

# Conditional Use

Chapter 122, Article III, Sections 122-61 and 122-62

## Dion's Flagler Avenue Mixed Use

3228 Flagler Avenue, Key West, Florida (RE# 00069040-000000)

TREPANIER



& ASSOCIATES INC

LAND USE PLANNING  
DEVELOPMENT CONSULTANTS



### Executive Summary:

This application is a request for conditional use approval to redevelop a light industrial building on the rear of the property at 3228 Flagler Avenue into 8 residential dwellings (4 affordable, 4 market-rate). The front of the property is currently, and will continue to be, occupied by Dion's.

The four proposed affordable units are intended to meet (actually exceed) the minimum affordability requirements for this project and the residential development proposed at 638 United Street.

Proposed unit breakdown as follows:

#### First Residential Floor (over parking):

Unit 201 – Studio, approximately 556 sq. ft. (*deed-restricted affordable*)

Unit 202 – Studio, approximately 556 sq. ft. (*deed-restricted affordable*)

Unit 203 – 3 bed/3 bath, approximately 1,462 sq. ft. sq.

Unit 204 – 3 bed/3 bath, approximately 1,462 sq. ft. sq.

#### Second Residential Floor:

Unit 301 – Studio, approximately 556 sq. ft. (*deed-restricted affordable*)

Unit 302 – Studio, approximately 556 sq. ft. (*deed-restricted affordable*)

Unit 303 – 3 bed/3 bath, approximately 1,462 sq. ft. sq.

Unit 304 – 3 bed/3 bath, approximately 1,462 sq. ft. sq.

**Key persons and entities (Sec. 108-228)** involved in this project are as follows:

Owner: Land 10031, LLC  
 Authorized Agent: Trepanier & Associates, Inc.  
 Architect: Robert Steele, Bob Architecture  
 William Shepler & Associates Architecture  
 Engineer: Perez Engineering  
 Surveyor: Florida Keys Land Surveying  
 Landscape Architect: Ladd Roberts  
 Legal and Equitable Owners: Land 1003, LLC; Land 10031, LLC; LAND 10031, LLC; LAND 113, LLC; LAND 1701, LLC; LAND 2421, LLC; LAND 2708, LLC; LAND 4027, LLC; LAND 7009, LLC; LAND 8351' LLC; and LAND 8601 LLC

**Project Description (Sec. 108-229):**

According to the Monroe County Property Appraiser, the existing CBS structure was built in 1969. The existing commercial site is used as a convenience store and service station fronting Flagler Avenue with a concrete block warehouse attached to the rear. Neither building is historic and are located outside the Historic District.

The retail/service station use will remain while the warehouse addition will be demolished and replaced by the proposed new residential development. The proposed residential multi-family structure will be detached from the retail building and two stories over parking. Eight residential dwellings are proposed (4 affordable and 4 market-rate). The property will feature a bocce court for tenant use as an outdoor recreational activity.

All required parking is provided on site with one additional auto space and 5 additional bicycle spaces.

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Zoning	CL	CL	CL	Conditional Use
Height	40 ft	15 ft. 6 in.	39 ft.	Complies
Site Size <sup>1</sup>	≥ 10,000 sq. ft.	21,982 sq. ft.	21,982 sq. ft.	Complies
Density:	16 u/ac (8 units)			
Market Rate	8 units	0	4 units	Complies
AH – Compact Infill Bonus	1 units	0	4 units	Complies
Floor Area Ratio Total	0.8	26% (5,741 sq. ft.)	12% (2,807 sq. ft.)	Complies
Building Coverage	40% (10,991 sq. ft.)	26% (5,741 sq. ft.)	38% (8,355 sq. ft.)	Complies
Impervious Surface	60% (13,189.2 sq. ft.)	~100% (~21,982 sq. ft.)	84% (18,477 sq. ft.)	Complies*
Open Space (Mixed use)	30% (6,725 sq. ft.) <sup>2</sup>	<5%	16% (3,463 sq. ft.)	Complies*
Landscape	20% (4,396 sq. ft.)	<5%	16% (3,505 sq. ft.)	Complies*
Setback – Front	Minimum of 25 ft.	+25 ft.	+25 ft.	Complies
Setback – Side	15 ft.	0.8 ft.	5 ft.	Complies
Setback – Street Side	20 ft.	+20 ft.	20 ft.	Complies
Setback – Rear	Minimum of 25 ft.	25 ft.	25 ft.	Complies
Parking: auto	18	8	24	Complies
bicycle	8.8	0	18	Complies

\*Improving an existing non-conformity

<sup>1</sup> According to the Monroe County Property Appraiser's Records

<sup>2</sup> Per Sec. 108-346

**Sec. 122-62. – Specific criteria for approval:**

**(a) Findings.**

A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan comply with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and the land development regulations.

**(b) Characteristics of use:**

**(1) Scale and intensity**

**a. Floor area ratio**

FAR for the CL zoning district is 0.8. Existing FAR is 26% with 5,741 square feet of commercial floor area. With the demolition of the warehouse space, the commercial floor area ratio will decrease to 12% with a reduction of 2,934 square feet of existing floor area.

**b. Traffic generation**

Table 1 Trip Generation Summary Dion's Flagler Avenue Mixed-Use - Key West, Florida								
Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
<i>Existing</i>								
Gas Station w/ C-Store	8 FP	1,643	51	49	100	57	55	112
Light Industrial	1,898 SF	9	2	0	2	0	2	2
<b>Total (Existing)</b>		<b>1,652</b>	<b>53</b>	<b>49</b>	<b>102</b>	<b>57</b>	<b>57</b>	<b>114</b>
<i>Proposed</i>								
Gas Station w/ C-Store	8 FP	1,643	51	49	100	57	55	112
Apartments	8 DU	59	1	3	4	4	2	6
<b>Total (Proposed)</b>		<b>1,702</b>	<b>52</b>	<b>52</b>	<b>104</b>	<b>61</b>	<b>57</b>	<b>118</b>
<b>Difference (Proposed - Existing)</b>		<b>50</b>	<b>(1)</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>4</b>

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

Source: Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition).

**c. Enclosed building square footage**

Commercial retail: 2,807 sq. ft.

Residential: 5,548 sq. ft.

d. Proposed employment

Not applicable. No new employment is proposed. Existing employment for the retail/service station will remain the same.

e. Proposed number and type of service vehicles

Not applicable. No new service vehicles are proposed.

f. Off-street parking needs

The current parking situation is an existing non-conformity. The proposed reduction in commercial square footage will reduce that requirement from 20 spaces to 10, thereby bringing the property into conformity. Notwithstanding, the new residential use is designed to, not only meet, but to exceed the parking requirements.

The parking required for the proposed residential development is 4 auto spaces and 8 bike/scooter spaces. The design includes 13 auto spaces and 10 bicycle spaces.

Parking Demand		Area/ Units	Automobile		Bikes/Scooters	
			Req'd	Existing	Req'd	Existing
Existing	Commercial (1/300 sq. ft.)	5,741 sq. ft.	19.1	8	1.9	0
	Residential (2/MR Unit)	0 units	0	0	0	0
	Total			19.1	8	1.9
Proposed	Commercial (Existing nonconformity)	2,807 sq. ft.	9.3	8	0.9	8
	Residential (1/MR Unit)	4 MR units 4 Aff units	8	16	8.8	10
	Total			17.3	24	9.7

(2) On- or off-site improvement needs

a. Utilities

Concurrency Facilities and Other Utilities or Services are summarized as follows:

Levels of Service – The impacts of the proposed project are generally summarized as follows:

- The LOS analysis concludes that overall trip generation from the site will be expected to increase by approximately 50 trips per weekday and per weekend as part of the proposal.
- Supply of parking follows and exceeds the demand of the Land Development Regulations Section 108-572 and Section 122-1470.

- Potable water demand for the new residential development and neighborhood retail is estimated to increase from 908.9 to **2,548 gal/day**.
  - The wastewater flow for the new residential development and neighborhood retail is anticipated to increase from 86.98 to **2,190 gal/day**.
  - The recyclable waste LOS for the new residential development and neighborhood retail is anticipated to increase from 4.09 to **12.5 lbs/day**.
  - The solid waste LOS for the new residential development and neighborhood retail is anticipated to increase from 57.83 to **84.21 lbs/day**
  - The proposed change is not expected to impact Storm water LOS.
  - The proposed change is not expected to impact Recreation LOS.
  - The team will coordinate with FKAA to ensure the water pressure and flow will be adequate for fire protection for the type of construction proposed.
  - No adverse impacts to the quality of receiving waters are anticipated before, during or after construction.
  - Changes to the existing storm water management system is depicted on the attached plans.
- b. Public facilities  
See concurrency analysis below.
- c. Roadway or signalization improvements  
NA - No roadway or signalization improvements are required or proposed.
- d. Accessory structures or facilities  
NA - No accessory structures or facilities are required or proposed.
- e. Other unique facilities/structures proposed as part of site improvements  
NA - No other unique facilities/structures proposed as part of site improvements are required or proposed.
- (3) On-site amenities proposed to enhance site and planned improvements
- a. Open space  
Open space will be improved from the existing <5% to 16%.
- b. Setbacks  
All new setbacks are compliant.

c. Screening and buffers

Pursuant to Sec. 108-517, this is a formal request for modification to the standards of Ordinance No. 97-10, to allow the development as depicted on the associated development plans. This request is hereby filed with the city planning office.

This request is to modify landscape requirements of Sec. 108 because proposed landscaping, and associated mitigative techniques, are not contrary to the intent of the applicable regulations and a literal enforcement of the standards would be impractical. The property is an existing nonconformity relative to screening, buffers and landscaping. Significant improvements, as depicted on the plans, are proposed to screening, buffers and landscaping.

The specific modification requested is to Sec. 108-413(c) - Requirements along street frontage, Sec. 108-414(b) - Requirements for interior areas and Sec. 108-415(a) & (b) - Perimeter landscape requirements.

The above modification is requested in order to allow:

1. Protection, preservation, and enhancement of the integrity of the existing site.
2. No significant adverse impacts on the public interest, or on adjacent properties.
3. The modification to not be discriminatory, considering similar situations in the general area.
4. The creation of an alternative landscape solution which will achieve the purposes of the requirement through clearly superior design.
5. The reasonable application of the requirements without effectively depriving the owner and the community of reasonable use of the land for the intended purpose due to its unusual size, shape, and location.
6. The effect upon the owner without outweighing valid public purpose in imposing the requirement in this case.
7. The reasonable application of the requirements without being technically impractical.

d. Landscaped berms proposed to mitigate against impacts to adjacent sites

Berms are not proposed.

e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

This project proposes no use which would induce smoke, odor, noise or other noxious impacts.

**(c)** Criteria for conditional use review and approval:

(1) Land use compatibility.

As mentioned above, the project site is located in the Limited Commercial (CL) zoning district. The intent of the Commercial (CL) zoning district is to implement the HC future land use designation; it accommodates residential dwellings as well as business and professional offices. This commercial property is located along the 3200 block of Flagler Avenue, between Riviera Street and Kennedy Drive. This site is at the edge of the Commercial Limited zoning district and immediately adjacent to the Single-Family district. Flagler Avenue is a busy commercial thoroughfare with stretches of residential neighborhoods. This property is sided by offices to the south and a residential community to the north and east. The residential density is limited to 16 dwelling units per acre. This project seeks to meet the needs of residents by providing a total of 4 market-rate units and 4 affordable housing units.

(2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use.

As mentioned above, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use. Site data table is included. No variances are requested as part of this approval.

(3) Proper use of mitigative techniques.

No adverse impacts to adjacent land uses are anticipated, the community character is a mix of commercial/office space and single-family homes of various sizes, age and architectural style. Community infrastructure will not be burdened by this project.

(4) Hazardous Waste.

The proposed use will not produce any hazardous waste or use hazardous materials in its operation.

(5) Compliance with applicable laws and ordinances.

All applicable permits required from agencies other than the City of Key West will be obtained.

(6) Additional criteria applicable to specific land uses.

Residential Developments (Sec. 108-231):

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 not located within the Historic District and is not subject to HARC approvals and process.
- 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.
- Section 108-956 – The project team will coordinate with FCAA to ensure access to potable water and a wastewater disposal system.
- Chapter 110 – As demonstrated in this application, the proposed development complies with the resource protection requirements of Chapter 110.

**Article III Site Plan (Sections 108-276 – 289)**

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

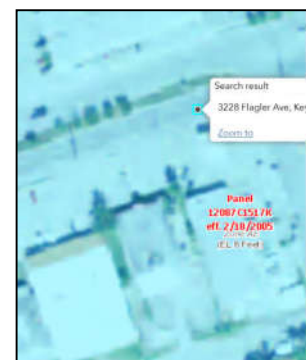
Location:

This commercial property is located along the 3200 block of Flagler Avenue, between Riviera Street and Kennedy Drive. This site is at the edge of the Commercial Limited zoning district and immediately adjacent to the Single-Family district. Flagler Avenue is a busy commercial thoroughfare with stretches of residential neighborhoods. This property is sided by offices to the south and a residential community to the north and east.



Legal Description:

Lots 9, 15 & 16, collectively known as 32228 Flagler Ave and located on the southern side of Flagler, just east of the intersection with Kennedy Dr. in the 'New Town' area of Key West.



Flood Zone:

According to the 2005 FEMA Flood Insurance Map, the property is located within the AE8-Zone. This means that the area is approximately 8 ft. above Base Flood Elevation (BFE) and inundated by 1% annual chance flooding. The proposed new development will be elevated at a height of 15.44 ft. for the first habitable floor; exceeding the required 1.0 ft. above base flood elevation as required by Sec. 14-38 as well as the BPAS requirement of 1.5 ft. above base flood elevation.

Future Land Use Map Designation ("FLUM"):

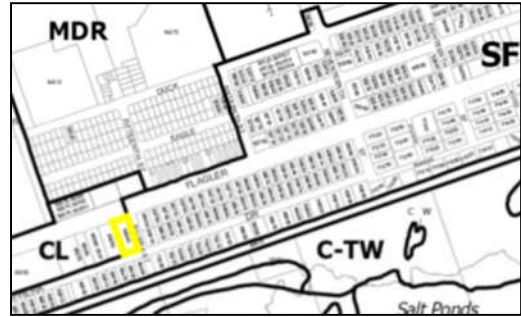
According to the City of Key West 2013 Comprehensive Plan, the property's FLUM designation is General Commercial ("CG").





## Zoning ("CL")

According to the City of Key West Zoning Map, the property is zoned Limited Commercial ("CL").



The limited commercial district (CL) is established to implement comprehensive plan policies for areas designated "CL" on the comprehensive plan future land use map. The CL district shall accommodate limited commercial land uses with maximum gross floor area not exceeding 5,000 square feet, including total area both under roof and outside sales area, and which shall include shops catering primarily to the following markets:

- (1) Neighborhood residential markets within the immediate vicinity as opposed to citywide or regional markets;
- (2) Specialized markets with customized market demands; or
- (3) Tourist-oriented markets in the immediate vicinity.

In order to manage the impacts of future development on transportation and public facilities, the city shall limit the intensity of development in the CL district to activities generating no more than 100 trips per 1,000 square feet of gross leasable floor area per day. Areas designated for residential and limited commercial development shall not accommodate large scale retail sales and trade activities generally serving a citywide or regional market. Such stores usually differ from limited commercial shops since the former generally require a larger floor area, carry a relatively larger inventory, and require a substantially greater off-street parking area.

Uses which are not accommodated within the limited commercial area include the following: large scale discount stores or supermarkets; department stores; wholesale and warehousing activities; sales, service or repair of motor vehicles, machine equipment or accessory parts, including tire and battery shops; automotive services centers; and fast food establishments primarily serving in disposable containers and/or providing drive-in or drive-through facilities. In addition, the CL designation shall not accommodate transient residential uses, including motels or hotels and conversions from permanent residential use to transient residential use. However, existing motels within CL designated areas shall be grandfathered as lawful nonconforming uses.

Multiple-family residential dwellings are a permitted use in the CL zoning district.

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):

A front-end loaded refuse container is not proposed for the residential development.

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

A roll-off container is not proposed as part of the operation of the residential development.

Utility lines (Section 108-282):

The proposed project will require installation of new utility services. Installation will be coordinated with appropriate utility agency and in accordance with Section 108-282.

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

No new commercial activities are proposed for this development. The existing service/filling station and retail mini mart will remain.

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):

No new signage is proposed.

Pedestrian sidewalks (Section 108-286):

New sidewalks and ROW improvements are proposed per the attached plan.

Loading docks (Section 108-287):

No loading docks are required or proposed.

Storage Areas (Section 108-288):

Storage areas are proposed for use of tenants in each unit and will be located at the rear of the principle structure per code section 108-288.

Land Clearing, Excavation, and Fill (Sec 108-289):

There is no land clearing proposed. Tree removal will be reviewed and approved by the urban forester and the Tree Commission as needed.

**Article IV. Traffic Impacts (Sections 108-316 – 319):**

All traffic pathways, drives, curb cuts, parking space dimensions, access & egress patterns, parking space dimensions are all provided on the site plan in accordance with this article.

Coordination with associated utilities will be provided as required.

**Article V. Open Space, Screening, Buffers and Landscaping (Sections 108-346 – 108-352**

As mentioned above, Pursuant to Sec. 108-517, this is a formal request for modification to the standards of Ordinance No. 97-10, to allow the development as depicted on the associated development plans. Criteria for such waiver has been outlined previously in this analysis.

**CONCURRENCY ANALYSIS:**

**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 specific issues are outlined:

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

The following concurrency analysis reflects the proposed removal of existing commercial use and replacement with residential use of five units.

**Policy 2-1.1.1- Transportation**

The maximum predicted potential trip generation of the current land uses is less than the maximum predicted potential trip generation from the proposed land uses.

The LOS analysis concludes that overall trip generation from the site will be expected to increase by approximately 50 trips per day as part of the proposal.

Table 1 Trip Generation Summary Dion's Flagler Avenue Mixed-Use - Key West, Florida								
Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
<i>Existing</i>								
Gas Station w/ C-Store	8 FP	1,643	51	49	100	57	55	112
Light Industrial	1,898 SF	9	2	0	2	0	2	2
<b>Total (Existing)</b>		<b>1,652</b>	<b>53</b>	<b>49</b>	<b>102</b>	<b>57</b>	<b>57</b>	<b>114</b>
<i>Proposed</i>								
Gas Station w/ C-Store	8 FP	1,643	51	49	100	57	55	112
Apartments	8 DU	59	1	3	4	4	2	6
<b>Total (Proposed)</b>		<b>1,702</b>	<b>52</b>	<b>52</b>	<b>104</b>	<b>61</b>	<b>57</b>	<b>118</b>
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Compiled by: KBP Consulting, Inc. (December 2017).  
Source: Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition).

Notwithstanding the proposed trip generation, Policy 2-1.1.3: Dense Urban Land Area effectively eliminates the transportation concurrency requirement in favor of a prioritization of safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development)

**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.

**Policy 4-1.1.2.C – Potable Water**

Based on the City of Key West adopted level of service the potable water demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.C, the potable water LOS for residential and nonresidential development is 100 gal/capita/day)

The potable water flow is anticipated to be **2,548 gal/day**

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by approximately 1,639.1 gallons per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity <sup>3</sup>	LOS	Daily Capacity	
Proposed	100 g/capita/day	21.04 capita x 100g = 2,104 gal	100g/capita/day	2,807/ 1000*1.5833 <sup>4</sup> =4.44 x 100g = 444 gal	2,548 gal
Existing	100 g/capita/day	0 capita x 100g = 0 gal	100g/capita/day	5,741/ 1000*1.5833 <sup>5</sup> =9.08 x 100g = 908.9 gal	908.9 gal

The Aqueduct Authority has the capacity to supply adequate service to this property, as demonstrated below.

Potable water to the City of Key West is provided by the Florida Keys Aqueduct Authority (FKAA). The FKAA has the capacity to provide 23 million gallons per day to Monroe County as a result of: The South Florida Water Management District’s issuance of Water Use Permit #13-0005, which allocates 17 million gallons per day in the dry season; 17.79 million gallons per day which can be withdrawn from the Biscayne Aquifer; and six million gallons per day provided by a reverse osmosis treatment plant in Florida City. As documented above, the City is meeting its Level of Service Standard for Potable Water. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development during short and long-range

<sup>3</sup> For the purposes of LOS, “capita” was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

<sup>4</sup> Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood retail

<sup>5</sup> Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood retail

planning periods, so the current capacity should remain adequate. Ongoing capital improvements will be necessary to maintain and improve standards and service delivery.

**Policy 4-1.1.2.A- Sanitary Sewage**

Based on the City of Key West adopted level of service the sanitary sewer demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.A, the sanitary sewer LOS for nonresidential development is 660 gal/acre/day) and the sanitary sewer LOS for residential development is 100 gal/capita/day).

The sanitary sewer flow is anticipated to be **2,190 gal/day**

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by 2,104 gallons per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity <sup>6</sup>	Rate	Daily Capacity	
Proposed	100 g/capita/day	21.04 capita x 100g = 2,104 gal	660 gal/acre/day	0.13 acres x 660 gal = 86.98 gal	2,190 gal
Existing	100 g/capita/day	0 capita x 100g = 0 gal	660 gal/acre/day	0.13 acres x 660 gal = 86.98 gal	86.98 gal

The City contracts out the operation of the Richard A. Heyman Environmental Pollution Control Facility, its wastewater treatment plant (Plant), and the associated collection system to Operations Management International, Inc. (OMI). The Plant currently has the capacity to treat 10 million gallons per day, exceeding the capacity required to achieve the existing Level of Service Standard by approximately seven million gallons per day. Actual daily flow is 4.5 million gallons per day. This is a reduction from eight (8) million gallons per day due to a 67 million dollars capital improvement to the City’s wastewater treatment during the past short term planning period, including \$56 million for collection system rehabilitation.

As documented above, the City is exceeding its Level of Service Standard for Wastewater. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-range planning periods, so the current capacity should remain adequate. Ongoing capital improvements and continuing conservation efforts will continue to maintain and improve service delivery.<sup>7</sup>

**Policy 4-1.1.2.D- Solid Waste**

Based on the City of Key West adopted level of service the solid waste demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.D, the solid waste LOS for nonresidential development is 6.37

<sup>6</sup> For the purposes of LOS, “capita” was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household  
<sup>7</sup> City of Key West Comprehensive Plan Data and Analysis, Pg. A-16

lbs/capita/day) and the solid waste LOS for residential development is 2.66 lbs/capita/day).

The solid waste impact is anticipated to be **84.21 lbs/day**

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by 26.38 pounds per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity <sup>8</sup>	LOS	Daily Capacity <sup>9</sup>	
Proposed	2.66 lbs/capita/day	21.04 capita x 2.66 lbs = 55.96 lbs	6.37 lbs/capita/day	2,807/1000*1.5833=4.44 x 6.37lbs= 28.31	84.21 lbs
Existing	2.66 lbs/capita/day	0 capita x 2.66 lbs = 0 lbs	6.37 lbs/capita/day	5,741/ 1000*1.5833=9.08 x 6.37lbs= 57.83 lbs	57.83 lbs

The City currently contracts with Waste Management of Florida, Inc. to collect, transfer and dispose of solid waste and residential recyclables. Commercial recyclables and other non-franchised collection services such as construction and demolition debris and yard waste are available on the open market to all licensed haulers. The City owns and operates a solid waste transfer station on Rockland Key that received 45,402.10 tons of solid waste for disposal and 3,607 tons of recyclables in 2009/10. Waste Management disposes of the solid waste collected in Monroe County, including the City of Key West, at its Central Sanitary Landfill in Broward County. In 2009 Waste Management Inc. reported a reserve capacity of 17 years at this facility. There is therefore an estimated reserve capacity of 15 years as of the date of this report.

As documented above, the City is meeting its Level of Service Standard for solid waste. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-range planning periods, and the current capacity should remain adequate. Ongoing capital improvements will be necessary to improve standards and service delivery.<sup>10</sup>

**Policy 4-1.1.2. D- Recyclable Waste Generation Level of Service**

Based on the City of Key West adopted level of service the recyclable waste demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2. D, the recyclable waste LOS for nonresidential development is 0.25 lbs/capita/day) and the recyclable waste LOS for residential development is 0.50 lbs/capita/day).

The recyclable waste impact is anticipated to be **12.5 lbs/day**

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by 8.41 pounds per day. The team will coordinate

<sup>8</sup> For the purposes of LOS, "capita" was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

<sup>9</sup> Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood Retail

<sup>10</sup> City of Key West Comprehensive Plan Data and Analysis, Pg. A-17

with waste management services to provide an adequately sized waste & recycling container.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity <sup>11</sup>	LOS	Daily Capacity <sup>12</sup>	
Proposed	0.5 lbs/capita/day	21.04 capita x 0.5 lbs = 10.5 lbs	0.25 lbs/capita/day	2,807/1000*2.8536 <sup>13</sup> = 8.01 x 0.25lbs= 2.0 lbs	12.5 lbs
Existing	0.5 lbs/capita/day	0 capita x 0.5 lbs = 0 lbs	0.25 lbs/capita/day	5,741/1000*2.8536 <sup>14</sup> =16.38 x 0.25lbs= 4.09 lbs	4.09 lbs

**Policy 4-1.1.2. E- Drainage Facilities Level of Service**

The project is exempt from storm water management permitting requirements in accordance with Section 108-716(3), "Any maintenance, alteration, renewal, repair, use or improvement of an existing structure or the construction of any structure or modification thereto which does not create impervious surface exceeding 500 square feet. This shall not exempt the applicant from retaining the first one inch of rainfall on site as required by F.A.C. 17-25".

Existing Level of Service Standard

1. Post development runoff shall not exceed the pre-development runoff rate for a 25-year storm event, up to and including an event with a 24-hour duration.
2. Storm water treatment and disposal facilities shall be designed to meet the design and performance standards established in Chapter 62-25 Section 25.025, Florida Administrative Code, with treatment of the runoff from the first one inch of rainfall on-site to meet the water quality standards required by Chapter 62-302, Florida Administrative Code. Storm water facilities which directly discharge into "Outstanding Florida Waters" (OFW) shall provide an additional treatment pursuant to Section 62-25.025 (9), Florida Administrative Code.
3. Storm water facilities must be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 62-302 Florida Administrative Code.

<sup>11</sup> For the purposes of LOS, "capita" was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

<sup>12</sup> Adopted LOS 0.5/Adopted LOS 0.25= 2.00 multiplier; 4.03\*2.00=8.06

<sup>13</sup> Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

<sup>14</sup> Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office Retail