

Minutes of the Key West Planning Board

February 20, 2014 DRAFT MINUTES

Chairman Richard Klitenick called the Key West Planning Board Meeting of February 20, 2014 to order at 6:01pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.

ROLL CALL

Present were: Michael Browning, Vice-Chairman Sam Holland, James Gilleran, Chairman Richard Klitenick Peter Pike, Cristy Spottswood and Lisa Tennyson

Excused absence:

Also in attendance were: Planning Director, Donald Craig, Chief Assistant City Attorney, Larry Erskine; Fire Department, Jason Barroso; Planning Department staff: Kevin Bond, Brendon Cunningham, and Stacy Gibson.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Don Craig stated that there were requests from the applicants to postpone Item 4, 1201 Duval to 525 Caroline transient license transfer to the next Planning Board Meeting on March 20, 2014 and also that Item 1, 2407 North Roosevelt, major development plan and conditional use be postponed to March 20, 2014 because the applicant is asking for a mitigation of the fine that has been opposed by the special master and that fine mitigation must be heard prior to the Planning Board hearing this item.

Mr. James Gilleran had asked the Planning Director about the appointment of Chairman and Vice- Chairman which occurred at the last meeting on January 23, 2014. Mr. Klitenick, for the record, did accept the appointment of Chairman.

Mr. Michael Browning asked that the recognition of prior members be placed on the agenda.

A motion to approve the amended agenda was made by Mr. Michael Browning and was seconded by Ms. Tennyson.

Motion carried by unanimous voice vote.

SO ORDERED.

APPROVAL OF MINUTES

- **January 23, 2014 Meeting**

A motion to approve the January 23, 2014 meeting minutes was made by Mr. Michael Browning and seconded by Ms. Lisa Tennyson.

Motion carried by unanimous voice vote.

SO ORDERED.

Old Business

1. **Major Development Plan & Conditional Use - 2407 North Roosevelt Boulevard (RE# 00002280-000100, AK# 8890613)** – A request to construct dockage with 79 berths in the C-OW zoning district per Section 108-91 B. 2(c) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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Postponed to March 20, 2014

New Business

2. Conditional Use – Habana Plaza, 3100 block of Flagler Avenue (RE# 00069090-000000; AK# 1072982) -

A request for conditional use approval to allow approximately 12,231 square feet of commercial floor area for use as a dollar store or a similar discount retail use within an existing building on property located within the Limited Commercial (CL) Zoning District pursuant to Section 122-388 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Chairman Richard Klitenick recused himself from this item due to a legal conflict. He passed the gavel onto Vice-Chairman, Mr. Sam Holland. Mr. Chairman left the dias during the discussion.

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

The applicant, Mr. Owen Trepanier, Trepanier and Associates, gave members an overview of the request.

Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning department recommends the request for conditional use be **approved** with the following conditions:

Conditions required prior to the issuance of a certificate of occupancy:

1. The original loading zone at the rear of the site is returned to its designated use as a loading zone and all commercial loading for the retail space at the front of the building shall cease.

Conditions subject to a Conditional Approval Permit, per Ordinance 10-22 subject to an associated annual inspection:

2. If shopping carts are to be used in the store, they shall remain in the store at all times and not be present in the parking lot.
3. All storage of solid refuse and recyclable materials shall remain inside the building or within an approved covered enclosure until the regularly scheduled time for pick-up.

A motion to approve the conditional use with the Planning department's recommendations, the change of verbiage in condition #3, the change of square footage and the type of retail was made by Mr. James Gilleran and seconded by Mr. Michael Browning.

Motion carried by unanimous voice vote.

SO ORDERED.

3. Conditional Use – 506 Southard Street – (RE # 00012290-000000; AK#1012629) – A request for conditional use approval for full alcohol sales at an existing bar and lounge located at 506 Southard Street, in the HRCC-1 zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Planning Board member Ms. Cristy Spottswood recused herself from this item due to her firm representing the seller of the liquor license.

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Mr. Chairman stated for the record that Planning Board prior approval was not in the original Legistar package. Staff did upload when it was brought to their attention.

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

The applicant's representative, Gregory Oropeza, of Smith /Oropeza , PL gave members an overview of the request.

Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning department recommends the request for conditional use to add full alcohol sales be **approved** with the new conditions and those as previously approved:

Conditions required to be met prior to issuance of a Conditional Approval Permit:

1. Seats in excess of the 14 originally approved shall be removed until such time as appropriate impact fees are submitted for a total of no more than 25 seats.
2. No more than one table and two chairs shall remain at the outdoor ADA seating area by the call button.

Conditions subject to a Conditional Approval Permit, per Ordinance 10-22 subject to an associated annual inspection:

1. Hours of operation are limited as follows: Monday through Thursday 10am to 2 am and Friday and Saturday from 10am to 4am and Sundays from 12pm to 2am; and
2. There will be no amplified live music or outdoor music on the premises; and
3. There will be no additional seats allowed without the further payment of impact fees.

A motion to approve the conditional use with the conditions was made by Mr. Sam Holland and seconded by Mr. Michael Browning.

Motion carried by unanimous voice vote.

SO ORDERED.

4. **Transient Unit and License Transfer – 1201 Duval (RE# 00028520-000000, AK#1029319) to 525 Caroline Street (RE# 00001210-000100, AK#8569858)** – A request for a Transient Transfer of one unit and license from property in the HRCC-3 zoning district to property in the HRCC-1 zoning district per Sections 122-1338 and 122-1342 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Postponed to March 20, 2014

PLANNER'S REPORT

Mr. Don Craig stated a request of the Board to have a special meeting on the 5th of March due to the rather large project of The Studios, the BPAS audit and a correction to a previously approved transient license transfer due to an incorrect address.

Q&A – Items of interest from Planning Board Members

ADJOURNMENT

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A motion to adjourn was made by Ms. Cristy Spottswood and seconded by Mr. Sam Holland.

Motion was carried by unanimous voice vote.

SO ORDERED.

Meeting adjourned at 6:58pm.

**Respectfully submitted by,
Stacy Gibson
Administrative Assistant II
Planning Department**