STAFF REPORT

DATE: February 27, 2019

RE: **501 Front Street (permit application # T2019-0089)**

FROM: Karen DeMaria, City of Key West Urban Forestry Manager

An application was received by the Planning Department for a development plan approval for a Minor Development plan project at 501 Front Street. City Code requires that all development plans must be reviewed by the Tree Commission or the Urban Forester prior to review by the Planning board:

Sec 108-411 Landscape Plan Approval

a. *Development plan review.* A landscape plan showing proposed landscaping shall be submitted at such time as any development plan is submitted for development plan review. All landscape plans shall be drawn to scale and shall include sufficient information to demonstrate compliance with all of the landscape requirements of this article and section 108-243. All landscape plans must include a complete list of the plant types and sizes to be planted along with a planting and maintenance schedule.

In addition to review procedures identified in article II of this chapter, landscape plans shall be reviewed by the Tree Commission. The Tree Commission, within 30 days of receiving a development plan with the landscape component, shall hold a public meeting to review and act on such plans. Required tree removal permit information identified in article VI of chapter 110 shall be submitted with the landscape plan.

The planning board shall not review a development plan until the plan has been reviewed by the tree commission, unless the city landscape coordinator renders a finding that the subject development plan is compliant with all criteria of this article and article VI of chapter 110. In the latter case, the development plan may be reviewed by the planning board prior to review by the tree commission; however, in such case any development plan approval by the planning board shall be conditioned on approval by the tree commission. Notice of the date of all public meetings of the tree commission shall be provided to the applicant. The applicant shall be given reasonable opportunity to be heard at the public meeting prior to the tree commission's action.

The development plan at 501 Front Street is requesting waivers for the required landscape plan component of the plan. The Planning Board is the authority that grants waivers to Sec 108.

There is no tree removal involved with the development plan. The applicant has proposed planting two thatch palms on the property and preserving two planters with tall palms in them. No other landscaping is being proposed. The applicant is proposing to donate $5,000 to the City of Key West Tree Fund.


NCH TOUR TRAIN DEPOT
FUDGE
KEY LIME PIE
KEY LIMEADE
SMOOTHIES
02/22/2019


WORLD FAMOUS CONCH TOUR TRAIN DEPOT
ICE CREAM
COCA COLA
POPCORN
FUDGE
KEY LIME PIE
KEY LIMEADE
SMOOTHIES
NO PARKING
LOADING ZONE
TOW-AWAY ZONE
02/22/2019


WORLD FAMOUS CONCH TOUR TRA
WE RECYCLE
SUZUKI
02/22/2019


ICE CREAM PARLOR
KEY WEST ESSENTIAL GUIDES
ONLY $5
02/22/2019


WORLD FAMOUS CONCH TOUR TRAIN DEPOT
ICE CREAM
COCA COLA
POPCORN
KEY WEST
ESSENTIAL
GUIDES
ONLY $5
02/22/2019


HAVANA CUBA
90 MILES
WORLD FAMOUS
ICE CREAM PARLOR
KEY WEST
ESSENTIAL
GUIDES
ONLY $5
02/22/2019


CONCH TOUR TRAIN DEPOT
ICE CREAM PARLOR
GIFTS
02/22/2019


CONCH TOUR TRAIN DEPOT
02/22/2019


CONCH TOUR TRAIN
GLASSBOTTOM BOAT
RENTALS
RENT ME
02/22/2019


02/22/2019


CVS
CONCH
104
TRAIN
02/22/2019


02/22/2019


02/22/2019


02/22/2019


CVS
02/22/2019


02/22/2019



This property is located in a highly used pedestrian area. In the past, there have been numerous comments regarding the lack of trees and shade along this portion of Duval and Front Streets. The applicant has been asked to discuss the possibility of installing tree planters along or in the sidewalk areas with the City Engineering department.

SITE DATA

SITE AREA: 18,750 S.F. (0.430 ACRES)

LAND USE: HCCR-1

FLOOD ZONE: 'AE 9' ZONE

FAR: ALLOWED = 1.0 MAX.

DENSITY = 22 UNITS/ACRE

HEIGHT: ALLOWED = 35' MAX.

SETBACKS:

FRONT SETBACK:
- REQUIRED = 0'-0"
- EXISTING = 14'-8"
- PROPOSED = 14'-8"

SIDE SETBACK (NORTH) :
- REQUIRED = 2'-6"
- EXISTING = 1'-10 1/2"
- PROPOSED = 1'-10 1/2"

STREET SIDE SETBACK (SOUTH) :
- REQUIRED = 0'-0"
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REAR SETBACK:
- REQUIRED = 10'-0"
- EXISTING = 19'-9 1/2"
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- EXISTING : 9,146 S.F. (48.77 %)
- PROPOSED: 9,146 S.F. (48.77 %)

IMPERVIOUS AREA:
- ALLOWED: 13,125 S.F. (70% MAX.)
- EXISTING : 18,674 S.F. (99.6 %)
- PROPOSED: 18,642 S.F. (99.4 %)

LANDSCAPE AREA:
- REQUIRED: 5,625 S.F. (30% MIN.)
- EXISTING: 76 S.F. (0.4 %)
- PROPOSED: 108 S.F. (0.6 %)

OPEN SPACE AREA:
- REQUIRED: 5,625 S.F. (30% MIN.)
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PARKING REQUIREMENTS :
- EXISTING PARKING SPACES = 3.0 SPACES
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- ADDITIONAL PARKING SPACES PROVIDED = 0.0 SPACES (SEE BELOW)

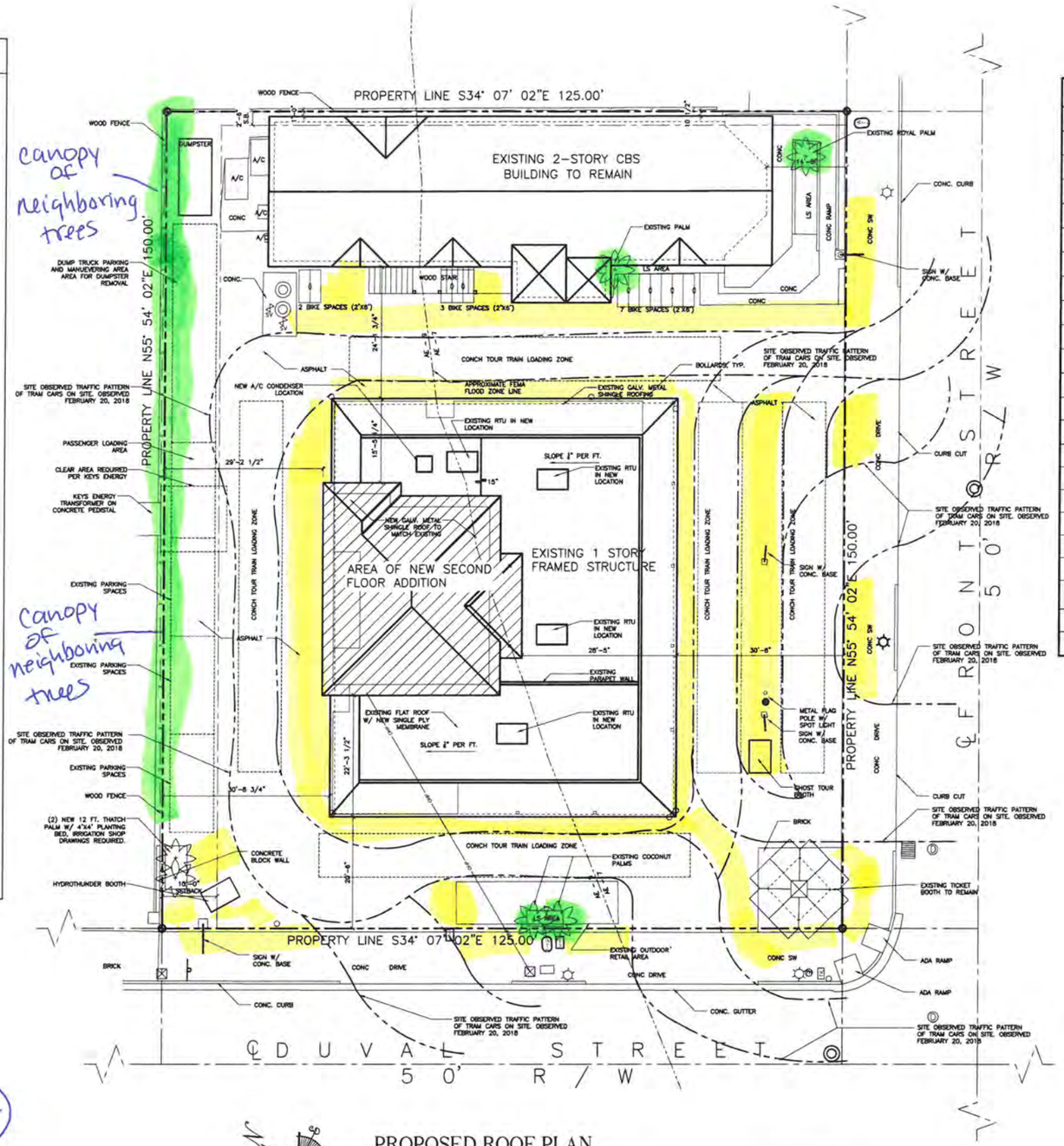
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PROPOSED ON SITE BIKE/SCOOTER SPACES = 12
(PER SEC. 108-574 – SUB. OF BICYCLE PARKING SPACES)
(4 BICYCLE SPACES PER PARKING SPACE REQUIRED)

Canopy of neighboring trees

Canopy of neighboring trees

Existing trees

Possible plant locations?
(trees, shrubs, groundcover)



PROPOSED ROOF PLAN

SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED BY FLORIDA KEYS LAND SURVEYING SURVEYOR DATED ON 10/18/2018

SCALE: 3/32"=1'-0"

2-28-19 KD

DRAWING LIST
A-1.0 SITE PLAN
A-2.0 FIRST FLOOR PLAN
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A-3.0 ELEVATIONS
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Ex-2 EXISTING FIRST FLOOR PLAN
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Ex-3.1 EXISTING ELEVATIONS
SU-SURVEY

WILLIAM P. HORN
ARCHITECT, P.A.

915 EATON ST
KEY WEST
FLORIDA
33040

TEL (305) 296-5302
FAX (305) 296-1933

LICENSE NO
AA 0003040

CONCH TOUR TRAIN
RENOVATIONS
501 Front Street
KEY WEST, FLORIDA

SEAL

DATE
09-24-18 PRELIM HARC
10-26-18 HARC SUBMITTAL
01-24-19 DRC REVIEW
02-28-19 PLANNING SUBMIT

REVISIONS

DRAWN BY
JW

PROJECT NUMBER
1807

Karen DeMaria

From: Karen DeMaria
Sent: Thursday, February 28, 2019 1:49 PM
To: 'Owen Trepanier'
Cc: Kelly M. Crowe; Eric Augst; Steven P. McAlearney
Subject: FW: Tree Application for 501 Front Street
Attachments: Maneuverability Plan.pdf; Request for Landscape Waiver.pdf; 501 Front potential planting areas. 2-28-19.pdf

Owen:

Thank you for your information. I have a few questions and comments that I am sure the commissioners and the public might want additional information on:

I have attached your traffic map color coded to show areas in yellow that need additional information as to why plants (trees, shrubs, groundcover) can not be installed in those specific areas.

The area in green represents the canopy of trees on the neighboring property. I am not sure you will be able to plant the thatch palms in the two spots you selected due to the canopy of the neighboring trees. Please verify their locations.

I strongly suggest that you talk to the engineering department about the potential of creating street planters along the sidewalk and property line. In the past other development projects have included work on the right of way with their plans to help with landscaping, with review from engineering. I have copied the pertinent individuals on this e-mail.

Please submit any additional information by noon on March 8 in order for the information to be placed properly into the agenda file and to have a chance to be reviewed by the Tree Commissioners prior to the meeting.

Sincerely,

Karen

From: Owen Trepanier <owen@owentrepanier.com>
Sent: Tuesday, February 26, 2019 11:25 AM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Cc: Vanessa T. Sellers <vsellers@cityofkeywest-fl.gov>; Joseph Scarpelli <joe@wphornarchitect.com>; Bill Horn (wphorn@aol.com) <wphorn@aol.com>; 'Edwin O. Swift III (eswift@historictours.com)' <eswift@historictours.com>; Rodney Corriveau <rodneycorriveau@gmail.com>; Patrick Wright <pwright@cityofkeywest-fl.gov>
Subject: RE: Tree Application for 501 Front Street

Hi Karen,
Thank you again for your assistance. I am attaching the maneuverability plan for the site (I believe you already have the waiver request information, but I am reattaching it for your convenience). We have not received a response to that request, as of yet. I'm sure you'll hear about it when we do, but I'll still make sure to copy you on it regardless.

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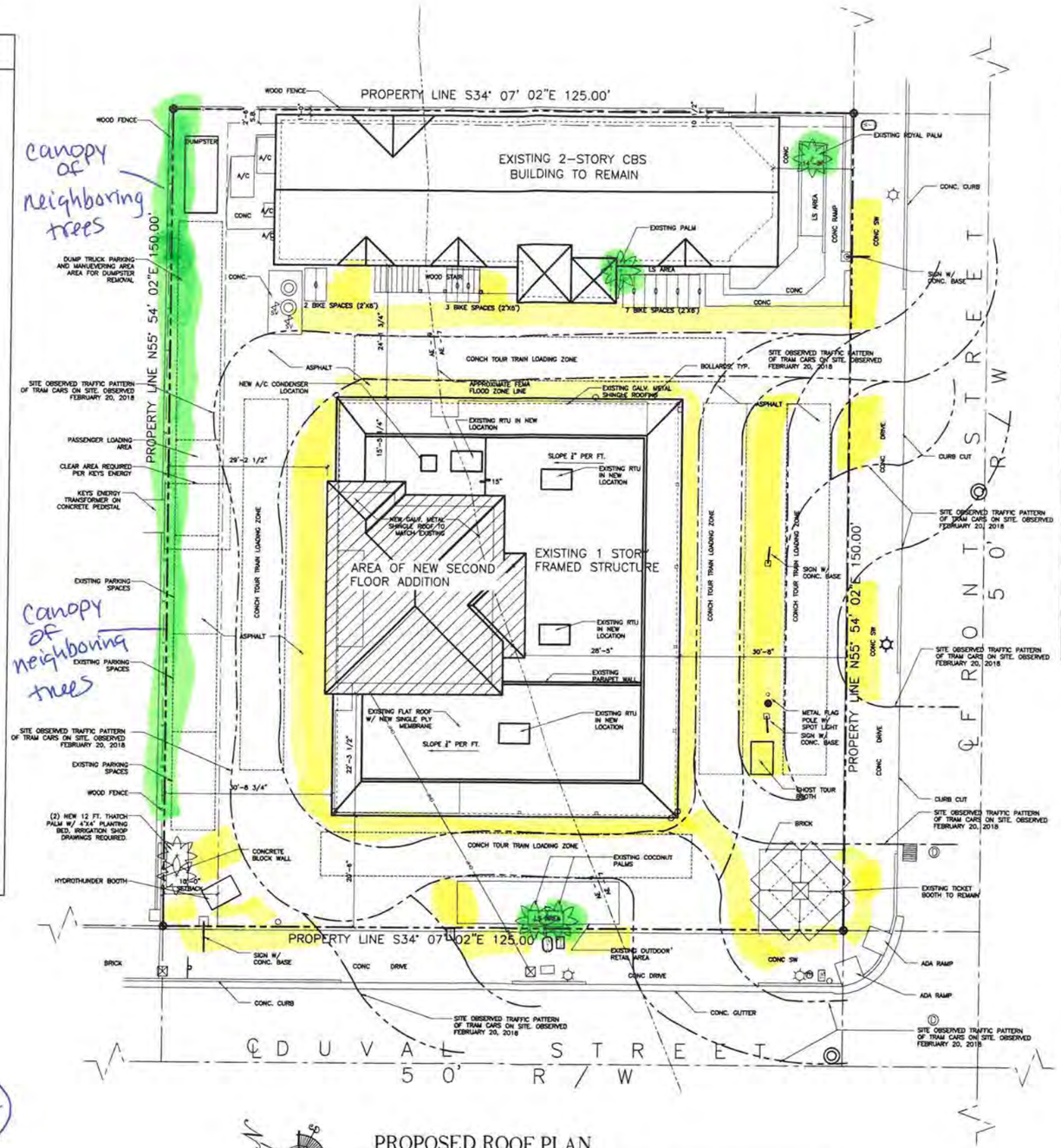
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I think you'll see from the plan that the site is extremely constrained. In fact, the maneuverability plan demonstrated to us that one of the proposed locations for planting is actually not feasible after all (the area conflicts with the solid waste handling area). It is the constrained nature of the site, and the lack of available planting areas based on the function of the existing use, that prompted HTA to offer a monetary contribution so tree could be installed elsewhere within the area.

Thanks again. Please let me know if you have any questions or need any additional information.
Owen

Trepanier & Associates, Inc.
Land Planners & Development Consultants
305-293-8983

From: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Sent: Monday, February 25, 2019 1:06 PM
To: Owen Trepanier <owen@owentrepanier.com>
Cc: Vanessa T. Sellers <vsellers@cityofkeywest-fl.gov>
Subject: RE: Tree Application for 501 Front Street

The Conceptual Landscape plan review for 501 Front Street will be placed on the March 11 Tree Commission meeting due to few submittals of applications for that meeting. I strongly encourage you to follow through with the comments I made before. I did a site visit and feel there are ways to provide a few trees along the sidewalk areas of Duval and Front Street and by the corner booth.

Sincerely,

Karen

From: Owen Trepanier <owen@owentrepanier.com>
Sent: Thursday, February 21, 2019 3:45 PM
To: Karen DeMaria <kdemaria@cityofkeywest-fl.gov>
Subject: Re: Tree Application for 501 Front Street

Ok. Thank you. We get to work on it.

Karen DeMaria

From: Owen Trepanier <owen@owentrepanier.com>
Sent: Thursday, February 21, 2019 3:45 PM
To: Karen DeMaria
Subject: Re: Tree Application for 501 Front Street

Ok. Thank you. We get to work on it.
I appreciate your time.

Owen Trepanier
Trepanier & Associates, Inc.
305-293-8983

On Feb 21, 2019, at 3:42 PM, Karen DeMaria <kdemaria@cityofkeywest-fl.gov> wrote:

Owen:

I just received your application for Conceptual Landscape Plan approval for 501 Front Street. Unfortunately, at this time I can not guarantee that the file will be placed on the March 11 Tree Commission agenda. The deadline for that meeting was at 3 p.m. February 19 (see attached). Your application was received by my office at 4:50 p.m. and placed on my desk in the last hour. I will not know for sure about the agenda until I review all of the other submittals and determine what the length of the agenda will be and my ability to gather the required information for the files. I should know by tomorrow late afternoon or Monday morning once I have completed the site work on the other applications.

In the meantime, the application is incomplete. I can foresee numerous questions as to why no additional landscaping or trees are being placed along the sidewalk areas. The public has been asking about additional trees in this area for years and it is important that all potential questions are answered. Have you spoken to the City engineering department about the possible placement of tree planters in the sidewalk areas or on the property line and the possible line of site issues? Also, can you provide some drawings showing the ingress and egress areas on the property.

Your letter requesting landscape waivers has a lot of information but no documentation to support the words. Drawing and maps would be very helpful. Even though the Tree Commission does not approve the landscape waivers, they do have to give conceptual landscape plan approval. I do not feel comfortable giving staff approval of the submitted plan knowing what the public expects that is why this is being placed on the Tree Commission agenda at this time.

Sincerely,

Karen

Karen DeMaria
Urban Forestry Manager
Certified Arborist
City of Key West Planning Department
1300 White Street, Key West, FL 33040
305-809-3768

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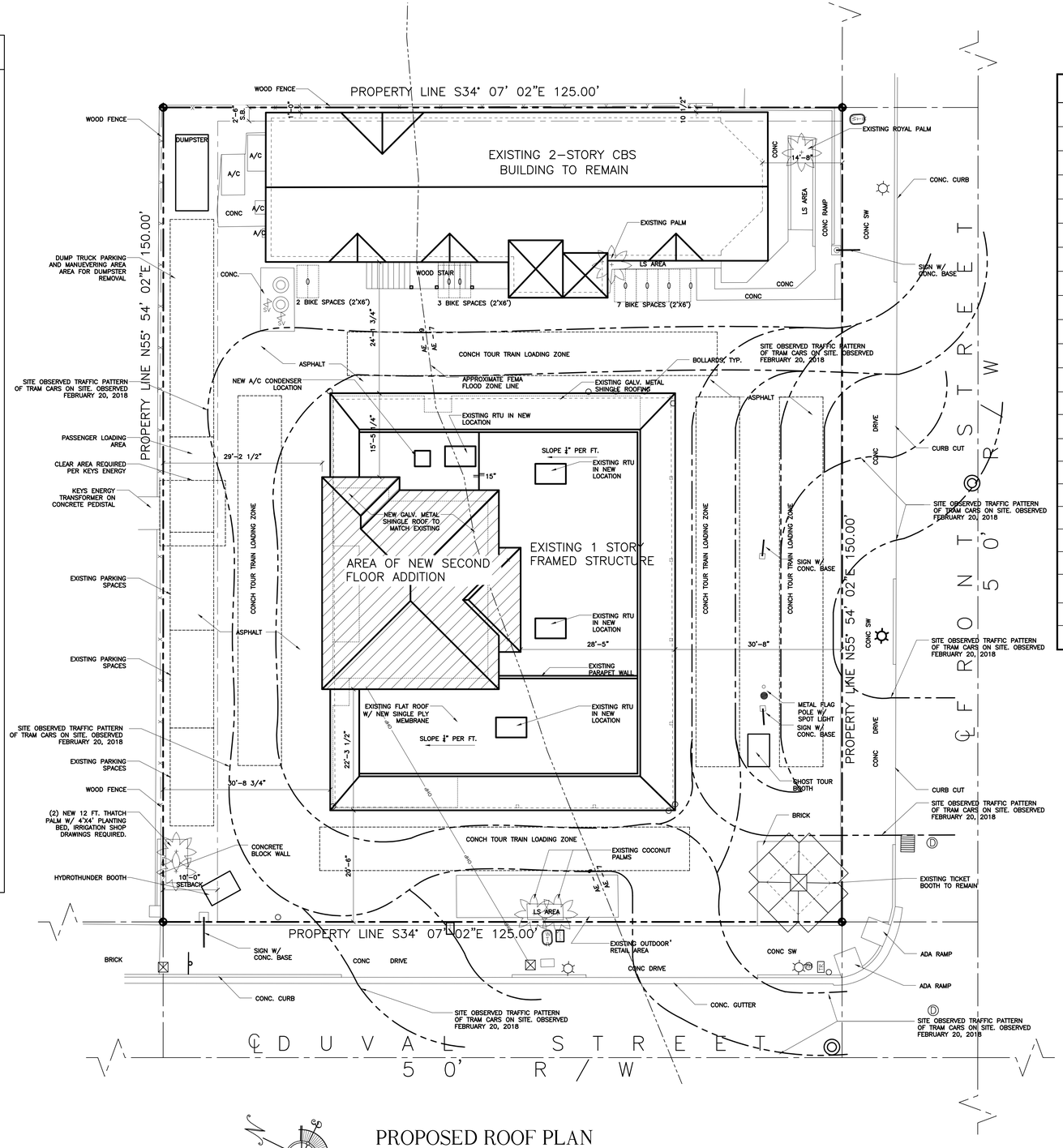
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REVISIONS

DRAWN BY
JW

PROJECT NUMBER
1807

January 10th, 2019

Mr. Patrick Wright, City Planner
City of Key West
1300 White Street
Key West, FL 33040

TREPANIER & ASSOCIATES INC

Re: Request for waiver to Section 108-243, Landscaping Requirement for Development Plans - 501 Front St.

Section 108-226[i] of the City of Key West Land Development Regulations (LDRs) authorizes the City Planner to waive or modify requirements, information and specific performance criteria for development plan review after rendering a finding that the project demonstrates certain criteria. Carefully and thoughtfully considering the criteria, our project team has determined the need for such a waiver. The waiver request contained herein pertains to Section 108-243, land clearing, excavation and fill, tree protection, landscaping and irrigation.

Approval of a waiver rests upon the applicant reasonably and adequately demonstrating that the landscaping requirement for the development plan: "(1) Bears no relationship to the proposed project or its impacts, (2) Are not necessary prior to development plan approval in order to protect the public interest or adjacent properties; 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". The three interconnected criteria necessary for rendering a favorable finding are therefore discussed.

Historic Tours is a huge supporter of increased tree canopy in the City of Key West and plants extensively on their properties, however, after significant consideration, we have determined the installation of landscaping at this particular site is not possible due to conflicts it will create with the existing land use, and the safety issues resulting therefrom, in addition to conflicts it will create with the adjacent land uses. It is for these reasons alone that we respectfully request a waiver of Sec. 108-243 pursuant to Sec. 108-226. If the waiver is granted, Historic Tours will donate $5,000.00 to the City for plantings in other appropriate locations.

A waiver is justified based on the following:

1. Landscaping on site is not necessary prior to development plan approval in order to protect the public interest or adjacent properties:

Strict interpretation of Section 108-234 will result in impeding the circulation of multiple types of vehicles as they enter, exit and navigate the compact site alongside pedestrians. Furthermore, the introduction of driver sight triangle obstructions and blind spots could complicate the matter further. As Staff is aware, the property is utilized as a drop off and pickup area for Conch Train

and Trolley riders. Because both types of passenger vehicles are irregular in length, width and exhibit a large turning radius, it is imperative for drivers to maintain an unencumbered line of sight.

The owner and project team understand the intent of the LDR and agree with it in spirit, however extenuating circumstances exist with the use and configuration of this site, rendering the requirement moot in this case. The public's health, safety and well-being trump the possible positive impacts gained with a strict interpretation of this section of the LDRs. The donation is more practical to protect the public interest and adjacent properties.

2. Landscaping on site bear no relationship to the proposed project or its impacts:

The Development Plan submitted to the City (for which this application seeks a landscape waiver) is for modifications to an existing structure developed many years ago. Minimal site work is currently proposed, therefore the modifications bear little relationship to the configuration of the site. The donation is more practical from the property owner's standpoint, as well as more beneficial to the City.

3. Landscaping on site is 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:

The owner places a high emphasis on the safe and effective circulation of vehicles and pedestrians at the Train Depot. Considering site constraints as previously discussed, the mature landscape buffer between the subject site and the adjacent land use to the north has heretofore provided the least intrusive and most effective landscaping.

The project team feels Section 108-226 of the LDRs was written to anticipate the type of situation for which this waiver is requested. Because of the issues illuminated herein, we feel the donation in the amount of $5,000.00 upon the issuance of a waiver will benefit the public interest and adjacent property owners, as well as continuing to ensure the health, safety and well-being of all citizens and visitors to Key West.

Respectfully,

Owen Trepanier, Principal

[i] **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.

(Ord. No. 97-10, § 1(4-18.5), 7-3-1997)

Application

4:50 PM
RECEIVED
FEB 20 2018
BY: NLH

CONCEPTUAL LANDSCAPE PLAN

2019-0089

Tree Permit Application

Date: 2-19-19

Please Clearly Print All Information unless indicated otherwise.

Tree Address 501 Front st
Cross/Corner Street Duval & Front
List Tree Name(s) and Quantity Development Plan
Species Type(s) check all that apply ( ) Palm ( ) Flowering ( ) Fruit ( ) Shade ( ) Unsure
Reason(s) for Application:
( ) REMOVE ( ) Tree Health ( ) Safety ( ) Other/Explain below
(x) TRANSPLANT ( ) New Location ( ) Same Property (x) Other/Explain below
( ) HEAVY MAINTENANCE ( ) Branch Removal ( ) Crown Cleaning/Thinning ( ) Crown Reduction
Additional Information and Explanation This project seeks approval of a waiver of Sec. 108-234, by City Planner, pursuant to Sec. 108-226. Notwithstanding, the site will accomodate two new trees as proposed on the plans.

Property Owner Name Conch Tour Train, Inc.
Property Owner eMail Address
Property Owner Mailing Address PO Box 1237
Property Owner Mailing City Key West **State** FL **Zip** 33040
Property Owner Phone Number (305) 294 - 4142
Property Owner Signature

Representative Name Owen Trepanier of Trepanier & Associates, Inc.
Representative eMail Address owen@owentrepanier.com
Representative Mailing Address 1421 First Street unit 101
Representative Mailing City Key West **State** FL **Zip** 33040
Representative Phone Number (305) 293 - 8983

NOTE: A Tree Representation Authorization form must accompany this application if someone other than the owner will be representing the owner at a Tree Commission meeting or picking up an issued Tree Permit.
Tree Representation Authorization form attached ( )

<<<<< Sketch location of tree in this area including cross/corner Street >>>>>

Please identify tree(s) with colored tape

2.22.19 No tree removal – only a few coconut palms exist on property.

If this process requires blocking of a City right-of-way, a separate ROW Permit is required. Please contact 305-809-3740.

Updated: 02/22/2014

Tree Representation Authorization

Date: 2-19-19

Attendance at the Tree Commission meeting on the date when your request will be discussed is necessary in order to expedite the resolution of your application. This **Tree Representation Authorization** form must accompany the application if the property owner is unable to attend or will have someone else pick up the Tree Permit once issued.

Please Clearly Print All Information unless indicated otherwise.

Tree Address 501 Front Street

Property Owner Name Conch Tour Train, Inc
Property Owner eMail Address
Property Owner Mailing Address PO Box 1237
Property Owner Mailing City Key West **State** FL **Zip** 33040
Property Owner Phone Number (305) 294 - 4142
Property Owner Signature

Representative Name Owen Trepanier-Trepanier & Associates, Inc.
Representative eMail Address owen@owentrepanier.com
Representative Mailing Address 1421 First Street unit 101
Representative Mailing City Key West **State** FL **Zip** 33040
Representative Phone Number (305) 293 - 8983

I Edwin O Swift, III, hearby authorize the above listed agent(s) to represent me in the matter of obtaining a Tree Permit from the City of Key West for my property at the tree address above listed. You may contact me at the telephone listed above is there is any questions or need access to my property.

Property Owner Signature

The forgoing instrument was acknowledged before me on this 19th day February 2019.

By (Print name of Affiant) Edwin O. Swift, III who is personally known to me or has produced _____ as identification and who did take an oath.

NOTARY PUBLIC
Sign Name: Marion Hope Casas Notary Public - State of Florida (seal)
Print Name: MARION HOPE CASAS
My Commission Expires: _____

MARION HOPE CASAS
Commission # FF 973800
Expires July 21, 2020
Bonded Thru Troy Fain Insurance 800-385-7019

Updated: 02/22/2014

January 10th, 2019

Mr. Patrick Wright, City Planner
City of Key West
1300 White Street
Key West, FL 33040

TREPANIER & ASSOCIATES INC

Re: Request for waiver to Section 108-243, Landscaping Requirement for Development Plans - 501 Front St.

Section 108-226[i] of the City of Key West Land Development Regulations (LDRs) authorizes the City Planner to waive or modify requirements, information and specific performance criteria for development plan review after rendering a finding that the project demonstrates certain criteria. Carefully and thoughtfully considering the criteria, our project team has determined the need for such a waiver. The waiver request contained herein pertains to Section 108-243, land clearing, excavation and fill, tree protection, landscaping and irrigation.

Approval of a waiver rests upon the applicant reasonably and adequately demonstrating that the landscaping requirement for the development plan: "(1) Bears no relationship to the proposed project or its impacts, (2) Are not necessary prior to development plan approval in order to protect the public interest or adjacent properties; 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". The three interconnected criteria necessary for rendering a favorable finding are therefore discussed.

Historic Tours is a huge supporter of increased tree canopy in the City of Key West and plants extensively on their properties, however, after significant consideration, we have determined the installation of landscaping at this particular site is not possible due to conflicts it will create with the existing land use, and the safety issues resulting therefrom, in addition to conflicts it will create with the adjacent land uses. It is for these reasons alone that we respectfully request a waiver of Sec. 108-243 pursuant to Sec. 108-226. If the waiver is granted, Historic Tours will donate $5,000.00 to the City for plantings in other appropriate locations.

A waiver is justified based on the following:

1. Landscaping on site is not necessary prior to development plan approval in order to protect the public interest or adjacent properties:

Strict interpretation of Section 108-234 will result in impeding the circulation of multiple types of vehicles as they enter, exit and navigate the compact site alongside pedestrians. Furthermore, the introduction of driver sight triangle obstructions and blind spots could complicate the matter further. As Staff is aware, the property is utilized as a drop off and pickup area for Conch Train

and Trolley riders. Because both types of passenger vehicles are irregular in length, width and exhibit a large turning radius, it is imperative for drivers to maintain an unencumbered line of sight.

The owner and project team understand the intent of the LDR and agree with it in spirit, however extenuating circumstances exist with the use and configuration of this site, rendering the requirement moot in this case. The public's health, safety and well-being trump the possible positive impacts gained with a strict interpretation of this section of the LDRs. The donation is more practical to protect the public interest and adjacent properties.

2. Landscaping on site bear no relationship to the proposed project or its impacts:

The Development Plan submitted to the City (for which this application seeks a landscape waiver) is for modifications to an existing structure developed many years ago. Minimal site work is currently proposed, therefore the modifications bear little relationship to the configuration of the site. The donation is more practical from the property owner's standpoint, as well as more beneficial to the City.

3. Landscaping on site is 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:

The owner places a high emphasis on the safe and effective circulation of vehicles and pedestrians at the Train Depot. Considering site constraints as previously discussed, the mature landscape buffer between the subject site and the adjacent land use to the north has heretofore provided the least intrusive and most effective landscaping.

The project team feels Section 108-226 of the LDRs was written to anticipate the type of situation for which this waiver is requested. Because of the issues illuminated herein, we feel the donation in the amount of $5,000.00 upon the issuance of a waiver will benefit the public interest and adjacent property owners, as well as continuing to ensure the health, safety and well-being of all citizens and visitors to Key West.

Respectfully,

Owen Trepanier, Principal

[i] **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.

(Ord. No. 97-10, § 1(4-18.5), 7-3-1997)

SITE DATA

SITE AREA: 18,750 S.F. (0.430 ACRES)

LAND USE: HCCR-1

FLOOD ZONE: 'AE 9' ZONE

FAR: ALLOWED = 1.0 MAX.

DENSITY = 22 UNITS/ACRE

HEIGHT: ALLOWED = 35' MAX.

SETBACKS:

FRONT SETBACK:
- REQUIRED = 0'-0"
- EXISTING = 14'-8"
- PROPOSED = 14'-8"

SIDE SETBACK (NORTH) :
- REQUIRED = 2'-6"
- EXISTING = 1'-10 1/2"
- PROPOSED = 1'-10 1/2"

STREET SIDE SETBACK (SOUTH) :
- REQUIRED = 0'-0"
- EXISTING = 20'-6"
- PROPOSED = 20'-6"

REAR SETBACK:
- REQUIRED = 10'-0"
- EXISTING = 19'-9 1/2"
- PROPOSED = 19'-9 1/2" (5' FOR ACCESSORY STRUCTURE)

BUILDING COVERAGE AREA:
- ALLOWED: 9,375 S.F. (50% MAX.)
- EXISTING : 3,679S.F. (19.62 %)
- PROPOSED: 3,679 S.F. (19.62 %)

IMPERVIOUS AREA:
- ALLOWED: 13,125 S.F. (70% MAX.)
- EXISTING : 18,674 S.F. (99.6 %)
- PROPOSED: 18,642 S.F. (99.4 %)

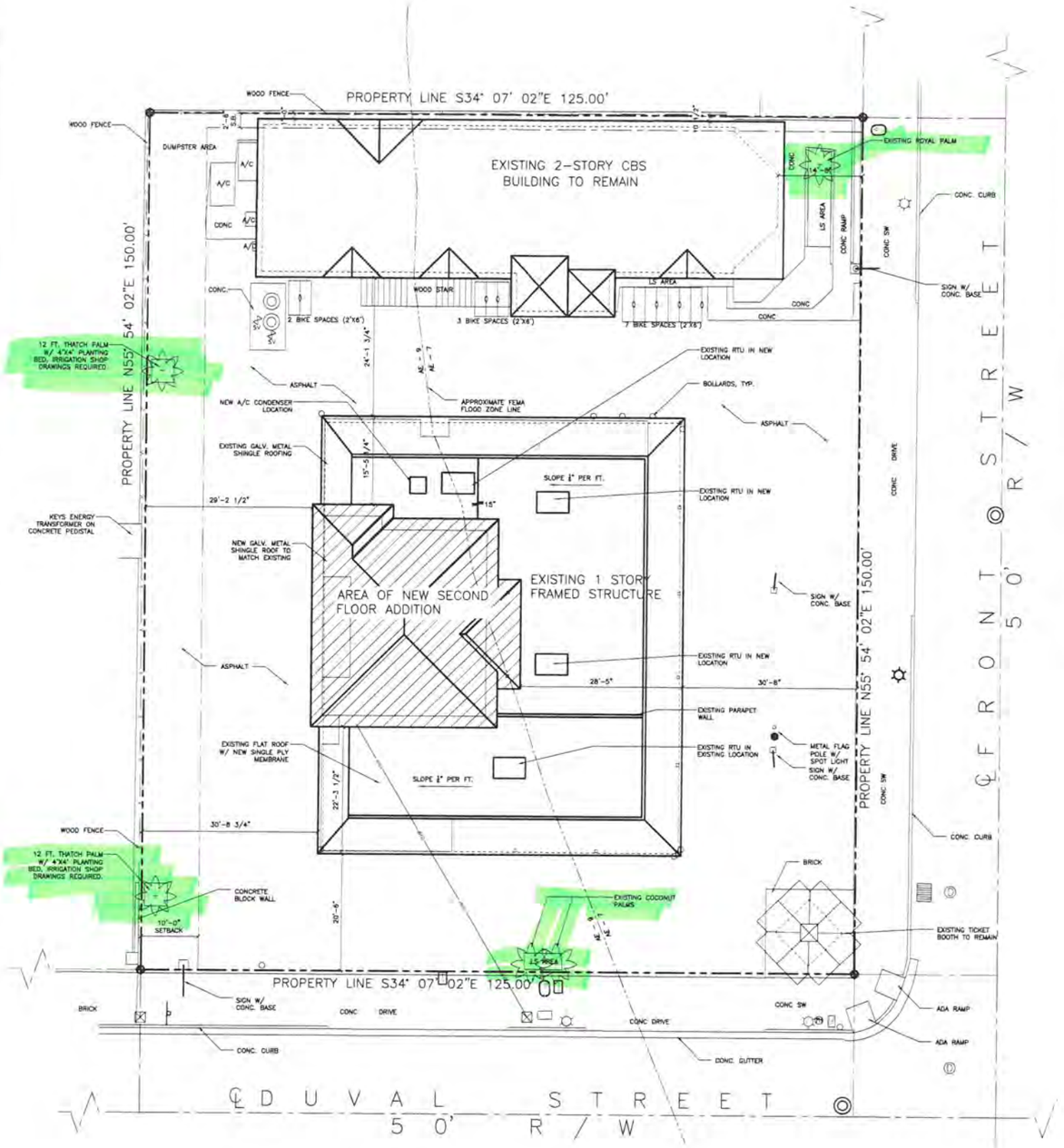
LANDSCAPE AREA:
- REQUIRED: 5,625 S.F. (30% MIN.)
- EXISTING: 76 S.F. (0.4 %)
- PROPOSED: 108 S.F. (0.6 %)

OPEN SPACE AREA:
- REQUIRED: 5,625 S.F. (30% MIN.)
- EXISTING: 76 S.F. (0.4 %)
- PROPOSED: 108 S.F. (0.6 %)

PARKING REQUIREMENTS :

EXISTING APPROVED PARKING SPACES = 2.0 SPACES
ADDITIONAL PARKING SPACES REQUIRED = 3.0 SPACES
(1 SPACE PER 300 SF GROSS ADDITIONAL FLOOR AREA)
ADDITIONAL PARKING SPACES PROVIDED = 0.0 SPACES (SEE BELOW)

EXISTING ON SITE BIKE/SCOOTER SPACES = 0
PROPOSED ON SITE BIKE/SCOOTER SPACES = 12
(PER SEC. 108-574 – SUB. OF BICYCLE PARKING SPACES)
(4 BICYCLE SPACES PER PARKING SPACE REQUIRED)



PROPOSED ROOF PLAN

SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED BY FLORIDA KEYS LAND SURVEYING SURVEYOR DATED ON 10/18/2018

SCALE: 3/32"=1'-0"

DRAWING LIST
A-1.0 SITE PLAN
A-2.0 FIRST FLOOR PLAN
A-2.1 SECOND FLOOR PLAN
A-3.0 ELEVATIONS
A-3.1 ELEVATIONS
A-4.0 STREETSCAPE ELEVATIONS
Ex-1 EXISTING SITE PLAN
Ex-2 EXISTING FIRST FLOOR PLAN
Ex-3 EXISTING ELEVATIONS
Ex-3.1 EXISTING ELEVATIONS
SU-SURVEY

WILLIAM P. HORN
ARCHITECT, P.A.

1015 ATLANTIC BLVD
KEY WEST
FLORIDA
33040

TEL. 305-296-5302
FAX. 305-296-1032

LICENSE NO
AA 0003040

CONCH TOUR TRAIN RENOVATIONS
501 Front Street
KEY WEST, FLORIDA

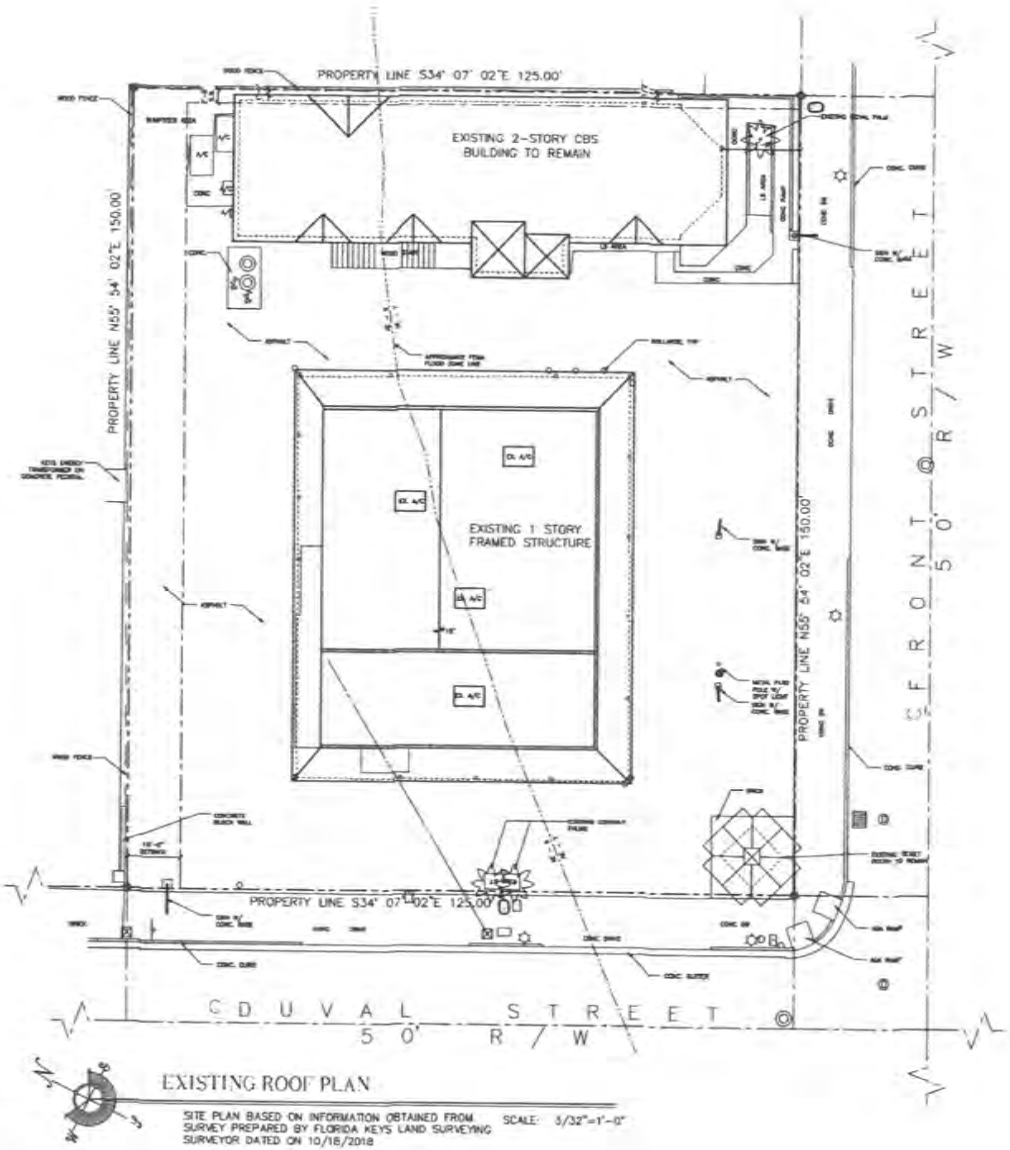
SEAL

DATE
09-24-18 PRELIM HARC
10-26-18 HARC SUBMITTAL
02-15-19 PLANNING SUBMIT

REVISIONS

DRAWN BY
JW

PROJECT NUMBER
1507



EXISTING ROOF PLAN

SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED BY FLORIDA KEYS LAND SURVEYING SURVEYOR DATED ON 10/16/2018

SCALE: 3/32"=1'-0"

WILLIAM P. HORN
ARCHITECT, P.A.

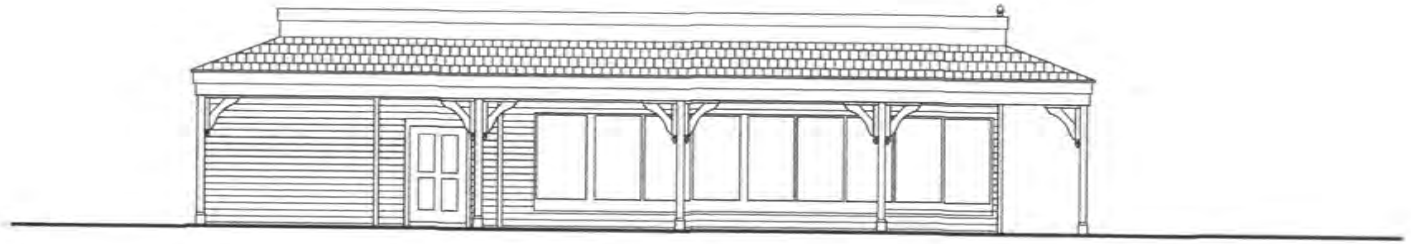
CONCH TOUR TRAIN
RENOVATIONS
501 Front Street

DATE
09-24-15 PRELIMINARY
10-26-15 HARC SUBMITTAL

REVISIONS

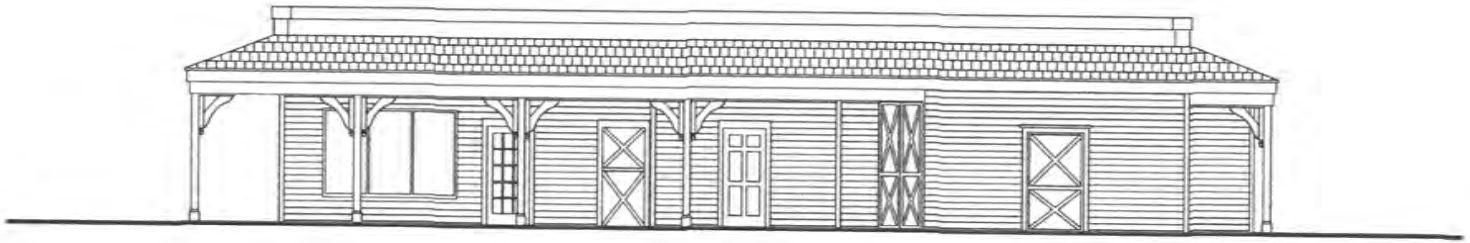
PROJECT
NUMBER

EX-1



1 Ex-4 EXISTING SIDE ELEVATION

SCALE: 1/4"=1'-0"



2 Ex-4 EXISTING REAR ELEVATION

SCALE: 1/4"=1'-0"

WILLIAM P. HORN
ARCHITECT, P.A.

CONCH TOUR TRAIN
RENOVATIONS
501 Front Street

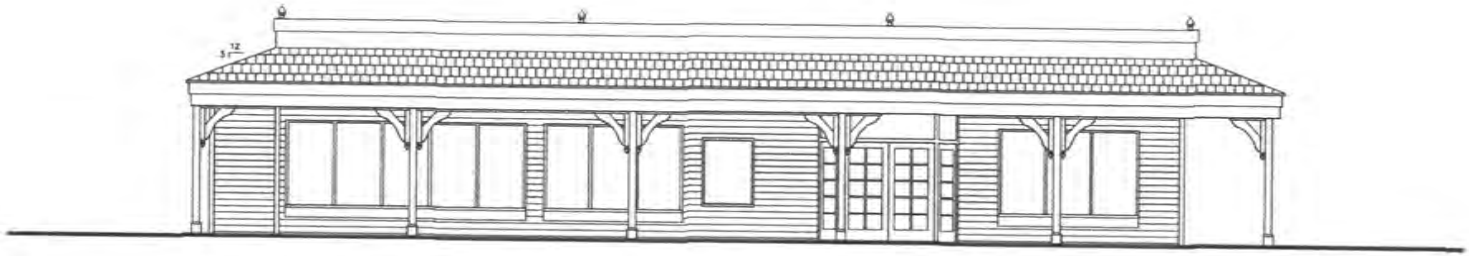
SEAL:

DATE

DRAWN BY:

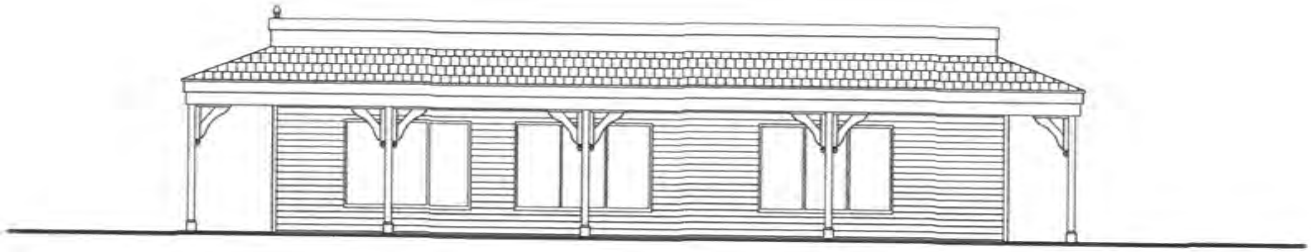
PROJECT NUMBER

Ex-4



1/Ex-3 EXISTING FRONT ELEVATION

SCALE: 1/4"=1'-0"



2/Ex-3 EXISTING SIDE ELEVATION

SCALE: 1/4"=1'-0"

WILLIAM P. DIXON
ARCHITECT, P.A.

CONCH TOUR TRAIN
RENOVATIONS
501 Front Street

SCALE

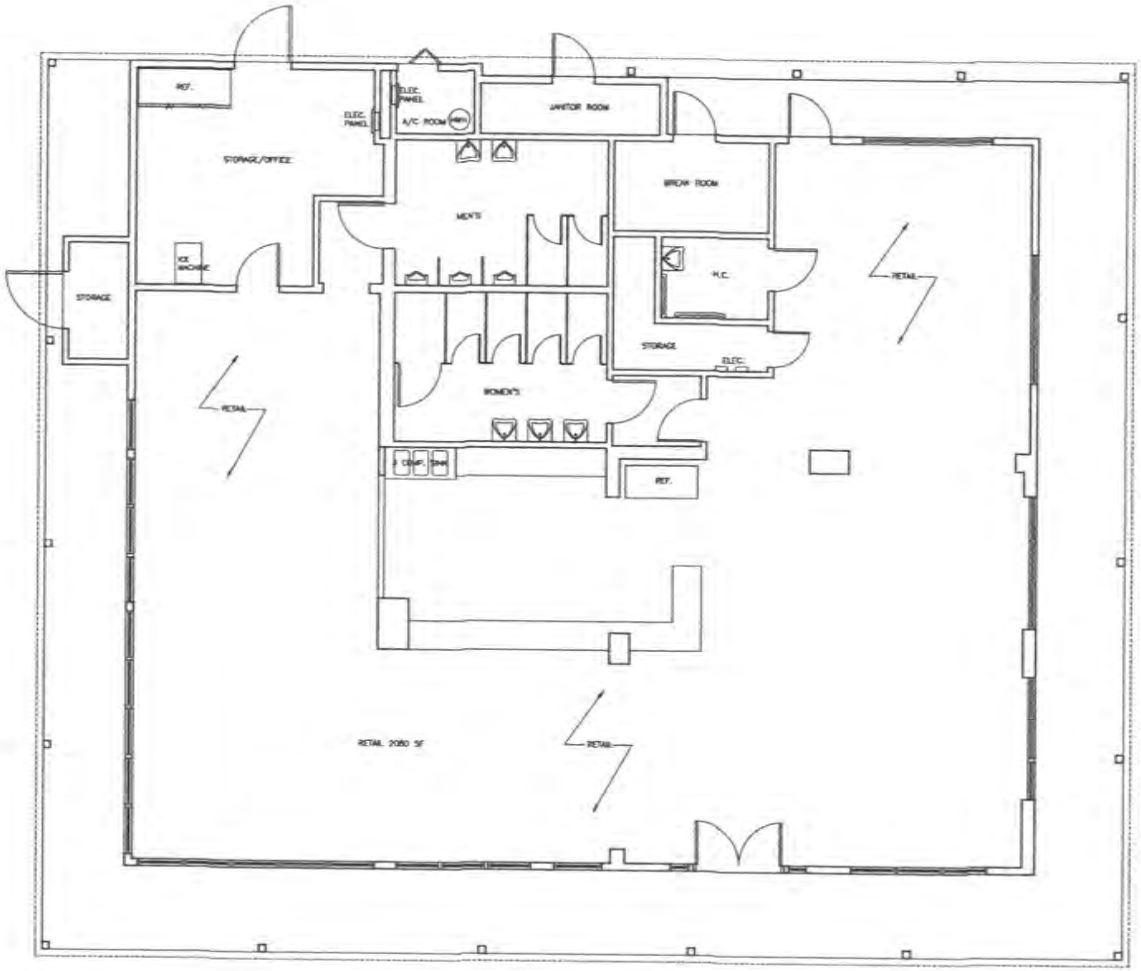
DATE
09-26-19 PRELIM BARC
11-26-19 HARC SUBMITTAL
02-04-20 PLANNING BOARD

REVISIONS

DRAWN BY
JR

PROJECT NUMBER

Ex-3



EXISTING FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

WILLIAM P. TORBY
ARCHITECT, P.A.

CONCH TOUR TRAIN
RENOVATIONS
501 Front Street

SEAL

DATE
09-26-19 PRELIM. SUBMITTAL
11-26-19 HARC SUBMITTAL
02-19-20 PLANNING BOARD

DRAWN BY
JW

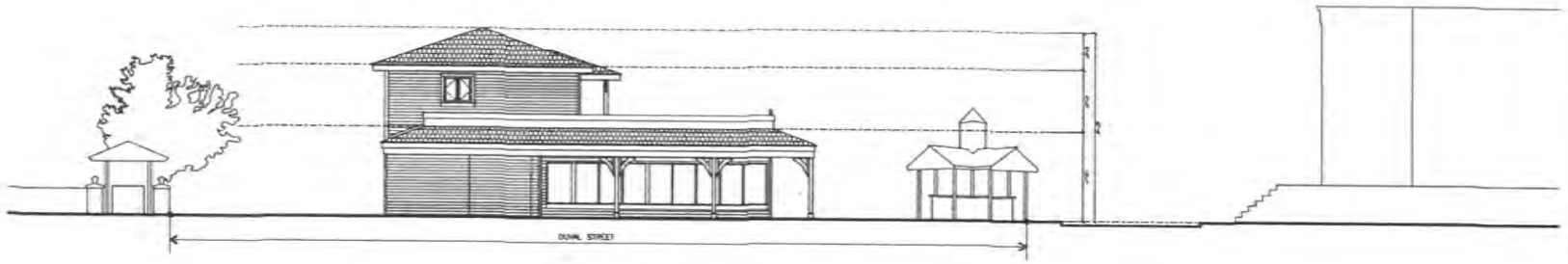
PROJECT NUMBER
1917

Ex-2



1 A4.0 STREETSCAPE ELEVATION

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



2 A4.0 STREETSCAPE ELEVATION

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

WILLIAM P. LORN
ARCHITECT, P.A.

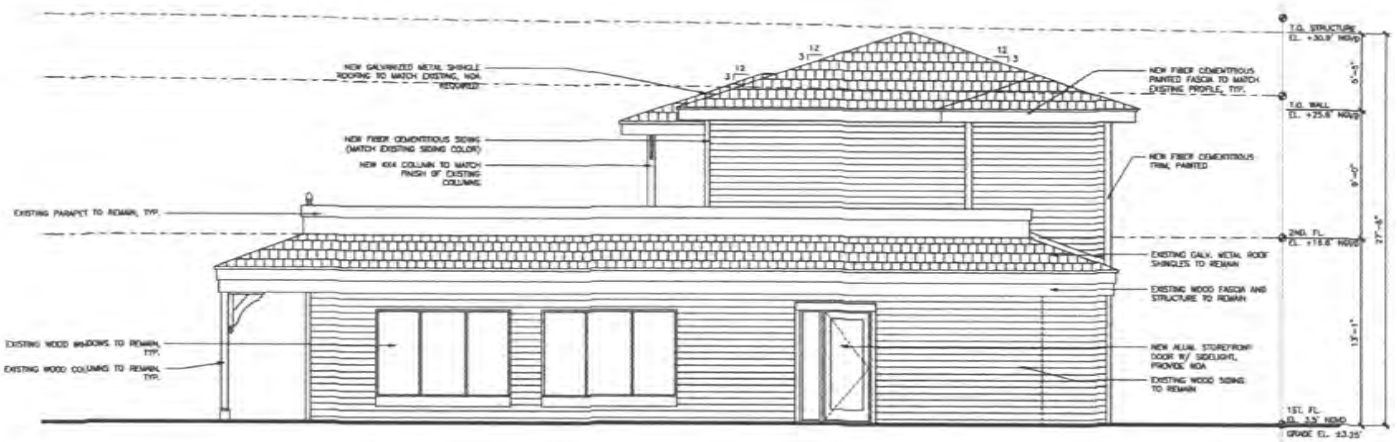
CONCH TOUR TRAIN
RENOVATIONS
501 Front Street

DATE
09-24-15 PRELIMINARY
10-26-15 HARC SUBMITTAL

DRAWN BY
JW

PROJECT
NUMBER
1517

A4.0



1 A3.1 PROPOSED SIDE ELEVATION

SCALE: 1/4"=1'-0"



2 A3.1 PROPOSED REAR ELEVATION

SCALE: 1/4"=1'-0"

WILLIAM P. DORN
ARCHITECT, P.A.
KEY WEST

CONCH TOUR TRAIN
RENOVATIONS
501 Front Street
KEY WEST, FLORIDA

SEAL

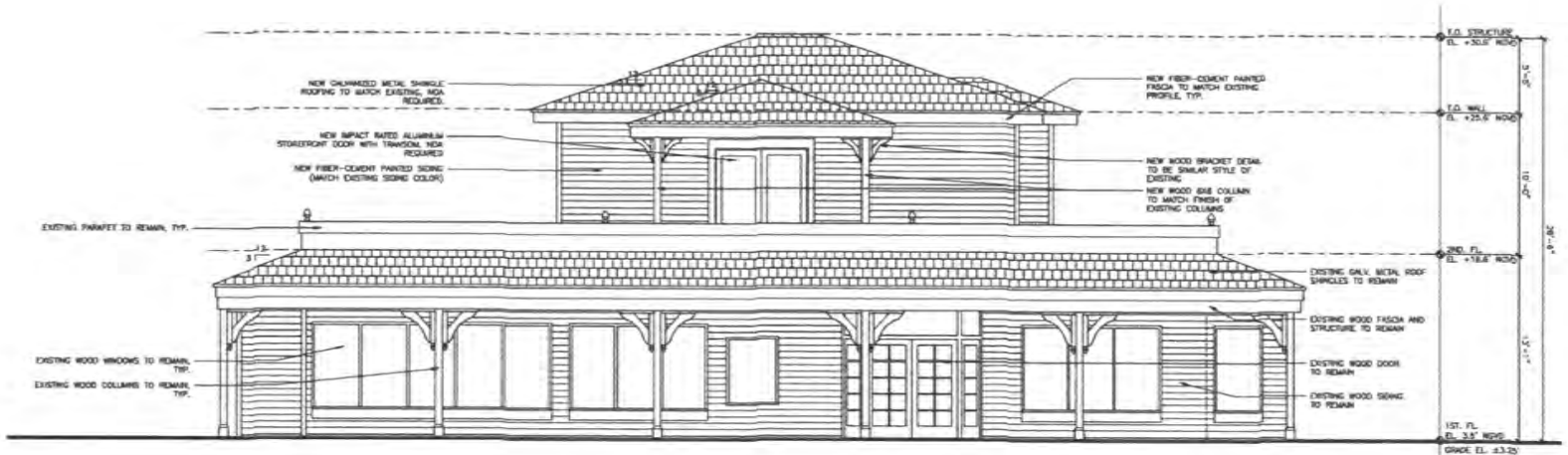
DATE
09-24-15 PRELIM. HARC
10-26-15 HARC SUBMITTAL
01-19-16 FINAL HARC SUBMIT

REVISIONS

DRAWN BY
JW

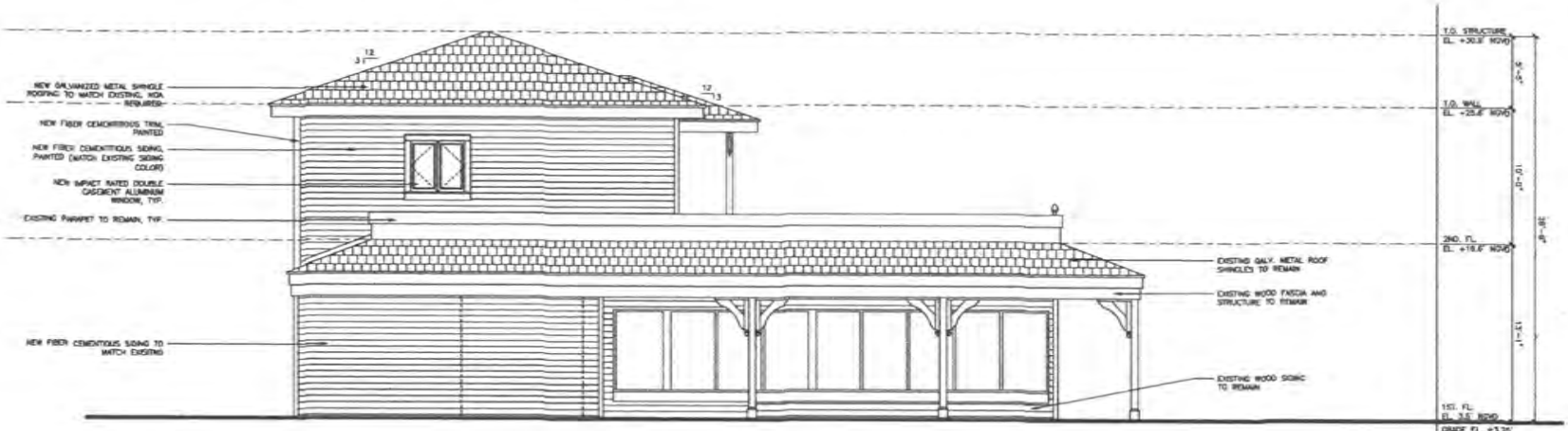
PROJECT
NUMBER

A3.1



1 A3.0 PROPOSED FRONT ELEVATION

SCALE: 1/4"=1'-0"



2 A3.0 PROPOSED SIDE ELEVATION

SCALE: 1/4"=1'-0"

WILLIAM P. TURNER ARCHITECT, P.A.

CONCH TOUR TRAIN RENOVATIONS
501 Front Street
KEY WEST, FLORIDA

SEAL

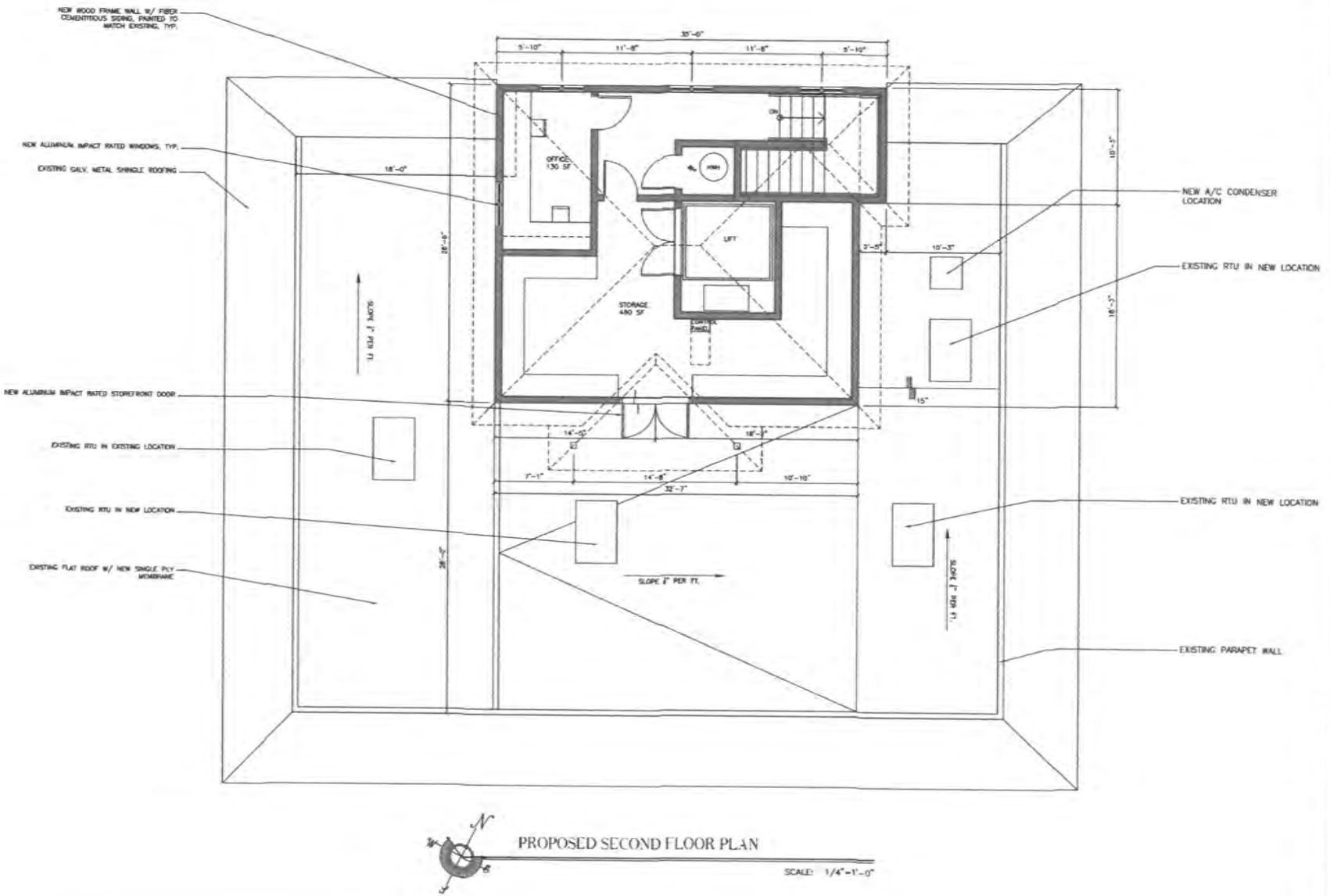
DATE
10-24-19 PERMIT SUBMITTAL
12-20-19 HARC SUBMITTAL
02-19-19 PLANNING BOARD

REVISIONS

DRAWN BY
JW

PROJECT NUMBER

A3.0



PROPOSED SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"

WILLIAM P. HORN
ARCHITECT, P.A.

CONCH TOUR TRAIN
RENOVATIONS
501 Front Street

DATE

DRAWN BY
JPK

PROJECT
NUMBER

A2.1

CONCH TOUR TRAIN RENOVATIONS
501 Front Street
KEY WEST, FLORIDA

Karen DeMaria

From: Patrick Wright
Sent: Tuesday, February 19, 2019 12:08 PM
To: Karen DeMaria
Subject: FW: 501 Front Street
Attachments: Request for Landscape Waiver.pdf

FYI

From: Owen Trepanier [mailto:owen@owentrepanier.com]
Sent: Tuesday, February 19, 2019 11:24 AM
To: Patrick Wright <pwright@cityofkeywest-fl.gov>
Cc: Bill Horn (wphorn@aol.com) <wphorn@aol.com>; 'Edwin O. Swift III (eswift@historictours.com)' <eswift@historictours.com>
Subject: 501 Front Street

Dear Patrick,
On January 10th we filed a request for a landscape waiver (true copy attached) pursuant to Sec. 108-226 for the following reasons:

1. Landscaping on site is not necessary prior to development plan approval in order to protect the public interest or adjacent properties;
2. Landscaping on site bears no relationship to the proposed project or its impacts; and
3. Landscaping on site is impractical based on the characteristics of the existing use, including the proposed scale, density/intensity, and anticipated impacts on the environment, public facilities and adjacent land uses.

At the DRC meeting on January 24th, you requested we take a second look at the site in an attempt to improve landscaping.

We appreciated the challenge and spent hours on-site analyzing the traffic patterns and movements. As a result, we found two locations that we believe can accommodate additional landscaping while causing minimal disruption to the safe operation, traffic patterns, and characteristics of the existing use. Two 4ftx4ft areas were located along the side of the property, which were not regularly impacted by traffic movements. Therefore we propose adding two 12ft Thatch Palms, as depicted on the proposed plans, in those areas.

As mentioned above, we appreciate your challenge to improve the situation and given the above, we respectfully request the waiver/modification to the requirements of Sec. 108-243 allowing this project to proceed as proposed, pursuant to Sec. 108-226.

Thank you very much.
Owen

Trepanier & Associates, Inc.
Land Planners & Development Consultants
305-293-8983

January 10th, 2019

Mr. Patrick Wright, City Planner
City of Key West
1300 White Street
Key West, FL 33040

TREPANIER
& ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Re: Request for waiver to Section 108-243, Landscaping Requirement for Development Plans - 501 Front St.

Section 108-226[i] of the City of Key West Land Development Regulations (LDRs) authorizes the City Planner to waive or modify requirements, information and specific performance criteria for development plan review after rendering a finding that the project demonstrates certain criteria. Carefully and thoughtfully considering the criteria, our project team has determined the need for such a waiver. The waiver request contained herein pertains to Section 108-243, land clearing, excavation and fill, tree protection, landscaping and irrigation.

Approval of a waiver rests upon the applicant reasonably and adequately demonstrating that the landscaping requirement for the development plan: "(1) Bears no relationship to the proposed project or its impacts, (2) Are not necessary prior to development plan approval in order to protect the public interest or adjacent properties; 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". The three interconnected criteria necessary for rendering a favorable finding are therefore discussed.

Historic Tours is a huge supporter of increased tree canopy in the City of Key West and plants extensively on their properties, however, after significant consideration, we have determined the installation of landscaping at this particular site is not possible due to conflicts it will create with the existing land use, and the safety issues resulting therefrom, in addition to conflicts it will create with the adjacent land uses. It is for these reasons alone that we respectfully request a waiver of Sec. 108-243 pursuant to Sec. 108-226. If the waiver is granted, Historic Tours will donate $5,000.00 to the City for plantings in other appropriate locations.

A waiver is justified based on the following:

1. Landscaping on site is not necessary prior to development plan approval in order to protect the public interest or adjacent properties:

Strict interpretation of Section 108-234 will result in impeding the circulation of multiple types of vehicles as they enter, exit and navigate the compact site alongside pedestrians. Furthermore, the introduction of driver sight triangle obstructions and blind spots could complicate the matter further. As Staff is aware, the property is utilized as a drop off and pickup area for Conch Train

and Trolley riders. Because both types of passenger vehicles are irregular in length, width and exhibit a large turning radius, it is imperative for drivers to maintain an unencumbered line of sight.

The owner and project team understand the intent of the LDR and agree with it in spirit, however extenuating circumstances exist with the use and configuration of this site, rendering the requirement moot in this case. The public's health, safety and well-being trump the possible positive impacts gained with a strict interpretation of this section of the LDRs. The donation is more practical to protect the public interest and adjacent properties.

2. Landscaping on site bear no relationship to the proposed project or its impacts:

The Development Plan submitted to the City (for which this application seeks a landscape waiver) is for modifications to an existing structure developed many years ago. Minimal site work is currently proposed, therefore the modifications bear little relationship to the configuration of the site. The donation is more practical from the property owner's standpoint, as well as more beneficial to the City.

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The owner places a high emphasis on the safe and effective circulation of vehicles and pedestrians at the Train Depot. Considering site constraints as previously discussed, the mature landscape buffer between the subject site and the adjacent land use to the north has heretofore provided the least intrusive and most effective landscaping.

The project team feels Section 108-226 of the LDRs was written to anticipate the type of situation for which this waiver is requested. Because of the issues illuminated herein, we feel the donation in the amount of $5,000.00 upon the issuance of a waiver will benefit the public interest and adjacent property owners, as well as continuing to ensure the health, safety and well-being of all citizens and visitors to Key West.

Respectfully,

Owen Trepanier, Principal

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[i] **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:

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(Ord. No. 97-10, § 1(4-18.5), 7-3-1997)