

**Attachment 14**  
**DRC Minutes**

Mr. Bowman had no comments.

Mrs. Domenech-Coogle informed the applicant that due to the changes, they will need to submit a redesign of the landscape plan to include removing the buffer from the fence.

Mrs. Wittenberg had no comments.

Ms. Torregrosa informed the applicant that they will need to submit updated site plans to HARC.

Mrs. Kimball-Murley informed the applicant that backing onto Ann Street is prohibited by the Code. She then urged the applicant to ensure that the public safety component of the variance request is clearly demonstrated. Lastly, she asked that the applicant communicate with neighbors and follow the good neighbor policy.

Mrs. Nicklaus had no comments

Mr. Cruz had no comments

Mrs. Cowart informed members that Keys Energy and the Aqueduct Authority had no objections to this variance request.

### 3. Old Business

- a. **Major Development Plan and Conditional Use – 5555 College Road (RE# 00072080-001400) – A Major Development Plan and Conditional Use Application within the commercial general (CG) zoning designation for the installation of stacked boat racks at Sunset Marina per Section 108-31 and Section 122-61 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant's representative, Joanne Alexander, gave members an overview of the major development plan and conditional use request.

Mrs. Monnier gave members a summary of the applicant's request and informed members of the changes to the application since the last DRC on September 2009. She stated that there were some inconsistencies with some of the calculations and will coordinate with the applicant to update the information.

Mr. Bowman voiced his concern that the site plans indicate that the stormwater runs from the retention area through the parking lot into tidal waters, causing pollutants underneath the racks to discharge into the basin. Mr. Bowman will contact George Hermanson to discuss the specifics.

Mrs. Domenech-Coogle informed members that the applicant obtained a permit from the Tree Commission.

Mrs. Kimball-Murley asked Mrs. Domenech-Coogle if the applicant had resolved everything relative to the original conditions listed on the settlement agreement. Mrs. Domenech-Coogle stated that the 2<sup>nd</sup> and 3<sup>rd</sup> page attached to the permit identifies and corrects the conditions on the agreement.

Mrs. Alexander informed Mr. Averette that no matter what size boat is on the racks, there will be 20' clearance.

Mrs. Wittenberg and Ms. Torregrosa had no comments.

Mrs. Nicklaus informed that applicant that two handicapped spaces can share an access isle; however, the access isle needs to be on the passenger side.

Mr. Cruz had no comments.

Mr. Torrence inquired if the area is secure and has proper lighting. Mrs. Alexander stated that the area is not fenced in but is surrounded by landscape with the exception of the driveway. She then added that the location is well lit and has 24 hour security monitoring.

Mrs. Cowart informed members that Keys Energy had no objections to this request.

**4. Adjournment**

A motion to adjourn was made by Mr. Torrence and seconded by Nicklaus.

Motion was carried by unanimous voice vote.

Meeting adjourned at 3:35 pm.

Respectively Submitted,

Carlene Cowart  
Development Review Administrator

**Ashley Monnier**

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**From:** Gary Bowman  
**Sent:** Monday, April 05, 2010 7:31 AM  
**To:** Ashley Monnier  
**Cc:** GeorgeHermanson@hmeng.com  
**Subject:** Sunset Maria

Ashley

Regarding the above mentioned project, please find the following as approval from engineering.

I have reviewed the revised drawings, sheets: 9 and 10 of 17, dated 3-10, these plans have been revised and reflect comments as discussed with the EOR: George Hermanson, P.E.

I have no further concerns with the proposed project.

Please feel to discuss any questions you may have.

**Gary W. Bowman**  
General Services and Engineering Director  
City of Key West  
305-809-3901



City of Key West

# TREE PERMIT

Permit# 5475 Date Issued 02/22/10

Address 5555 College Road

This it to certify that Sunset Marina/Sunset Ventures

has permission to Landscape plan approval to include attached 'Landscape Compliance and Amended Settlement Agreement'. All trees and plants shall be, FL #1, to be planted on site in the six months of the approval date as described here in. Transplant and replacements shall be moved and planted according to current "Best Management Practices". Transplants shall have minimum 1 year survivability or replace with like. Call landscape office for tree replacement inspection. All replacement trees shall be maintained as trees in perpetuity.

as per application approved 02/22/10

The person accepting this permit shall conform to the terms of the application on file in the office of the Tree Commission of Key West. All work shall conform to the requirements of the Code of Ordinances of the City of Key West, Chapter 110-Article VI. Tree Protection.

This Tree Permit is effective for 6 months from the date issued.

**IMPORTANT NOTICE**

This card must be posted in a location clearly visible from the street and in a protected covering.

APPROVED BY: *Rudy Molinet* 2/25/10  
Rudy Molinet-Chairperson

Phone: (305)-809-3764  
City of Key West, Florida  
Tree Commission  
PO Box 1409  
Key West, FL 33040



## MEMO

**TO:** Amy Kimball-Murley  
Planning Director

**FROM:** Cynthia Domenech-Coogle  
Urban Forestry Program Mgr.

**DATE:** January 26, 2010

**SUBJECT: 5555 College Road Major Development Plan and  
Conditional Use – Landscape Compliance and Amended  
Settlement Agreement**

Due to Major Development Tree Commission approval will be required. This item is scheduled to be heard at the next regularly scheduled Tree Commission meeting on February 08, 2010.

Landscape plans have been submitted and meet or exceed requirements.

The Joewood described in landscape plan shall be the native small leafed species.

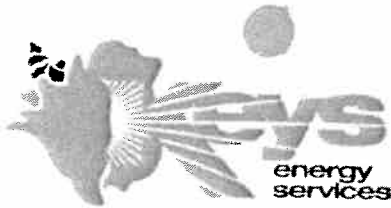
Regarding the Amended Settlement Agreement:

9. Landscaping. Owner agrees that the Property will be free of invasive exotics...

Owner agrees that all invasive exotics will be removed from property and specifically the 20 foot building setback and maintained in perpetuity. Two (2) Blolly and two (2) Strong Bark trees minimum 8' will be planted as a food source for the endangered White-Crowned Pigeon. Plants shall be spaced typical of a hardwood hammock, i.e.,

1'-2' oc., and shall not be trimmed. Any limbs removed shall be inspected for Stock Island tree snails. Snails found on trees and broken limbs shall be noted but ignored and left unmolested. Current aggregate used for ground cover shall be removed except for the 2' perimeter border adjacent to sidewalk and south and west from the eastern stairwell to mangrove fringe. Ground cover shall consist of leaf litter and local non-invasive mulch. Raking, herbicides, insecticides, fertilizers or storage of chemicals shall not be permitted. Current landscape plan and additional memo depicts compliance with item 9.

11. Threatened or Endangered Species. Owner agrees that the Property provides habitat for threatened or endangered species. The protected bay-cedar was destroyed in a past hurricane. Seventeen (17) Bay-Cedar have been planted in the 20 foot building setback. Two (2) Bolly and two (2) Strong Bark trees minimum 8' will be planted as a food source for the endangered White-Crowned Pigeon. Plants shall be spaced typical of a hardwood hammock, i.e., 1'-2' oc., and shall not be trimmed. Any limbs removed shall be inspected for Stock Island tree snails. Snails found on trees and broken limbs shall be noted but ignored and left unmolested. Current aggregate used for ground cover shall be removed except for the 2' perimeter border adjacent to sidewalk and south and west from the eastern stairwell to mangrove fringe. Ground cover shall consist of leaf litter and local non-invasive mulch. Raking, herbicides, insecticides, fertilizers or storage of chemicals shall not be permitted. Existing *Clusia* spp. shall be thinned to allow supporting stems to gain caliper and shall not be 'rounded over'. Current landscape plan and additional memo depicts compliance with item 11.



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

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UTILITY BOARD OF THE CITY OF KEY WEST

February 19, 2010

Mrs. Amy Kimball-Murley, AICP  
City of Key West  
PO Box 1409  
Key West, Florida 33040

RE: DEVELOPMENT REVIEW COMMITTEE  
KEYS ENERGY SERVICES COMMENTS MEETING OF FEBRUARY 25, 2010

Dear Mrs. Kimball-Murley:

Keys Energy Services (KEYS) received the Development Review Committee Agenda for February 25, 2010. KEYS has reviewed the items that will be discussed at the City's Development Review Committee meeting.

Below are KEYS' comments:

1. LOCATION: 5555 College Rd. – Conditional Use  
COMMENT: KEYS has no objections.
2. LOCATION: 400 South Street - Variance  
COMMENT: KEYS has no objections.
3. LOCATION: 512 Greene Street–Modification to a Major Development  
COMMENT: KEYS has no objections for request to change easement usage for parking lot.
4. LOCATION: 512 Greene Street-Variance  
COMMENT: KEYS has no objections.

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

Sincerely:

*Matthew Alfonso*

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

c:

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



**Minutes of the Development Review Committee**  
**Meeting of September 14, 2009**

Amy Kimball-Murley, Planning Director, convened a meeting of the Development Review Committee of the City of Key West at 9:20 am, September 14, 2009. The meeting was held at Old City Hall, in the antechamber at 510 Greene Street, Key West.

**1. Roll Call**

**Present for the Roll Call were:**

Amy Kimball-Murley, Planning Director	Alan Averette, Lt. Fire Inspector
John Woodson, Building Official	John Wilkins, ADA Coordinator
Diane Nicklaus, HARC Representative	Gary Bowman, General Services (arrived at 9:35 am)
Enid Torregrosa, HARC Planner (arrived at 10:50 am)	

**Planning Staff:**

Brendon Cunningham	Rodney Corriveau
Ashley Monnier	Carlene Cowart

**Comments received from:**

Cynthia Domenech-Coogle, Landscape Coordinator

**2. Approval of Agenda**

Mrs. Kimball-Murley stated that she received a request from the applicant for 5555 College Road, to move Item 3e to the top of New Business due to a schedule conflict.

Mrs. Kimball-Murley also received a request from the applicant for 1 Pinder Lane, to move Item 3n after Item 3c, since she is representing the first three items as well as the last item on the agenda.

A motion to approve the agenda as amended was made by Mr. Wilkins and seconded by Mr. Averette.

Motion carried by unanimous voice vote.

SO ORDERED.

**3. New Business**

- e. **Major Development Plan and Conditional Use – 5555 College Road (RE 00072080-001400) – A Major Development Plan and Conditional Use Application within the commercial general (CG) zoning designation for the installation of stacked boat racks at Sunset Marina per Section 108-31 and Section 122-61 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Joanne Alexander, reviewed the Major Development Plan and Conditional Use request with committee members. Ms. Alexander stated that the stormwater plan has been amended and boat racks have been decreased from 203 to 184 vessel spaces.

Mrs. Cowart read into the record comments from DRC member, Cynthia Domenech-Coogle:  
Due to the Major Development Plan request, Tree Commission approval will be required. This item is scheduled to be heard at the regularly scheduled Tree Commission meeting on October 19, 2009. Comments were sent to the Planning Department on June 24, 2009.

Mr. Woodson had no comments.

Mr. Wilkins asked for clarification on parking spaces. Ms. Alexander stated that there will be 145 parking spaces, five of which will be designated handicapped parking.

Mrs. Nicklaus had no comments.

Mr. Averette asked for clarification on emergency access. Ms. Alexander confirmed that there is at least 20' access provided throughout the property.

Mr. Corriveau informed members that there will be parking underneath the boat racks. Ms. Alexander stated that bollards or something similar will be put in place to prevent any damage to the boat racks. John Woodson and Alan Averette stated that they had no objection to parking under the racks.

Mr. Corriveau updated members with the status of the amended settlement agreement which requires approval by the DCA and the City.

There were no public comments.

- a. **Major Development Plan – 524 Eaton Street (RE 00006500-000100) – An application for Major Development Plan to construct five transient units by reducing existing office space from 10,000 square feet to 5,000 square feet and adding an additional floor to the existing building in the HNC-1 zoning district per Section 108-91(A).(2).(a.) and (b.) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Ginny Stones with Stones and Cardenas, reviewed the Major Development Plan request with committee members.

Mrs. Cowart stated that no written comments were received from staff.

Mr. Woodson had no comments at this time.

Mr. Wilkins stated that he has met with Mr. Kephart regarding ADA issues. Mr. Wilkins requested that the applicant verify the slope at the entrance of the building to ensure ADA compliance. He also noted that the access route to and from the handicap parking space needs to meet ADA requirements.

Mrs. Stones informed members that five parking spaces are being provided for the transit units, one of which is designated as handicapped, at an offsite location.

Mr. Wilkins made the applicant aware that within the next year, the City will be replacing the curb cut on the access route to the property. Mrs. Stones stated that she will coordinate with Mr. Wilkins and Engineering on the curb cut timeline.

Mrs. Nicklaus stated that HARC approved the construction of a third floor with a roof and a front tower with an elevator on May 12, 2009. Mrs. Nicklaus suggested that the applicant unify the title. Mrs. Stones stated that this has been discussed and agreed upon with the Planning Department.

Mr. Averette stated that he has met with Mr. Kephart and informed him that the entire building will require a sprinkler system.

Mrs. Monnier requested that the applicant include the parking space dimensions on the site plans. She informed the applicant that the utilities and injection wells are demonstrated on the proposed site plan but not on the existing site plans.

6. Applicant will need to increase slight floor area ratio.
7. Applicant will provide square footage on single family home.
8. Staff will coordinate with Applicant on the status of the residential unit on site.
9. Applicant will need to have an experienced licensed landscape architect handle landscaping per the code.
10. Applicant will preserve champion trees.
11. Applicant will need to go to Tree Commission.
12. Applicant will provide Landscape Coordinator counts for new installations.
13. Applicant will barricade all trees, and provide dimensions of planters in parking lot. Planter areas need to be curved.
14. Applicant will provide site plans of existing and proposed landscaping.
15. If bricks are added, bricks cannot change grade.
16. Staff recommends inserting hedges to create a buffer between residential and commercial.
17. Members urged applicant to meet the good neighbor policy.

**i. Major Development Plan and Conditional Use – 5555 College Road (RE 00072080-001400) – A Major Development Plan and Conditional Use Application within the commercial general (CG) zoning designation for the installation of stacked boat racks at Sunset Marina per Section 108-31 and Section 122-61 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Ty Symroski, reviewed the major development plan and conditional use request with committee members.

Committee members reviewed and discussed the application and made the following recommendations:

1. Applicant meets ADA requirements, including 34" high counter.
2. Applicant will need to provide count of native and non-native landscaping.
3. Applicant originally added vegetation to lagoon bank; however, it did not work as planned. Applicant has since redesigned the landscaping.
4. Applicant will submit a copy of the environmental permits from Army Corps of Engineers, FDEP and the Fish Finder Agreement to staff.
5. Once DEP issues a letter to the applicant, they will meet stormwater criteria.
6. Applicant will provide parking bumpers on the columns directly under the racks and maintain vertical clearance for safety.
7. Applicant will provide staff with date on information on the additional \$60,000 in escrow.
8. Applicant will provide staff a copy of the deed restriction on the 4 units approved in 2003.
9. Applicant will provide staff a copy of the Army Corps of Engineers letter dated July 29, 2008 stating they do not need the culvert.
10. Applicant will need to call Sunshine One before digging for locations of underground facilities.

**5. Adjournment**

Meeting adjourned at 5:00 pm.

**Submitted written comments are attached.**

Respectively Submitted,

Carlene Cowart  
Administrative Coordinator