satisfies criteria established in Chapter 102; Articles III, IV and V of Chapter 108; Section 108-956; and Article II of Chapter 110 of the Key West City Code in the following manner:

- Chapter 102 – This property is located within the Historic District and will go through all appropriate HARC approvals as necessary.
- Articles III, IV and V of Chapter 108 – As demonstrated by the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements of the Articles.
- Chapter 110 – As demonstrated in this application, the proposed development complies with the resource protection requirements of Chapter 110.

Site Location and Character of Use (Section 108-235):

(a) *Compliance.* This development plan complies with the requirements set forth in the Key West City Code as they pertain to Concurrency Management, Outdoor Displays and Nuisances, Resource Protection, Signs, and Articles I and III to IX of Chapter 108 of the Key West City Code.

(b) Vicinity Map.



(c) *Land Use Compatibility.* The project site is located in the Historic Neighborhood Commercial (HNC-1) zoning district. The historic neighborhood commercial district—Truman/Simonton (HNC-1) consists of Simonton, Truman Avenue, and White Street South Corridors. The HNC-1 district is located along major segments of Simonton Street, from Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally, includes larger scale commercial uses oriented toward the motoring public.

(d) *Historic and archeological resource protection.* The site is located within the Historic District. Any archeological resources will be protected as required.

(e) *Subdivision of Land.* No subdivisions are anticipated.

Location and screening of mechanical equipment, utility hardware and waste storage areas (Section 108-279):

All mechanical equipment will be located appropriately and screened per HARC approval and in compliance with Section 108-279.

Appearance of Site and Structures (Sec. 108-236):

Attached site plan complies with Sections 108-278 through 108-288 of the Key West City Code. (See below.)

Site Plan (Sec. 108-237):

Site plan of proposed development drawn consistently with Sec. 108-237 is attached.

Architectural Drawings (Sec. 108-238):

All architecture or engineering designs were prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. Ch. 471 and 481, respectively, consistent with the provisions of this Section.

Site Amenities (Sec 108-239):

The attached site plan includes existing and proposed amenities which are required to comply with appearance, design and compatibility regulations outlined in chapter 102; articles III, IV and V of this chapter; section 108-956; and article II of chapter 110.

Site Survey (Sec 108-240):

Survey of the site is attached.

Soil Survey (Sec 108-241):

Soil surveys are not anticipated as part of this project.

Environmentally Sensitive Areas (Sec. 108-242):

No environmentally sensitive areas exist on this site.

Land clearing, excavation and fill, tree protection, landscaping and irrigation plan (Sec. 108-243):

No clearing is proposed as anticipated in Sec. 108-243. Existing landscape and irrigation were previously approved¹ and were reviewed by the City's Urban Forester for compliance.

On-site and off-site parking and vehicular, bicycle, and pedestrian circulation (Sec. 108-244):

The existing parking/loading/service area will be maintained and additional bicycle parking will be added per the attached plan.²

Housing (Sec 108-245):

This project includes no residential development and therefore shall have no impact on hurricane evacuation.

¹ Resolution 02-101

² See accompanying variance for bicycle substitution

Economic Resources (Sec 108-246):

Trepanier & Associates, Inc. has contacted the Monroe County Property Appraiser's office to seek assistance in estimating the average ad valorem tax yield from the proposed project.

Special Considerations (Sec 108-247):

The proposal complies with the goals, objectives and policies of the comprehensive plan and as demonstrated by this and the concurrency analysis there are no conflicts with the existing public facilities, such as wastewater treatment and transportation.

This project complies with all City land use plans, objectives and policies.

Construction Management Plan and Inspection Schedule (Sec 108-248):

The proposed development is single-phase. Construction is proposed to progress steadily based on Key West LDRs, building codes, and funding. Construction is expected to commence as soon as possible.

Truman Waterfront Port Facilities (Sec 108-249):

This project is not located at the Truman Waterfront Port

SITE PLAN

Scope (Sec 108-276):

This site plan conforms to all applicable sections of land development regulations.

Site Location and Character of Use (Sec. 108-277):

As depicted, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use. The infrastructure and site plan improvements are designed to mitigate potential adverse impacts of the proposed use.

Appearance of Site and Structures (Sec. 108-278):

This applications development plan exhibits harmonious overall design characteristics in compliance with the performance standards stipulated in sections 108-278 through 108-288.

Location and screening of mechanical equipment, utility hardware and waste storage areas (Section 108-279):

All mechanical equipment and utility hardware will be appropriately screened. All waste storage areas will be screened from adjacent properties.

Front-end loaded refuse container requirements (Sec. 108-280):

Existing garbage and recycling containment area to remain as shown on site plan.

Roll-off Compactor Container location requirements (Sec. 108-281):

NA - No roll-off containers proposed as part of the operation of the restaurant.

Utility lines (Section 108-282):

Utility lines shall comply with the requirements of Sec. 108-282.

Commercial and manufacturing activities conducted in enclosed buildings (Section 108-283):

All commercial-retail activities will take place within an enclosed building. No outdoor storage or display is proposed.

Exterior Lighting (Section 108-284):

All proposed lighting shall be shielded and lighting sources shall be arranged to eliminate glare from roadways and streets and shall direct light away from properties lying outside the district. Shielding of lighting elements shall be accomplished by using directional fixtures or opaque shades.

Signs (Section 108-285):

Proposed signage will be harmonious with the design theme of the project, will be aesthetically pleasing and reinforce good principles and practices of design as well as comply with HARC guidelines.

Pedestrian sidewalks (Section 108-286):

No new sidewalks are anticipated.

Loading docks (Section 108-287):

Loading/ deliveries will comply with this section of code.

Storage Areas (Section 108-288):

No outdoor storage areas are proposed.

Open Space, Screening, Buffers and Landscaping (Article V and VI) of Chapter 108:

The project does not propose any exterior work on the site other than the reconfiguration of front parking area to add an additional auto parking space and better accommodate scooters and bicycles. Per the City's Urban Forester, no landscape plan is required due to a previous approval, however, the project will be replacing the missing groundcover and, as a condition of approval, will maintain the Thatch Palms to clear a line of sight triangle at the corner and maintain the Silver Buttonwoods along the front right-of-way for a clear line of sight. Coordination with

appropriate City staff will ensure compliance with this condition and as previously approved.

Request for Waiver/ Modification (Sec. 108-517):

The proposed redevelopment plan hereby requests release from strict compliance with the following sections of Chapter 108 of the land development regulations:

Sec. 108-347. Required Screening.

The applicant requests a waiver from strict compliance to the requirements for bufferyards and landscape screening. As part of the 2002 approval, an existing hibiscus hedge along the north side of the property no longer exists; in its place is a concrete block wall that was constructed by the neighboring property owners. Minimal dimensions for required egress does not allow for the replacement of that landscape screening.

Off-street parking and loading (Article VII):

Improvements to the existing parking/ loading/ service area are proposed. The existing parking/ loading/ service area will be maintained; however, the layout will be altered to allow the addition of one auto space and better conform to the requirements of the land development regulations.

Storm water and Surface Water Management (Article VIII):

There are no changes to the existing stormwater approved by Resolution 02-101.

Flood Hazard Areas (Division 4 - Sections 108-821 through 108-927):

The proposed project is located in the X flood zone.



Utilities (Article IX):

See Concurrency Analysis below.

CONCURRENCY ANALYSIS:

Comprehensive Plan Policy 2-1.1.3: Dense Urban Land Area.

The City of Key West is a substantially developed dense urban land area and is thereby exempted from transportation concurrency requirements for roadways. The City

recognizes that its development characteristics make substantive expansion of capacity of the roadway system prohibitive. The City will therefore prioritize improving the safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development) as its primary strategies for addressing current and projected transportation needs.

Concurrency Facilities and Other Utilities or Services (Sec. 108-233):

The City's Comprehensive Plan directs the City to ensure that facilities and services needed to support development are available concurrent with the impacts of new development.

The following concurrency analysis reflects the proposed redevelopment of the subject property. The site has a floor area of 1,712 sq. ft. and a lot size of 8,173.32 sq. ft.

1. Potable Water & Sanitary Sewer
2. Recreation
3. Solid Waste
4. Drainage
5. Roads/Trip Generation

The following concurrency analysis reflects the proposed redevelopment of Mallory Square. The site has a floor area of 43,910 sq. ft. on a lot size of 154,988 sq. ft.

Potable Water & Sanitary Sewer "Planned improvements in potable water and/or wastewater systems required to establish and/or maintain adopted water and wastewater levels of service. System improvements and proposed funding resources required for implementing any improvements required to establish and/or maintain adopted potable water and wastewater system level of service standards³:"

Potable Water. Policy 4-1.1.2.C of the City of Key West Comprehensive Plan sets the level of service for potable water at 100 gal/ capita/day.

Existing capacity required (measured by floor area): 25.5 gal/day

The total capacity required for the use on **0.039 acres**

100 gal/acres/day x 0.039 acres = 25.5 gal/day

Proposed capacity required (measured by floor area): 25.5 gal/day

The total capacity required for the use on **0.039 acres**

100 gal/acres/day x 1.008 acres = 25.5 gal/day

³ The City of Key West's comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

Based on the concurrency management calculation prescribed in the Comprehensive Plan, there is no increase in the proposed capacity required by Key West Comprehensive Plan LOS standards; the Florida Keys Aqueduct Authority has the capacity to supply adequate service to this property, as demonstrated in the following:

Notwithstanding, the Florida Keys Aqueduct Authority ("FKAA") has adequate supply capacity to serve the potential development. FKAA has constructed facilities on the mainland in Florida City to expand water supply for the Florida Keys. This permitted and constructed improvement enables FKAA to provide over 23 MGD, which will provide sufficient capacity through 2022⁴. Operational in 2011, the recent expansion of the R.O. plant will provide 6.0 MGD, which combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, increased available water supply to 23 MGD for the Florida Keys.

Expanded Florida City R.O. Plant. The Department of Health issued Permit # 150092-007-wc/04 (Exhibit I) on November 14, 2006 to allow for the construction of an expanded reverse osmosis (R.O.) water plant in Florida City. The expanded water plant is designed to treat blended Floridian Aquifer water as an alternative water source to the Biscayne Aquifer. The permit design capacity of the expanded R.O. plant is 6 MGD.

Revised Water Use Permit. The SFWMD issued revised Water Use Permit (WUP) #13-00005-W (Exhibit II) on March 26, 2008, which recognizes the additional blended Floridian Aquifer capacity that will be provided by the expanded R.O. plant. Interim Water Use Allocations in the WUP permit provide FKAA with an allocation of 17.00 MGD (dry season) and 17.79 GPD (wet season) which may be withdrawn from the Biscayne Aquifer and allows FKAA to utilize the Stock Island and Marathon Reverse Osmosis plants for any demands exceeding the interim withdrawal limit, pending completion of the R.O. plant in Florida City. The Stock Island and Marathon R.O. plants have a combined capacity of 3.0 MGD providing an interim WUP water supply of 20.0 MGD during the dry season if needed. Once operational in 2010, the R.O. plant will provide an additional 6.0 MGD, which when combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, will increase available water supply to 23 MGD for the Florida Keys.

The interim allocation of 20 MGD (7,300 MG/year) through 2010 and 23 MGD after 2010 provides ample water supply to support the adopted amendment and allocated growth well beyond 10 years. The "Monroe County 2007 Annual Public Facilities Report" documents historic water use in the Florida Keys. Water demand has fluctuated significantly on an annual basis, however when evaluated over a ten-year period, the data shows an increase in water demand of more than 1 billion gallons over the last 10 years with an annual average

⁴ Excerpt from Analysis by Kenneth B. Metcalf, AICP, (Greenberg Traurig, P.A.), August 22, 2008.

increase of approximately 104 MG/year. This increase in demand can be shown in the following calculation:

1996 annual water demand = 5,272 MG /year

2006 annual water demand = 6,310 MG /year

Average Annual Increase = $(6,310 \text{ MG} - 5,272 \text{ MG}) / 10 = 103.8 \text{ MG /year}$

Based on the average annual increase of 103.8 MG per year, the interim allocation would be sufficient for an additional 9.5 years of growth beyond 2006 or through 2015 until demand reaches the interim permitted withdrawal of 20 MGD (7,300 MG/year). Since completion of the Florida City facilities, the 23 MGD allocation is available to support yet another 9.5 years of growth. Based on these findings, sufficient permitted water supply is available to meet the needs of the Florida Keys through 2024.

Improvements Schedule/Status. Condition 30 of the WUP provides the R.O. plant and the associated Floridian deep wells that will provide 23 MGD of capacity through 2024:

- DEP Underground Injection and Control permit was obtained on May 21, 2008.
- Construction contracts were required within 180 days or by November 21, 2008;
- Testing is required within one year and 30 days from issuance of the permit or by June 21, 2009.
- The R.O. plant construction was completed in January, 2010.

Sanitary Sewer

Policy 4-1.1.2.A of the City of Key West Comprehensive Plan sets the level of service for nonresidential sanitary sewer at 660 gal/acre/day.

Existing capacity required (measured by floor area): **25.7 gal/day**

The total capacity required for the non-residential use on **0.039 acres**

$660 \text{ gal/acre/day} \times 0.039 \text{ acres} = \text{gal/day}$

Proposed capacity required (measured by floor area): **25.7 gal/day**

The total capacity required for the non-residential use on **0.039 acres**

$$660 \text{ gal/acres/day} \times 0.039 \text{ acres} = 25.7 \text{ gal/day}$$

Based on the concurrency management calculation prescribed in the Comprehensive Plan, there is no increase in the proposed total capacity; by the City of Key West Comprehensive Plan LOS standards, the current wastewater treatment plant has the potential treatment capacity of 10 million gallons per day. Only 4.8 million gallons per day of capacity are currently utilized⁵. The current plant has the capacity to supply service to this project's needs.

Recreation- "In cases where residential development is proposed, information shall be submitted describing plans for accommodating recreational demands generated by the development, including demonstrated evidence that the City's adopted level of service for recreation shall not be adversely impacted⁶:"

No residential development is proposed.

Solid Waste- "Projected demand generated by the development on the solid waste disposal system and assurances that the City's adopted level of service for solid waste disposal shall not be adversely impacted⁷:"

Policy 4-1.1.2.D of the City of Key West Comprehensive Plan sets the level of service for nonresidential solid waste disposal at 6.37 lb/capita/day⁸.

Existing capacity required (measured by floor area): **57.33 lbs/day**

The total capacity required for the non-residential use on **9 employees**⁹ $6.37 \text{ lb/capita/day} \times 9 \text{ employees} = 57.33 \text{ lbs/day}$

Proposed capacity required (measured by floor area): **57.33 lbs/day**

The total capacity required for the non-residential use on **9 employees**
 $6.37 \text{ lb/capita/day} \times 9 \text{ employees} = 57.33 \text{ gal/day}$

$$6.37 \text{ lb/capita/day} \times 9 \text{ people} = 57.33 \text{ lbs/day}$$

Waste Management has more than enough capacity to handle the waste stream¹⁰.

⁵ Per September 3, 2010 memo from Greg Smith, project Manager for CH2M Hill OMI (Exhibit III)

⁶ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

⁷ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

⁸ For these calculations, we chose to use the number of employees to represent the "capita." Based on the Planner's Estimating Guide by Arthur C. Nelson (2004) which indicates 1 employee per 200 sq. ft. for bars/restaurants

⁹ Based on employment density figures from pg. 55 of the Planner's Estimating Guide (Nelson, 2004)

¹⁰ Per January 25, 2010 memo from Jay Gewin, City of Key West (Exhibit V)

Drainage - "Conceptual plan for accommodating storm water run-off and demonstrated evidence that the proposed drainage improvements shall accommodate storm water run-off without adversely impacting natural systems or the City's adopted level of service for storm drainage¹¹"

This site will meet the minimum requirements through best management practices as depicted on the attached stormwater management plans and approved by Reso. 02-101.

Roads/Trip Generation- "Estimated trips for the peak hour generated by the proposed land use(s) together with anticipated on- and off-site improvements necessitated to accommodate the traffic impacts generated by the redevelopment including, additional R/W, roadway improvements, additional paved laneage, traffic signalization, proposed methods for controlling access and egress, and other similar improvements¹²:"

This site is located on the corner of White and Catherine Streets. The change from the approved 24-seat fast food restaurant (without drive-through) to a quality restaurant with 50 seats will decrease projected traffic generation. Because of its location within the HNC-1 subdistrict, it is regulated further by Sec. 122-776 (d) (1) which was established to limit the intensity of future development within the HNC district by the following threshold:

Within the HNC-1 subdistrict, excepting sites abutting Simonton Street and Truman Avenue, land use activities shall generate no more than 100 trips per 1,000 square feet of gross leasable floor area per day.

For the purposes of calculating traffic generation we used the Institute of Transportation Engineer's 7th Edition Trip Generation Volumes.

¹¹ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

¹² The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
<i>Previously Approved Use</i>								
Bread / Donut / Bagel Shop w/out Drive-Through	1,866 SF	1,047	62	69	131	26	26	52
Total (Approved)		1,047	62	69	131	26	26	52
<i>Currently Proposed Use</i>								
High-Turnover (Sit-Down) Restaurant	1,866 SF	237	11	9	20	11	7	18
Total (Proposed)		237	11	9	20	11	7	18
Difference (Proposed - Approved)			(810)	(51)	(60)	(111)	(15)	(34)

Compiled by: KBP Consulting, Inc. (April 2017).

Source: Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition).

Land Use	Size (sq. ft.)	Daily Trips	AM Peak Hour Trip			PM Peak Hour trips		
			In	Out	Total	In	Out	Total
<i>Previously Existing Use</i>								
Health/Fitness Club	1,866	61.45	0.94	1.31	2.26	3.03	1.98	4.05
Total (Previously Existing)		--	0.94	1.31	2.26	3.03	1.98	4.05
<i>Currently Proposed Use</i>								
High-Turnover (Sit-Down) Restaurant	1,866	237	11	9	20	11	7	18
Total (Proposed)		--	11	9	20	11	7	18
Difference (Proposed - Approved)		--	10.06	7.69	17.74	7.97	5.02	13.95

As demonstrated in the trip generation table above, the existing potential trip generation is a grandfathered nonconformity; the proposed change will reduce this nonconforming potential trip generation in a significant manner.

1. Potential Trip Generation - Based on the ITE Trip Generation Manual predictions, the proposed change in type of eating establishment will result in a considerable reduction in trip generation as follows:
 - Weekday: -1,161.1 trips
 - Saturday: -1,116.6 trips
 - Sunday: -794.1 trips
2. The City of Key West's adopted level of service for recreational infrastructure is not affected by commercial development pursuant to the Comprehensive Plan.
3. Fire hydrant locations and life-safety requirements will be determined as per DRC direction or as otherwise required by the Fire Department.
4. Reclaimed water use is not anticipated.

June 9, 2017

Ms. Melissa Paul-Leto, Planner
City of Key West
1300 White Street
Key West, FL 33040

**Re: 1119 White Street
Traffic Statement - Addendum**

TREPANIER



& ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Dear Melissa:

This is an addendum to the Traffic Statement submitted yesterday.

The following analysis is potential trip generation for the previous use compared to the potential trip generation for the proposed use utilizing the trip generation rates and equations contained in the Institute of Transportation Engineer's (ITE) Trip Generation Manual (9th Edition).

According to the subject ITE manual, the most appropriate land use category for the immediate past use is Land Use Code #492 – Health/Fitness Club; the most appropriate land use category for the proposed use is Land Use #932 – High-Turnover (Sit-Down) Restaurant.

The trip generation rates used to determine the vehicle trips associated with this analysis are presented below.

Health/Fitness Club – ITE Land Use Code #492

- Weekday: $T = 32.93 (X)$
where T = number of trips and X = 1,000 square feet of gross floor area
- AM Peak Hour: $T = 1.21 (X)$ (42% in / 58% out)
- PM Peak Hour: $T = 4.05 (X)$ (51% in / 49% out)

High-Turnover (Sit-Down) Restaurant – ITE Land Use #932

- Weekday: $T = 127.15 (X)$
where T = number of trips and X = 1,000 square feet of gross floor area
- AM Peak Hour: $T = 10.81 (X)$ (55% in / 45% out)
- PM Peak Hour: $T = 9.85 (X)$ (60% in / 40% out)

Trip Generation Summary 1119 White Street – Key West Florida								
Land Use	Size (sq. ft.)	Daily Trips	AM Peak Hour Trip			PM Peak Hour trips		
			In	Out	Total	In	Out	Total
<i>Previously Existing Use Health/Fitness Club</i>	1,866	61.45	0.94	1.31	2.26	3.03	1.98	4.05
Total (Previously Existing)	--	61.45	0.94	1.31	2.26	3.03	1.98	4.05
<i>Currently Proposed Use High-Turnover (Sit-Down) Restaurant</i>	1,866	237	11	9	20	11	7	18
Total (Proposed)	--	237	11	9	20	11	7	18
Difference (Proposed – Approved)	--	175.55	10.06	7.69	17.74	7.97	5.02	13.95

As indicated above, the proposed use (high-turnover sit-down restaurant) at 1119 White Street is expected to generate 237 daily vehicle trips, 20 AM peak hour vehicle trips (11 inbound and 9 outbound), and 18 PM peak hour vehicle trips (11 inbound and 7 outbound). When compared with the previously approved use (Health/Fitness Club) at this location, this represents an increase of 176 daily vehicle trips, an increase of 17.74 AM peak hour vehicle trips, and a decrease of 13.95 PM peak hour vehicle trips.

Sincerely,

Owen Trepanier

5. As demonstrated by Concurrency Analysis, there will be no adverse effects on public facilities.

Exhibits

Exhibit I – Department of Health Permit #150092-007-wc/04

Exhibit II – Water Use Permit (WUP) #13-00005-W

Exhibit III – September 3, 2010 Wastewater Memo

Exhibit IV – Map of the City of Key West's Existing Recreation Services

Exhibit V – January 25, 2010 Solid Waste Memo

Exhibit I

Department of Health Permit #150092-007-wc/04



Jeb Bush
Governor

M. Rony Frannis, M.D., M.S.P.H., Ph.D.
Secretary

Lillian Rivera, RN, MSN, Administrator

PERMITTEE:

Florida Keys Aqueduct Authority (FKAA)
C/o Ray M. Shimokubo
PO BOX 1239, Kennedy Drive
Key West, Florida 33041-1239

PERMIT No: 150092-007-WC/04
DATE OF ISSUE: November 14, 2006
EXPIRATION DATE: November 13, 2011
COUNTY: MIAMI-DADE COUNTY
LAT./LONG.: 25°26'25" N / 80°30'33" W
SECTION/TOWNSHIP/RANGE:
PROJECT: Reverse Osmosis (RO) Expansion
Facility, 6.0 MGD Permeate production with
blending options at FKAA J.Robert Dean WTP
Florida City, Dade County

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 62-4, 62-550, 62-555 & 62-560. The above named permittee is hereby authorized to perform the work shown on the application, technical specifications approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TO CONSTRUCT: A Reverse Osmosis, (RO) treatment facility with a permeate capacity of up to 6 Million Gallons per Day, (MGD) produced from Phase I, consisting of three (3) 1.5 MGD trains or Phase II, consisting of an additional 1.5 MGD or four (4) 1.5 MGD trains. The RO facility will be fully integrated with the existing lime softening plant.

There will be the option of bypassing a limited amount of pretreated Floridan aquifer water and blending it with RU permeate thus adding alkalinity to the product water and increasing the overall plant "net" recovery. The RO system product water (degasified permeate/blended permeate) will be combined (blended) with existing lime softening plant product and a limited amount of cartridge-filtered Biscayne Aquifer RO bypass water. The blended product water will receive chemical addition and be transferred to existing finished water storage facilities and pumped to distribution with existing high service pumps.

The water treatment plant construction permit application is for 6 MGD RO permeate capacity plus up to 3 MGD cartridge filtered Biscayne Aquifer blend flow and up to 0.576 MGD (400 gpm) pretreated Floridan Aquifer feed water bypass (which blends with RO permeate), and up to 0.7 MGD Floridan Aquifer water which blends with the existing lime softening facility influent Biscayne Aquifer water. The full operation of all the above described facility units could raise the Possible Facility Output Capacity to greater than 23.8 MGD existing permissible, plus 6.0 MGD covered under this permit application.

No other facilities or new wells are part of this permit.

TO SERVE: The Florida Keys Water Distribution System, Monroe County, Florida.



Samir Elmir, M.S., P.E., DEE, Division Director
Miami-Dade County Health Department
Environmental Health and Engineering
1725 N. W. 167th Street, Miami, Florida 33056
Tel: (305) 623-3500 Fax: (305) 623-3502
Email: Samir_elmir@doh.state.fl.us
Website: www.dadehealth.org

"A"

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (a) Have access to and copy any records that must be kept under conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

PERMIT NO: 150092-007-WC/04

PERMIT ISSUE DATE: November 14, 2006

- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence if the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- Determination of Best Available Control Technology (BACT)
- Determination of Prevention of Significant Deterioration (PSD)
- Certification of compliance with state Water Quality Standards (Section 401, PL 92-500)
- Compliance with New Source Performance Standards

PERMIT NO: 150092-007-WC/04

PERMIT ISSUE DATE: November 14, 2006

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SPECIFIC CONDITIONS:

1. The applicant is responsible for retaining the engineer of record in the application for supervision of the construction of this project and upon completion, the engineer shall inspect for complete conformity to the plans and specifications as approved.

2. All concrete coatings/admixtures, liners, grouts, hoses, tubings, and protective paints and coatings shall be listed by the National Sanitation Foundation as acceptable for contact with potable water.

3. Bacteriological points depicted on the plans may be modified with Department consent to meet convenient locations where taps would be inserted in the Main for Fire, Metering, Air Release or other connections but not less than 900 foot intervals for new mains. "Additionally, each part or system module shall be Bacteriologically cleared with 2 consecutive days of sampling before being placed in service as well as the final stream going to storage and subsequent service.

4. The Applicant or his designee shall notify The Department at the local DOH office of the start of the study/construction for purposes of allowing Department Personnel to observe the actual process.

5. The owner or permittee is advised that approval is given to the functional aspects of this project on the basis of representation, and data furnished to this division. There may be County, Municipal or other Local Regulations to be complied with by the owner or permittee prior to construction of the facilities represented by the plans referred to above.

6. This construction permit is issued with the understanding that pipe material and appurtenances used in this installation will be in accordance with the latest applicable AWWA & NSF Standards for public water supplies.

7. The applicant Public Water System as a condition of this permit is hereby advised they shall revert to (2) two-six Month periods of standard monitoring for Lead and Copper upon issuance of Clearance to put the facilities into service. If no Lead or Copper exceedance occurs within the 2-6 Month periods, the System may return to annual monitoring.

PERMIT NO: 150092-007-WC/04

PERMIT ISSUE DATE: November 14, 2006

8. Prior to placing a system into service, the applicant shall submit to the Department, if requested, one set of record drawings of the completed project with completed form DEP 62.555.910(9) [Certification of Construction Completion and Request for a Letter of Clearance to Place a Public Drinking water facility into Service] signed by the engineer of record. Drawings are to be at the same scale and in the same sequence as those submitted and approved for permit. Deviations from the original permitted drawings are to be highlighted and/or noted for the Department's review. Include with the DEP form the bacteriological clearance data, pressure test results and backflow inspection certification (if applicable).

Issued this 30th day of November 2006

STATE OF FLORIDA
DEPARTMENT OF HEALTH

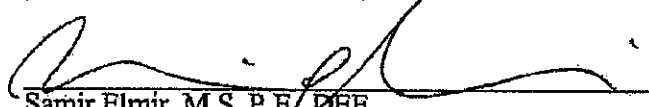

Samir Elmir, M.S., P.E./D.E.E.,
Division Director

Exhibit II

Water Use Permit (WUP) #13-00005-W



FORM #0299
Rev. 5/03

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT NO. RE-ISSUE 13-00005-W
(NON - ASSIGNABLE)**

Date Issued: 13-MAR-2008

Expiration Date: March 13, 2028

Authorizing: THE CONTINUATION OF AN EXISTING USE OF GROUND WATER FROM THE BISCAYNE AQUIFER AND FLORIDAN AQUIFER SYSTEM FOR PUBLIC WATER SUPPLY USE WITH AN ANNUAL ALLOCATION OF 8750.84 MILLION GALLONS.

Located In: Miami-Dade County, S26/T57S/R38E

Issued To: FLORIDA KEYS AQUEDUCT AUTHORITY FKA
(FLORIDA KEYS AQUEDUCT AUTHORITY)
1100 KENNEDY DR
KEY WEST. FL 33401

This Permit is issued pursuant to Application No.050329-23 , dated March 29, 2005, for the Use of Water as specified above and subject to the Special Conditions set forth below. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, maintenance or use of activities authorized by this permit. Said application, including all plan and specifications attached thereto, is by reference made a part hereof.

Upon written notice to the permittee, this permit may be temporarily modified, or restricted under a Declaration of Water Shortage or a Declaration of Emergency due to Water Shortage in accordance with provisions of Chapter 373, Fla. Statutes, and applicable rules and regulations of the South Florida Water Management District.

This Permit may be permanently or temporarily revoked, in whole or in part, for the violation of the conditions of the permit or for the violation of any provision of the Water Resources Act and regulations thereunder.

This Permit does not convey to the permittee any property rights nor any privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation, or requirement affecting the rights of other bodies or agencies.

Limiting Conditions are as follows:

SEE PAGES 2 - 7 OF 7 (35 LIMITING CONDITIONS).

South Florida Water Management
District, by its Governing Board

On March 13, 2008
By [Signature]
Deputy Clerk

LIMITING CONDITIONS

1. This permit shall expire on March 13, 2028.
2. Application for a permit modification may be made at any time.
3. Water use classification:

Public water supply

4. Source classification is:

Ground Water from:
Biscayne Aquifer
Floridan Aquifer System

5. Annual allocation shall not exceed 8751 MG.

Maximum monthly allocation shall not exceed 809.0088 MG.

The following limitations to annual withdrawals from specific sources are stipulated:
Biscayne Aquifer-: 6,492 MG.

6. Pursuant to Rule 40E-1.6105, F.A.C., Notification of Transfer of Interest in Real Property, within 30 days of any transfer of interest or control of the real property at which any permitted facility, system, consumptive use, or activity is located, the permittee must notify the District, in writing, of the transfer giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer, as set forth in Rule 40E-1.6107, F.A.C.

Pursuant to Rule 40E-1.6107 (4), until transfer is approved by the District, the permittee shall be liable for compliance with the permit. The permittee transferring the permit shall remain liable for all actions that are required as well as all violations of the permit which occurred prior to the transfer of the permit.

Failure to comply with this or any other condition of this permit constitutes a violation and pursuant to Rule 40E-1.609, Suspension, Revocation and Modification of Permits, the District may suspend or revoke the permit.

This Permit is issued to:

Florida Keys Aqueduct Authority
1100 Kennedy Drive
Key West, Florida 33401

7. Withdrawal facilities:

Ground Water - Existing:

- 2 - 24" X 60' X 2000 GPM Wells Cased To 35 Feet
- 3 - 24" X 56' X 2000 GPM Wells Cased To 36 Feet
- 1 - 20" X 60' X 2100 GPM Well Cased To 20 Feet
- 2 - 24" X 57' X 2000 GPM Wells Cased To 37 Feet
- 1 - 24" X 60' X 1400 GPM Well Cased To 24 Feet
- 1 - 20" X 1300' X 2000 GPM Well Cased To 880 Feet
- 1 - 24" X 60' X 1400 GPM Well Cased To 20 Feet

Ground Water - Proposed:

4 - 17" X 1300' X 2000 GPM Wells Cased To 880 Feet

8. Permittee shall mitigate interference with existing legal uses that was caused in whole or in part by the permittee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the interference, mitigation will include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means.

Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1 in 10 year drought event that results in the:
 - (1) Inability to withdraw water consistent with provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or
 - (2) Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.
9. Permittee shall mitigate harm to existing off-site land uses caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm caused by withdrawals, as determined through reference to the conditions for permit issuance, includes:
 - (1) Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other governmental authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g. fill for construction, mining, drainage canal, etc.)
 - (2) Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or
 - (3) Land collapse or subsidence caused by reduction in water levels associated with consumptive use.
10. Permittee shall mitigate harm to the natural resources caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to the conditions for permit issuance includes:
 - (1) Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface,
 - (2) Reduction in water levels that harm the hydroperiod of wetlands,
 - (3) Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond,
 - (4) Harmful movement of contaminants in violation of state water quality standards, or
 - (5) Harm to the natural system including damage to habitat for rare or endangered species.
11. If any condition of the permit is violated, the permit shall be subject to review and possible modification, enforcement action, or revocation.

12. Authorized representatives of the District shall be permitted to enter, inspect, and observe the permitted system to determine compliance with special conditions.
13. The Permittee is advised that this permit does not relieve any person from the requirement to obtain all necessary federal, state, local and special district authorizations.
14. The permit does not convey any property right to the Permittee, nor any rights and privileges other than those specified in the Permit and Chapter 40E-2, Florida Administrative Code.
15. Permittee shall submit all data as required by the implementation schedule for each of the limiting conditions to: S.F.W.M.D., Supervising Hydrogeologist - Post-Permit Compliance, Water Use Regulation Dept. (4320), P.O. Box 24680, West Palm Beach, FL 33416-4680.
16. In the event of a declared water shortage, water withdrawal reductions will be ordered by the District in accordance with the Water Shortage Plan, Chapter 40E-21, F.A.C. The Permittee is advised that during a water shortage, pumpage reports shall be submitted as required by Chapter 40E-21, F.A.C.
17. Prior to the use of any proposed water withdrawal facility authorized under this permit, unless otherwise specified, the Permittee shall equip each facility with a District-approved operating water use accounting system and submit a report of calibration to the District, pursuant to Section 4.1, Basis of Review for Water Use Permit Applications.

In addition, the Permittee shall submit a report of recalibration for the water use accounting system for each water withdrawal facility (existing and proposed) authorized under this permit every five years from each previous calibration, continuing at five-year increments.

18. Monthly withdrawals for each withdrawal facility shall be submitted to the District quarterly. The water accounting method and means of calibration shall be stated on each report.
19. The Permittee shall notify the District within 30 days of any change in service area boundary. If the Permittee will not serve a new demand within the service area for which the annual allocation was calculated, the annual allocation may then be subject to modification and reduction.
20. Permittee shall implement the following wellfield operating plan:
The Biscayne Aquifer wellfield shall be operated according to the restrictions outlined in Limiting Conditions 5, 25, 26, and 27 of this permit. Upon completion and operation of the Reverse Osmosis system, pursuant to the schedule outlined in Limiting Condition 30, the Floridan Aquifer wellfield will be operated to provide the balance of the demands beyond those restrictions.
21. Permittee shall determine unaccounted-for distribution system losses. Losses shall be determined for the entire distribution system on a monthly basis. Permittee shall define the manner in which unaccounted-for losses are calculated. Data collection shall begin within six months of Permit issuance. Loss reporting shall be submitted to the District on a yearly basis from the date of Permit issuance.
22. Permittee shall maintain an accurate flow meter at the intake of the water treatment plant for the purpose of measuring daily inflow of water.
23. The Permittee shall continue to submit monitoring data in accordance with the approved saline water intrusion monitoring program for this project.
24. The Water Conservation Plan required by Section 2.6.1 of the Basis of Review for Water Use Permit Applications within the South Florida Water Management District, must be implemented in accordance with the approved implementation schedule.
25. In addition to the allocation specified in Limiting Condition 5, the permittee may apply a Special Event Peaking Factor Ratio of 1.3:1 to compensate for temporary increased demand during seasonal and Special Events up to a maximum daily withdrawal of 33.57 MG. The source limitations imposed by

Limiting Conditions 5 and 26 apply to the Special Event Peaking Factor Ratio. The permittee must notify the District in writing no less than 24 hours prior to applying this Special Event Peaking Factor Ratio and must specify the proposed duration of the use of the Special Event Peaking Factor Ratio. The use of the Special Event Peaking Factor Ratio shall be noted on the monthly pumpage reports.

26.

In addition to the allocations specified in Limiting Conditions 5 and 25, during the dry season (December 1 to April 30), FCAA shall limit their average day withdrawals from the Biscayne Aquifer to 17 MGD, calculated on a monthly basis. The remaining dry season demands shall be provided by the reverse osmosis system. During the remainder of the year from May 1 to November 30, the withdrawals from the Biscayne Aquifer shall be limited to the Base Condition water use for the Biscayne Aquifer of 6,492 MGY, or an average day of 17.79 MGD. Demands in excess of these volumes shall be provided by the Floridan Aquifer System wells and the emergency desalination facilities.

27.

Prior to the availability of the Floridan Aquifer reverse osmosis system, dry season demand in excess of the Biscayne Aquifer pumpage limitations specified in Limiting Condition 26 shall be obtained from emergency sources pursuant to Limiting Condition 29.

28.

In addition to the monthly reporting required in Limiting Condition 18, and prior to the operation of the Reverse Osmosis system, on the 15th day of each month during and immediately following the dry season extending from December 1 to April 30, FCAA shall file a written report with the District ("mid-month report") evaluating the following: 1) the daily pumpage to date during the last 30 days; and 2) any daily pumpage distribution for the remainder of the dry season as necessary to comply with the 17 MGD Biscayne Aquifer average dry season limitation. Such report shall also identify any remedial actions necessary to ensure compliance that through the remainder of the dry season the applicable Biscayne Aquifer pumpage limitations described above will be met. This report shall replace the other reports required by the Consent Agreement (including the June 15 post-dry season report and the February 15th mid-dry season additional demand report). Such mid-month report shall be evaluated by District staff and revised by the District as necessary to achieve compliance with the above. Upon completion and operation of the Reverse Osmosis system, pursuant to the schedule outlined in Limiting Condition 30, this report requirement shall cease and the monthly Biscayne Aquifer withdrawals shall be reported as required by Limiting Condition 18 of this permit.

29.

In order to reduce the potential for violating the 17 MGD Biscayne Aquifer average monthly withdrawal limitation during the dry season, FCAA must to the greatest extent practical utilize the emergency desalination facilities FCAA owns and operates at Stock Island and Marathon, which are potentially capable of treating saline water at rates up to 3.0 MGD. The FCAA shall use these two emergency desalination facilities as an alternative source of water in order to assist in limiting its dry season Biscayne Aquifer withdrawals. The FCAA's ability to use, and extent of use, of these emergency desalination facilities shall be subject to not causing (i) significant adverse affects to FCAA's water treatment or distribution system; or (ii) a violation of any applicable primary or secondary drinking water standards.

30.

The permittee shall adhere to the following schedule for the construction and operation of the Floridan Aquifer System reverse osmosis wellfield and treatment facility:

Florida Keys Aqueduct Authority - Schedule for Construction and Operation of Floridan Aquifer Production Well, Floridan Aquifer Reverse Osmosis Treatment Facility, and Demineralized Concentrate Disposal Well

--Reverse osmosis water treatment plant expansion
Award Contract - September 30, 2007
Complete Construction - December 31, 2009

- Deep Injection Well
 - Obtain FDEP Permit - March 31, 2008
 - Award Contract - 152 days after receiving FDEP Underground Injection Control Permit
 - Complete Drilling and Testing - 1 year and 30 days after receiving FDEP Underground Injection Control Permit
- Complete reverse osmosis water treatment plant system
 - Begin and Stabilize Operation - 2 years and 60 days after receiving FDEP Underground Injection Control Permit

31.

In the event that a milestone specified in the alternative water supply schedule and plan contained in Limiting Condition 30 is going to be missed, the permittee shall notify the Executive Director of the District in writing explaining the nature of the delay, actions taken to bring the project back on schedule and an assessment of the impact the delay would have on the rates of withdrawals from the Everglades water bodies and associated canals as defined in District CUP rules. The District will evaluate the situation and take actions as appropriate which could include: a) granting an extension of time to complete the project (if the delay is minor and doesn't affect the Everglades Waterbodies or otherwise violates permit conditions), b) take enforcement actions including consent orders and penalties, c) modify allocations contained in this permit from the Biscayne Aquifer including capping withdrawal rates until the alternative water supply project(s) are completed (in cases where the delay would result in violations of permit conditions) or d) working with the Department of Community Affairs to limit increase demands for water until the alternative water supply project is completed. In addition, Permittee shall make to the District payment of funds as identified below for non-compliance with any timeline for development of the Floridan Aquifer System production and treatment system as provided in Limiting Condition 30, as follows:

A. Reverse Osmosis Plant construction and operation timelines in Limiting Condition 30

- Award Contract - \$2,000.00 per week
- Complete Construction - \$2,000.00 per week

B. Floridan Deep Injection Well(s) Construction and Operation

- Award Contract - \$2,000.00 per week
- Complete drilling and Testing - \$2,000.00 per week
- Complete reverse Osmosis Water Treatment Plant System - \$2,000.00 per week
- Begin and Stabilize Operation - \$2,000.00 per week

32. Prior to any application to renew or modify this permit, the Permittee shall evaluate long term water supply alternatives and submit a long term water supply plan to the District. Within one year of permit issuance, the Permittee shall submit to the District an outline of the proposed plan. The assessment should include consideration of saline intrusion, wellfield protection, plans for compliance with applicable wellfield protection ordinances, expected frequencies and plans to cope with water shortages or well field failures, and conservation measures to reduce overall stresses on the aquifer.
33. For uses with an annual allocation greater than 10 MGD and a permit duration of 20 years, every five years from the date of permit issuance, the permittee shall submit a water use compliance report for review and approval by District Staff, which addresses the following:

1. The results of a water conservation audit that documents the efficiency of water use on the project site using data produced from an onsite evaluation conducted. In the event that the audit indicates additional water conservation is appropriate or the per capita use rate authorized in the permit is exceeded, the permittee shall propose and implement specific actions to reduce the water use to acceptable levels within timeframes proposed by the permittee and approved by the District.
2. A comparison of the permitted allocation and the allocation that would apply to the project based on current District allocation rules and updated population and per capita use rates. In the event the permit allocation is greater than the allocation provided for under District rule, the permittee shall apply for a letter modification to reduce the allocation consistent with District rules and the updated population and per capita use rates to the extent they are considered by the District to be indicative of long term trends in the population and per capita use rates over the permit duration. In the event that the permit allocation is less than allowable under District rule, the permittee shall apply for a modification of the permit to increase the allocation if the permittee intends to utilize an additional allocation, or modify its operation to comply with the existing conditions of the permit.
34. If at any time there is an indication that the well casing, valves, or controls leak or have become inoperative, repairs or replacement shall be made to restore the system to an operating condition. Failure to make such repairs shall be cause for filling and abandoning the well, in accordance with procedures outlined in Chapters 40E-3 and 40E-30, Florida Administrative Code.
35. It has been determined that this project relies, in part, on the waters from the Central and Southern Florida Project, and as such is considered to be an indirect withdrawal from an MFL water body under recovery (Everglades). The 2005-2006 Lower East Coast Water Supply Plan Update (February, 2007), which is the recovery plan for the Everglades, incorporates a series of water resource development projects and operational changes that are to be completed over the duration of the permit and beyond. If the recovery plan is modified and it is determined that this project is inconsistent with the approved recovery plan, the permittee shall be required to modify the permit consistent with the provisions of Chapter 373, Florida Statutes.

Exhibit III

September 3, 2010 Wastewater Memo

Mehdi Benkhatar

To: Jay Gewin
Subject: RE: Wastewater Capacity for the City of Key West

From: Jay Gewin [mailto:jgewin@keywestcity.com]
Sent: Friday, September 03, 2010 8:27 AM
To: Mehdi Benkhatar
Cc: Owen Trepanier
Subject: RE: Wastewater Capacity for the City of Key West

The City of Key West transports its wastewater to its state of the art wastewater treatment facility located on Fleming Key. The facility is permitted to treat 10 million gallons per day (mgd), and currently the average daily influent flow is 4.8 mgd. This average daily flow can go much higher during heavy rain and flood events, up to the capacity of the plant a few times during the year.

The Wastewater Treatment Plant is of course, the final destination for wastewater after it passes through the City's collection system. The capacity of the collection system varies at different locations on the island, as the wastewater passes through a series of lift stations on its way to the Treatment Plant.

*Jay Gewin
Utilities Manager
City of Key West
305-809-3902*

From: Mehdi Benkhatar [mailto:mehdi@owentrepanier.com]
Sent: Thursday, September 02, 2010 4:17 PM
To: Jay Gewin
Cc: Owen Trepanier
Subject: Wastewater Capacity for the City of Key West

Good afternoon Jay,

The City is asking Trepanier & Associates for information regarding the Key West's wastewater capacity. Would you be able to provide me a short memo similar to the one below explaining the current wastewater capacity situation?

Thanks very much,

Mehdi Benkhatar
Planner/Development Specialist
Trepanier & Associates, Inc.
305-293-8983

From: Jay Gewin [mailto:jgewin@keywestcity.com]
Sent: Monday, January 25, 2010 4:53 PM
To: Mehdi Benkhatar
Cc: Owen Trepanier
Subject: RE: Solid Waste Capacity for the City of Key West

Exhibit IV

Map of the City of Key West's Existing Recreation Services

The City of Key West's Recreation Facilities

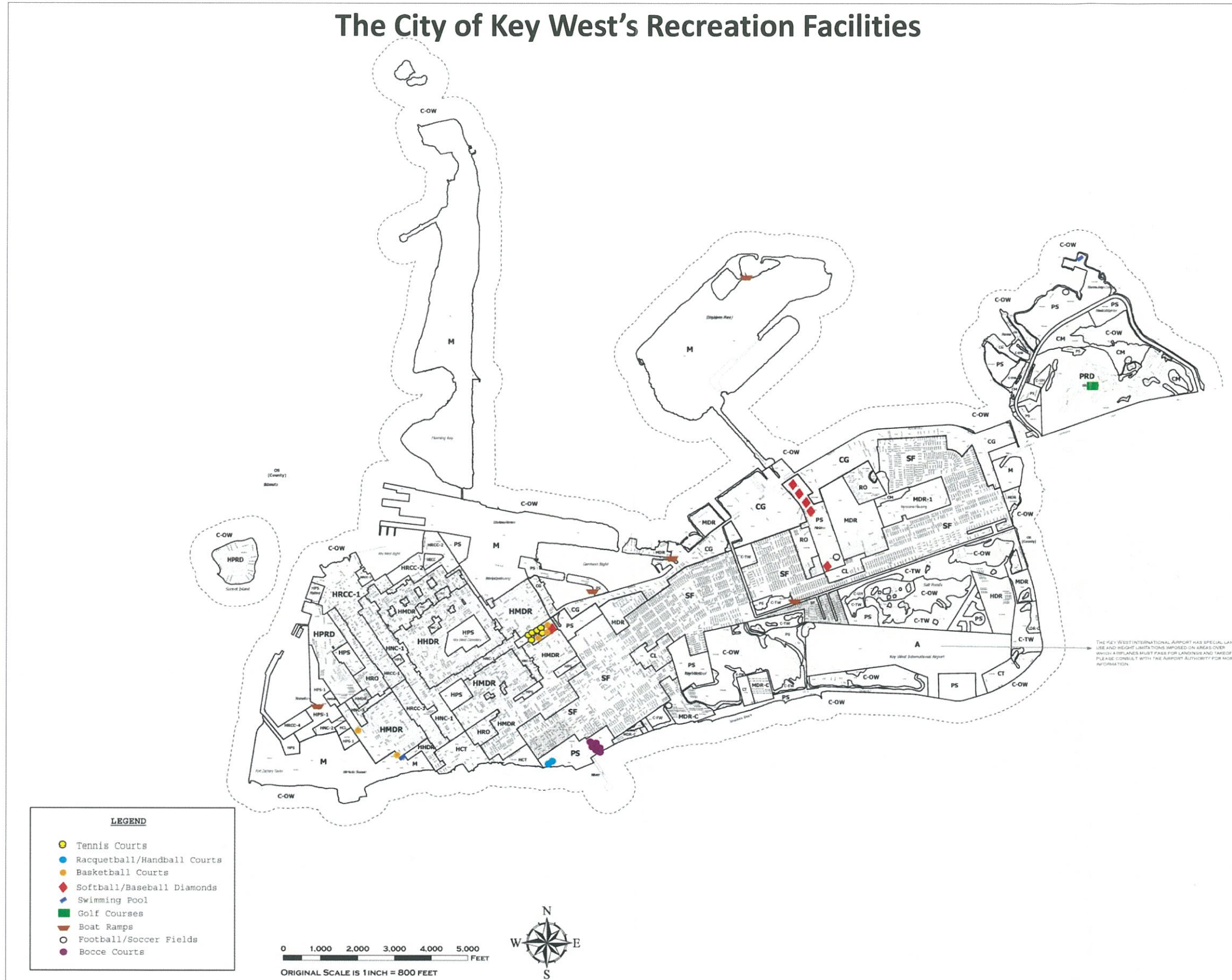


Exhibit V

January, 2010 Solid Waste Memo

Mehdi Benkhatar

Subject: FW: Solid Waste Capacity for the City of Key West

From: Jay Gewin [mailto:jgewin@keywestcity.com]
Sent: Monday, January 25, 2010 4:53 PM
To: Mehdi Benkhatar
Cc: Owen Trepanier
Subject: RE: Solid Waste Capacity for the City of Key West

The City of Key West ships its solid waste to one of two waste-to-energy facilities on the mainland, that are shared by other municipalities. Those facilities are capable of receiving 2,500 tons per day, and currently they are only receiving about 70% of that capacity. Our contractor, Waste Management, has informed us that we are in no way exceeding our capacity. ng

Primarily due to ROGO limitations, lack of buildable space, and economic factors; the population of Key West is not growing as fast as other high-growth areas of Florida. Therefore we have not had to plan for continued growth as other high-growth areas of Florida had in better economic times. We currently are generating approximately 15,000 tons of solid waste per year. In better economic times, that figure was closer to 50,000 or slightly higher. The City plans on increasing its rate of recycling which should lessen the amount of solid waste generated. Most of the recyclables are shipped to a single-stream recycle facility also located on the mainland. ste

*Jay Gewin
Utilities Manager
City of Key West
305-809-3902*

Authorization Form

City of Key West
Planning Department



Authorization Form
(Where Owner is a Business Entity)

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

I, Damien McCarthy as
Please Print Name of person with authority to execute documents on behalf of entity

Managing Member of 1119 White Street, LLC
Name of office (President, Managing Member) *Name of owner from deed*

authorize Trepanier & Associates, 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.

D. McCarthy
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 17th day of January 2017
Date

by Damien McCarthy
Name of person with authority to execute documents on behalf on entity owner

He/She is personally known to me or has presented Ireland Passport as identification.

[Signature]
Notary's Signature and Seal

Aaron Alexander
Name of Acknowledger typed, printed or stamped

FF 952354
Commission Number, if any

NOTARY PUBLIC
STATE OF FLORIDA
AARON ALEXANDER
MY COMMISSION # FF 952354
EXPIRES: January 20, 2020
Bonded Thru Budget Notary Services

Verification Form

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an entity)

I, Owen Trepainer, in my capacity as President
(print name) *(print position; president, managing member)*

of Owen Trepainer and Associates, 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:

1119 White Street

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 19th Jan 2017 by
date

Owen Trepainer

Name of Authorized Representative

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

Notary's Signature and Seal

Alvina Covington

Name of Acknowledger typed, printed or stamped



Alvina Covington
COMMISSION #FF913801
EXPIRES: August 27, 2019
WWW.AARONNOTARY.COM

FF913801

Commission Number, if any

Warranty Deed

Doc# 1605311 09/28/2006 10:50AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

09/28/2006 10:50AM
DEED DOC STAMP CL: JENNIFERH\$8,750.00

Return to: (Enclose self addressed stamped envelope)
Name: STONES & CARDENAS
221 Simonton Street
Key West, FL 33040
(305) 294-0252

Doc# 1605311
Bk# 2240 Pg# 2396

This Instrument Prepared By:

STONES & CARDENAS
221 Simonton Street
Key West, FL 33040
(305) 294-0252

WARRANTY DEED

THIS INDENTURE made this 22nd day of September, 2006, by and between 1119 White Street, LLC, a Florida limited liability company, whose address is 1119 White Street, Key West, FL 33040, as Grantor, and 1119 White Street LLC, a Florida limited liability company, whose address is 1119 White Street, Key West, FL 33040, as Grantee.

WITNESSETH: that said Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration to said Grantor, in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's successors, heirs, and assigns forever, the following described property, situate lying and being in the County of Monroe, State of Florida, to-wit:

On the Island of Key West and is known as a Part of Tract 14, according to William A. Whitehead's Map of said Island, delineated February, 1829, but now better known and described as Lots 3 and 4, according to corrected subdivision of Part of Middle 1/3, Tract 14, plat of which appears on record in Plat Book 1, Page 59 in the Office of the Clerk of the Circuit Court of Monroe County, Florida, said lots being described by metes and bounds as follows: Beginning at a point on the Northwesterly side of Catherine Street, which point is distant 218 feet Southwesterly from the Westerly corner of the intersection of Catherine Street and Georgia Street and running thence along the said Northwesterly side of Catherine Street in a Southwesterly direction 100 feet to White Street; thence at right angles along the Northeasterly side of White Street in a Northwesterly direction 81 feet, 6 inches; thence at right angles in a Northeasterly direction 100 feet, thence at right angles in a Southeasterly direction 81 feet, 6 inches to the point or place of beginning.

Parcel Identification Number: 00034460-000000

SUBJECT TO: Taxes for the year 2006 and subsequent years.

SUBJECT TO: Conditions, limitations, reservations and easements of record.

TOGETHER with all tenements, hereditaments and appurtenances, with every privilege, right, * "Grantor" and "Grantee" are used for singular or plural, as context requires

title, interest and estate, reversion, remainder and easement thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of the said property; that it is free of all encumbrances except as above stated; that Grantor has good right and lawful authority to sell the same; and that the Grantee shall have quiet enjoyment thereof. The said Grantor hereby fully warrants the title to said property, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Jesse Broome
Witness Name: Jesse Broome

Peter J. Micara
Witness Name: PETER J. MICARA

1119 White Street, LLC

By: Nikita Zdanow
Nikita Zdanow

State of New York
County of NASSAU

The foregoing instrument was acknowledged before me this 22nd day of September, 2006 by Nikita Zdanow of 1119 White Street, LLC, on behalf of said company. He/she is personally known or has produced a driver's license as identification.

[Notary Seal]

WARREN L. PAYTON
No. 8304060
Notary Public, State of New York
Qualified in Nassau County
My Commission Expires Sept. 17, 2010

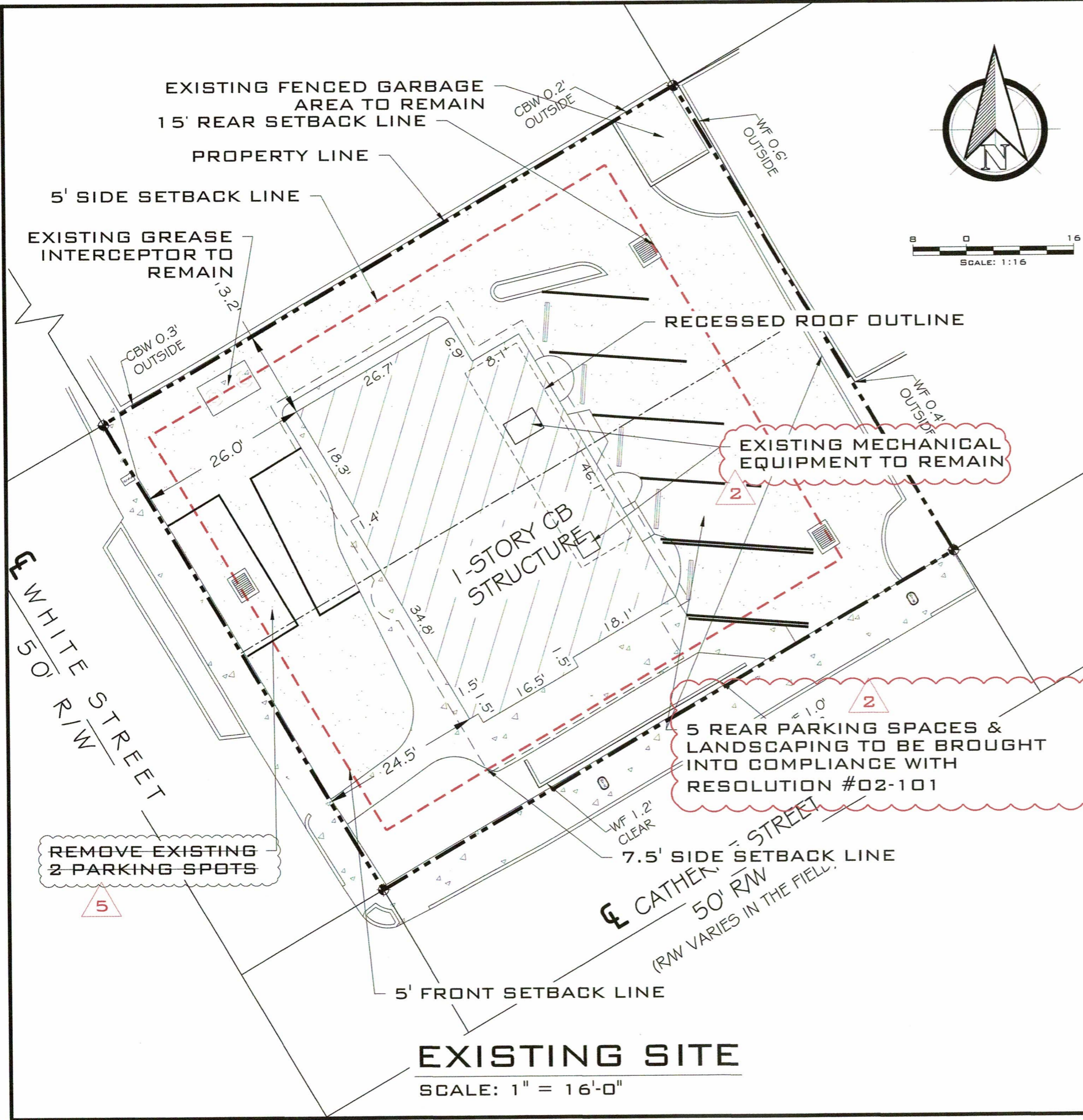
Warren L Payton
Notary Public

Printed Name: WARREN L PAYTON

My Commission Expires: September 17, 2010

MONROE COUNTY
OFFICIAL RECORDS

Site Plans



SITE DATA:

TOTAL SITE AREA: ±8,173.32 SQ.FT
 LAND USE: HNC-1
 FLOOD ZONE: X .2%

MAXIMUM IMPERVIOUS SURFACE RATIO:

REQUIRED: 60% (4,903.99 SQ.FT)
 APPROVED (PER RESO. 02-101) 92.20% (±7,536.04 SQ.FT.)
 PROPOSED NO CHANGE

MAXIMUM BUILDING COVERAGE:

REQUIRED 50% (4,086.66 SQ.FT)
 APPROVED (PER RESO. 02-101) 29.79% (±2,434.78 SQ.FT.)
 PROPOSED NO CHANGE

OPEN SPACE MINIMUM:

REQUIRED 35% (2,860.66 SQ.FT)
 APPROVED (PER RESO. 02-101) 07.80% (±637.28 SQ.FT.)
 PROPOSED NO CHANGE

SETBACKS

FRONT:
 REQUIRED 5 FT
 APPROVED (PER RESO. 02-101) ±22'-9" (OVERHANG)
 PROPOSED NO CHANGE

SIDE:
 REQUIRED 7.5 FT
 APPROVED (PER RESO. 02-101) ±6'-10" (OVERHANG)
 PROPOSED NO CHANGE

SIDE:
 REQUIRED 5 FT
 APPROVED (PER RESO. 02-101) ±10'-5" (OVERHANG)
 PROPOSED NO CHANGE

REAR:
 REQUIRED 15 FT
 APPROVED (PER RESO. 02-101) ±37'-10" (OVERHANG)
 PROPOSED NO CHANGE

MAXIMUM HEIGHT:
 REQUIRED 35 FT
 APPROVED (PER RESO. 02-101) ±14'-8"
 PROPOSED NO CHANGE

5 REAR PARKING SPACES & LANDSCAPING TO BE BROUGHT INTO COMPLIANCE WITH RESOLUTION #02-101

REMOVE EXISTING 2 PARKING SPOTS

EXISTING SITE
 SCALE: 1" = 16'-0"

2	SITE & DRC COMMENTS	BB	03/27/16
REV:	DESCRIPTION:	BY:	DATE:
STATUS:		FINAL	



ARTIBUS DESIGN
 3706 N. ROOSEVELT BLVD
 SUITE 1-208
 KEY WEST, FL 33040
 (305) 304-3512
 WWW.ARTIBUSDESIGN.COM
 CA # 30835

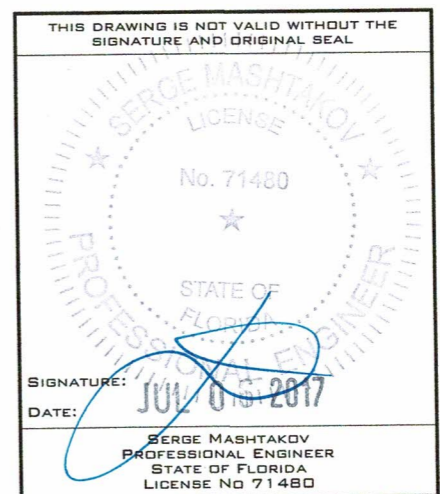
CLIENT: EDGAR BRASWELL
 1107 SOUTHARD ST
 KEY WEST, FL 33040

PROJECT: 1119 WHITE ST

SITE: 1119 WHITE ST
 KEY WEST, FL 33040

TITLE: EXISTING SITE DIAGRAM

SCALE AT 11x17:	DATE:	DRAWN:	CHECKED:
AS SHOWN	01/18/17	BDB	SAM
PROJECT NO:	DRAWING NO:	REVISION:	
1612-10	C-101	1	



SIGNATURE: [Signature]
 DATE: JUL 05 2017
 SERGE MASHTAKOV
 PROFESSIONAL ENGINEER
 STATE OF FLORIDA
 LICENSE NO 71480

APPLICABLE BUILDING CODE:
 FBC EXISTING BUILDING 5TH EDITION 2014
 LEVEL 2 ALTERATIONS

OCCUPANCY: ASSEMBLY GROUP A-2

OCCUPANCY LOAD: PER TABLE 1004.1.2 FBC

AREA LOAD (PER 1004.1.2)
 GROSS ±1,866 SF MAX124 (1 PER 15 SF)

99 TOTAL FOR INDOOR
 UNSPRINKLERED AREA PER 903.2.1.2 (2)

FIRST FLOOR:

INTERIOR BOOTH	20	EXTERIOR SIDE PATIO	08
2 TOP	02		
4 TOP	08		
COUNTER	12		

TOTAL INTERIOR	42	EXTERIOR	08
----------------	----	----------	----

50 SEATS TOTAL PROPOSED

24 CURRENTLY ALLOCATED TO PROPERTY

26 NEEDED

PARKING

CONSUMPTION AREA LOAD (PER 108-572 MUNI CODE)

INTERIOR	663.66
EXTERIOR	86.34
TOTAL CONS.	±750 SF

EXISTING CONS.	360 SF
NEW CONS.	390 SF

REQUIRED PARKING
 17 SPACES
 9 BIKES

PROPOSED PARKING
 7 CAR SPACES
 45 BIKE SPACES

4	CALCULATIONS	BB	06/08/17
3	SITE	BB	06/01/17
2	SITE & DRC COMMENTS	BB	03/27/16
REV:	DESCRIPTION:	BY:	DATE:
STATUS: FINAL			

ARTIBUS DESIGN
 ENGINEERING AND PLANNING

ARTIBUS DESIGN
 3706 N. ROOSEVELT BLVD
 SUITE 1-208
 KEY WEST, FL 33040
 (305) 304-3512
 WWW.ARTIBUSDESIGN.COM
 CA # 30835

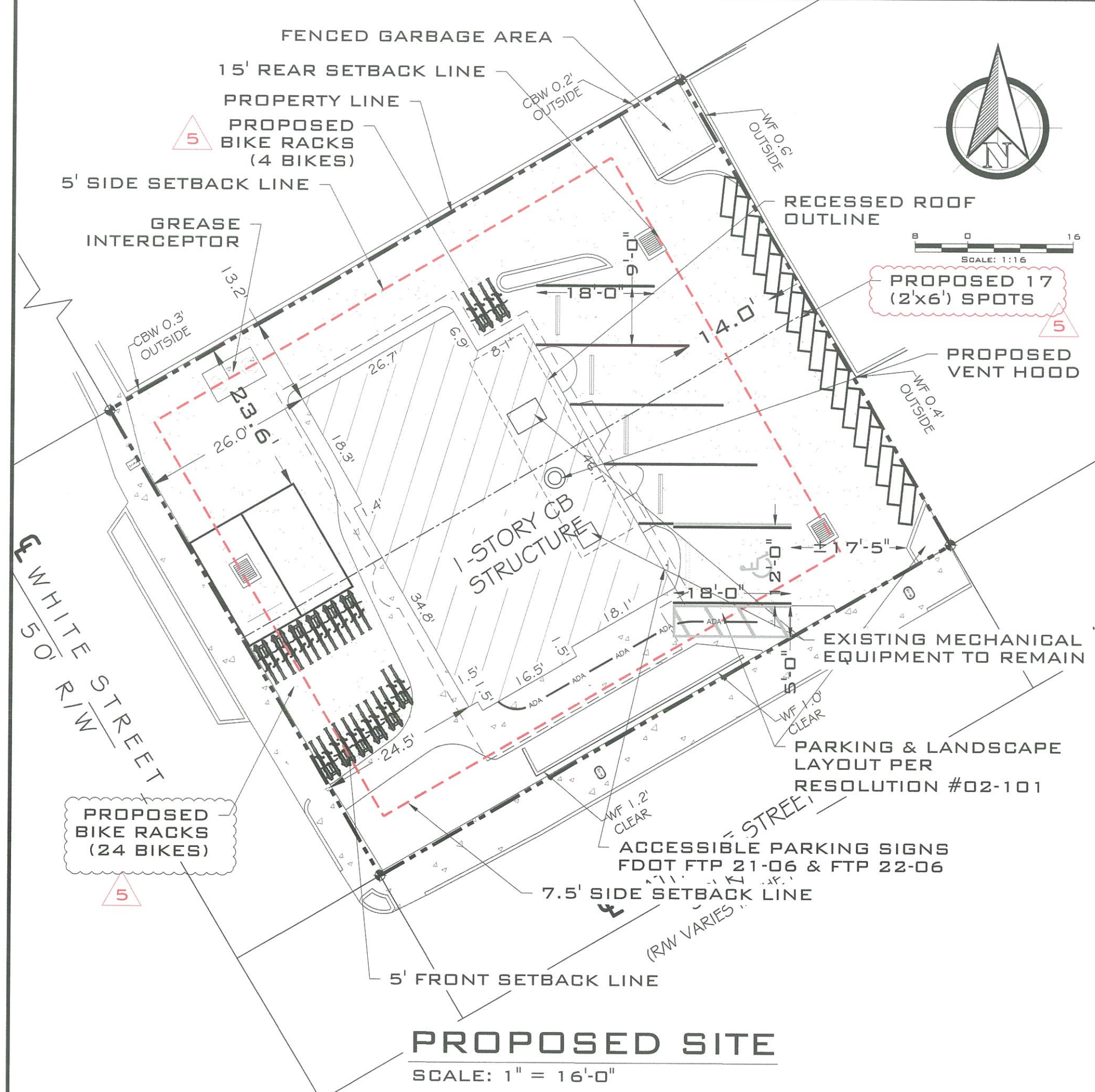
CLIENT: EDGAR BRASWELL
 1107 SOUTHARD ST
 KEY WEST, FL 33040

PROJECT: 1119 WHITE ST

SITE: 1119 WHITE ST
 KEY WEST, FL 33040

TITLE: PROPOSED SITE DIAGRAM

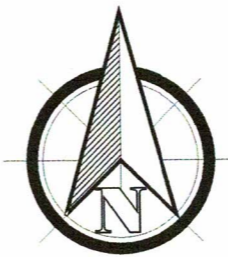
SCALE AT 11X17:	DATE:	DRAWN:	CHECKED:
AS SHOWN	01/18/17	BDB	SAM
PROJECT NO:	DRAWING NO:	REVISION:	
1612-10	C-102	1	



PROPOSED SITE
 SCALE: 1" = 16'-0"

THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL

SIGNATURE: *[Signature]*
 DATE: JUL 12 2017
 SERGE MASHTAKOV
 PROFESSIONAL ENGINEER
 STATE OF FLORIDA
 LICENSE NO 71480



EXISTING STORMWATER DRAINAGE SYSTEM TO REMAIN (UNDERGROUND EXFILTRATION TRENCHES)

STORMWATER MANAGEMENT NOTES:

NO PROPOSED CHANGES TO THE EXISTING STORMWATER SYSTEM AS APPROVED PER RESO. 02-101

2

2	SITE & DRC COMMENTS	BB	03/27/16
REV:	DESCRIPTION:	BY:	DATE:
STATUS:		FINAL	



ARTIBUS DESIGN
 3706 N. ROOSEVELT BLVD
 SUITE 1-208
 KEY WEST, FL 33040
 (305) 304-3512
 WWW.ARTIBUSDESIGN.COM
 CA # 30835

CLIENT:
 EDGAR BRASWELL
 1107 SOUTHARD ST
 KEY WEST, FL 33040

PROJECT:
 1119 WHITE ST

SITE:
 1119 WHITE ST
 KEY WEST, FL 33040

TITLE:
 STORMWATER MANAGEMENT PLAN

SCALE AT 1"=16':	DATE:	DRAWN:	CHECKED:
AS SHOWN	01/18/17	BDB	SAM
PROJECT NO:	DRAWING NO:	REVISION:	
1612-10	C-103	1	

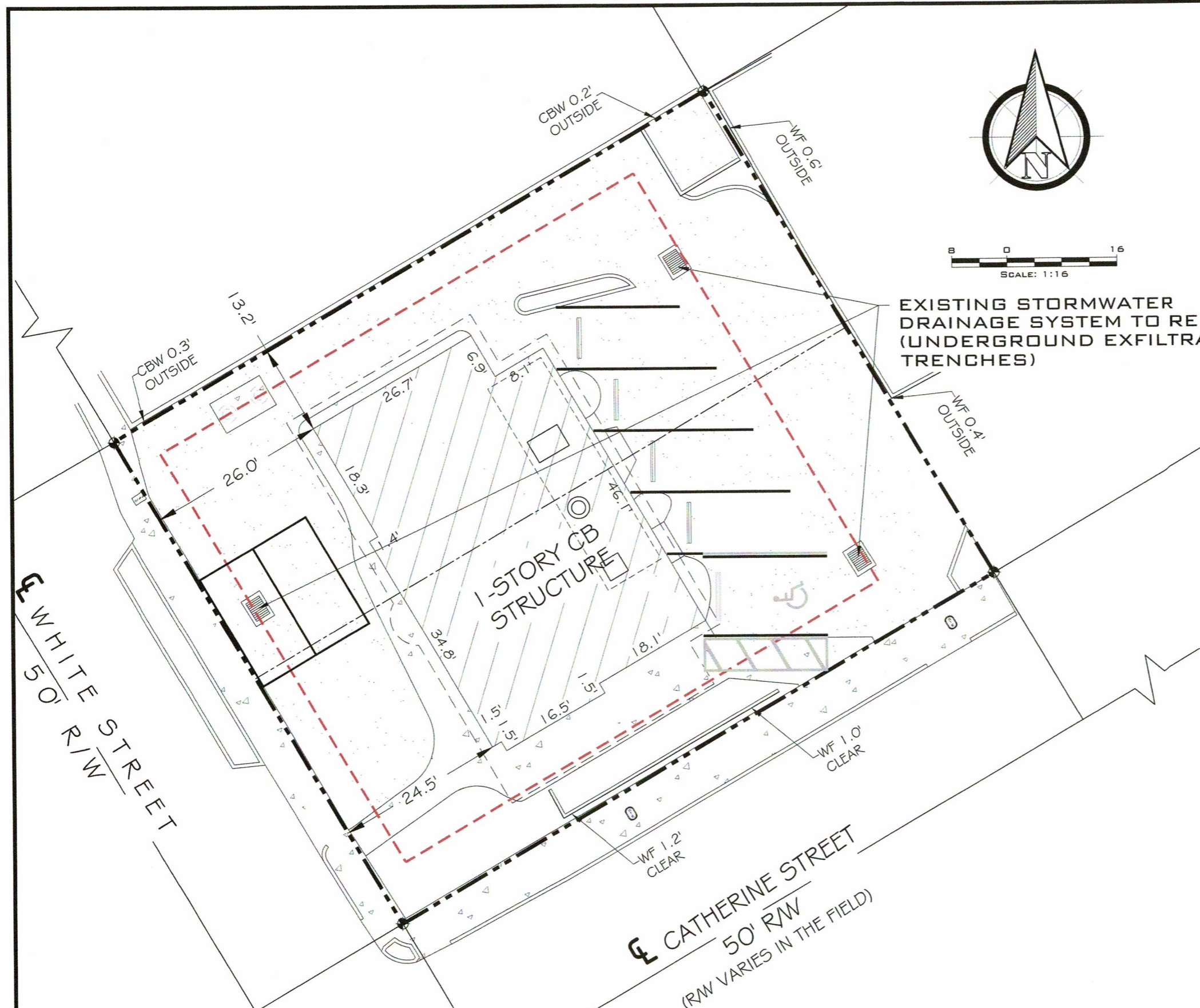
THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL

SIGNATURE: [Signature]
 DATE: JUL 06 2017

SERGE MASHTAKOV
 PROFESSIONAL ENGINEER
 STATE OF FLORIDA
 LICENSE No 71480

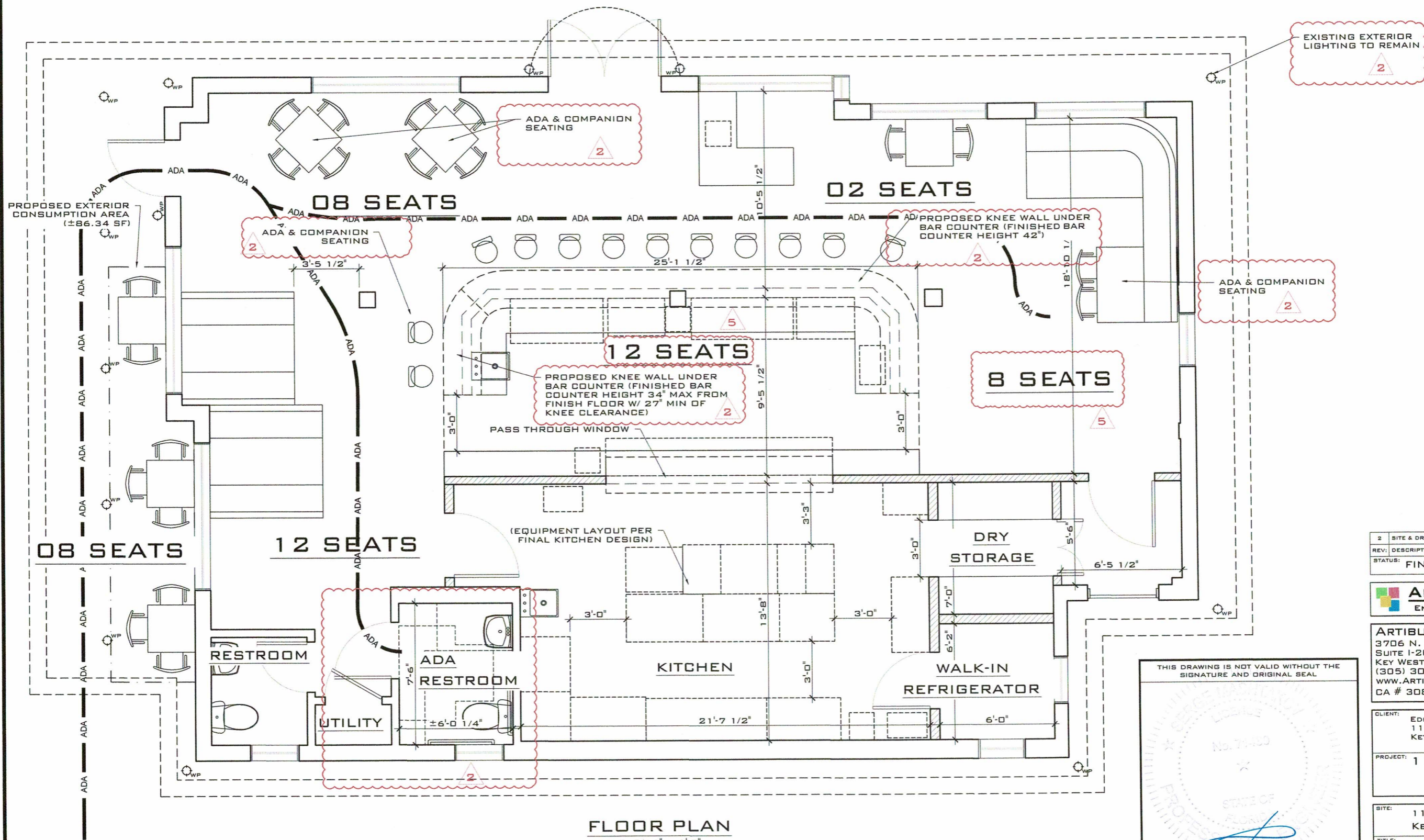
STORMWATER MANAGEMENT PLAN

SCALE: 1" = 16'-0"



50' R/W WHITE STREET

50' R/W CATHERINE STREET (RW VARIES IN THE FIELD)



FLOOR PLAN
SCALE: 3/16" = 1'-0"

2	SITE & DRC COMMENTS	BB	03/27/16
REV:	DESCRIPTION:	BY:	DATE:
STATUS: FINAL			



ARTIBUS DESIGN
3706 N. ROOSEVELT BLVD
SUITE 1-208
KEY WEST, FL 33040
(305) 304-3512
WWW.ARTIBUSDESIGN.COM
CA # 30835

CLIENT: EDGAR BRASWELL
1107 SOUTHWARD ST
KEY WEST, FL 33040

PROJECT: 1119 WHITE ST

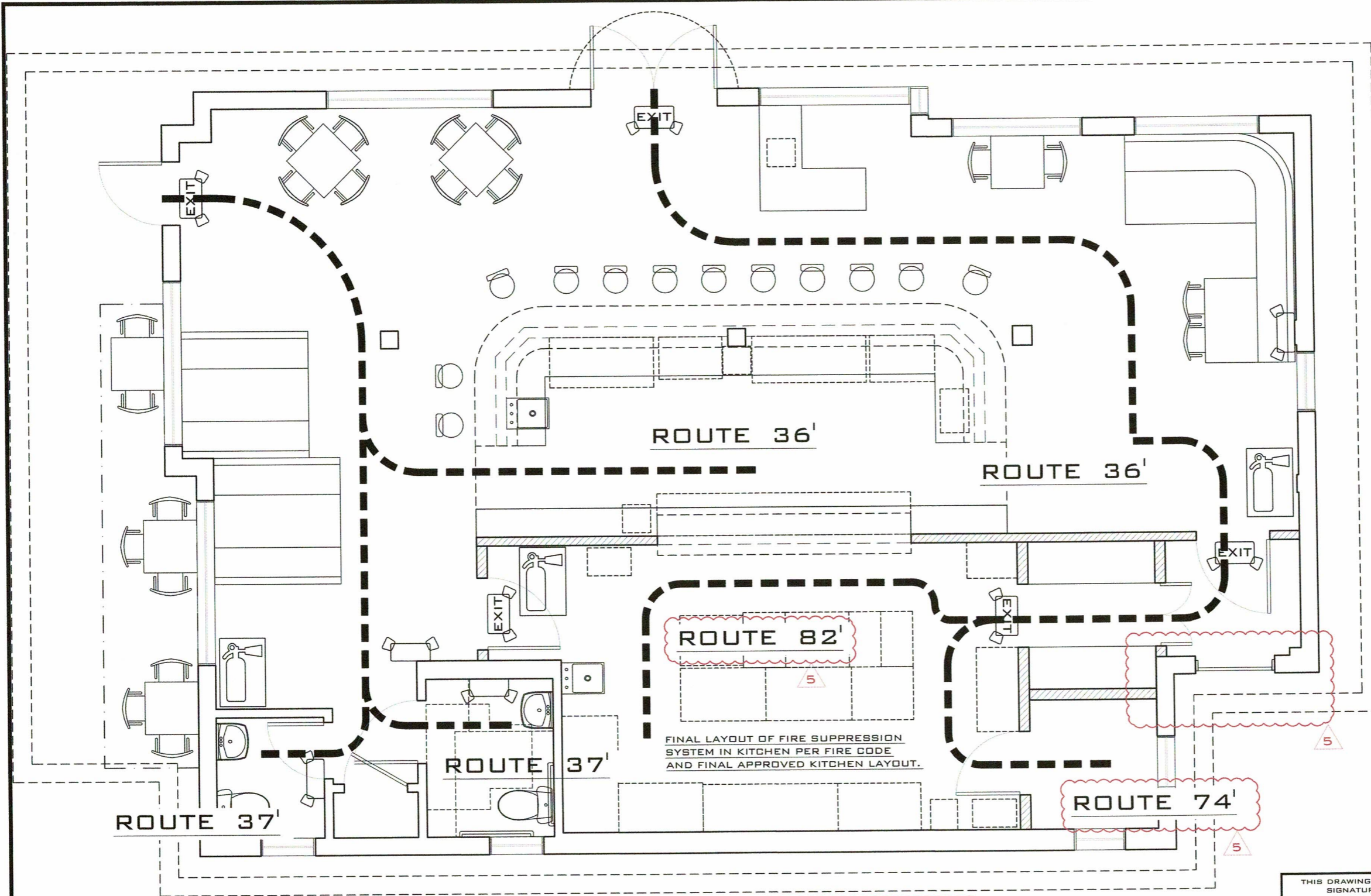
SITE: 1119 WHITE ST
KEY WEST, FL 33040

TITLE: PROPOSED PLAN

SCALE AT 1/16":	DATE:	DRAWN:	CHECKED:
AS SHOWN	01/18/17	BDB	SAM
PROJECT NO:	DRAWING NO:	REVISION:	
1612-10	A-102	1	

THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL

SIGNATURE: *[Signature]*
DATE: JUL 06 2017
SERGE MASHTAKOV
PROFESSIONAL ENGINEER
STATE OF FLORIDA
LICENSE NO 71480



SYMBOL LEGEND

	EMERGENCY LIGHTS ON BATTERY BACKUP
	EMERGENCY EXIT SIGN WITH LIGHTS ON BATTERY BACKUP
	CLASS 2-A FIRE EXTINGUISHERS (3) TOTAL

2	SITE & DRC COMMENTS	BB	03/27/16
REV:	DESCRIPTION:	BY:	DATE:
STATUS: FINAL			



ARTIBUS DESIGN
 3706 N. ROOSEVELT BLVD
 SUITE 1-208
 KEY WEST, FL 33040
 (305) 304-3512
 WWW.ARTIBUSDESIGN.COM
 CA # 30835

CLIENT: EDGAR BRASWELL
 1107 SOUTHARD ST
 KEY WEST, FL 33040

PROJECT: 1119 WHITE ST

SITE: 1119 WHITE ST
 KEY WEST, FL 33040

TITLE: LIFE SAFETY PLAN

SCALE AT 1/16" = 1'-0"	DATE: 01/30/17	DRAWN: BDB	CHECKED: SAM
PROJECT NO: 1612-10	DRAWING NO: A-103	REVISION: 1	

THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL

SIGNATURE: *[Signature]*
 DATE: JUL 06 2017

SERGE MASHTAKOV
 PROFESSIONAL ENGINEER
 STATE OF FLORIDA
 LICENSE NO 71480

NOTE:
 "PANIC BARS" TO BE INSTALLED ON ALL EMERGENCY EXITS.

LIFE SAFETY PLAN
 SCALE: 3/16" = 1'-0"

APPLICABLE BUILDING CODE:
 FBC EXISTING BUILDING 5TH EDITION 2014
 LEVEL 2 ALTERATIONS

OCCUPANCY: ASSEMBLY GROUP A-2
 MAXIMUM EMERGENCY EGRESS TRAVEL DISTANCE
 FBC TABLE 1016.2, OCCUPANCY A-2, WITHOUT SPRINKLER SYSTEM: 200 FT

MAXIMUM ROUTE: ±82 FT

CONSTRUCTION TYPE: TYPE V - B

ITEM	CONSTRUCTION TYPE	EXISTING	FBC TABLE 503	PROPOSED
MAX HEIGHT (FEET)	TYPE II - B	<40'	40'-0"	NO CHANGE
OCCUPANCY	GROUP A	GROUP A	GROUP A	NO CHANGE
MAX STORIES	1	1	1	NO CHANGE
MAX AREA	±1,866 SF	6,000 SF	6,000 SF	NO CHANGE

OCCUPANCY LOAD: PER TABLE 1004.1.2 FBC

AREA	LOAD (PER 1004.1.2)	REQ. EGRESS (PER 1005.3.2)	PROVIDED
GROSS 1,866 SF	MAX 124 (1 PER 15 SF)	99 X (0.20) = 19.8' WIDTH	150' (3-QTY)

99 TOTAL FOR INDOOR UNSPRINKLERED AREA PER 903.2.1.2 (2)

FBC TABLE 906.3(1)
 FIRE EXTINGUISHERS CLASS: 2-A
 MAXIMUM FLOOR AREA PER EXTINGUISHER: 3,000 SF
 MAXIMUM TRAVEL DISTANCE TO EXTINGUISHER: 75 FT

STAFF REPORT

DATE: May 30, 2017

RE: **1119 White Street
(Minor Development Plan Review)**

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

The Planning Department received an application for a Minor Development Plan at 1119 White Street. City Code of Ordinances requires review by the Tree Commission or Urban Forester prior to Planning Board review.

The property has a previously approved Landscape Plan (Res 02-101). The existing landscape is in line with what was originally approved except that groundcover plant species are missing. Attached is a site plan showing existing conditions of the property. The applicant has agreed to replant with golden creeper plants instead of the purple queen groundcover plants.

It is not recommended that the hibiscus plantings along the northwest property line against the existing concrete wall be planted. Therefore, a landscape waiver is required for this area.

The Landscape Plan that currently exists, with the addition of the golden creeper plants, is over 70% native vegetation. No existing trees or palms on the property are being removed.

It is recommended that the applicant submit a clean landscape drawing for the file showing existing conditions of the property with the addition of the golden creeper plants.

Recommendation: Recommend approval of the Landscape Plan With Waiver at 1119 White Street.







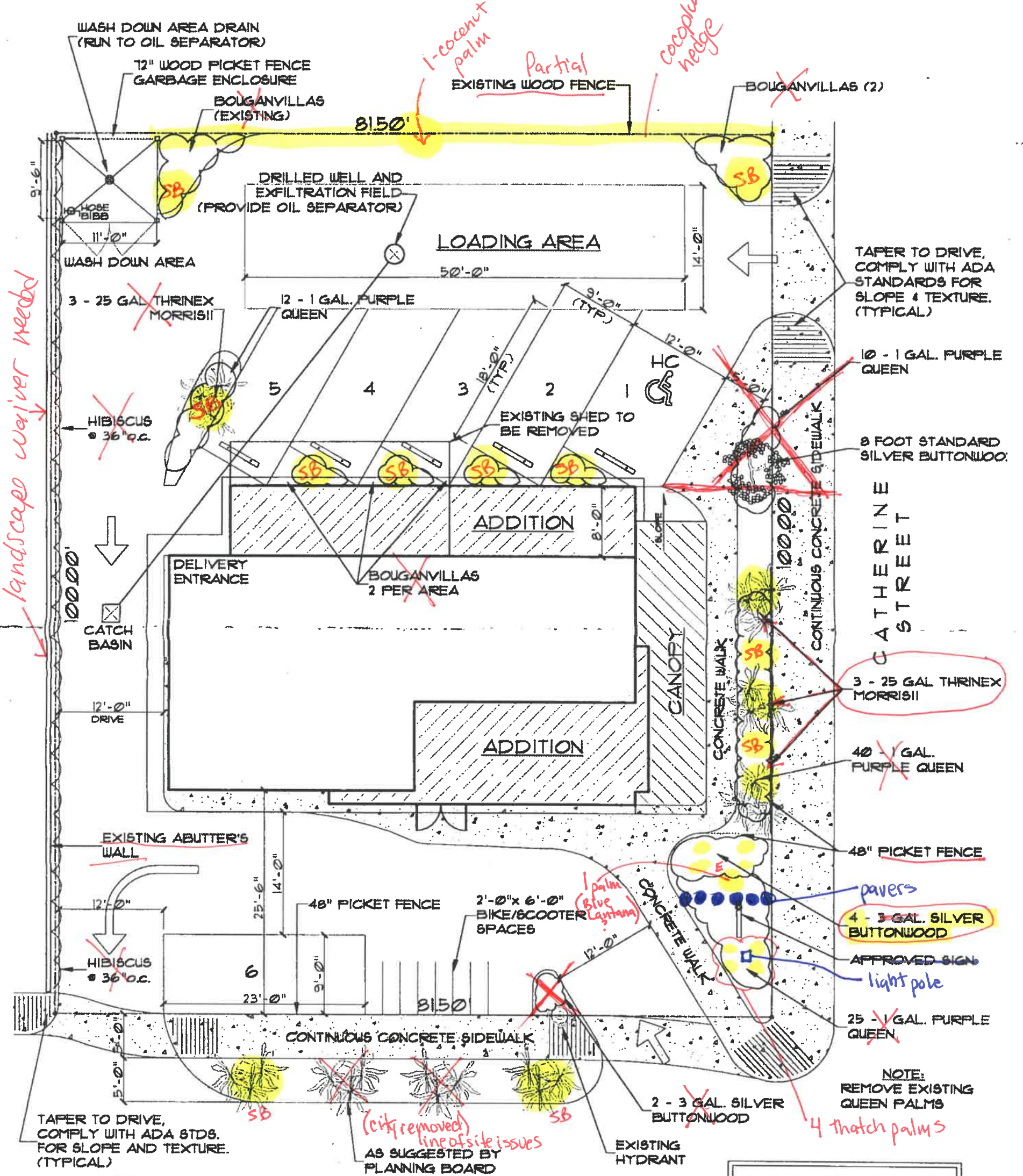


*Kenny
Fullan
5-30-17*

Approved Landscape Plan

Per Resolution No. 02-101

SB = Silver buttonwood



landscape waiver needed

1-coconut palm

Partial

cocoplum hedge

TAPER TO DRIVE, COMPLY WITH ADA STANDARDS FOR SLOPE & TEXTURE. (TYPICAL)

10 - 1 GAL. PURPLE QUEEN

8 FOOT STANDARD SILVER BUTTONWOOD

CATHERINE CATHREET

3 - 25 GAL THRIXEX MORRISII

40 - 1 GAL. PURPLE QUEEN

48\"/>

pavers
4 - 3 GAL. SILVER BUTTONWOOD

APPROVED SIGN
light pole

25 - 1 GAL. PURPLE QUEEN

NOTE: REMOVE EXISTING QUEEN PALMS
4 Thatch palms

WHITE STREET

1 SITE PLAN
SCALE: 3/32" = 1'-0"

APPROVED
CITY OF KEY WEST
PLANNING DEPT.

T. J. Symoch
CITY PLANNER
5/30/2002
DATE CL Res. 02-101

SITE PLAN SCALE: 3/32" = 1'-0"

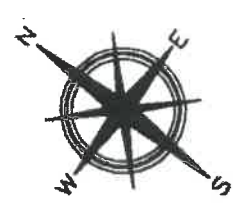
1118 White Street

Michael B. Ingram Architect & Associates
604 Whitehead Street
Key West, FL 33040
PH: 305-292-1122 • FX: 305-292-7162
E: mb@ingramarchitect.com • Florida Registration No. 5326

All

SB = Silver buttonwood
E = Elephant Ear plant

APPROVED
MAY 18 2002
PLANNING DEPT.



NOTE: ENTIRE SITE SHALL BE FULLY ADA COMPLIANT

MEMORANDUM

TREPANIER



& ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Date: 05/08/17
To: Karen DeMaria, Urban Forestry Manager
From: Owen Trepanier
CC: Melissa Paul-Leto, Planner Analyst
Re: **1119 White Street, Landscape Plan**

Thank you for meeting with Lori Thompson and I on 05/05/17 to review the attached. During our meeting, you asked us to:

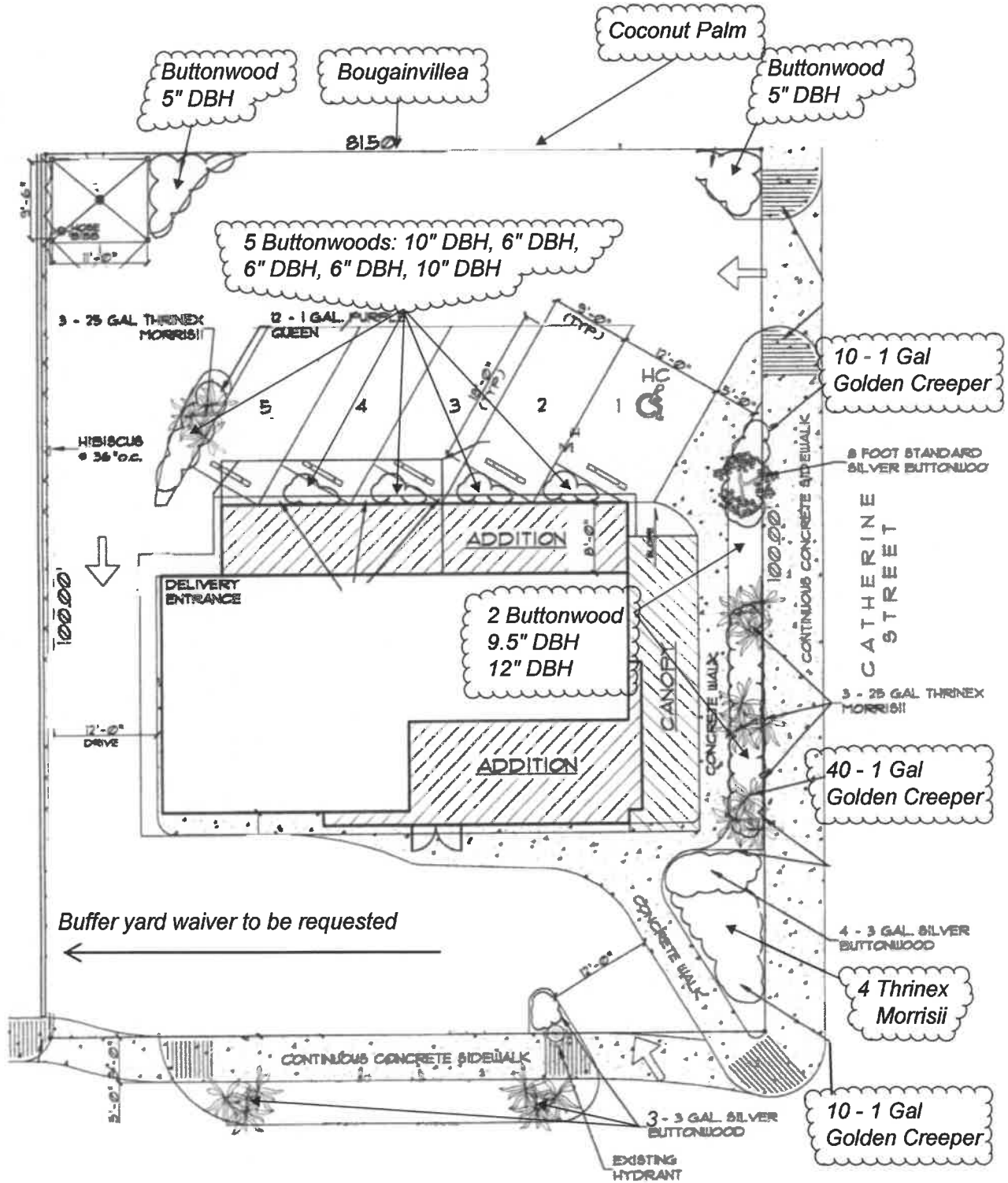
1. Review the landscape impacts of the outdoor seating area;
2. Request a waiver to landscape buffers for the Hibiscus that is shown on the plan in the driveway; and
3. Agree to an approval condition that requires the property owner to maintain the landscaping in the sight triangle and the immediate adjacent ROW.

Landscape Impacts on outdoor seating – We anticipate no seating-related impacts to the landscaping. The existing hardscape will remain intact in the outdoor seating area with no alterations. As depicted on the attached plan (A-103), there is sufficient existing sidewalk space for the seating and ADA accessibility.

Request a waiver to landscape buffers – We have included a waiver request to landscape buffers for the approved Hibiscus hedge in the driveway.

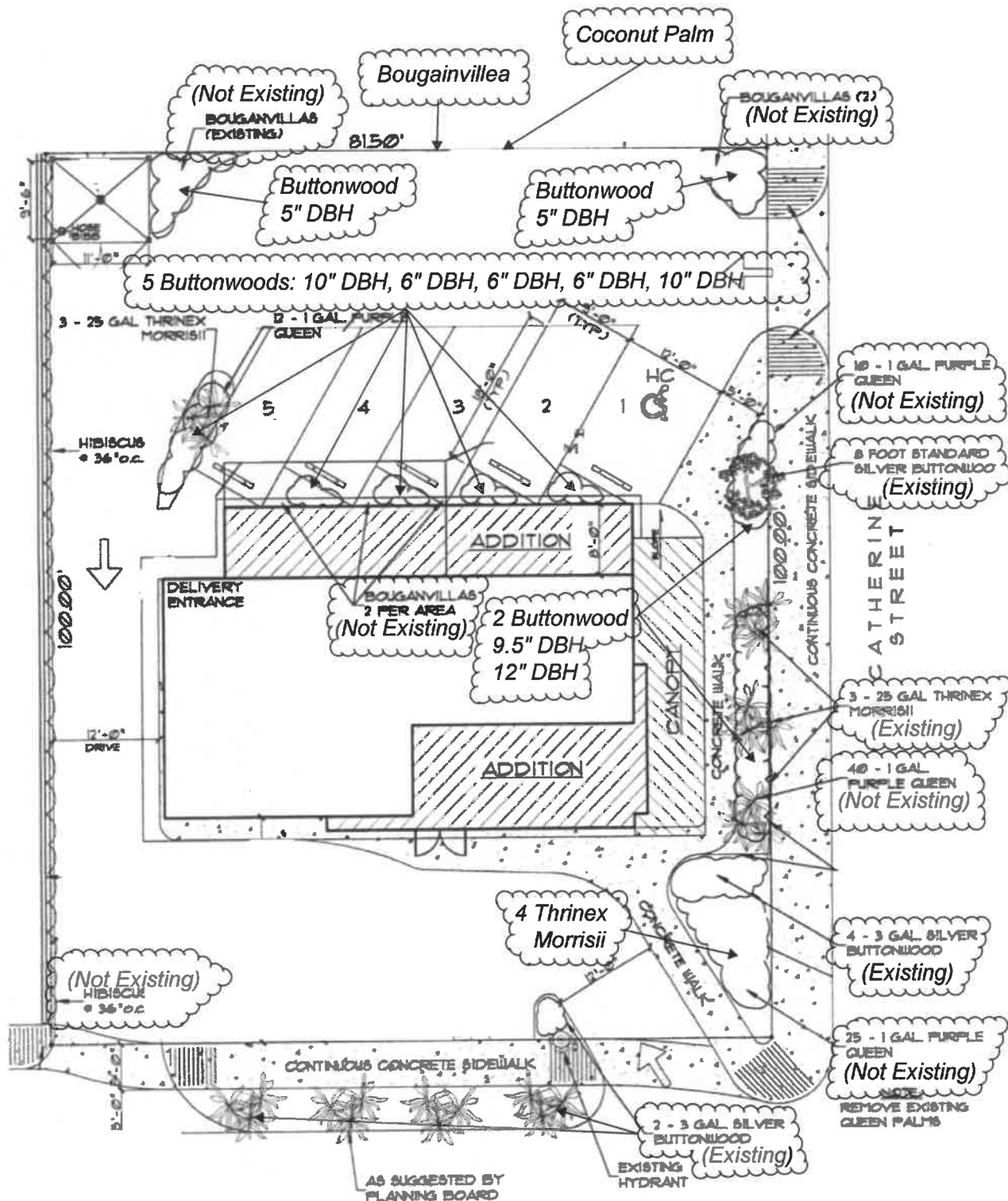
The owners have no objection to maintaining the landscaping in the sight triangle and the immediate adjacent ROW.

Revised Landscape



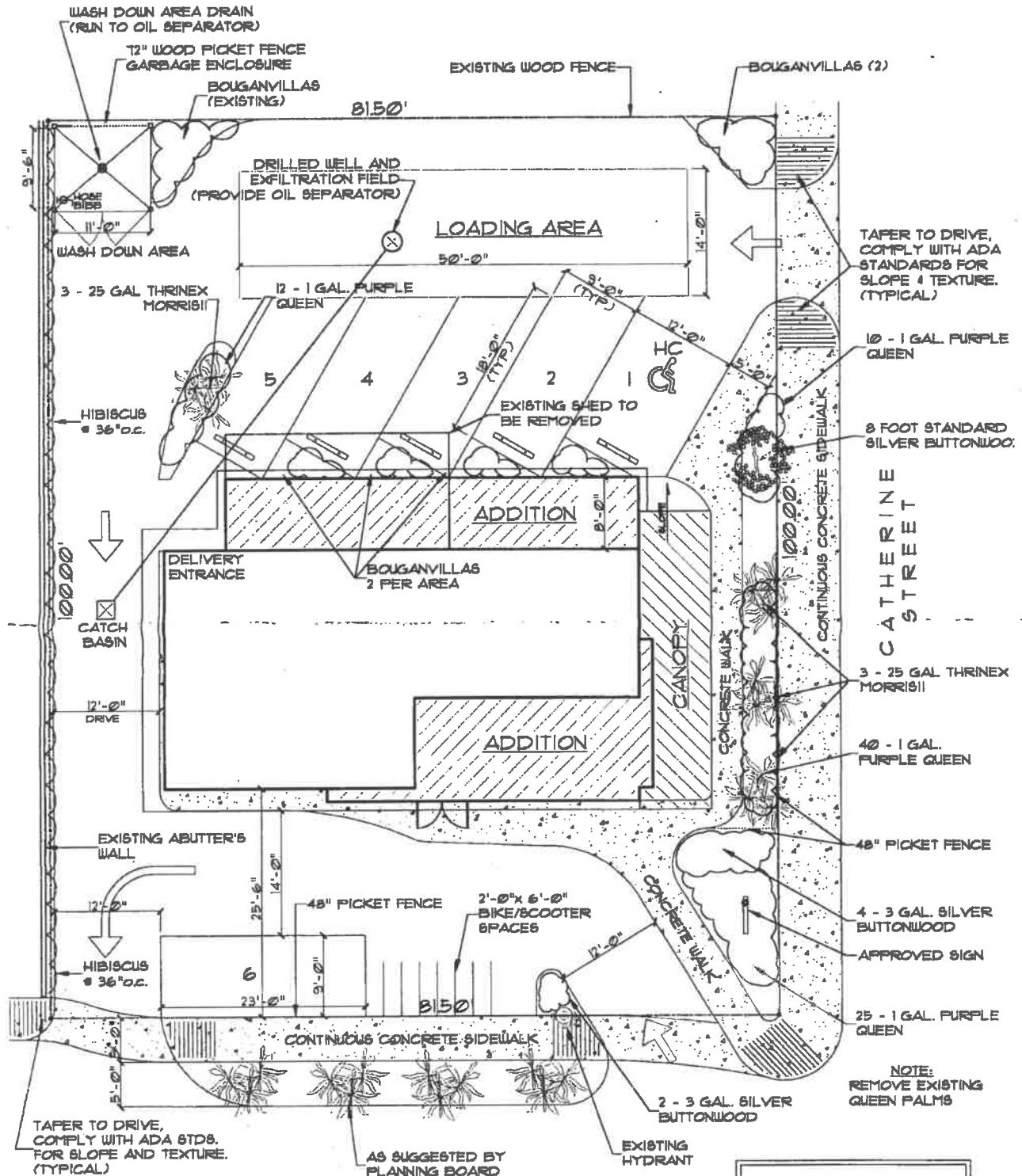
Sight Triangle and ROW landscaping to be maintained by property owner

Existing Landscape



Approved Landscape Plan

Per Resolution No. 02-101



APPROVED
MAY 1 8 2002
CITY PLANNING DEPT.
KEY WEST



WHITE STREET
1 **SITE PLAN**
 SCALE: 3/32" = 1'-0"
APPROVED
 CITY OF KEY WEST
 PLANNING DEPT.
Ty Symock
 CITY PLANNER
 5/20/2002
 DATE CL RES. 02-101

NOTE: ENTIRE SITE SHALL BE FULLY ADA COMPLIANT

SITE PLAN SCALE: 3/32" = 1'-0"
 110 White Street
 Michael B. Ingram Architect & Associates March 18, 2002
 604 Grandwood Street
 Key West, FL 33509
 PH: 305-293-1127 Fax: 305-292-7162
 E-Mail: mbingram@earthlink.net Firms Registration No. 1206

All

AS NOTED

Karen DeMaria

From: Owen Trepanier <owen@owentrepanier.com>
Sent: Wednesday, April 26, 2017 3:35 PM
To: Karen DeMaria
Cc: Natalie Hill; Lori Thompson; rachel@concretebella.com
Subject: 1119 White Street
Attachments: Landscape.pdf

Hi Karen,

Attached is a PDF of the approved and existing landscaping. If you'd have a moment to discuss, I'd appreciate it. We are not planning to make any real changes. There are some plants missing, but they are weird ones like Purple Queen and Hibiscus. There are also some substitutions, most Buttonwoods for Bougainvillea. We'd like to get your direction about how we should handle the discrepancies.

Accounting of Approved vs. Existing Landscaping			
Material	Approved	Existing	Preferred Action
Silver Buttonwood	6 – 3 gal	6	Maintain and Trim appropriately
Thrinax Morrisii	6 – 25 gal	7	Maintain the 7 Thrinax
Bougainvillea	9	1 Bougainvillea, 6 Buttonwoods	Maintain the 1 Bougainvillea and the 6 Buttonwoods, Trim appropriately
Purple Queen	87 – 1 gal	2	Plant 85 – 1 gal purple queens, or alternative ground cover pursuant to Urban Forestry
Hibiscus	33	0	No planter exists in the area depicted; Follow direction of Urban Forestry
Coconut Palm	0	1	Follow direction of Urban Forestry

Owen Trepanier

Trepanier & Associates, Inc.
Land Planners & Development Consultants
1421 First Street, P.O. Box 2155
Key West, FL 33045-2155
Ph. 305-293-8983 / Fx. 305-293-8748
www.owentrepanier.com

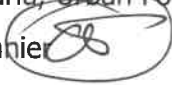
MEMORANDUM



TREPANIER



& ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Date: 4/26/17
To: Karen DeMaria, Urban Forestry Manager
From: Owen Trepanier 
CC: Melissa Paul-Leto, Planner Analyst
Re: **1119 White Street, Landscape Plan**

Per our previous discussion, attached is the approved landscape plan pursuant to Res. No. 02-101 and a plan depicting the existing situation on the ground. Below is an accounting of approved and existing landscaping.

The onsite landscaping is substantially intact except for groundcover and a row of Hibiscus. The approved ground cover is Purple Queen, which will be replaced unless an alternative species is preferred by Urban Forestry. The location of the approved Hibiscus does not exist on the site; therefore we seek direction from Urban Forestry regarding a suitable alternative.

Accounting of Approved vs. Existing Landscaping			
Material	Approved	Existing	Preferred Action
Silver Buttonwood	6 – 3 gal	6	Trim appropriately
Thrinax Morrisii	6 – 25 gal	7	Maintain the existing 7 Thrinax
Bougainvillea	9	1 Bougainvillea, 6 Buttonwoods	Maintain the 1 Bougainvillea and the 6 Buttonwoods
Purple Queen	87 – 1 gal	2	Plant 85 – 1 gal purple queens, or alternative pursuant to Urban Forestry
Hibiscus	33	0	No planter exists in the area depicted; Follow direction of Urban Forestry
Coconut Palm	0	1	Follow direction of Urban Forestry

Site Visit

1119 White Street, Key West, Florida 33040
SITE VISIT



1119 White Street, Key West, Florida 33040
SITE VISIT





1119 White Street, Key West, Florida 33040
SITE VISIT



1119 White Street, Key West, Florida 33040
SITE VISIT



**Additional
Information**

Mar 13, 2017 12:33:02 PM EDT

File Edit List Commands Help

SUNGARD PUBLIC SECTOR
NaviLine

Location Inquiry - Licenses

Business control number: 17133

Business Name and Address:		Mailing Address
KEY WEST ISLAND GYM INC		
1119 WHITE ST		
KEY WEST	FL	33040

Year	Number	Classification	Status
17	00021003	SERVICE - GENERAL	INACTIVE
16	00021003	SERVICE - GENERAL	RENEWED
15	00021003	SERVICE - GENERAL	RENEWED
14	00021003	SERVICE - GENERAL	RENEWED
13	00021003	SERVICE - GENERAL	RENEWED
12	00021003	SERVICE - GENERAL	RENEWED
11	00021003	SERVICE - GENERAL	RENEWED
10	00021003	SERVICE - GENERAL	RENEWED
09	00021003	SERVICE - GENERAL	RENEWED
08	00021003	SERVICE - GENERAL	RENEWED

07 was the first year it was a gym

Mar 13, 2017 12:32:17 PM EDT

File Edit List Commands Help

SUNGARD PUBLIC SECTOR
NaviLine

Location Inquiry - Licenses

Business control number: 11899

Business Name and Address	Mailing Address
I LOVE BAGELS 1119 WHITE ST KEY WEST	FL 33040

Year	Number	Classification	Status
05	00014704	FOOD SERVICE ACTIVITIES 16-40 SEATS	INACTIVE
04	00014704	FOOD SERVICE ACTIVITIES 16-40 SEATS	RENEWED
03	00014704	FOOD SERVICE ACTIVITIES 16-40 SEATS	RENEWED
02	00014704	FOOD SERVICE ACTIVITIES 16-40 SEATS	RENEWED

Mar 13, 2017 12:33:31 PM EDT

File Edit List Commands Help

SUNGARD PUBLIC SECTOR
NaviLine

Location Inquiry - Licenses

Business control number: 11017

Business Name and Address	Mailing Address
DOGS BY THE SEA 1119 WHITE ST KEY WEST	FL 33040

Year	Number	Classification	Status
01	00013403	SERVICE - GENERAL	INACTIVE

✓ OK

✗ Exit

< Cancel

Mar 13, 2017 12:33:16 PM EDT

File Edit List Commands Help

SUNGARD PUBLIC SECTOR
NaviLine

Location Inquiry - Licenses

Business control number: 3607

Business Name and Address	Mailing Address
TOP FLORIST SHOP, INC 1119 WHITE ST KEY WEST	FL 33040

Year	Number	Classification	Status
99	00003617	RETAIL/MAILORDER/WHSALE 501-2,000 SF	INACTIVE
98	00003617	RETAIL/MAILORDER/WHSALE 501-2,000 SF	RENEWED
97	00003617	RETAIL/MAILORDER/WHSALE 501-2,000 SF	RENEWED
96	00003617	RETAIL/MAILORDER/WHSALE 501-2,000 SF	RENEWED
95	00003617	RETAIL/MAILORDER/WHSALE 501-2,000 SF	RENEWED

June 1, 2017



1119 White Street, Café

TREPANIER



& ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Dear Neighbor:

We are land use planners working for Rachel Bashore and Eddie Braswell. Rachel and Eddie are in the process of purchasing 1119 White Street.

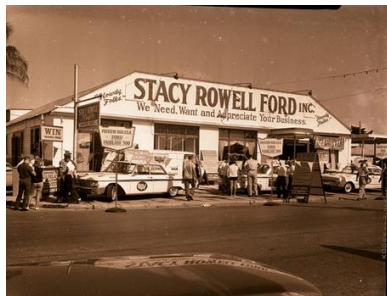
1119 White Street is currently approved as a 24 Seat Restaurant and Bakery, "I Love Bagels". This was previously a high turnover, primarily take-out business. We are in the process to alter the existing approval to allow a quality sit-down neighborhood café-style operation.

There are few external changes proposed, aside from increased landscaping and the creation of an additional 14 scooter and bicycle parking spaces.

There is no outdoor music, of any kind, proposed for the property. The location of the site is ideal for bike, pedestrian and scooter access. The traffic study shows the elimination of the take out-oriented business reduces traffic congestion. No late-night business is proposed.

We invite you to come visit the property, review the plans and speak with Rachel and Eddie about their plans. Please join us June 7th, from 5:30 -6:30 p.m. on site.

If you can't make that time, we're happy to meet individually at other times. Please don't hesitate to call if you have questions.



1117 White Street, c. 1962



1119 White Street, c. 1962

1421 First Street, Key West, FL • 33040

Phone: 305-293-8983 • Fax: 305-293-8748 • Email: Lori@owentrepanier.com

Detail by Entity Name

Florida Limited Liability Company
1119 WHITE STREET LLC

Filing Information

Document Number	L06000092125
FEI/EIN Number	20-5566853
Date Filed	09/19/2006
Effective Date	09/14/2006
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	09/07/2012
Event Effective Date	NONE

Principal Address

615 AMELIA STREET
KEY WEST, FL 33040

Changed: 09/07/2012

Mailing Address

615 AMELIA STREET
KEY WEST, FL 33040

Changed: 09/07/2012

Registered Agent Name & Address

MCCARTHY, DAMIEN
615 AMELIA STREET
KEY WEST, FL 33040

Name Changed: 09/07/2012

Address Changed: 09/07/2012

Authorized Person(s) Detail

Name & Address

Title MGRM

MCCARTHY, DAMIEN
615 AMELIA STREET
KEY WEST, FL 33040

Annual Reports

Report Year	Filed Date
2015	02/21/2015
2016	01/27/2016
2017	01/15/2017

Document Images



Scott P. Russell, CFA
Property Appraiser
Monroe County, Florida

Key West (305) 292-3420
Marathon (305) 289-2550
Plantation Key (305) 852-7130

**Property Record Card -
Maps are now launching the new map application version.**

Alternate Key: 1035386 Parcel ID: 00034460-000000

Ownership Details

Mailing Address:
1119 WHITE STREET LLC
1119 WHITE ST
KEY WEST, FL 33040-3366

Property Details

PC Code: 19 - PROFESSIONAL SERVICES BLDGS
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 05-68-25
Property Location: 1119 WHITE ST KEY WEST
Subdivision: Knights Sub
Legal Description: KW KNIGHTS SUB PB1-59 LOTS 3 & 4 SQR 1 TR 14 G8-548 OR463-380/381 PROB #78-209-CP-12 PROB #83-209-CP-12 OR903-1655/1657 OR990-2436 OR1361-1426 OR1653-2466 OR1829-546 OR1964-402 OR2240-2396/97

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	82	100	8,150.00 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 1
Total Living Area: 1895
Year Built: 1938

Building 1 Details

Building Type
Effective Age 12
Year Built 1938
Functional Obs 0

Condition G
Perimeter 184
Special Arch 0
Economic Obs 0

Quality Grade 450
Depreciation % 15
Grnd Floor Area 1,895

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

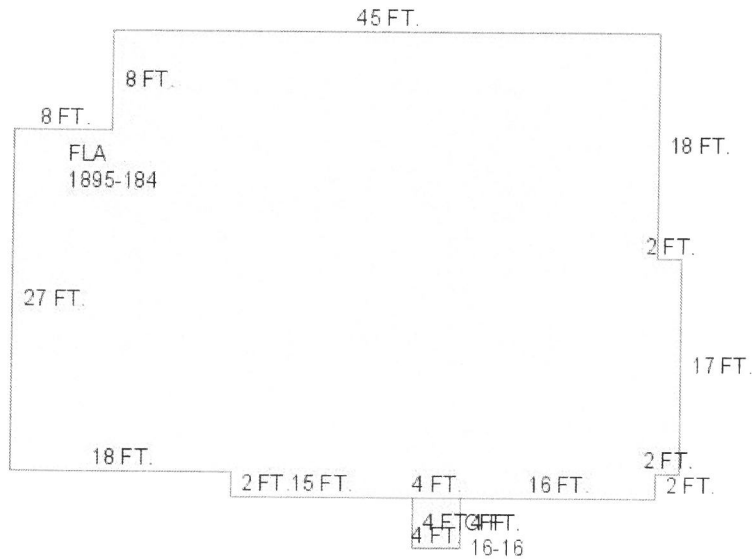
Roof Cover
 Heat 2
 Heat Src 2

Foundation
 Bedrooms 0

Extra Features:

2 Fix Bath 0
 3 Fix Bath 0
 4 Fix Bath 0
 5 Fix Bath 0
 6 Fix Bath 0
 7 Fix Bath 0
 Extra Fix 3

Vacuum 0
 Garbage Disposal 0
 Compactor 0
 Security 0
 Intercom 0
 Fireplaces 0
 Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1933					1,895
2	CAN		1	1993					16

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	4399	PROFESS BLDG-B	100	N	Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
1194	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	160 SF	40	4	2007	2014	2	30
2	AP2:ASPHALT PAVING	4,696 SF	0	0	2002	2003	2	25
3	FN2:FENCES	126 SF	21	6	2002	2003	2	30

Appraiser Notes

7 DAYS VIDEO RENTALS II 6/14/01 2001 AUDIT PARCEL.
2007-02-02 - RENOVATIONS COMPLETE. NOW ISLAND GYM. WILL CHANGE TO PC 19 FOR 2008 ROLL. - JEN
2004-02-24 "I LOVE BAGELS" OFFERED FOR \$1,975,000 FROM THE KW CITIZEN-SKI

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
06-6585	12/20/2006		1,000	Commercial	REDO R/A DUCTWORK, ADD TWO EXHAUST FANS, ADD TWO DUCTS.
13-4737	11/08/2013		38,500	Commercial	REMOVE EXT. ROOF INSTALL TAPER SYSTEM. INSTALL FIRESTONE TPO ROOF SYSTEM. 34 SQRS.
1 B95-4105	11/01/1995	08/01/1997	35,000	Commercial	NEW STORAGE SHED
2 01-2723	08/02/2001	10/25/2001	500	Commercial	REPAIRS/BRING UP TO CODE
3 02-864	04/10/2002	07/26/2002	8,000	Commercial	DEMOLITION
4 02-738	04/18/2002	07/26/2002	4,515	Commercial	NEW SIGN I LUV BAGLES
5 02-801	04/19/2002	07/26/2002	300,000	Commercial	COMPLETE RENO+AC+ELEC
6 02-1293	05/17/2002	07/26/2002	8,080	Commercial	NEW ROOF
7 02-1967	07/19/2002	07/26/2002	7,000	Commercial	LANDSCAPE+IRRIGATION
8 06-5495	10/05/2006		15,000	Commercial	EXOPLOATION OF EXISTING 1950 STRUCTURE
9 06-5496	10/05/2006		1,500	Commercial	DEMOLITION OF SEVEN FLOOR SINKS AND OUTHER PLUMBING
10 06-5497	10/05/2006		2,400	Commercial	INSTALL TEMPORARY SERVICE FOR CONSTRUCTION
11 06-5819	11/14/2006	01/10/2007	100,000	Commercial	RENOVATION OF 1800 SQ.FT. COMMERCIAL BUILDING INTERIOR CHANGE USE FROM 24 SEAT REST., TO GYM THERE MAYBE TANKS UNDERGROUND ON THIS PARCEL WAS A GAS STATION AT ONE TIME-SKI
12 06-6281	11/20/2006		22,000	Commercial	INSTALL INTERIOR ELECICAL
13 07-0204	01/23/2007		2,000	Commercial	INSTALL 4FT. WOOD PICKET FENE BY 38'

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2016	307,831	6,536	414,486	728,853	728,853	0	728,853
2015	315,074	6,137	365,723	686,934	686,934	0	686,934
2014	307,831	5,986	365,723	679,540	673,560	0	679,540
2013	240,675	5,930	365,723	612,328	612,328	0	612,328
2012	240,675	6,320	365,723	612,718	612,718	0	612,718
2011	243,441	6,709	365,723	615,873	615,873	0	615,873
2010	248,974	7,102	341,656	597,732	597,732	0	597,732
2009	254,507	7,491	718,219	980,217	980,217	0	980,217
2008	254,507	7,880	1,059,500	911,245	911,245	0	911,245
2007	170,532	8,273	896,500	911,245	911,245	0	911,245
2006	170,532	8,662	611,250	861,413	861,413	0	861,413
2005	174,160	9,051	489,000	573,000	573,000	0	573,000
2004	177,781	9,444	326,000	573,000	573,000	0	573,000
2003	152,692	9,833	211,900	319,000	319,000	0	319,000
2002	103,491	9,945	211,900	319,000	319,000	0	319,000
2001	115,448	10,226	211,900	319,000	319,000	0	319,000
2000	100,508	4,763	154,850	260,121	260,121	0	260,121
1999	110,016	4,945	154,850	269,811	269,811	0	269,811
1998	73,515	5,131	154,850	233,496	233,496	0	233,496
1997	66,673	5,423	138,550	210,646	210,646	0	210,646
1996	60,612	5,709	138,550	204,871	204,871	0	204,871
1995	60,612	6,000	138,550	205,162	205,162	0	205,162
1994	60,612	5,871	138,550	205,033	205,033	0	205,033
1993	60,612	5,665	138,550	204,827	204,827	0	204,827
1992	60,612	5,934	138,550	205,096	205,096	0	205,096
1991	60,612	6,201	138,550	205,363	205,363	0	205,363
1990	57,619	6,469	116,138	180,226	180,226	0	180,226
1989	57,619	6,738	114,100	178,457	178,457	0	178,457
1988	52,820	4,854	49,800	107,474	107,474	0	107,474
1987	39,601	3,808	28,444	71,853	71,853	0	71,853
1986	32,462	3,857	27,490	63,809	63,809	0	63,809
1985	31,698	3,917	17,850	53,465	53,465	0	53,465
1984	30,026	3,966	17,850	51,842	51,842	0	51,842
1983	30,078	4,015	17,850	51,943	51,943	0	51,943
1982	26,110	4,073	16,884	47,067	47,067	0	47,067

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
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9/22/2006	2240 / 2396	1,250,000	WD	K
12/26/2003	1964 / 0402	606,200	WD	Q
10/25/2002	1829 / 0546	573,000	WD	Q
9/15/2000	1653 / 2466	400,000	WD	Q
7/1/1995	1361 / 1426	240,000	WD	Q
10/1/1986	990 / 2436	150,000	WD	M

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Monroe County Property Appraiser
Scott P. Russell, CFA
P.O. Box 1176 Key West, FL 33041-1176