

**PLANNING BOARD
RESOLUTION NO. 2016-51**

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A MAJOR DEVELOPMENT PLAN PURSUANT TO SECTION 108-91.A.2. (b) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR REDEVELOPMENT OF A RESTAURANT AND ADJACENT PROPERTY ON PROPERTY LOCATED AT MALLORY SQUARE (RE # 00072082-001100, 00072082-001400, 0072082-003700) WITHIN THE HISTORIC PUBLIC AND SEMIPUBLIC SERVICES (HPS) ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE

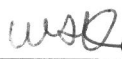
WHEREAS, Section 108-91 of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that, a Major Development Plan is required for the addition of nonresidential floor area addition or reconstruction of equal to or greater than 5,000 square feet of gross floor area; and

WHEREAS, Code Sections 108-196(a) the Planning Board to review and approve, with conditions or deny the proposed Major Development Plan in an advisory capacity to the City Commission; and


WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on October 20, 2016; and

WHEREAS, the granting of a Major Development Plan is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the Planning Board finds that the granting of a Major Development is in harmony with the general purpose and intent of the Land Development Regulations, and will not be



Chairman



Planning Director

injurious to the neighborhood, or otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

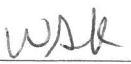

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. The Major Development Plan for the redevelopment of a restaurant and adjacent property containing 2,344 square feet of consumption area at Mallory Square (RE # 00072082-001100, 00072082-001400, 0072082-003700) within the within the Historic Public and Semipublic Services (HPS) zoning district pursuant to Sections 108-91.A.2.(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans, is hereby approved with the following conditions:

General conditions:

1. A total of 2,344 square feet of restaurant consumption area which equates to 156 seats is allowed within the lease hold area. The location of the consumption area within the restaurant may be modified in consultation with the City relative to final determinations regarding the cable hut located within the parcel. Alcohol sales are permitted as accessory to the principal restaurant business. The sale of food, dessert, and non-alcoholic beverages must constitute 51% or more of business and the sale of food must occur during the time in which service is being provided to the public.

2. During all phases of demolition and construction, temporary fencing and

 Chairman
 Planning Director

erosion barriers shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.

3. That a variance request to height requirements for non-habitable space is approved by the Board of Adjustment. The Planning Boards approval of the Major Development Plan does not require the construction of the tower.

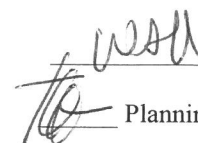

4. The project will comply with green building standards established by Chapter 255.2575(2), F.S., and will also provide for recycling of solid waste and meet “dark sky” lighting standards.

5. The proposed structures will be included in the final leasehold area determined by the City at the City’s discretion.

6. Public access to plazas and public access ways along Mallory Dock and the bridge to the Westin Marina shall remain unimpeded in perpetuity by the applicant. The city reserves the right to address access for public safety purposes.

7. The applicant will abide by Port Security requirements as required by the Port Facility Security Officer, including requirements deriving from the United States Navy when military vessels are berthed at this location.

8. Restaurant seating shall not exceed 156 seats on the site.

 Chairman
 Planning Director

9. 60% or more of the existing cable hut shall be retained into the new design.

Conditions prior to the City Commission hearing:

10. The applicant shall obtain final landscape plan approval from the Tree Commission.

Conditions prior to issuance of a building permit:

11. Stormwater plans must be approved by the Utilities Department prior to Building Permit issuance.

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

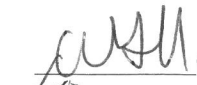

Conditions prior to issuance of a certificate of occupancy:

13. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.

Section 3. Full, complete and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

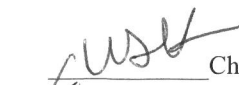
Section 4. This Major Development Plan application approval by the Planning Board does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the applicant's assertion of legal authority respecting the property.

Section 5. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Board.

 Chairman
 Planning Director

Cheryl Smith, City Clerk

Date


Chairman


Planning Director

DRAWING INDEX:

- A-1a SITE PLAN & SITE DATA
- A-1b EXISTING SITE PLAN & SITE DATA
- A-1c LIFE SAFETY PLAN
- A-2 PROPOSED FLOOR PLAN
- A-3 CONSUMPTION AREA FLOOR PLAN
- A-4 ELEVATIONS
- A-5 ELEVATIONS
- A-6 ELEVATIONS
- A-7 AERIAL SITE PLAN
- A-8 MALLORY SQUARE SITE PLAN
- A-9 ELEVATION

Concrete Seawall

"Tropical Soup"
PROPOSED RESTAURANT

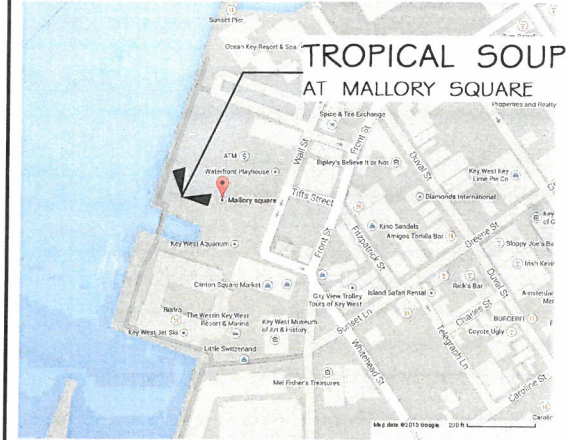
- AT MALLORY SQUARE -

ARCHITECTS : PETER PIKE & ASSOCIATES
 471 US HIGHWAY 1, KEY WEST, FLORIDA 305-296-1692

BUILDING TYPE:
 USE & OCCUPANCY: A-2
 CONSTRUCTION TYPE: VB, SPRINKLED

FLOOD ZONE:
 AE-10
 SEE ATTACHED FLOOD MAP
 FLOOD PROOFING BUILDING PER
 AE-10 PROPOSED STRUCTURAL FLOODPROOFING

LOCATION MAP:



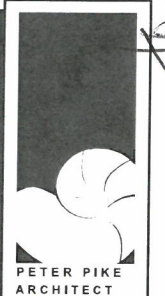
Site Data Table:

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Site Size	Not applicable	154,988 sf	No Change	Complies
Zoning	HPS	HPS	No Change	Complies
F.A.R.	1.0	0.25	0.28	Complies
Max Height	25'	28'8"	40'	Variance
Building Coverage	40%	21%	25%	Complies
Impervious Area	50%	90.85%	90.83%	Complies ¹
Landscape Area	20% min.	9.14%	9.14%	Complies ²
Open Space	20% min	9.14%	9.14%	Complies ²
Consumption Area	Grandfathered Nonconformity	2,344 sq. ft. ⁴	2,344 sq. ft. (156 seats)	Complies
Setbacks:				
CCCL	30'	11'11"	30'	Complies
Front	20'	26'14"	25'3"	Complies
South Side	15 feet	14'	15'	Complies
North Side	15 feet	42'04"	38'84"	Complies
Rear	20'	44'1"	24'4"	Complies
Parking ⁵	N/A	~100	~100	Complies ⁶

¹ PB Variance Resolution 2011-025
² PB Variance Resolution 2011-025
³ PB Variance Resolution 2011-025
⁴ Based on building department records
⁵ The entire project is located within the Historic Commercial Pedestrian-Oriented Area. No new consumption area related to the restaurant is proposed to be used until such time as expansion is permitted; further, the square footage and proposed use of the historic Hospitality House is expected to remain consistent with recent uses. Remaining development consists of improvement to public spaces; therefore, no additional parking is required for the project. The existing and proposed restaurant are only accessible by pedestrians, bicyclists and other ambulatory-assistive vehicles.
⁶ Pursuant to Sec. 108-573(c)

REVISIONS: DATE

05.29.2015
06.08.2015
09.02.2015



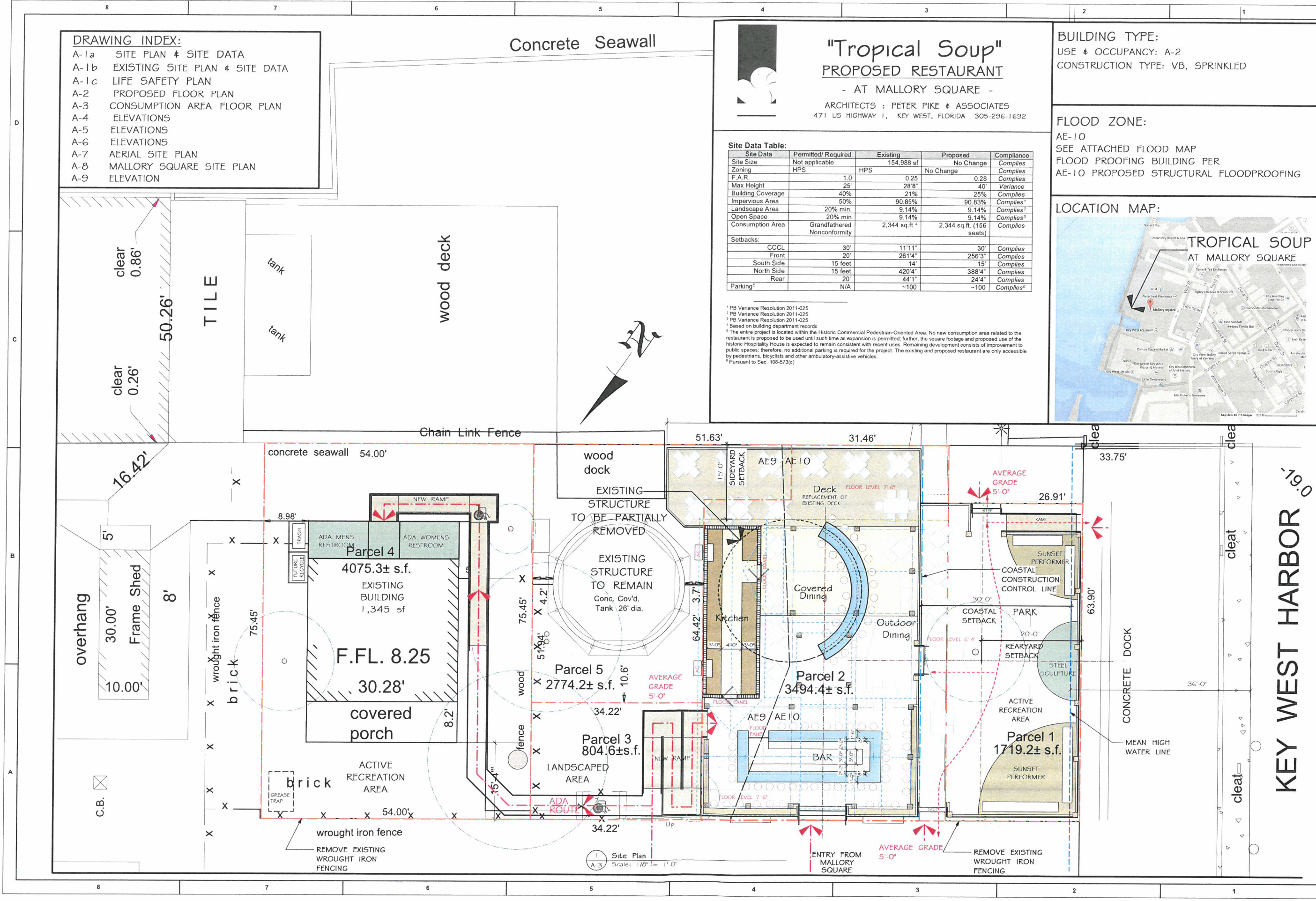
471 U.S. HIGHWAY 1
 SUITE 101
 KEY WEST, FL 33040
 305-296-1692

PROJECT:
TROPICAL SOUP
 MALLORY SQUARE
 KEY WEST, FL 33040

DRAWING TITLE:
 SITE PLAN & SITE DATA

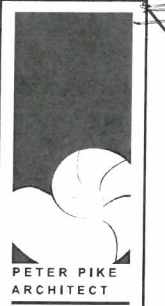
PROJECT NUMBER:
 14.17
 DRAWN: TSN
 CHECKED:
 DATE: 09.09.2015

SHEET #
A-1a



1 Site Plan
 A.3 Scale: 1/8" = 1'-0"

REVISIONS:	DATE
05.29.2015	
06.08.2015	
09.02.2015	



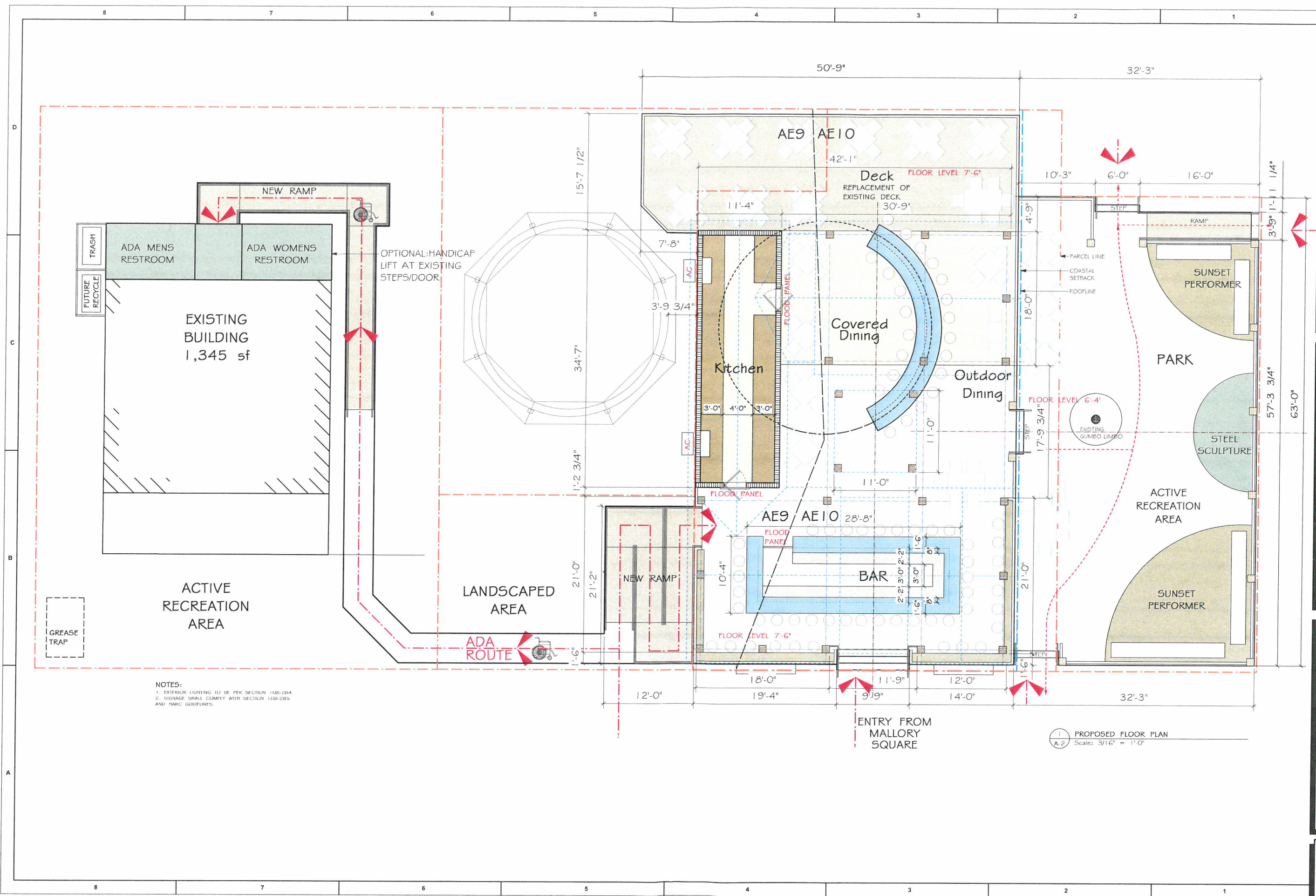
PETER PIKE ARCHITECT
 471 U.S. HIGHWAY 1
 SUITE 101
 KEY WEST, FL 33040
 305-296-1692

PROJECT:
TROPICAL SOUP
 MALLORY SQUARE
 KEY WEST, FL 33040

DRAWING TITLE:
PROPOSED FLOOR PLAN

PROJECT NUMBER:
 14.17
 DRAWN: TSN
 CHECKED:
 DATE: 09.09.2015

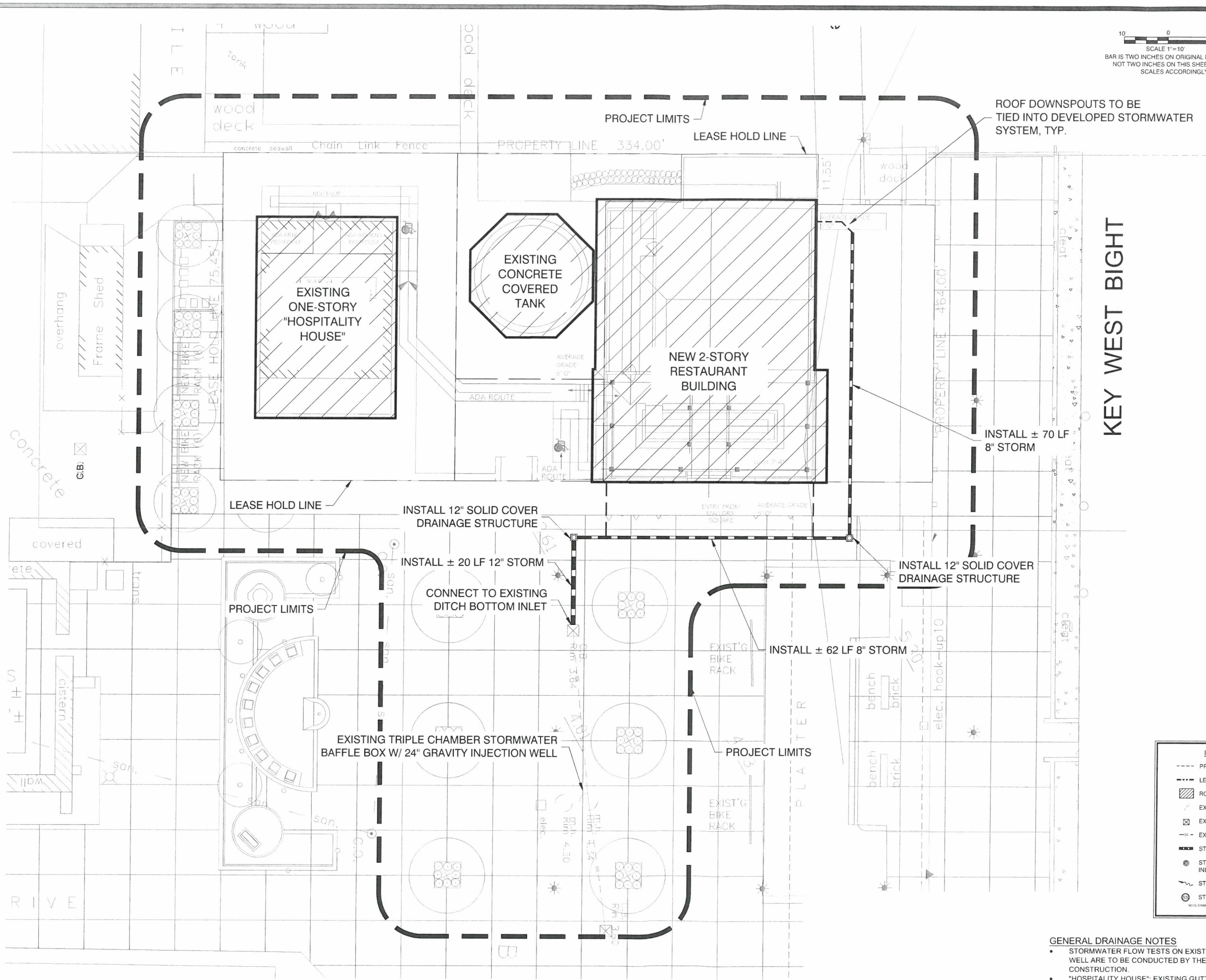
SHEET #
A-2



NOTES:
 1. EXTERIOR LIGHTING TO BE PER SECTION 108-284.
 2. SIGNAGE SHALL COMPLY WITH SECTION 108-285 AND MARK GUIDELINES.

1 PROPOSED FLOOR PLAN
 A-2 Scale: 3/16" = 1'-0"

SCALE 1"=10'
 BAR IS TWO INCHES ON ORIGINAL DRAWINGS IF NOT TWO INCHES ON THIS SHEET ADJUST SCALES ACCORDINGLY



KEY WEST BIGHT

LEGEND	
---	PROJECT LIMITS
---	LEASE HOLD LINE
▨	ROOF AREA
---	EXISTING GRADE
⊠	EXISTING DITCH BOTTOM INLET
---	EXISTING STORM PIPE
---	STORMWATER PIPE
⊙	STORMWATER INLET (NYLOPLAST INLINE BASIN)
→	STORMWATER FLOW
⊙	STORMWATER MANHOLE

NOTE: DIMENSIONS IN LEGEND ARE NOT TO SCALE

- GENERAL DRAINAGE NOTES**
- STORMWATER FLOW TESTS ON EXISTING GRAVITY INJECTION WELL ARE TO BE CONDUCTED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
 - "HOSPITALITY HOUSE": EXISTING GUTTER & DOWNSPOUT SYSTEMS TO BE REPAIRED AS REQUIRED.

CIVIL ENGINEERING • REGULATORY PERMITTING • CONSTRUCTION MANAGEMENT
Perez ENGINEERING & DEVELOPMENT, INC.
 1010 EAST PALM BLVD., SUITE 201
 KEY WEST, FL 33040
 TEL: (305) 857-1100 FAX: (305) 258-0225

ALLEN E. PEREZ, P.E.
 Florida P.E. NO. 51468
 March 12, 2015

REVISIONS:	ORIGINAL:
1	MARCH 2015
2	
3	
4	
5	
6	

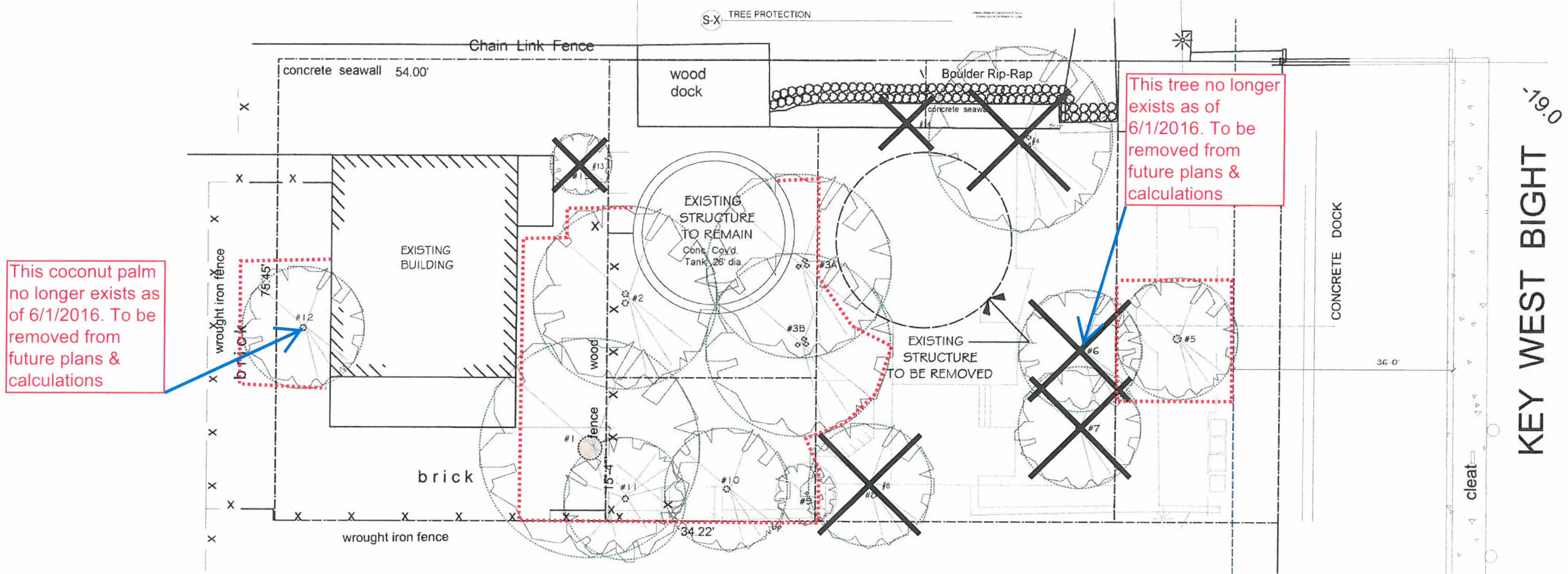
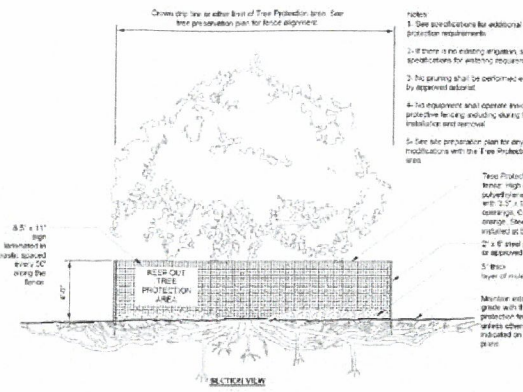
TROPICAL SOUP RESTAURANT
 MALLORY SQUARE
 KEY WEST, FL 33040

CONCEPTUAL DRAINAGE PLAN

JOB NO.	151020
DRAWN	BGO
DESIGNED	AEP
CHECKED	AEP
QC	
SHEET	

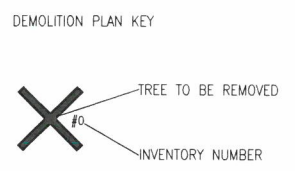
MALLORY SQUARE- Existing Tree & Palm Disposition						Photo Y/N	
#	Common Name	Height	Spread	DBH	Condition	Notes / Action	
1	Ficus	35'	35'	48"	Good	Remain	N
2	Sea Grape	20'	30'	12.5"	Dead	Remove	Y
3A	Sea Grape	30'	30'	6"x6" Multi.	Fair	Remain	N
3B	Sea Grape	30'	30'	6"x6" Multi.	Fair	Remain	N
4	Sea Grape	30'	30'	6"/2"/4"	Fair	Remove- Multi-trunk, encroaches on proposed building location.	Y
5	Gumbo Limbo	20'	20'	15"	Poor	Remain	N
6	Gumbo Limbo	20'	20'	15"	Good	Remove- Tree cambium severely damaged; long term health questionable.	Y
7	Poinciana	20'	20'	11"	Good	Remove- Tree in reasonable condition, encroaches on proposed building location.	Y
8	Coconut Palm	25'	20'	12"	Good	Remove- Encroaches on proposed building location.	Y
9	Ficus	15'	10'	4"	Poor	Remove- To accommodate proposed handicap ramp.	Y
10	Coconut Palm	20'	20'	12"	Good	Remain	N
11	Coconut Palm	25'	20'	12"	Good	Remain	N
12	Coconut Palm	20'	20'	12"/Bend	Fair	Remain	N
13	Washingtonia Palm	50'	10'	12"	Poor	Remove- Tree in very poor condition, safety hazard.	Y
14	Ficus			5"	Poor	Remove	N

Total Removed DBH Inches: 60.5"
(Palm Species not included in DBH Removed Calculation; Palm Species Replaced at a 1:1 Ratio: 2 Palms to be Replaced)

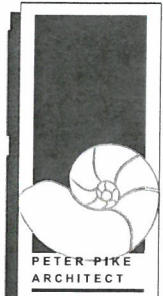


This coconut palm no longer exists as of 6/1/2016. To be removed from future plans & calculations

This tree no longer exists as of 6/1/2016. To be removed from future plans & calculations



REVISIONS:	DATE



477 U.S. HIGHWAY 1
SUITE 101
KEY WEST, FL 33040
305-296-1692

PROJECT:
TROPICAL SOUP
MALLORY SQUARE
KEY WEST, FL 33040

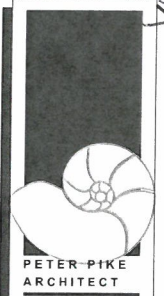
DRAWING TITLE:
SITE PLAN & SITE DATA

PROJECT NUMBER:
14.17
DRAWN: TSN
CHECKED:
DATE: 03.02.2015

SHEET 2
L-2
DEMOLITION PLAN

Handwritten notes and signatures in the top right corner.

REVISIONS:	DATE



PETER PIKE
ARCHITECT

471 U.S. HIGHWAY 1
SUITE 101
KEY WEST, FL 33040
305-296-1692

PROJECT:
TROPICAL SOUP
MALLORY SQUARE
KEY WEST, FL 33040

DRAWING TITLE:
SITE PLAN & SITE DATA

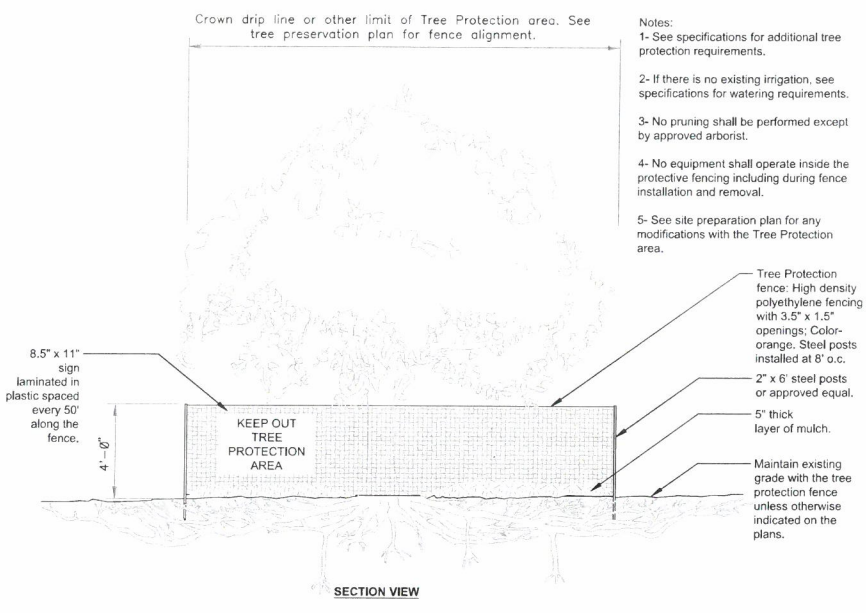
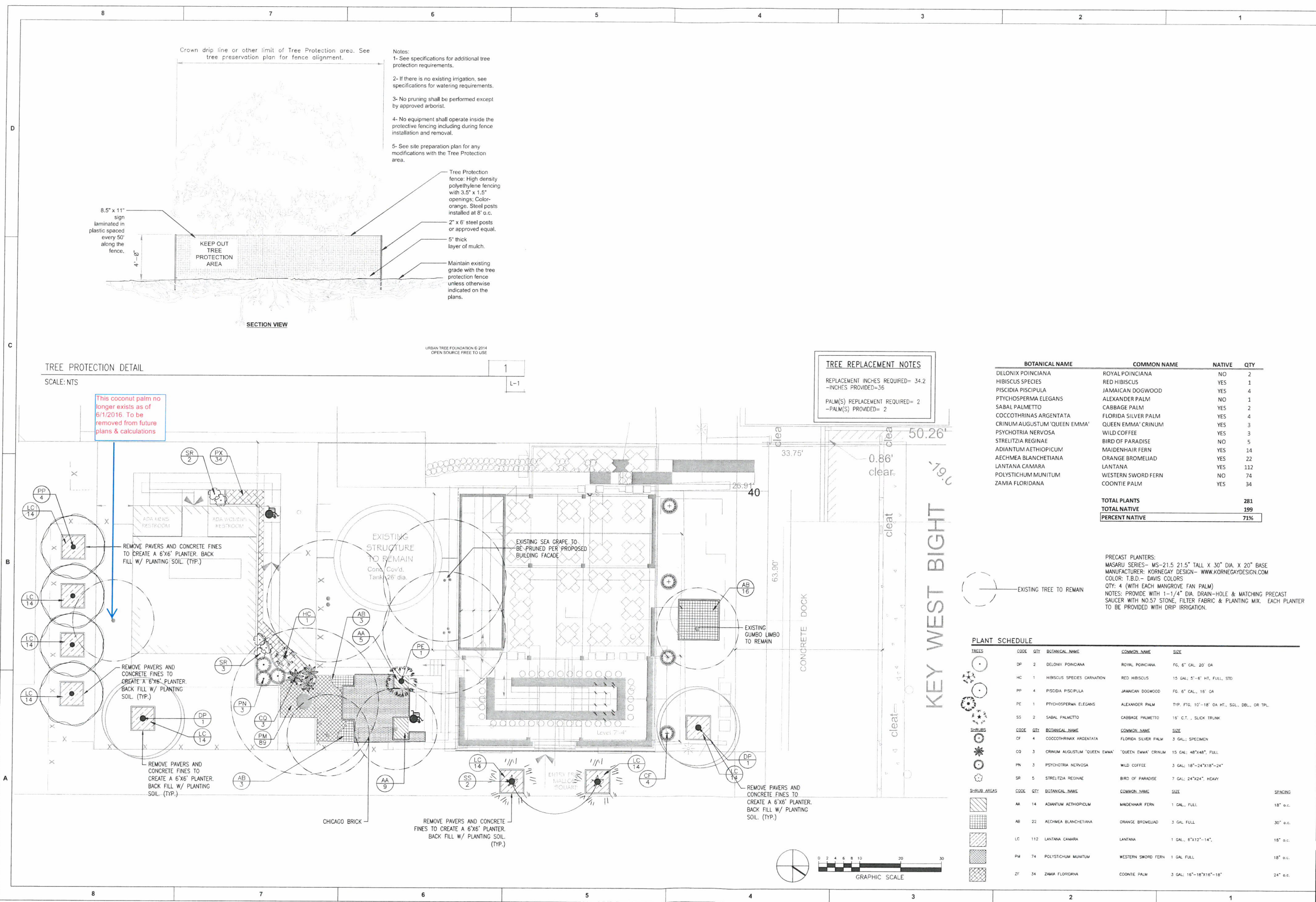
PROJECT NUMBER:
14.17

DRAWN: TSN

CHECKED:

DATE: 06.04.2015

SHEET 1
L-1
LANDSCAPE PLAN



- Notes:
- 1- See specifications for additional tree protection requirements.
 - 2- If there is no existing irrigation, see specifications for watering requirements.
 - 3- No pruning shall be performed except by approved arborist.
 - 4- No equipment shall operate inside the protective fencing including during fence installation and removal.
 - 5- See site preparation plan for any modifications with the Tree Protection area.

URBAN TREE FOUNDATION © 2014
OPEN SOURCE FREE TO USE

TREE PROTECTION DETAIL
SCALE: NTS

TREE REPLACEMENT NOTES

REPLACEMENT INCHES REQUIRED= 34.2
-INCHES PROVIDED= 36

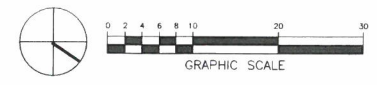
PALM(S) REPLACEMENT REQUIRED= 2
-PALM(S) PROVIDED= 2

BOTANICAL NAME	COMMON NAME	NATIVE	QTY
DELONIX POINCIANA	ROYAL POINCIANA	NO	2
HIBISCUS SPECIES	RED HIBISCUS	YES	1
PISCIDIA PISCIPULA	JAMAICAN DOGWOOD	YES	4
PTYCHOSPERMA ELEGANS	ALEXANDER PALM	NO	1
SABAL PALMETTO	CABBAGE PALM	YES	2
COCCOTHRINAS ARGENTATA	FLORIDA SILVER PALM	YES	4
CRINUM AUGUSTUM 'QUEEN EMMA'	QUEEN EMMA' CRINUM	YES	3
PSYCHOTRIA NERVOSA	WILD COFFEE	YES	3
STRELITZIA REGINAE	BIRD OF PARADISE	NO	5
ADIANTUM AETHIOPICUM	MAIDENHAIR FERN	YES	14
AECHMEA BLANCHETIANA	ORANGE BROMELIAD	YES	22
LANTANA CAMARA	LANTANA	YES	112
POLYSTICHUM MUNITUM	WESTERN SWORD FERN	NO	74
ZAMIA FLORIDANA	COONTIE PALM	YES	34
TOTAL PLANTS			281
TOTAL NATIVE			199
PERCENT NATIVE			71%

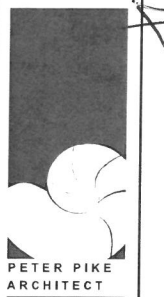
PRECAST PLANTERS:
MASARU SERIES- MS-21.5 21.5" TALL X 30" DIA. X 20" BASE
MANUFACTURER: KORNEGAY DESIGN- WWW.KORNEGAYDESIGN.COM
COLOR: T.B.D. - DAVIS COLORS
QTY: 4 (WITH EACH MANGROVE FAN PALM)
NOTES: PROVIDE WITH 1-1/4" DIA. DRAIN-HOLE & MATCHING PRECAST SAUCER WITH NO.57 STONE, FILTER FABRIC & PLANTING MIX. EACH PLANTER TO BE PROVIDED WITH DRIP IRRIGATION.

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SEEDING
DP	2		DELONIX POINCIANA	ROYAL POINCIANA	FG, 6" GAL, 20" DA	
HC	1		HIBISCUS SPECIES CARNATION	RED HIBISCUS	15 GAL, 5'-6" HT, FULL STD	
PP	4		PISCIDIA PISCIPULA	JAMAICAN DOGWOOD	FG, 6" GAL, 16" DA	
PE	1		PTYCHOSPERMA ELEGANS	ALEXANDER PALM	TYP. FTG, 10'-18" DA HT., SOIL, DBL., OR TPL.	
SS	2		SABAL PALMETTO	CABBAGE PALMETTO	16" C.T., SLICK TRUNK	
CF	4		COCCOTHRINAX ARGENTATA	FLORIDA SILVER PALM	3 GAL, SPECIMEN	
CO	3		CRINUM AUGUSTUM 'QUEEN EMMA'	'QUEEN EMMA' CRINUM	15 GAL, 48"X48", FULL	
PN	3		PSYCHOTRIA NERVOSA	WILD COFFEE	3 GAL, 18"-24"X18"-24"	
SR	5		STRELITZIA REGINAE	BIRD OF PARADISE	7 GAL, 24"X24", HEAVY	
AA	14		ADIANTUM AETHIOPICUM	MAIDENHAIR FERN	1 GAL, FULL	18" o.c.
AB	22		AECHMEA BLANCHETIANA	ORANGE BROMELIAD	3 GAL, FULL	30" o.c.
LC	112		LANTANA CAMARA	LANTANA	1 GAL, 6"X12"-14"	15" o.c.
PM	74		POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL, FULL	18" o.c.
ZF	34		ZAMIA FLORIDANA	COONTIE PALM	3 GAL, 16"-18"X16"-18"	24" o.c.



REVISIONS:	DATE
05.29.2015	
06.08.2015	
09.02.2016	



471 U.S. HIGHWAY 1
SUITE 101
KEY WEST, FL 33040
305-296-1692

PROJECT:
TROPICAL SOUP
MALLORY SQUARE
KEY WEST, FL 33040

DRAWING TITLE:
ELEVATIONS

PROJECT NUMBER:
14.17
DRAWN: TSN
CHECKED:
DATE: 09.09.2015

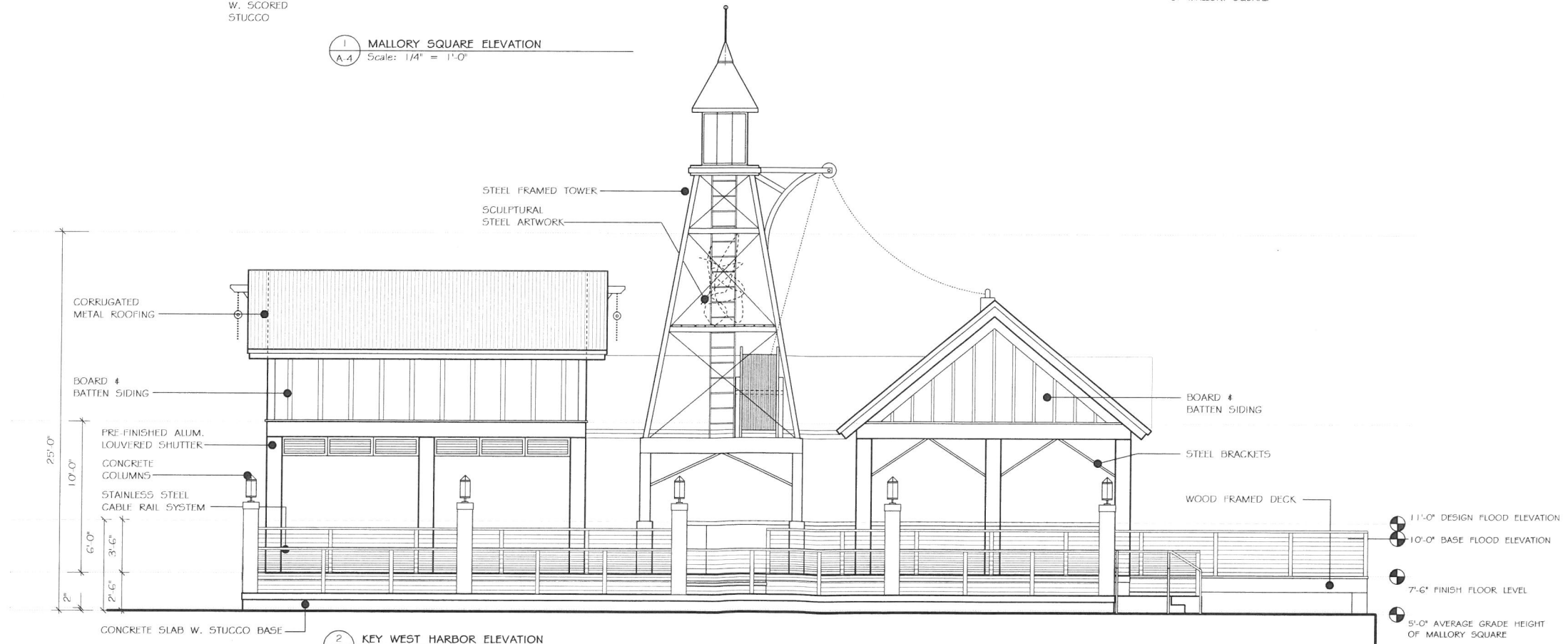
SHEET #
A-4

NOTES:

1. EXTERIOR LIGHTING TO BE PER SECTION 10B.284.
2. SIGNAGE SHALL COMPLY WITH SECTION 10B.285 AND HARC GUIDELINES.

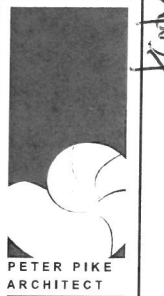


1 MALLORY SQUARE ELEVATION
A-4 Scale: 1/4" = 1'-0"



2 KEY WEST HARBOR ELEVATION
A-4 Scale: 1/4" = 1'-0"

REVISIONS:	DATE
	05.29.2015
	06.08.2016
	09.02.2016



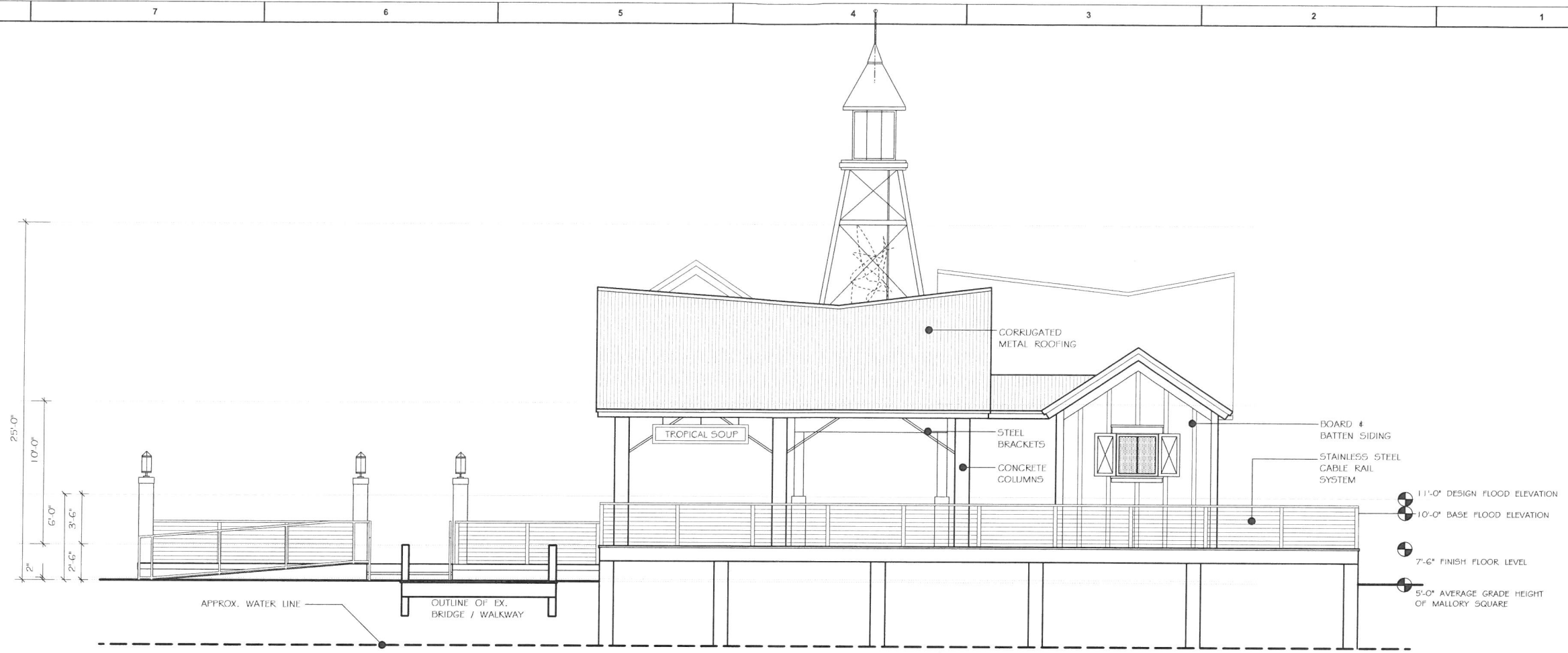
**PETER PIKE
ARCHITECT**
471 U.S. HIGHWAY 1
SUITE 101
KEY WEST, FL 33040
305-296-1692

PROJECT:
TROPICAL SOUP
MALLORY SQUARE
KEY WEST, FL 33040

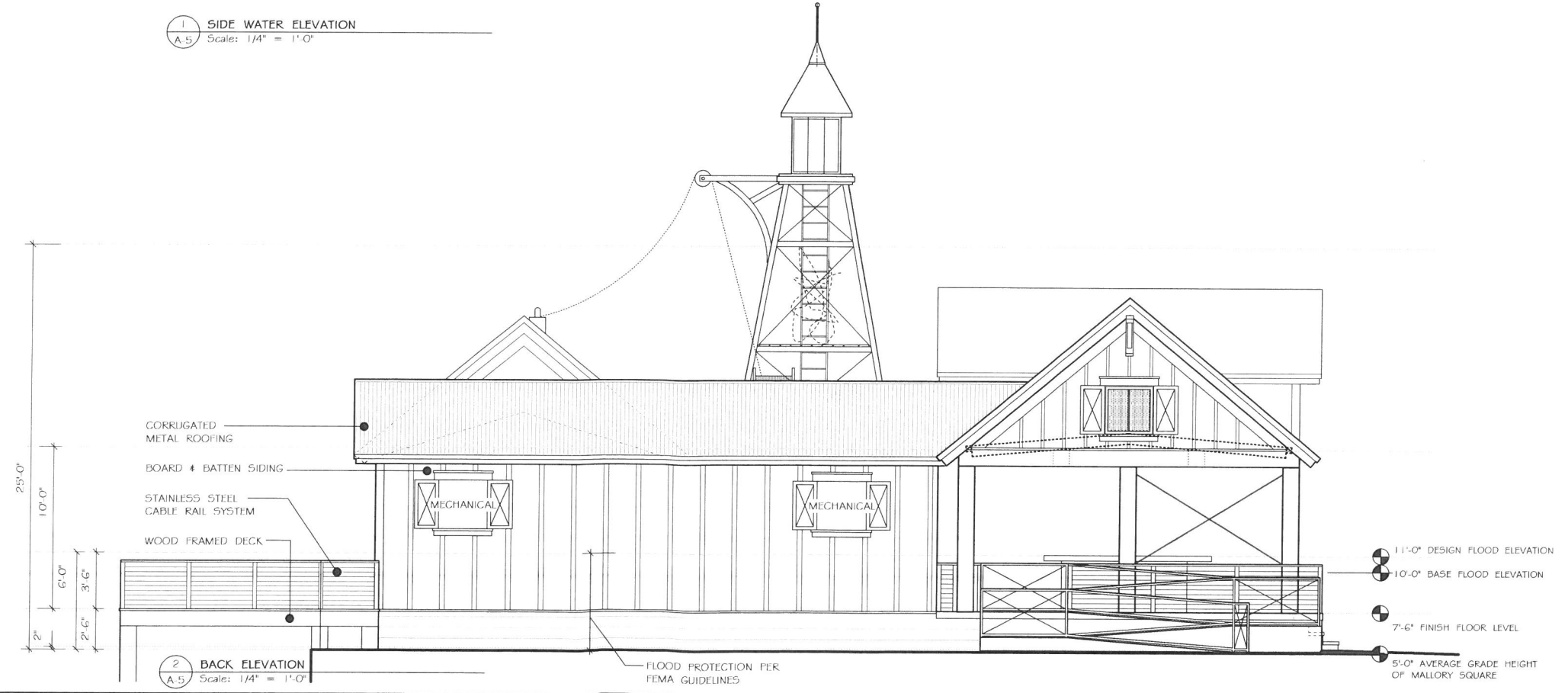
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ELEVATIONS

PROJECT NUMBER:
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DATE: 09.09.2015

SHEET #
A-5

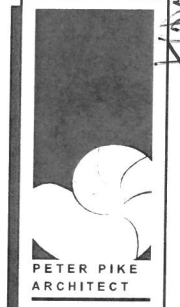


1 SIDE WATER ELEVATION
Scale: 1/4" = 1'-0"



2 BACK ELEVATION
Scale: 1/4" = 1'-0"

REVISIONS:	DATE
	05.29.2015
	06.08.2016
	09.02.2016



PETER PIKE
ARCHITECT
471 U.S. HIGHWAY 1
SUITE 101
KEY WEST, FL 33040
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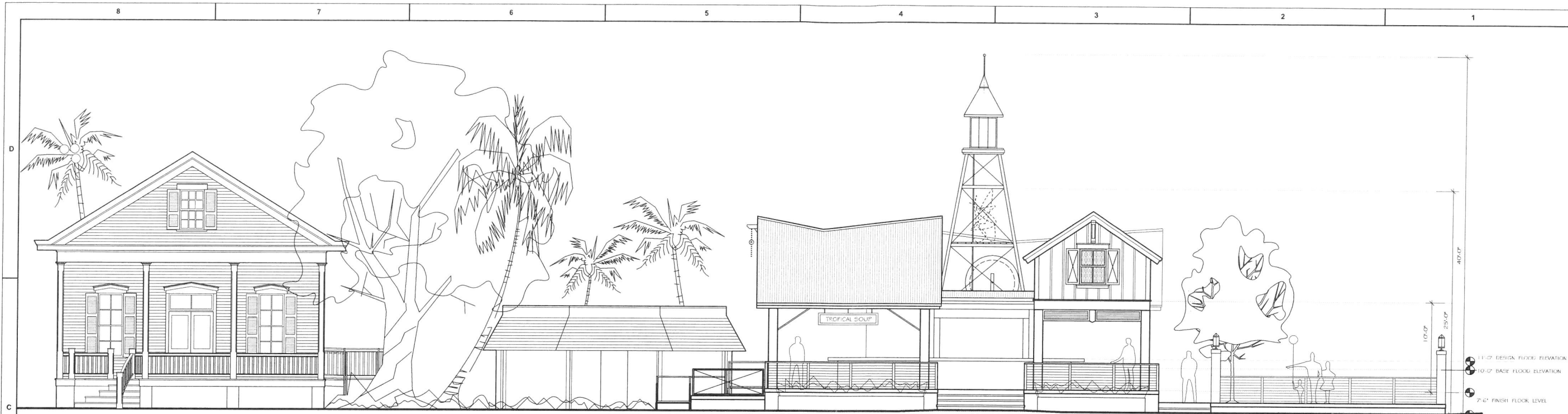
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TROPICAL SOUP
MALLORY SQUARE
KEY WEST, FL 33040

DRAWING TITLE:
ELEVATIONS

PROJECT NUMBER:
14.17
DRAWN: TSN
CHECKED:
DATE: 09.09.2015

SHEET #
A-6

Handwritten notes:
Tropical Soup
Mallory Square



2 MALLORY SQUARE ELEVATION
A-C Scale: 3/16" = 1'-0"



2 SIDE WATER ELEVATION
A-C Scale: 3/16" = 1'-0"

