

Minutes of the Development Review Committee

March 28, 2013 **DRAFT**

Planning Director, Don Craig called the Development Review Committee Meeting of March 28, 2013 to order at 10 am at Old City Hall, in the antechamber at 510 Greene Street, Key West.

ROLL CALL

Present were: Planning Director, Don Craig; General Services, Elizabeth Ignaffo; Fire Department, Jason Barroso; Police Department, Steve Torrence; and Arts in Public Places, Dick Moody.

Not present were: Building Official, John Woodson; ADA Coordinator, Diane Nicklaus (comments provided); Interim Forestry Manager, Karen DeMaria (comments provided); HARC Planner, Enid Torregrosa; and Sustainability Coordinator, Alison Higgins.

Also in attendance were Planning Department staff: Brendon Cunningham, Ginny Haller and Carlene Smith.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

January 24, 2013
February 28, 2013
March 6, 2013

Motion to approve the January, February and March 2013 DRC Minutes was made by Mr. Torrence and seconded by Ms. Ignaffo. The motion passed by a unanimous voice vote.

DISCUSSION ITEMS

Old Business

1. **Conditional Use – 1200-1212 White Street (RE# 00033010-000000; Alt. Key 1033774) – A request to allow small recreational power-driven equipment rentals and a restaurant in the HNC-1 zoning district per Section 122-808 (13) and (14) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Ms. Haller gave members an overview 1200-1212 White project. Items 1, 2, and 3 were heard concurrently.

The applicant's attorney, Wayne LaRue Smith with The Smith Law Firm, gave members an overview of the requests.

Fire Department comments:

Applicant will need to provide the height of the awning as well as come into compliance with the building code regarding occupancy. The applicant was urged to meet with the Fire Department if they had any questions.

Police Department comments:

Applicant was commended for cleaning up the property. Applicant will need to properly train the cyclists and refrain from parking any scooters on the right-of-way.

Engineering comments:

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Applicant will need to coordinate the landscape plan with the open lot plan. The landscape plan proposes planting trees within the drain field. Ground cover vegetation is allowed to be planted over the drain field. No trees or shrubs shall be planted over the drain field.

The open lot plan shows one ADA accessible and two standard vehicle parking spaces. In accordance with Sec. 108-610, parking areas that will be used after dark shall have lighting. Lighting shall be directed away from adjacent residential properties and public right-of-way, downward and away from the sky.

Pursuant to Sec. 108-609, parking spaces shall not be utilized for vehicle sales/rentals, vehicle storage, repair work or servicing.

The open lot plan shows a 7ft x 3ft trash storage area adjacent to the vehicle driveway. The trash storage area has capacity for two 96-gallon totes; presumably, one tote for waste and one tote for recycle. Based on once per week pickup and solid waste disposal Level of Service, 2.66, 6.37 and 1.14, 2.73 lbs./capita/day for residential and non-residential waste and recycling rates, respectively, (*Comprehensive Plan, 2008*), two (2) totes for waste and one (1) tote for recycle will be required. Please increase the size of the trash storage area to accommodate four totes (waste, recycle, and kitchen / landscape), minimum dimension 12ft by 3ft.

Pursuant to Sec. 108-279, waste storage areas shall be screened from adjacent properties and public right-of-ways by fences, walls or landscaping.

Planning Director comments:

Applicant will inform staff his intention of using the walk up window for the proposed restaurant by the time this application moves forward to Planning Board hearing.

Applicant will provide a clearly defined and scaled floor plan to include all uses and how they relate, as well as a scaled parking plan which portrays cars moving in and out of spaces. Handicap access will need to be properly scaled on the site plan. No scooter parking under the ownership of Mr. Mills will be allowed on the City's ROW. Scooter parking will only be placed under a designated area on the plan.

Applicant will also need to address the loading zone and HARC must approve the proposed block wall. Lastly, a traffic analysis is required prior to Planning Board hearing.

Urban Forester comments:

If there is any existing vegetation on-site that will be impacted by the development, please contact the Urban Forester for a review. The removal of any existing trees will require review and possible permits from the Tree Commission.

ADA Coordinator comments:

No comment for the conditional use.

Parking Variance

ADA needs to visit the surrounding area to determine number of existing handicapped parking spaces and determine if one is needed to meet needs of area. Any further ADA comments concerning construction will be reserved for plan review at time of building permit submittal.

Cross-Access Easement

This front property line is actually 3 feet into the existing City sidewalk on White Street. There is no encroachment to my knowledge on the Catherine Street side. Applicant is intending to re-build the

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structural awning which will encroach over the City right-of-way. ROW Coordinator has no objection to the addition of this structural awning and the request for easement of same.

Art in Public Places comment:

Mr. Moody inquired about the applicant adding artwork or a mural on the site.

The following members of the public spoke on the matter:

- Linda Wheeler, 1213 White

New Business

2. **Parking Variance – 1200-1212 White Street (RE#00033010-000100; Alt. Key 1033774) – A request to waive parking requirements for 22 automobile spaces in the HNC-1 zoning district per Section 108-572 (9) and (10) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

See comments for Item 1.

3. **Cross-Access Easement – 1200-1212 White Street (RE 00033010-000000; Alt. Key 1033774) – A request for a cross-access easement of 442.35 square feet, more or less, to address the encroachment of the existing City sidewalk onto private property and the installation of a fixed awning over City property for property located on White Street as per Sections 2-938 and 90-587 of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

See comments for Item 1.

4. **Conditional Use – 2308 North Roosevelt Boulevard (RE# 00065710-000000; Alt. Key 1068551) – A request for conditional use approval to operate a motorcycle retail, rental and service shop at property located in the CG zoning district per Section 122-418 (20) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Mr. Cunningham gave members an overview of the conditional use request.

The applicant gave members an overview of the request.

Fire Department comments:

Applicant will need to come into compliance with all code requirements. The applicant will need to meet with the Fire Department for site plan review.

Police Department comments:

Address will need to be well marked on the property.

Engineering comments:

Engineering will provide comments after site plans have been submitted.

Planning Director comments:

Applicant will need to provide a scaled site plan to include landscaping, drainage and parking. Applicant will need to return back to the DRC for review.

ADA Coordinator comments:

ADA has no objection and withholds comments on any ADA requirements until such time as plan review is done through the Building Department. ADA compliance issues will also be necessary in the

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parking area at this location. Keep in mind that FDOT will be installing a sidewalk curbside in the reconstruction of N Roosevelt Blvd. which may somewhat change the traffic pattern with addition of ADA ramping and curb cut(s) for this location.

5. **Minor Development Plan - 1801 North Roosevelt Boulevard (aka: 811 Palm Avenue; RE# 00072080-000000 Alt. Key 1075884 & 00072080-000200; Alt. Key 8842635) - A request for the construction of a new dock Master's office in the PS zoning district per Section 108-91B.1(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Mr. Cunningham gave members an overview of the minor development plan request.

The applicant's architect, Bill Horn, gave members an overview of the request. He informed members that Elizabeth Newland is the landscape architect on the project.

FEMA comments:

As submitted, the plans meet the minimum floodplain standards for damage prevention. The question is whether minimum elevation requires are safe enough for this location which has a history of significant tropical storm flooding.

Recommend the Applicant consider a first floor elevation of 9' +msl as opposed to the submitted 8'.

Adding only five additional inches (final height of 8.5') to the building height would give the building credit for a full 9' (rounded measurement) which would result in a perpetual cost savings.

The garage maintenance area is to be located below minimum flood levels and dry flood proofed. It's recommended Applicant consider wet flood proofing this area.

Wet flood proofing might be more practical from a storm recovery aspect, especially considering this maintenance area will be critical to post-storm recovery efforts for the entire marina complex.

Wet flood proofing may be less costly, wouldn't depend upon human interaction, would protect this enclosed area for tropical storms that arrive without advance notice (Katrina).

Fire Department comments:

Applicant will need to come into compliance with all code requirements.

Police Department comments:

No comments.

Engineering comments:

The site plan shows curbs around the proposed landscape areas, where the existing stormwater drain inlets are located. Site grading and flumes are not proposed. Please coordinate the site plan with the drainage plan, to prevent stormwater ponding.

Front-end loaded refuse containers shall be screened by vegetation or fencing, and located in accordance with Sec.108-280, where manually moving the container is not necessary and fifty feet of clear backup service access is provided. Please adjust the location and gate orientation of the restaurant dumpster storage area.

Art in Public Places comment:

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Mr. Moody informed the applicant that the amount of the project triggers adding artwork or a mural on the site. The applicant requested meeting prior to construction to address the location of the artwork and/or mural.

Planning Director comments:

Mr. Craig requested the applicant reconsider the location of the trailer washdown and head in parking.

Karen Olson, Special Projects Coordinator for the Engineering Department, informed members that they tried to maintain and add as many parking spaces as the site would allow.

Urban Forester comments:

The Urban Forester and the Tree Commission will need to review the landscape plan. The removal of any existing trees will require review and possible permits from the Tree Commission.

ADA Coordinator comments:

Need to confirm address on Palm Avenue, don't remember assigning this address. The Marina has always been known as 1801 N Roosevelt Blvd. ADA comments concerning construction will be reserved for plan review at time of building permit submittal. We may need to address the number of ADA parking spaces in that parking lot as well.

Mr. Horn informed members that a height variance will be required for the tower.

ADJOURNMENT

Motion to adjourn was made by Mr. Torrence and seconded by Ms. Ignaffo.

Meeting adjourned at 11:40am.

**Respectfully submitted by,
Carlene Smith
Development Review Administrator
Planning Department**