

**THE CITY OF KEY WEST  
PLANNING BOARD  
Staff Report**



**To:** Chair and Planning Board members

**From:** Kevin Bond, AICP, LEED Green Associate, Senior Planner

**Through:** Donald Leland Craig, AICP, Planning Director

**Meeting Date:** October 16, 2014

**Agenda Item:** **Major Development Plan & Landscape Modifications / Waivers – 921 Truman Avenue (RE # 00021650-000000; AK # 1022403)** – A request for major development plan approval and landscape modifications / waivers for the reconstruction of a 4,557 square foot restaurant on property located within the Historic Neighborhood Commercial – Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(b) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

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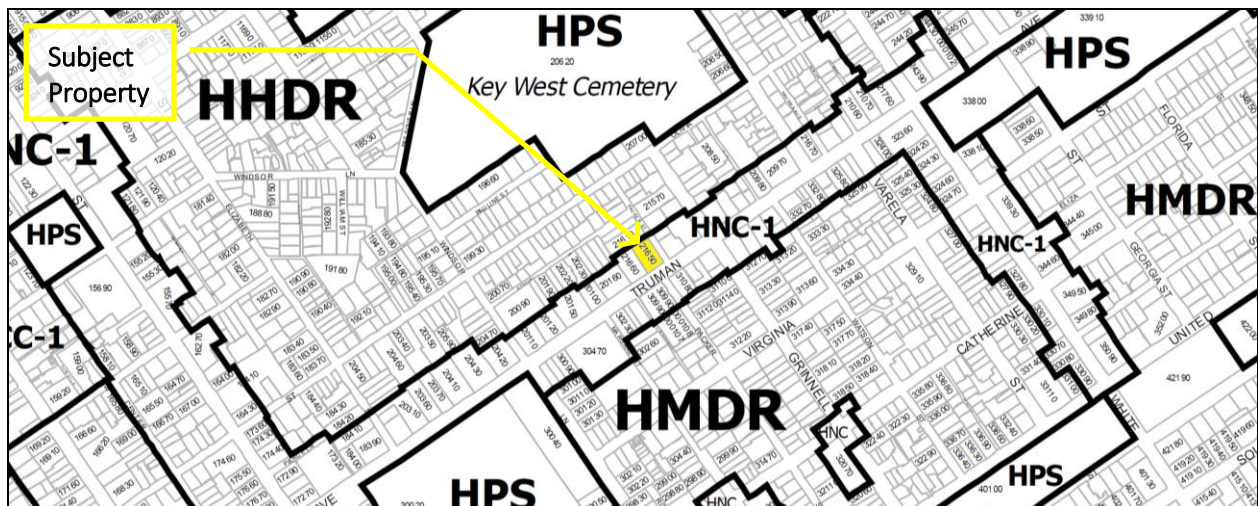
**Request:** Major development plan approval and landscape modifications / waivers for the demolition of the former Kyushu Japanese restaurant and the construction of a new 4,557 square foot restaurant for Seven Fish.

**Applicant:** Trepanier & Associates, Inc.

**Property Owner:** Robert P. and Noreen M. Pollman Revocable Trust of 1999

**Location:** 921 Truman Avenue (RE # 00021650-000000; AK # 1022403)

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



**Background / Proposed Development:**

The subject property, located at the western corner of Truman Avenue and Packer Street within the HNC-1 Zoning District, was previously used as the former Kyushu Japanese restaurant. The property currently consists of one 4,907-square-foot commercial building, which was originally two separate historic buildings that were later joined by an addition in between around 1990. The restaurant was licensed for up to 150 seats. In January 2011, a fire left the prior restaurant a total loss and the building substantially damaged, and has been condemned ever since. The property sold to new owners in February 2014.

The proposed development would demolish the existing building and construct a new 4,765-square-foot restaurant building for Seven Fish, a local restaurant currently located at 632 Olivia Street. The plans call for a two-story building with five off-street parking spaces, including one ADA van-accessible parking space, four bicycle parking spaces, new landscaping and a new sidewalk along Packer Street. The restaurant seating would remain a maximum 150 seats within a 2,250-square-foot serving/consumption area. Several existing building encroachments and setback nonconformities would be eliminated and the overall property would be brought further into compliance with the City’s Land Development Regulations.

In order to allow the proposed development, several development approvals would be necessary or are requested by the applicant:

- Major Development Plan review is required due to the reconstruction of greater than 2,500 square feet of nonresidential floor area, pursuant to Section 108-91.A.2.(b) of the Land Development Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”); and
- Modifications or waivers to reduce landscaping requirements pursuant to City Code Section 108-517.

**Surrounding Zoning and Uses:**

Surrounding properties are located within the HNC-1 and Historic High Density Residential (HHDR) Zoning Districts. Surrounding uses are residential to the north and south as well as an adult-oriented retail store to the south across Truman Avenue, an office to the east across Packer Street and an abutting hotel to the west. Zoning districts within 300 feet of the property are HNC-1, HHDR and Historic Medium Density Residential (HMDR). Other uses within 300 feet of the property include mixed use residential / commercial, bars, the Key West cemetery and vacant land.

**Process:**

Development Review Committee (DRC):	June 26, 2014
Preliminary Tree Commission:	September 9, 2014
Planning Board:	October 16, 2014
HARC:	pending
Final Tree Commission:	pending
City Commission:	pending
DEO review	Up to 45 days, following local appeal period

**Evaluation for Compliance with the Land Development Regulations (LDRs) and Comprehensive Plan**

City Code Section 108-91.A.2.(a) requires the reconstruction of five or more transient residential units to be reviewed as a Major Development Plan. City Code Section 108-196(a) states after reviewing a Major Development Plan or a Minor Development Plan for a property and staff recommendations therefor, the Planning Board shall act by resolution to approve, approve with conditions, or disapprove it based on specific development review criteria contained in the LDRs and the intent of the LDRs and comprehensive plan. The Planning Board resolution shall provide written comments documenting any conditions of approval that the Planning Board finds necessary to effectuate the purpose of Development Plan review and carry out the spirit and purpose of the Comprehensive Plan and the LDRs. If the Development Plan is recommended for disapproval, the Planning Board resolution shall specify in writing the reasons for recommending such denial. The Planning Board’s decision on a Major Development Plan in the historic district shall be advisory to the City Commission.

Planning staff, as required by Chapter 108 of the City LDRs, has reviewed the following for compliance with the City's LDRs and Comprehensive Plan as summarized in the following table.

<b>Project Data Summary</b>				
<b>Dimensional Requirement</b>	<b>Required/ Allowed</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change / Variance Required?</b>
Zoning District	HNC-1			
Flood Zone	X			
Site size	8,347 SF; 0.19 acres			
Maximum density	16 du/acre	None	None	None
Maximum floor area ratio	1.0	0.593	0.570	-0.23 / In compliance
Maximum height	35 feet	25'-0"	34'-3"	+9.25 / In compliance
Maximum building coverage	50%	56%	51%	-5 / Nonconforming, but would improve
Maximum impervious surface	60%	95%	84%	-11 / Nonconforming, but would improve
Minimum lot size	4,000 SF	8,347 SF	8,347 SF	None
Minimum lot width	40 feet	71.75 feet	71.75 feet	None
Minimum lot depth	100 feet	116.33 feet	116.33 feet	None
Minimum front setback (Truman Ave)	5 feet	-2.13 feet (encroachment)	5 feet	+7.13 feet / In compliance
Minimum side setback (SW)	5 feet	3'-10" (nonconforming)	5 feet	+1'-2" / In compliance
Minimum rear setback	15 feet	43'-0" feet	44'-10"	+1'-10" / In compliance

Project Data Summary				
Dimensional Requirement	Required/ Allowed	Existing	Proposed	Change / Variance Required?
Minimum street side setback (Packer St)	7.5 feet	-2.26 feet (encroachment)	5 feet	+7.26 feet / In compliance
Minimum vehicular parking (restaurants, bars and lounges)	1 space per 45 SF of serving and / or consumption area	Prior license for 150 seats @ 15 SF / seat = 2,250 SF consumption area = 50 spaces required; 5 spaces provided	No increase in seats or consumption area; 5 off-street spaces provided, including 1 ADA van-accessible space	None / Nonconforming
Minimum handicap parking	1 space	0 spaces	1 off-street van-accessible space	+1 off-street space / In compliance
Minimum bicycle parking	35% of vehicular spaces = 13 spaces	0 spaces	4 spaces	+4 spaces / Nonconforming
Minimum open space	20%	5%	16% (including 8% under overhangs and entry)	+11 / Nonconforming, would improve
Landscaping	Code Ch 108, Arts V & VI	See analysis	See analysis	<b>Nonconforming, but would improve; modifications / waivers requested</b>
Consumption area or number of seats		150 seats = 2,250 SF consumption area	150 seats = 2,250 SF consumption area	None

**Concurrency Facilities and Other Utilities or Services (City Code Section 108-233)**

Comprehensive Plan Objective 9-1.5 directs the City to ensure that public facilities and services needed to support development are available concurrent with the impacts of new development. The analysis considers potable water, sanitary sewer, solid waste, drainage, vehicle trip generation and recreation. City Code Section 94-36 requires a concurrency review determination to be made concerning the proposed development. The Applicant provided a concurrency analysis as part of the Major Development Plan application. Staff reviewed the provided concurrency analysis following the criteria in City Code Section 94-36 and determines that public facilities are expected to accommodate the proposed development at the adopted level of service (LOS) standards. This portion of the report shall serve as the required written determination of compliance.

**1. Potable water supply**

The potable water LOS standard for nonresidential uses is 650 gallons per acre per day, pursuant to City Code Section 94-68. The land area would remain the same and the floor area would decrease. Utilizing this LOS standard, potable water demand is estimated as follows:



Based on total acres of land area:  $650 \text{ gal/acre/day} \times 0.19 \text{ acres} = 123.5 \text{ gal/day}$

Based on total acres of floor area:  $650 \text{ gal/acre/day} \times 0.11 \text{ acres} = 71.5 \text{ gal/day}$

Therefore, the adopted potable water LOS standard is anticipated to be adequate to serve the proposed development. The property is currently serviced with potable water by the Florida Keys Aqueduct Authority (FKAA), which has been notified of the upcoming development and has available capacity to service the proposed development with the existing infrastructure currently in place.

## **2. Wastewater management**

The sanitary sewer LOS standard for nonresidential uses is 660 gallons per acre per day, pursuant to City Code Section 94-67. The land area would remain the same and the floor area would increase. Utilizing this LOS standard, sanitary sewer capacity demand is estimated as follows:

Based on total acres of land area:  $660 \text{ gal/acre/day} \times 0.19 \text{ acres} = 125.4 \text{ gal/day}$

Based on total acres of floor area:  $660 \text{ gal/acre/day} \times 0.11 \text{ acres} = 72.6 \text{ gal/day}$

Therefore, the adopted sanitary sewer capacity LOS standard is anticipated to be adequate to serve the proposed development.

## **3. Water quality**

The property is served by the City's central sewer system. The property is not adjacent to any bodies of water. Therefore, no adverse impacts to water quality are anticipated.

## **4. Stormwater management / drainage**

The stormwater management or drainage LOS standard pursuant to City Code Section 94-69 is: i) post-development runoff shall not exceed predevelopment runoff for a 25-year storm event, up to and including an event with a 24-hour duration; ii) onsite treatment of the first one inch of rainfall must be provided to meet water quality standards; and iii) storm water facilities must be designed so as to not degrade any receiving water body.

A drainage plan was submitted indicating that a full stormwater management system would be installed and total impervious area would be slightly reduced. Stormwater would be retained on-site through exfiltration trenches. Therefore, no adverse impacts to stormwater management or drainage facilities are anticipated.

## **5. Solid waste**

The solid waste LOS standard for nonresidential uses is 6.37 pounds per capita per day, pursuant to City Code Section 94-71. The proposed development is anticipated to have 11 employees. Utilizing this LOS standard, the demand for solid waste collection and disposal capacity is estimated as follows:

Proposed development:  $6.37 \text{ lb/capita/day} \times 11 \text{ employees} = 70.07 \text{ lbs/day}$

According to the City's General Services Division, the contract with Waste Management (WM) accounts for a 20 year "window" for waste processing at the Wheelabrator Waste-to-Energy site. There are other facilities in South Florida also owned by WM for continued use into the future. Therefore, the adopted solid waste LOS standard is anticipated to be adequate to serve the proposed development.

## **6. Roadways**

The roadway LOS standard is set forth in City Code Section 94-72. Truman Avenue is classified as a principal arterial roadway. Truman Avenue is considered "physically constrained" because it has an existing operating condition below the minimum LOS C standard. Constrained facilities LOS is C plus five percent (5%). According to the 2011 Carrying Capacity Study, Truman Avenue has an existing LOS of F. Nonetheless, the proposed development would maintain the same number of restaurant seats and the consumption/serving floor area would decrease slightly. Trip generation is expected to decrease compared to the prior floor area. Therefore, a traffic study was not required and the proposed development is not anticipated to negatively affect the adopted LOS standard.

## **7. Recreation**

The recreation LOS standard is five acres of recreation and open space per 1,000 permanent residents pursuant to City Code Section 94-70. According to the 2013 Comprehensive Plan Data and Analysis, the City is currently providing ample recreation and open space. The proposed development is nonresidential in nature and therefore would have no impact on the adopted recreation LOS standard.

## **8. Fire Protection**

The proposed development shall comply with the life safety requirements per the Fire Marshall's direction.

## **9. Reclaimed water system**

Not anticipated by the applicant.

## **10. Other public facilities**

Based on comments received from the DRC members, and based on the Applicant's concurrency analysis, all public facilities would be expected to accommodate the proposed development at the adopted LOS standards.

## **Appearance, design and compatibility (City Code Section 108-234)**

The development plan shall satisfy criteria established in:

### **City Code Chapter 102 (historic preservation)**

The property is located within the Key West Historic District and the proposed development would need to obtain a Certificate of Appropriateness from the Historic Architectural Review Commission (HARC) for the proposed demolition of the existing non-contributing structure and the construction of the new restaurant building prior to issuance of building permits.

**Articles III (site plan), IV (traffic impacts) and V (open space, screening and buffers) of City Code Chapter 108 (planning and development)**

The proposed site plan is analyzed in greater detail below. Although a traffic study was not required due to the nonresidential floor area not increasing, traffic impacts were found to be in compliance in the concurrency determination above. The open space provided would increase and new landscaping is proposed, although landscape modifications and waivers are requested as part of the development plan review.

**City Code Section 108-956 (potable water and wastewater)**

Potable water and wastewater were found to be in compliance in the concurrency determination above.

**Article II (archaeological resources) of City Code Chapter 110 (resource protection)**

There are no known archaeological resources on the property. If any archeological resources are discovered during construction, the Applicant would be required to comply with this article of the LDRs.

**Site location and character of use (City Code Section 108-235)**

- (a) *Compliance.* The submitted development plan has been reviewed for compliance with all applicable performance criteria set forth in Code Chapter 94 (concurrency management), Code Chapter 102 (historic preservation), Code Chapter 106 (performance standards), Articles I and III through IX of Code Chapter 108 (planning and development), Code Chapter 110 (resource protection) and Code Chapter 114 (signs).
- (b) *Vicinity map.* The property is situated at the western corner of Truman Avenue and Packer Street. A location map is indicated on the survey.
- (c) *Land use compatibility.* Properties within 100 feet are located within the HNC-1, HHDR and HMDR Zoning Districts. Adjacent land uses within 300 feet include residential, commercial retail, office, mixed use residential / commercial, bars, the Key West cemetery and vacant land. No unincorporated parts of the county are located nearby, nor would any be impacted by the proposed development.
- (d) *Historic and archeological resource protection.* The project's impact on archaeological and historic resources is being coordinated through the DRC and would be reviewed by the HARC through a Certificate of Appropriateness.
- (e) *Subdivision of land.* No subdivision of land is proposed.

**Appearance of site and structures (City Code Section 108-236)**

The Applicant submitted a development plan that generally exhibits harmonious overall design characteristics in compliance with the performance standards stipulated in Code Sections 108-278 through 108-288, as analyzed and reflected in the staff recommendation below.

**Site plan (City Code Section 108-237)**

The Applicant submitted a site plan pursuant to City Code Section 108-237, which is analyzed in greater detail below.

**Architectural drawings (City Code Section 108-238)**

The Applicant submitted architectural drawings prepared by a professional architect registered in Florida pursuant to City Code Section 108-238.

**Site amenities (City Code Section 108-239)**

Proposed site amenities include five off-street parking spaces, bicycle parking, installing a new ADA-accessible sidewalk along Packer Street, screening of garbage and recycling containers, a new stormwater drainage system, and increasing open space and landscaping. This project also qualifies for the 1% set-aside for public art.

**Site survey (City Code Section 108-240)**

The Applicant submitted a site survey pursuant to City Code Section 108-240.

**Soil survey (City Code Section 108-241)**

Not applicable.

**Environmentally sensitive areas (City Code Section 108-242)**

No environmentally sensitive areas are located on or near the property, which is located within the X flood zone.

**Land clearing, excavation and fill, tree protection, landscaping and irrigation plan (City Code Section 108-243)**

- (a) *Land clearing, excavation and fill.* All existing development would be demolished and any existing landscaping would be removed.
- (b) *Tree protection.* Any existing trees and landscaping would be removed. The City's Urban Forestry Manager and the Tree Commission are reviewing the proposed tree removal and landscape plans. Conceptual approval was granted on September 9, 2014.
- (c) *Landscaping plan.* The submitted plan indicates landscaping incorporated mostly along the Truman Avenue, Packer Street and southwest sides of the property. Landscaped open space would be increased above the existing amount. However, full compliance with all landscape buffer requirements of the LDRs is not proposed. Modifications and waivers are requested as part of this application to reduce the required landscaping. No environmentally sensitive areas exist.
- (d) *Irrigation plan.* None provided, but an irrigation plan is a recommended condition.

**On-site and off-site parking and vehicular, bicycle, and pedestrian circulation (City Code Section 108-244)**

Currently, a parking lot exists to the rear of the property with space for five vehicles. The proposed plan would maintain five off-street parking spaces, including one ADA van-accessible space. Therefore, there would be no net loss of existing off-street vehicular parking as required by the LDRs.

There is no existing bicycle parking on the property. The proposed development calls for four (4) off-street bicycle parking spaces located within a screening enclosure. The LDRs require 13 bicycle spaces for restaurants of this size. Staff recommends that the applicant consider

providing all 13 required bicycle parking spaces, and locating the bicycle parking outside of the enclosure, where it would be publicly accessible.

Vehicular and bicycle circulation would be provided by a driveway connection to Packer Street. Pedestrian and bicycle circulation would be improved by the proposed new sidewalk along Packer Street. Staff recommends that pedestrian circulation could be further improved by extending the new Packer Street sidewalk all the way to the new driveway, rather than stopping at a new landscape planter. This would help avoid pedestrians having to walk out into the street between the restaurant entrance and the parking lot.

Loading is proposed to occur within the parking lot behind the building. There is currently no off-street loading space at the property.

#### **Housing (City Code Section 108-245)**

There are no existing or proposed dwelling units on the property. The proposed development is nonresidential in nature and therefore should have no detrimental effect on hurricane evacuation.

#### **Economic resources (City Code Section 108-246)**

An analysis of estimated average ad valorem tax yield from the proposed project was not submitted by the applicant. However, it is expected the tax yield would be greater than that from the existing improvements on the property. No construction expenditure was given by the applicant. The project is estimated to have 11 employees.

#### **Special considerations (City Code Section 108-247)**

- (a) The relationship of the proposed development to the City's land use plans, objectives and policies is being evaluated as part of this analysis. The relationship of the proposed development to public facilities was evaluated above and no conflicts were identified.
- (b) The project located within the historic district and the X flood zone.
- (c) No unincorporated portions of the county would be impacted by the proposed development.
- (d) The project does not front a shoreline, so shoreline access would not be impeded.
- (e) No special facilities are proposed to accommodate bus ridership, but there are no nearby bus routes or bus stops. Nearest bus routes run along White Street and Simonton Street.
- (f) No special design features are proposed to reduce energy consumption. However, the project would be required to comply with the energy efficiency requirements of the state and city building codes for new commercial buildings.
- (g) The property is located within the X flood zone and would not have any usable area below the bottom floor. The elevation plans indicate the first floor at +1.75 above grade.
- (h) No on-site recreation facilities are existing or proposed.
- (i) Coordination with applicable agencies is being facilitated through the DRC.
- (j) No wetlands or submerged land would be impacted.

#### **Construction management plan and inspection schedule (City Code Section 108-248)**

The project would be completed in one phase. A general construction schedule was submitted. Staff recommends that temporary construction fencing and erosion barrier be installed and maintained during all phases of demolition and construction. Staff recommends that all City

streets and sidewalks shall be kept clean and safe during all phases of demolition and construction.

**Truman Waterfront Port facilities (City Code Section 108-249)**

Not applicable.

**Site plan (City Code Chapter 108, Article III)**

The City shall not approve a site plan unless a finding is made that such site plan conforms to all applicable sections of the LDRs, pursuant to City Code Section 108-276, as analyzed below.

**Site location and character of use (City Code Section 108-277)**

Although the existing building and property nonconforming in many ways to the LDRs, many of the existing nonconforming aspects would be eliminated or brought further into compliance with the LDRs, such as landscaping, open space, setbacks and stormwater management.

**Appearance of site and structures (City Code Section 108-278)**

The proposed building is a modern architectural design that would create an overall pleasing and harmonious environment with improved pedestrian accessibility.

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

Air conditioning units, trash and recycling containers, a gas tank and a bike rack are all located within a six-foot-high wood fence enclosure to the rear of the new building. Staff recommends that the bike rack be located outside of the enclosure to be publicly accessible.

**Front-end loaded refuse container location requirements (City Code Section 108-280)**

The City is coordinating the location and type of refuse containers through the DRC and with Waste Management to ensure adequate service access. An enclosure is indicated on the plans to help screen the trash collection area from adjacent property.

**Roll-off compactor container location requirements (City Code Section 108-281)**

None proposed.

**Utility lines (City Code Section 108-282)**

The application states utilities will be consistent with this section.

**Commercial and manufacturing activities conducted in enclosed buildings (City Code Section 108-283)**

All commercial activities would take place within the new building.

**Exterior lighting (City Code Section 108-284)**

No exterior lighting information was provided. Staff recommends an outdoor lighting plan be submitted prior to the City Commission hearing.

**Signs (City Code Section 108-285)**

No signs indicated, but any would have to obtain HARC approval and building permits.

**Pedestrian sidewalks (City Code Section 108-286)**

The plans indicate a new sidewalk along Packer Street, where a partial substandard sidewalk exists. The ADA-accessible entrance is provided at the corner of Truman and Packer via a ramp connecting to the new sidewalk.

**Loading docks (City Code Section 108-287)**

The off-street parking lot is the designated loading and unloading area.

**Storage areas (City Code Section 108-288)**

No exterior storage areas are proposed.

**Land clearing, excavation or fill (City Code Section 108-289)**

No work would impact a floodplain or a conservation area. A proposed stormwater management would address drainage and runoff from the site. Any downspouts adjacent to City sidewalks would have to comply with City Code Section 14-364. Vegetation removal is being reviewed by the Urban Forestry Manager and the Tree Commission. Staff recommends temporary fencing and silt barriers during demolition and construction to prevent soil and debris from running into City streets and sidewalks.

**Landscaping (Code Chapter 108, Article VI)**

A landscape plan is required as part of development plan review, pursuant to City Code Section 108-411. The submitted plan indicates landscaping incorporated mostly along three sides of the property. Landscaped open space would increase above the existing amount from 5% to 16%. However, full compliance with all landscape buffer requirements of the LDRs is not proposed. The Applicant is requesting modifications and waivers, pursuant to City Code Section 108-517, as outlined in the table below.

<b>Landscaping Modification / Waiver Summary</b>				
<b>Landscaping Type</b>	<b>Minimum Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change/Waiver</b>
Land use buffer (Sec. 108-347)  Proposed Use: Medium impact	Type D adjacent to single-family residential uses across Packer St;  Type E adjacent to multifamily residential uses to the front and rear; plant units required varies	None	5' wide buffer along front and both sides, no buffer along rear; plant units not indicated	Modification & waiver requested
Minimum landscaping requirement (Sec. 108-412)	20%	5%	16%, half of which is under overhangs and entry	+11 / Nonconforming, but would improve; modification requested



Landscaping Modification / Waiver Summary				
Landscaping Type	Minimum Required	Existing	Proposed	Change/Waiver
Street frontage (Sec. 108-413)	Less than 0.5 acre site area = 10' wide, 40 plant units per 100 linear feet; minimum 75 plant units required	None	5' width provided; plant units not indicated	Modification requested
Interior parking areas (Sec. 108-414)	20% of total parking area; minimum 6' dim, 60 SF & 1 shade tree per landscape area; 1 tree per 100 SF of landscape area; interior landscape strips between rows and every 10 spaces	None	None	Waiver required
Perimeter parking landscaping (Sec. 108-415)	Building sites 20,000 SF or less: 5' wide, 1 canopy shade tree, 10 shrubs per 35 LF	None	None, but some landscaping provided as part of other requirements	Modification required
Nonvehicular use areas (Sec. 108-416)	Site with less than 30% nonvehicular open space (NOS): 4 trees / 2,000 SF NOS	None	Not indicated	Modification required

Pursuant to City Code Section 108-517(b), the Planning Board may approve or grant the waiver or modification only if it determines that the waivers or modifications are not contrary to the intent of City Code Chapter 108, Article VI, Division 4, Subdivision II and that a literal enforcement of the standards of this subdivision would be impracticable and would not violate the following criteria:

- (1) *Public interest; adjacent property.* The waiver or modification would not have a significant adverse impact on the public interest, or on adjacent property.
- (2) *Not discriminatory.* The waiver or modification is not discriminatory, considering similar situations in the general area.
- (3) *Superior alternatives.* The development will provide an alternative landscape solution which will achieve the purposes of the requirement through clearly superior design.
- (4) *Protection of significant features.* The waiver or modification is necessary to preserve or enhance significant existing environmental or cultural features, such as trees, scenic areas, historic sites or public facilities, related to the development site.
- (5) *Deprivation of reasonable use.* Strict application of the requirement would effectively deprive the owner of reasonable use of the land due to its unusual size, shape, topography, natural conditions, or location, provided that:
  - a. Such effect upon the owner is not outweighed by a valid public purpose in imposing the requirement in this case; and

- b. The unusual conditions involved are not the result of actions of the developer or property owner which occurred after the effective date of the ordinance from which this section derives.

(6) *Technical impracticality*. Strict application of the requirement would be technically impractical.

Given the challenges and trade-offs of fully complying with all of the various landscaping requirements of the LDRs, staff recommends approval of the requested landscape modifications and waivers.

**Off-street parking and loading (Code Chapter 108, Article VII)**

Currently, a parking lot exists to the rear of the property with space for five vehicles, which is an existing nonconformity for restaurant uses. City Code Section 108-572(9) requires a minimum of one vehicular parking space per 45 square feet of serving and/or consumption area. Given the proposed 2,250-square-foot consumption area, 50 vehicular spaces would normally be required. However, since the proposed development would not expand the floor area or seating beyond the existing amount, full compliance with parking is not required. The proposed plan would maintain the five existing off-street parking spaces, including one ADA van-accessible space. Therefore, there would be no net loss of existing off-street vehicular parking as required by the LDRs.

The Code also requires bicycle parking equivalent to 25% of vehicular spaces. If full compliance were triggered, then 13 bicycle spaces would be required, based on 50 vehicular spaces. Four (4) off-street bicycle parking spaces are proposed, and are located within a fence enclosure. Staff recommends that, if possible, all 13 bicycle spaces should be provided on-site, and none of the bicycle parking should be located within the fence enclosure.

The parking lot would serve as the designated off-street loading and unloading area for deliveries.

**Stormwater and surface water management (Code Chapter 108, Article VIII)**

A stormwater management plan was submitted indicating that surface water management is designed for the 25-year/72-hour storm event, as required. Stormwater would be retained on-site through an exfiltration trench in the parking lot. Staff recommends that the applicant consider using a pervious material for parking surfaces, and that downspouts direct rainwater to the on-site stormwater retention area, rather than City sidewalks or streets.

**Utilities (Code Chapter 108, Article IX)**

Access to potable water, access to wastewater disposal systems and conservation of potable water supply were analyzed in the above concurrency management determination and were found in compliance.

**Art in Public Places (City Code Section 2-487)**

The proposed development, being a Major Development Plan, qualifies for the City's Art in Public Places (AIPP) program, pursuant to City Code Section 2-487. The AIPP program requires 1% of construction costs to be set-aside for the acquisition, commission and installation of artwork on the subject property. The program applies to new construction projects exceeding

\$500,000 and renovation projects exceeding \$100,000. A construction cost estimate was not provided by the applicant. A full public art plan would be required to be approved by the AIPP Board prior to building permit issuance.

### **RECOMMENDATION**

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends to the Planning Board that the request for Major Development Plan and Landscape Modifications / Waivers be **APPROVED** with the following conditions:

#### **General conditions:**

1. The proposed development shall be consistent with the plans dated July 25, 2014 by William P. Horn, Architect, and the landscape plans dated August 28, 2014 by Craig Reynolds, Landscape Architect; notwithstanding the revisions requested and recommended by staff.
2. Although subject to a separate City approval, the City shall not bear any of the costs of the proposed sidewalk and landscaping improvements within City right-of-way.
3. During all phases of demolition and construction, temporary fencing and erosion barriers shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.

#### **Conditions prior to the City Commission hearing:**

4. The applicant shall address all of staff's and the DRC's concerns as outlined in the October 15, 2014 staff letter and the June 26, 2014 DRC minutes.
5. The applicant shall submit an irrigation plan pursuant to City Code Section 108-243(d).
6. The applicant shall submit an outdoor lighting plan pursuant to City Code Section 108-284.

#### **Conditions prior to issuance of a building permit:**

7. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.

#### **Conditions prior to issuance of a Certificate of Occupancy:**

8. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.
9. The property owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.

#### **Conditions subject to a Conditional Approval Permit, and subject to an associated annual inspection:**

10. Restaurant seating shall be limited to a maximum of 150 seats within a 2,250-square-foot indoor consumption area. The expansion or relocation of the consumption area outside of the building shall not be permitted without further City approvals.

# 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 \_\_\_\_\_

Conditional Use

\_\_\_\_\_

Historic District

Yes

No \_\_\_\_\_

Please print or type:

- 1) Site Address 921 Truman Avenue, Key West, FL 33040
- 2) Name of Applicant Trepanier & Associates, Inc.
- 3) Applicant is: Owner \_\_\_\_\_ Authorized Representative   
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 402 Appelrouth Lane, 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 Robert and Noreen Pollman
- 8) Address of Owner PO Box 87 Egg Harbor, WI 54209-0087
- 9) Owner Phone # 920-333-0192 Email Bpollman@dcwis.com
- 10) Zoning District of Parcel Robert and Noreen Pollman RE# 00021650-000000
- 11) Is Subject Property located within the Historic District? Yes  No \_\_\_\_\_  
If Yes: Date of approval \_\_\_\_\_ HARC approval # \_\_\_\_\_  
OR: Date of meeting \_\_\_\_\_
- 12) Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).

This parcel has been in use as a restaurant since 1973. The structure that currently sits on the property is 4,907 SF with room for approximately 5 (non-delineated) parking in the rear & licensed for 150 seats. It is now vacant and has been deemed unsafe and slated for demolition. Construction of a new 2-story 4,557 SF restaurant is being proposed with 5 delineated parking spaces and 2 bicycle spaces at the rear of the site. First floor will contain restaurant dining and bar space while the second floor will be for restaurant office, storage and mechanical use.

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

If Yes: Date of approval \_\_\_\_\_ Resolution # \_\_\_\_\_

Attach resolution(s).

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

Yes \_\_\_\_\_ No  X

If Yes, describe and attach relevant documents.

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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.**

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## Required Plans and Related Materials for both a Conditional Use and Minor/Major Development Plan

### I. Existing Conditions.

- A) Recent Survey of the site by a licensed Surveyor showing all dimensions including distances from property lines, and including:
  - 1) Size of site;
  - 2) Buildings, structures, and parking;
  - 3) FEMA Flood Zone;
  - 4) Topography;
  - 5) Easements; and
  - 6) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site.
- B) Existing size, type and location of trees, hedges, and other features.
- C) Existing stormwater retention areas and drainage flows.
- D) A sketch showing adjacent land uses, buildings, and driveways.

### II. Proposed Development: Plans at 11" X 17" (10,000 Sq. ft. or less); 24" X 36" if site is over 10,000 sq. ft.

- A) Site Plan to scale of with north arrow and dimensions by a licensed architect or engineer.
  - 1) Buildings
  - 2) Setbacks
  - 3) Parking:
    - a. Number, location and size of automobile and bicycle spaces
    - b. Handicapped spaces
    - c. Curbs or wheel stops around landscaping
    - d. Type of pavement
  - 4) Driveway dimensions and material
  - 5) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site.
  - 6) Location of garbage and recycling
  - 7) Signs
  - 8) Lighting
  - 8) Project Statistics:
    - a. Zoning
    - b. Size of site
    - c. Number of units (or units and Licenses)
    - d. If non-residential, floor area & proposed floor area ratio
    - e. Consumption area of restaurants & bars
    - f. Open space area and open space ratio
    - g. Impermeable surface area and impermeable surface ratio
    - h. Number of automobile and bicycle spaces required and proposed
- B) Building Elevations
  - 1) Drawings of all building from every direction. If the project is in the Historic District please submit HARC approved site plans.
  - 2) Height of building.
  - 3) Finished floor elevations and bottom of first horizontal structure
  - 4) Height of existing and proposed grades
- C) Drainage Plan: Existing & Proposed retention areas and calculations approved by the City Engineer. See one of the attached commercial and residential use Stormwater Retention Forms.
- D) Landscape Plan: Size, type, location and number of plants to be removed, kept, and installed. The plan must be approved by the City Landscape Coordinator through a letter of approval. If the project is a Major Development Plan a landscape design prepared by a licensed Landscape Architect is required per Section 108-511(b) of the Land Development Regulations.



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- III. **Solutions Statement.** Aspects of the design that address community issues including but not limited to water pollution from stormwater runoff, potable water conservation, waste disposal, recycling, energy conservation, affordable housing, and impacts on neighbors such as lighting, noise, traffic and parking.

## Development Plan Submission Materials

### Sec. 108-226. Scope.

A development plan, for the purposes of this division, shall include but not necessarily be limited to the requirements in this division. With the exception of sections 108-227 through 108-229, the city planner may waive or modify requirements, information and specific performance criteria for development plan review after rendering a finding in writing that such requirements:

- (1) Are not necessary prior to development plan approval in order to protect the public interest or adjacent properties;
- (2) Bear no relationship to the proposed project or its impacts; and
- (3) Are found to be impractical based on the characteristics of the use, including the proposed scale, density/intensity, and anticipated impacts on the environment, public facilities and adjacent land uses.

### Sec. 108-227. Title block.

The development plan shall contain the following pertaining to the title block:

- (1) Name of development.
- (2) Name of owner/developer.
- (3) Scale.
- (4) North arrow.
- (5) Preparation and revision date.
- (6) Location/street address of development.

### Sec. 108-228. Identification of key persons.

The development plan shall contain the following pertaining to identification of key persons:

- (1) Owner.
- (2) Owner's authorized agent.
- (3) Engineer and architect.
- (4) Surveyor.
- (5) Landscape architect and/or environmental consultant.
- (6) Others involved in the application.
- (7) A verified statement showing each and every individual person having a legal and/or equitable ownership interest in the subject property, except publicly held corporations whose stock is traded on a nationally recognized stock exchange, in which case the names and addresses of the corporation and principal executive officers together with any majority stockholders will be sufficient.

### Sec. 108-229. Project description.

Project description should be included on the site plan sheet. The development plan shall contain the following pertaining to the project description:

- (1) Zoning (include any special districts).
- (2) Project site size (acreage and/or square footage).
- (3) Legal description.
- (4) Building size.
- (5) Floor area ratio, permitted and proposed.
- (6) Lot coverage, permitted and proposed.
- (7) Impervious surface.
- (8) Pervious surface.
- (9) Landscape areas.

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- (10) Parking spaces, permitted and proposed.
- (11) Delineation of location of existing and proposed structures.
- (12) Existing and proposed development type denoted by land use including density/intensity.
- (13) Setbacks.

**Sec. 108-230. Other project information.**

A general outline of the proposed development shall include the following criteria where applicable:

- (1) Proposed stages or phases of development or operation and facility utilization.
- (2) Target dates for each phase.
- (3) Expected date of completion.
- (4) Proposed development plan for the site.
- (5) A written description of characteristics of the proposed development (i.e., number and type of residential units; floor area by land use; number of tourist accommodations units; seating or parking capacities; number of hospital beds; any proposed outside facilities or areas to be used for storage, display, outside sales, waste disposal or similar use; and any other proposed uses).
- (6) For planned unit developments, indicate design techniques (i.e., clustering, zero lot line, or other techniques) used to reduce public facility costs, reduce disturbance of natural resources, and preserve scenic quality of the site.
- (7) Buildings and sitting specifications which shall be utilized to reduce damage potential and to comply with federal flood insurance regulations.
- (8) Protection against encroachment together with proposed mitigation measures to be employed within environmentally sensitive areas.

**Sec. 108-231. Residential developments.**

- (a) If the development includes residential units, the following characteristics shall be discussed in the written description:
  - (1) A breakdown of the proposed residential units by number of bedrooms;
  - (2) Tenure (i.e., owner-occupied or rental); and
  - (3) Structure type, such as single-family, duplex, multiple-family, mobile home.
- (b) Refer to division 10 of article V of chapter 122 for information and legal instruments needed to satisfy the city's affordable housing requirements.

**Sec. 108-232. Intergovernmental coordination.**

The development plan shall contain the following pertaining to intergovernmental coordination:

- (1) Provide proof of coordination with applicable local, regional, state and federal agencies, including but not limited to the following agencies that will be involved in the project:
  - a. South Florida Regional Planning Council (SFRPC).
  - b. City electric system (CES).
  - c. State department of environmental protection (DEP).
  - d. Army Corps of Engineers (ACOE).
  - e. South Florida Water Management District (SFWMD).
  - f. State department of transportation (DOT).
  - g. State department of community affairs (DCA).
  - h. Florida Keys Aqueduct Authority (FKAA).
  - i. State fish and wildlife conservation commission (F&GC).
  - j. The county.
- (2) Provide evidence that any necessary permit, lease or other permission from applicable local, regional, state and federal agencies has been obtained for any activity that will impact wetland communities or submerged land.
- (3) When intergovernmental coordination efforts are incomplete, the applicant shall provide evidence of good faith efforts towards resolving intergovernmental coordination issues.

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**CONDITIONAL USE CRITERIA**

**Sec. 122-61. Purpose and intent.**

The purpose of this article is to ensure that a conditional use shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity. This article sets forth provisions and criteria for consideration of conditional uses on specific sites. Conditional uses shall be permitted only upon a finding that the proposed use satisfies this article.

**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 land development regulations. If the proposed conditional use is a major development pursuant to sections 108-165 and 108-166, the city commission shall render the final determination pursuant to section 122-63. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described in subsection (c) of this section and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.
- (b) Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:
- (1) Scale and intensity of the proposed conditional use as measured by the following:
    - a. Floor area ratio;
    - b. Traffic generation;
    - c. Square feet of enclosed building for each specific use;
    - d. Proposed employment;
    - e. Proposed number and type of service vehicles; and
    - f. Off-street parking needs.
  - (2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection (b)(1) of this section including the following:
    - a. Utilities;
    - b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94;
    - c. Roadway or signalization improvements, or other similar improvements;
    - d. Accessory structures or facilities; and
    - e. Other unique facilities/structures proposed as part of site improvements.
  - (3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
    - a. Open space;
    - b. Setbacks from adjacent properties;
    - c. Screening and buffers;
    - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
    - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

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- (c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate the following:
- (1) Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
  - (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure (i.e., refer to chapter 94 to ensure concurrency management requirements are met) and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
  - (3) Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
  - (4) Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
  - (5) Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.
  - (6) Additional criteria applicable to specific land uses. Applicants for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:
    - a. Land uses within a conservation area. Land uses in conservation areas shall be reviewed with emphasis on compliance with section 108-1 and articles III, IV, V, VII and VIII of chapter 110 pertaining to environmental protection, especially compliance with criteria, including land use compatibility and mitigative measures related to wetland preservation, coastal resource impact analysis and shoreline protection, protection of marine life and fisheries, protection of flora and fauna, and floodplain protection. The size, scale and design of structures located within a conservation area shall be restricted in order to prevent and/or minimize adverse impacts on natural resources. Similarly, public uses should only be approved within a wetland or coastal high hazard area V zone when alternative upland locations are not feasible on an upland site outside the V zone.
    - b. Residential development. Residential development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting setbacks, lot coverage, height, mass of building, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles III, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, internal circulation, and off-

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street parking; as well as possible required mitigative measures such as landscaping and site design amenities.

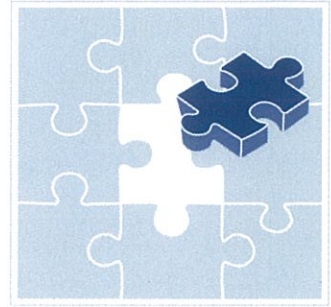
- c. Commercial or mixed use development. Commercial or mixed use development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting floor area ratio, setbacks, lot coverage, height, mass of buildings, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles I, II, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, pedestrian access and circulation; internal vehicular circulation together with access and egress to the site, and off-street parking; as well as possible required mitigative measures such as landscaping, buffering, and other site design amenities. Where commercial or mixed use development is proposed as a conditional use adjacent to U.S. 1, the development shall be required to provide mitigative measures to avoid potential adverse impacts to traffic flow along the U.S. 1 corridor, including but not limited to restrictions on access from and egress to U.S. 1, providing for signalization, acceleration and deceleration lanes, and/or other appropriate mitigative measures.
- d. Development within or adjacent to historic district. All development proposed as a conditional use within or adjacent to the historic district shall be reviewed based on applicable criteria stated in this section for residential, commercial, or mixed use development and shall also comply with appearance and design guidelines for historic structures and contributing structures and/or shall be required to provide special mitigative site and structural appearance and design attributes or amenities that reinforce the appearance, historic attributes, and amenities of structures within the historic district.
- e. Public facilities or institutional development. Public facilities or other institutional development proposed as a conditional use shall be reviewed based on land use compatibility and design criteria established for commercial and mixed use development. In addition, the city shall analyze the proposed site location and design attributes relative to other available sites and the comparative merits of the proposed site, considering professionally accepted principles and standards for the design and location of similar community facilities and public infrastructure. The city shall also consider compliance with relevant comprehensive plan assessments of community facility and infrastructure needs and location impacts relative to service area deficiencies or improvement needs.
- f. Commercial structures, uses and related activities within tidal waters. The criteria for commercial structures, uses and related activities within tidal waters are as provided in section 122-1186.
- g. Adult entertainment establishments. The criteria for adult entertainment establishments are as provided in division 12 of article V of this chapter.



05/30/14

Mr. Donald Leland Craig, AICP,  
Director of Community Development Services  
City of Key West  
3140 Flagler Avenue  
Key West, FL 33040

TREPANIER



& ASSOCIATES INC

LAND USE PLANNING  
DEVELOPMENT CONSULTANTS

**Re: 921 Truman Avenue**  
(RE 00021650-000000)

Dear Mr. Craig,

The following application is a Major Development Plan for the rebuilding of the above referenced property presented on behalf of owners, Robert and Noreen Pollman. This project seeks to rebuild the property, the former site of the Kyushu Restaurant which was involuntarily destroyed by fire on January 19, 2011. The current structure has been deemed unfit for habitation by the City of Key West Building Official. The proposal is to rebuild within the footprint and in a more conforming manner.

Due to the current structure being deemed uninhabitable, demolition is imperative. A new structure designed by local architect, William Horn, will invigorate this corner with a fresh new look which will harmonize the diverse surrounding land use of commercial and historic residential.

Thank you for your time and consideration in this matter.

Please don't hesitate to call me if you have any questions or need additional information.

Sincerely,

Lori Thompson



# Project Analysis

## 921 Truman Avenue - Major Development Plan

### Summary:

921 Truman was involuntarily destroyed by fire on January 19, 2011. This project seeks to rebuild, the former Kyushu property, within the footprint and in a more conforming manner, with regard to open space, impervious surface, stormwater management, setbacks, sight triangles and parking.

### Analysis:

The following is a complete analysis of the proposed project including development plan review and approval criteria.

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

- |                    |                       |                      |
|--------------------|-----------------------|----------------------|
| ▪ Size of site     | ▪ Topography          | ▪ Adjacent land uses |
| ▪ Buildings        | ▪ Easements           | ▪ Adjacent buildings |
| ▪ Structures       | ▪ Utility locations   | ▪ Adjacent driveways |
| ▪ Parking          | ▪ Existing vegetation |                      |
| ▪ FEMA flood zones | ▪ Existing stormwater |                      |

Proposed development is depicted in attached plans prepared by licensed engineers and architects, including:

- |                                    |                         |  |
|------------------------------------|-------------------------|--|
| ▪ Buildings                        | ▪ Garbage and recycling | ▪ Finished floor elevations              |
| ▪ Setbacks                         | ▪ Signs                 | ▪ Height of existing and proposed grades |
| ▪ Parking:                         | ▪ Lighting              | ▪ Drainage plan                          |
| ▪ Driveway dimensions and material | ▪ Project Statistics    | ▪ Landscape Plan                         |
| ▪ Utility locations                | ▪ Building Elevations   |  |
|                                    | ▪ Height of buildings   |  |

### Title block (Sec. 108-227)

Name of development:	921 Truman Avenue
Owner/developer:	Robert and Noreen Pollman
Scale:	1/8":1'
Preparation and revision dates:	As noted on plans
Location:	921 Truman Avenue

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

Owner:	Robert and Noreen Pollman
Authorized Agent:	Trepanier & Associates, Inc.
Architect:	William P. Horn
Engineer:	Richard Milelli
Surveyor:	Frederick H. Hildebrandt, Inc
Landscape Architect:	Craig Reynolds
Legal and Equitable Owners:	Robert and Noreen Pollman



**Solutions Statement:**

The current corner lot at 921 Truman Avenue was involuntarily destroyed by fire on January 19, 2011.

Plans for this site include; new construction designed to complement the historic/commercial corridor into the City’s bustling downtown district, bringing non-conforming setbacks into better compliance, an increase in landscaping by 11%, maintaining existing parking with the addition of an ADA accessible space, improving storm water management, and adding bike & scooter parking.

Upon approval, construction will commence immediately following the clearing of the site with the construction of the new, architecturally compatible and conforming, new restaurant building fronting the corner of Truman Avenue and Packer Street.

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

**Site Data Table:**

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Zoning	HNC-1	HNC-1	No Change	Complies
F.A.R.	1.0	0.593 (4,954 sf)	0.570 (4,765 sf)	Complies
Max Height	35'	25'	34'-3"	Complies
Building Coverage	50% (4,180 sf)	56% = 4,696 sf	51% = 4,279 sf	Complies <sup>1</sup>
Impervious Area	60% (5,016 sf)	95% = 7,957 sf	84% = 7,059 sf	Complies <sup>2</sup>
Landscape Area	20% min. (1,672 sf)	5% = 403 sf	16% = 1,310 sf	Complies
Consumption Area	NA	2,315 sf <sup>3</sup>	2,250 sf	Complies
Setbacks:				
Front	5'	0	5'	Complies
Side	5'	3'-9"	5'	Complies
Street Side	7'-6"	0	5'	Complies
Rear	15'	43'	44'	Complies
Parking	50	5 <sup>4</sup>	5	Complies <sup>5</sup>

**Building Data Table:**

Building Data	Existing	Proposed
First Floor	4,907	3,544 SF
Second Floor	0	1,221 SF
Total:	4,907	4,765 SF

**Other Project Information:**

- The target date for commencement shall follow entitlement approvals as quickly as possible.
- The proposed buildings will comply with all flood and FEMA-related requirements.

**Intergovernmental Coordination**

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<sup>1</sup> Pursuant to Sec. 122-28(d)  
<sup>2</sup> Pursuant to Sec. 122-28(d)  
<sup>3</sup> Based on building department records  
<sup>4</sup> Five non-conforming delineated spaces  
<sup>5</sup> Pursuant to Sec. 108-571 additional parking is only required as a result of increased intensity.

Required intergovernmental coordination shall be handled within the DRC process.

**Schedule and Process:**

The following development approval schedule and process is anticipated:

Step	Date
1. Submit Application	06/02/14
2. Development Review Committee (DRC) Meeting	06/26/14
3. Tree Commission (conceptual approval)	09/09/14
4. Planning Board Meeting	09/18/14
5. Historical Architecture Review Committee (HARC)	09/23/14
6. Tree Commission	10/14/14
7. City Commission Meeting	10/21/14 <sup>6</sup>
8. City Commission Appeal Period	30 days
9. Florida Department of Economic Opportunity Appeal Period (45 days)	45 days

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

1. Based on the City of Key West adopted level of service the potable water demand is not anticipated to change (pursuant to Sec. 94-68, the potable water LOS for nonresidential development is 650 gal/acre/day).

Potable water demand is estimated to be 123.5 gal/day.

As demonstrated in the Concurrency Analysis below the supply system can provide adequate water for the proposed development, and there are no system improvements required to maintain the adopted level of service. The project team is coordinating with the FKAA and the City of Key Wets Fire Department to determine that the water pressure and flow will be adequate for fire protection for the proposed type of construction.

2. Based on the City of Key West adopted level of service the wastewater demand is not anticipated to change significantly (pursuant to Sec. 94-68, the wastewater LOS for nonresidential development at 660 gal/day/acre).

The wastewater flow is anticipated to be 74.58 gal/day

As demonstrated in the Concurrency Analysis below no change is required in the capacity of the treatment and transmission facilities of wastewater. No system improvements are required to maintain the adopted level of service.

3. No adverse impacts to the quality of receiving waters are anticipated before, during or after construction.
4. Improvements to the storm water management situation are proposed which will be in accordance to regulations and submitted at the request of DRC or as otherwise required by the Planning Director.
5. Solid waste (i.e. construction debris) generated by the project will be handled by a licensed waste hauler.

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<sup>6</sup> Tentative

6. Potential Trip Generation - Based on the ITE Trip Generation Manual predictions, the proposed modest decrease in the property's gross floor will result in a commensurate modest reduction in trip generation as follows<sup>7</sup>:
  - Weekday: -31.48 trips
  - Saturday: -33.03 trips
  - Sunday: -25.25 trips
7. The City of Key West's adopted level of service for recreational infrastructure is not affected by commercial development pursuant to the Comprehensive Plan.
8. Fire hydrant locations and life-safety requirements will be determined as per DRC direction or as otherwise required by the Fire Department.
9. Reclaimed water use is not anticipated.
10. As demonstrated by the attached Concurrency Analysis, there will be no adverse effects on public facilities.

**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:

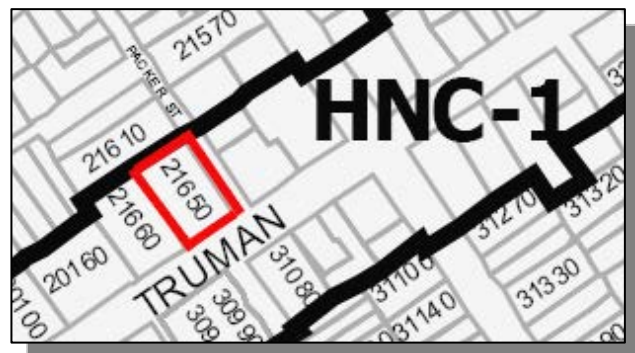
- Chapter 102 – This property is located within the Historic District and will go through all appropriate HARC approvals as necessary.
- Articles III, IV and V of Chapter 108 – As demonstrated by the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements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



<sup>7</sup> Please see trip generation calculations below

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 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):**

The site shall be cleared of existing structures; however no clearing is proposed as anticipated in Sec. 108-243. A landscape plan shall be approved consistent with code requirements.

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

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 better conform to the requirements of the land development regulations.

**Housing (Sec 108-245):**

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

**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):**

Improvements to an existing non-conformity are proposed to best meet the needs of the site in a HARC-sensitive manner.

**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.

**Pedestrian sidewalks (Section 108-286):**

New sidewalks shall comply with the requirements of Sec. 108-286.

**Loading docks (Section 108-287):**

Loading/ deliveries currently take place during non-business hours in the rear parking/ loading/ service area. This area will be reconfigured to better conform to code, but the uses will remain the same.

**Storage Areas (Section 108-288):**

No outdoor storage areas are proposed.

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

All land clearing will be in compliance to Sec. 108-289. Existing structures will be demolished and all debris cleared from site. Site will be graded and storm water improvements made in preparation for new construction.

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

The project proposes modest improvements to the site as depicted in the plans, however, full compliance with the landscape and buffer requirements of Sec. 108 is not possible. The applicant seeks a modification to the open space, screening, buffers and landscaping requirements of Sec. 108 as follows.

**Request for Modification (Sec. 108-517):**

This application/request for modification to the standards of this ordinance is hereby filed with the city planning office and shall be considered by the planning board after reviewing

recommendations of the city planner or designated staff. The planning board shall render the final action.

This request is to waive landscape requirements of Sec. 108 because compliance is not possible on this site. As a result, a superior design shall be created that is customized to the characteristics of the site and its location within the historic district.

This request is to waive the following landscape requirements of Sec. 108 so as to:

1. Protect and preserve the integrity of this vital community service.
2. The waiver will not have a significant adverse impact on the public interest, or on adjacent property.
3. The waiver or modification is not discriminatory, considering similar situations in the general area.
4. The development will provide an alternative landscape solution which will achieve the purposes of the requirement through clearly superior design.
5. Strict application of the requirement will effectively deprive 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 is not outweighed by a valid public purpose in imposing the requirement in this case.
7. Strict application of the requirement would be technically impractical.

Specific Waivers/ Modifications:

**Sec. 108-413.** Requirements along street frontage.

To permit the street frontage landscaping as proposed on the attached plans.

**Sec. 108-415.** Perimeter landscape requirements.

To permit the perimeter landscaping as proposed on the attached plans.

**Sec. 108-416.** Other landscape requirements for nonvehicular use areas.

To permit the non-vehicular use area landscaping as proposed on the attached plans.

**Sec. 108-450.** Landscape screening.

To permit the landscape screening as proposed on the attached plans.

**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 better conform to the requirements of the land development regulations.

**Storm water and Surface Water Management (Article VIII):**

The attached drainage plan by Perez Eng. demonstrates compliance with the intent of Art. VIII.

**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:**

The City's Comprehensive Plan Objective 9-1.5 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. Potable Water & Sanitary Sewer
2. Recreation (for residential development only)
3. Solid Waste
4. Drainage
5. Roads/Trip Generation

The following concurrency analysis reflects the anticipated impacts resulting from the proposed development at 921 Truman Avenue.

**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 standards<sup>8</sup>."

Potable Water Sec. 94-68 sets the level of service for residential potable water at 93 gal/capita/ day and nonresidential at 650 gal/acre/day.

- i) Existing capacity required based on site size: **123.5 gal/day**

The total capacity required for nonresidential use on **0.19 acres** is:

$$650 \text{ gal/acre/day} \times 0.19 \text{ acres} = 123.5 \text{ gal/day}$$

- ii) Proposed capacity required based on site size: **123.5 gal/day**

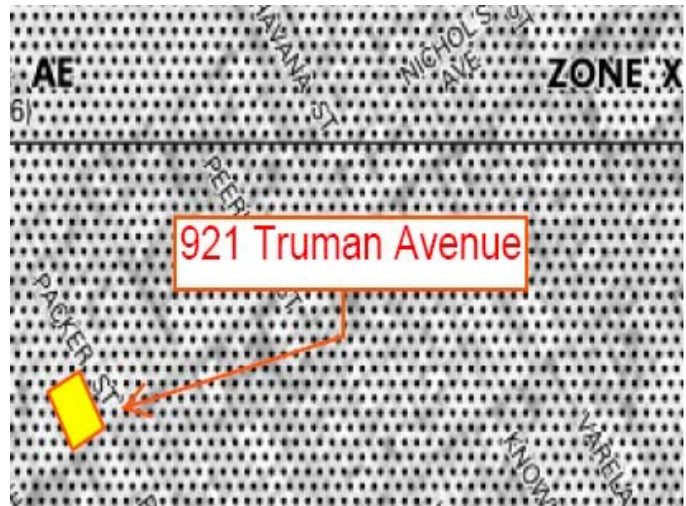
The total capacity required for nonresidential use on **0.19 acres** is:

$$650 \text{ gal/acre/day} \times 0.19 \text{ acres} = 123.5 \text{ gal/day}$$

- iii) Existing capacity required based on floor area: **71.1 gal/day**

The total capacity required for nonresidential use on **0.109 acres** is:

$$650 \text{ gal/acre/day} \times 0.109 \text{ acres} = 71.1 \text{ gal/day}$$



<sup>8</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

iv) Proposed capacity required based on floor area: **71.1 gal/day**

The total capacity required for nonresidential use on **0.109 acres** is:

$$650 \text{ gal/acres/day} \times 0.109 \text{ acres} = 71.1 \text{ gal/day}$$

Based on the concurrency management calculation prescribed in the Comprehensive Plan, there is no or minimal 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 below.

**FKAA Supply Capacity:**

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 2022<sup>9</sup>. 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

<sup>9</sup> Excerpt from Analysis by Kenneth B. Metcalf, AICP, (Greenberg Traurig, P.A.), August 22, 2008.

than 1 billion gallons over the last 10 years with an annual average 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** Sec. 94-67 sets the level of service for residential sanitary sewer at 100 gal/capita/day and nonresidential sanitary sewer at 660 gal/acre/day.

- i) Existing capacity required based on site size: **125.4 gal/day**

The total capacity required for nonresidential use on 0.19 acres is:

$$660 \text{ gal/acres/day} \times 0.19 \text{ acres} = 125.4 \text{ gal/day}$$

- ii) Proposed capacity required based on site size: **125.4 gal/day**

The total capacity required for nonresidential use on 0.109 acres is:

$$660 \text{ gal/acres/day} \times 0.19 \text{ acres} = 125.4 \text{ gal/day}$$

- iii) Existing capacity required based on floor area: **72.1 gal/day**

The total capacity required for nonresidential use on 0.109 acres is:

$$660 \text{ gal/acres/day} \times 0.109 \text{ acres} = 72.1 \text{ gal/day}$$

- iv) Proposed capacity required based on floor area: **72.1 gal/day**

The total capacity required for nonresidential use on 0.109 acres is:

$$660 \text{ gal/acres/day} \times 0.109 \text{ acres} = 72.1 \text{ gal/day}$$

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 utilized<sup>10</sup>. The current plant has the capacity to service this project's projected 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 impacted<sup>11</sup>."

No Residential Development 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 impacted<sup>12</sup>."

Sec. 94-71 sets the level of service for residential solid waste disposal (1994-2010) at 2.66 lb/capita/day and nonresidential solid waste disposal at 6.37 lb/capita/day.

i) Existing capacity required: **70.96 lbs/day**

The total capacity required for the nonresidential use of 11 employees<sup>13</sup> is:

$$6.37 \text{ lb/capita/day} \times 11 \text{ employees} = 70.96 \text{ lbs/day}$$

ii) Proposed capacity required: **70.96 lbs/day**

The total capacity required for the nonresidential use of 11 employees<sup>14</sup> is:

$$6.37 \text{ lb/capita/day} \times 11 \text{ people} = 70.96 \text{ lbs/day}$$

Waste Management has more than enough capacity to handle the waste stream<sup>15</sup>.

**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 drainage<sup>16</sup>."

This site will meet the minimum requirements through best management practices as depicted on the attached storm water management plans.

**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 development including, additional R/W,

<sup>10</sup> Per September 3, 2010 memo from Greg Smith, project Manager for CH2M Hill OMI (Exhibit III)

<sup>11</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

<sup>12</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

<sup>13</sup> Based on Planner's Estimating Guide, APA

<sup>14</sup> No change anticipated

<sup>15</sup> Per January 25, 2010 memo from Jay Gewin, City of Key West (Exhibit V)

<sup>16</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

roadway improvements, additional paved laneage, traffic signalization, proposed methods for controlling access and egress, and other similar improvements<sup>17</sup>.”

Quality Restaurant (ITE Land Use Code 931)	Peak Hour Trip Generation by Day of the week					
	Weekday 89.95 trips/ 1k sq. ft. GFA		Saturday 94.36 trips/ 1k sq. ft. GFA		Sunday 72.16 trips/ 1k sq. ft. GFA	
4,907sq. ft. existing, 4,557sq. ft. proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
		441.38	409.90	463.02	429.99	354.08

This site is located on the corner of Truman Avenue and Packer Street. Truman Avenue is considered a constrained street according to City of Key West Code Section 94-72. However, no changes to trip generation are predicted by the ITE.

**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

<sup>17</sup> The City of Key West’s Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

# **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. 167<sup>th</sup> Street, Miami, Florida 33056  
Tel: (305) 623-3500 Fax: (305) 623-3502  
Email: Samir\_elmir@doh.state.fl.us  
Website: www.dadehealth.org

"A"

PERMIT NO: 150092-007-WC/04

PERMIT ISSUE DATE: November 14, 2006

**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



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- (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

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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.

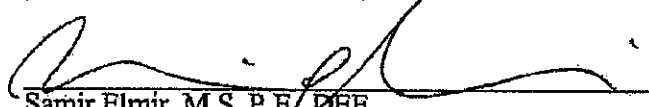
PERMIT NO: 150092-007-WC/04

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 30<sup>th</sup> 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

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**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***

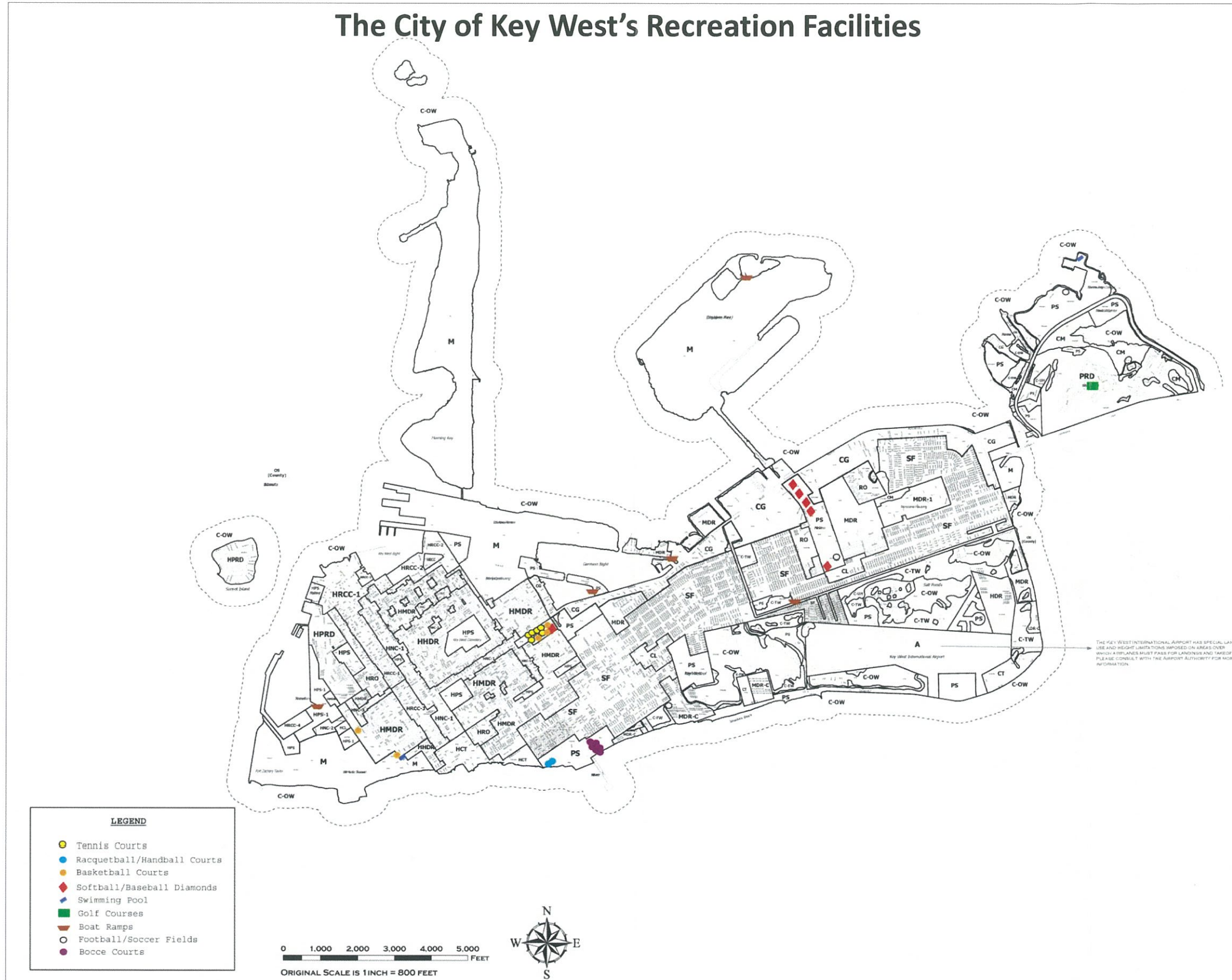
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**From:** Jay Gewin [mailto:jgewin@keywestcity.com]  
**Sent:** Monday, January 25, 2010 4:53 PM  
**To:** Mehdi Benkhatar  
**Cc:** Owen Trepanier  
**Subject:** RE: Solid Waste Capacity for the City of Key West

# **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.

Primarily due to ROGO limitations, lack of buildable space, and economic factors; the population of Key West is flat in recent years compared to the rest 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 25,000 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. Recyclables are shipped to a single-stream recycle facility also located on the mainland.

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

# **Authorization Form**

City of Key West  
Planning Department



**Authorization Form**  
*(Individual or Joint Owner)*

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

I, Robert Pollman and Noreen Pollman authorize

*Please Print Name(s) of Owner(s) as appears on the deed*

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.

[Signature]  
*Signature of Owner*

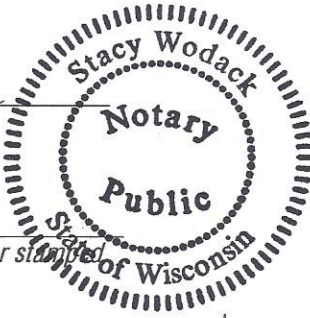
[Signature]  
*Signature of Joint/Co-owner if applicable*

Subscribed and sworn to (or affirmed) before me on this May 22, 2014  
*Date*

by Robert & Noreen Pollman  
*Name of Owner*

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

[Signature]  
*Notary's Signature and Seal*



Stacy Wodack  
*Name of Acknowledger typed, printed or stamped*

\_\_\_\_\_  
*Commission Number, if any*

# Verification Form

City of Key West  
Planning Department



**Verification Form**

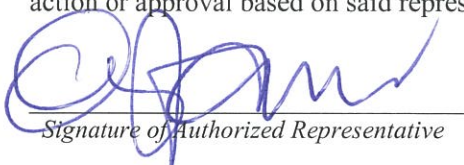
*(Where Authorized Representative is an individual)*

I, Owen Trepanier, 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:

921 Truman Avenue, Key West, FL 33040

*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 June 2, 2014 by

Owen J. Trepanier  
*Name of Authorized Representative*

He/She is ~~personally known to me~~ or has presented \_\_\_\_\_ as identification.

  
*Notary's Signature and Seal*

Richard Puente  
*Name of Acknowledger typed, printed or stamped*

FF067969  
*Commission Number, if any*

**Deed**

Doc# 1971217 03/04/2014 3:55PM  
Filed & Recorded in Official Records of  
MONROE COUNTY AMY HEAVILIN

03/04/2014 3:55PM  
DEED DOC STAMP CL: Krys \$6,160.00

Prepared by and return to:  
JOHN M. SPOTTSWOOD, JR.  
Attorney at Law  
Spottswood, Spottswood & Spottswood  
500 Fleming Street  
Key West, FL 33040  
305-294-9556  
File Number: 14-051-EJ  
Will Call No.:

Doc# 1971217  
Bk# 2673 Pg# 1794

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 28th day of February, 2014 between Masayuki Kon, a married man whose post office address is 7525 SW 112 Street, Miami, FL 33156, grantor, and Robert P. Pollman and Noreen M. Pollman, as Trustees of the Robert P. Pollman and Noreen M. Pollman Revocable Trust of 1999 whose post office address is P.O. Box 87, Egg Harbor, WI 54209, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida to-wit:

See Attached Exhibit "A"

**Parcel Identification Number:** 00021650-000000

Subject to taxes for 2014 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida.

**Together** with all the tenements, hereditaments and appurtenances thereto 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 said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2013.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

DoubleTime®

Signed, sealed and delivered in our presence:

*[Signature]*  
Witness Name: Milegros Melendez  
*[Signature]*  
Witness Name: Kelly Retzer

*[Signature]* (Seal)  
Masayuki Kon

State of Florida  
County of

The foregoing instrument was acknowledged before me this 28th day of February, 2014 by Masayuki Kon, who  is personally known or  has produced a driver's license as identification.

[Notary Seal]



*[Signature]*  
Notary Public  
Printed Name: TENA CRIDER  
My Commission Expires: 9/12/17



**EXHIBIT "A"**

On the Island of Key West and known on Wm. A. Whitehead's map of said Island, delineated in February A.D. 1829, as part of Tract Six (6) but now better known as Lot Eleven (11) in Square Four (4) of said Tract Six (6) according to John Lowe's Subdivision of part of said Tract Six (6) recorded in Deed Book I, Page 425 of Monroe County, Florida Records: COMMENCING at a junction of Thirty (30) foot Street and Division Street, distant One Hundred and Seventy-three (173) feet, Six (6) inches from the corner of Grinnell and Division Streets and running thence in a Southwesterly direction along Division Street Seventy-One (71) feet Nine (9) inches; thence at right angles in a Northwesterly direction One Hundred and Sixteen (116) feet, Four (4) inches; thence at right angles in a Northeasterly direction Seventy-One (71) feet, Nine (9) Inches; thence at right angles in a Southeasterly direction along said Thirty foot Street One Hundred and Sixteen (116) feet and Four (4) inches to the Place of Beginning at the corner of Division Street and said Thirty-foot Street.

**Doc# 1971217**  
**Bk# 2673 Pg# 1796**

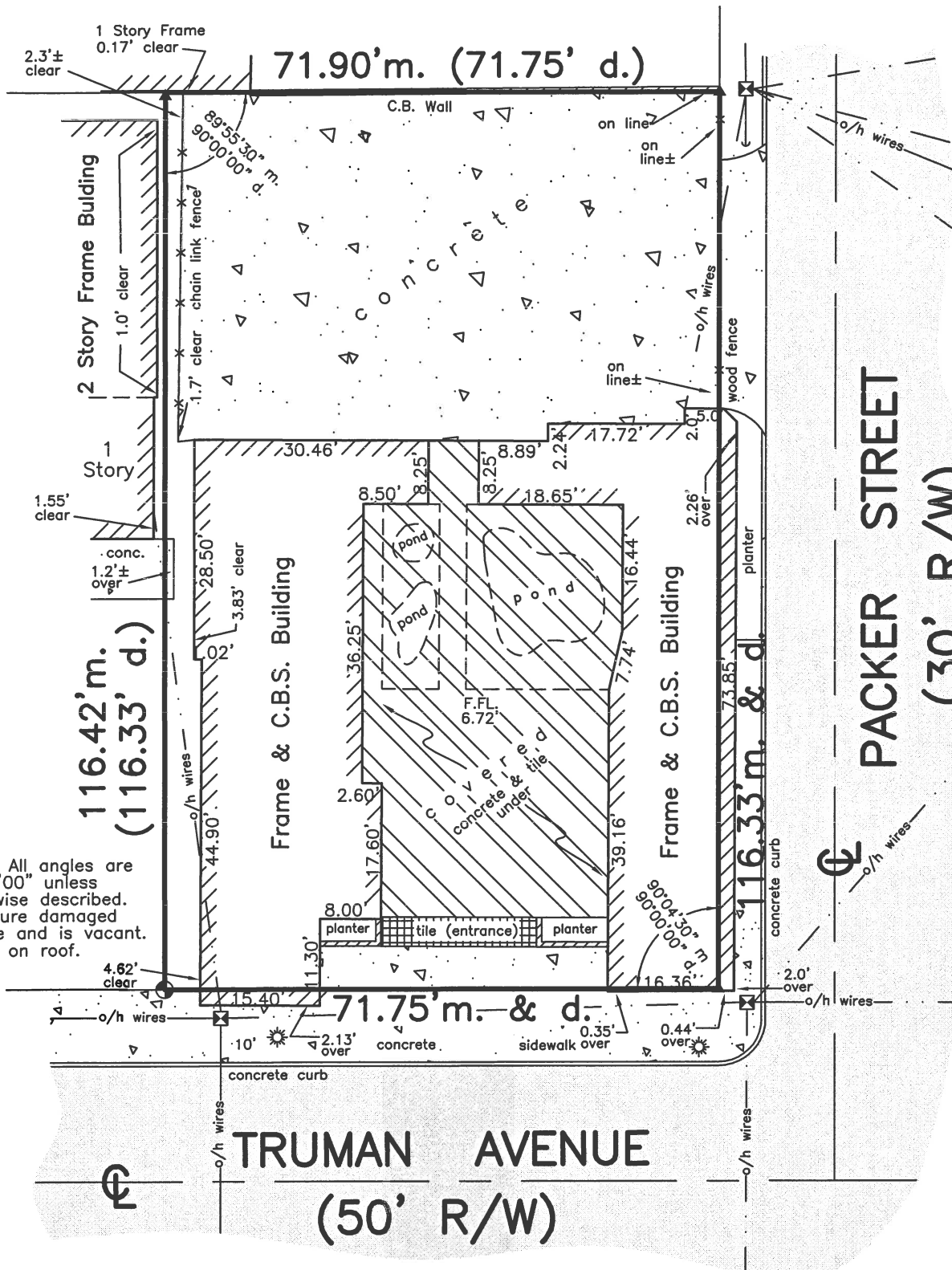
**MONROE COUNTY  
OFFICIAL RECORDS**

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# Survey



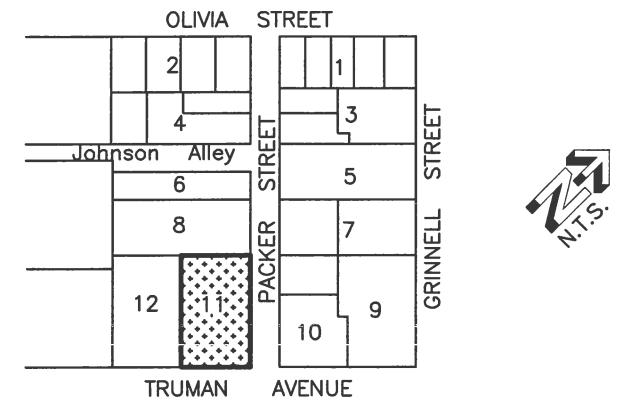
NOTE: All angles are 90°00'00" unless otherwise described. Structure damaged to fire and is vacant. A/C's on roof.

**SURVEYOR'S NOTES:**  
 North arrow based on assumed median  
 3.4 denotes existing elevation  
 Elevations based on N.G.V.D. 1929 Datum  
 Bench Mark No.: D-121 Elevation: 3.914  
 Field work performed on 3/14/14

**MONUMENTATION:**  
 ⊕ = set 1/2" Iron Pipe, P.L.S. No. 2749  
 ▲ = Set P.K. Nail, P.L.S. No. 2749

**SYMBOLS**

- ⊕ Concrete Utility Pole
- ⊕ Fire Hydrant
- ⊕ Sanitary Sewer Clean Out
- ⊕ Street Light
- ⊕ Wood Utility Pole
- ⊕ Water Meter



**LOCATION MAP**  
 Part of Square 2 & Square 4, Tract 6  
 City of Key West

**LEGAL DESCRIPTION:**  
 On the Island of Key West and known on William A. Whitehead's Map of said Island, delineated in February, A.D. 1829, as part of Tract Six (6) but now better known as Lot Eleven (11) in Square Four (4) of said Tract Six (6) according to John Lowe's subdivision of part of said Tract Six (6) recorded in Deed Book 1, Page 425 of Monroe County, Florida Records. and Division Street, distant One hundred and Seventy three (173) feet Six (6) inches from the corner of Grinnell and Division Streets and running thence in a Southwesterly direction along Division Street Seventy one (71) feet Nine (9) inches; thence at right angles in a Northwesterly direction One Hundred and Sixteen (116) feet Four (4) inches; thence at right angles in a Southeasterly direction along said Thirty foot Street One Hundred and Sixteen (116) feet and Four (4) inches to the Place of Beginning at the corner of Division Street and said Thirty-foot Street.

**LEGEND**

A/C	Air Conditioner	LB	Licensed Business Number
BAL	Balcony	M	Measured
BM	Bench Mark	N.T.S.	Not To Scale
CB	Catch Basin	O.R.	Official Records
⊕	Center Line	OH	Over Head
CO	Clean Out	P	Plat
CONC	Concrete	PB	Plat Book
C.B.S.	Concrete Block Stucco	P.O.B.	Point Of Beginning
CUP	Concrete Utility Pole	P.O.C.	Point Of Commence
COV'D	Covered	R/W	Right Of Way
D	Deed	SIB	Set Iron Bar
ELEV	Elevation	SIP	Set Iron Pipe
F.F.L.	Finished Floor Elevation	SPK	Set Nail And Disc
FD	Found	STY	Story
FIB	Found Iron Bar	UP	Utility Pole
FIP	Found Iron Pipe	WM	Water Meter
INV	Invert	WV	Water Valve
IRR	Irregular		

**CERTIFICATION:**  
 I HEREBY CERTIFY that the attached **BOUNDARY SURVEY** is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 5J-17 Florida Statute Section 472.027, and the American Land Title Association, and that there are no viable encroachments unless shown hereon.

FREDERICK H. HILDEBRANDT  
 Professional Land Surveyor & Mapper No. 2749  
 Professional Engineer No. 36810  
 State of Florida

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

Pollman 921 Truman Avenue, Key West, Florida			
<b>BOUNDARY SURVEY</b>		Dwn No.: <b>04-350</b>	
Scale: 1"=20'	Ref. file 120-36	Flood panel No. 1516K	Dwn. By: F.H.H.
Date: 3/13/96		Flood Zone: X	Flood Elev. -
REVISIONS AND/OR ADDITIONS			
5/20/14: Updated, sheds gone			
c/dwg/kw/block87			

**ISLAND SURVEYING INC.**

ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive  
Suite 201  
Key West, Fl. 33040

(305) 293-0466  
Fax. (305) 293-0237  
fhildeb1@bellsouth.net  
L.B. No. 7700

# Plans

WILLIAM P. HORN  
ARCHITECT, P.A.

915 EATON ST.  
KEY WEST,  
FLORIDA  
33040

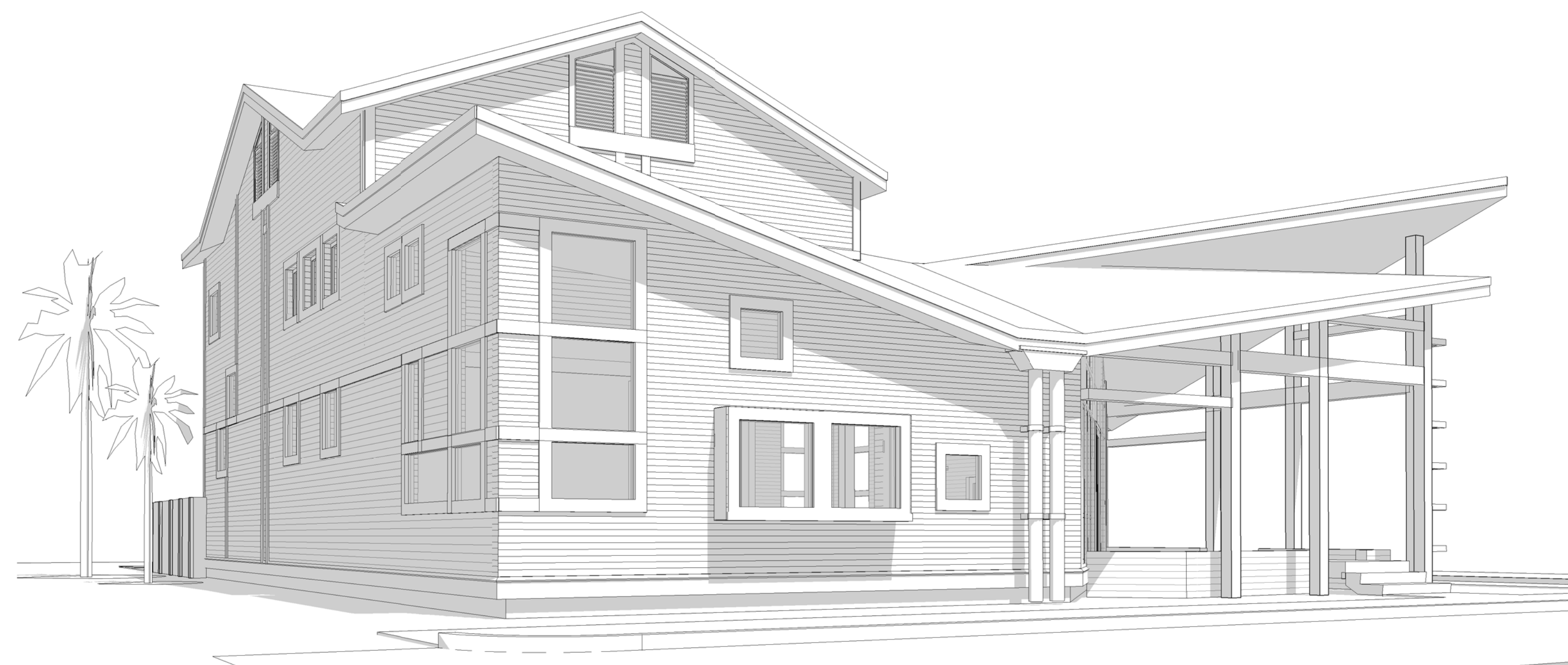
TEL. (305) 296-8302  
FAX (305) 296-1033

LICENSE NO.  
AA 0003040

SEVEN FISH  
921 TRUMAN  
AVENUE, KEY WEST,  
FLORIDA

THESE DRAWINGS MAY  
NOT BE REPRODUCED  
WITHOUT WRITTEN  
AUTHORIZATION BY  
WILLIAM P. HORN

SEAL \_\_\_\_\_



## SEVEN FISH RESTAURANT KEY WEST, FL

INDEX OF SHEETS			
PAGE	DESCRIPTION	PAGE	DESCRIPTION
A-1	COVER SHEET	L-1	SCHEDULE & DETAILS
A-2	SITE & ROOF PLAN	L-2	LANDSCAPE PLAN
A-3	1ST FLOOR PLAN		
A-4	2ND FLOOR PLAN	C-1	CIVIL PLAN
A-5	ELEVATIONS		
A-6	RENDERINGS	SU-1	SURVEY

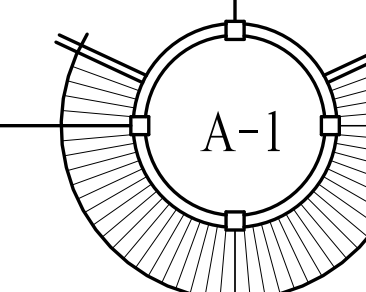
DATE  
5.28.2014 DRC

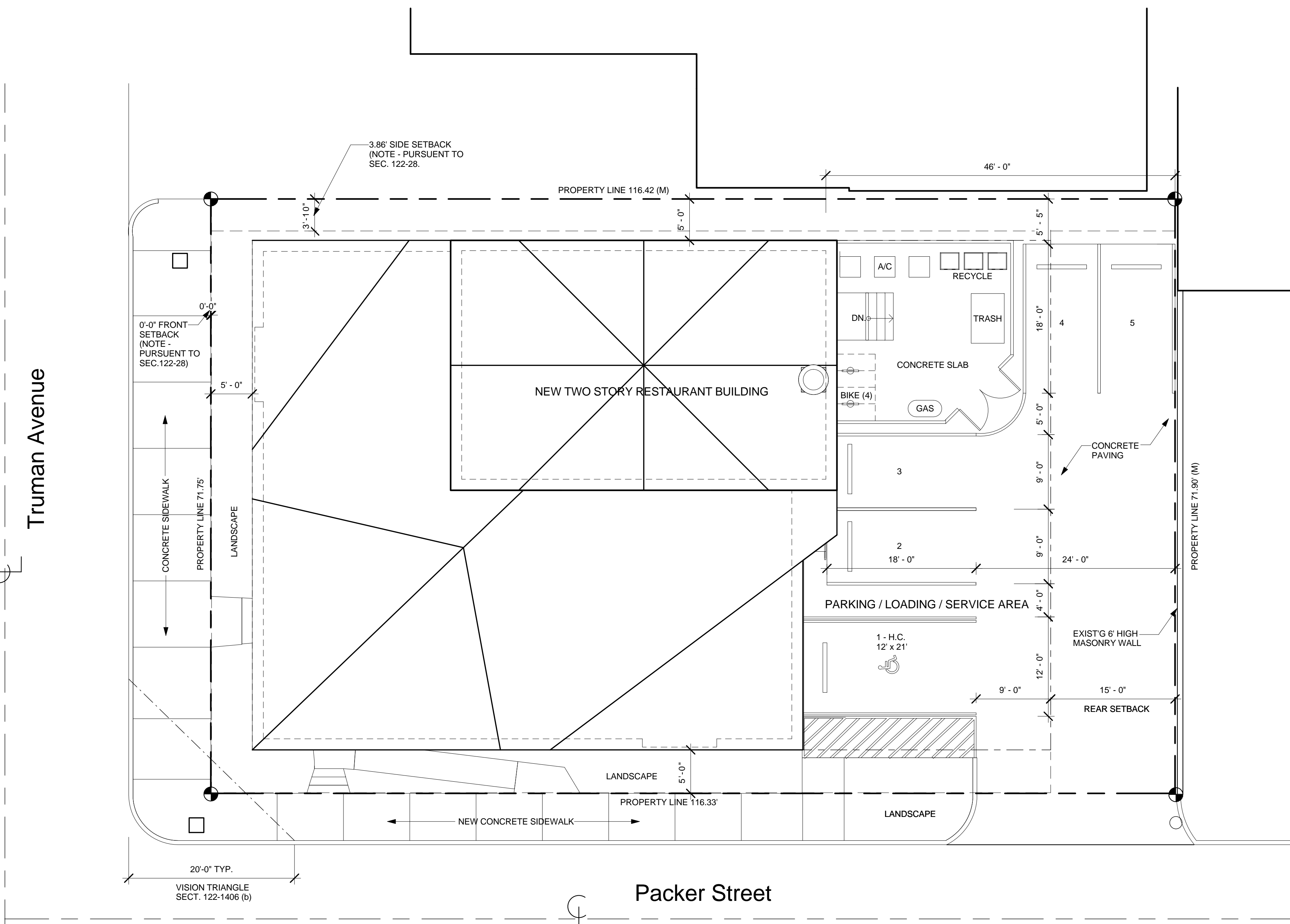
REVISIONS \_\_\_\_\_

DRAWN BY  
OCE

PROJECT  
NUMBER  
1404

SEVEN FISH  
921 TRUMAN AVENUE.  
KEY WEST, FLORIDA



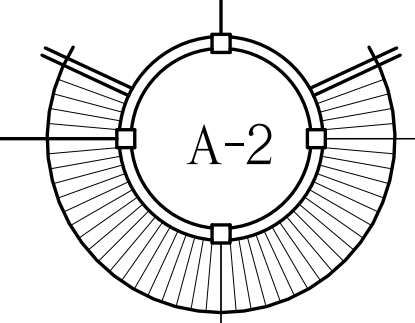
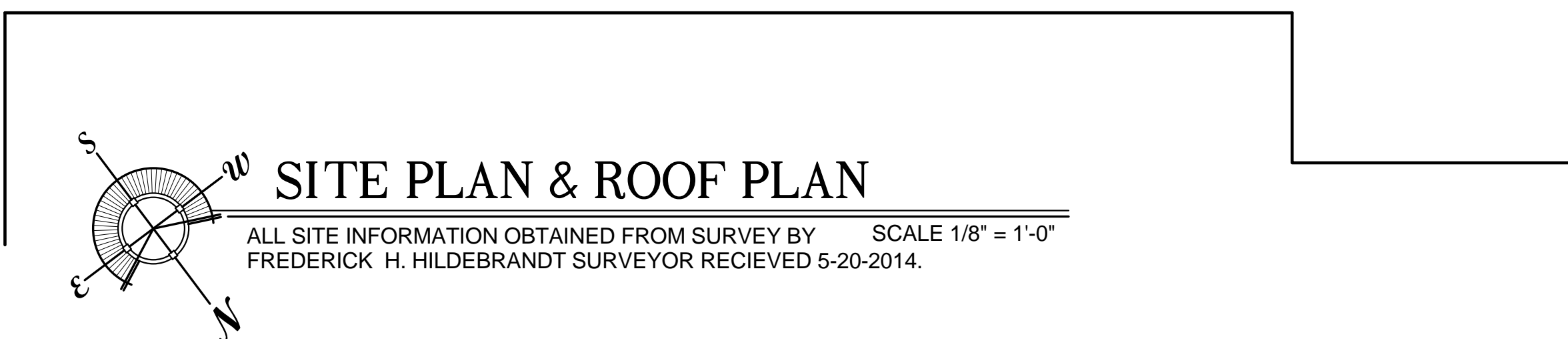


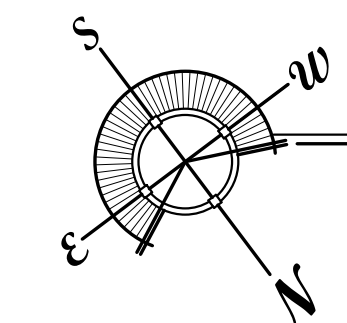
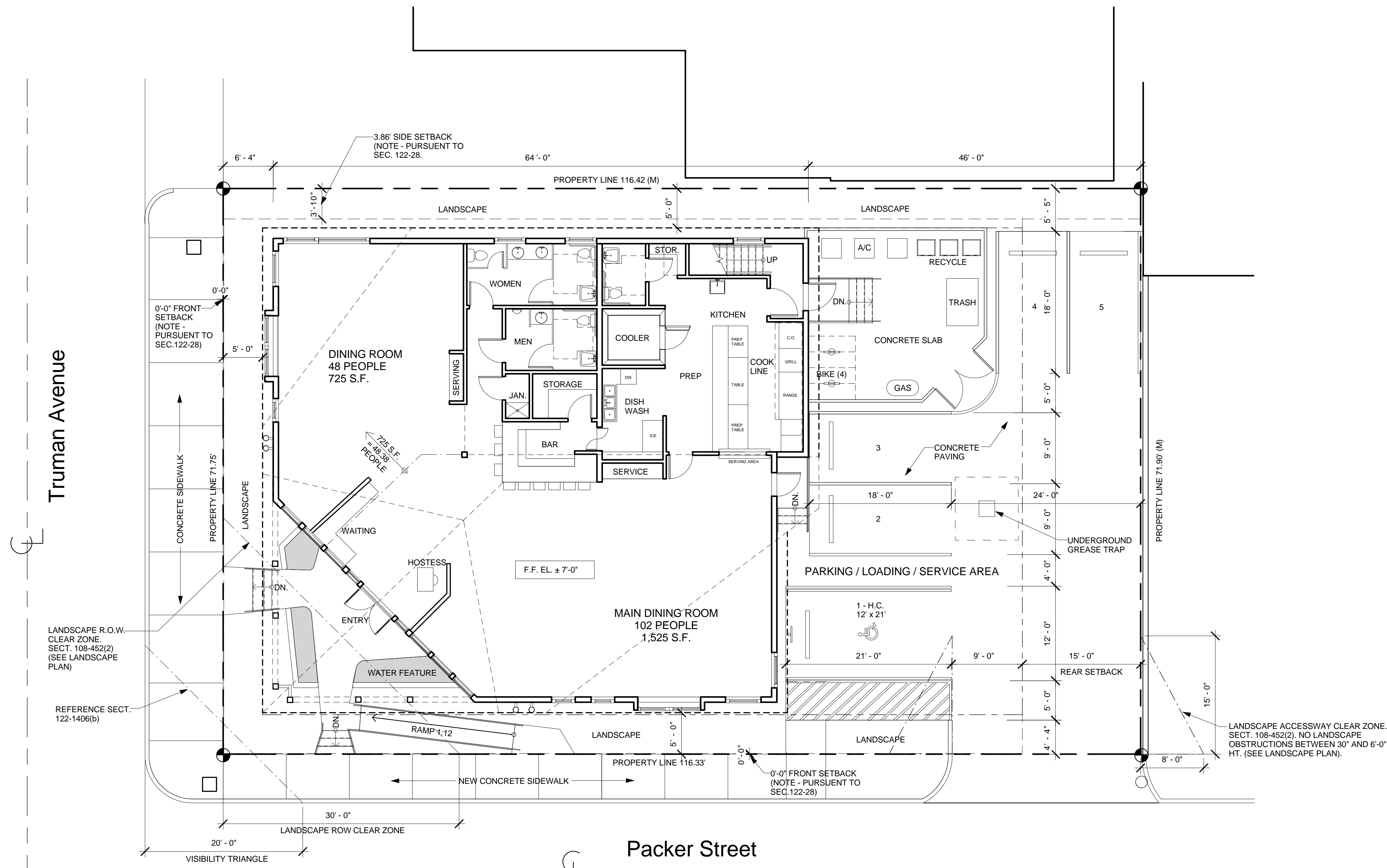
**SITE DATA**

LAND USE : HNC-1  
 SITE AREA : 8,360 S.F. (.19 ACRE)  
 FLOOD ZONE : X (SEE SURVEY)  
 F.A.R. :  
 EXISTING: 0.593 (4,954 S.F.)  
 PROPOSED: 0.570 (4,765 S.F.)  
 MAX HEIGHT :  
 ALLOWABLE = 35'-0" MAX.  
 EXISTING = 25'-0"  
 PROPOSED = 34' - 3"  
 LOT COVERAGE  
 EXISTING = 56% = 4,696 S.F.  
 PROPOSED = 51% = 4,279 S.F.  
 IMPERVIOUS AREA  
 EXISTING = 95% = 7,957 S.F.  
 PROPOSED = 84% = 7,059 S.F.  
 LANDSCAPE AREA  
 EXISTING = 5% = 403 S.F.  
 PROPOSED = 16% = 1,301 S.F.  
 \* 8% (689 S.F.) IS ADDITIONAL LANDSCAPE AREA UNDER  
 OVERHANGS AND ENTRY.  
 SETBACKS  
 FRONT: EXISTING = 0'-0"  
 PROPOSED = 5'-0"  
 SIDE: EXISTING = 3'-10"  
 PROPOSED = 5'-0"  
 STREET SIDE: EXISTING = 0'-0"  
 PROPOSED = 5'-0"  
 REAR: EXISTING = 43'-0"  
 PROPOSED = 44'-10"  
 PARKING  
 REQUIRED = MATCH EXISTING (5 SPACES)  
 PROPOSED = 5 SPACES INCLUDING 1 H.C. SPACE  
 BIKE PARKING = 4 SPACES

**BUILDING DATA**

OCCUPANCY = A2 RESTAURANT  
 CONSTRUCTION TYPE = V-B ; SPRINKLERED  
 ALLOWED SQ. FOOTAGE = 12,000 (W/ SPRINKLER INCREASE)  
 MAX. NO. OF STORIES = 2 (W/ SPRINKLER INCREASE)  
 FIRST FLOOR  
 ENCLOSED = 3,544 S.F.  
 ENTRY CANOPY = 329 S.F.  
 SECOND FLOOR  
 ENCLOSED = 1,221 S.F.  
 TOTAL ENCLOSED = 4,765 S.F.  
 CONSUMPTION AREA  
 EXISTING = 2,315 S.F.  
 PROPOSED = 2,250 S.F.

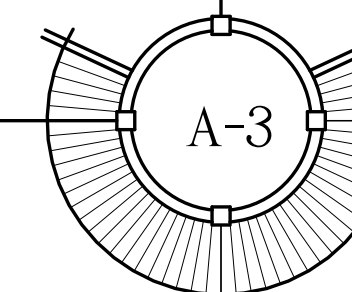




**PROPOSED FIRST FLOOR PLAN**

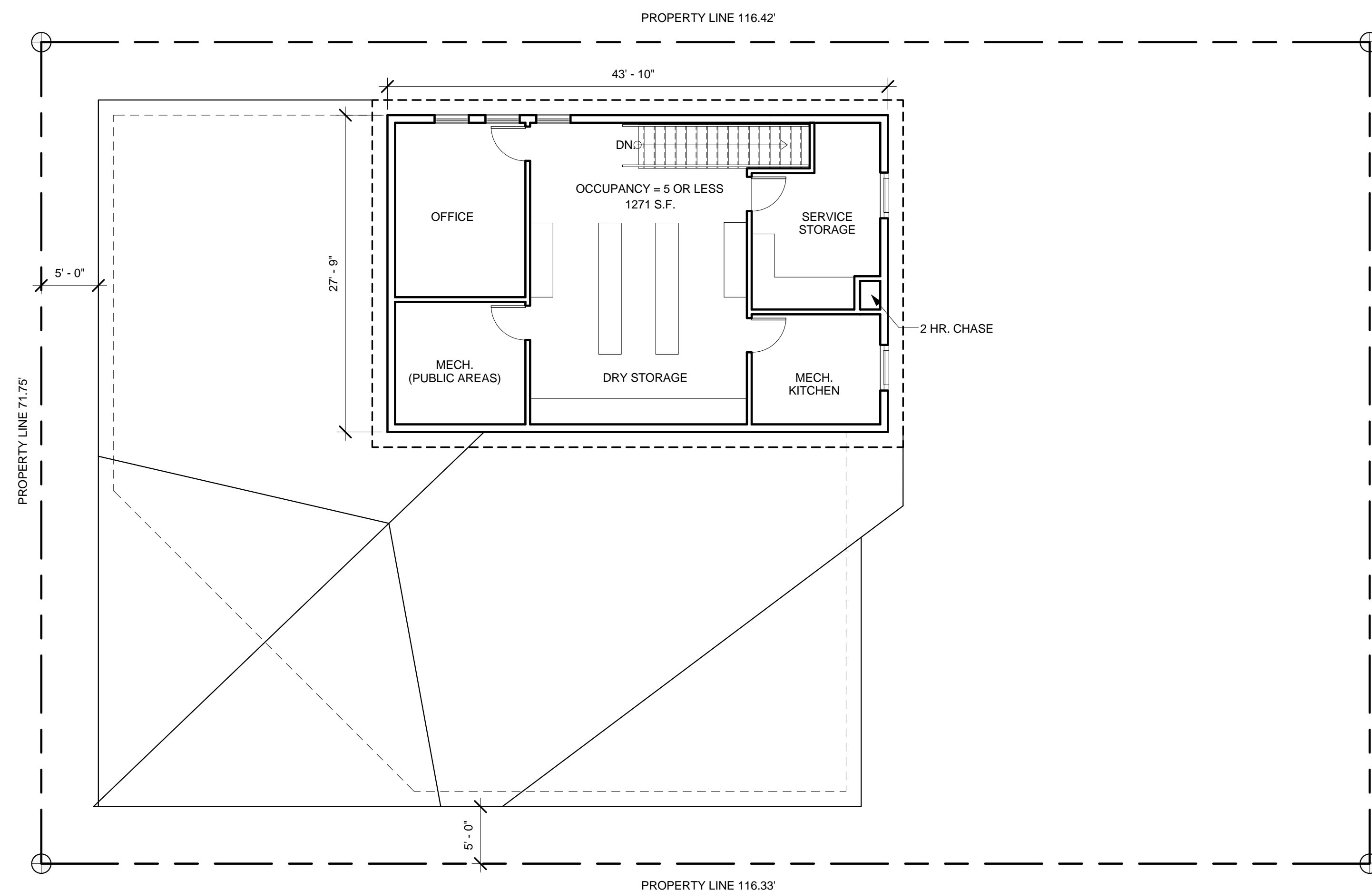
SCALE 1/8" = 1'-0"

**SEVEN FISH**  
921 TRUMAN AVENUE.  
KEY WEST, FLORIDA

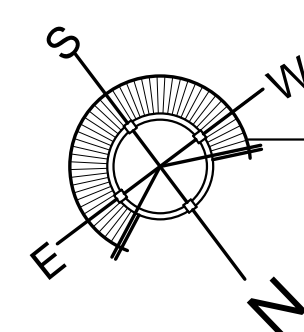




Truman Avenue



NOTE : 5 PERSON MAX. OCCUPANCY - 2ND FLOOR  
NO PUBLIC ACCESS



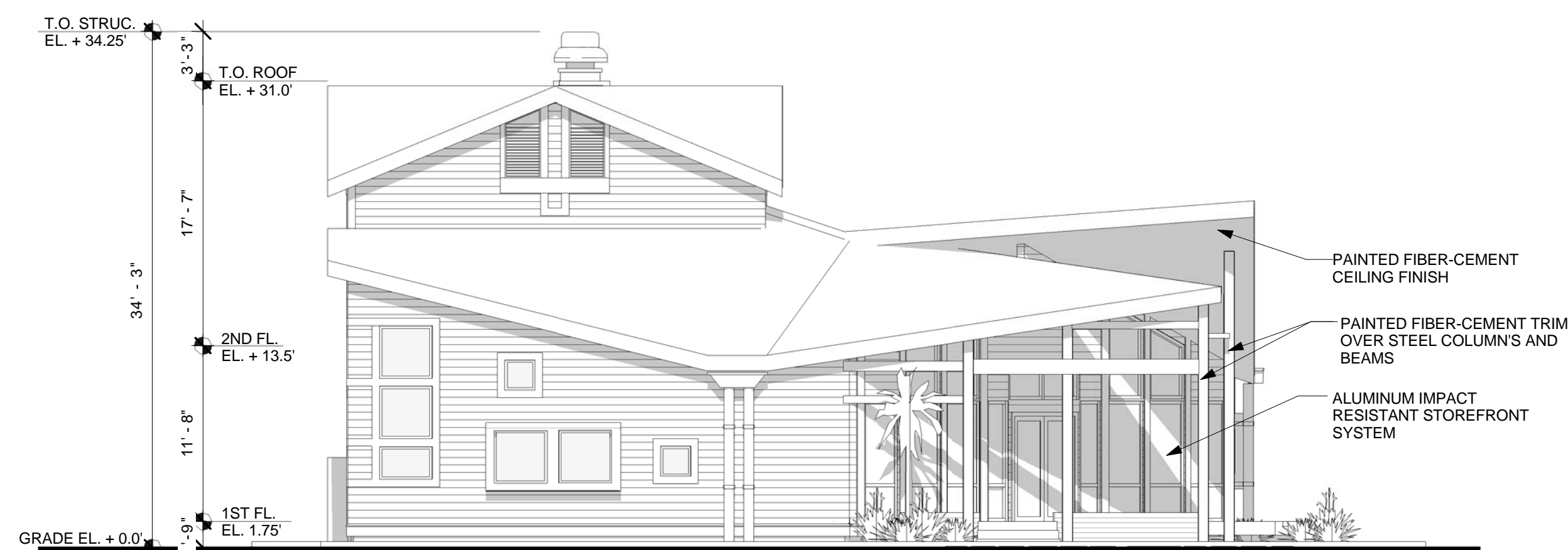
PROPOSED SECOND FLOOR PLAN

SCALE 1/8" = 1'-0"





1  
A-5 PACKER STREET ELEVATION  
SCALE 1/8" = 1'-0"



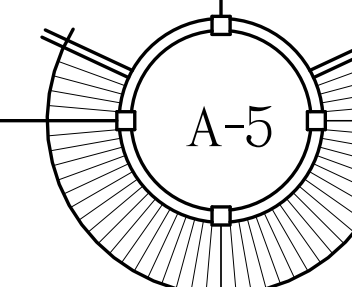
2  
A-5 TRUMAN AVE. ELEVATION  
SCALE 1/8" = 1'-0"

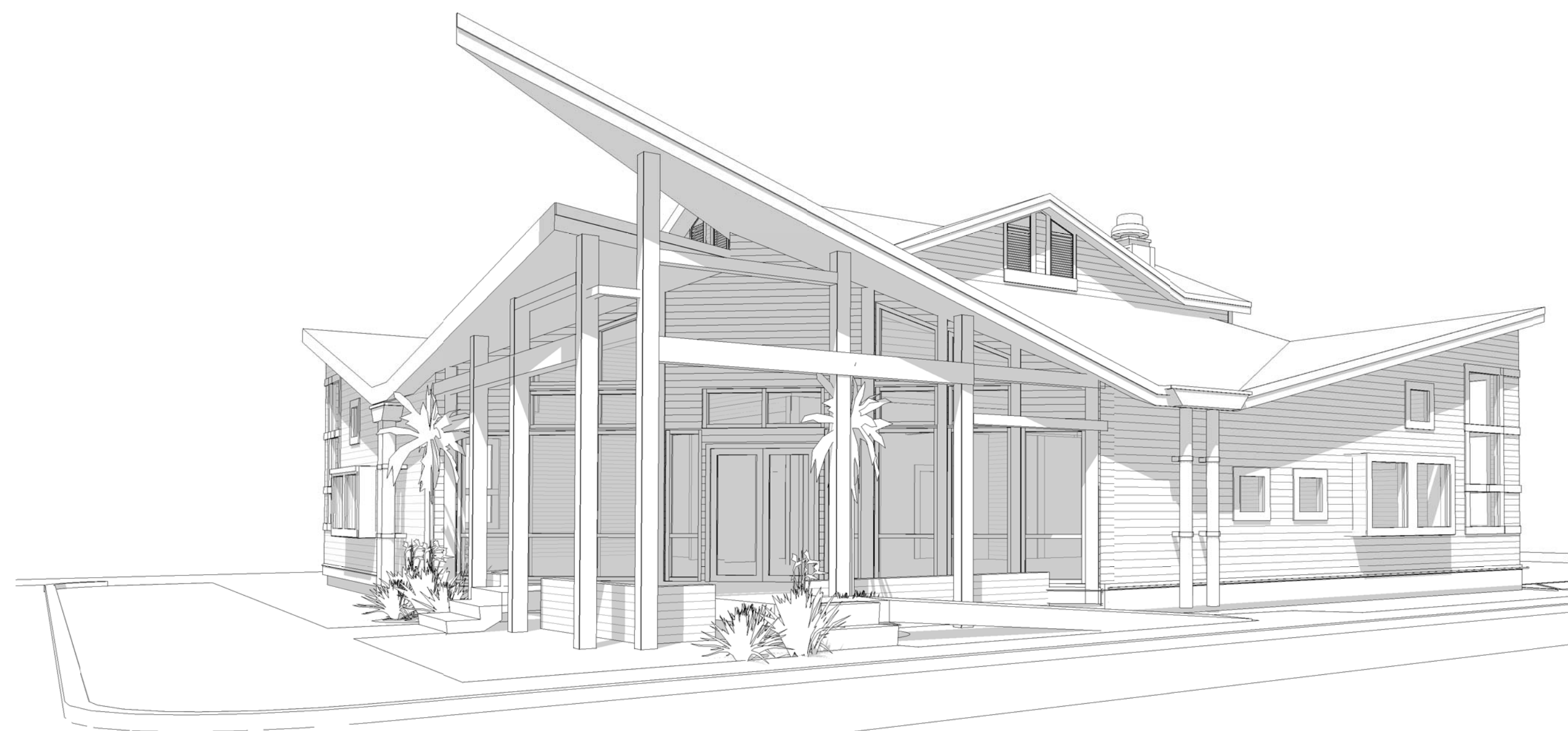


3  
A-5 REAR ELEVATION  
SCALE 1/8" = 1'-0"

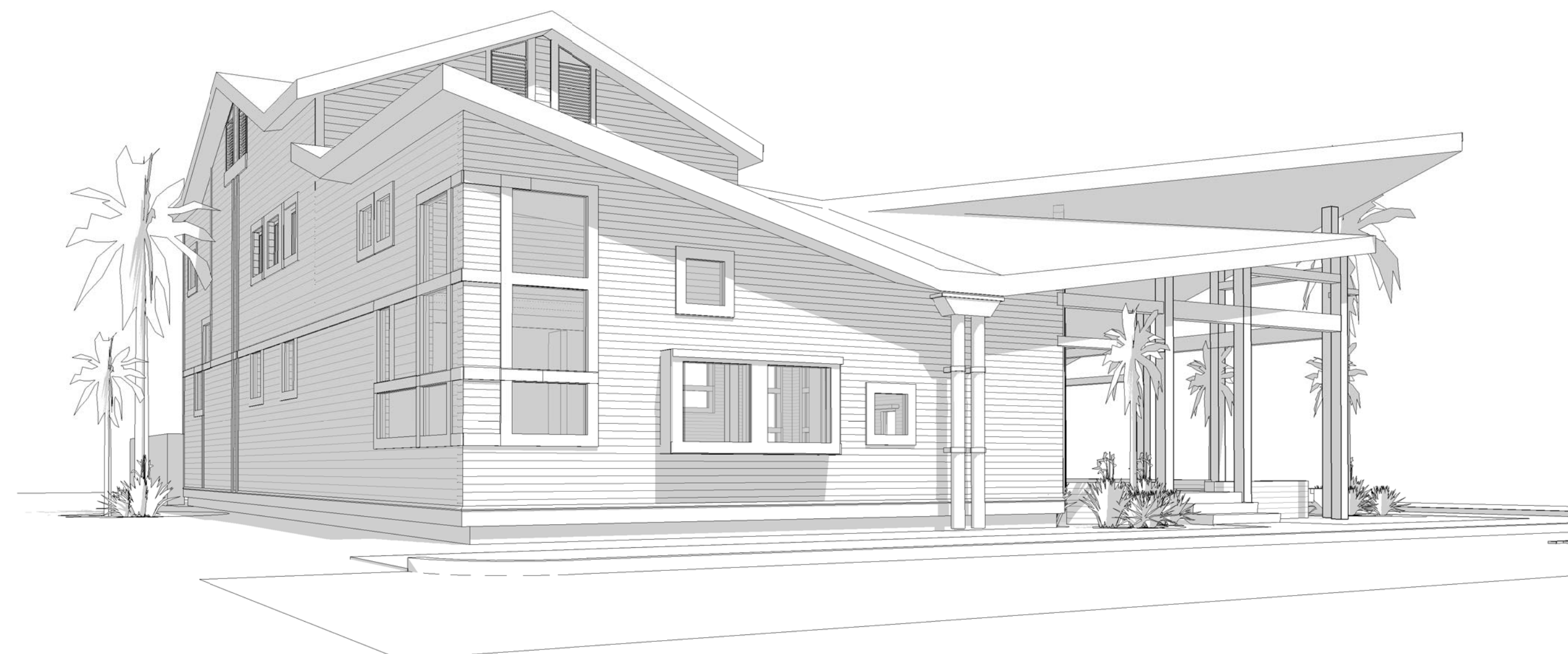


4  
A-5 SIDE ELEVATION  
SCALE 1/8" = 1'-0"

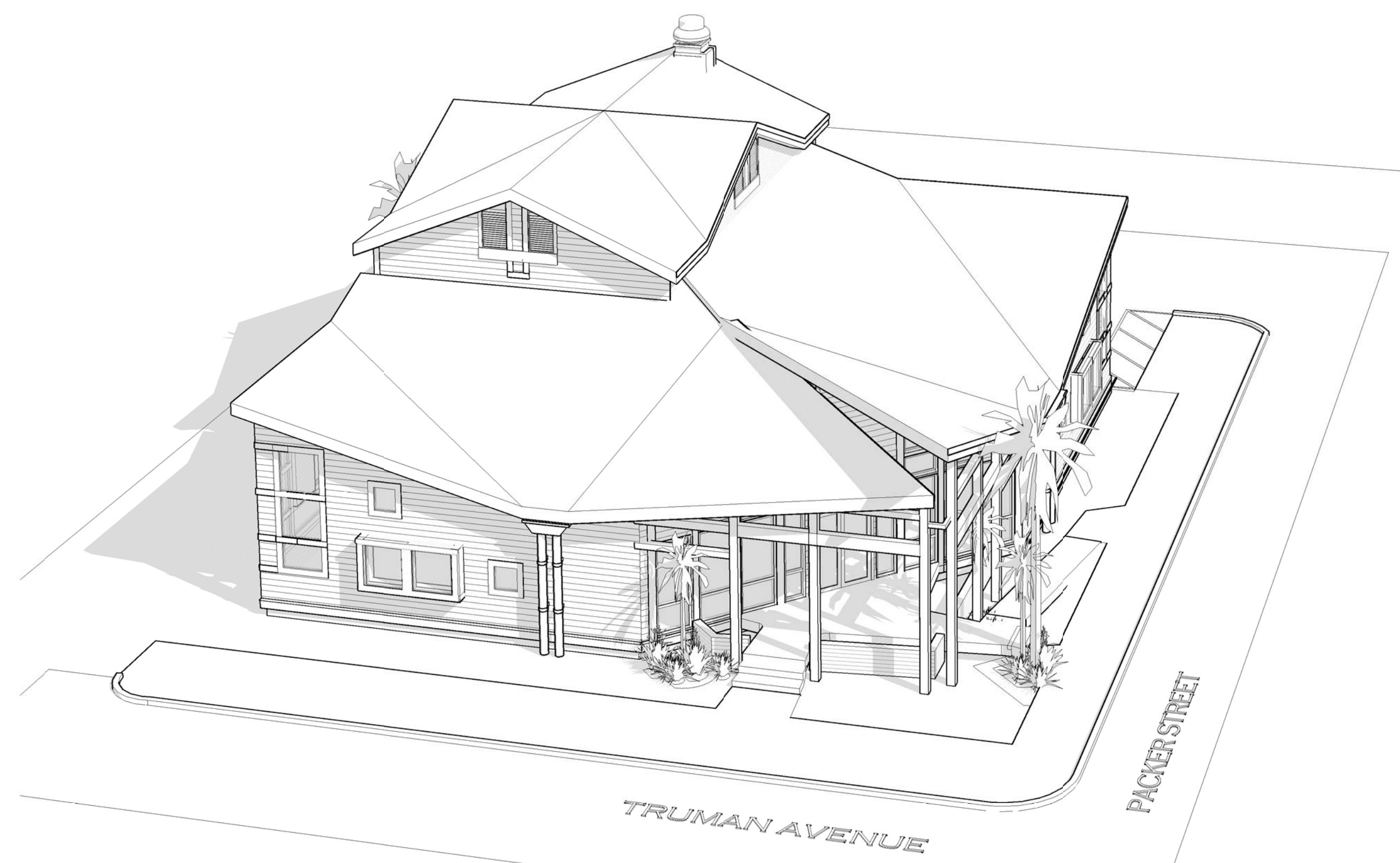




1 CORNER VIEW- TRUMAN AND PACKER  
A-6 N.T.S



2 TRUMAN AVENUE  
A-6 N.T.S



3 AERIAL RENDERING  
A-6 N.T.S



4 REAR YARD  
A-6 N.T.S



# 7 FISH

921 TRUMAN AVENUE

## PLANTING PLAN

5-28-2014

### TREE BRACING NOTES:

#### 2" and larger caliper trees braced by guying:

1. Choose the correct size and number of stakes and size of hose and wire. Guying shall be completed within 48 hours of planting the tree.
2. Cut lengths of staking hose to extend 2 inches past tree trunk when wrapping around.
3. Space stakes evenly on outside of water ring and drive each firmly into ground. Stakes should be driven at a 30 degree angle with the point of the stake toward the tree until 4 to 5 inches are left showing.
4. Place the hose around the trunk just above the lowest branch.
5. Thread the wire through the hose and past the stake, allowing approximately 2 feet of each of the two ends beyond the stake before cutting the wire.
6. Twist wire at rubber hose to keep it in place.
7. Pull wire down and wind both ends around stake twice. Twist wire back onto itself to secure it before cutting off the excess.
8. The above procedures are to be followed for each stake, keeping the tree straight at all times. There should be a 1 to 3 inch sway in the tree (the wires should not be pulled tight) for best establishment.
9. Flag the guy wires with surveyor's flagging or approved equal for safety.
10. Guys are not to be removed until approved by landscape contractor.

#### Specimen trees and tall palms braced with props:

11. Choose the correct size, length, and number of props to be used (pressure treated (PT) 2"x4", 4"x4").
12. Wrap at least 5 layers of burlap around trunk of the palm at least 4 inches wider than the battens being used. Battens should be mounted at a point 1/3 of the distance from ground to the clear trunk of the tree or palm, but not less than 4 feet, whichever is greater.
13. Select the proper length and size of battens (PT 2"x4"x12"-16").
14. Use the same number of battens as props being used.
15. Place the battens vertically and evenly spaced against the burlap.
16. Secure the battens in place with metal or plastic banding straps. DO NOT NAIL INTO TREE.
17. Wedge lower end of prop into soil and secure with a 2"x4"x30" stake. Props should be installed at a 30 to 40 degree angle from the battens and of sufficient length to reach the ground. NOTE: ON STRAIGHT TREES OR PALMS OR TREES, SPACE PROPS EQUAL DISTANCE AROUND TREE OR PALM. ON CURVED PALMS OR TREES, SPACE PROPS AGAINST THE FRONT OF THE CURVE OF THE PALM.
18. Cut a smooth angle at the end of the props. Align with and nail into battens. DO NOT PENETRATE TREE OR PALM WITH NAILS.
19. If it appears that additional construction work will take place near to or in the vicinity of the newly braced trees or palms, then props are to be clearly labeled with the statement, "DO NOT REMOVE."
20. Props are not to be removed until approved by the landscape contractor.

END

### GENERAL LANDSCAPE NOTES:

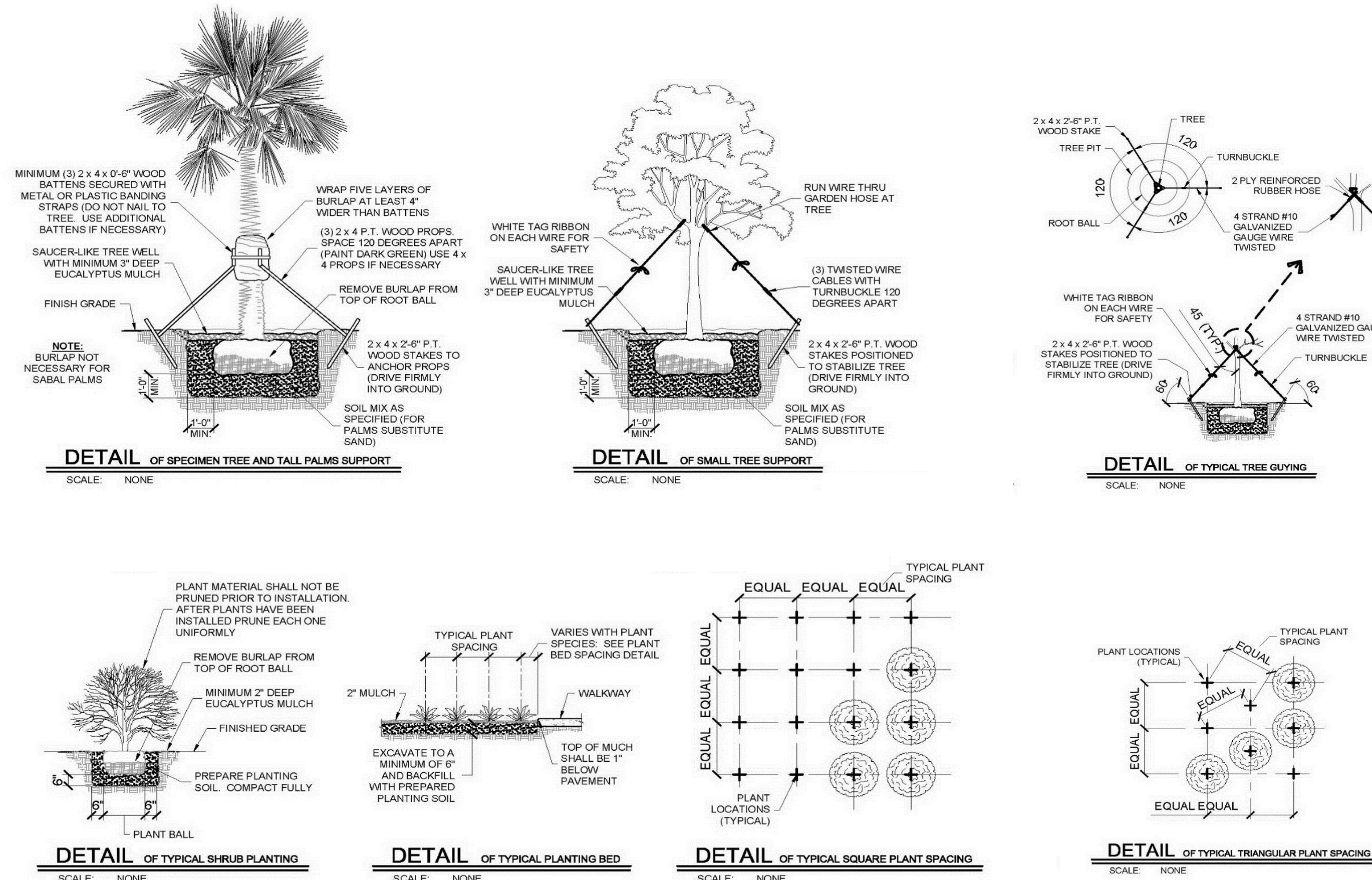
1. Changes may occur during the normal course of implementation. Verbal change orders will not be honored. Any changes must be submitted to landscape architect in writing as a change order to be reviewed and approved in writing by owner/client.
2. All newly planted areas to receive 100% coverage by automatic irrigation system (drip preferred) unless otherwise directed by OWNER. Landscape contractor to coordinate installation of irrigation system with irrigation contractor. Irrigation time clock to be HARD WIRED on completion - responsibility of irrigation contractor. Landscape contractor to hand water or arrange for watering during planting until irrigation system is 100% operable. This is the responsibility of the landscape contractor.
3. Landscape contractor to become familiar with the scope of work as well as the site, digging conditions, and any obstacles prior to bidding.
4. Landscape contractor shall locate and verify all underground utilities prior to digging.
5. All Plant material is to be Florida No. 1 or better. Florida Department of Agriculture Grades and Standards, Parts I & II, 1975, respectively.
6. All trees to be staked in a good workmanlike manner. No nail staking permitted. (Refer to planting details)
7. Landscape plan shall be installed in compliance with all local codes.
8. All tree holes to be back filled around and under root ball with washed beach sand. All shrub beds to be installed with washed beach sand. (See spec)
9. All trees, shrubs and ground covers shall be guaranteed for six months from date of final acceptance. All palms are to be guaranteed for one year.
10. All planting beds shall be weed and grass free.
11. All trees, palms, shrubs and ground cover plants shall be fertilized at installation according to manufacturers' recommendations. Type and amount of fertilizer is up to discretion of Landscape Contractor in order to avoid "burn" on plants that may already contain fertilizer from nursery and ensure proper establishment to maintain contractors warranty.
12. Planting plan shall take precedence over plant list in case of discrepancies.
13. No change shall be made without prior consent of Landscape Architect.
14. All material shall be subject to availability at time of installation. Substitutions may be made after consultation with Landscape Architect.
15. Landscape Contractor to coordinate his work with the General Contractor, Irrigation Contractor, and the Electrical Contractor.
16. All existing plant material to remain shall be protected.
17. All trees to be relocated will get root pruned 30 days min. (or more if required by the species). Upon relocation, thin out 30% of the relocated trees' canopy.
18. After removal or relocation of existing trees and palms, backfill tree pit with washed beach sand, and sod disturbed area, if required.
19. All trees on sod area shall receive a mulch ring 2" in diameter typical.
20. All trees shall have 2" caliper at D.B.H. minimum for a 10' height tree.
21. All 1 gallon material to have 12" spread minimum, all 3 gallon material to have 20-24" spread minimum.
22. Landscape contractor to be County and City licensed where work is to be performed. Liability and Workman's comp insurance is required for each and every employee to be on-site at any time during implementation. Paperwork to this effect to be provided on request within 2 business days.

END

### IRRIGATION NOTES:

1. All Lady Palms (*Rhapis spp.*), Heliconia, and Bamboos to have single bubbler. All Major Palms to have two bubblers on opposing sides of root ball. Bubblers to be hidden from view.
2. Irrigation contractor to coordinate location of main lines with Landscape Contractor prior to implementation. Avoid root balls of trees and large plant materials. Refer to landscape drawings.
3. All pipe to be PVC schedule 40, 8" minimum cover.
4. All heads installed on flexible PVC pipe and fittings.
5. Pressurized backflow, rain switch, and multi-programmable controller with battery backup required.
6. All crossings under permanent concrete to be sleeved two times the sprinkler pipe size with schedule 40 PVC.
7. All valves to have flow control and be installed in green valve boxes with room to work in future.
8. All valve boxes to be located away from walkways, garden paths, and groundcovers - keep to back of beds.
9. All sprinklers to be commercial grade Toro 570 Series 4" and 12" and installed out of sight.
10. Irrigation contractor to measure water available on-site and use no more than 75% of available GPM.
11. Water connection to the house, including shut-off valves, shall not be altered by pressurized backflow.
12. All wire splices to be in valve boxes and clearly labeled at back of time clock. All wire splices to be installed with water proof connections.
13. 2 spare wires to be run to the last valve in each direction.
14. Controller to be hard-wired at time of completion and included in irrigation contractors bid.
15. System to provide 100% controlled coverage on completion. Additions/modifications from irrigation plan may be necessary.
16. Irrigation contractor to be County and City licensed where work is to be performed. Liability and Workman's comp insurance is required for each and every employee to be on-site at any time during implementation. Paperwork to this effect to be provided on request within 2 business days.
17. As-built irrigation drawing to be provided prior to final payment.

END



SCALE: NONE

SCALE: NONE

SCALE: NONE

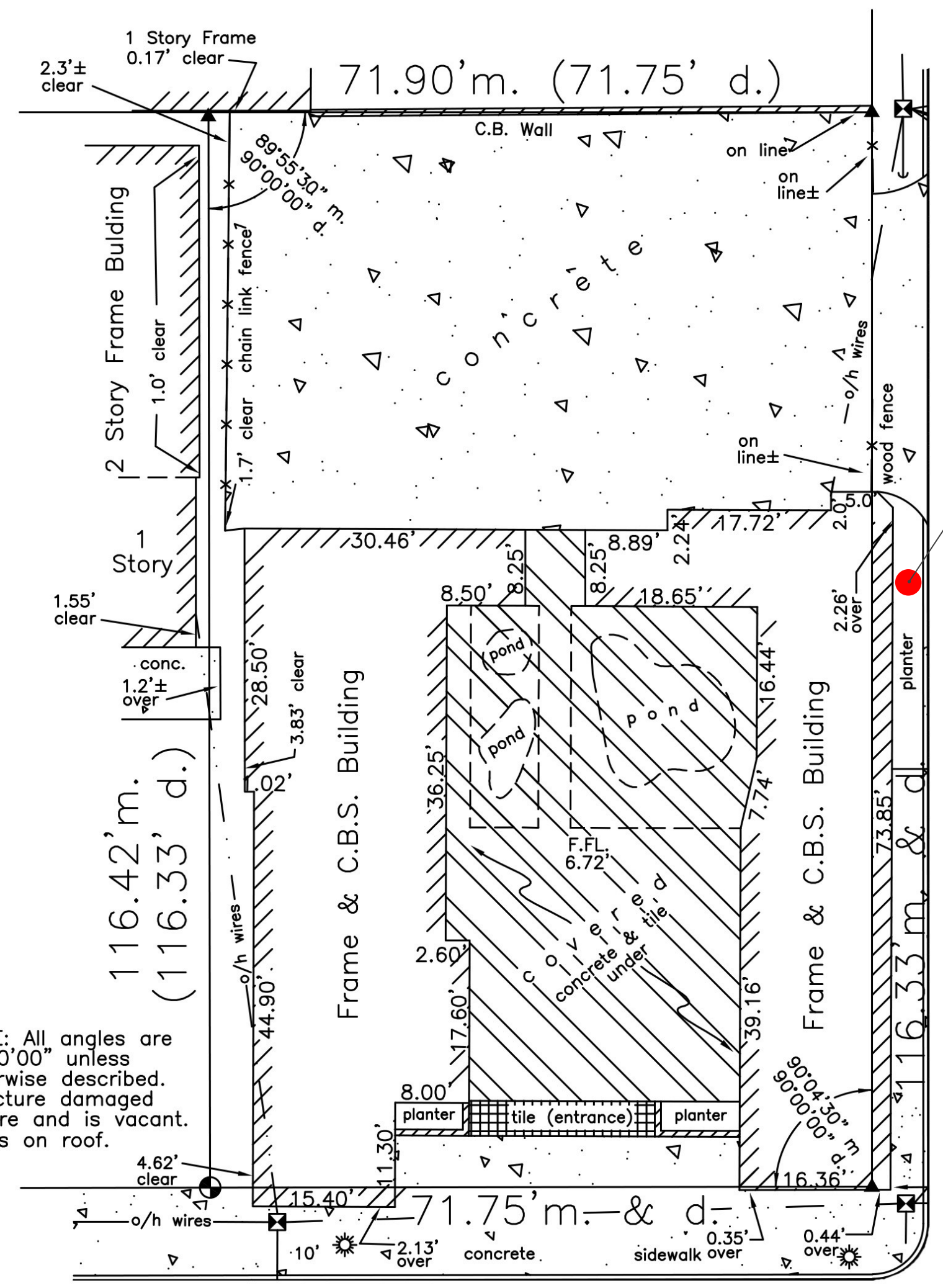
SCALE: NONE

SCALE: NONE

SCALE: NONE

SCALE: NONE

SCALE: NONE



NOTE: All angles are 90°00'00" unless otherwise described. Structure damaged to fire and is vacant. A/C's on roof.

(1) Pink Tabebuia (*Tabebuia heterophylla*, invasive/non-native) 6" D.B.H. to be removed.

### Existing Landscape Plan

N.T.S.

### DRAWING LIST:

1. COVER: Specifications
2. LC-1: Planting Plan and Plant List

### REVISIONS:

1. August 8, 2014: Revisions per Floor Plan Changes & DRC/Tree Commission Comments
2. August 28, 2014: Revisions per Tree Commission Comments—Remove Tam arind on PL, replace with (2) Sabal Palms
- 3.

The drawings, specifications, and other documents prepared by the Landscape Architect are instruments of the landscape architecture.



craigreynolds.net 305.292.7243  
517 Duval Street Suite 204 Key West Florida 33040



**NOTE: REFER TO COVER SHEET FOR SPECIFICATIONS AND DETAILS**

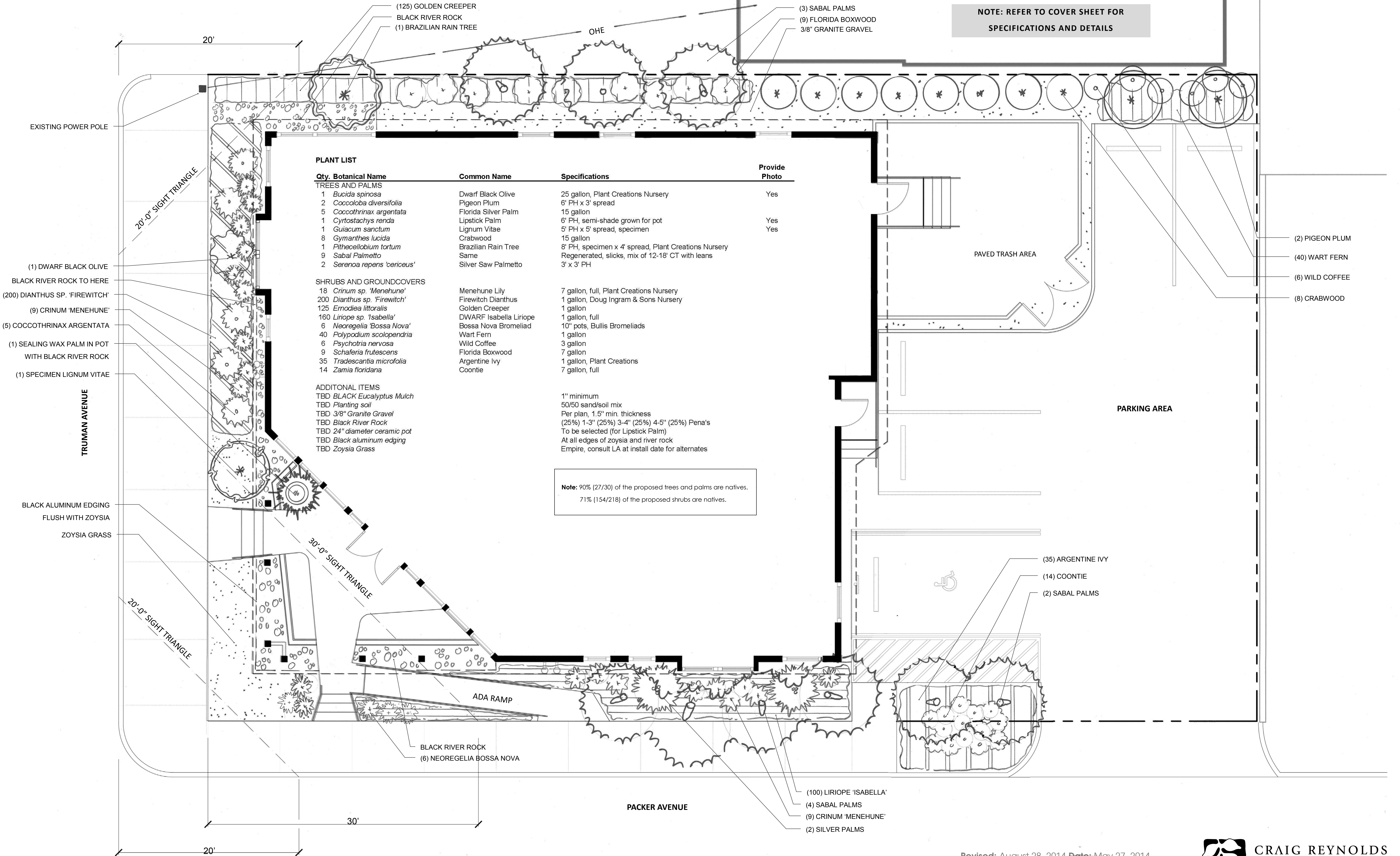
**PLANT LIST**

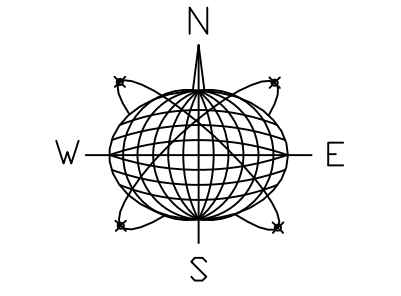
Qty.	Botanical Name	Common Name	Specifications	Provide Photo
<b>TREES AND PALMS</b>				
1	<i>Bucida spinosa</i>	Dwarf Black Olive	25 gallon, Plant Creations Nursery	Yes
2	<i>Coccoloba diversifolia</i>	Pigeon Plum	6' PH x 3' spread	
5	<i>Coccothrinax argentata</i>	Florida Silver Palm	15 gallon	
1	<i>Cyrtostachys renda</i>	Lipstick Palm	6' PH, semi-shade grown for pot	Yes
1	<i>Guaiacum sanctum</i>	Lignum Vitae	5' PH x 5' spread, specimen	Yes
8	<i>Gymnanthes lucida</i>	Crabwood	15 gallon	
1	<i>Pithecellobium tortum</i>	Brazilian Rain Tree	8' PH, specimen x 4' spread, Plant Creations Nursery	
9	<i>Sabal Palmetto</i>	Same	Regenerated, slicks, mix of 12-18' CT with leans	
2	<i>Serenoa repens 'cericeus'</i>	Silver Saw Palmetto	3' x 3' PH	
<b>SHRUBS AND GROUNDCOVERS</b>				
18	<i>Crinum sp. 'Menehune'</i>	Menehune Lily	7 gallon, full, Plant Creations Nursery	
200	<i>Dianthus sp. 'Firewitch'</i>	Firewitch Dianthus	1 gallon, Doug Ingram & Sons Nursery	
125	<i>Ernodeia littoralis</i>	Golden Creeper	1 gallon	
160	<i>Liriope sp. 'Isabella'</i>	DWARF Isabella Liriope	1 gallon, full	
6	<i>Neoregelia 'Bossa Nova'</i>	Bossa Nova Bromeliad	10" pots, Bullis Bromeliads	
40	<i>Polypodium scolopendria</i>	Wart Fern	1 gallon	
6	<i>Psychotria nervosa</i>	Wild Coffee	3 gallon	
9	<i>Schafeia frutescens</i>	Florida Boxwood	7 gallon	
35	<i>Tradescantia microfolia</i>	Argentine Ivy	1 gallon, Plant Creations	
14	<i>Zamia floridana</i>	Coontie	7 gallon, full	

**ADDITIONAL ITEMS**

- TBD BLACK Eucalyptus Mulch
- TBD Planting soil
- TBD 3/8" Granite Gravel
- TBD Black River Rock
- TBD 24" diameter ceramic pot
- TBD Black aluminum edging
- TBD Zoysia Grass

**Note:** 90% (27/30) of the proposed trees and palms are natives.  
71% (154/218) of the proposed shrubs are natives.





**DRAINAGE CALCULATIONS**

WATER QUANTITY - PREDEVELOPMENT		WATER QUANTITY - POSTDEVELOPMENT	
PROJECT AREA =	0.192 Ac.	PROJECT AREA =	0.192 Ac.
PERVIOUS AREA =	0.009 Ac.	PERVIOUS AREA =	0.030 Ac.
IMPERVIOUS AREA =	0.183 Ac.	IMPERVIOUS AREA =	0.162 Ac.
% IMPERVIOUS =	95.2%	% IMPERVIOUS =	84.3%
RAINFALL FOR 25yr/24hr EVENT (P) =	9 in.	RAINFALL FOR 25yr/24hr EVENT (P) =	9 in.
RAINFALL FOR 25yr/3 DAY EVENT (P) =	12.23 in.	RAINFALL FOR 25yr/3 DAY EVENT (P) =	12.23 in.
DEPTH TO WATER TABLE =	3.4 Ft.	DEPTH TO WATER TABLE =	3.4 Ft.
DEVELOPED AVAILABLE STORAGE =	8.18 in.	DEVELOPED AVAILABLE STORAGE =	8.18 in.
SOIL STORAGE (S) =	0.39 in.	SOIL STORAGE (S) =	1.28 in.
Qpre = $\frac{(P-0.2S)^2}{(P+0.8S)}$	11.77 in.	Qpost = $\frac{(P-0.2S)^2}{(P+0.8S)}$	10.82 in.

POSTDEVELOPMENT - PREDEVELOPMENT		EXFILTRATION TRENCH PROVIDED	
Qpost - Qpre =	-0.95 in.	TRENCH LENGTH =	36 FT
VOLUME = QA	-0.18 Ac-in	EXFILTRATION TRENCH VOLUME CALCULATED USING SPWM EQUATION (PG F-10 OF THE ERP INFORMATION MANUAL) VARIABLES K=0.0001; H=5.5'; W=5'; Du=3.9'; Ds=1.1'	VOLUME = 0.34 Ac-in

**WATER QUALITY**

PROJECT AREA = 0.192 Ac

A) ONE INCH OF RUNOFF FROM DRAINAGE BASIN = 0.192 Ac-in

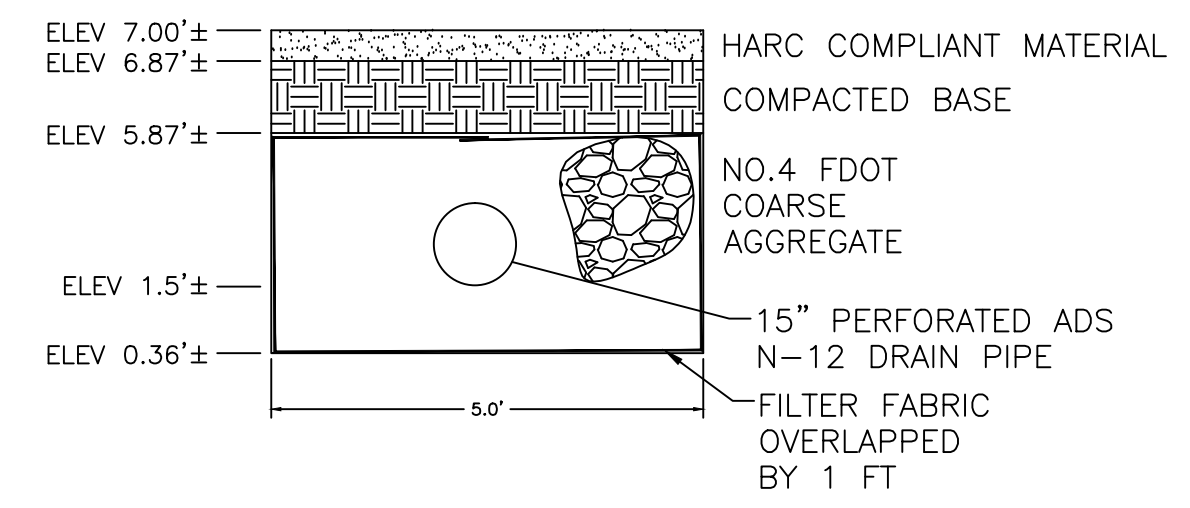
B) 2.5 INCHES TIMES PERCENT IMPERVIOUS = 0.34 Ac-in

ROOF AREA = 0.090 Ac.

IMPERVIOUS AREA, EXCLUDING ROOF = 0.071 Ac.

% IMPERVIOUS = 70.4%

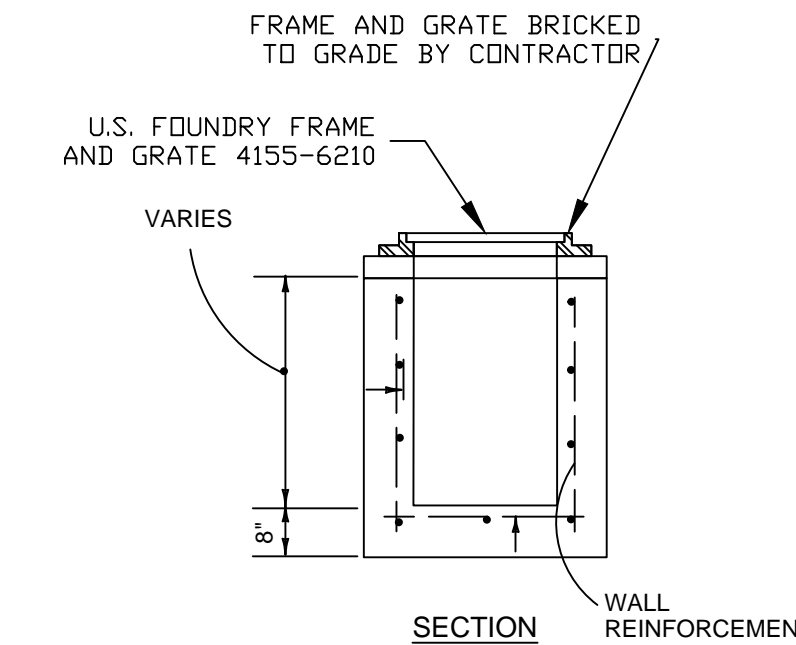
-0.18 Ac-in < 0.34 Ac-in WATER QUALITY CONTROLS



- NOTES:
1. FILTER FABRIC SHALL BE MARAFI FILTERWEAVE 300 OR ENGINEER APPROVED EQUIVALENT. FILTER FABRIC SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

**EXFILTRATION TRENCH**

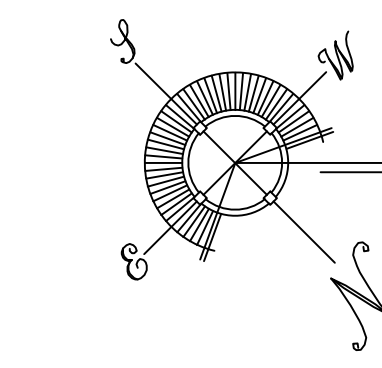
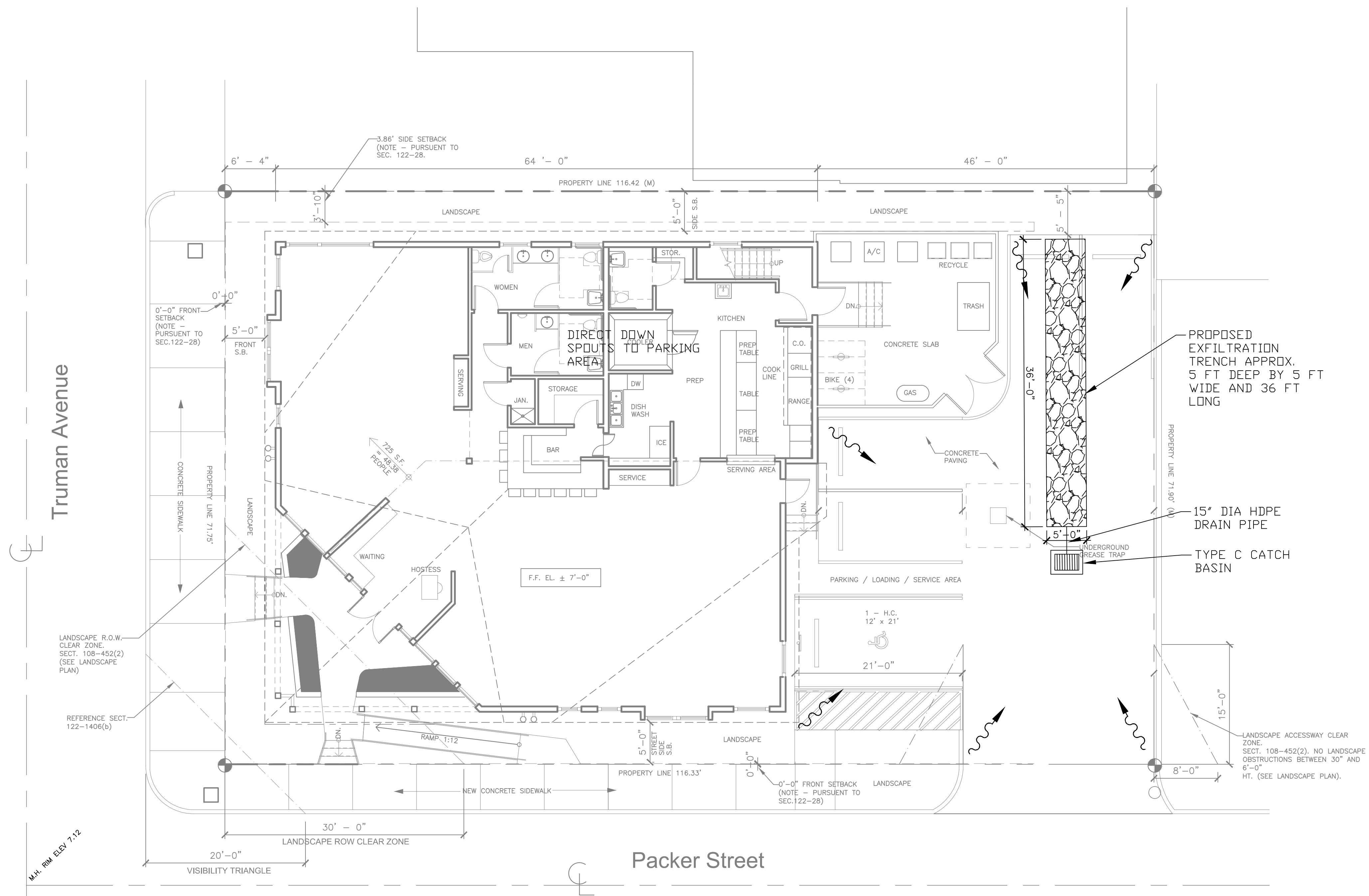
N.T.S.



- NOTES:
1. CONCRETE SHALL BE 4000 PSI AT 28 DAYS, TYPE II CEMENT
  2. FRAME AND GRATE BRICKED TO GRADE BY CONTRACTOR.
  3. BOTTOM INLETS SHALL BE USP PRODUCT NO. 3-3.0 OR EQUAL.
  4. STRUCTURES TO BE SET ON COARSE AGGREGATE BEDDING

**TYPE C CATCH BASIN**

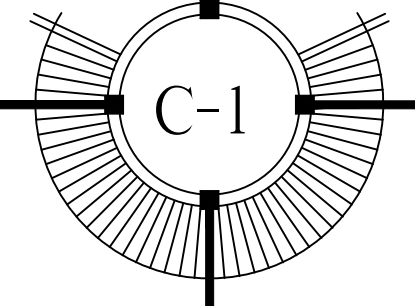
N.T.S.



**CONCEPTUAL DRAINAGE PLAN**

SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED BY FREDERICK H. HILDEBRANDT. DATED ON 06-10-04

SCALE: 1/8"=1'-0"



# Site Photos









**KYUSHU**  
Cafe  
JAPANESE CUISINE  
1000-1-1000

**SIX COMMERCIAL REALTY**  
Office: (305) 281-1920  
REBRANCH (305) 433-8888

**KYUSHU**  
JAPANESE  
RESTAURANT

PACKER  
TRUMAN AVE

Truman Ave







# **DRC Minutes/Comments**

## June 26, 2014 Minutes of the Development Review Committee

Planning Director Don Craig called the Development Review Committee Meeting to order at 10:01 A.M. on June 26, 2014, at Old City Hall in the Commission Chambers located at 510 Greene Street, Key West.

### ROLL CALL

Answering Roll Call were Planning Director Don Craig, Engineering Services Elizabeth Ignaffo, Urban Forestry Manager Karen DeMaria, Fire Department Jason Barroso, HARC Planner Enid Torregrosa, General Services Utilities Department Will Thompson and Art in Public Places Vice-Chair Dick Moody.

Chief Building Official Ron Wampler and Police Community Affairs Officer Steve Torrence arrived at 10:10 A.M.

Absent Members were Director of Community Services Greg Veliz, Director of Transportation Norman Whitaker, FEMA Coordinator Scott Frasier, Parking Manager John Wilkins, Sustainability Coordinator Alison Higgins,

Also in attendance were Planners Carlene Smith, Kevin Bond and Senior Deputy City Clerk Sue Harrison.

### PLEDGE OF ALLEGIANCE TO THE FLAG

### APPROVAL OF AGENDA:

Mr. Craig announced that Item #2 for the variance request at 1417 Eliza Street had been removed from this agenda.

It was moved by Ms. Toregrosa and seconded by Ms. DeMaria to approve the agenda as changed.

There were no objections.

### DISCUSSION ITEMS

#### New Business

#### 1 VARIANCE – 3642 EAGLE AVENUE (RE #00052450-000000; AK #1053091)

A request for Variance to maximum building coverage and maximum impervious surface ration I in order to construct a new rear porch on property located within the Single-Family Residential (SF) Zoning District pursuant to Sections 122-238 (4) a. 122-238 (4) b.1. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Planner Carlene Smith gave members an overview of the Variance request.

The applicant Tom Pope, project architect, gave members an overview of the Variance for request.

## June 26, 2014 Minutes of the Development Review Committee

### 8 MAJOR DEVELOPMENT PLAN – 921 TRUMAN AVENUE (RE # 00021650-000000, AK # 1022403)

A request for Major Development Plan approval for the reconstruction of a 4,557 square foot restaurant on property located within the Historic Neighborhood Commercial – Truman/Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2(a) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Planner \_\_\_\_\_ gave members an overview of the Major Development Plan request.

The applicant, \_\_\_\_\_ gave members an overview of the Major Development Plan request.

#### **DRC MEMBER COMMENTS:**

##### **ART IN PUBLIC PLACES:**

No comment.

##### **URBAN FORESTRY MANAGER:**

No comment.

##### **HARC PLANNER:**

No comment.

##### **PLANNING DIRECTOR:**

No comment.

##### **ENGINEERING:**

No comment.

##### **FIRE DEPARTMENT:**

No comment.

##### **KEYS ENERGY:**

KEYS has no objections to the major development plan. KEYS will need a full set of plans and a completed project review form. Applicant is to coordinate with KEYS about location of service prior to construction.

## **June 26, 2014 Minutes of the Development Review Committee**

### **REPORTS**

There were no reports.

### **MINUTES**

#### **JUNE 5, 2014**

A motion was made by Ms. Torregrosa and seconded by Ms. Ignaffo to postpone the minutes to the next regular meeting. There were no objections.

### **ADJOURNMENT**

There being no further business the meeting adjourned at 10:35 A.M.

**Respectfully submitted**  
**Sue Harrison, CMC**  
**Senior Deputy City Clerk**  
**City Clerk's Office**

Backflow preventors, RPZ and RPDA type, for water and fire service will be required for this project. Please show backflow preventors on site plan and coordinate project review with Florida Keys Aqueduct Authority.

Proposed First Floor Plan does not show ADA accessible route throughout the retail and commercial spaces. Please provide ADA accessible route plan, include dimensions, slopes, ADA accessible countertop heights, and ADA features.

**1212 1220 & 1222 Simonton Street  
Major Development Plan**

Solid waste storage area is not shown on Site Plan. Please show trash and recycling storage area of sufficient capacity to contain residential units and commercial space solid waste. Storage area shall be screened from public view.

Pursuant to Sec. 122-1406, please show a clear zone triangle at the intersections, indicating no structure, fence, planting or sign shall be located there, to ensure traffic visibility obstructions are not created.

Please provide a site plan showing the parking space details, including length and width dimensions, sign for ADA parking space, and driveway width.

Please identify which unit will be ADA accessible, indicate pool and spa will be ADA accessible, and show dimensions and slopes for the accessible routes to office, unit, and accessible parking space and sidewalk.

**921 Truman Street  
Development Plan and Conditional Use**

Please show the kitchen grease separator on the site plan.

Please provide a drain in the utility/trash storage yard that includes an oil and sediment trap separator.

Access to the containers in the trash/recycle and bicycle racks may be hampered by the close proximity of the vehicle parking spaces. A maneuvering area to turn around and exit the parking area is not provided, and back onto to right-of-way will most likely be required to exit parking area.

Please provide ADA aisle width dimension

No scooter parking provided in the parking area.

Concrete sidewalk along Packer St does not exist. Please coordinate design and construction of sidewalk with Engineering Services Department.



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

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UTILITY BOARD OF THE CITY OF KEY WEST

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June 23, 2014

Mr. Don Craig  
City of Key West  
PO Box 1409  
Key West, Florida 33040

RE: DEVELOPMENT REVIEW COMMITTEE  
KEYS ENERGY SERVICES COMMENTS FOR MEETING OF June 26, 2014

Dear Mr. Don Craig:

Keys Energy Services (KEYS) received the Development Review Committee Agenda for June 26, 2014. KEYS has reviewed the items that will be discussed at the City's Development Review Committee meeting.

Below are KEYS' comments:

1. LOCATION: 3642 Eagle Avenue – Variance  
COMMENT: KEYS has no objections to the variance request.
2. LOCATION: 1417 Eliza Street - Variance  
COMMENT: KEYS has no objections to the variance request.
3. LOCATION: 1607 Laird Street – Variance  
COMMENT: KEYS has no objections to the variance request.
4. LOCATION: 1119 Olivia Street – Revocable License  
COMMENT: KEYS has no objections to the revocable license request.
5. LOCATION: 1322 Olivia Street – Variance  
COMMENT: KEYS has no objections to the variance request.
6. LOCATION: 201 Simonton Street – Conditional Use  
COMMENT: KEYS has no objections to the conditional use request.
7. LOCATION: 1212, 1220 & 1222 Simonton Street – Major Development Plan  
COMMENT: KEYS has no objections to the major development plan. KEYS recommends the installation of underground high voltage distribution facilities to a pad mount transformer. KEYS will need a full set of plans and a completed project review form. Applicant is to coordinate with KEYS about location of underground facilities and other requirements prior to construction.

8. LOCATION: 921 Truman Avenue – Major Development Plan  
COMMENT: KEYS has no objections to the major development plan. KEYS will need a full set of plans and a completed project review form. Applicant is to coordinate with KEYS about location of service prior to construction.

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

MA/mpa

Copied via electronic mail:

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



## **Other Information:**

**Applicant's  
Good Neighbor  
Documentation**

## Kevin Bond

---

**From:** Lori Thompson <lori@owentrepanier.com>  
**Sent:** Thursday, October 09, 2014 12:01 PM  
**To:** Kevin Bond; Venetia A. Flowers  
**Cc:** bpollman@dcwis.com; david pollman; Owen Trepanier  
**Subject:** Seven fish 921 Truman  
**Attachments:** support letters.pdf; Sign in Sheet.pdf

Good morning!

We held a neighborhood meeting last night at the site with owner, Pete Pollman; architect, Bill Horn; landscape architect, Craig Reynolds; planner, Owen Trepanier and myself. We had five neighbors attend and all comments were positive and supportive. We had an interesting discussion regarding parking which enlightened us. We anticipated questions on the limited parking, however, that was not the case at all. The neighbors actually prefer no parking. As with Seven Fish now, customers know that there is no available parking on site, therefore, will choose another source of transportation.

We also met individually with the owner, Dominic Marsden, of Azul Key West, at 907 Truman, the immediate adjacent neighbor. Again, all very positive and supportive of the project. Everyone knows the reputation of Seven Fish and are glad to see a quality restaurant on the site. He had two issues which he was interested in; the exhaust fan from the kitchen and the trash enclosure. We discussed these issues with Bill Horn and the owners and feel that we have answers that will satisfy Mr. Marsden and put any concerns at rest.

The attached are two letters of support for the public record set to go before the Planning Board on Oct. 16<sup>th</sup>. My understanding is that some have responded favorably to the City's mail out already.

Thank you.

*Lori Thompson*

**Trepanier & Associates**

[lori@owentrepanier.com](mailto:lori@owentrepanier.com)

1421 First Street, Key West Florida 33040

Phone: 305.293.8983 / FAX: 305.293.8748

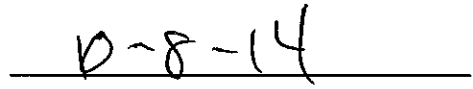


Dear Planning Board and City Commission,

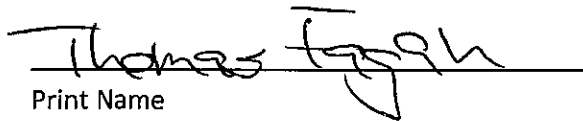
In regards to **Seven Fish, 921 Truman Avenue**, I have reviewed the plans and support the redevelopment of the site as proposed. I encourage your support and the approval of this project.



Signature



Date



Print Name



Address

Dear Planning Board and City Commission,

In regards to **Seven Fish, 921 Truman Avenue**, I have reviewed the plans and support the redevelopment of the site as proposed. I encourage your support and the approval of this project.

Diane F. Schoer

Signature

10.8.14

Date

DIANE F. SCHOER

Print Name

906 Packee St.

Address

**Other Information:**

**Tree Commission  
Conceptual Approval**



THE CITY OF KEY WEST  
Tree Commission  
Post Office Box 1409 Key West, FL 33041-1409  
Telephone: 305-809-3764

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September 10, 2014

Robert and Noreen Pollman  
628 Williams Street (rear)  
Key West, FL 33040

Dear Mr. and Mrs. Pollman:

The City of Key West Tree Commission recently considered your permit application regarding property located at 921 Truman Avenue, at their regularly scheduled meeting on September 9, 2014.

The request of the permit application was for Conceptual Approval of the Landscape with Tree Removal for the above mentioned property. The Tree Commission approved the conceptual landscape plan submitted with the application and presented to the Commission. Once you have received approval from HARC and the Planning Board, application should be made again to the Tree Commission for Final Landscape Plan approval with Tree Removal.

If you have any questions please call the office at (305) 809-3768.

Sincerely,

A handwritten signature in blue ink that reads "Karen DeMaria".

Karen DeMaria  
Urban Forestry Program Manager  
City of Key West  
3140 Flagler Avenue  
Key West, FL 33040  
Office: 305/809-3768  
Fax: 305/809-3978

Cc: Craig Reynolds Landscape Architecture  
517 Duval Street Suite 204  
Key West, FL 33040

# **Property Appraiser Record Card**





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

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

Website tested on IE8, IE9, & Firefox.  
 Requires Adobe Flash 10.3 or higher

## Property Record Card -

**Maps are now launching the new map application version.**

Alternate Key: **1022403** Parcel ID: **00021650-000000**

### Ownership Details

**Mailing Address:**

POLLMAN ROBERT P AND NOREEN M TRUST 1999  
 PO BOX 87  
 EGG HARBOR, WI 54209-0087

### Property Details

**PC Code:** 21 - RESTAURANTS & CAFETERIAS

**Millage Group:** 10KW

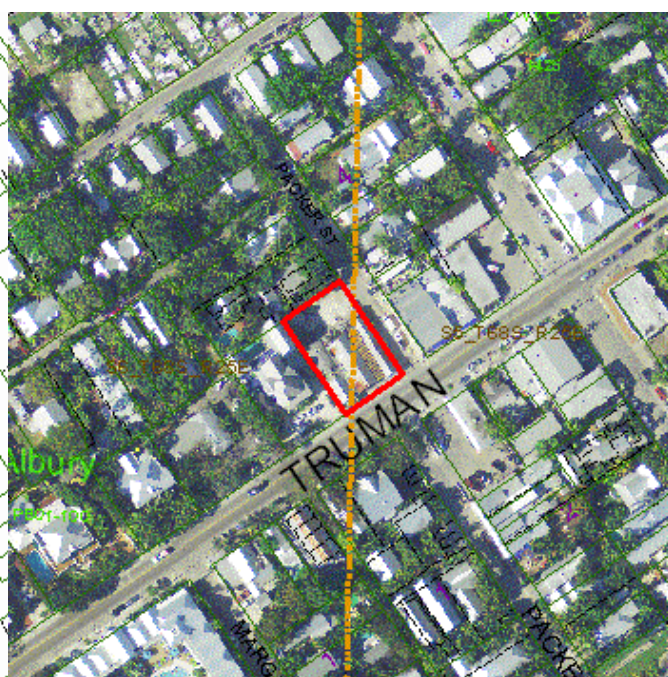
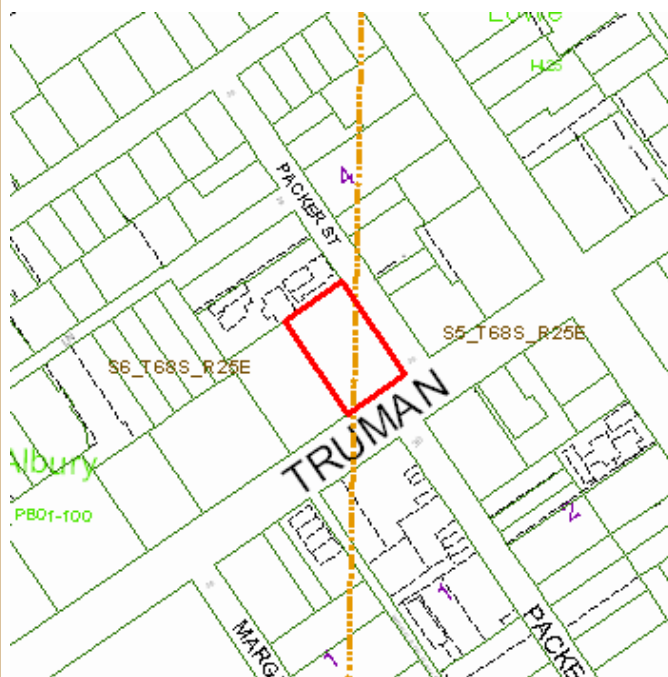
**Affordable Housing:** No

**Section-Township-Range:** 06-68-25

**Property Location:** 921 TRUMAN AVE KEY WEST

**Legal Description:** KW LOT 11 SQR 4 TR 6 OR463-617 OR627-28/29 OR802-1901/02 OR998-246 OR998-439/40 OR1007-1169/70 OR1394-746/47 OR1537-1696/1701(RES NO 96-245) OR2673-1794/96

### Click Map Image to open interactive viewer



### Land Details

Land Use Code	Frontage	Depth	Land Area
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100D - COMMERCIAL DRY

71

116

8,347.00 SF

### Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 1  
 Total Living Area: 4907  
 Year Built: 1938

### Building 1 Details

Building Type  
 Effective Age 18  
 Year Built 1938  
 Functional Obs 0

Condition P  
 Perimeter 302  
 Special Arch 0  
 Economic Obs 0

Quality Grade 400  
 Depreciation % 23  
 Grnd Floor Area 4,907

Inclusions:

Roof Type  
 Heat 1  
 Heat Src 1

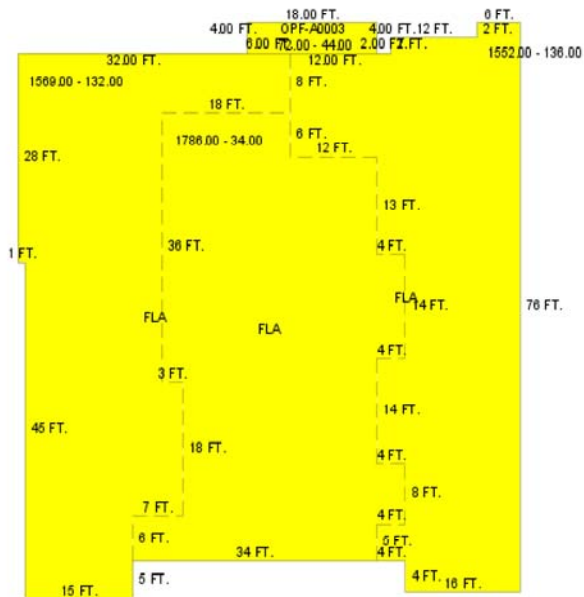
Roof Cover  
 Heat 2  
 Heat Src 2

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 18

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	1990					1,569
2	FLA		1	1990					1,786
3	FLA		1	1990					1,552
4	OPF		1	2004					72

## Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	3489	RESTRNT/CAFETR-B-	100	N	Y
	3490	RESTRNT/CAFETR-B-	100	N	N
	3491	RESTRNT/CAFETR-B-	100	N	Y

## Exterior Wall:

Interior Finish Nbr	Type	Area %
920	MIN WOOD SIDING	25
921	AB AVE WOOD SIDING	75

## Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT3:PATIO	428 SF	0	0	1986	1987	2	50
2	AC2:WALL AIR COND	1 UT	0	0	1992	1993	2	20
4	FN2:FENCES	246 SF	41	6	1986	1987	2	30
5	UB3:LC UTIL BLDG	100 SF	0	0	1963	1964	1	30

## Appraiser Notes

201-01-19 RESTAURANT GUTTED BY FIRE.DKRAUSE  
KYUSHU JAPANESE RESTAURANT

## Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
6	08-0081	01/14/2008	01/31/2008	1,000	Commercial	REPLACE GLASS WINDOW
1	B93-3125	11/01/1993	11/01/1994	4,000	Commercial	ENCLOSE GABLE END
2	04-2607	08/11/2004	08/11/2004	4,000	Commercial	REPAIR & PAINT STUCCO
4	04-3429	11/04/2004	11/04/2004	3,000	Commercial	ATF: REAR DOOR, WALL, STUCCO, ASPHALT SEAL...
3	04-3335	10/19/2004	11/08/2004	800	Commercial	METAL ROOF REPAIR
5	07-3801	08/01/2007	08/01/2007	0	Commercial	INSTALL A TEMPORARY CONSTRUCTION FENCE

## 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
2013	473,148	2,368	369,856	433,860	433,860	0	433,860
2012	491,583	2,436	369,856	433,860	433,860	0	433,860
2011	491,583	2,504	369,856	433,860	433,860	0	433,860
2010	503,872	2,573	345,416	851,861	851,861	0	851,861
2009	522,307	2,641	754,469	1,279,417	1,279,417	0	1,279,417
2008	522,307	2,710	821,645	1,346,662	1,346,662	0	1,346,662
2007	364,322	2,778	1,460,725	1,827,825	1,827,825	0	1,827,825

2006	364,322	2,847	667,760	1,034,929	1,034,929	0	1,034,929
2005	349,149	2,915	584,290	936,354	936,354	0	936,354
2004	351,925	3,035	500,820	855,780	855,780	0	855,780
2003	351,925	3,163	250,410	605,498	605,498	0	605,498
2002	351,925	3,283	250,410	605,618	605,618	0	605,618
2001	351,925	4,246	250,410	606,581	606,581	0	606,581
2000	229,629	1,950	175,287	406,866	406,866	0	406,866
1999	229,560	2,019	175,287	406,866	406,866	0	406,866
1998	229,489	2,090	175,287	406,866	406,866	0	406,866
1997	246,112	2,161	158,593	406,866	406,866	0	406,866
1996	119,475	2,231	158,593	280,299	280,299	0	280,299
1995	119,405	2,301	158,593	280,299	280,299	0	280,299
1994	119,333	2,373	158,593	280,299	280,299	0	280,299
1993	120,764	942	158,593	280,299	280,299	0	280,299
1992	120,743	963	158,593	280,299	280,299	0	280,299
1991	120,722	984	158,593	280,299	280,299	0	280,299
1990	152,971	36	127,292	280,299	280,299	0	280,299
1989	155,058	36	125,205	280,299	280,299	0	280,299
1988	138,430	36	100,164	238,630	238,630	0	238,630
1987	114,795	36	64,606	179,437	179,437	0	179,437
1986	115,004	36	64,606	179,646	179,646	0	179,646
1985	113,347	36	39,588	152,971	152,971	0	152,971
1984	53,827	36	39,588	93,451	93,451	0	93,451
1983	51,678	36	39,588	91,302	91,302	0	91,302
1982	48,023	36	25,474	73,533	73,533	0	73,533

## 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
2/28/2014	2673 / 1794	880,000	WD	37
3/1/1996	1394 / 0746	500,000	WD	Q
12/1/1986	998 / 246	240,000	WD	Q
12/1/1979	802 / 1901	120,000	00	Q

This page has been visited 44,512 times.

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

# **Public Notice**

# Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 PM on October 16, 2014 at Old City Hall, 510 Greene Street, Key West, Florida, (behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

**Major Development Plan & Landscape Modifications / Waivers – 921 Truman Avenue (RE # 00021650-000000; AK # 1022403)** – A request for major development plan approval and landscape modifications / waivers for the reconstruction of a 4,557 square foot restaurant on property located within the Historic Neighborhood Commercial – Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(b) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

The public may examine the application during regular office hours, Monday through Friday between 8:00 AM and 5:00 PM, at the City of Key West Planning Department, located in Habana Plaza at 3140 Flagler Avenue. The application may also be examined online at [www.keywestcity.com](http://www.keywestcity.com). Written responses must be submitted before the hearing to the contact person below.

**Contact:** Kevin Bond, Senior Planner; E-mail: [kbond@cityofkeywest-fl.gov](mailto:kbond@cityofkeywest-fl.gov); Phone: 305-809-3725; Fax 305-809-3978;  
**Mail:** PO Box 1409, Key West FL 33041-1409

**THIS NOTICE CANNOT BE REMOVED FROM THE SITE UNTIL AFTER PLANNING BOARD DETERMINATION.**

**YOU ARE A PROPERTY OWNER WITHIN 300 FEET OF THE SUBJECT PROPERTY**

The City of Key West Planning Board will hold a Public Hearing to consider the following request:

**Major Development Plan & Landscape Modifications / Waivers – A request for major development plan approval and landscape modifications / waivers for the reconstruction of a 4,557 square foot restaurant on property located within the Historic Neighborhood Commercial – Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(b) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

**Applicant: Trepanier & Associates Inc. Owner: Robert and Noreen Pollman**

**Locations: 921 Truman Avenue (RE # 00021650-000000; AK # 1022403)**

**Date of Hearing: October 16, 2014 Time of Hearing: 6:00 PM**

**Location of Hearing: Old City Hall, 510 Greene Street, City Commission Chambers**

Interested parties may appear at the public hearing and be heard with respect to the application. Packets can be viewed online, the Friday before the meeting at [www.keywestcity.com](http://www.keywestcity.com). Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

**Please provide written comments to:** Kevin Bond, Senior Planner; **E-mail:** [kbond@cityofkeywest-fl.gov](mailto:kbond@cityofkeywest-fl.gov); Phone: 305-809-3725; Fax 305-809-3978; Mail: PO Box 1409, Key West FL 33041-1409

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

**ADA Assistance:** It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**YOU ARE A PROPERTY OWNER WITHIN 300 FEET OF THE SUBJECT PROPERTY**

The City of Key West Planning Board will hold a Public Hearing to consider the following request:

**Major Development Plan & Landscape Modifications / Waivers – A request for major development plan approval and landscape modifications / waivers for the reconstruction of a 4,557 square foot restaurant on property located within the Historic Neighborhood Commercial – Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(b) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

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**Date of Hearing: October 16, 2014 Time of Hearing: 6:00 PM**

**Location of Hearing: Old City Hall, 510 Greene Street, City Commission Chambers**

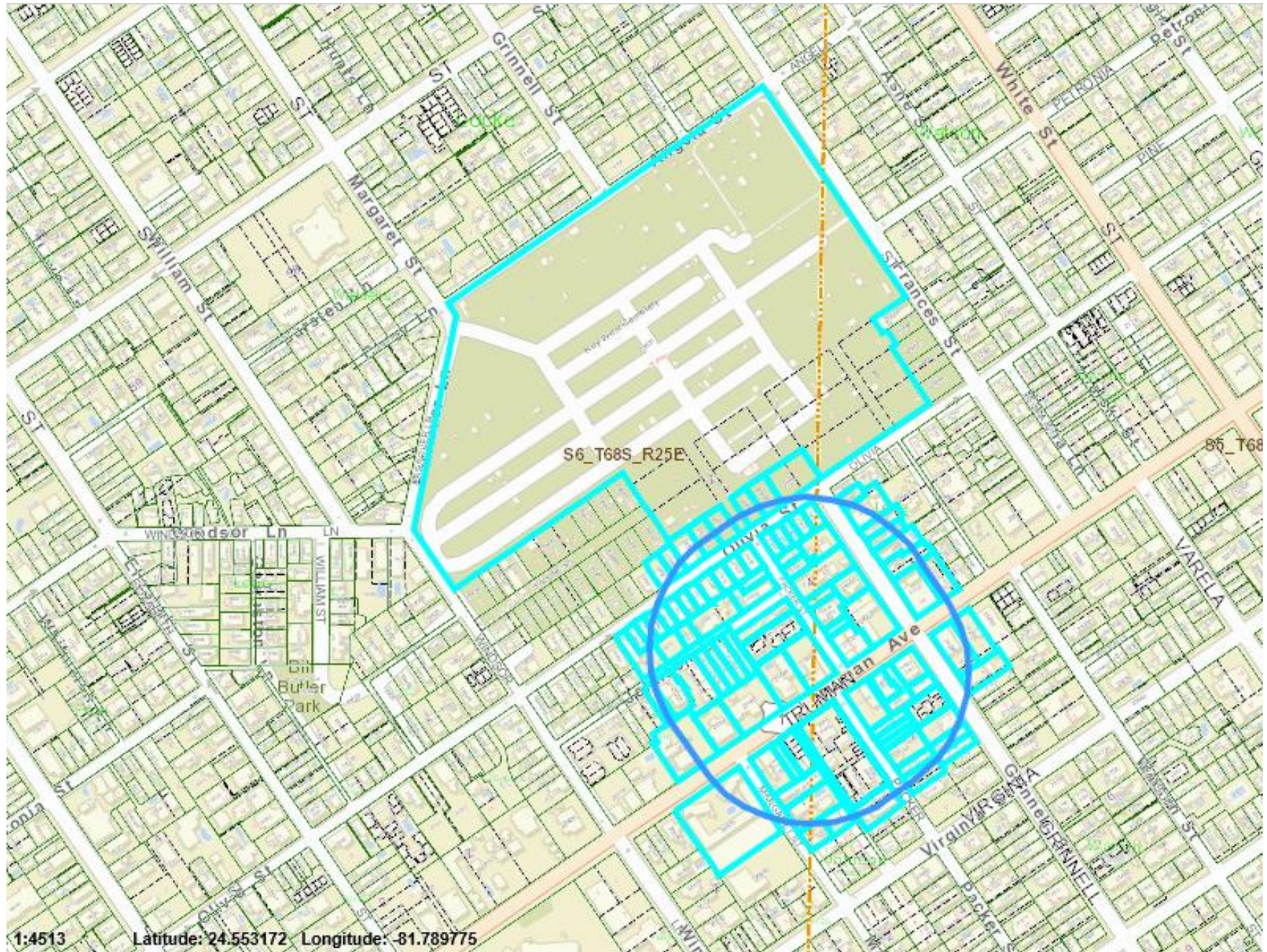
Interested parties may appear at the public hearing and be heard with respect to the application. Packets can be viewed online, the Friday before the meeting at [www.keywestcity.com](http://www.keywestcity.com). Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

**Please provide written comments to:** Kevin Bond, Senior Planner; **E-mail:** [kbond@cityofkeywest-fl.gov](mailto:kbond@cityofkeywest-fl.gov); Phone: 305-809-3725; Fax 305-809-3978; Mail: PO Box 1409, Key West FL 33041-1409

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

**ADA Assistance:** It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.







Owner_Name	Address1	Address2	CITY	State	ZIP
1018 TRUMAN LLC		521 SIMONTON ST	KEY WEST	FL	33040-6872
ALLEN MARIA B		1013 PACKER ST	KEY WEST	FL	33040-3260
ALLEN PAUL		1011 PACKER ST	KEY WEST	FL	33040
ANTHONY PAUL M		1231 WEST BLVD	CLEVELAND	OH	44102
AZUL KEY WEST INC		79 SHORELAND DR	KEY LARGO	FL	33037-4752
BIDDLE JOEL C H AND ERIKA E		824 OLIVIA ST	KEY WEST	FL	33040-6419
BRANCH BANKING AND TRUST	C/O PROPERTY TAX COMPL	PO BOX 167	WINSTON SALEM	NC	27102-0167
BROCKWAY GAIL		1514 SOUTH ST	KEY WEST	FL	33040-3513
BROWNING MICHAEL L TRUST 6/	C/O TRUMAN AVE PROPER	402 APPLEROUT LN	KEY WEST	FL	33040
BUCK RANDALL W		919 PACKER ST	KEY WEST	FL	33040-6440
BURNHAM PEGGY W		1805 WEAKFISH WAY	PANAMA CITY	FL	32408-7235
CAJUN REALTY LLC		444 N MAIN ST	HUBBARD	OH	44425-1421
CAREY TIM AND SARA JANE	C/O TRUMAN AVE PROPER	402 APPLEROUTH LN	KEY WEST	FL	33040
CARSTENS INC		PO BOX 669004	MIAMI SPRINGS	FL	33266-9004
CBG PROPERTY MANAGEMENT LLC		124 HARBOR VIEW LN	BELLEAIR BLUFFS	FL	33770-2605
CLARKS GLADYS		828 JOHNSON LN	KEY WEST	FL	33040-6417
CORNING HOWARD BURT DEC TIF	C/O CORNING ELIZABETH S	41 TRASK RD	VIENNA	ME	04360-3108
COULTER DAVID WILLIAM LIVING TRUST 02/12/2008		708 WILLIAM ST	KEY WEST	FL	33040-6429
CRH-YLM 900 LLC		13301 SW 204 ST	MIAMI	FL	33177
CUSHMAN VICTOR L		PO BOX 1551	KEY WEST	FL	33041-1551
DE LA PAZ REINALDO JR		518 ONE CENTER BLVD APT 2	ALTAMONTE SPRINGS	FL	32701-2256
DEHART JACOB G AND LORIE M		938 N MARION ST	OAKPARK	IL	60302
DEJA VIEW LLC		1806 ARAPAHOE ST	GOLDEN	CO	80401-1853
DHPK LLC		911 WATSON ST	KEY WEST	FL	33040-3353
DICKSTEIN ERIC		19 CYPRESS AVE	KEY WEST	FL	33040-6236
DITTO CARLTON J		33 BLUE WATER DR	KEY WEST	FL	33040-6103
DUNN TIMOTHY WILLIAM RANDALL		906 TRUMAN AVE APT 1	KEY WEST	FL	33040-6436
FERNANDEZ IRENE		1207 WATSON ST	KEY WEST	FL	33040-3321
FORZLEY MICHELLE T TRUST 12/21/1998		1019 SALIM	LEMONT	IL	60439-3896
FREISTAK FRANK R		823 JOHNSON LN	KEY WEST	FL	33040-6416
FULLER NORMAN C		P O BOX 5282	KEY WEST	FL	33045-5282
GARCIA MICHAEL A		912 PACKER ST	KEY WEST	FL	33040-6450
GARDNER WILLIAM HOWARD JR		832 JOHNSON LN	KEY WEST	FL	33040-6417

GERKE JERRE E LIVING TRUST	1021 PACKER ST	KEY WEST	FL	33040-3260
HACE GERALD J AND FRANCIE	132 LAKEFRONT BLVD UNIT 8	BUFFALO	NY	14202-4348
HANAGAN CHRISTOPHER B	903 PACKER ST	KEY WEST	FL	33040-6421
HANKE LEE R	PO BOX 5401	KEY WEST	FL	33045-5401
HANKE LEE R AND LYNDA J	906 TRUMAN AVE, APT 2	KEY WEST	FL	33040
HEDAYA HARRY	4913 W BAY WAY DR	TAMPA	FL	33629
HENKEL ROBERT K	910 GRINNELL ST	KEY WEST	FL	33040-6438
HENSLEY LAURIE	914 PACKER ST APT 4	KEY WEST	FL	33040-6435
HICKS KRISTINA DELISA	912 POHALSKI ST APT C	KEY WEST	FL	33040-3338
HOBBINS JOHN AND SUSAN	951 SAINT PAUL ST	DENVER	CO	80206-3939
HOBSON INVESTMENTS LTD C/O WILLIS GUY A	2432 FLAGLER AVE	KEY WEST	FL	33040-3844
HOWARD DAVID C	1009 GRINNELL ST	KEY WEST	FL	33040
HOWE STEPHANIE	1419 ATLANTIC BLVD UNIT 2	KEY WEST	FL	33040-5003
HUMBERT JACOB M JR AND MARGIE COOK	907 PACKER ST	KEY WEST	FL	33040-6421
HURLEY BRIAN AND PATRICIA	PO BOX 638	SOUTHAMPTON	NY	11969-0638
JENKINS-MANAHER HOLDING COMPANY INC	1000 TRUMAN AVE	KEY WEST	FL	33040
JONES KIMBERLEY L H/W	912 TRUMAN AVE UNIT 2	KEY WEST	FL	33040-6428
JONES ROBERT C AND JOANN	246 BUCK RD	ELMER	NJ	08318-2017
KELLEY ALBERT L AND ANGELINA FELICIA	926 TRUMAN AVE STE 1	KEY WEST	FL	33040-6431
KIPP GRACE F	373 BLEECKER ST APT 5B	NEW YORK	NY	10014-3275
LEWIS DARYL E	42E 12TH AVE	KEY WEST	FL	33040-5871
MAHLE W STEPHEN AND LYNNE M	188 GWYNEDD MANOR RD	N WALES	PA	19454
MATTER MARY ANN	1221 N OLSEN AVE	TUCSON	AZ	85719-4720
MAYER COLE Y	917 GRINNELL ST	KEY WEST	FL	33040-6437
MCGREGOR RONALD C	1604 VONPHISTER ST	KEY WEST	FL	33040-4941
MERRILL CHRISTOPHER ALLAN	2144 N PEPPER ST	BURBANK	CA	91505-1538
MIANI PHILLIP N	1007 TRUMAN AVE STE B	KEY WEST	FL	33040-3386
MILLS VICTOR H JR	16 CALLE DOS	KEY WEST	FL	33040-5464
MITCHELL SARA	88 KELLY DR	CENTRAL SQUARE	NY	13036-3492
NAST VINCENT F	870 CIRCLE RIDGE PL	STURGEON BAY	WI	54235-1653
PETRICK JOSEPH S	61 BALSAM RD	WAYNE	NJ	07470-5046
PIROZEK LINDA A	1013 MARGARET ST	KEY WEST	FL	33040
POLLMAN ROBERT P AND NOREEN M TRUST 1999	PO BOX 87	EGG HARBOR	WI	54209-0087
RHOADES SHIRREL AND DIANE	830 OLIVIA ST	KEY WEST	FL	33040-6419

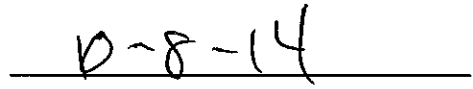
RHODES SHIRREL AND DIANE	914 GRINNELL ST	KEY WEST	FL	33040-6438
RODRIGUEZ AMERICA L/E	1018 GRINNELL ST	KEY WEST	FL	33040
RUPP WILLIAM R TRUST 10/3/19 C/O RUPP TRACEY	3154 GOMER ST	YORKTOWN HEIGHTS	NY	10598-2502
RUSSELL CHRISTIE B	1014 GRINNELL ST	KEY WEST	FL	33040
SAENKO ALEXEI	1019 PACKER ST	KEY WEST	FL	33040
SAWNOMEGA LLC	1419 ATLANTIC BLVD UNIT 2	KEY WEST	FL	33040-5003
SCHMIEGEL JOHN	1303 BISCAYA DR	SURFSIDE	FL	33154
SCHORR DIANE F	906 PACKER ST	KEY WEST	FL	33040-6422
SCRIMSHAW SUSAN G REVOCABLE TRUST 5/27/2005	1008 PACKER ST UNIT 5	KEY WEST	FL	33040-3261
SMITH ANDREA L	917 HILLSIDE AVE	EASTON	PA	18042-1302
SORG JEFFREY AND KELLY CROCE	2001 STONERIDGE LN	VILLANOVA	PA	19085-1723
SPECTORMAN ARI D	PO BOX 252	CARVERSVILLE	PA	18913-0252
STARR JACK R	1022 PACKER ST	KEY WEST	FL	33040-3261
TEJAS LLC	830 TRUMAN AVE	KEY WEST	FL	33040-6426
THIEL JOHN W	900 PACKER ST	KEY WEST	FL	33040-6422
TORJUSEN HOWARD T	1316 NEWCASTLE DR	ORLANDO	FL	32806-1730
TOWNSEND DEAN	826 OLIVIA ST	KEY WEST	FL	33040-6419
TUPINO JAMES	6 STEVENS PL	HAZLET	NJ	07730-1205
VALEGA JANIS H TRUST AGR DATED 5/11/04	4488 STONE CREEK RD	BRUNSWICK	OH	44212
VAN MATER ROBIN	905 TRUMAN AVE	KEY WEST	FL	33040-6427
VANORE JOSEPH A JR AND AMY L	200 SHIVERS RUN CT	MULLICA HILL	NJ	8062
WASILEWSKI SUSAN	831 JOHNSON LN	KEY WEST	FL	33040-6416
WEHMEYER KENNETH E AND PENNY J	1012 PACKER ST	KEY WEST	FL	33040-3261
WELCH ROGER L AND CYNTHIA A	902 OLIVIA ST	KEY WEST	FL	33040-6420
WELLS CLEVELAND & GARDNER I% SHEILA A GARDNER FREEI HUGHES - 2615 PATTERSON A		KEY WEST	FL	33040
WHEELER RONALD W IRA TRUST C/O GREAT WESTERN BANK	29 TERRACE ST	DEADWOOD	SD	57732-1318
YEOMAN INVESTMENTS LTD C/O WILLIS GUY A	2432 FLAGLER AVE	KEY WEST	FL	33040-3844

Dear Planning Board and City Commission,

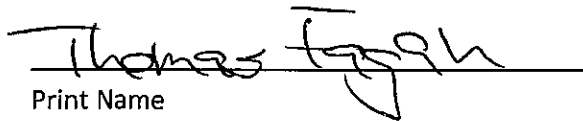
In regards to **Seven Fish, 921 Truman Avenue**, I have reviewed the plans and support the redevelopment of the site as proposed. I encourage your support and the approval of this project.



Signature



Date



Print Name



Address

Dear Planning Board and City Commission,

In regards to Seven Fish, 921 Truman Avenue, I have reviewed the plans and support the redevelopment of the site as proposed. I encourage your support and the approval of this project.

Diane F. Schoer

Signature

10.8.14

Date

DIANE F. SCHOER

Print Name

906 Packee St.

Address



## Venetia A. Flowers

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**From:** Lori Thompson <lori@owentrepanier.com>  
**Sent:** Thursday, October 09, 2014 12:01 PM  
**To:** Kevin Bond; Venetia A. Flowers  
**Cc:** bpollman@dcwis.com; david pollman; Owen Trepanier  
**Subject:** Seven fish 921 Truman  
**Attachments:** support letters.pdf; Sign in Sheet.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good morning!

We held a neighborhood meeting last night at the site with owner, Pete Pollman; architect, Bill Horn; landscape architect, Craig Reynolds; planner, Owen Trepanier and myself. We had five neighbors attend and all comments were positive and supportive. We had an interesting discussion regarding parking which enlightened us. We anticipated questions on the limited parking, however, that was not the case at all. The neighbors actually prefer no parking. As with Seven Fish now, customers know that there is no available parking on site, therefore, will choose another source of transportation.

We also met individually with the owner, Dominic Marsden, of Azul Key West, at 907 Truman, the immediate adjacent neighbor. Again, all very positive and supportive of the project. Everyone knows the reputation of Seven Fish and are glad to see a quality restaurant on the site. He had two issues which he was interested in; the exhaust fan from the kitchen and the trash enclosure. We discussed these issues with Bill Horn and the owners and feel that we have answers that will satisfy Mr. Marsden and put any concerns at rest.

The attached are two letters of support for the public record set to go before the Planning Board on Oct. 16<sup>th</sup>. My understanding is that some have responded favorably to the City's mail out already.

Thank you.

*Lori Thompson*

**Trepanier & Associates**

[lori@owentrepanier.com](mailto:lori@owentrepanier.com)

1421 First Street, Key West Florida 33040

Phone: 305.293.8983 / FAX: 305.293.8748