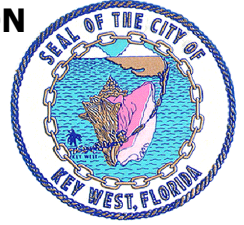


# DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department  
1300 White Street, 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 \_\_\_\_\_

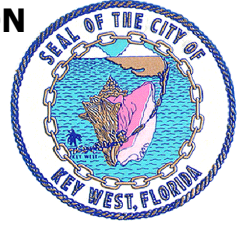
No \_\_\_\_\_

Please print or type:

- 1) Site Address \_\_\_\_\_
- 2) Name of Applicant \_\_\_\_\_
- 3) Applicant is: Owner \_\_\_\_\_ Authorized Representative \_\_\_\_\_  
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant \_\_\_\_\_  
\_\_\_\_\_
- 5) Applicant's Phone # \_\_\_\_\_ Email \_\_\_\_\_
- 6) **Email Address:** \_\_\_\_\_
- 7) Name of Owner, if different than above \_\_\_\_\_
- 8) Address of Owner \_\_\_\_\_
- 9) Owner Phone # \_\_\_\_\_ Email \_\_\_\_\_
- 10) Zoning District of Parcel \_\_\_\_\_ RE# \_\_\_\_\_
- 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).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department  
1300 White Street, Key West, FL 33040  
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13) Has subject Property received any variance(s)? Yes \_\_\_\_\_ No \_\_\_\_\_

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 \_\_\_\_

If Yes, describe and attach relevant documents.

\_\_\_\_\_  
\_\_\_\_\_

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).

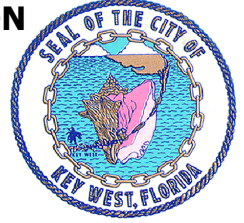
C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the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

## DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department  
1300 White Street, Key West, FL 33040  
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### Required Plans and Related Materials for both a Conditional Use and Minor/Major Development Plan

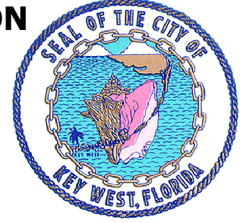
#### I. Existing Conditions.

- 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.

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
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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:

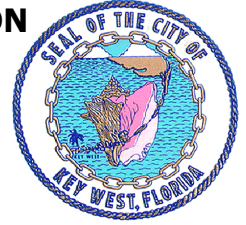
- (1) Owner.
- (2) Owner's authorized agent.
- (3) Engineer and architect.
- (4) Surveyor.
- (5) Landscape architect and/or environmental consultant.
- (6) Others involved in the application.
- (7) A verified statement showing each and every individual person having a legal and/or equitable ownership 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.

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
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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.**

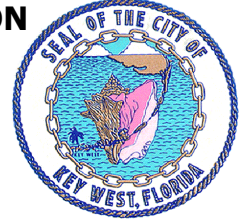
- (a) If the development includes residential units, the following characteristics shall be discussed in the written description:
  - (1) A breakdown of the proposed residential units by number of bedrooms;
  - (2) Tenure (i.e., owner-occupied or rental); and
  - (3) Structure type, such as single-family, 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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**City of Key West Planning Department**  
**1300 White Street, Key West, FL 33040**  
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**CONDITIONAL USE CRITERIA**

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

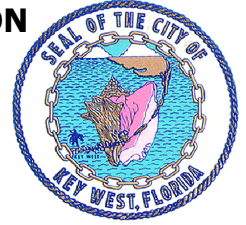
The purpose of this article is to ensure that a conditional use shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity. This article sets forth provisions and criteria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



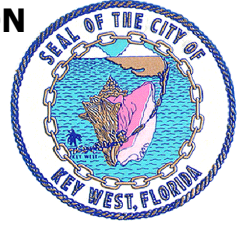
**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**1300 White Street, Key West, FL 33040**  
**(305) 809-3720**



- (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-

## DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department  
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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.



**DEVELOPMENT PLAN AND CONDITIONAL USE  
APPLICATION City of Key West Planning Department  
1300 White Street, 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 5610 College Road, Key West, FL 33040
- 2) Name of Applicant Key West Telco, LLC
- 3) Applicant is: Owner ☐ Authorized Representative ☒  
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant PO Box 999  
Tavernier, FL 33070
- 5) Applicant's Phone # 305-852-8171 Email keyswifi@gmail.com
- 6) **Email Address:** keyswifi@gmail.com
- 7) Name of Owner, if different than above Arthur Sawyer Post 28, American Legion
- 8) Address of Owner 5610 College Road, Key West, FL 33040
- 9) Owner Phone # 305-797-5090 Email jwhite@fkaa.com
- 10) Zoning District of Parcel PS RE# 00072080-001300
- 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).

SEE FOLLOWING PAGE

**DEVELOPMENT PLAN AND CONDITIONAL USE  
APPLICATION City of Key West Planning Department  
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**Development Plan & Conditional Use Application**

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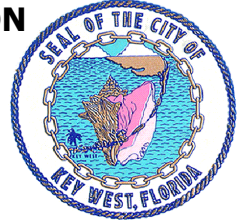
**Description of Proposed Development and Use**

The proposed wireless telecommunications facility is to be located at the site of the existing American Legion Hall at 5610 College Road. The wireless telecommunications facility consists of a single 125' utility pole for antennae which will be constructed on the ground at the east side of the Legion Hall and a 40'X40' elevated platform for equipment. The antennae will supply wireless communication for AT&T and up to three other service providers that may include Verizon, Sprint, and T-Mobile / Metro. These providers have service deficiencies and documentation is attached from AT&T engineers show coverage deficiencies in the area, which includes: Lower Keys Medical Center, Florida Keys Community College, Gerald Adams Elementary, City of Key West Transportation Center, Monroe County Sheriff's Office, among other essential services. In the aftermath of Hurricane Irma, numerous reports have supported strengthening and hardening our wireless communication ecosystem. Mobile phones play an integral role in society, often serving as the sole and primary device to send and receive communications. Communications such as activating 911 for the individual or a victim of an accident or crime, receiving alerts of threats to children or others, notifications in time of emergency or disaster, and sharing updates with family and loved ones. The City of Key West zoning code recognizes a public / private utility as an essential public service. The immediate surrounding area is the Key West, with the service also benefitting unincorporated Monroe County.

The minimum height necessary for the wireless telecommunications facility to serve AT&T and future providers is 125' above exiting grade. The surrounding uses include the densely foliaged Key West Golf Club to the South and thick hammocks of conservation lands to the North, East, and West. The collection of hammocks and vegetation around the proposed pole and equipment shelters will create a natural buffer, minimizing visual impact. An additional landscape buffer designed by David Knoll is proposed between the Arthur Sawyer Post #28 American Legion Hall and the golf course to provide and improve and thick hedge to further reduce any impact. There are no historic properties within 500 feet of the proposed wireless telecommunications facility. The unmanned equipment shelters will be located on a reinforced platform above flood elevation and screened by the above-mentioned buffer. The platform is designed to support back up power to provide service during electrical power outages. The base of the pole will be approximately 8', secured to the earth with a caisson foundation.

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

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 ☒

If Yes, describe and attach relevant documents.

\_\_\_\_\_

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.

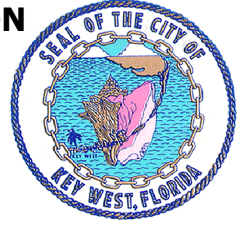
- A) Recent Survey of the site by a licensed Surveyor showing all dimensions including distances from property lines, and including:
  - 1) Size of site; Overall parent parcel 3.13 ac Development area: 1600' sq ft
  - 2) Buildings, structures, and parking; The existing site contains the Legion Hall, pavilion, shed, parking lot, and dense vegetation.
  - 3) FEMA Flood Zone; AE
  - 4) Topography; 2.5' NGVD 29
  - 5) Easements; and See Survey
  - 6) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site. See Survey
- B) Existing size, type and location of trees, hedges, and other features. See Survey & Landscape Plan
- C) Existing stormwater retention areas and drainage flows. See Survey
- D) A sketch showing adjacent land uses, buildings, and driveways. See Survey

#### 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 Unmanned equipment shelters on elevated platform
  - 2) Setbacks 20' front, 15' side 20' rear
  - 3) Parking: One (12' x 20') space identified. Expect 2 visits per month per provider
    - a. Number, location and size of automobile and bicycle spaces
    - b. Handicapped spaces 0
    - c. Curbs or wheel stops around landscaping 0
    - d. Type of pavement existing unimproved road
  - 4) Driveway dimensions and material See Survey
  - 5) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site. See attached survey and site plan for proposed location of utility pole to support antenna.
  - 6) Location of garbage and recycling Not applicable for unmanned facility
  - 7) Signs Only required safety signs to be posted.
  - 8) Lighting: Per Federal Aviation Administration (to be determined) none proposed.
  - 8) Project Statistics
    - a. Zoning Public Service (PS)
    - b. Size of site Parent Parcel 3.13 ac / development area: 1600' sq feet
    - c. Number of units (or units and Licenses) Not Applicable
    - d. If non-residential, floor area & proposed floor area ratio existing building 3961 SF, proposed development 1600 SF, Total Floor Area: 5561 SF, Parent tract area 136,517 SF, Floor Area Ratio: .0407 < 0.8 max allowable.
    - e. Consumption area of restaurants & bars Not applicable
    - f. Open space area and open space ratio 130,956 SF .0407 < .8 max
    - g. Impermeable surface area and impermeable surface ratio Existing impermeable space (building, road, slabs) 20600 SF, Proposed equipment platform = 200 SF Total surface area = 20800, ratio = 20,800 SF / 136,517 SF = .152 < 0.6 Max allowable
    - h. Number of automobile and bicycle spaces required and proposed: Req: 0 Proposed: 1

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### B) Building Elevations

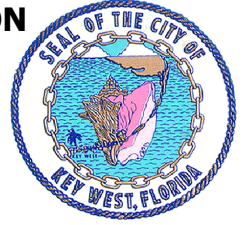
- 1) Drawings of all building from every direction. If the project is in the Historic District please submit HARC approved site plans. See attached plans
- 2) Height of building. Top of 7' above AGL, height of AT&T equipment shelter 16'4.5" above AGL. Pole 125' above AGL.
- 3) Finished floor elevations and bottom of first horizontal structure Existing building is 2.69 FFE
- 4) Height of existing and proposed grades Existing grade: 2.65' Proposed grade 2.65'

### 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. See attached landscape existing conditions and design by David Knoll, Architect.

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- E) **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.

The proposed wireless telecommunications facility is to be located at the site of the existing American Legion Hall at 5610 College Road. The wireless telecommunications facility consists of a single 125' utility pole for antennae which will be constructed on the ground at the east side of the Legion Hall and a 40'X40' elevated platform for equipment.

In the aftermath of Hurricane Irma, FEMA, the State of Florida, and Monroe County all reviewed the storm and identified areas of community need and improvement. The 2017 Hurricane Season FEMA After-Action Report issued on July 12, 2018 identified 5 focus areas. Including focus area #4 "Responding during long-term infrastructure outages." FEMA recommendations include: (1) "Encourage investment in redundant assets to maintain communications and supply temporary power, (2) Encourage critical infrastructure owners and operators, and state and local governments, to **INVEST IN MORE RESILIENT INFRASTRUCTURE [emphasis added]** and include continuity and resilient all-hazards communications capabilities in plans and guidance. The proposed utility pole and elevated platform built to the 2017 FBC buttress the entire eastern Key West communications system.

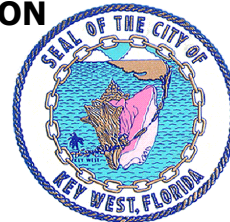
Landscape area will be added to mitigate the pole and platform foot print resulting in a drastic improved buffer between the adjacent parcel and parent parcel. The proposed equipment platform and unmanned shelters will have no solid waste or recycling impacts, only generate an estimated 2 visits per month. The only lighting will be motion detected after hours security, manually controlled for emergency use during dark hours, or as required by the FAA.

The surrounding areas of conservation and the dense, lush landscaping of the golf course create a myriad of natural visual buffers to diminish the visual impact of the pole. The landscape plan will mitigate the visual impact of the platform / shelters.



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### **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:

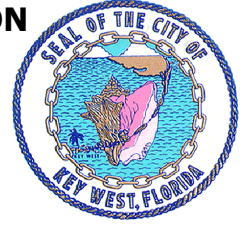
- (1) Owner.
- (2) Owner's authorized agent.
- (3) Engineer and architect.
- (4) Surveyor.
- (5) Landscape architect and/or environmental consultant.
- (6) Others involved in the application.
- (7) A verified statement showing each and every individual person having a legal and/or equitable ownership 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.

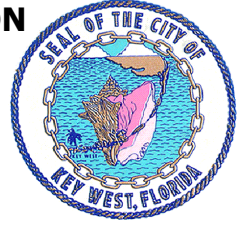
**Sec. 108-232. Intergovernmental coordination.**

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.

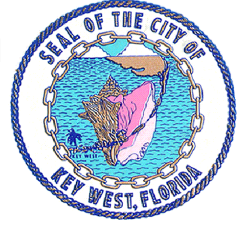
The proposed wireless telecommunications facility is to be located at the site of the existing American Legion Hall at 5610 College Road. The wireless telecommunications facility consists of a single 125' utility pole for antennae which will be constructed on the ground at the east side of the Legion Hall and a 40'X40' elevated platform for equipment. The antennae will supply wireless communication for AT&T and up to three other service providers that may include Verizon, Sprint, and T-Mobile / Metro. These providers have service deficiencies and documentation is attached from AT&T engineers show coverage deficiencies in the area, which includes: Lower Keys Medical Center, Florida Keys Community College, Gerald Adams Elementary, City of Key West Transportation Center, Monroe County Sheriff's Office, among other essential services.

In the aftermath of Hurricane Irma, numerous reports have supported strengthening and hardening our wireless communication ecosystem. Mobile phones play an integral role in society, often serving as the sole and primary device to send and receive communications. Communications such as activating 911 for the individual or a victim of an accident or crime, receiving alerts of threats to children or others, notifications in time of emergency or disaster, and sharing updates with family and loved ones. The City of Key West zoning code recognizes a public / private utility as an essential public service. The immediate surrounding area is the Key West.

The minimum height necessary for the wireless telecommunications facility to serve AT&T and future providers is 125' above existing grade. The surrounding uses include the densely foliated Key West Golf Club to the South and thick hammocks of conservation lands to the North, East, and West. The collection of hammocks and vegetation around the proposed pole and equipment shelters will create a natural buffer, minimizing any visual impact. An additional landscape buffer designed by David Knoll is proposed between the Arthur Sawyer Post #28 American Legion Hall and the golf course to provide and improve and thick hedge to reduce any impact. There are no historic properties within 500 feet of the proposed wireless telecommunications facility. The unmanned equipment shelters will be located on a reinforced platform above flood elevation and screened by the above-mentioned buffer. The platform is designed to support back up power to provide service during electrical power outages. The base of the pole will be approximately 8', secured to the earth with a caisson foundation.

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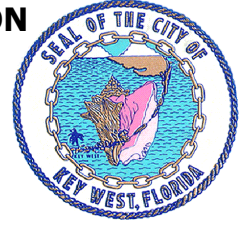


### Sec. 122-62. Specific criteria for approval.

- (a) Findings. The proposed conditional use shall comply with all specific conditions established by the Planning Board, the City Commission, comprehensive plan and land development regulations. The conditional use application does not adversely impact properties in the vicinity of the site.
- (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; Proposed WTF creates a FAR of .0407 < 0.8 max allowable (negligible intensity)
    - b. Traffic generation; Negligible, 2 visits per month for maintenance.
    - c. Square feet of enclosed building for each specific use; ATT is proposing a 64' unmanned shelter on top of the elevated platform.
    - d. Proposed employment; There will be no onsite employees and the facility will use existing service provider employee for maintenance.
    - e. Proposed number and type of service vehicles; and There will be one standard size pick up truck or van on site during scheduled monthly maintenance visits.
    - f. Off-street parking needs. Identified area for parking during maintenance visits is shown on the site plan.
  - (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; One 600-amp service to a common box will be on the elevated platform, served by existing Keys Energy service to the parent tract.
    - b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94; The proposed wireless telecommunications facility (utility pole and platform) will not increase the needs for sewer, water, or storm water. The traffic impacts are negligible. The increase of impervious surface will be negligible, and any storm water diverted to support the proposed landscape buffer. The pole will be located in a ground area of 8' diameter, Landscape will be added to mitigate the visual impacts from adjacent parcel.
    - c. Roadway or signalization improvements, or other similar improvements: Not applicable, no changes proposed.
    - d. Accessory structures or facilities; and Not applicable, no changes proposed.
    - e. Other unique facilities/structures proposed as part of site improvements: Utility pole and elevated platform
  - (3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
    - a. Open space; The design minimizes the use of space.
    - b. Setbacks from adjacent properties; The proposed WTF meets or exceeds all setback requirements.
    - c. Screening and buffers; SEE PROPOSED LANDSCAPE PLAN
    - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and SEE PROPOSED LANDSCAPE PLAN
    - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts. The proposed facility will not create smoke, odor or general noxious impacts. Any noise will be mitigated and diffused by the proposed landscape buffer, - SEE LANDSCAPE PLAN.

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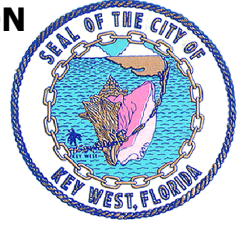


(c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate the following:

- (1) Land use compatibility. Surrounding land uses include the Key West Golf Club, conservation areas, and to a further extent the Lower Keys Medical Center, Gerald Adams Elementary, the City of Key West Transportation Center, the SPCA, and Florida Keys Community College among others. The nearest residential structure is approximately 225' from the proposed wireless telecommunications facility. The intensity of the hammocks / existing vegetation in the area coupled with extensive landscape buffer mitigate the visual impact. There are no historic properties within 500' of the proposed wireless telecommunications facility. There are no solid waste, recycling, water, or greywater impacts. The site will create a negligible impact with traffic, only impacting the parent parcel.
- (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use.  
The platform design and height of the utility pole are ideal in size and strength, minimum in height necessary to provide a long-term, robust addition to the wireless ecosystem, and to remedy the communication deficiencies in the area.
- (3) Proper use of mitigative techniques. The proposed wireless telecommunications facility will be located in a PS zoning district. It is surrounded by extensive conservation land and a rich, and densely foliated golf course. The nearest residence is approximately 225' feet from the proposed facility. An extensive landscape buffer is proposed to mitigate any visual impact. FEMA has recommended improving and investing in communications infrastructure following the 2017 hurricane season. AT&T has provided evidence from engineers detailing the service deficiency in this area of Key West and unincorporated Monroe County. The increased wireless communication capability and resiliency will improve the general public health, safety, and welfare in the community.
- (4) Hazardous waste. No hazardous waste will be generated by or at the proposed wireless telecommunications facility.
- (5) Compliance with applicable laws and ordinances. The applicant will comply with all applicable local, state, and federal laws and regulations as a condition of approval including federal requirements pertaining to air traffic safety (FAA), wireless telecommunications facilities (FCC) and the National Historic Preservation Act (NHPA). Please see attached AT&T licenses. Applicant has applied for all other required permits / authorizations.
- (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. Not applicable - The proposed wireless telecommunications facility is not located within a conservation area.
  - b. Residential development.; Not applicable – The proposed wireless telecommunications facility is no located within a residentially zoned area.
  - c. Commercial or mixed use development. Not applicable – No commercial or mixed use development are proposed.

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- d. Development within or adjacent to historic district. Not applicable – The proposed wireless telecommunications facility is not located within or adjacent to a historic district.
- e. Public facilities or institutional development. Not applicable – No public facilities or institutional development are proposed.
- f. Commercial structures uses and related activities within tidal waters. Not applicable – No commercial structures, uses, or related activities are proposed within tidal waters.
- g. Adult entertainment establishments. Not applicable – No adult entertainment establishments are proposed.