

RESOLUTION NO. 12-228

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING A MAJOR DEVELOPMENT PLAN FOR REDEVELOPMENT OF THE WATERFRONT MARKET BUILDING FOR USE AS A RESTAURANT AND MICROBREWERY WITH WAREHOUSING AND DISTRIBUTION ABILITY FOR PROPERTY LOCATED AT 201 WILLIAM STREET (RE#00072082-004200) IN THE HRCC-2 ZONING DISTRICT, KEY WEST FLORIDA; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 108-91 of the Code of Ordinances provides that within the HRCC-2 Zoning District the addition of outdoor activity consisting of restaurant seating equal or greater than 2,500 square feet or other similar activities requires a Major Development Plan approval; and

WHEREAS, the applicant requested a Major Development Plan approval for a restaurant and micro-brewery with new outdoor seating, an allowed use, for city-owned property located in the HRCC-2 zoning district; and

WHEREAS, this matter came before the Planning Board at duly noticed public hearings on March 15, 2012, April 19, 2012, and May 31, 2012, resulting in Planning Board Resolution No. 2012-25; and

WHEREAS, pursuant to Section 108-198, the City Commission shall review and act upon Major Development Plan proposals; and

WHEREAS, the granting of the Major Development Plan will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

NOW THEREFORE BE IT RESOLVED by the City Commission 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. That the City Commission grants approval of the application for Major Development Plan, per Section 108-91 of the Code of Ordinances of the City of Key West, Florida, to redevelop the Waterfront Market building for the addition of outdoor commercial activity for a new restaurant and brewery with a total of 300 seats (150 on each floor) located at 201 William Street (RE# 00072082-004200) in the HRCC-2 zoning district, as shown in the attached plans stamped March 2, 2012, with the conditions provided in Planning Board Resolution No. 2012-25 and as specified as follows: (1) hours of operation (excluding City-approved special events) for the rooftop Waterfront Brewery Café are limited to 8:00 a.m. to 10:00 p.m., and any outdoor performance or entertainment activity, whether amplified or otherwise shall end by 10:00 p.m.; (2) The applicant shall obtain a Conditional Approval Permit, pursuant to 18-610.; (3) The applicant shall recycle materials accepted by the city's waste handling contractor; (4) New lighting shall be designed to "Dark Sky" lighting standards; (5) The upstairs turf area shall not be used for table placement or be considered consumption area; (6) The applicant shall renew the Conditional Approval permit issued by the City on an annual basis. The renewal is due on May 31st of every year; (7) The applicant

will install and maintain a programmable distributive sound system to assure compliance with the "unreasonable noise" definition of Section 26-191 of the Code of Ordinances, and shall include a computerized sound monitoring system with real time monitoring access provided to the City for the outdoor rooftop café area only; (8) any outdoor televisions will not be wired through the distributive sound system or any surround system; (9) the applicant shall point any speakers or any sound amplification device on the rooftop Waterfront Brewery Café away from neighboring and/or surrounding transient and residential properties; (10) the restaurant use is consistent with the October 21, 2008 Administrative Interpretation defining Bar/Lounge and Restaurant Uses attached herein; (11) the beer produced by the applicant on-site shall be entirely processed on-site in a continuous process, no part of which shall take place off-site.

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 does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of 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 Commission.

Section 6. This Resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Passed and adopted by the City Commission at a meeting held this 17 day of July, 2012.

Authenticated by the presiding officer and Clerk of the Commission on July 18, 2012.

Filed with the Clerk July 18, 2012.


CRAIG CATES, MAYOR

ATTEST:


CHERYL SMITH CITY CLERK



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager
Through: Donald Leland Craig, AICP, Planning Director
From: Nicole Malo, Planner II
Date: July 17, 2012
RE: **Major Development Plan - 201 William Street (RE# 00072082-004200)** A Major Development Plan for the addition of outdoor commercial activity for a new restaurant in the HRCC-2 zoning district per Section 108-91A(2)c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.

ACTION STATEMENT:

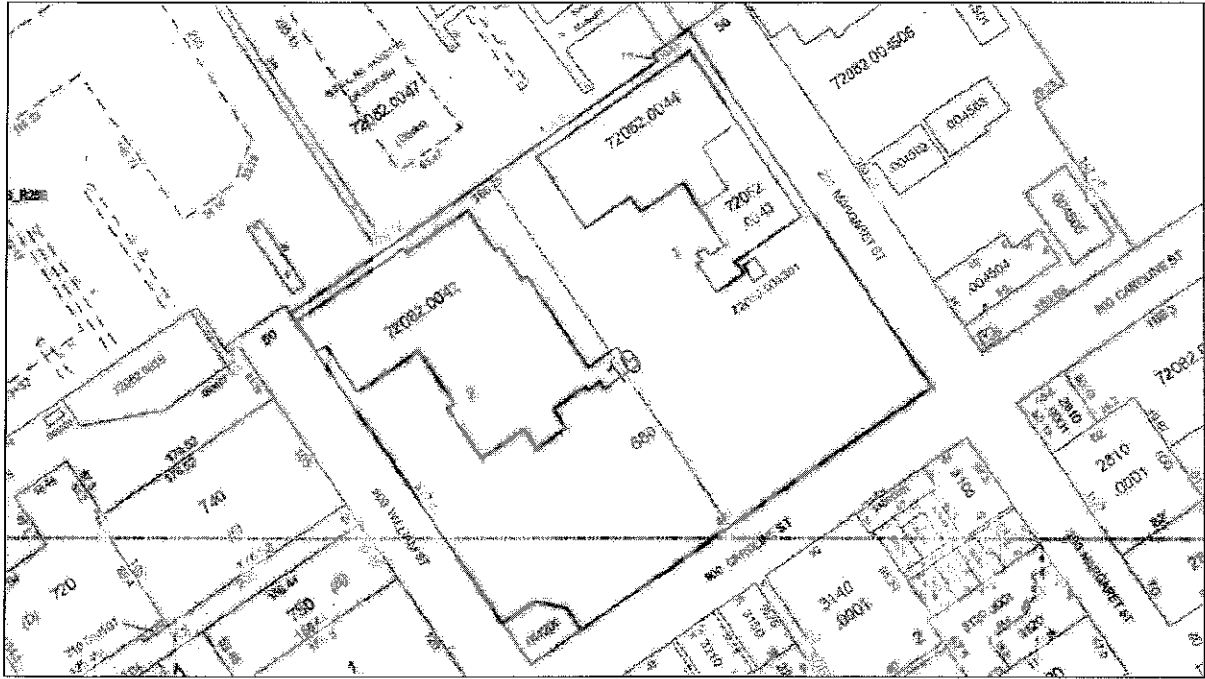
Request: To redevelop a portion of the City owned Key West Bight District property known as the Waterfront Market warehouse building and associated outdoor café area, loading docks, parking and landscaping, to be used as a restaurant with a brewery, events space and retail area, which are allowed uses in the HRCC-2 zoning district. Warehousing and distribution is an existing use on the site, previously associated with the market that may be continued as accessory to the principal use.

Location: 201 William Street, RE# 00072082-004200

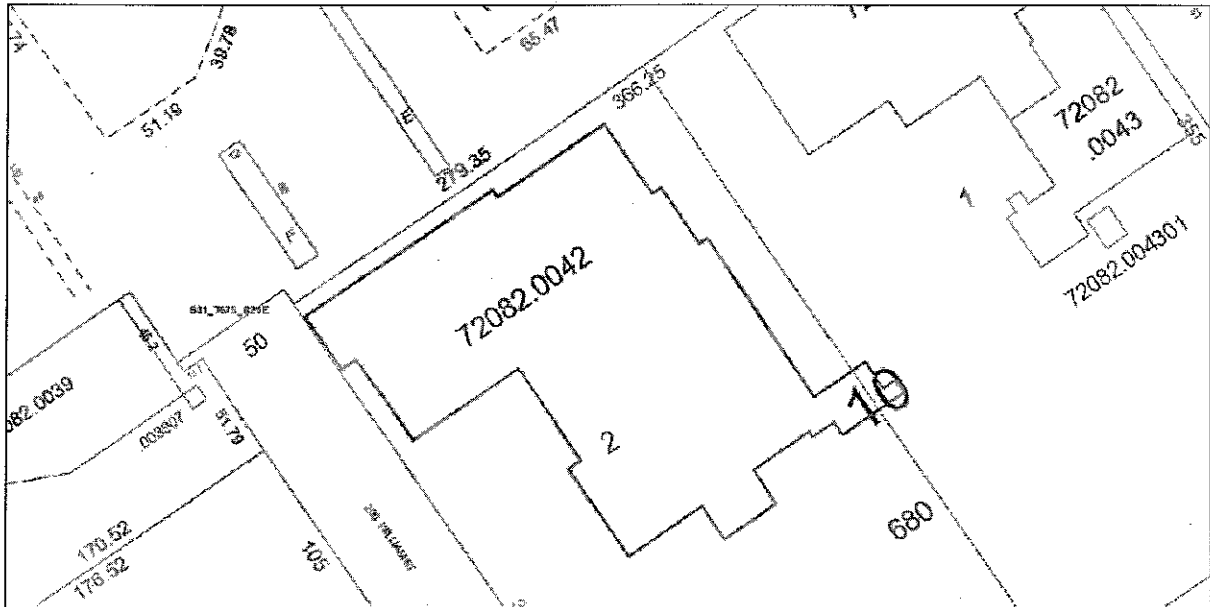
Zoning: Historic Residential Commercial Core – Key West Bight District (HRCC-2)

Previous City Actions:

Development Review Committee Meeting:	December 16, 2011
HARC Meetings:	January 25, 2012
	December 14, 2011
	#H12-01-49
	#H12-01-50
Tree Commission Meetings:	February 28, 2012
	April 12, 2012
Planning Board Meetings:	May 31, 2012 - Resolution 2012-25
	May 17, 2012 – No quorum
	April 19, 2012 – Postponed by Board
	March 15, 2012 – Postponed by applicant
City Commission Meeting:	July 17, 2012



Map 1 - Parcel of Record - RE#000680-000000
142,000 square feet



Map 2 - Leasehold Area - RE# 00072082-004200
25,140 square feet

Planning Staff Analysis:

This request for a Major Development Plan for a restaurant and brewery is triggered by the applicants request for a new outdoor restaurant cafe area only. The proposed uses and redevelopment of the existing commercial floor area is allowed as of right. Section 108-91 A(1)b of the City of Key West Land Development Regulations requires that any proposed plan within the historic district including the addition of outdoor commercial activity consisting of restaurant seating equal to or greater than 2,500 square feet shall require a Major Development Plan. On May 31, 2012 the Planning Board approved a recommendation for the proposed development plan to the City Commission through Resolution 2012-25 with eleven conditions (see below).

Prior to the Planning Board approval date the applicants met with neighboring interest groups and individuals several times to review the proposed project based on concerns about the potential noise that may generate from the outdoor rooftop café. On the evening of April 12, 2012 the applicant held a community meeting in order to demonstrate the impacts of the potential noise generation from the second story rooftop area on the neighboring properties. The test was run between 5:30-7:30 p.m at a time when there were numerous other sources of background noise; however, the music was played at levels higher than City Ordinance 26-191 allows for demonstration purposes, and there was common agreement that the noise was minimally audible from the ground around the sides and back of the building. Staff coordinated with the potential hotel developer of the nearest second story residential property immediately to the west of the project site, and the applicant in order to craft the proposed conditions of approval. Further, the applicant has relocated the proposed performance area in response to the neighbors' request (see Site Plan, A-4) and has agreed to point the speakers away from adjacent transient and residential properties as a condition of approval. It is the departments understanding that with these conditions in place, issues related to the closest residential neighbor are mostly resolved. The hearing of this application was postponed at the Planning Board once by the applicant and once by the Board in order for the applicant and the neighbors to continue to work through their concerns. Therefore, the Planning Board recommendation of approval with conditions has been carefully crafted in order to balance the needs of a mixed use district using operational restrictions to protect the neighborhood from potential noise, and to allow viable use of the commercial property. The proposed eleven conditions are based on a land use analysis inclusive of the neighborhood concerns regarding amplified music, the existing restrictions of Code Section 26-191 for Unreasonable Noise (see Attached Code Excerpts) and comparing the existing hours of operation for the surrounding business. The proposed land use controls agreed upon by the applicant as part of this Major Development Plan request are more restrictive than on any other restaurant in the Bight District and throughout the City. With the proposed conditions it is staffs understanding that the neighbors' concerns have been met to the best extent practicable. The proposed conditions are as follows:

General Conditions:

1. Hours of operation (excluding City approved special events) for the rooftop Waterfront Brewery Café are limited to 8 a.m. to 10 p.m. and any outdoor performance or entertainment activity whether amplified or otherwise shall end by 10 p.m.

2. The applicant shall obtain a Conditional Approval Permit, pursuant to Section 18-610.
3. The applicant shall recycle materials accepted by the city's waste handling contractor.
4. New lighting shall be designed to "Dark Sky" lighting standards.
5. The upstairs turf area shall not be used for table placement or be considered consumption area.
6. Prior to City Commission review of the project the applicant shall submit a site plan with location and direction of proposed speakers to the Planning Department for review and approval that will be attached to the Commission Review Package.

In order to ensure compliance, the following conditions are subject to the Conditional Approval Permit, per Ordinance 10-22 and subject to an associated annual inspection:

7. The applicant shall renew the Conditional Approval Permit issued by the City on an annual basis. The renewal is due on May 31st of every year.
8. The applicant will install and maintain a programmable distributive sound system to assure compliance with the "unreasonable noise" definition of Section 26-191 of the Code of Ordinances, and shall include a computerized sound monitoring system with real time monitoring access provided to the City.
9. Any outdoor televisions will not be wired through the distributive sound system or any surround sound system.
10. The applicant shall point any speakers or any sound amplification device on the rooftop Waterfront Brewery Café, away from neighboring and/or surrounding transient and residential properties.
11. The restaurant use is consistent with the October 21, 2008 Administrative Interpretation defining Bar/Lounge and Restaurant Uses attached herein.

Background Information:

The area proposed for redevelopment is part of the larger City owned Key West Bight district property and is also located within the boundaries of the Caroline Street Corridor Community Redevelopment Area. The leasehold area shown in Map 2 above is part of the larger parcel of record shown on Map 1 above. The area shown in Map 2 is known as the Waterfront Market building, located at the north end of William Street. The building is split into approximately eight units that are currently leased out separately for retail, office and restaurant uses. The proposed use will occupy a large portion of the building and the existing ongoing leaseholds will remain. The building was constructed around 1970 and was originally used as a shrimp processing facility; although, since the City acquired the property in 1993 it has been used primarily for restaurant, retail, wholesale food market, manufacturing (sailing equipment), distribution, and office space in accordance with the 1994 Bight Master Plan (see attached Bight Master Plan).

Most recently the building was a retail market, deli, and bakery with warehousing and distribution uses allowed for the packaging and delivery of produce to restaurants and markets throughout Key West. Warehousing and distribution are identified as Light Industrial uses in the Land Development Regulations (LDR's) and allowed conditionally within the HRCC-2 zoning

district; although, no conditional use approval from the city has been identified. These uses are also identified in the most recent 2007 Waterfront Market lease agreement (see attached). These uses are not considered abandoned pursuant to the definition of "Abandoned" pursuant to Code Section 86-9, and are therefore retains the status of existing non-conforming uses.

The uses identified in the Bight Master Plan (BMP) are examples of the limited Water-related uses intended to be allowed from 30' to 100' of the mean high water line within the HRCC-2 zoning district:

Water-related uses means activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water-dependent or waterway uses and/or provide supportive services to persons using a duly permitted marina. (Section 86-9)

Although the historic and existing uses of the Waterfront Market building are compatible with the intent of the BMP and LDR's, the HRCC-2 zoning district regulations further limit new development by requiring land uses within 30' of the mean high water line be water-dependent:

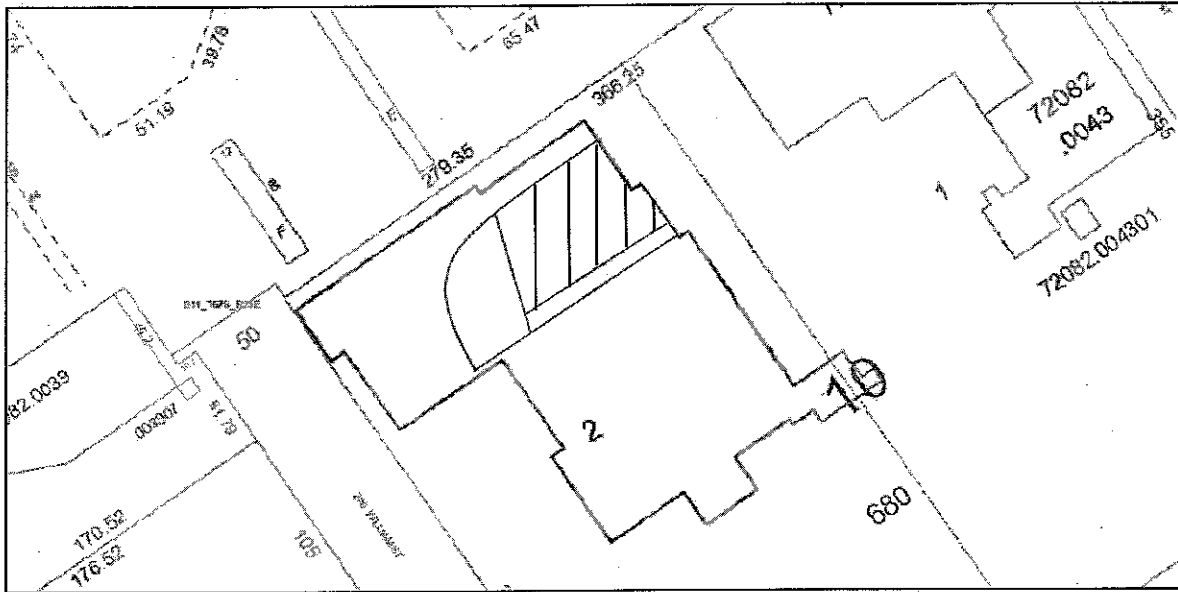
Water-dependent uses means activities which can be carried out only on, in or immediately adjacent to water areas because the use requires access to the water body for: waterborne transportation, including ports or marinas; recreation; electrical generating facilities; or water supply. (Section 86-9)

The Waterfront Market building is located approximately 15' feet from the mean high water line therefore the structure and its associated uses are historically and legally non-conforming to the HRCC-2 setback regulation. The structure is also legally non-conforming to dimensional requirements for the coastal construction control line setback, building setbacks, and water dependent uses setbacks, none of which shall be resolved without demolishing and relocating the structure. The parcel is part of the larger Key West Bight property and stormwater management requirements, landscaping, impervious surface, open space, the waste handling area and parking requirements are provided throughout the greater Bight District. The proposed updates to the Bight Master Plan being considered by the City and it's consultant at this time contemplate additional compliance with the LDR's for the Bight District as a whole.

The portion of the Waterfront Market building proposed for redevelopment is typical of a warehouse with two story ceiling throughout most of the space, and a total floor area of 18,692 square feet including three mezzanines most recently used for offices, storage, and consumption area for a juice bar and café. The portions of this building proposed for redevelopment is accessed from the harborwalk and from the parking lot that abuts Caroline Street in the front. There are multiple bays for loading and truck deliveries on each side of the building. Approximately fifteen conforming parking spaces were associated with the Waterfront Market and subsequent license holders; although, none of the parking spaces were officially dedicated to the building or its uses. Further, the Key West Bight Master Plan contemplated that the parking lots located at the end of Margaret and Caroline Streets and the Park and Ride on Grinnell Street were to accommodate the Bight uses.

Request and Analysis of Proposed Use:

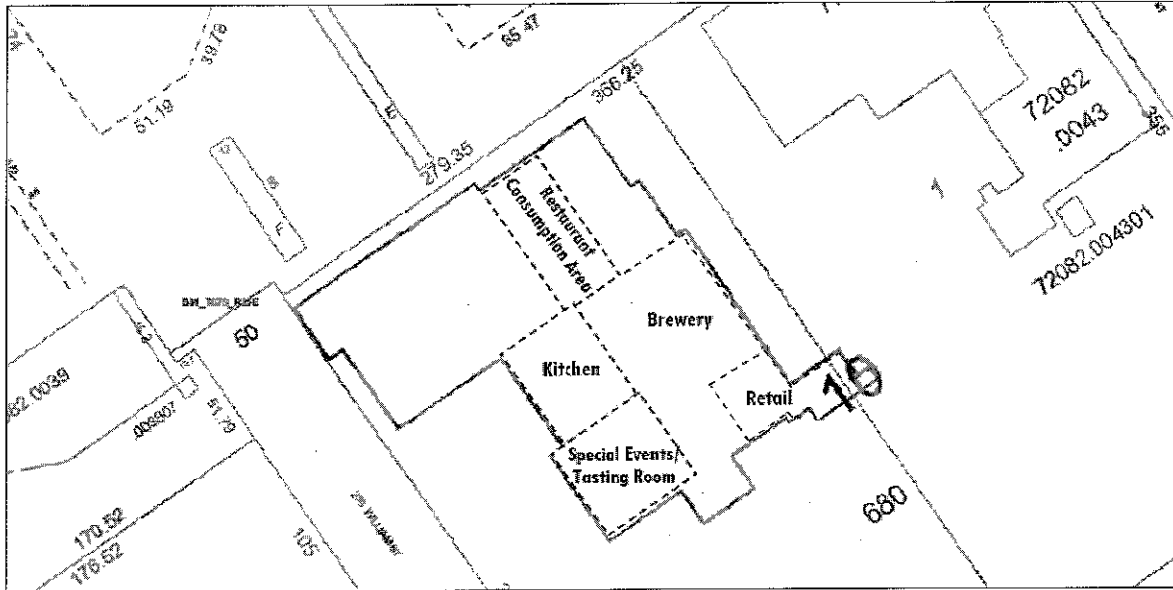
This Development Plan application is for the renovation of portions of the Waterfront Market building as a restaurant and micro-brewery with retail and special events areas of approximately 18,000 square feet of floor area. In addition, site improvements to the building façade, landscaping, parking and loading areas within the demised lease area are proposed. The uses proposed are permitted uses in the zoning district and the structure has a longstanding history of food and beverage sales for consumption on site and for distribution as described above. The development plan approval is triggered by the applicants request to add outdoor commercial activity consisting of 150 restaurant seats or 2,250 square feet of consumption area to the first floor roof top area overlooking the Bight. The proposed rooftop consumption area is shown in crosshatch in the plan below. 2,307 square feet of floor area associated with the new outdoor consumption area is proposed to be relocated from the removal of mezzanines existing within the building; therefore, no additional parking is required for the use located within the Historic Commercial Pedestrian Oriented Area pursuant to Section 108-573(c)1. However 18 parking spaces are proposed along with 40 bicycle/scooter spaces.



Proposed Roof Top Consumption Area

The interior uses located on the first floor of the building both accessible from the waterfront and from the front entrance include a second restaurant consumption area and the main kitchen that services both restaurant areas, ADA accessible bathrooms, the brewing area available for tours, a multi-use tasting and events area and a retail area (see Proposed First Floor Plan below). The proposed interior consumption area is approximately 3,500 square feet, but is limited to 150 seats. A stairway and ADA compliant lift access to the second storey from inside the main floor. To accommodate the proposed design the removal of three interior mezzanines (see Proposed Site Plan A-3 and A-4 for Building Data Table) is proposed. The second storey interior space will be limited to a storage area, a service kitchen and bathrooms. The outdoor area will consist of consumption area limited to 150 seats and 2,250 square feet. Amenities include a turf play area, a rooftop garden and a small performance area designed to direct noise away from nearby transient residential uses. The area is also buffered by the north third storey wall of the

warehouse portion of the building that should provide additional sound containment mitigation. The applicant has agreed to the installation of a distributive sound system, the redirection of speakers away from the proposed adjacent hotel, and limited hours of operation and entertainment to reduce potential noise impacts.



Proposed First Floor Plan

Overall improvements as part of this development plan include interior renovations, new entryway design, improved access, ADA accessibility, code compliant parking, increased landscaping, open space and a net reduction of impervious surface. The area proposed as part of this development plan is part of a larger parcel of record as described above; therefore, the site dimensions are related to the entire site of 142,000 s.f. No variances or waivers are required.

Approximately fifteen complaint parking spaces were associated with the Waterfront Market use and previous license holders; however, the spaces were not dedicated. The proposed plan maintains the fifteen parking spaces on the site and adds a new area to accommodate scooter and bicycle parking (40 spaces). The existing mural that covers the rear and side of the building will be maintained. Structural improvements to the façade of the building include a new concrete galvanized metal and glass entry feature that displays public art and surrounds the new stairway at the west side of the building. An exterior access door is also provided to the events room. An additional stairway is proposed on the east side of the structure as a secondary access for the outdoor restaurant. HARC granted a Certificate of Appropriateness for the proposed design and signage and a copy of the HARC staff report is attached to this package. Additional visual and repair improvements are proposed including the supportive uses relocations the air condenser units and machinery to the roof of the building.

The proposed development plan for existing and permitted land uses is compatible the BMP is that it anticipated an outdoor cafe “with views of the Harbor,” the CRA Plan that encourages improvements to blighted conditions, specifically the Waterfront Market building. No increase in net floor area is proposed and mitigative techniques are proposed to reduce noise impacts.

Further, the applicant has provided a concurrency analysis that shows that the proposed mixed use facility will not intensify the use of the premises by increasing required parking facilities or vehicular traffic (see attached Concurrency Management Report), and will not negatively affect any other concurrency standard.

Options / Advantages / Disadvantages:

Option 1. To approve the proposed Major Development Plan with the eleven conditions as proposed by the Planning Board in Resolution 2012-25 (see below):

1. **Consistency with the City's Strategic Plan, Vision and Mission:**
The City's Vision, Mission and Strategic Plan in which Economic Growth and Diversification that Sustains a Healthy Economy is supported.
2. **Financial Impact:** The City will not be responsible for the reconstruction and improvements of the City's property. The improvements should increase the value of the city's property and add to the CRA TIFF. Further, if the development plan is approved the lease agreement negotiation should provide revenues over \$30,000 a month to the city.

Option 2. To deny the proposed Major Development Plan

1. **Consistency with the City's Strategic Plan, Vision and Mission:** Denial of the proposed development plan is not consistent with the City's Strategic Plan, Vision, and Mission.
2. **Financial Impact:** The city will continue to lose over \$30,000 in monthly lease revenue for the unused property. The site has been vacant for over two years. In addition, although modest in expenditure the City has used resources for project management including staff time and the time of the various Boards for required for lease negotiation and development plan approvals.

RECOMMENDATION:

Staff and the Planning Board, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends Option 1, that the request for Major Development Plan be **approved** with the following conditions:

General Conditions:

1. Hours of operation (excluding City approved special events) for the rooftop Waterfront Brewery Café are limited to 8 a.m. to 10 p.m. and any outdoor performance or entertainment activity whether amplified or otherwise shall end by 10 p.m.
2. The applicant shall obtain a Conditional Approval Permit, pursuant to Section 18-610.
3. The applicant shall recycle materials accepted by the city's waste handling contractor.
4. New lighting shall be designed to "Dark Sky" lighting standards.

5. The upstairs turf area shall not be used for table placement or be considered consumption area.
6. Prior to City Commission review of the project the applicant shall submit a site plan with location and direction of proposed speakers to the Planning Department for review and approval that will be attached to the Commission Review Package.

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

7. The applicant shall renew the Conditional Approval Permit issued by the City on an annual basis. The renewal is due on May 31st of every year.
8. The applicant will install and maintain a programmable distributive sound system to assure compliance with the “unreasonable noise” definition of Section 26-191 of the Code of Ordinances, and shall include a computerized sound monitoring system with real time monitoring access provided to the City.
9. Any outdoor televisions will not be wired through the distributive sound system or any surround sound system.
10. The applicant shall point any speakers or any sound amplification device on the rooftop Waterfront Brewery Café, away from neighboring and/or surrounding transient and residential properties.
11. The restaurant use is consistent with the October 21, 2008 Administrative Interpretation defining Bar/Lounge and Restaurant Uses attached herein.


**PLANNING BOARD
RESOLUTION No. 2012-25**


**A RESOLUTION OF THE KEY WEST
PLANNING BOARD GRANTING MAJOR
DEVELOPMENT PLAN APPROVAL PER
SECTIONS 108-91 AND 108-96 THROUGH 108-
957 FOR RECONSTRUCTION OF THE
WATERFRONT MARKET BUILDING TO BE
USED AS A RESTAURANT AND MICRO-
BREWERY WITH WAREHOUSING AND
DISTRIBUTION ABILITY FOR PROPERTY
LOCATED AT 201 WILLIAM STREET
(RE#00072082-004200) IN THE HRCC-2
ZONING DISTRICT, KEY WEST FLORIDA;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Section 108-91 of the Code of Ordinances provides that within the Historic District a Major Development Plan is required for the addition of outdoor activity consisting of restaurant seating equal or greater than 2,500 square feet or other similar activities; and

WHEREAS, the applicant proposed a development plan for a restaurant and micro-brewery with new outdoor seating, an allowed use, for city owned property located in the HRCC-2 zoning districts; and

WHEREAS, Section 108-196(a) requires the Planning Board to review and approve, approve with conditions, or deny the proposed Major Development Plan; and



Chairman


Planning Director

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on March 15, 2012 and April 19, 2012 and was postponed to work out issues with the neighbors; and

WHEREAS, this matter came back before the Planning Board at a special meeting on May 31, 2012; and

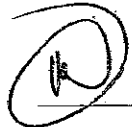
WHEREAS, the granting of a Major Development Plan application is consistent with the criteria of the Code of Ordinances; and


WHEREAS, the Planning Board finds that the granting of a Major Development application is in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

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 the Waterfront Market building for the addition of outdoor commercial activity for a new restaurant and brewery with a total of 300 seats (150 on each floor) located at 201 William Street (RE# 00072082-004200) in the HRCC-2 zoning district per Section 108-91A(2)c. of the Land Development Regulations of the Code of Ordinances of the City of Key West, as shown in the attached plans stamped March 2, 2012, is



Chairman


Planning Director


hereby approved with the following conditions of approval:

General Conditions:


1. Hours of operation (excluding City approved special events) for the rooftop Waterfront Brewery Café are limited to 8 a.m. to 10 p.m. and any outdoor performance or entertainment activity whether amplified or otherwise shall end by 10 p.m.
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8. The applicant will install and maintain a programmable distributive sound system to assure compliance with the "unreasonable noise" definition of Section 26-191 of the Code of



Chairman



Planning Director

Ordinances, and shall include a computerized sound monitoring system with real time monitoring access provided to the City for the outdoor rooftop café area only.

9. Any outdoor televisions will not be wired through the distributive sound system or any surround sound system.
10. The applicant shall point any speakers or any sound amplification device on the rooftop Waterfront Brewery Café, away from neighboring and/or surrounding transient and residential properties.
11. The restaurant use is consistent with the October 21, 2008 Administrative Interpretation defining Bar/Lounge and Restaurant Uses attached herein.

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 Commission.

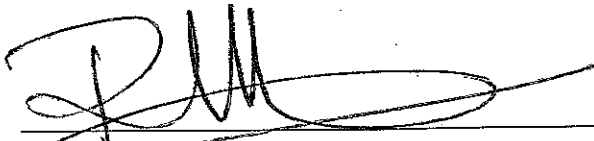
Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has

 Chairman
 Planning Director

expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a special meeting held this 31st day of May, 2012.

Authenticated by the Chairman of the Planning Board and the Planning Director.



Richard Klitenick, Chairman
Key West Planning Board

6/6/2012
Date

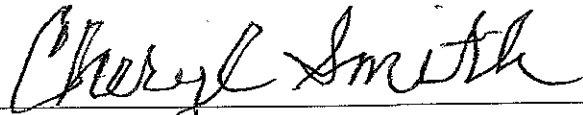
Attest:



Donald Leland Craig, AICP
Planning Director

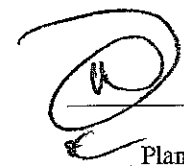
6-5-12
Date

Filed with the Clerk:



Cheryl Smith, City Clerk

6-6-12
Date



Chairman
Planning Director

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CONSUMPTION AREA**
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RECEIVED
March 2, 1971
KW Planning Corp

WILLIAM HORN
ARCHITECT, P.A.
1100 N. W. 10th St.
MIAMI, FLORIDA 33136

PROJECT OF
DESIGN
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DRAWN BY
CHECKED BY
JOB NO.

DATE
1-11-71
JOB NO. DRG
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DESIGNER
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DESIGN
DATE
DRAWN BY
CHECKED BY
JOB NO.

DATE
1-11-71
JOB NO. DRG
119

DESIGNER
EWA
PHI

DATE
1-11-71
JOB NO. DRG
119

PROJECT OF
DESIGN
DATE
DRAWN BY
CHECKED BY
JOB NO.

DATE
1-11-71
JOB NO. DRG
119

DESIGNER
EWA
PHI

DATE
1-11-71
JOB NO. DRG
119

PROJECT OF
DESIGN
DATE
DRAWN BY
CHECKED BY
JOB NO.

DATE
1-11-71
JOB NO. DRG
119

DESIGNER
EWA
PHI

DATE
1-11-71
JOB NO. DRG
119

PROJECT OF
DESIGN
DATE
DRAWN BY
CHECKED BY
JOB NO.

DATE
1-11-71
JOB NO. DRG
119

DESIGNER
EWA
PHI

DATE
1-11-71
JOB NO. DRG
119

PROJECT OF
DESIGN
DATE
DRAWN BY
CHECKED BY
JOB NO.

DATE
1-11-71
JOB NO. DRG
119

DESIGNER
EWA
PHI

SITE DATA

SITE AREA: 10,000 SF (2.25 ACRES)
LAND USE: INDUSTRIAL
PLANNING: 100% (100% OF SITE)
ZONING: 100% (100% OF SITE)

FRONT SETBACKS:
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)

REAR SETBACKS:
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)

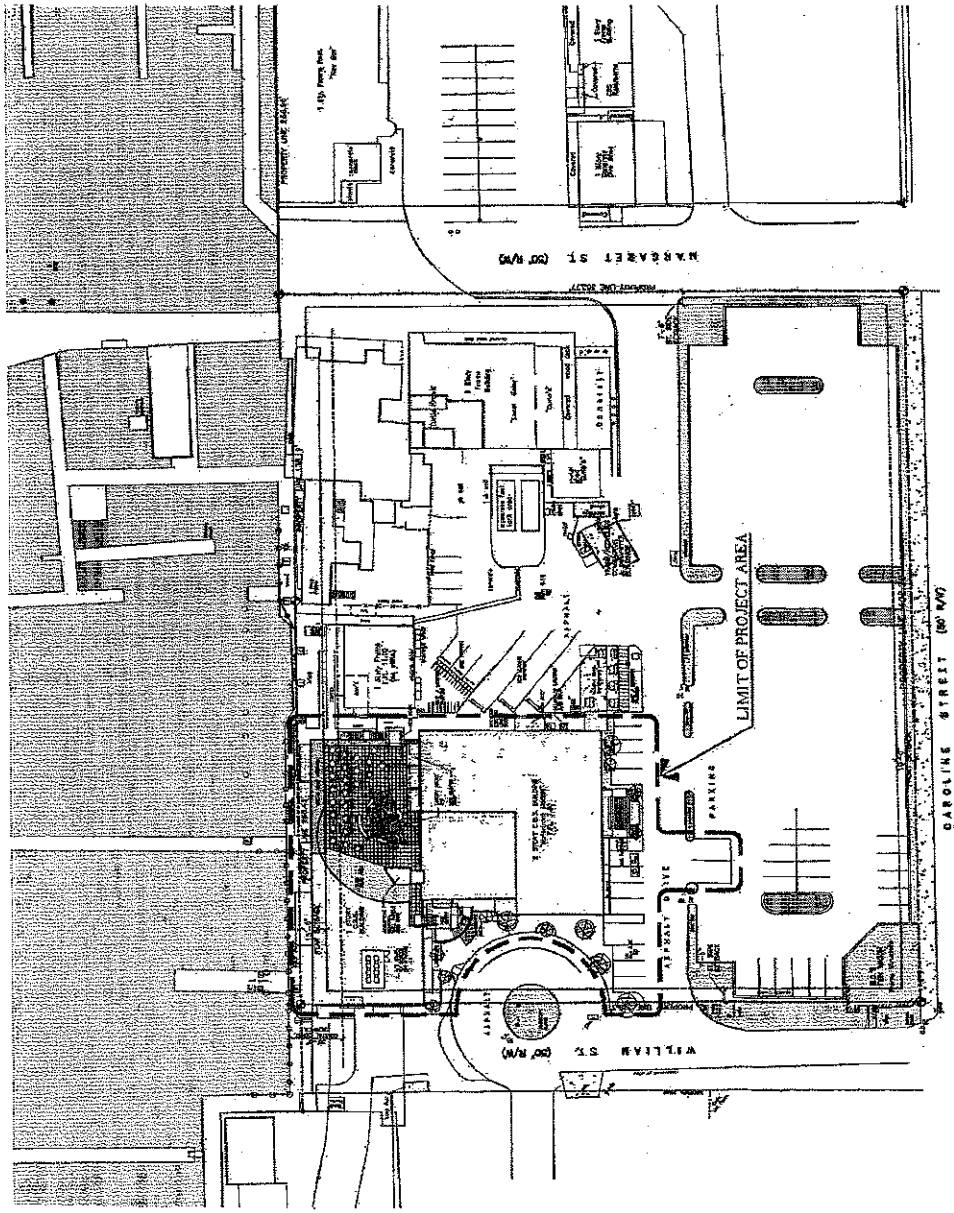
SEWERAGE:
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)

WATER SUPPLY:
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)

UTILITIES:
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)

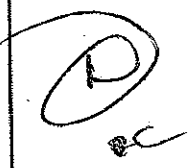
CONSTRUCTION AREA:
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)

PERMITS:
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)
 - 10' (100% OF SITE)



PROPOSED SITE PLAN - ROOF PLAN
 SCALE: 1" = 30'-0"
 SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED BY SURVEYOR GUYTON W. HILDEBRAND, SURVEYOR LICENSE NO. 01-01-47-68

WATERFRONT BREWERY
 201 WILLIAM STREET
 KEY WEST EIGHT, FLORIDA



WILLIAM P. HORN
ARCHITECT, T.A.

PROJECT NO.
DATE

TITLE SHEET
DATE OF SHEET
L.S. 111111
A-2

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FL

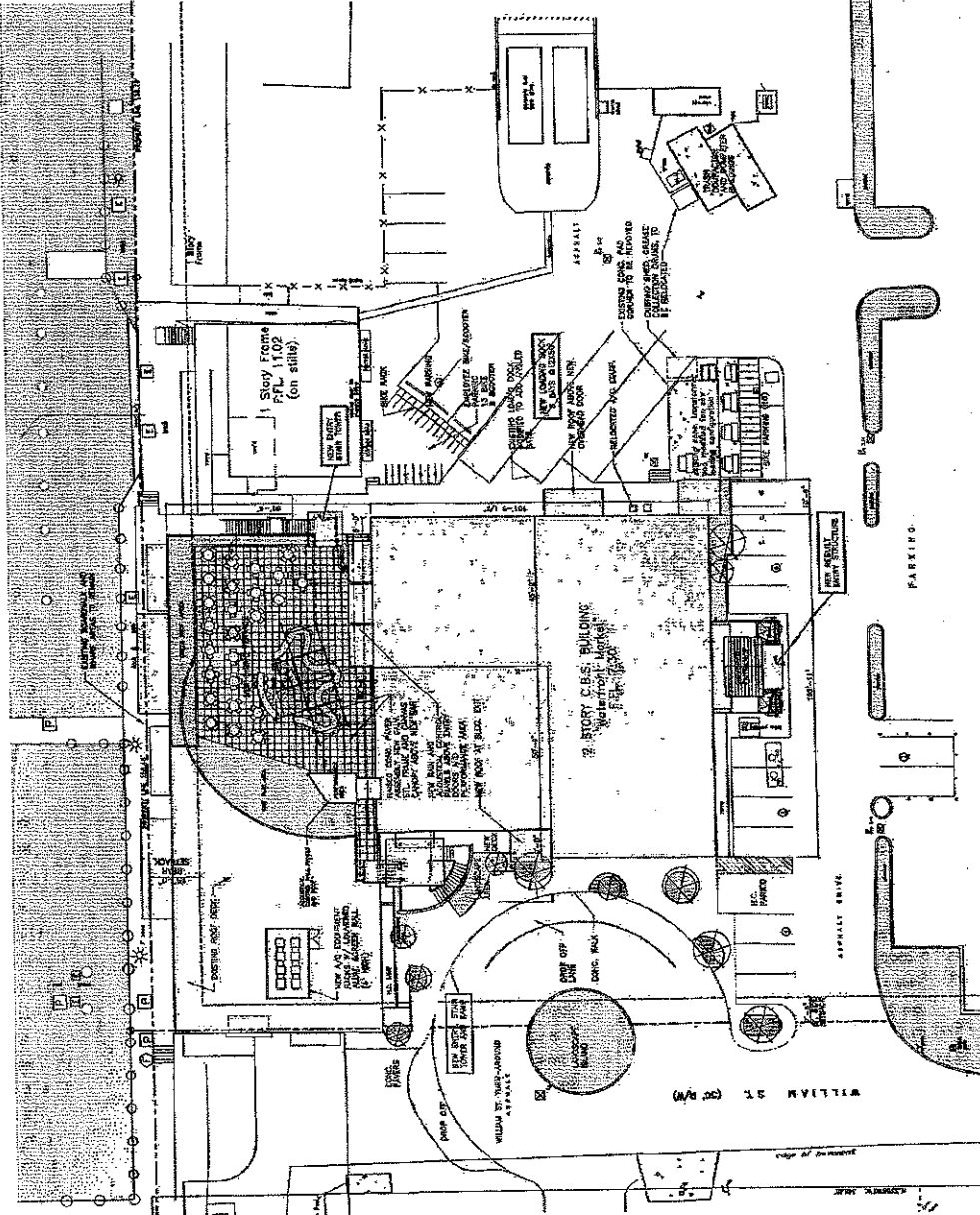
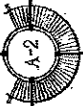
SCALE

THIS PLAN IS TO BE USED ONLY
FOR THE PROJECT AND NOT BE
REPRODUCED OR COPIED IN ANY
MANNER WITHOUT THE WRITTEN
CONSENT OF WILLIAM P. HORN

DATE
1-11-11 MARC
1-11-11 DMK

APPROVED

DRAWN BY
EWH
PWH
DATE
11/11



PROPOSED SITE PLAN - ROOF PLAN
SCALE: 1/8" = 1'-0"
SITE PLAN BASED ON INFORMATION
OBTAINED FROM SURVEYOR
SURVEYOR DATED ON 02-27-06

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA



RECEIVED
 March 2, 2003
 K/W Planning Dept



WALL LEGEND

-----	EXISTING WALL
-----	NEW WALL
-----	WALL TO BE REMOVED

BUILDING DATA

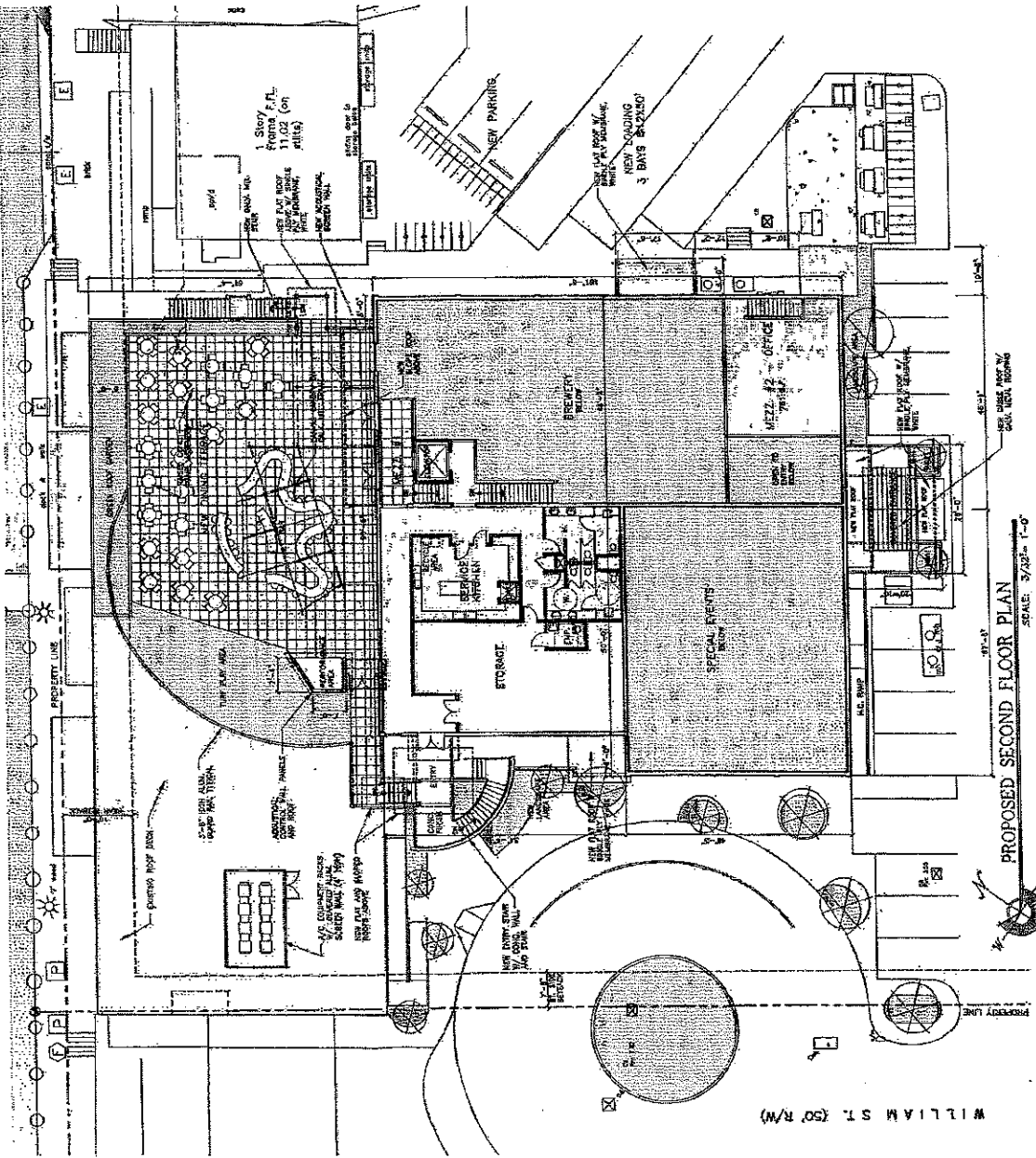
EXISTING BUILDING DATA (LEASE AREA)	
TOTAL AREA	14,000 S.F.
MEZZ. A	2,000 S.F.
MEZZ. B	1,000 S.F.
MEZZ. C	1,000 S.F.
MEZZ. D	1,000 S.F.
TOTAL EXISTING AREA	14,000 S.F.

EXISTING AREA TO BE REMOVED

MEZZ. A	2,000 S.F.
MEZZ. B	1,000 S.F.
MEZZ. C	1,000 S.F.
MEZZ. D	1,000 S.F.
TOTAL AREA TO BE REMOVED	5,000 S.F.

PROPOSED BUILDING DATA

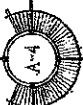
MEZZ. A	2,000 S.F.
MEZZ. B	1,000 S.F.
MEZZ. C	1,000 S.F.
MEZZ. D	1,000 S.F.
MEZZ. E	1,000 S.F.
MEZZ. F	1,000 S.F.
MEZZ. G	1,000 S.F.
MEZZ. H	1,000 S.F.
MEZZ. I	1,000 S.F.
MEZZ. J	1,000 S.F.
MEZZ. K	1,000 S.F.
MEZZ. L	1,000 S.F.
MEZZ. M	1,000 S.F.
MEZZ. N	1,000 S.F.
MEZZ. O	1,000 S.F.
MEZZ. P	1,000 S.F.
MEZZ. Q	1,000 S.F.
MEZZ. R	1,000 S.F.
MEZZ. S	1,000 S.F.
MEZZ. T	1,000 S.F.
MEZZ. U	1,000 S.F.
MEZZ. V	1,000 S.F.
MEZZ. W	1,000 S.F.
MEZZ. X	1,000 S.F.
MEZZ. Y	1,000 S.F.
MEZZ. Z	1,000 S.F.
TOTAL PROPOSED AREA	19,000 S.F.



PROPOSED SECOND FLOOR PLAN
 SCALE: 3/32" = 1'-0"

WATERFRONT BREWERY
 201 WILLIAM STREET
 KEY WEST, FLORIDA

PT



WATERFRONT BREWERY
 201 WILLIAM STREET
 KEY WEST, FLORIDA

SEAL

DATE: 11/11/02
 12/11/02

DESIGNED BY: [Name]
 DRAWN BY: [Name]

REVISIONS:

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

PROJECT NO. [Number]

DATE: 11/11/02

WALL LEGEND

[Symbol]	EXISTING NO. FINISH WALL COUNT
[Symbol]	NEW WALL
[Symbol]	ROOFING TO BE REPAIRED

BUILDING DATA

EXISTING BUILDING DATA (LEASE AREA)	
1ST FLOOR	18,840 S.F.
2ND FLOOR	18,840 S.F.
MEZZ #1	1,427 S.F.
MEZZ #2	791 S.F.
TOTAL EXISTING ENCLOSED AREA	38,898 S.F.
TOTAL EXISTING ENCLOSED ROOF AREA	1,843 S.F.

EXISTING AREA TO BE REMOVED

(C) 1ST FLOOR	18,840 S.F.
(C) 2ND FLOOR	18,840 S.F.
(C) MEZZ #1	1,427 S.F.
(C) MEZZ #2	791 S.F.
TOTAL AREA REMOVED	38,898 S.F.

PROPOSED BUILDING DATA

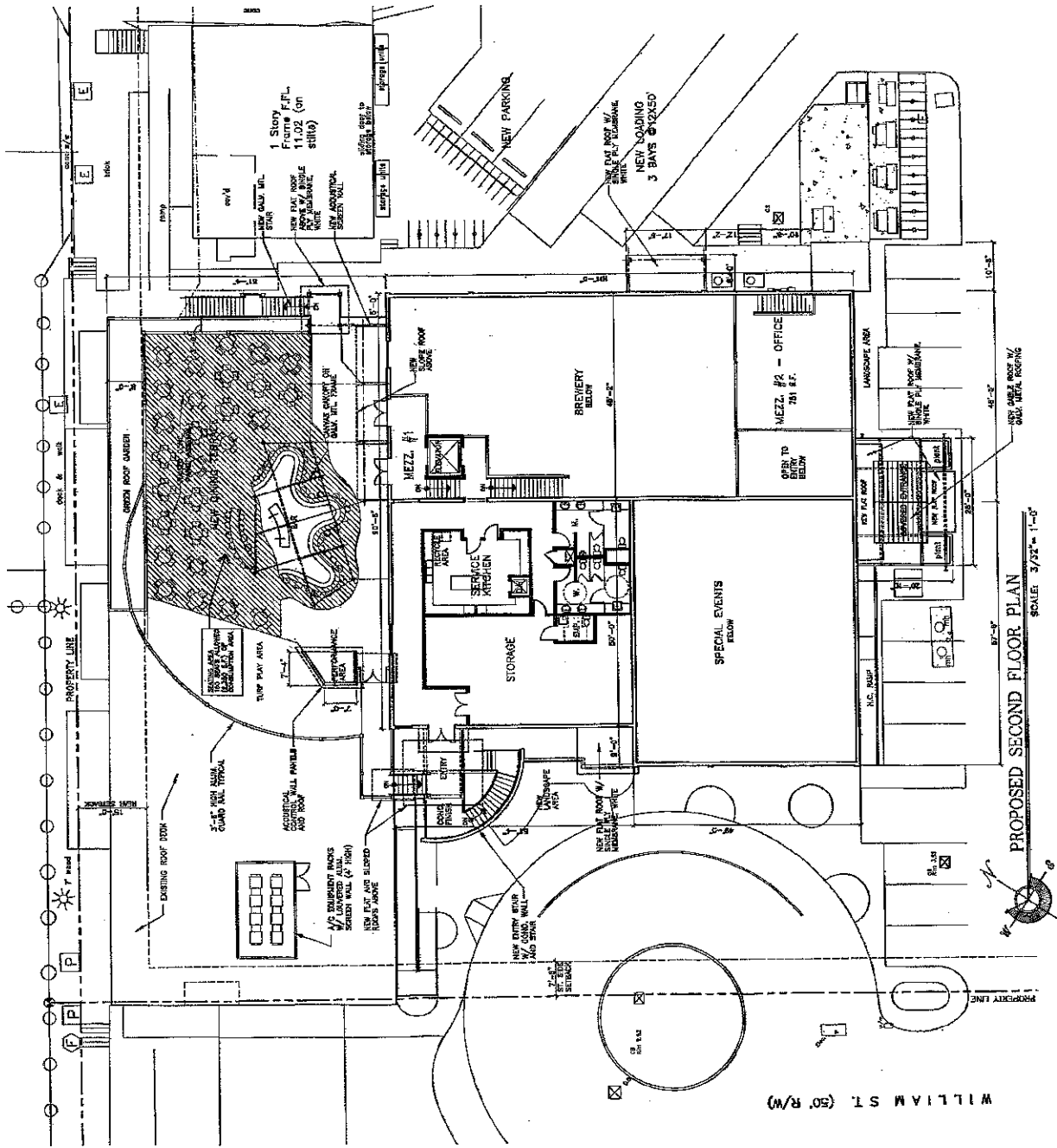
1ST FLOOR	18,840 S.F.
2ND FLOOR	18,840 S.F.
MEZZ #1	1,427 S.F.
MEZZ #2	791 S.F.
TOTAL PROPOSED ENCLOSED AREA	38,898 S.F.
TOTAL PROPOSED ENCLOSED ROOF AREA	1,843 S.F.

NEW ROOFING FROM EXISTING

NEW ROOFING FROM EXISTING	1,843 S.F.
NEW ROOFING FROM NEW	2,907 S.F.
TOTAL NEW ROOFING	4,750 S.F.

NEW ROOFING FROM NEW

NEW ROOFING FROM NEW	2,907 S.F.
NEW ROOFING FROM EXISTING	1,843 S.F.
TOTAL NEW ROOFING	4,750 S.F.



PROPOSED SECOND FLOOR PLAN
SCALE: 3/32" = 1'-0"

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

WILLIAM ST. (50' R/W)

Handwritten signature/initials

WILLIAM P. BIRDA
ARCHITECT P.A.

DESIGNED BY
KEY WEST
FLORIDA
JAN 1964

THE 100 BOUND
FOR THE DESIGN
BY WILLIAM P. BIRDA
ARCHITECT P.A.

WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST, FLORIDA

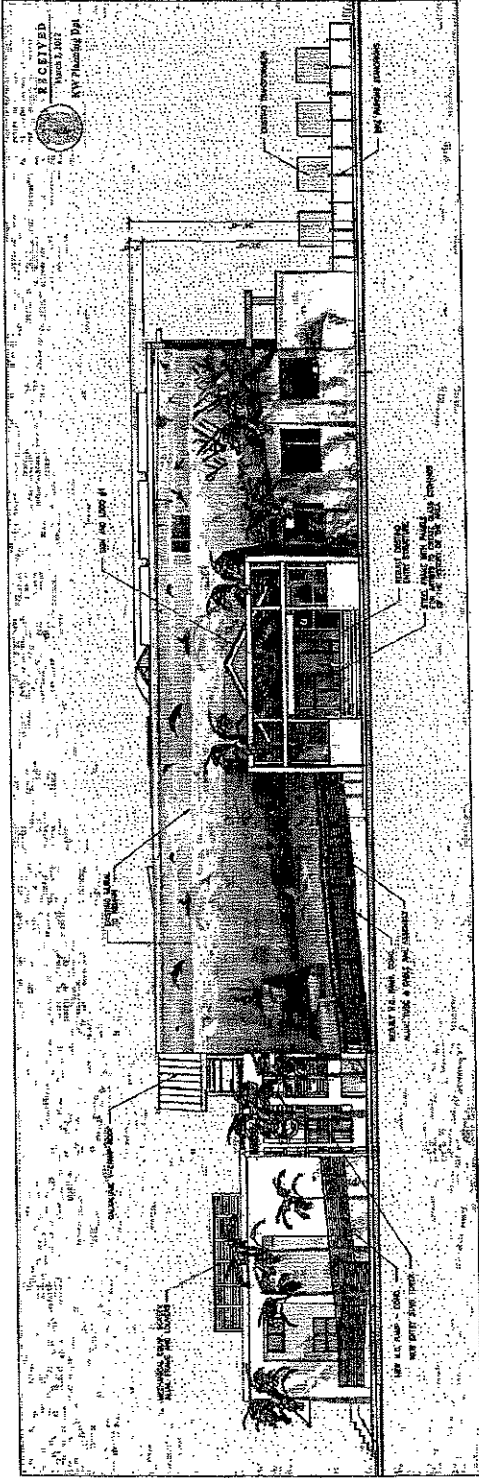
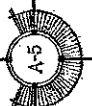
SHEET

THE UNIVERSITY
OF THE SOUTH FLORIDA
ARCHITECTURAL DEPARTMENT
VALDOSTA, FLORIDA

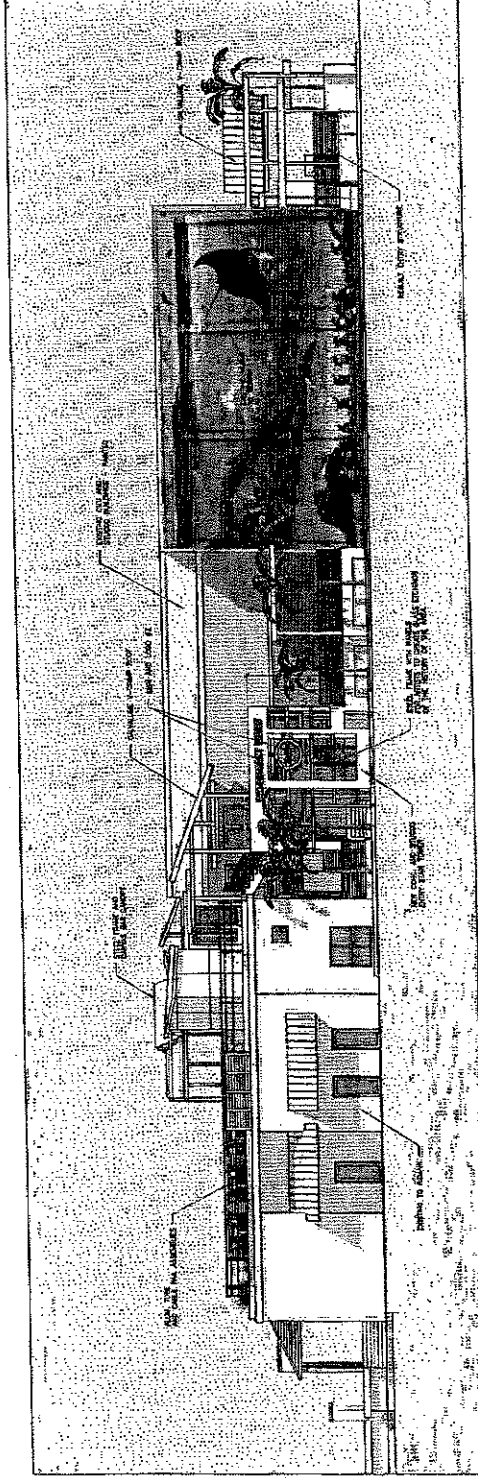
DATE
1-11-64
1-11-64 DBC

REVISIONS

DRAWN BY
PMA
FBI
CHECKED
TBR



1
A-5
ELEVATION - ENTRANCE I
SCALE: 1/8" = 1'-0"



2
A-5
ELEVATION - ENTRANCE II
SCALE: 1/8" = 1'-0"

WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST, FLORIDA

Handwritten signature or initials.

WILLIAMS HORN
ARCHITECT, P.A.

6141 79th ST
KEY WEST,
FLORIDA
33040

TEL: 305 857-8589
FAX: 305 857-8589
LEGEND:
AS SHOWN

WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST, FLORIDA

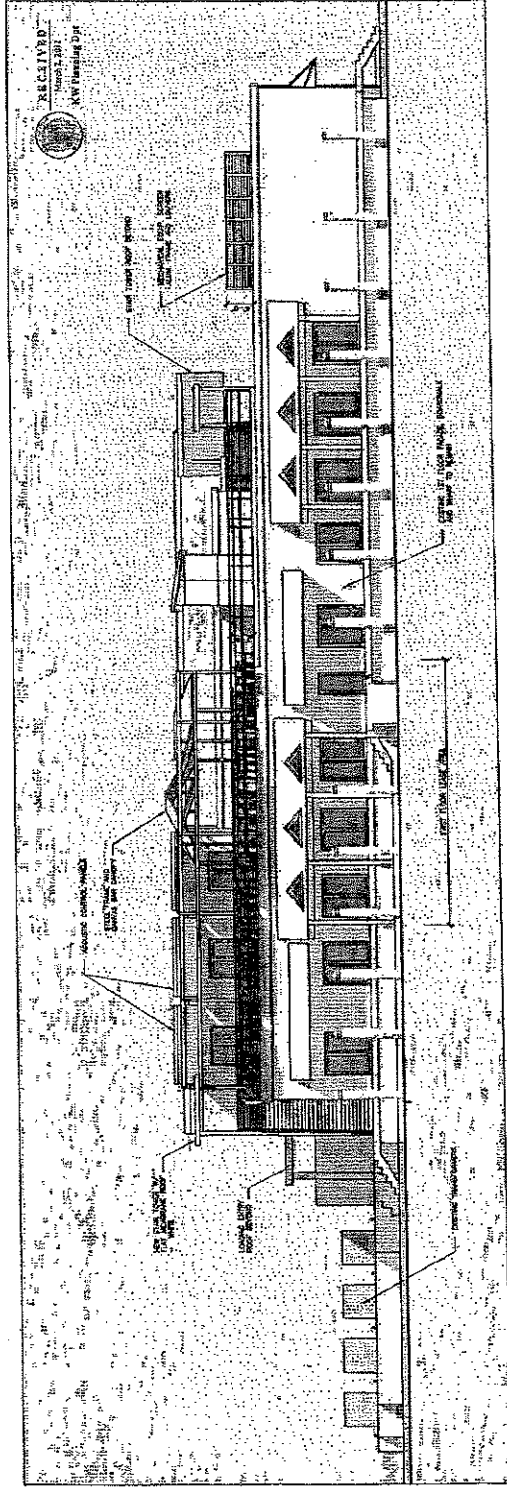
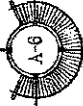
SEA

THESE PLANS ARE
TO BE USED ONLY FOR
THE PROJECT AND
NOT TO BE REPRODUCED
WITHOUT WRITTEN
CONSENT OF
WILLIAMS HORN

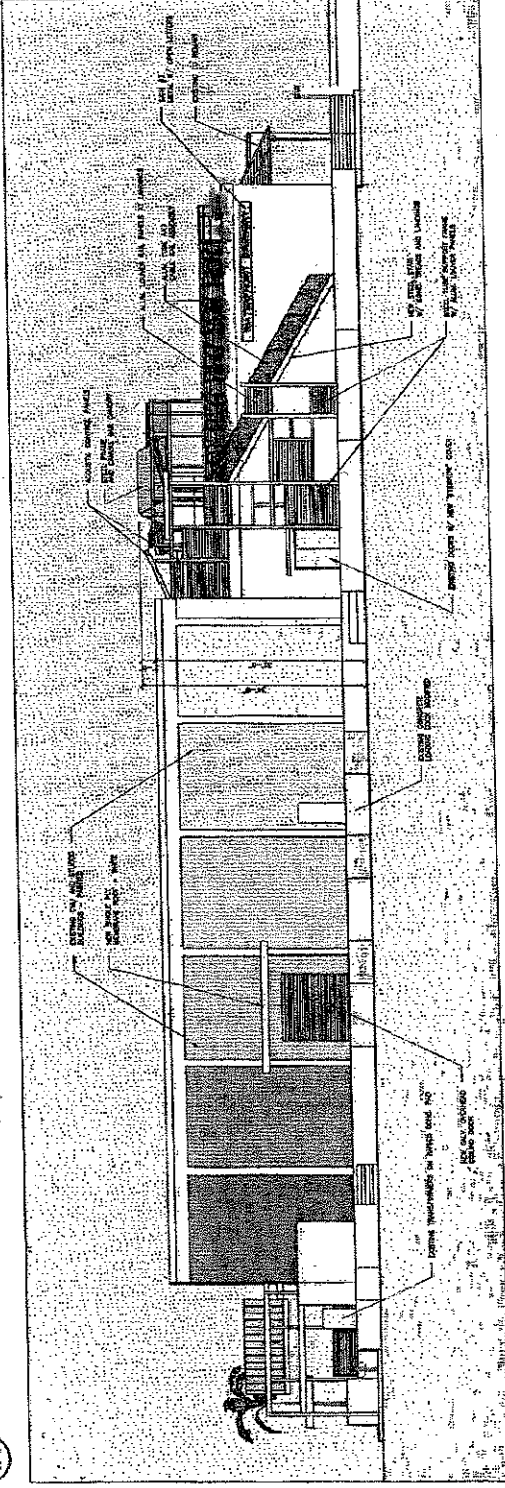
DATE: 11/14/11
DRAWN BY: JAC

REVISIONS:

ISSUED BY: JAC
DATE: 11/14/11
SCALE: 1/8" = 1'-0"



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



2 ELEVATION - LOADING DOCK
SCALE: 1/8" = 1'-0"

WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST, FLORIDA

99

WILLIAM F. HORN
ARCHITECT, P.A.

WILSON ST
KEY WEST
FLORIDA
330

TEL. 305-854-9992
FAX 305-854-9990
TELETYPE 305-854-9991
41 HOBBS

WATERFRONT BREWERY
REVISED CONTRACT
10/24/97 BY F.L.

Scale

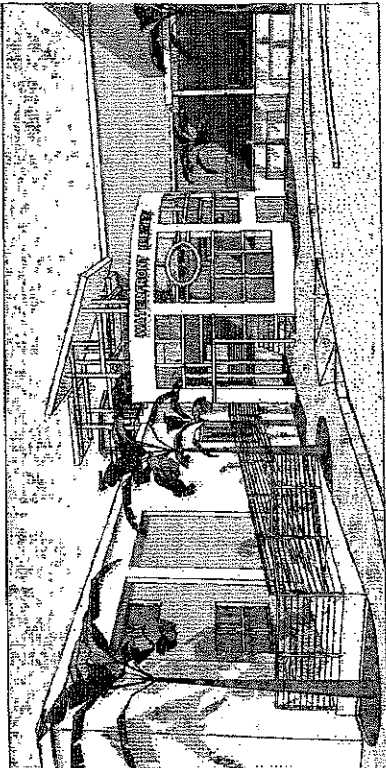
THIS DRAWING MAY
NOT BE REPRODUCED
OR TRANSMITTED IN
ANY FORM OR BY
ANY MEANS

DATE 11-11-11
PROJECT NO. 1113

DIMENSIONS

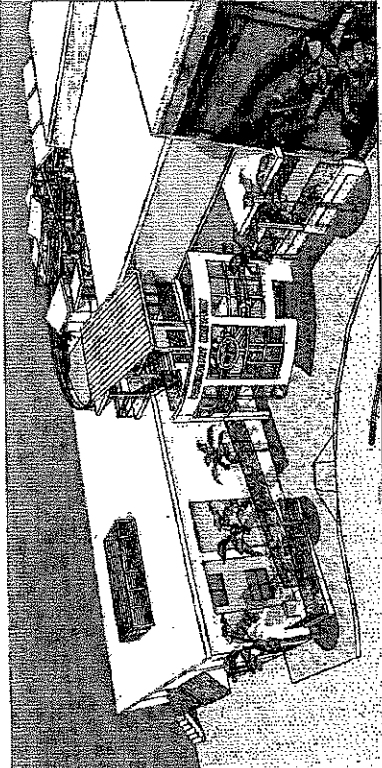
DRAWN BY
CHECKED BY
DATE

RECEIVED
KEY WEST
KEY WEST, FLORIDA



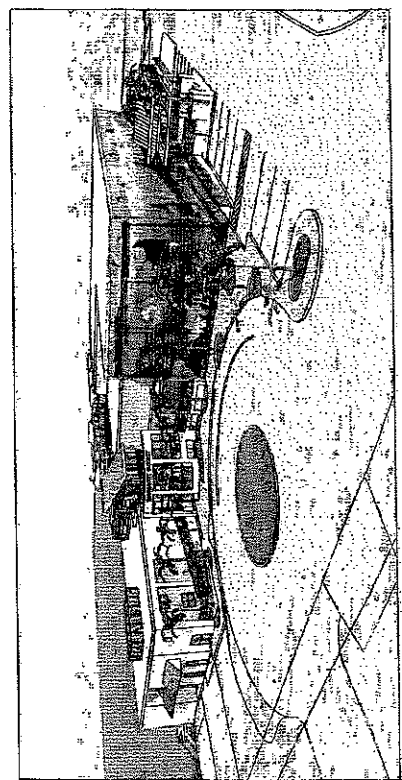
ENTRANCE II - PERSPECTIVE VIEW

2
A-7



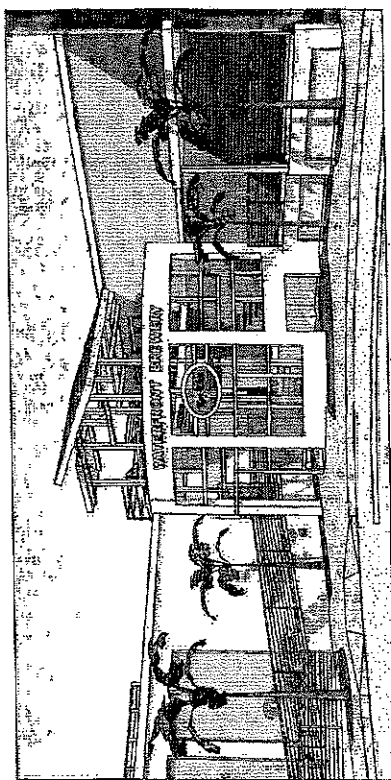
ENTRANCE II - AERIAL VIEW

4
A-7



ENTRANCE II - PERSPECTIVE VIEW

1
A-7



ENTRANCE II - PERSPECTIVE VIEW

3
A-7

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

Handwritten signature or initials in a circle.

A-7

WILLIAM P. HORN
ARCHITECT, P.A.

REGISTERED
ARCHITECT
NO. 10000
FLORIDA

2010 W. PALM BEACH
AVENUE
SUITE 200
PALM BEACH, FLORIDA 33480
TEL: 561-844-4444
FAX: 561-844-4444
WWW.WPHORN.COM

WATERFRONT BREWERY
BY WILLIAM P. HORN
KEY WEST BIGHT, FLA.

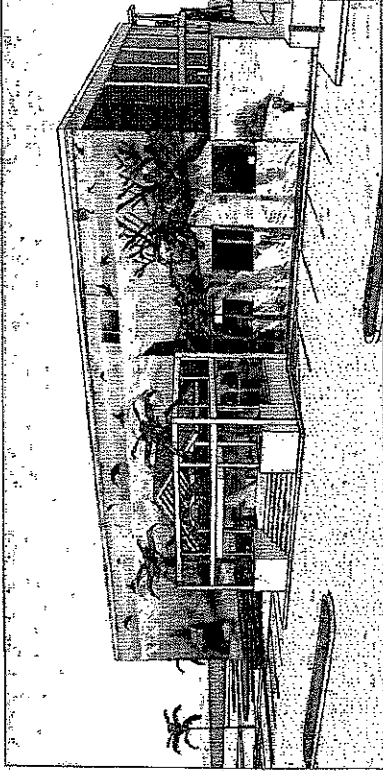
SCALE

DATE: 12/11/11
PROJECT: WATERFRONT BREWERY
DRAWN BY: PH

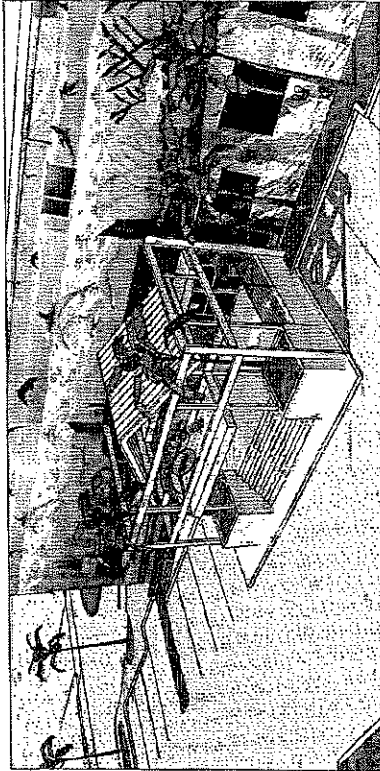
REVISIONS

DATE: 12/11/11
PROJECT: WATERFRONT BREWERY
DRAWN BY: PH

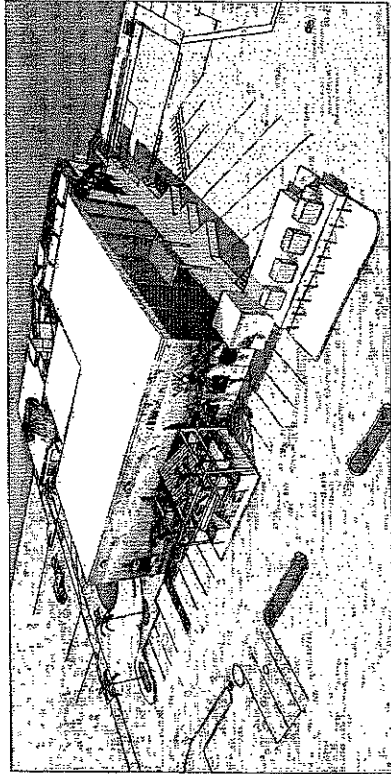
RECEIVED
12/11/11
RW Printing & Pl



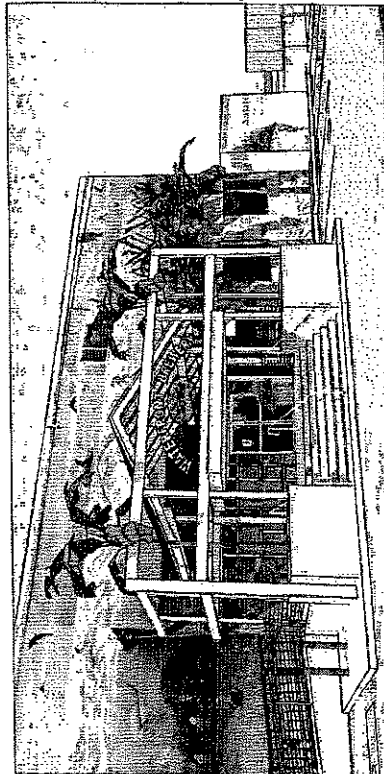
2 ENTRANCE I - PERSPECTIVE VIEW



4 ENTRANCE I - AERIAL VIEW



1 ENTRANCE I - AERIAL VIEW



3 ENTRANCE I - PERSPECTIVE VIEW

A-8

WATERFRONT BREWERY
201 W. WILLIAM STREET
KEY WEST BIGHT, FLORIDA

PH

WILLIAMP KREY
ARCHITECT, P.A.

REGISTERED
ARCHITECT
NO. 12345
STATE OF FLORIDA

TEL: 305-555-1234
FAX: 305-555-5678
1000 N. BAY ST.
SUITE 200
MIAMI, FL 33131

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

SCALE

DESIGNED BY
WILLIAMP KREY
ARCHITECT, P.A.

DATE
12/11/11
12:00 PM

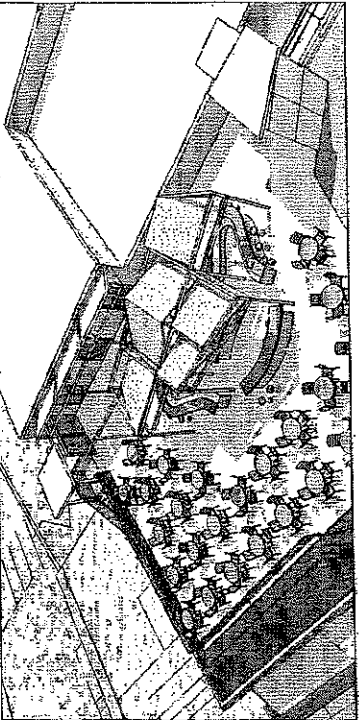
REVISIONS

DESIGN BY

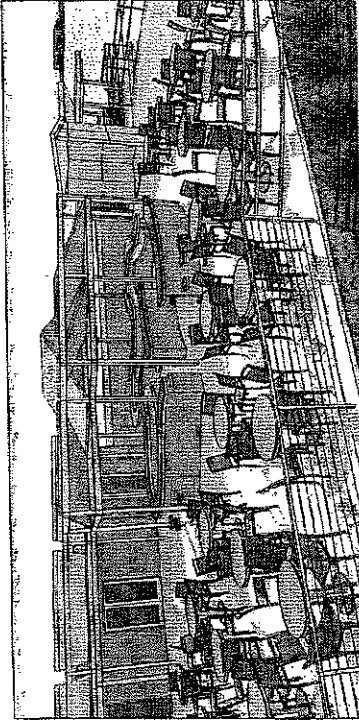
EMA

1/18

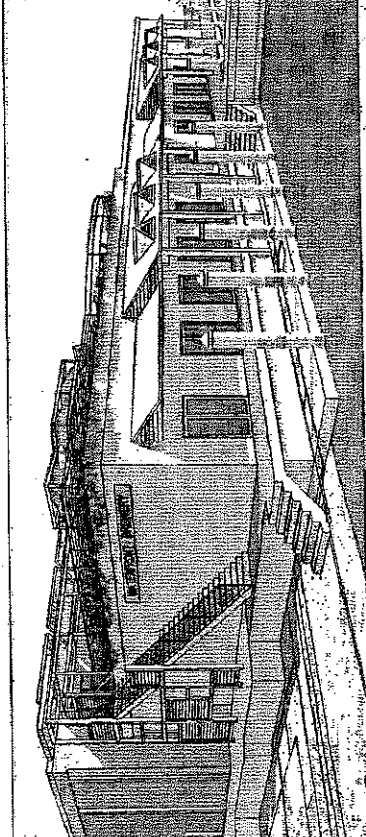
RECEIVED
March 2, 2011
K/W Planning Dept.



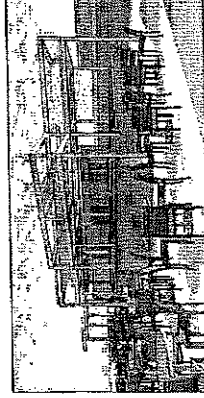
2
A-9
ROOF DECK - AERIAL VIEW



5
A-9
ROOF DECK - PERSPECTIVE VIEW



1
A-9
PERSPECTIVE VIEW



4
A-9
PERSPECTIVE VIEW



3
A-9
PERSPECTIVE VIEW

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA



Handwritten signature or initials.

WILLIAM HENK
ARCHITECT, P.A.
15000 SW 15th Ave
Miami, FL 33199

TEL: 305-551-1100
FAX: 305-551-1101
WWW.WHARCHITECT.COM

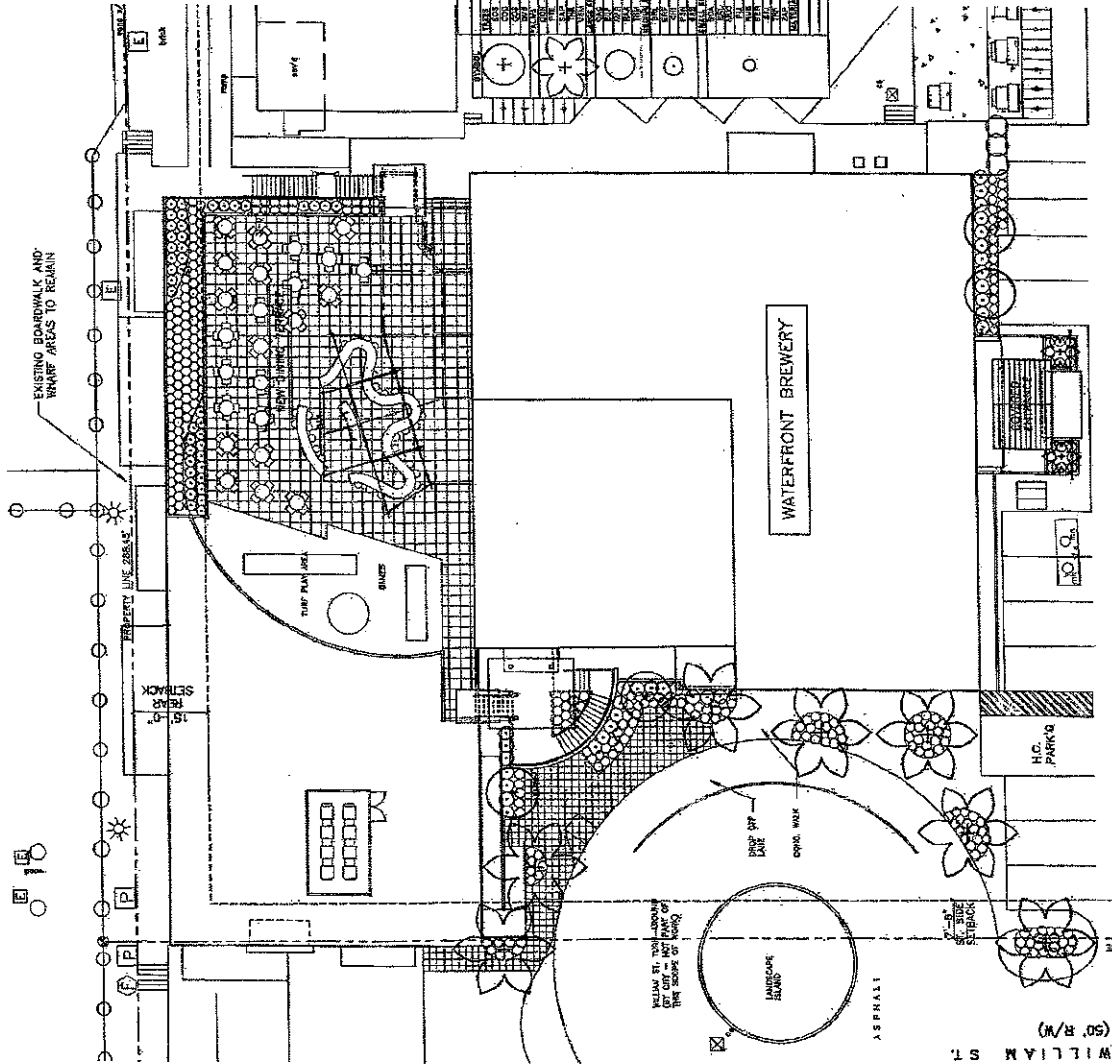
ELIZABETH
NEWLAND
LANDSCAPE
ARCHITECTURE, LLC
10000 SW 15th Ave
Miami, FL 33199

CONTRACT NO. 0001
DATE: 01/15/14

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA



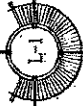
RECEIVED
March 2, 2014
XUV Planning Inc.



WATERFRONT BREWERY PLANT LIST

NO.	PLANT NAME	SYMBOL	QUANTITY	LOCATION	REMARKS
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3	PLANTING	(Symbol)	1
4	PLANTING	(Symbol)	1
5	PLANTING	(Symbol)	1
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98	PLANTING	(Symbol)	1
99	PLANTING	(Symbol)	1
100	PLANTING	(Symbol)	1

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



WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA



RECEIVED
2008 NOV 13 PM 4:43 Administrative Interpretation
Bar/Lounge and Restaurant Uses
CITY OF KEY WEST
KEY WEST, FLORIDA

October 21, 2008

Issue: How does the City distinguish between restaurant and lounge/bar uses and ensure that facilities licensed as either are operating consistently with the definitions in the Land Development Regulations?

Introduction: The City of Key West Land Development Regulations define bar and lounge uses separately from restaurant uses. Further, the Land Development Regulations distinguish between these uses within individual zoning districts. In general, restaurants have less impact than lounges and bars, and the City's code reflects this by allowing restaurants as permitted uses and bars and lounges as conditional uses in the City's more intense commercial districts. New uses in the City of Key West must conform to the zoning district regulations.

Definitions for these uses, per Section 86-9, Definition of terms, Land use classifications, (3) Commercial activities, is as follows:

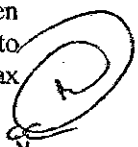
b. *Bar and lounge* mean a commercial establishment selling and dispensing for the drinking on the premises of liquor, malt, wine or other alcoholic beverages. This shall not include the sale of alcoholic beverages accessory to and within a restaurant use.

l. *Restaurant*, excluding drive-through, means any establishment, which is not a drive-through service establishment, where the principal business is the sale of food, desserts and beverages to the customer in a ready-to-consume state. This includes service within the building as well as takeout or carryout service. For the purpose of this subpart B and impact fee assessments, a takeout or carryout restaurant shall be limited to no more than five chairs or bench seats without tables or counter tops.

The City of Key West Building Department issues separate licenses for restaurants and bars/lounges based on the requested use made by the applicant, so long as the use is allowed within the applicable zoning district (or through an associated approval process, such as a Conditional Use). However, the City has not historically monitored licensed restaurant or bar/lounge uses to ensure that the facility is operating within the definitional parameters established in the Land Development Regulations, and thereby supporting the public purposes underlying the City's regulation of land use. The purpose of this interpretation is to establish guidelines for City staff to use in their determination if a facility is operating, or is proposed to operate, as a restaurant or as a bar.

Determination:

Although many bars and lounges sell food and many restaurants serve alcoholic beverages, the "principal business" of each facility defines the specific use under the Code. In other matters the City has determined that a "principal business" generates 51% or more of the revenue associated with a facility. Because the code clearly differentiates between the sale of alcoholic and other beverages, 51% of restaurant sales cannot include alcohol. Further, in the case of a restaurant, we have determined that sale of food (including dessert) must occur at all times the facility is open for business. In the event of a compliance concern, a given facility can be required to demonstrate that these criteria are being met. Although Florida Department of Revenue Sales Tax



Remittance and related documentation may be the best way to demonstrate compliance, other sources may be acceptable to the City and can be examined on a case by case basis.

In summary, the use of a facility as a restaurant can be demonstrated through the following two criteria:

1. The sale of food, desert and non-alcoholic beverages constitutes 51% or more of business; and,
2. The sale of food must occur during the time in which service is being provided to the public.


The use of a facility as a lounge or bar can be demonstrated through the following:


1. The sale of alcoholic beverages constitutes 51% or more of business.

Authority:

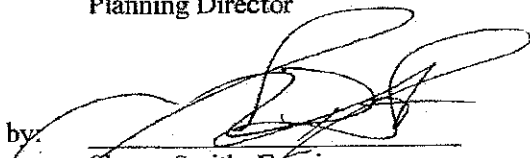
Section 90-301 (b) of the City of Key West Land Development Regulations provides the Planning Director the administrative responsibility to interpret the land development regulations. Section 90-301(a) requires that the Chief Building Official administer the land development regulations. Because the Building Official is also administratively responsible for Code Compliance within the City, this determination has been drafted in conjunction with him and includes his signature as well.

Signed by:


Amy Kimball-Murley, AICP
Planning Director


John Woodson
Building Official

Attested by:


Shawn Smith, Esquire
City Attorney



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



To: Chairman and Planning Board Members

From: Nicole Malo, Planner II

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: May 31, 2012 – Special Meeting
May 17, 2012 – No quorum
April 19, 2012 – Postponed by Board
March 15, 2012 – Postponed by applicant

Agenda Item: **Major Development Plan - 201 William Street (RE# 00072082-004200)**
A Major Development Plan for the addition of outdoor commercial activity for a new restaurant in the HRCC-2 zoning district per Section 108-91A(2)c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.

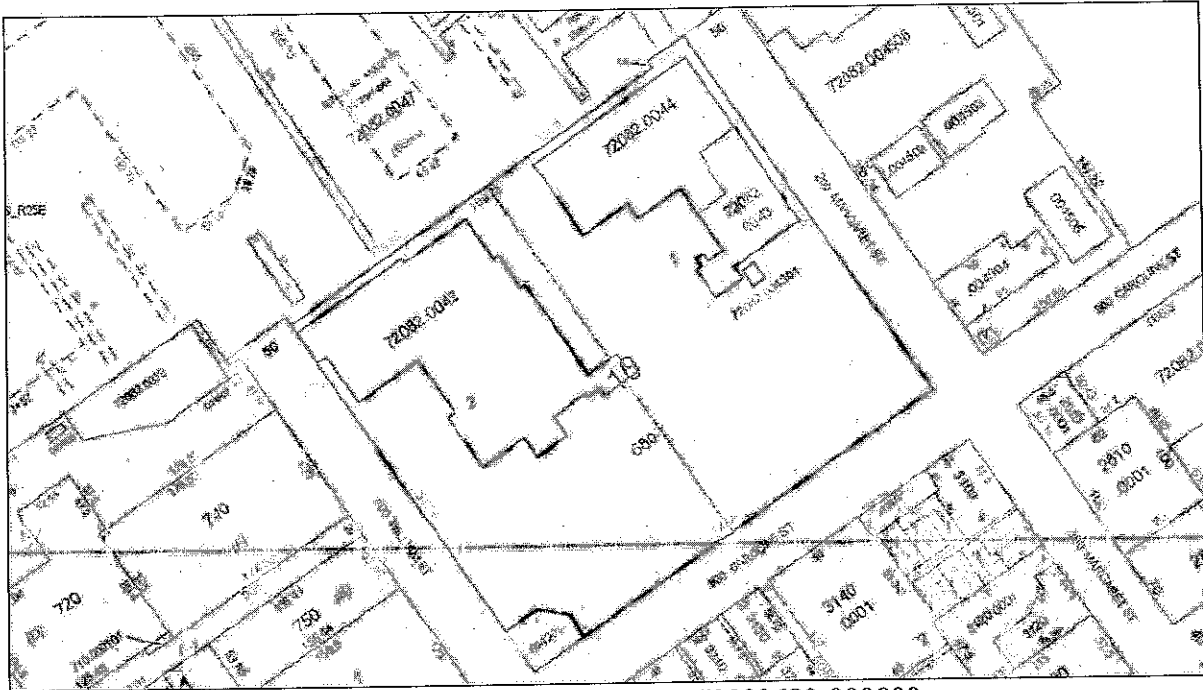
Request: To redevelop a portion of the City owned Key West Bight District property known as the Waterfront Market warehouse building and associated loading docks, parking and landscaping, to be used as a restaurant with a brewery, events space and retail area, which are allowed uses in the HRCC-2 zoning district. Warehousing and distribution is an existing use on the site, previously associated with the market that may be continued as accessory to the principal use.

Applicant: Owen Trepanier and Associates, Inc on behalf of Waterfront Brewery, LLC

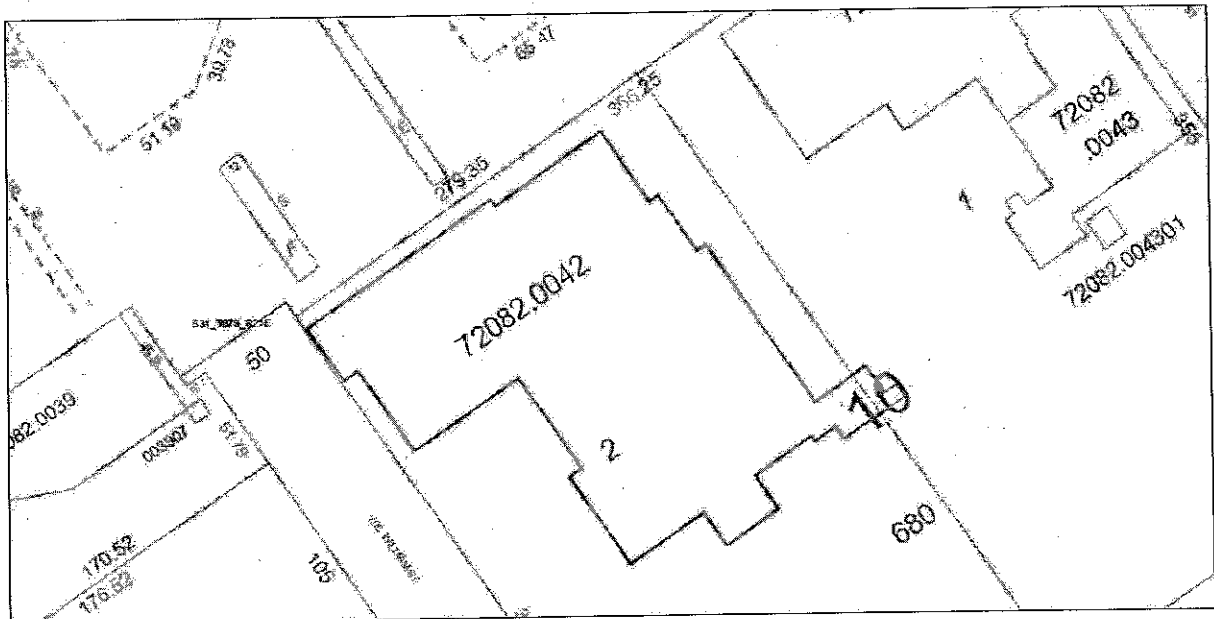
Property Owner: City of Key West

Location: 201 William Street
Leasehold Area - RE# 00072082-004200

Zoning: Historic Residential Commercial Core – Key West Bight District (HRCC-2)



Map 1 - Parcel of Record - RE#0000680-000000
142,000 square feet



Map 2 - Leasehold Area - RE# 00072082-004200
25,140 square feet

Project Information Update:

At the April 19, 2012 Planning Board hearing the Board instructed the applicants to once again meet with the neighbors to agree upon the final issue of how a condition related to noise concerns was going to be written. The applicants were instructed to coordinate and submit proposed noise conditions to Planning Staff and the City's legal department to confirm the City's ability to support and enforce the proposed restrictions and in a timely manner to provide review time.

On May 3, 2012 the department received a proposed condition by the applicant that staff determined to be insupportable by the Code. Subsequently the neighbor also replied that the condition was inadequate because it did not address their primary concern that the proposed restaurant may turn into a bar or lounge due to the perception that the proposed hours of operation (open until 12am) were more conducive to bar activities. In response, the applicant and the neighbor have agreed to limit hours of operation to 10 p.m for the outdoor rooftop cafe; although, in order to fully support the project the elimination of the outdoor televisions were also requested by the neighbor, and the applicant did not agree to this condition.

In response staff has come up with the following revised conditions that are enforceable using the existing Code requirements and amenable to the applicant. New information is underlined below. Condition number one reflects the agreed upon hours of operation; condition number eight includes language that limits the television amplification capability; and condition number ten provides a mechanism for measuring that the facility continues to operate as a restaurant and not a bar. Further, these conditions are subject to the annual Conditional Approval Permit Review (Ordinance 10-22). However, staff is aware that the neighbor of the proposed hotel is not in support of the project even with the conditions in place. Proposed conditions are as follows:

General Conditions:

1. Hours of operation (excluding City approved special events) for the rooftop Waterfront Brewery Café are limited to 8 a.m. to 10 p.m. and any outdoor performance or entertainment activity whether amplified or otherwise shall end by 10 p.m.

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

9. Any outdoor televisions will not be wired through the distributive sound system or any surround sound system.
10. The restaurant use is consistent with the October 21, 2008 Administrative Interpretation defining Bar/Lounge and Restaurant Uses attached herein.

Please see the end of the report for all recommended conditions.

April 19, 2012 Update:

This development plan application was originally scheduled to be heard on March 15, 2012 by the Planning Board; however the applicant requested postponement in order to work with the neighbors. The department is aware that the neighbors are concerned about the potential noise that may generate from amplified music on the second-storey outdoor rooftop consumption area. The evening of April 12, 2012 the applicant held a community meeting in order to demonstrate

the impacts of the potential noise generation from the second storey rooftop area on the neighboring properties. The test was run between 5:30-7:30 p.m at a time when there were numerous other sources of background noise; however, the music was played at levels higher than City Ordinance 26-191 allows for demonstration purposes, and there was common agreement that the noise was minimally audible from the ground around the sides and back of the building. Staff is aware that the nearest second storey residential neighbor, the proposed hotel immediately to the west of the project site, may be more adversely affected by amplified music at the same elevation and staff has coordinated with the owner of the property and the applicant in order to craft the proposed conditions of approval. Based on the verbal agreement by the applicant and the proposed hotel property owner, the department is recommending that outdoor performance and/or entertainment activity, whether amplified or otherwise, shall end by 10 p.m as a condition of approval. Please note that at the time this report was published, the neighboring (proposed) hotel property owner and the applicant were engaged in ongoing negotiations for agreeable noise controls for ambient music allowance after 10 p.m. Further, the applicant has relocated the proposed performance area in response to the neighbors' request (see Site Plan, A-4) and has agreed to point the speakers away from adjacent transient and residential properties as a condition of approval. Based on a land use analysis inclusive of the neighborhood concerns regarding amplified music, the existing restrictions of Code Section 26-191 for Unreasonable Noise (see Attached Code Excerpts) and comparing the existing hours of operation for the surrounding businesses, the department finds that the proposed conditions are reasonable and is recommending hours of operation that limit the outdoor business from 8 a.m to 10 p.m. It is the departments understanding that with these conditions in place issues related to the closest residential neighbor are mostly resolved.

Attached to this report please find the Code excerpts from Chapter 26 related to disturbing and unreasonable noise and enforcement. At this time staff is unaware of any additional concerns regarding the proposed project.

Background Information:

The area proposed for redevelopment is part of the larger City owned Key West Bight district property and is also located within the boundaries of the Caroline Street Corridor Community Redevelopment Area. The leasehold area shown in Map 2 above is part of the larger parcel of record shown on Map 1 above. The area shown in Map 2 is known as the Waterfront Market building, located at the north end of William Street. The building is split into approximately eight units that are currently leased out separately for retail, office and restaurant uses. The proposed use will occupy a large portion of the building and the existing ongoing leaseholds will remain. The building was constructed around 1970 and was originally used as a shrimp processing facility; although, since the City acquired the property in 1993 it has been used primarily for restaurant, retail, wholesale food market, manufacturing (sailing equipment), distribution, and office space in accordance with the 1994 Bight Master Plan (see attached Bight Master Plan).

Most recently the building was a retail market, deli, and bakery with warehousing and distribution uses allowed for the packaging and delivery of produce to restaurants and markets throughout Key West. Warehousing and distribution are indentified as Light Industrial uses in the Land Development Regulations (LDR's) and allowed conditionally within the HRCC-2

zoning district; although, no conditional use approval from the city has been identified. These uses are also identified in the most recent 2007 Waterfront Market lease agreement (see attached). These uses are not considered abandoned pursuant to the definition of "Abandoned" pursuant to Code Section 86-9, and are therefore retains the status of existing non-conforming uses.

The uses identified in the Bight Master Plan (BMP) are examples of the limited Water-related uses intended to be allowed from 30' to 100' of the mean high water line within the HRCC-2 zoning district:

Water-related uses means activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water-dependent or waterway uses and/or provide supportive services to persons using a duly permitted marina. (Section 86-9)

Although the historic and existing uses of the Waterfront Market building are compatible with the intent of the BMP and LDR's, the HRCC-2 zoning district regulations further limit new development by requiring land uses within 30' of the mean high water line be water-dependant:

Water-dependent uses means activities which can be carried out only on, in or immediately adjacent to water areas because the use requires access to the water body for: waterborne transportation, including ports or marinas; recreation; electrical generating facilities; or water supply. (Section 86-9)

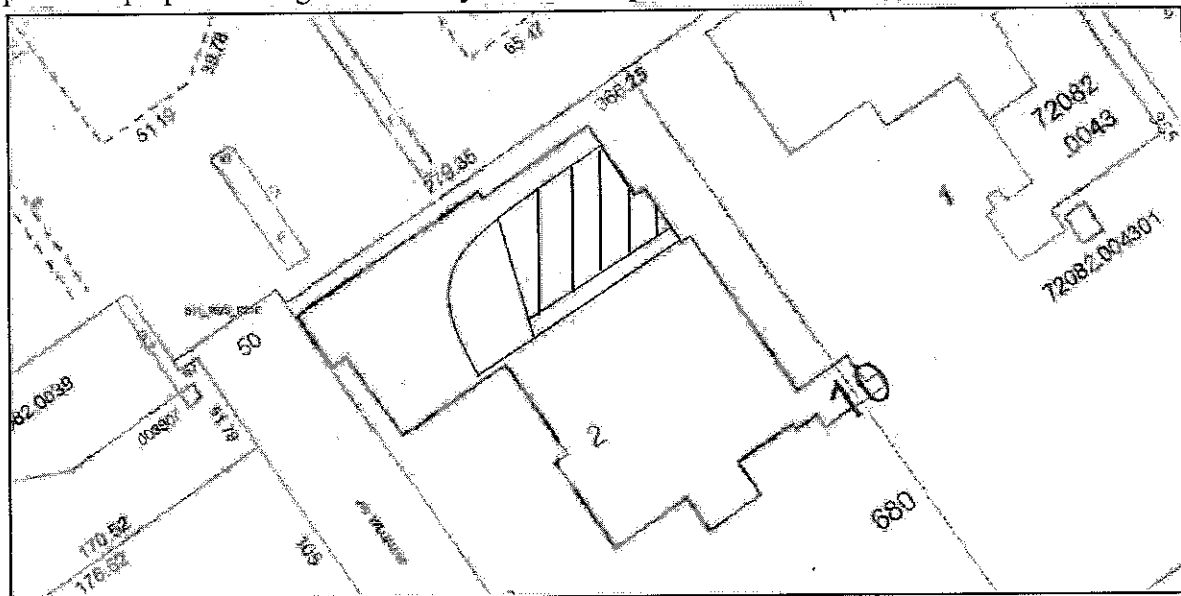
The Waterfront Market building is located approximately 15' feet from the mean high water line therefore the structure and its associated uses are historically and legally non-conforming to the HRCC-2 setback regulation. The structure is also legally non-conforming to dimensional requirements for the coastal construction control line setback, building setbacks, and water dependent uses setbacks, none of which shall be resolved without demolishing and relocating the structure. The parcel is part of the larger Key West Bight property and stormwater management requirements, landscaping, impervious surface, open space, the waste handling area and parking requirements are provided throughout the greater Bight District. The proposed updates to the Bight Master Plan being considered by the City and it's consultant at this time contemplate additional compliance with the LDR's for the Bight District as a whole.

The portion of the Waterfront Market building proposed for redevelopment is typical of a warehouse with two storey ceiling throughout most of the space, and a total floor area of 18,692 square feet including three mezzanines most recently used for offices, storage, and consumption area for a juice bar and café. The portions of this building proposed for redevelopment is accessed from the harborwalk and from the parking lot that abuts Caroline Street in the front. There are multiple bays for loading and truck deliveries on each side of the building. Approximately fifteen conforming parking spaces were associated with the Waterfront Market and subsequent license holders; although, none of the parking spaces were officially dedicated to the building or its uses. Further, the Key West Bight Master Plan contemplated that the parking

lots located at the end of Margaret and Caroline Streets and the Park and Ride on Grinnell Street were to accommodate the Bight uses.

Request and Analysis of Proposed Use:

This Development Plan application is for the renovation of portions of the Waterfront Market building as a restaurant and micro-brewery with retail and special events areas of approximately 18,000 square feet of floor area. In addition, site improvements to the building façade, landscaping, parking and loading areas within the demised lease area are proposed. The uses proposed are permitted uses in the zoning district and the structure has a longstanding history of food and beverage sales for consumption on site and for distribution as described above. The development plan approval is triggered by the applicants request to add outdoor commercial activity consisting of 150 restaurant seats or 2,250 square feet of consumption area to the first floor roof top area overlooking the Bight. The proposed rooftop consumption area is shown in crosshatch in the plan below. 2,307 square feet of floor area associated with the new outdoor consumption area is proposed to be relocated from the removal of mezzanines existing within the building; therefore, no additional parking is required for the use located within the Historic Commercial Pedestrian Oriented Area pursuant to Section 108-573(c)1. However 18 parking spaces are proposed along with 40 bicycle/scooter spaces.



Proposed Roof Top Consumption Area

The interior uses located on the first floor of the building both accessible from the waterfront and from the front entrance include a second restaurant consumption area and the main kitchen that services both restaurant areas, ADA accessible bathrooms, the brewing area available for tours, a multi-use tasting and events area and a retail area (see Proposed First Floor Plan below). The proposed interior consumption area is approximately 3,500 square feet, but is limited to 150 seats. A stairway and ADA compliant lift access to the second storey from inside the main floor. To accommodate the proposed design the removal of three interior mezzanines (see Proposed Site Plan A-3 and A-4 for Building Data Table) is proposed. The second storey interior space will be limited to a storage area, a service kitchen and bathrooms. The outdoor area will consist

The proposed development plan for existing and permitted land uses is compatible the BMP is that it anticipated an outdoor cafe "with views of the Harbor," the CRA Plan that encourages improvements to blighted conditions, specifically the Waterfront Market building. No increase in net floor area is proposed and mitigative techniques are proposed to reduce noise impacts. Further, the applicant has provided a concurrency analysis that shows that the proposed mixed use facility will not intensify the use of the premises by increasing required parking facilities or vehicular traffic (see attached Concurrency Management Report), and will not negatively affect any other concurrency standard.

Surrounding Zoning and Uses:

North: C-OW: Key West Bight
South: HRCC-2: Restaurants, retail and parking lots
East: HRCC-2: Restaurants and parking lots
West: HRCC-1: Restaurants

Uses Permitted in the HRCC-2 Zoning District Per Section 122-717, Code of Ordinances:

In the HRCC-2 Key West Bight district, only water-dependent uses shall be located within the first 30 feet landward of the mean high water (MHW) or the bulkhead. Similarly, only water-related uses shall be located between the 30-foot setback and the 100-foot setback from the mean high water or the bulkhead. No permanent residential use shall be located within 100 feet of the mean high water, and no transient residential uses shall be allowed within any portion of the HRCC-2 district. Permitted uses include the following:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in Section 122-1246
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Commercial retail low and medium intensity less than or equal to 5,000 square feet as provided in division 11 of article V of this chapter.
- (7) Medical services.
- (8) Parking lots and facilities.
- (9) Restaurants, excluding drive-through.
- (10) Veterinary medical services without outside kennels.

Conditional Uses in the HRCC-2 Zoning District Per Section 122-718, Code of Ordinances:

- (1) Group homes with seven to 14 residents as provided in Section 122-1246
- (2) Community centers, clubs, and lodges.
- (3) Cultural and civic activities.
- (4) Educational institutions and day care.
- (5) Nursing homes, rest homes and convalescent homes.
- (6) Parks and recreation, active and passive.
- (7) Protective services.
- (8) Public and private utilities.
- (9) Bars and lounges.
- (10) Boat sales and service.

- (11) Commercial retail low and medium intensity greater than 5,000 square feet as provided in division 11 of article V of this chapter.
- (12) Commercial retail high intensity as provided in division 11 of article V of this chapter.
- (13) Funeral homes.
- (14) Light industrial.
- (15) Marinas.
- (16) Small recreational power-driven equipment rentals.

Process:

Development Review Committee Meeting: December 16, 2011
HARC Meeting: January 25, 2012
 December 14, 2011
 H12-01-49
 H12-01-50
Tree Commission Meeting: February 28, 2012
 April 12, 2012
Planning Board Meeting: May 31, 2012
 May 17, 2012
 April 19, 2012
 March 15, 2012
City Commission Meeting: To be determined

Evaluation for Compliance With The Land Development Regulations:

Section 108-91 A(2)c of the City of Key West Land Development Regulations requires that any proposed plan within the historic district including the addition of outdoor commercial activity consisting of restaurant seating equal to or greater than 2,500 square feet shall require a Major Development Plan. Section 108-196(a) of the Land Development Regulations states that “after reviewing a Major Development Plan for a property and staff recommendations, the Planning Board shall act by resolution to approve, approve with conditions, or disapprove it based on specific development review criteria contained in the Land Development Regulations and the intent of the Land Development Regulations and Comprehensive Plan.”

Planning staff, as required by Chapter 108 of the City Code of Ordinances, has reviewed the proposed plan for compliance with the following Land Development Regulations and Comprehensive Plan criteria:

Project Data				
	Required/ Allowed	Existing	Proposed	Variance Request
Zoning	HRCC-2			
Flood Zone	VE-10			
Size of Site	142,000 s.f			
Lease Area	25,140			
Enclosed Floor Area of Unit	N/A	18,692 s.f	16,385 s.f	N/A

Front Setback Caroline St	10'	Over 100' from Caroline Street property line	No Change, none required	
East Side Setbacks	7.5'	Over 100' from property line		
Street Side Setback	7.5'	0.0'		
Rear Setback	15'	15'		
CCCL Setback	30'	7'		
Height	35'	32'	34' (Bar canopy)	None required
F.A.R	1.0 (70,030 s.f)	0.34 (47,620 s.f)	.032 (45,938 s.f)	
Consumption Area	N/A	1,260 s.f 84 seats	limited to 300 seats or 5,781 s.f	
Building Coverage	50% (70,030 s.f)	30% (42,018 s.f)	30.5% (42,701 s.f)	
Impervious Surface	60% (84,035s.f)	94% (131,624s.f)	93% (130,300s.f)	Net reduction proposed, none required
Parking	Parking Waiver Zone. None required.	15 code compliant spaces	18 code compliant spaces	None required
Bicycle Parking		21	40	
Open Space	50% (70,030 s.f)	6% (8,435 s.f)	7% (9,758 s.f)	Net increase proposed, none required

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

The City's Comprehensive Plan Objective 9-1.5 directs the City to ensure that facilities and services needed to support development are available concurrent with the impacts of new development. The analysis considers potable water, sanitary sewer, solid waste, drainage, vehicle trip generation and recreation. Section 94-36 requires a concurrency determination to be made concerning proposed development. The applicant provided a concurrency analysis as part of this application. Staff has reviewed the provided concurrency analysis report and following criteria in Section 94-36 and determined that the proposed project meets the City's requirements for concurrency management. This portion of the report shall serve as the required written determination of compliance.

1. The anticipated public facility impacts of the proposed development:

The applicant has provided a Concurrency Management analysis. The proposed development is not anticipated to generate any public facility impacts.

2. The ability of existing facilities to accommodate the proposed development at the adopted level of service standards:

The Concurrency Management analysis concluded that the existing facilities are expected to accommodate the proposed redevelopment project at the adopted level of service standards.

3. Any existing facility deficiencies that will need to be corrected prior to the completion of the proposed development:

The Concurrency Management analysis found that there are no existing facility deficiencies which will need to be corrected prior to the completion of the proposed development.

4. The facility improvements or additions necessary to accommodate the impact of the proposed development at the adopted level of service standards and the entities responsible for the design and installation of all required facility improvements or additions; and

There are no facility improvements or additions that are necessary to accommodate the impact of the proposed redevelopment other than stormwater improvements contained in the site plan package.

5. The date such facility improvements or additions will need to be completed to be concurrent with the impacts on such facilities created by the proposed development:

This criterion is not applicable, as there are no known facility improvements or additions that will need to be completed for the redevelopment project other than stormwater improvements that have been incorporated into the plans.

Fire Protection (Section 108-233 (8))

The Fire Marshall determined at the DRC meeting that that the proposed sprinkler system is adequate and meets fire protection requirements.

Other Public Facilities (Section 108-233 (10)):

Based on comments received at the DRC meeting, and based on the information in the concurrency analysis, the proposed Major Development Plan is not anticipated to increase adverse effects upon public facilities.

Appearance, Design and Compatibility (Section 108-234):

1. Compliance with Chapter 102; Articles 111, IV and V:

The Waterfront Market building was built in 1970 and is not listed as contributing on the City's Historic Structures Survey; although, it is located within the historic district and changes to the exterior of the building are subject to HARC review. The City's Historic Architectural Review commission issued a Certificate of Appropriateness on January 26, 2012 for the proposed design and signage, and determined that the project is in compliance with Articles III, IV, and V of Chapter 102 of the City Code. Please see the attached HARC staff reports for additional details and information related to the proposed design features.

2. Compliance with Section 108-956:

The applicant has demonstrated that there is access to potable water and to wastewater disposal systems in the concurrency management report.

3. Compliance with Chapter 110; Article II:

If any archeologically significant resources are discovered during the development of the site, the applicant will be required to comply with this article of the Land Development Regulations.

Site Location and Character of Use (Section 108-235):

The project site is located in the HRCC-2 zoning district that is characterized by water-dependant and water related uses: marinas, ferry terminal, restaurants, commercial retail, manufacturing, office, light industrial and transient and permanent residential uses. The adjacent land uses along the Bight consist primarily of open-air restaurants to the east and west that play amplified live music and typically close before midnight. Immediately adjacent is a vacant lot that is proposed for redevelopment as a hotel. Restaurants are a permitted use in this zoning district.

The project is designed to allow compatible operation of the property with the existing land use activities in the immediate vicinity with the proposed conditions related to music attenuation and limited hours of outdoor music and entertainment and including the installation of a distributive sound system. The outdoor area faces the waterfront with the north wall of the second storey warehouse that extends 11 vertical feet behind it that serves to redirect noise away from the residential neighborhood behind the building, across Caroline Street. Please see the New Project Information analysis above for additional information regarding sound attenuation concerns and accommodations.

Based on the design elements and operational plans proposed the Major Development Plan appears compatible with the intent and criteria of the Key West Bight zoning district.

1. Appearance of site and structures (Section 108-236):

The development plan exhibits harmonious overall design characteristics, and is in compliance with the performance standards stipulated in Sections 108-278 of the City Code. The site is legally non-conforming to several of the Code requirements as discussed. The proposed new entry features appear to have harmonious massing and scale as has been determined by H.A.R.C.

2. Appearance of site and structures (Section 108-278):

The site appears to be in overall compliance with Chapter 108-278 of the City Code. The site improvements have been approved by H.A.R.C. New façade features include two new entry ways, improvements to loading docks and stairs and various structural improvements.

3. Location and screening of mechanical equipment, utility hardware and waste storage areas (Section 108-279):

The development and uses on site will utilize the existing waste and recycling handling center for the Bight, located to the east of the structure. It is enclosed from view by an existing wood frame structure and meets the requirements as set fourth in the above Section. Temporary storage of solid waste will be kept in designated areas on the interior of the restaurant.

All mechanical equipment, condenser units and utility hardware areas are proposed to be located on the rooftop and will be in compliance with Section 108-279 of the Code.

4. Utility lines (Section 108-282):

No new construction is proposed that requires the placement of underground utility lines and existing electric lines will be used. Keys Energy has been notified and has not provided an objection for this property.

5. Commercial and manufacturing activities conducted in enclosed buildings (Section 108-283):

All commercial activities will take place within the enclosed building with the exception of the rooftop restaurant seating area. No outdoor storage or display has been applied for or approved.

6. Exterior Lighting (Section 108-284):

Per Section 108-284, all proposed lighting shall be shielded designed to meet "Dark Sky" standards to eliminate glare from roadways and streets and shall direct light away from other properties. Shielding of lighting elements shall be accomplished by using directional fixtures or opaque shades.

7. Signs (Section 108-285):

Proposed signage is harmonious with the urban design theme of the project, it is aesthetically pleasing and reinforces good principles and practices of streetscape design and has been approved by HARC as part of the Certificate of Appropriateness.

8. Pedestrian sidewalks (Section 108-286):

Improvements to existing pedestrian sidewalks are proposed to link the site to the City's pedestrian circulation system.

9. Loading docks (Section 108-287):

Loading docks currently exist on the site east side of the building. The applicant is proposing to reconfigure the East loading area with three angled truck parking spaces to provide easier ingress and egress and to eliminate three bays to convert the area into a bicycle and scooter parking area (see proposed site plans).

10. Storage Areas (Section 108-288):

The waste and recycling service area is considered an exterior storage area. The development and other uses on site will utilize the existing waste and recycling handling center for the Bight, located to the east of the structure. It is enclosed from view by an existing wood frame structure and meets the requirements as set forth above.

On-Site and Off-Site Parking and Vehicular, Bicycle, and Pedestrian Circulation (Section 108-244):

This building containing the proposed use is located within the historic commercial pedestrian oriented area. Although new outdoor consumption area is proposed, the applicant is reducing the

overall floor area from within the building by removing 2,307 square feet of mezzanines and relocating 2,250 square feet of floor area on to the roof top deck for consumption area. Therefore, no new floor area is proposed and no additional parking is required with this development proposal. Fifteen parking spaces proposed for the Waterfront Brewery, in front of the building to service the use as shown in the site plans. Eight to ten non-conforming parking spaces are currently located along the west side of the building will be removed in order to accommodate the roundabout proposed as part of the Bight Master Plan approved by the City Commission. The roundabout is not part of this proposed project. The applicant is proposing to provide a total of 40 bicycle parking spaces to be located at the front of the building and behind the loading dock area. Further, the property is part of the greater Key West Bight property and Master Plan and several adjacent parking lots associated with the Bight development and uses are utilized to meet the current parking demand. One ADA parking space is proposed closest to the ADA ramp in the front of the building.

The existing loading docks on the West side of the structure have been removed by the city and the non-compliant loading docks to the east of the building will be reduced to three and brought into compliance.

To further enhance the vehicular circulation and accessibility the city is proposing a roundabout at the West entrance that shall be wide enough to accommodate passenger pickup, truck loading for other Bight uses and a bus loading zone. Sidewalks and safe pedestrian circulation have been contemplated in the City's design.

Housing (Section 108-245):

No housing is proposed as part of the Major Development Plan.

Economic resources (Section 108-246):

This provision of the City Code is not applicable to the proposed Major Development Plan.

Special Conditions (Section 108-247):

The proposed development site is located within the greater City owned Bight District property, which is currently non-conforming to impervious surface, open space and landscaping. The proposed development is a permitted use and is proposed within a legally non-conforming structure. It is not in conflict with the intent of the HRCC-2 zoning district, and is not anticipated to negatively impact existing public facilities. No changes are proposed that affect public access to the waterfront along the Bight boardwalk. As a condition of approval, the applicant is required to recycle all applicable material and the restaurant is proposed to be designed with energy saving devices such as green roof technology, insulation standards, water saving devices, built-in recycling areas, and bike-scooter parking. The City's proposed traffic circle in front of this project area will be accommodated by the plan and will encourage and accommodate bus, taxi, trolley and shuttle bus ridership.

This property is located within the Caroline Street Corridor Community Redevelopment Area and deteriorating portions of the building are specifically documented in the City's 2009 Updated Finding of Necessity demonstrating blighted conditions. The improvements proposed to the structure are supported by the 2010 Community Redevelopment Plan to alleviate blight in the

district. Further, improvements to the structure that increase the property value will have a positive financial impact on the Tax Increment Finance Fund for the district.

Construction Management Plan and Inspection Schedule (Section 108-248):

The proposed development is not phased. The applicant will commence construction as soon as upon final approval and is anticipated to be in operation by the end of 2012.

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

As part of the Major Development Plan application, the applicant has obtained Tree Commission approval for the Landscape plan and Tree Removals on February 28, 2012 and on April 12, 2012 (see DRC Member Comments and Minutes). Because this project is part of a larger overall site, the screening, buffer, and landscaping requirements are coordinated in relation to the entire Bight. The proposed plan increases landscaping to the maximum extent practicable. There is minimal open space available on the site and surrounding land to add landscaping. Because the majority of the property and adjacent areas are paved, the Urban Forestry Manager has requested that the applicant coordinate with the proposed Bight Master Plan currently being designed, see attached. The plans will reduce impervious surface on the site by 1,324 sq. ft. in addition to the creation of a 630 sq. ft. green roof.

According to the Landscape Architect the narrow area available creates pedestrian circulation and planting constraints. The landscape design is related to the curvilinear nature of the round-about and the curvilinear entrance facade on the building and an urban streetscape is the most appropriate design. Tree canopy to provide shade is proposed that will also provide immediate scale to the building and not interfere with pedestrian line of sight for Brewery signage. This use of large palms will also mirror the landscape to be provided at the hotel on the other side of the round about.

Off-street Parking and Loading (Article VII) of Chapter 108:

The proposed Major Development Plan is located within the City's Historic Commercial Pedestrian-Oriented Area, and because the applicant is not adding new floor area associated with the consumption area and no additional parking is required. However, the applicant is providing parking for 40 bicycles and providing 15 code compliant parking spaces. This portion of the project has been previously addressed in this report.

Stormwater and Surface Water Management (Article VIII):

Currently the site includes stormwater management that it is part of the overall stormwater management by the city. The site lies in the VE-10 flood zone and is susceptible to flooding. No changes to the existing stormwater and surface water management other than a modest reduction to impervious surface and the utilization of green-roof technology are proposed.

Flood Hazard Areas (Division 4 - Sections 108-821 through 108-927):

The proposed development is located in the VE-10 and the finished floor is 7.3 feet above sea level. FEMA regulations require that structures improving more than 50% of the appraised value of the property must meet flood prevention requirements. Please see the attached memo from the City's FEMA Coordinator and DRC Minutes.

The structure is located approximately 15 feet from the mean high water line and no change is proposed to the existing structure. Therefore, regulations for the Coastal Construction Control Line, and special height constraints for portions of the HRCC-2 zoning district within 100 feet of the mean high water line are not applicable.

Utilities (Article IX):

FKAA reviewed the plan and requested a set of plans for review to determine meter requirements although the existing 8" water main located on William Street will continue to service the facility. Keys Energy Services requested that the applicant submit project review form to verify existing electrical facilities (see DRC Member Comments and Minutes). The proposed development project will use existing utility mains for potable and sewer water as shown in the concurrency management report. Landscaping will consist of native species as shown on the proposed landscape plan.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for Major Development Plan be **approved** with the following conditions:

General Conditions:

1. Hours of operation (excluding City approved special events) for the rooftop Waterfront Brewery Café are limited to 8 a.m. to 10 p.m. and any outdoor performance or entertainment activity whether amplified or otherwise shall end by 10 p.m.
2. The applicant shall obtain a Conditional Approval Permit, pursuant to Section 18-610.
3. The applicant shall recycle materials accepted by the city's waste handling contractor.
4. New lighting shall be designed to "Dark Sky" lighting standards.
5. The upstairs turf area shall not be used for table placement or be considered consumption area.
6. Prior to City Commission review of the project the applicant shall submit a site plan with location and direction of proposed speakers to the Planning Department for review and approval that will be attached to the Commission Review Package.

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

7. The applicant shall renew the Conditional Approval Permit issued by the City on an annual basis. The renewal is due on May 31st of every year.
8. The applicant will install and maintain a programmable distributive sound system to assure compliance with the "unreasonable noise" definition of Section 26-191 of the Code of Ordinances, and shall include a computerized sound monitoring system with real time monitoring access provided to the City.
9. Any outdoor televisions will not be wired through the distributive sound system or any surround sound system.

10. The applicant shall point any speakers or any sound amplification device on the rooftop Waterfront Brewery Café, away from neighboring and/or surrounding transient and residential properties.
11. The restaurant use is consistent with the October 21, 2008 Administrative Interpretation defining Bar/Lounge and Restaurant Uses attached herein.

**Administrative Determination: Bars/Lounges
and Restaurant Uses
October 21, 2008**

RECEIVED
CITY OF KEY WEST

2008 NOV 13 PM 4:43 Administrative Interpretation
Bar/Lounge and Restaurant Uses
CITY OF KEY WEST
KEY WEST, FLORIDA

October 21, 2008

Issue: How does the City distinguish between restaurant and lounge/bar uses and ensure that facilities licensed as either are operating consistently with the definitions in the Land Development Regulations?

Introduction: The City of Key West Land Development Regulations define bar and lounge uses separately from restaurant uses. Further, the Land Development Regulations distinguish between these uses within individual zoning districts. In general, restaurants have less impact than lounges and bars, and the City's code reflects this by allowing restaurants as permitted uses and bars and lounges as conditional uses in the City's more intense commercial districts. New uses in the City of Key West must conform to the zoning district regulations.

Definitions for these uses, per Section 86-9, Definition of terms, Land use classifications, (3) Commercial activities, is as follows:

- b. *Bar* and *lounge* mean a commercial establishment selling and dispensing for the drinking on the premises of liquor, malt, wine or other alcoholic beverages. This shall not include the sale of alcoholic beverages accessory to and within a restaurant use.
- l. *Restaurant*, excluding drive-through, means any establishment, which is not a drive-through service establishment, where the principal business is the sale of food, desserts and beverages to the customer in a ready-to-consume state. This includes service within the building as well as takeout or carryout service. For the purpose of this subpart B and impact fee assessments, a takeout or carryout restaurant shall be limited to no more than five chairs or bench seats without tables or counter tops.

The City of Key West Building Department issues separate licenses for restaurants and bars/lounges based on the requested use made by the applicant, so long as the use is allowed within the applicable zoning district (or through an associated approval process, such as a Conditional Use). However, the City has not historically monitored licensed restaurant or bar/lounge uses to ensure that the facility is operating within the definitional parameters established in the Land Development Regulations, and thereby supporting the public purposes underlying the City's regulation of land use. The purpose of this interpretation is to establish guidelines for City staff to use in their determination if a facility is operating, or is proposed to operate, as a restaurant or as a bar.

Determination:

Although many bars and lounges sell food and many restaurants serve alcoholic beverages, the "principal business" of each facility defines the specific use under the Code. In other matters the City has determined that a "principal business" generates 51% or more of the revenue associated with a facility. Because the code clearly differentiates between the sale of alcoholic and other beverages, 51% of restaurant sales cannot include alcohol. Further, in the case of a restaurant, we have determined that sale of food (including dessert) must occur at all times the facility is open for business. In the event of a compliance concern, a given facility can be required to demonstrate that these criteria are being met. Although Florida Department of Revenue Sales Tax

Remittance and related documentation may be the best way to demonstrate compliance, other sources may be acceptable to the City and can be examined on a case by case basis.

In summary, the use of a facility as a restaurant can be demonstrated through the following two criteria:

1. The sale of food, desert and non-alcoholic beverages constitutes 51% or more of business; and,
2. The sale of food must occur during the time in which service is being provided to the public.

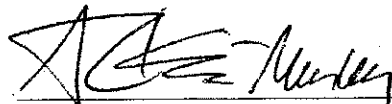
The use of a facility as a lounge or bar can be demonstrated through the following:


1. The sale of alcoholic beverages constitutes 51% or more of business.

Authority:

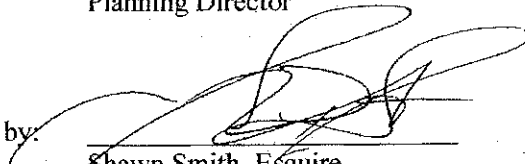
Section 90-301 (b) of the City of Key West Land Development Regulations provides the Planning Director the administrative responsibility to interpret the land development regulations. Section 90-301(a) requires that the Chief Building Official administer the land development regulations. Because the Building Official is also administratively responsible for Code Compliance within the City, this determination has been drafted in conjunction with him and includes his signature as well.

Signed by:


Amy Kimball-Murley, AICP
Planning Director

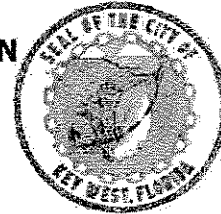

John Woodson
Building Official

Attested by:


Shawn Smith, Esquire
City Attorney

Application

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



Development Plan & Conditional Use Application

Applications will not be accepted until they are complete

Development Plan
Major X
Minor _____

Conditional Use

Historic District
Yes X
No _____

Please print or type and call the Planning Department if you have any questions.

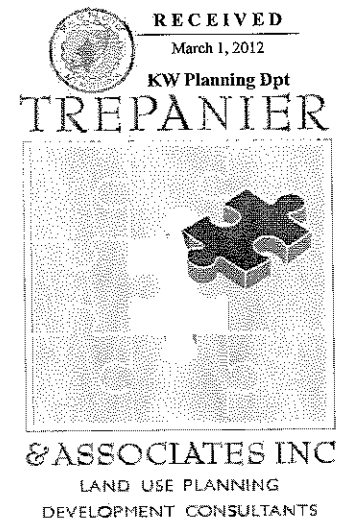
- 1) Site Address 201 William Street
- 2) Name of Applicant Trepanier & Associates, Inc., on behalf of Waterfront Brewery, LLC.
- 3) Applicant is: Owner _____ Authorized Representative X
(attached Authorization Form must be completed)
- 4) Address of Applicant 402 Appelrouth Lane, P.O. Box 2155, Key West, FL 33045-2155
- 5) Applicant's Phone #: (305) 293-8983 Fax: (305) 293-8748
- 6) Email Address: Owen@OwenTrepanier.com
- 7) Name of Owner, if different than above: City of Key West
- 8) Address of Owner: 3132 Flagler Avenue
- 9) Owner Phone #: (305) 809-3888 Email: mfinigan@keywestcity.com
- 10) Zoning District & RE No. of Parcel: HRCC-2 RE: 00072082-0004200
- 11) Is Subject Property located within the Historic District? Yes X No _____
If Yes: Date of Approval _____ HARC Approval Number _____
OR: Date of Meeting: 12/12/2011
- 12) Description of Proposed Development and Use. Please be specific. List existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use. (Give concise description here and use a separate sheet if necessary)

This application seeks approval for the redevelopment of the old Waterfront Market building into a microbrew pub.



MEMORANDUM

Date: 03/01/12
To: Ms. Nicole Malo, Planner
From: Owen Trepanier
Re: **Waterfront Market – Major Development Plan
Project Analysis**



Background:

This property was part of a larger acquisition and protection action taken by the State of Florida and the City of Key West to acquire the Key West Bight. The area is part of the Caroline Street Corridor Community Redevelopment Area and it is included in the TIF district. The project includes only a portion of the exiting Waterfront Market as depicted on the plans.

The structure was historically a shrimp house but since the City acquired the property it has been used primarily for restaurant, retail, wholesale, manufacturing, distribution, and office.

Request:

This Development Plan Application seeks to renovate a portion of the "Waterfront Market" building as a restaurant and micro-brewery. Improvements will include the façade, parking, landscaping, roofing, interior renovations, reduction of impervious surface and ADA accessibility. The project is proposed in a manner that will allow the continued compatible operation of the property without burdening the land use activities in the immediate vicinity, including community infrastructure, with adverse impacts detrimental to the general public health, safety and welfare.

Process:

Development Review Committee Meeting:
HARC Meeting:
Tree Commission Meeting:
Planning Board Meeting:
City Commission Meeting:

Date:

12/16/2011
12/14/2011
02/13/2012
03/17/2012
To be determined

Analysis – Evaluation for Compliance with the Land Development Regulations

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

1. The anticipated public facility impacts of the proposed development:

A concurrency analysis demonstrated all anticipated development impacts to public facilities can be accommodated within current capacities.

2. The ability of existing facilities to accommodate the proposed development at the adopted level of service standards:

A concurrency analysis demonstrated all anticipated development impacts to existing facilities can be accommodated within current capacities and adopted levels of service.

3. Any existing facility deficiencies that will need to be corrected prior to the completion of the proposed development:

There are no existing facility deficiencies that will need to be corrected prior to completion of the proposed development.

4. The facility improvements or additions necessary to accommodate the impact of the proposed development at the adopted level of service standards and the entities responsible for the design and installation of all required facility improvements or additions:

There are no facility improvements or additions necessary to accommodate the impact of the proposed development at the adopted level of service standards.

5. The date such facility improvements or additions will need to be completed to be:

NA – No improvements required.

Fire Protection (Section 108-233 (8))

Per DRC coordination the Key West Fire Department stated the building meets fire protection requirements and has no objection to the project.

Site Location and Character of Use (Section 108-235):

The project site is located in the HRCC-2 zoning district. HRCC-2 is the Historic Residential Commercial Core. The district is characterized by water-dependant and water related uses: marinas, ferry terminal, restaurants, commercial retail, manufacturing, office, light industrial and residential uses. Restaurants are a permitted use in this zoning district. Based on the surrounding zoning and land uses, the proposed Development Plan is compatible with neighboring properties.

1. Location and screening of mechanical equipment, utility hardware and waste storage areas (Section 108-279):

All new mechanical equipment will be located on the roof of the existing structure and screened per HARC approval in compliance with Section 108-279.

2. Utility lines (Section 108-282):

No new construction is proposed that requires the placement of underground utility lines. Keys Energy has provided a letter of no objection for this property and existing electric lines will be used.

3. Commercial and manufacturing activities conducted in enclosed buildings (Section 108-283):

All commercial-retail and manufacturing activities will take place within the enclosed building. No outdoor storage or display has been applied for or approved.

4. Exterior Lighting (Section 108-284):

Per Section 108-284, all proposed lighting shall be shielded and arranged lighting sources to eliminate glare from roadways and streets and shall direct light away from properties lying outside the district. Shielding of lighting elements shall be accomplished by using directional fixtures or opaque shades. Within the project limits, street lighting shall be installed on all internal and perimeter streets, within parking areas, and along pedestrian walkways as required.

5. Signs (Section 108-285):

Proposed signage is harmonious with the urban design theme of the project, it is aesthetically pleasing and reinforces good principles and practices of streetscape design as demonstrated by the unanimous HARC approval.

6. Pedestrian sidewalks (Section 108-286):

All proposed sidewalks, within the project limits, shall be constructed to link major activity centers and will also link vehicle use areas including parking areas with all principal buildings. The pedestrian circulation system includes marked pedestrian crossings, as required, in order to separate vehicular and pedestrian traffic.

7. Loading docks (Section 108-287):

Loading docks are existing. The plan accommodates proposed changes by the City of Key West. The docks are located at the side/rear of the structure as required by Section 108-287 and are located more than 100 feet from any residentially zoned property and more than 40 feet from any property line adjacent to a nonresidential zoning district.

8. Storage Areas (Section 108-288):

No outdoor storage areas are proposed. Waste and recycling handling will occur within the designated areas on the interior of the restaurant and within the existing shared facility adjacent to the market.

On-Site and Off-Site Parking and Vehicular, Bicycle, and Pedestrian Circulation (Section 108-244):

The proposed development plan satisfies on- and off-site vehicular and bicycle circulation, and parking requirements of Articles IV and VII of Chapter 108. The proposed market currently has 15 parking spaces associated with it. Approximately half of the existing parking spaces are nonconforming with regard to the dimensional requirements of the code. The proposed reconfiguration will retain 15 spaces, all conforming, and allow for 3 additional spaces to be created within the proposed City changes to the loading dock area. This site is located within the Historic Commercial Pedestrian-Oriented Area; no additional parking is required. The large William-Caroline-Margaret Street parking lot is located on the project's parent parcel. The proposed plan also incorporates the City's proposed traffic circle which enhances and encourages bus, taxi, and trolley ridership.

The project accommodates the City's planned redesign of the existing loading zone which allows for increased maneuverability, the creation of three new automobile parking spaces and twenty-one new bike-scooter spaces. Existing bike and scooter parking will remain at the Caroline Street entrance. The plan will result in a net reduction of 57 sq. ft. of floor area.

Housing (Section 108-245):

No housing is proposed as part of this Development Plan.

Economic resources (Section 108-246):

Trepanier & Associates, Inc. contacted the Monroe County Property Appraiser's office to seek assistance in estimating the average ad valorem tax yield from the proposed project however, because several important factors (lease length, approved rights, etc.), have yet to be defined, the appraiser was unable to assist in the estimation of average ad valorem tax yield.

The project is proposed as a single phase and the construction cost is estimated at \$1,500,000. The entire project will be constructed in the City of Key West and the majority of the expenditure will transact within the City.

Special Conditions (Section 108-247):

As mentioned above, the proposed plan accommodates the City's working draft master plan. The proposal complies with the goals, objectives and policies of the comprehensive plan and as demonstrated by the concurrency analysis there are no conflicts with the existing public facilities, such as wastewater treatment and transportation.

The project is located within the Caroline Street Redevelopment Area and complies with the intent of the plan.

The project is adjacent to the Key West Bight. There is no impact on the unincorporated portion of the county. The public access way between the project and Bight will not be adversely impacted as a result of the plan and will remain open to the public. In addition, the plans will open the second story roof deck for restaurant use.

The City's proposed traffic circle in front of this project area will be accommodated by the plan and will encourage and accommodate bus, taxi, trolley and shuttle bus ridership.

The restaurant will be designed with energy saving devices such as green roof technology, insulation standards, water saving devices, built-in recycling areas, and bike-scooter parking.

Coordination with applicable agencies was performed through the DRC process. No coordination with DEP or USACE is required.

Construction Management Plan and Inspection Schedule (Section 108-248):

The proposed development is not phased. The applicant would like to commence construction as soon as possible.

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

The plans will reduce impervious surface on the site by 1,324 sq. ft. in addition to the creation of a 630 sq. ft. green roof. The landscape plan has been approved by the Tree Commission.

Off-street Parking and Loading (Article VII) of Chapter 108:

As stated above - The proposed development plan satisfies on-and off-site vehicular and bicycle circulation, and parking requirements of Articles IV and VII of Chapter 108.

Stormwater and Surface Water Management (Article VIII):

No changes to the existing stormwater and surface water management other than a modest reduction to impervious surface and the utilization of green-roof technology.

Flood Hazard Areas (Division 4 - Sections 108-821 through 108-927):

The proposed project is located in the AE-VE flood zones¹. The first finished floor elevation of the existing structure is 7.73ft². All FEMA requirements will be met.

Utilities (Article IX):

According to information submitted to the Department, FKAA and Keys Energy Services are able to provide utilities to the site. The proposed development project will use existing utility mains for potable and sewer water as shown in the concurrency management report. Landscaping will consist of native and permitted species as shown on the proposed landscape plan.

Nonconformities (Article II):

Within HRCC-2, land uses within 30ft of mean high water are intended to be water-dependant³, from 30 to 100ft the land uses are intended to be water-related⁴. The Key West Bight Master Plan identified the then existing and proposed land uses of the Waterfront Market Building as retail, deli, bakery, offices, storage, trucking and deliveries. The plan did not identify the manufacturing uses existing in the Waterfront Market, but there has been the historic use as the manufacturing of sailing equipment. The adopted plan anticipated a cafe "with views of the Harbor" on the second floor of the market building.

The existing nonconforming mix of uses is clearly water-related as defined in the Code⁵. The uses identified in the plan as existing and proposed in 1994 are the very same land uses that are existing and proposed today. There is no existing or proposed deviation to the identified land use classifications in the adopted plan. Notwithstanding, the proposed alteration of the relative proportions of the mix of uses within the existing classifications will result in a decrease of both actual and potential intensity⁶ as indicated by the associated site plans and concurrency analysis.

The proposed project is equally or more appropriate to the zoning district as evidenced by the fact that there is no change in the overall land use classifications of the site; the land uses are permitted in the district; the land uses have been demonstrated to be compatible under the adopted Plan; and the proposed project will reduce both actual and potential intensity.

The associated site plans and concurrency analysis demonstrate the proposed mix of uses will not intensify the use of the premises by increasing required parking facilities⁷ or vehicular traffic

¹ Panel 1516K

² According to the Hildebrandt Survey dated 02/27/06

³ Sec. 86-9 "Water-dependent uses means activities which can be carried out only on, in or immediately adjacent to water..."

⁴ Sec. 86-9 "Water-related uses means activities which are not directly dependent upon access to a water body, but which provide goods and...supportive services to persons using a duly permitted marina."

⁵ Water-related uses include accessory uses. Sec. 86-9 "Accessory use means a use that is clearly incidental to the principal use, that is subordinate in area, extent or purpose to the principal use and that contributes to the comfort, convenience or necessity of the principal use..."

⁶ In terms of FAR & trip generation

⁷ The site is located within the Historic Commercial Pedestrian Oriented Area. No increase in parking facilities is required for the proposed renovation and change in the relative proportions of the existing mix of uses.

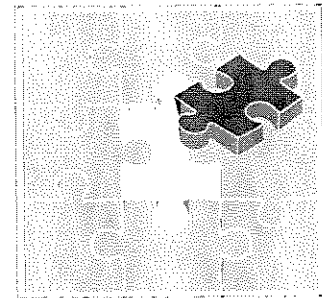
to the neighborhood⁸. All restaurant preparation and brewery activities shall occur indoors to prevent any increase to noise, dust, fumes, or other environmental hazards. There is an overall reduction in impervious surface which will reduce existing drainage impacts.

⁸ The Concurrency Analysis demonstrates an overall reduction in potential trip generation by an average of 236 daily trips.

03/08/2012

Mr. Donald Craig, AICP, Planning Director
 City of Key West
 3140 Flagler Avenue
 Key West, FL 33040

TREPANIER



& ASSOCIATES INC

LAND USE PLANNING
 DEVELOPMENT CONSULTANTS

**Re: 201 William Street (RE No.00072082-0004200)
 Major Development Plan Application**

Dear Mr. Craig,

Attached herewith is an application, and the associated fee, for major development plan approval for the redevelopment and adaptive reuse of the historic industrial/ commercial "Waterfront Market" building at the Key West Bight. Waterfront Brewery, LLC proposes to renovate and adapt the Waterfront Market building into restaurant and micro-brewery use. Improvements will be made to the site including parking, landscaping, storm water management, and ADA access. The adaptive reuse is proposed in a manner that will allow the compatible operation of the property without burdening the land use activities in the immediate vicinity, including community infrastructure, with adverse impacts detrimental to the general public health, safety and welfare.

Per application requirements, the attached 24" x 36" scaled plan set includes surveys and site plans showing the existing and proposed conditions, including:

- Existing vegetation;
- Storm water features;
- Adjacent land uses, buildings, and driveways;
- Proposed buildings, setbacks, parking, driveway dimensions and materials, location of utility lines and location of garbage and recycling; and
- Proposed building elevations, drainage plan and landscape plan.

The existing and proposed site data is as follows:

Issue	Permitted/ Required	Existing	Proposed	Compliance
Zoning	HRCC-2	HRCC-2	No Change	Complies
Site Size	5,000 sq. ft.	140,049 sq. ft.	No Change	Complies
FAR	0.5 (70,030 sq. ft.)	0.34 (47,620 sq. ft.)	0.32 (45,938 sq. ft.)	Complies
Open Space within 100ft of MHWL	50% (70,030 sq. ft.)	2.9% (1,170 sq. ft.)	3.28% (1,320 sq. ft.)	Complies*
Open Space	20% (28,012 sq. ft.)	6% (8,435 sq. ft.)	7% (10,388 sq. ft.)	Complies*
Residential Units	5 units	0	0	Complies
Consumption Area	70,030 sq. ft.	1,260 sq. ft.	4,500 sq. ft.	Complies
Impervious Surface	(60%) 84,035 sq. ft.	(94%) 131,624 sq. ft.	(93%) 130,300 sq. ft.	Complies*
Set Backs				
Front	10'	10'	10'	Complies
Side 1	7.5'	7.5'	7.5'	Complies
Side 2	7.5'	0'	0'	Complies*
Rear	15'	0'	0'	Complies*

* Existing nonconformity

Key Individuals and entities involved in this project are as follows:

Key Individuals and Entities	
Property Owner	City of Key West
Applicant	Waterfront Brewery, LLC
Applicant's Agent	Trepanier & Associates, Inc.
Architect	William P. Horn, P.A.
Landscape Architect	Elizabeth Newland Landscape Architecture, LLC
Surveyor	Fredrick H. Hildebrandt, Engineer Planner Surveyor

Other Project Information required per City's application:

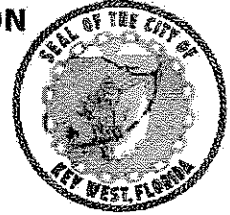
Issue	Applicant Response
Proposed stages or phases of development	Single Phase
Target dates for each phase	Commencement expected immediately following the development approval
Expected date of completion	Steady and continuous progress is proposed and expected with completion by the end of 2012
Proposed development plan for the site	Attached
Planned unit developments	No planned unit development is proposed
Buildings and sitting specifications which shall be utilized to reduce damage potential and to comply with federal flood insurance	All FEMA requirements will be observed
Protection against encroachment together with proposed mitigation measures to be employed within environmentally sensitive areas	No development is proposed within environmentally sensitive areas.

Intergovernmental Coordination:

Agency	Coordination
South Florida Regional Planning Council	Not applicable
City Electric Systems	Per Development Review Committee
State Department of Environmental protection	Not applicable
Army Corps of Engineers	Not applicable
South Florida Water Management District	Not applicable
State department of transportation	Not applicable
State department of community affairs	Per rendering requirements of the MOU
Florida Keys Aqueduct Authority	Per Development Review Committee
State fish and wildlife conservation commission	Not applicable
Monroe County	Not applicable

Verification Form

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



- 12) Has subject Property received any variance(s)? Yes ___ No ___
- 13) Are there any easements, deed restrictions or other encumbrances on the subject property?
Yes ___ No ___ If Yes, describe and attach relevant documents.
- 14) A. For *Conditional Uses and Development Plans*, provide the information requested on the attached

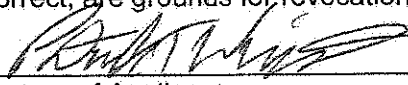
Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing:

Verification

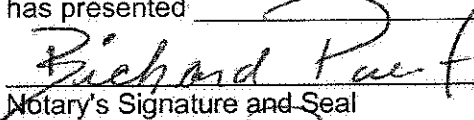
I, **Trepanier & Associates, Inc.** (please print), being duly sworn, depose and say

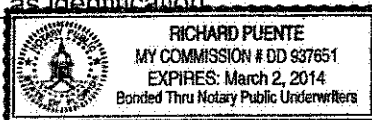
Name of Applicant

that I am (check one) the owner ___ / owner(s) legal representative of the property which is the subject matter of this application. All of the answers to the above questions, drawings, plans and any other attached data to this application, are true and correct to the best of my knowledge and belief and that if not true or correct, are grounds for revocation of any action reliant on said information.

 for Trepanier & Associates, Inc.
Signature of Applicant

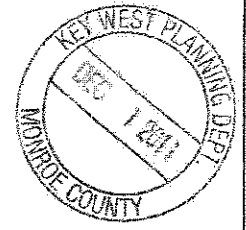
Subscribed and sworn to (or affirmed) before me on Dec 1, 2011 (date) by
(name of affiant, deponent or other signer). He/She is personally known to me or
has presented _____ as identification


Notary's Signature and Seal



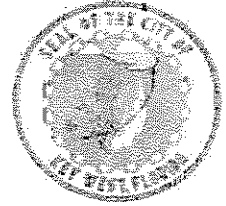
Richard Puente Name of Acknowledger typed, printed or stamped

Notary Title or Rank DD 937651 Commission Number



Authorization Form

**City of Key West
Planning Department**



Authorization Form
(Where Owner is a Business Entity)


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

I, Jim Scholl as
Please Print Name of person with authority to execute documents on behalf of entity

City Manager of City of Key West
Name of office (President, Managing Member) Name of owner from deed

authorize Waterfront Brewery, LLC
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.


Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 6th DEC, 11 by
date

Jim Scholl
Name of Authorized Representative

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

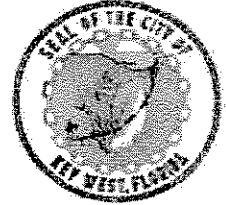

Notary's Signature and Seal

Maria G. Ratcliff
Name of Acknowledger typed, printed or stamped



4 March 22, 2015
Commission Number, if any

City of Key West
Planning Department



Authorization Form
(Where Owner is a Business Entity)

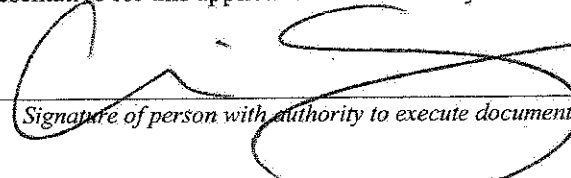
Please complete this form if someone other than the owner is representing the property owner in this matter.

I, Chris Shultz as
Please Print Name of person with authority to execute documents on behalf of entity

Managing Member of Waterfront Brewery, LLC
Name of office (President, Managing Member) *Name of owner from deed*

authorize Trepanier & Associates Inc.
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

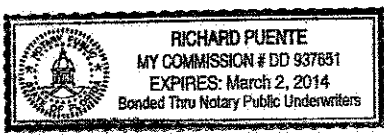

Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this Dec 1, 2011 by
date

Agent
Name of Authorized Representative

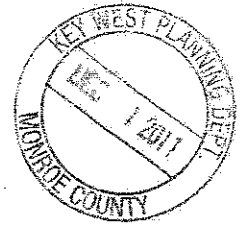
He/She is personally known to me or has presented _____ as identification.


Notary's Signature and Seal



Richard Puente
Name of Acknowledger typed, printed or stamped

DD 937 651
Commission Number, if any



**Electronic Articles of Organization
For
Florida Limited Liability Company**

L11000040225
FILED 8:00 AM
April 04, 2011
Sec. Of State
jbryan

Article I

The name of the Limited Liability Company is:

WATERFRONT BREWERY, LLC

Article II

The street address of the principal office of the Limited Liability Company is:

429 CAROLINE STREET
#2
KEY WEST, FL. US 33040

The mailing address of the Limited Liability Company is:

915 SOUTHARD STREET
#2
KEY WEST, FL. US 33040

Article III

The purpose for which this Limited Liability Company is organized is:

ANY AND ALL LAWFUL BUSINESS.

Article IV

The name and Florida street address of the registered agent is:

CHRISTOPHER SHULTZ
429 CAROLINE STREET
#2
KEY WEST, FL. 33040

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: CHRISTOPHER SHULTZ

Article V

The name and address of managing members/managers are:

Title: MGRM
J. TODD MANUEL
915 SOUTHARD ST., #2
KEY WEST, FL. 33040 US

Title: MGRM
CHRISTOPHER SHULTZ
1025 ROBERTS LANE
KEY WEST, FL. 33040 US

L11000040225
FILED 8:00 AM
April 04, 2011
Sec. Of State
jbryan

Article VI

The effective date for this Limited Liability Company shall be:

04/04/2011

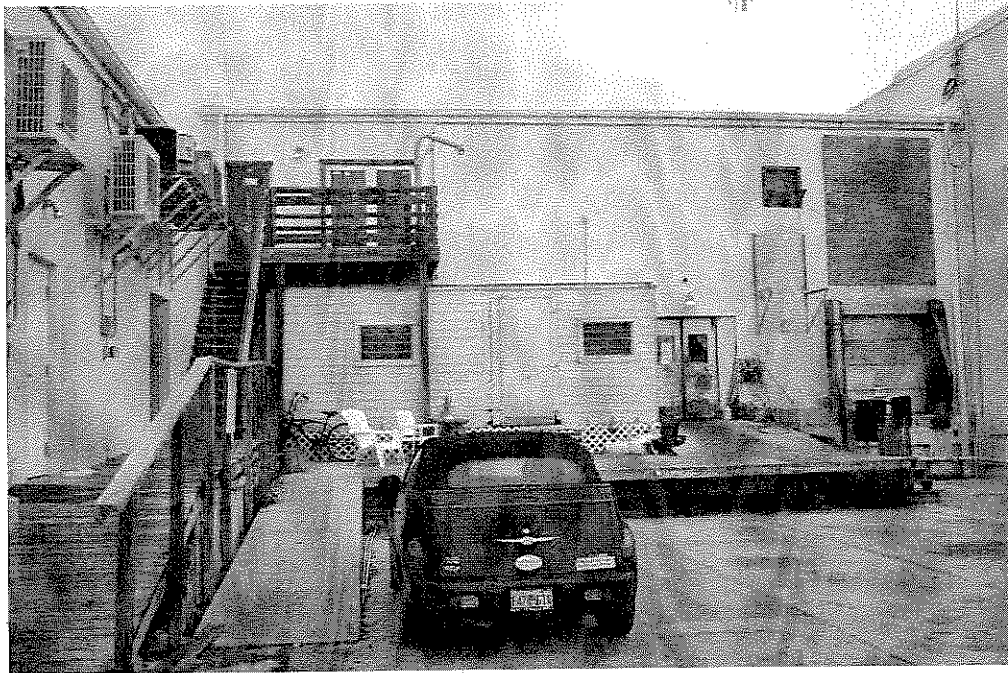
Signature of member or an authorized representative of a member

Electronic Signature: JAMES A. BYRNE

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

**Community Redevelopment Plan,
Finding of Necessity, 2009.
Excerpts**

SECTION I – KEY WEST BIGHT AREA



Top Photograph: Loading Dock, Key West Bight area (Source: City of Key West, 2009);
Bottom Photograph: Infrastructure, Key West Bight area (Source: City of Key West, 2009)

HARC Staff Report

7 Major Development Plan -Renovate building into a restaurant and brewery. New loading dock, new entries and stairs. Second floor rooftop dining area. Non historic building - #201 William Street- William Horn/ City of Key West Marilyn Wilbarger (H11-01-1519)

The building located on #201 William Street is not listed in the surveys. According to the 1962 Sanborn map the site where the building stands today was vacant. In the Property Appraiser's records the year of construction of the two story cbs structure was 1970. The proposed plans include renovations of the structure in order to reuse it as a restaurant and brewery. Two new entryways are proposed in the plans, both to give access to the rooftop, where a dining area and a bar are proposed. The plans also include site modifications, including a new loading dock, relocation of air conditioning equipment and new design of the existing main entrance. As a proposed major development plan in the historic district the property a public notice was posted on November 30th, 2011, at least 14 days prior to the HARC meeting.

One of the proposed entrances, facing west, will be a screen wall, semicircular in footprint, will glass that will contain a staircase to access the rooftop. The staircases will be covered with a combination of flat and shed roofs covered with metal v-crimp panels. The semicircular wall will have metal frames that will support glass panels. Some of the glass panels will have etched art work depicting the Bight's history. On the east side of the building a new steel staircase, parallel to the façade, will give also access to the rooftop. The existing entrance, facing the parking lot, will be renovated; new roofs and railings will give access to the building's first floor.

A new dining terrace with a bar and a small performance area is proposed on the roof deck. On the north and west side of the rooftop a strip of green garden is proposed. Three feet six inches height cable railings are proposed for security purposes. These railings will be setback from the edge of the building. The proposed performance area will be located on the east side of the roof. Three acoustic panels will be attached to the north wall and acoustic louvers are proposed at the new landing area or the new staircase. A canvas awning supported with a metal frame is proposed over a new bar. The proposed awning will extend two feet over the actual roof and up to 34' from the ground. Concrete tiles will be the finish material for the floor. A turf play area is also proposed on the roof deck. All air conditioning equipment will be relocated on the roof and screened with a proposed with 4' high aluminum louvered panels.

New parking and loading areas is proposed on the east side of the building. A new fenestration is proposed on the east façade to accommodate a galvanized overhead coiling door for service purposes. A flat roof will be covering this new proposed service area.

Guidelines that should be reviewed for this application:

Additions; alterations and new construction (pages 36-38);

- (1) A structure shall not be altered and/or expanded in such a manner that its essential character defining features are disguised or concealed.
- (2) Additions and alterations may be reviewed more liberally on non-contributing buildings, which lack architectural distinction.
- (3) Addition design should be compatible with the characteristics of the original structure, neighboring buildings and streetscapes.
- (4) Additions should be constructed with a scale, height and mass that is appropriate to the original building and its neighbors.
- (5) Additions should be attached to less publicly visible secondary elevations of an historic structure.
- (6) Additions should not alter the balance and symmetry of an historic structure.
- (7) No existing structure shall be enlarged so that its proportions are out of scale with its surroundings.

The structure is located in the HRCC2 zoning district which has the following zoning restrictions;

Front yard- 10 feet
Side yard- 5 feet
Back yard- 15 feet
Maximum height- 35 feet

The new design, as proposed, will not require setback variances.

Section 102-6 of the LDR's. Other regulations applicable to all development proposal, states that;

Development activities shall include precautions necessary to prevent the following adverse impacts to historic or archaeological sites of significance:

- (3) Introduction of visible, audible, or atmospheric elements that are out of character with the property or significantly alter its setting;

- 7 Major Development Plan -Revisions to previously approved plans, alternate 1 minor revision to rooftop performance area (relocate to work with neighbor) and color scheme - #201 William Street- William Horn/ City of Key West Marilyn Wilbarger (H12-01-49)

On December 14, 2011 the Commission approved a Certificate of Appropriateness for a Major Development Plan for renovations to #201 William Street in order to reuse part of the building as a brewery and restaurant. The Commission requested on that meeting that they wanted to review a new color scheme as well as proposed signage. During that meeting the applicant mentioned that a modification to the rooftop performance area was in the works after he met with a neighbor. This staff report is for the review of the proposed changes to the rooftop performance area as well as the new color scheme for the building.

The building located on #201 William Street is not listed in the surveys. According to the 1962 Sanborn map the site where the building stands today was vacant. In the Property Appraiser's records the year of construction of the two story cbs structure was 1970.

The proposed change on the rooftop includes a new location of the performing area. This new area will consist of a new structure that will have acoustic wall panels. A new roof is proposed between the new stage and the existing building.

The plans also include a new color scheme. The main color is blue with degradations of tones. The applicant selected a color that will complement the existing murals located on the south and west side of the building. The applicant included in his submittal photos of the original mural that was painted in the west wall dated 1993. A sample of a yellow stripe canvas proposed for the rooftop was also provided.

Guidelines that should be reviewed for this application;

Additions; alterations and new construction (pages 36-38a);

- (1) A structure shall not be altered and/or expanded in such a manner that its essential character defining features are disguised or concealed.
- (2) Additions and alterations may be reviewed more liberally on non-contributing buildings, which lack architectural distinction.
- (3) Addition design should be compatible with the characteristics of the original structure, neighboring buildings and streetscapes.

- (4) Additions should be constructed with a scale, height and mass that is appropriate to the original building and its neighbors.
- (5) Additions should be attached to less publicly visible secondary elevations of an historic structure.
- (6) Additions should not alter the balance and symmetry of an historic structure.
- (7) No existing structure shall be enlarged so that its proportions are out of scale with its surroundings.

The structure is located in the HRCC2 zoning district which has the following zoning restrictions:

Front yard- 10 feet
Side yard- 5 feet
Back yard- 15 feet
Maximum height- 35 feet

The new design, as proposed, will not require setback variances.

Section 102-6 of the LDR's, other regulations applicable to all development proposals, states that:

Development activities shall include precautions necessary to prevent the following adverse impacts to historic or archaeological sites of significance:

- (3) *Introduction of visible, audible, or atmospheric elements that are out of character with the property or significantly alter its setting;*

It is staff's opinion that the original submitted plans included architectural elements that will mitigate and reduce possible noise from the proposed performance area. Acoustic elements will surround the area from the side as well as at the roof level. Moreover the applicant is proposing a sound system that will allow each table to have a speaker. This alternate design will also be in compliance with the guidelines.

It is staff understanding that the proposed color scheme is in keeping with the character of the building and surrounding urban context and will harmonize with the two existing murals. The use of degradation of blue tones will lower the mass and scale of the east side wall, which is almost a solid one with few fenestrations. As a Major Development Plan this project will require Planning Board and City Commission review and approvals. The Planning Board will be reviewing specific criteria codified in the Land Development Regulations.

Major Development Plan- Installation of three wall signs - #201 William Street - William Horn/ City of Key West Marilyn Wilbarger (H12-01-50)

This staff report is for the review of a Certificate of Appropriateness for a request to install three wall signs. The signs copy will be *Waterfront Brewery Key West*. On December 14, 2011 the Commission approved a Certificate of Appropriateness for a Major Development Plan for renovations to #201 William Street in order to reuse part of the building as a brewery and restaurant. The Commission requested on that meeting that they wanted to review, among other things, the proposed signage.

The building located on #201 William Street is not listed in the surveys. According to the 1962 Sanborn map the site where the building stands today was vacant. In the Property Appraiser's records the year of construction of the two story cbs structure was 1970. The building is located on a corner lot.

One of the proposed signs will be located on the south facade, where the old main entrance to the market used to be. This sign will be free standing brushed stainless steel letters, 12" tall, set on an arch way with an oval translucent panel with 10" tall applied stainless steel letters with copy *Key West*. This sign will be illuminated with back floor flood lights.

A second sign will be located on the new proposed entrance facing William Street. The 12" tall free standing brushed stainless steel letter will be attached to a new proposed curved wall. The letters will be back light with LED lights, creating a halo effect. Under the *Waterfront Brewery* letters an oval translucent panel with 10" tall applied stainless steel letters with copy *Key West*.

A third sign will be located in east side wall. This wall sign will be a brush aluminum panel with 12" tall cut out letters with copy *Waterfront Brewery*. The back of the sign will be lighted with a continuous LED strip light.

Staff understands that the following guidelines can be applied when reviewing this application:

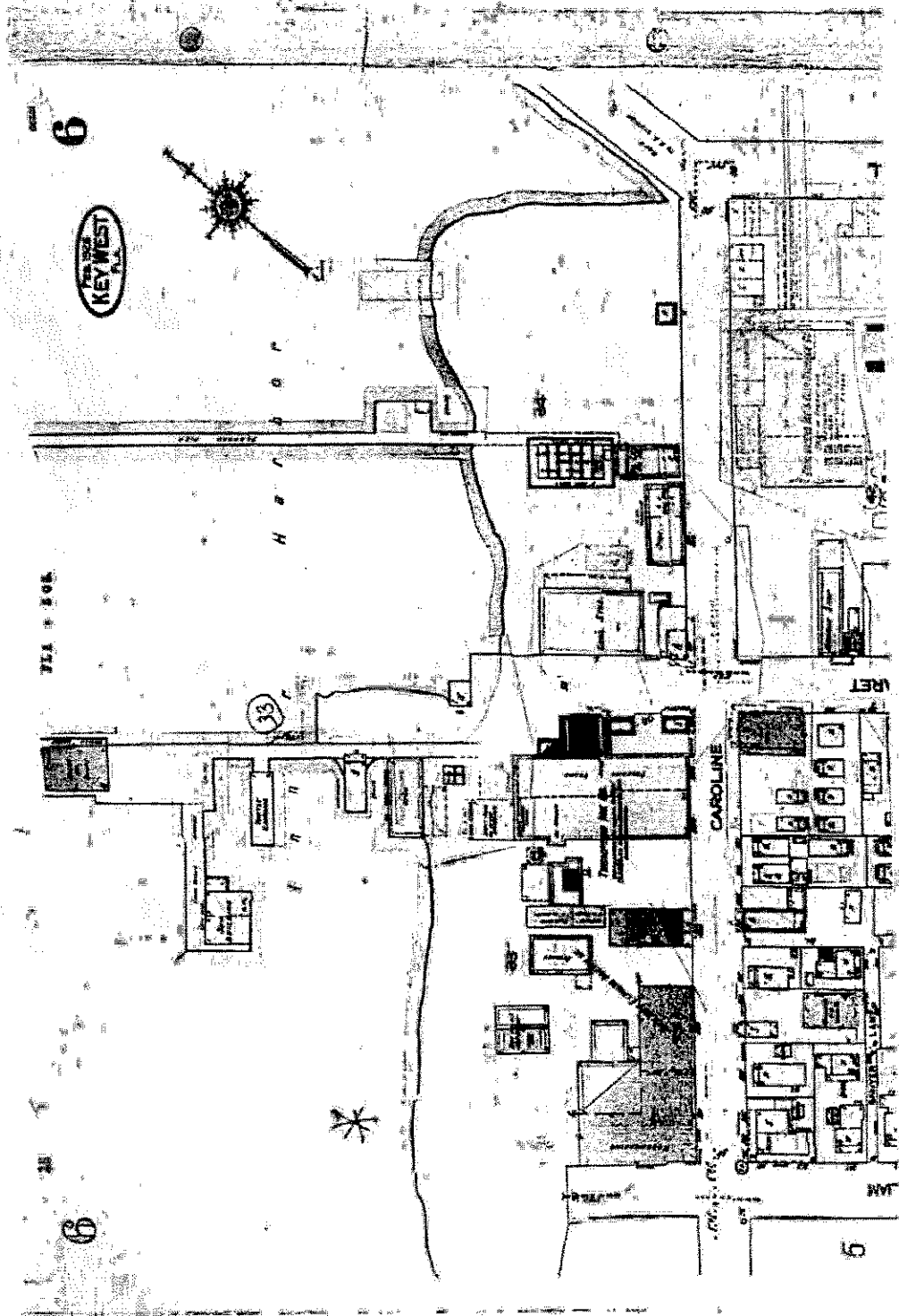
Banners, flags, signage and lighting (pages 49-51):

(2) Flat and facade signs shall be restricted to ten percent of the front building facade or less and shall not project more than four inches from the facade of the building.

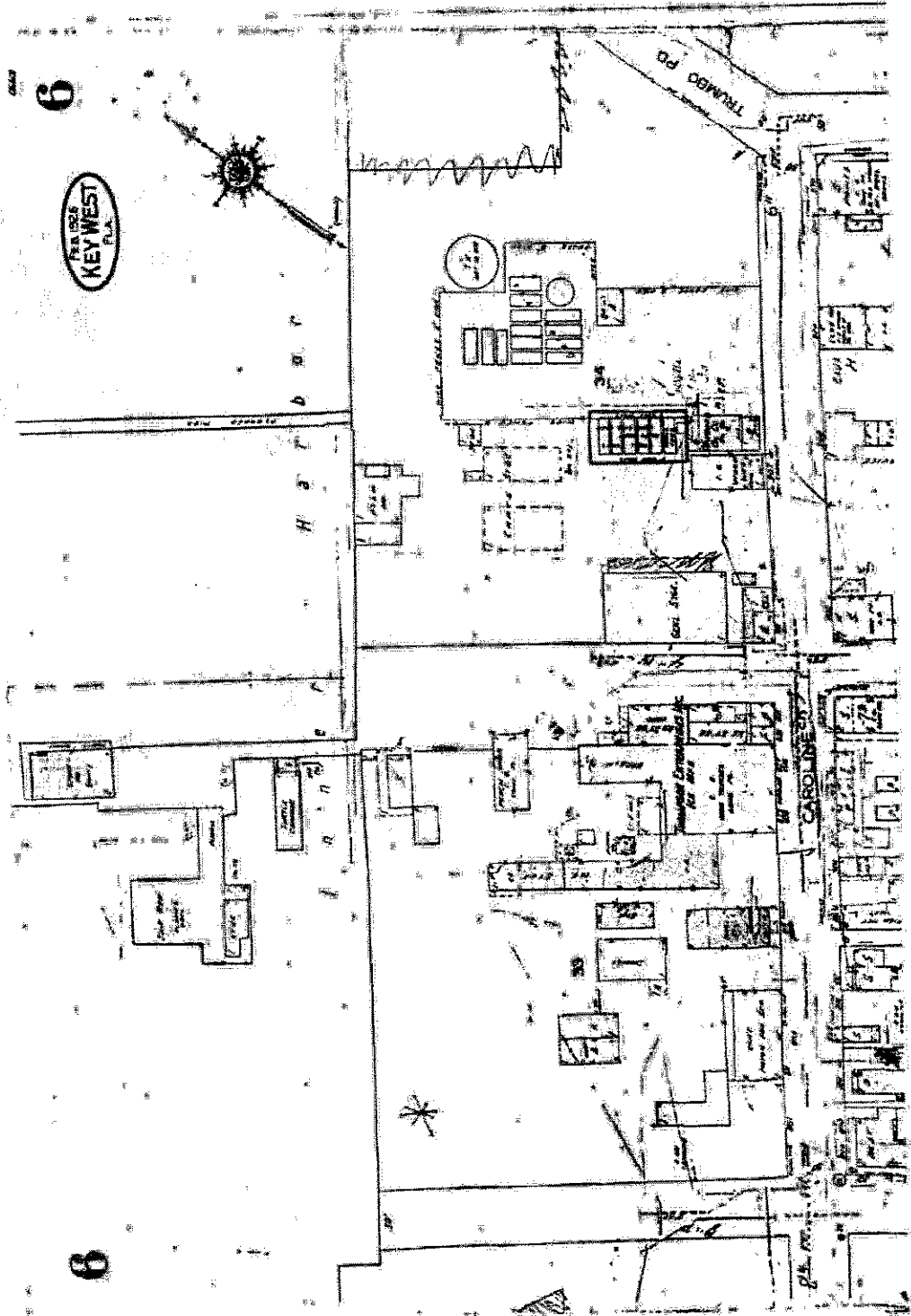
(6) A business shall not have more than two permitted signs, a primary and a secondary sign, unless located on a corner, in which each case three signs are allowed, provided that all other sign guidelines for historical zones are met.

It is staff's opinion that the proposed signs design is consistent with the guidelines and the LDR. The proposed signs will be detached from the walls no more than 4". This design proposes 3 signs which is the maximum number allowed in the historic district as per the guidelines and the LDR's. Staff understands that the use of new technology LED lighting systems will not detract from the urban character the bight possesses.

Sanborn Maps



#201 William Street Waterfront market Sanborn map 1948 Copy



#201 William Street Waterfront Market Sanborn map 1962

DRC Member Comments and Minutes

Minutes of the Development Review Committee of the City of Key West

December 16, 2011

DRAFT

Page 1 of 3

Call Meeting To Order

Don Craig, City Planning Department Director, called the City of Key West Development Review Committee (DRC) Meeting of December 16, 2011 to order at **10:04 am** at Old City Hall, in the antechamber at 510 Greene Street, Key West.

Pledge of Allegiance to the Flag

Roll Call

DRC Member or Designated Staff	DRC Representative	Present	Absent
ADA Coordinator	Diane Nicklaus	X	
Building Official	John Woodson/John Cruz		X
Community Housing	Omar Garcia		X
Department of Transportation	Myra Wittenberg/Carolyn Haia		X
Fire Chief	Alan Averette	X	
Florida Keys Aqueduct Authority	Ed Nicolle/Jolynn Reynolds		X
General Services/Engineering Director	Elizabeth Ignoffo	X	
HARC Planner	Enid Torregrosa	X	
Keys Energy	Matthew Alfonso/Dale Finigan		X
Landscaping Coordinator	Karen DeMaria	X	
Planning Director	Don Craig	X	
Police Chief	Steve Torrence		X
Public Works	Greg Veliz		X

Also present:

Agency / Department	Name	Present	Absent
Planning Department	Ashley Monnier		
Planning Department	Brendon Cunningham	X	
Planning Department	Nicole Malo	X	
Planning Department/Recording Secretary	Jo Bennett	X	

7 Major Development Plan - 201 William Street (00072082-004200) - A Major Development Plan for addition of outdoor commercial activity at the Waterfront Market in the HRCC-2 zoning district per Section 108-91A(2)c of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Staff Report:

Nicole Malo presented the project, which is for a major development at the old Waterfront Market building. Ms. Malo stated the proposal is for a micro brewery, restaurant, and bar which has already been reviewed and approved by HARC. Ms. Malo requested the applicant to provide a summary of the proposed removal and addition of any floor area. Ms. Malo also requested that the applicant include demolition plans. Ms. Malo stated she spoke with the FEMA Coordinator who has supplied a letter stating he saw no issue with this plan. Ms. Malo concluded that she has already coordinated with the project planners concerning Section 108 needing to be addressed and written statements are needed.

Applicant:

Bill Horn along with Chris Schultz presented a PowerPoint presentation for the project. Mr. Horn stated that there will some changes to the roof top area to accommodate a request

Minutes of the Development Review Committee of the City of Key West

December 16, 2011

DRAFT

Page 2 of 3

from Pritam Singh to move the potential of any noise away from the direction of his proposed new project location. Mr. Horn and Marilyn Wilbarger remained available to respond to any questions.

DRC Member Comments:

Engineering – Ms. Ignoffo requested parking plans, stating that the head-on parking needs to be addressed. Ms. Ignoffo stated that the Fire Zone Access needs to be maintained. Ms. Ignoffo mentioned the access way to the Public Restrooms needs to be maintained. Ms. Ignoffo also mentioned that the transformer pads need to be screened if at all possible. Ms. Wilbarger responded that the Keys Energy transformers will need to remain but potentially landscape around them.

Landscaping - Ms. DeMaria reviewed the vegetation currently on the site. Ms. DeMaria stated that the Thatch palms will need a permit to be removed or relocated. All other landscaping does not need permits.

HARC – Ms. Torregrosa stated that the correct HARC number and correct HARC application date needs to be corrected on the application. Mr. Torregrosa stated that she will be supplying a HARC letter of approval to be included in the package going forward.

ADA – Ms. Nicklaus stated she would withhold ADA review until such time as permitting plan review takes place. Ms. Nicklaus inquired concerning additional ADA baths to accommodate future expansion and different hours of operation for the main building and the roof top may impact access to the ADA restrooms.

Fire – Mr. Averette stated that the sprinkler system satisfies his concerns and that he only other concern is with the turn-a-round which is not part of this project.

Planning - Mr. Craig asked the applicant to clarify the interaction of the two restaurant areas including hours of operation, kitchen use and ADA access. Mr. Craig also requested clarity of the number of seats in each area of the establishment. Mr. Craig inquired concerning the use and hours of the upper restaurant. Mr. Craig stated that the apparent small size of the kitchen could lead people to question the intended use (bar or restaurant). Mr. Craig stated that the applicant should address future expansion and different hours of operation for the main building and the roof top may impact access to the ADA restrooms.

Mr. Craig read the following comments from Marnie Walteson of Florida Keys Aqueduct Authority and from Matthew Alfonso of Keys Energy submitted into the record:

Florida Keys Aqueduct Authority – *"This site is presently being served by multiple FCAA Location #s. There is an 8" water main located on William Street. A complete set of plans will be required for review to determine meter requirements and any System Development Charges."*

Keys Energy – *"Customer will need to submit project review form. Keys will need to verify existing electrical facilities."*

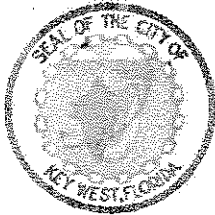
There were no additional Committee member comments for the record.

Public Comments:

There were no public comments.

Adjournment

Actions/Motions:



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

To: Nicole Malo, Development Review Planner

From: Paul Williams, Urban Forestry Manager *PLW*

Date: February 22, 2012

Reference: Waterfront Brewery Landscape Plan

Nicole,

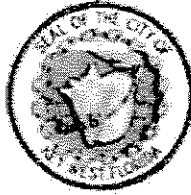
After review of the proposed landscape plan, research on the history of the property and a filed inspection of the current condition of the site, it is my recommendation that the plan meets the requirements of the City Code as it relates to Landscaping and Tree Protection.

As the subject building and surrounding property are owned by the City, the overall property should be considered as one parcel and have one master landscape plan for parking areas, sidewalks, buildings, open space and waterfront.

The proposed landscape plan for the Waterfront Brewery should be considered as a part of the master plan and not be subject to the full extent of Chapter 108 of the City Code.

Therefore, no landscape waivers are required in my opinion and I recommend approval of the proposed plan submitted by the Landscape Architect, Elizabeth Newland.

MEMORANDUM



CITY OF KEY WEST

TREE PERMIT

Permit# 5927 Date Issued 02/16/2012

Address 201 William Street

This it to certify that Waterfront Brewery or Liz Newland

has permission to Remove (1) Thatch palm. Replace with (1) native palm of choice, 4' minimum, FL #1, to be planted on site. Replacements shall be planted in the six months from the approval date as described here in. All plants shall be planted according to current 'Best Management Practices'. Call landscape office for tree replacement inspection.

as per application approved 02/13/2012


The person accepting this permit shall conform to the terms of the application on file in the office of the Tree Commission of Key West. All work shall conform to the requirements of the Code of Ordinances of the City of Key West, Chapter 110-Article VI. Tree Protection.

This Tree Permit is effective for 6 months from the date issued.

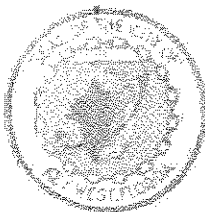
IMPORTANT NOTICE

This card must be posted in a location clearly visible from the street and in a protected covering.

APPROVED BY


Niels Weise-Chairperson

City of Key West
Tree Commission
PO Box 1409
Key West, FL 33040
Phone: (305)809-3764



City Of Key West
Planning Department
3140 Flagler Avenue
Key West, Florida 33040

December 22, 2011

Arch. William Horn
915 Eaton Street
Key West, Florida 33040


RE: MAJOR DEVELOPMENT PLAN-RENOVATE BUILDING INTO A
RESTAURANT AND BREWERY, NEW LOADING DOCK, NEW ENTRIES
AND STAIRS, SECOND FLOOR ROOFTOP DINING AREA, NON
HISTORIC BUILDING
FOR: #201 WILLIAM STREET - HARC APPLICATION # H11-01-1519
KEY WEST HISTORIC DISTRICT

Dear Architect Horn:

This letter is to notify you that the Key West Historic Architecture Review Commission approved the proposed design and the first reading for the above mentioned project on the public hearing held on Wednesday, December 14, 2011. The Commissioners motioned to approve your application based on the submitted plans and your presentation. During the meeting the Commission requested that the proposed new color scheme and new signage should be presented to them in a future. Please be advised that any changes to the approved plans will require a 14 day period for public notice on site prior to a meeting.

You may now apply for the necessary permits and approvals. Should you have any questions, please do not hesitate to contact me at your convenience. On behalf of the Historic Architectural Review Commission of our City, thank you for your interest in the preservation of Key West's historic heritage.

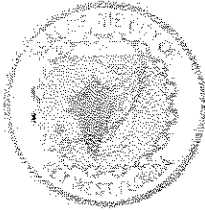
Sincerely:


Enid Torregrosa, MSHP
Historic Preservation Planner
City of Key West
3140 Flagler Avenue
Key West, Florida 33040

305.809.3973

etorreg@keywestcity.com

Cc. Marilyn Wilbarger- Senior Property Manager



City Of Key West
Planning Department
3140 Flagler Avenue
Key West, Florida 33040

January 26, 2012

Arch. William P. Horn
#915 Eaton Street
Key West, Florida 33040

RE: MAJOR DEVELOPMENT PLAN INSTALLATION OF THREE
SIGNS WATERFRONT BREWERY KEY WEST
FOR: #201 WILLIAM STREET - HARC APPLICATION # H12-01-50
KEY WEST HISTORIC DISTRICT


Dear Architect Horn:

This letter is to notify you that the Key West Historic Architectural Review Commission approved your request the above mentioned project on the public hearing held on Wednesday, January 25, 2012. The Commissioners motioned to approve your application based on the submitted documents and your presentation.

You may now apply for the necessary permits and approvals. Should you have any questions, please do not hesitate to contact me at your convenience.

On behalf of the Historic Architectural Review Commission of our City, thank you for your interest in the preservation of Key West's historic heritage.

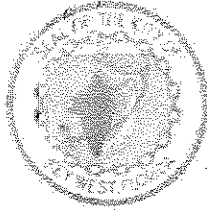
Sincerely:


Enid Torregrosa, MSHP
Historic Preservation Planner
City of Key West
3140 Flagler Avenue
Key West, Florida 33040

305.809.3973

etorreg@keywestcity.com

cc. Marilyn Wilbarger- Senior Property Manager



City Of Key West
Planning Department
3140 Flagler Avenue
Key West, Florida 33040

January 26, 2012

Arch. William P. Horn
#915 Eaton Street
Key West, Florida 33040

RE: MAJOR DEVELOPMENT PLAN REVISIONS TO PREVIOUSLY
APPROVED PLANS. ALTERNATE 1 MINOR REVISION TO
ROOFTOP PERFORMANCE AREA (RELOCATE TO WORK WITH
NEIGHBOR) AND COLOR SCHEME
FOR: #201 WILLIAM STREET - HARC APPLICATION # H12-01-49
KEY WEST HISTORIC DISTRICT


Dear Architect Horn:

This letter is to notify you that the Key West Historic Architectural Review Commission approved your request for the above mentioned project on the public hearing held on Wednesday, January 25, 2012. The Commissioners motioned to approve your application based on the submitted documents and your presentation.

You may now apply for the necessary permits and approvals. Should you have any questions, please do not hesitate to contact me at your convenience.

On behalf of the Historic Architectural Review Commission of our City, thank you for your interest in the preservation of Key West's historic heritage.

Sincerely,


Enid Torregrosa, MSHP
Historic Preservation Planner
City of Key West
3140 Flagler Avenue
Key West, Florida 33040

305.809.3973

etorregr@keywestcity.com

cc. Marilyn Wilbarger- Senior Property Manager

From: Scott Fraser
Sent: Thursday, December 15, 2011 4:42 PM
To: Nicole Malo
Subject: 201 William St.

Follow Up Flag: Follow up
Flag Status: Red

Attachments: sub_improvement_brochure_2011-08-11.pdf
Nicole,

Regarding the major development proposal for 201 William St.

Substantial Improvement floodplain requirements are triggered when proposed improvements (cumulative during the past five years) equal 50% or more of a building's value.

Currently, the Property Appraiser's Office values this structure at \$4,256,193. Therefore, absent a new appraisal, the 50% threshold would be \$2,128,097.

Attached, you'll find a quick reference brochure outlining what is and isn't taken into consideration when calculating the value of improvements for a Substantial Improvement determination.

A much more detailed reference can be found online at FEMA.gov Publication No. "P-758" *Substantial Improvement/Substantial Damage Desk Reference*

[<http://www.fema.gov/library/viewRecord.do?fromSearch=fromsearch&id=4160>]

Scott

Scott Fraser
FEMA Coordinator/Floodplain Administrator
305-809-3810 o.
305-923-4964 c.
sfraser@keywestcity.com

**Relevant Code Excerpts -
Chapter 26, Article IV
Sound Control**

Sec. 26-191. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial district means the HRO, HRCC-1, HRCC-2, HRCC-3, HNC-1, HNC-2, HCT, HPS (Mallory Square only), CL, CG, CT and A zoning districts.

Decibel means a measure of a unit of sound pressure. Sound waves having the same decibel level "sound" louder or softer to the human ear depending upon the frequency of the sound wave in cycles per second (i.e., whether the pitch of the sound is high or low). Thus, an A-weighted filter, constructed in accordance with the specifications of the American National Standards Institute, which automatically takes account of the varying effect on the human ear of different pitches shall be used on any sound level measurements required by this article. Accordingly, all measurements are expressed in dBA to reflect the use of this A-weighted filter.

Disturbing noise means an uninvited or disruptive level of noise that is unreasonably loud or that is raucous and jarring, due to volume, character, or duration, and that causes an actual interference with a person's ability to enjoy peacefully his residence or place of business.

Property boundary means the imaginary line along the surface, and its vertical plane extension, which separates the real property owned, rented, or leased by one person from that owned, rented, or leased by another person.

Public right-of-way means any street, avenue, boulevard, lane, highway, sidewalk, alley, or similar place normally accessible to the public which is owned or controlled by a governmental entity or which has been dedicated to use or access for the benefit of the public or adjacent property owners.

Unreasonable noise means: (1) Any noise in or emanating from a commercial district which equals or exceeds a measured sound level of 75 dBA (maximum permitted sound level in decibels) collectively for more than 30 seconds of any measurement period which shall not be less than five minutes. (Code 1986, § 55.01)

Sec. 26-192. - Prohibition against unreasonable noise.

No person shall make, continue, or cause to be made any unreasonable noise or disturbing noise. (Code 1986, § 55.02(a))

Sec. 26-193. - Exceptions. The prohibitions contained in this article shall not apply to the following:

(5) *Public events.* Sound levels from public events and celebrations sponsored by the city or approved by resolution of the city commission, but only during the hours designated by the resolution.

(10) *Industrial equipment.* Noise levels for industrial equipment, including but not limited to air conditioners, generators, and pool pumps, must be set to reasonable industry standards for properly maintained equipment. (Code 1986, § 55.03)

Sec. 26-194. - Citation procedure.

(a) Except as provided in subsection (e) of this section, all citations for violations issued under this article shall be based on a complaint to the city. The complainant shall be identified by name and address, the sound source shall be identified, and the investigating officer shall verify all information provided by the complainant. The investigating officer shall provide the complainant with a copy of the complaint form which may serve as a record of complaints relating to a property.

(b) A decibel meter shall be used for a complaint of unreasonable noise made at or within 100 feet of the property line of the sound source. The decibel reading shall be made at the location of the complaint. The investigating officer shall issue a citation for unreasonable noise, unless in his judgment a warning is sufficient to cease the violation. There shall be no more than a total of one warning per offending person or establishment.

(c) A complaint of disturbing noise may be made when the location of the complaint is beyond 100 feet of the property line of a commercial property sound source. Additionally, a complaint of disturbing noise may be made when the location of the complaint is a residential property and the location of the sound source is a residential property or a commercial property that was a residential property as of September 1, 2000, at any distance from each other. A decibel meter measurement is not required to determine disturbing noise. The investigating officer shall issue a citation if the complainant suffers disturbing noise within the boundaries of his property. The investigating officer may issue a warning if in his judgment a warning is sufficient to cease the violation. There shall be no more than a total of one warning per offending person or establishment.

(d) If a complaint arises of unreasonable noise emanating from a multistory structure, the determination of whether such sound constitutes unreasonable noise shall be made from a story height equal to that of the sound source or from the nearest accessible point on the ground floor.

(e) Upon the authorization of the city manager, the city may act as the complainant of unreasonable noise when a commercial establishment from which alleged unreasonable noise is emanating holds an entertainment license pursuant to division 2 of article II of chapter 18. A code enforcement officer shall conduct the decibel reading at any point beyond the property line of the sound source. In addition to its being subject to citation

for unreasonable noise, the establishment shall also be subject to the further penalties set forth in division 2 of article II of chapter 18

(f) Citations issued for unreasonable noise or disturbing noise under this article shall be of a content-neutral character.

(g) Either a police officer or a code enforcement officer may issue a citation to an offender under this article.

(h) Notwithstanding the provisions of paragraphs (b) and (c) above, a complaint of disturbing noise may be made at any distance from a commercial or residential property when the location of the sound source is a public right-of-way. The investigating officer shall issue a citation if the complainant suffers disturbing noise within the boundaries of his or her property. The investigating officer may issue a warning if in his or her judgment a warning is sufficient to cease the violation. There shall be no more than a total of one warning issued during any 12-month period.

(Code 1986, §§ 55.02(b)—(g), 55.07(b); Ord. No. 10-21, § 1, 10-5-2010)

Sec. 26-195. - Liability; citizen suit.

(a) *Liability.* The maker or creator of unreasonable noise or disturbing noise and the operator and/or owner of the premises that are its sound source shall each be subject to liability for violations of this article. If prosecuted jointly, each shall be jointly and severally liable for any fines imposed pursuant to this article. The sponsor of a special event shall not be liable for unreasonable noise or disturbing noise unless conditions placed upon the sponsor in the special event permit are violated.

(b) *Citizen suit.* In addition to any other remedy available to the city, including code enforcement, the city or any other adversely affected party may enforce the terms of this article in law or equity. Any citizen of the city may seek injunctive relief and damages in a court of competent jurisdiction to prevent a violation of this article. No section of this article shall be interpreted to prevent any person from commencing a civil action on his own behalf against any person who is alleged to be in violation of any section of this article. Attorney's fees and costs incurred in an action to enforce this article may be awarded to a substantially prevailing party in the discretion of the court.

(c) *Mediation services.* Upon request of parties to a residential noise dispute, the city manager shall provide mediation services.

Property Appraiser Information

Karl D. Borglum
Property Appraiser
Monroe County, Florida

office (305) 292-3420
 fax (305) 292-3501
 Website tested on Internet Explorer

----- GIS Mapping requires Adobe Flash 10.3 or higher. -----

Property Record View

Alternate Key: 8818602 Parcel ID: 00072082-004200

Ownership Details

Mailing Address:
 CITY OF KEY WEST
 PO BOX 1409
 KEY WEST, FL 33041-1409

Property Details

PC Code: 12 - STORE/OFF/RES OR COMBINATION
 Millage Group: 12KW
 Affordable Housing: No
 Section-Township-Range: 31-67-25
 Property Location: 201 WILLIAM ST KEY WEST
 Legal Description: KW PT LOT 2 SQR 10 (WATERFRONT BUILDING) G42-467/68 OR427-17/18 OR572-126E OR656-645/46 OR1424-992/99(LG)

Show Parcel Map - Must have Adobe Flash Player 10.3 or higher

Land Details

Land Use Code	Frontage	Depth	Land Area
10WA - COMM WATERFRONT ACRE	180	348	25,140.00 SF

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 1
 Total Living Area: 27610
 Year Built: 1970

Building 1 Details

Building Type	Condition <u>A</u>	Quality Grade 400
Effective Age 17	Perimeter 666	Depreciation % 23
Year Built 1970	Special Arch 0	Grnd Floor Area 27,610
Functional Obs 0	Economic Obs 0	

Inclusions:

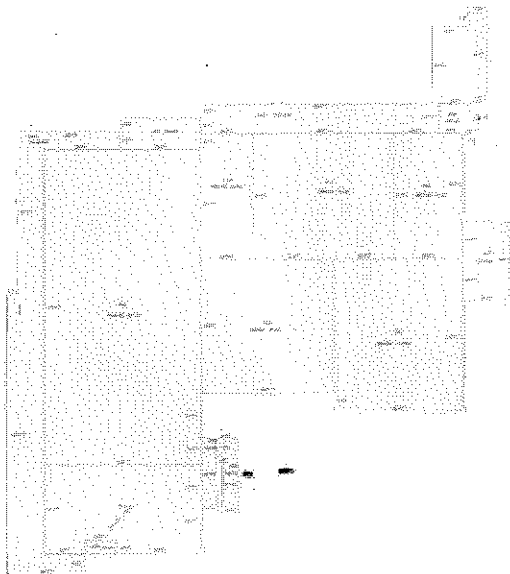
Roof Type	Roof Cover	Foundation
Heat 1	Heat 2	Bedrooms 0
Heat Src 1	Heat Src 2	

Extra Features:

2 Fix Bath	0	Vacuum	0
3 Fix Bath	0	Garbage Disposal	0
4 Fix Bath	0	Compactor	0
5 Fix Bath	0	Security	0
6 Fix Bath	0	Intercom	0

7 Fix Bath 0
 Extra Fix 48

Fireplaces 0
 Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	OPX		1	1992					60
2	FLA		2	1992					3,972
3	OPF		1	1992					135
4	OPU		1	1992					189
5	FLA		1	1992					7,316
6	FLA		2	1992					5,200
7	FLA		2	1992					1,880
8	FLA		1	1992					2,585
9	FLA		1	1992					2,850
10	FLA		3	1992					3,807
11	CLP		1	1992					570
12	SBF		1	1992					135
13	ULP		1	1992					1,703
14	ULP		1	1992					384
15	OPU		1	1994					2,418

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	16454	1 STY STORE-B	100	Y	Y
	16455	OFF BLDG-1 STY-B	100	Y	Y
	16456	1 STY STORE-B	100	Y	Y
	16457	1 STY STORE-B	100	Y	Y
	16458	1 STY STORE-B	100	Y	Y
	16459	1 STY STORE-B	100	Y	Y
	16460	1 STY STORE-B	100	Y	Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
5672	C.B.S.	100

Appraiser Notes

6/12/04 THIS PARCEL WAS PREVIOUSLY ASSESSED WITH B.O'S FISH WAGON AND A PORTION OF THE CITY PARKING LOT. FOR THE 2004 TAX ROLL THIS PARCEL WILL ONLY BE FOR THE WATERFRONT BUILDING AND THE LAND WHICH IT SITS ON. LEASES ON WATERFRONT BUILDING : REEF RELIEF ELENA JONES STUDIO THE SAND DOLLAR KEY WEST ICE CREAM FACTORY GESLIN SAILS AND CANVAS WATERFRONT MARKET KEY WEST PROPERTIES ATM MACHINE/TIB BANK SCHOONER/APPLEDORE KEY WEST PACKET LINES/WOLF OFFICE SUNSET WATERSPORTS FORMERLY PART OF RE 68

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
54	07-5328	12/12/2007	03/15/2011	4,575	Commercial	REMOVE ALL NON-STRUCTURAL WALL AND CEILING COVERING
	0800000544	03/04/2008	03/15/2011	500	Commercial	2 NEW PROPANE TANKS WITH APPROVED SLAB
54	10-00000003	12/12/2009	03/15/2011	9,780	Commercial	TEMPORARY TENTS FOR SAILBOAT RACES
	10-00000140	01/15/2010	03/15/2011	2,000	Commercial	INSTALL TEMPORARY ELECTRIC HOOKUP FOR TWO OFFICE TRAILERS, MAIN EVENT TENT, AND VENDOR TENTS
48	03-3939	01/15/2004	12/02/2004	800	Commercial	INSTALL ROOFING
47	02-3453	01/08/2003	12/02/2004	2,000	Commercial	TEMP.TENT-30 DAYS
46	02-1630	07/01/2002	11/07/2002	3,800	Commercial	TRACK LIGHTING
45	02-1630	06/21/2002	11/07/2002	1,800	Commercial	INTERIOR RENOVATIONS
44	02-1154	05/10/2002	11/07/2002	1,000	Commercial	INSTALL HVAV EQUIP.
43	02-0844	04/30/2002	11/07/2002	1,000	Commercial	FINISH HOOD WK.
42	02-0626	03/21/2002	11/07/2002	4,000	Commercial	INSTALL TEMP.ELEC
41	02-0347	02/13/2002	11/07/2002	200	Commercial	SECURITY SYSTEM
40	02-0089	01/15/2002	11/07/2002	1,500	Commercial	EXHAUST FAN
39	01-4043	12/28/2001	11/07/2002	3,500	Commercial	INSTALL 1(2.5) TON A/C
38	01-4037	12/21/2001	11/07/2002	1,500	Commercial	AWNING LIGHT
37	0103368	10/12/2001	11/07/2002	1,000	Commercial	WALL REPAIRS
35	0101607	09/13/2001	11/29/2001	20,000	Commercial	AWNINGS
36	0102759	10/01/2001	11/29/2001	12,000	Commercial	INTERIOR REMODELING
34	0001563	06/08/2000	07/12/2000	1,800	Commercial	CHANGEOUT AC
33	0001022	04/27/2000	07/12/2000	1	Commercial	ELECTRICAL FOR PUMPOUTS
32	0001022	04/26/2000	07/12/2000	1	Commercial	INSTALL 40 BOAT PUMPOUTS
31	0000772	03/27/2000	07/12/2000	460	Commercial	ELECTRICAL
30	0000140	01/14/2000	07/12/2000	2,500	Commercial	ELECTRICAL
29	9901125	01/10/2000	07/12/2000	5,000	Commercial	ELECTRICAL
28	9800118	04/14/1998	07/02/1998	55,000	Commercial	FIRE SYSTEM
27	9704266	12/19/1997	12/31/1998	101,363	Commercial	INTERIOR RENOVATIONS
26	9704086	12/01/1997	12/01/1997	25,000	Commercial	16 REEFERS
25	9702539	12/01/1997	12/01/1997	144,540	Commercial	NEW FIRE SYSTEM
24	9703768	12/01/1997	12/01/1997	2,700	Commercial	NEW FENCE
23	9703758	11/01/1997	12/01/1997	9,000	Commercial	ELECTRICAL
22	9703067	09/01/1997	12/01/1997	4,200	Commercial	REPLACE A/C SYSTEM
21	9703304	09/01/1997	12/01/1997	1,850	Commercial	MECHANICAL
20	9703290	09/01/1997	12/01/1997	1,100	Commercial	ELECTRICAL

19	9703220	09/01/1997	12/01/1997	3,254	Commercial	ROOF
18	9702913	08/01/1997	12/01/1997	4,000	Commercial	HOOD & FANS
17	9702754	08/01/1997	12/01/1997	2,500	Commercial	REMODEL TICKET BOOTH
16	9702837	08/01/1997	12/01/1997	2,500	Commercial	STAGE
15	9702724	08/01/1997	12/01/1997	7,600	Commercial	ROOF
14	9701720	05/01/1997	12/01/1997	1,000	Commercial	ELECTRICAL
13	9701286	04/01/1997	12/01/1997	1,400	Commercial	PLUMBING
12	9701282	04/01/1997	12/01/1997	1,425	Commercial	PLUMBING
11	9701110	04/01/1997	12/01/1997	8,000	Commercial	ELECTRIC
10	9700366	02/01/1997	12/01/1997	67,943	Commercial	PLUMBING
9	9700348	02/01/1997	12/01/1997	20,000	Commercial	PLUMBING
3	9601197	03/01/1996	12/01/1996	20,000	Commercial	RENOVATIONS
8	9603488	08/01/1996	12/01/1996	4,300	Commercial	PLUMBING
7	9602367	06/01/1996	12/01/1996	5,400	Commercial	ROOF
6	9602375	06/01/1996	12/01/1996	300,000	Commercial	PLUMBING
5	9602374	06/01/1996	12/01/1996	600,000	Commercial	ELECTRIC
4	9602359	06/01/1996	12/01/1996	2,700,000	Commercial	RENOVATIONS
2	B953750	11/01/1995	12/01/1995	4,000	Commercial	INSTALL DRYWALL, DROP CEIL
1	B952970	09/01/1995	12/01/1995	45,000	Commercial	EXCAVATE/REPLCE FUEL LINE
50	05-0105	01/13/2005	12/31/2005	800	Commercial	TEMPORY SERVICE & LIGHTS
49	04-0938	03/26/2004	12/02/2004	7,000	Commercial	MURAL LIGHTS
52	06-0141	01/11/2006	03/15/2011	2,000	Commercial	INSTALL TEMPOARY SERVICE & LIGHTS
51	05-4676	11/02/2005	12/31/2005	499	Commercial	HURRICANE WILMA DAMAGE MAINTENANCEOF ROOF
53	06-6826	12/29/2006	03/15/2011	2,000	Commercial	INSTALL TEMP.,200AMP AND LIGHTS FOR RACR WEEL AT B.O. CHUCK WAGON

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2011	4,256,193	0	1,670,905	5,927,098	5,927,098	0	5,927,098
2010	4,256,193	0	1,682,205	5,938,398	5,938,398	0	5,938,398
2009	4,466,375	0	2,137,704	6,604,079	6,604,079	0	6,604,079
2008	4,466,375	0	4,022,400	8,488,775	8,488,775	0	8,488,775
2007	3,074,922	0	4,022,400	7,097,322	7,097,322	0	7,097,322
2006	3,147,273	0	4,022,400	7,169,673	7,169,673	0	7,169,673
2005	3,147,273	0	3,771,000	6,918,273	6,918,273	0	6,918,273
2004	2,447,882	0	2,815,680	5,263,562	5,263,562	0	5,263,562
2003	2,913,324	75,886	4,305,000	7,294,210	7,294,210	1,750,610	5,543,600
2002	2,913,296	78,830	3,042,200	6,034,326	6,034,326	1,448,238	4,586,088
2001	2,913,296	82,111	3,042,200	6,037,607	6,037,607	1,449,026	4,588,581
2000	2,132,902	47,989	1,836,800	4,017,691	4,017,691	964,246	3,053,445
1999	2,131,308	49,834	1,469,440	3,650,582	3,650,582	876,140	2,774,442
1998	1,156,201	51,432	1,469,440	2,677,073	2,677,073	642,497	2,034,576
1997	1,156,201	53,274	1,377,600	2,587,075	2,587,075	620,898	1,966,177
1996	1,051,092	29,738	1,377,600	2,458,430	2,458,430	688,360	1,770,070

1995	1,038,554	5,265	1,377,600	2,421,419	2,421,419	677,997	1,743,422
1994	1,043,245	5,392	1,377,600	2,426,237	2,426,237	679,346	1,746,891
1993	1,043,245	5,415	1,377,600	2,426,260	2,426,260	0	2,426,260

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

There are no sales to display for this parcel.

This page has been visited 19,376 times.

Monroe County Property Appraiser
Karl D. Borglum
P.O. Box 1176
Key West, FL 33041-1176

Karl D. Borglum
Property Appraiser
Monroe County, Florida

office (305) 292-3420
 fax (305) 292-3501
 Website tested on Internet Explorer

----- GIS Mapping requires Adobe Flash 10.3 or higher. -----

Property Record View

Alternate Key: 1000698 Parcel ID: 00000680-000000

Ownership Details

Mailing Address:
 CITY OF KEY WEST
 P O BOX 1409
 KEY WEST, FL 33041

Property Details

PC Code: 89 - MUNICIPAL OTHER THAN (PC/LIST)
 Millage Group: 12KW
 Affordable Housing: No
 Section-
 Township- 31-67-25
 Range:
 Property Location: 800 BLK CAROLINE ST KEY WEST
 Legal KW LOT 1 & 2 SQR 10 (A/K/A PUBLIC PARKING LOT WITHIN KEY WEST BIGHT) G8-316 G56-22/23 OR15-444/445 OR439-421/425
 Description: OR655-395/403 OR846-2478/2479 OR889-1910/1911E OR902-283/296 OR902-877/890 OR1015-99/115 OR1068-52/62 OR1068-65/75
 OR1173-1082/1101 OR466-865/6 (LEASE) OR1240-1020/8P/R OR1240-1029/36 OR1240-1037/46 OR1240-1029/36 OR1240-1037/46
 OR1240-1047/63Q/C OR1240-1109/33ASSN OR1240-1134/54ASSUM OR1240-1155/62 OR1424-992/99

Show Parcel Map - Must have Adobe Flash Player 10.3 or higher

Exemptions

Exemption	Amount
15 - MUNICIPAL LANDS	5,392,983.00

Land Details

Land Use Code	Frontage	Depth	Land Area
100E - COMMERCIAL EXEMPT	0	0	95,360.00 SF

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 1
 Total Living Area: 1588
 Year Built: 1998

Building 1 Details

Building Type	Condition E	Quality Grade 400
Effective Age 10	Perimeter 172	Depreciation % 13
Year Built 1998	Special Arch 0	Grnd Floor Area 1,588

Functional Obs 0

Economic Obs 0

Inclusions:

Roof Type
Heat 1
Heat Src 1

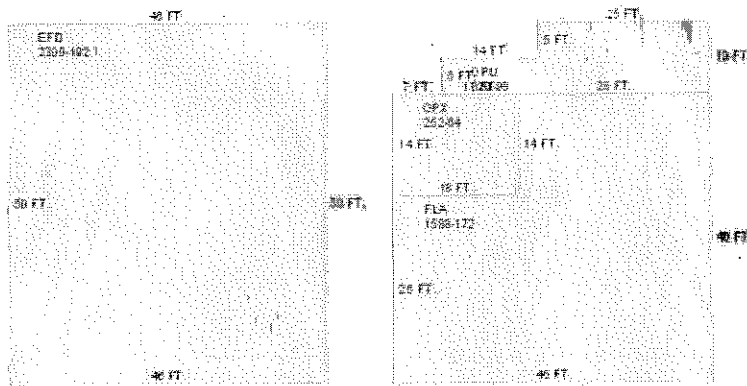
Roof Cover
Heat 2
Heat Src 2

Foundation
Bedrooms 0

Extra Features:

2 Fix Bath 0
3 Fix Bath 0
4 Fix Bath 0
5 Fix Bath 0
6 Fix Bath 0
7 Fix Bath 0
Extra Fix 32

Vacuum 0
Garbage Disposal 0
Compactor 0
Security 0
Intercom 0
Fireplaces 0
Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	EFD		1	1998					2,300
2	FLA		1	1998					1,588
3	OPX		1	1998					252
4	OPU		1	1998					320

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	307	TOURIST ATTRAC-A-	100	N	Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
107	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
2	SW2:SEAWALL	1,920 SF	240	8	1984	1985	4	60

3	AP2:ASPHALT PAVING	3,124 SF	0	0	1994	1995	2	25
4	PT3:PATIO	2,490 SF	0	0	1973	1974	2	50
5	AP2:ASPHALT PAVING	2,592 SF	0	0	1968	1969	2	25
6	CL2:CH LINK FENCE	1,092 SF	0	0	1968	1969	1	30
7	TK2:TIKI	20 SF	4	5	1992	1993	1	40
8	PT3:PATIO	825 SF	0	0	1994	1995	2	50
9	AP2:ASPHALT PAVING	20,399 SF	0	0	1994	1995	2	25
10	UB2:UTILITY BLDG	40 SF	0	0	1994	1995	1	50
11	TK2:TIKI	128 SF	0	0	1994	1995	1	40
12	TK2:TIKI	30 SF	0	0	1994	1995	1	40
13	UB3:LC UTIL BLDG	32 SF	0	0	1994	1995	1	30
14	RW2:RETAINING WALL	488 SF	0	0	1991	1992	3	50
15	PT3:PATIO	841 SF	0	0	1991	1992	2	50
16	FN2:FENCES	610 SF	0	0	1991	1992	2	30
17	PT3:PATIO	420 SF	0	0	1968	1969	2	50
18	AP2:ASPHALT PAVING	4,250 SF	0	0	1968	1969	2	25
19	CC2:COM CANOPY	600 SF	60	10	1984	1985	2	40
20	AP2:ASPHALT PAVING	16,172 SF	0	0	1994	1995	2	25
21	AP2:ASPHALT PAVING	970 SF	0	0	1995	1996	2	25

Appraiser Notes

6/12/04 FOR THE 2004 TAX ROLL THIS PARCEL WILL NOW BE FOR ALL THE PUBLIC AREA WITHIN THE 800 BLK OF CAROLINE ST (WITHIN THE KEY WEST BIGHT) WILL ALSO INCLUDE THE PUBLIC RESTROOMS AND PUBLIC WALKWAYS AND PARKING LOT. LG

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
11	07-5018	12/11/2007		396,350	Commercial	ELECTRICAL PERMIT WIRE NEW CONSTRUCTION PER PLANS 100 AMP, 20 CIRCUITS SUB PANEL, PLUMBING PERMIT INSTALL 1050 GREASE TRAP, TWO FRENCH DRAINS, ROOFING PERMIT INSTALL 1136 SF OF 5 V-CRIMP METAL ROOFING, BUILDING PERMIT BUILD TRASH COMPACTOR ENCLOSURE, FENCE PERMIT INSTALL TEMP CONST. FENCE, REVISED DRAWINGS FOUNDATION SPREAD FOOTERS
12	08-0178	01/24/2008		8,500	Commercial	REPAIR SERVICE ENTRANCE CONDUIT & WIRE AT POINT OF BREAK
	09-0683	04/01/2009		1,500	Commercial	RELOCATE 2 1/2 LINE 4 SPRINKLER'S HEADS
	09-0193	02/05/2009		125,000	Commercial	REMOVE INTERIOR WALLS TO EXPAND EXISTING LEASE SPACE, ADD ADA COMPLAINT SIDEWALK
	09-0974	04/07/2009		340,000	Commercial	REPLACE NINETY PILES, 4000 SF OF DECKING, 45 SETS OF DIAGONAL WOOD CROSS BRACING
	08-1377	04/29/2008		220,000	Commercial	ROOFING
	08-0950	04/17/2008		3,500	Commercial	REMOVE AND REPLACE 4 EXISTING WINDOWS
	08-0657	03/10/2008		12,000	Commercial	REMOVE AND REPLACE EXISTING WINDOWS AND DOORS
	08-1380	04/29/2008		15,000	Commercial	ROOFING
	08-0970	04/02/2008		1,000	Commercial	NEW LIGHT REPLACEMENT
	10-490	02/17/2010	04/12/2010	4,410	Commercial	INSTALLATION OF EXTERIOR LIGHTS
11	09-00003874	11/12/2009		5,000	Commercial	REPLACE 7 25 KW TRANSFORMERS
3	02-3039	11/14/2002	07/21/2003	1,105	Commercial	REPAIRE THE PARCH ROOF
5	03/3939	01/27/2004	12/31/2004	13,800	Commercial	PAVERS
4	03-1653	05/09/2003	07/21/2003	6,435	Commercial	REDIRECT WATERLINES
2	02-2715	10/07/2002	07/21/2003	1	Commercial	ELEC FOR TANKS

1	97-2571	07/01/1991	08/01/1997	500	Commercial	4X4 FOUNDATION
7	06-5065	09/13/2006	11/07/2006	1,000	Commercial	REMOVE/REPLACE ONE W/C,LAV,FAUCET FOR ADA BATHROOM
6	06-4372	08/23/2006	11/07/2006	18,000	Commercial	ADD A ADA BATHROOM FOR 201 WILLIAM ST
10	07-0334	01/30/2007	01/30/2007	1,500	Commercial	REARRANGE 3 SPRINKLER HEADS
8	06-6799	01/30/2007	06/21/2007	18,000	Commercial	INSTALL 600SQ FT OF SHEET ROCK,400SQ1 FT OF TILE,PAINT INTEIOR
9	06-6800	01/30/2007	06/21/2007	5,000	Commercial	INSTALL 10 LIGHTS & 12 PLUGS COMPUTER JACKS

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2011	309,687	133,926	4,955,668	5,399,281	5,399,281	5,399,281	0
2010	316,725	135,610	13,350,400	13,802,735	10,991,125	13,802,735	0
2009	323,764	141,704	9,526,464	9,991,932	9,991,932	9,991,932	0
2008	323,764	148,178	10,584,960	11,056,902	11,056,902	11,056,902	0
2007	239,740	125,404	10,584,960	10,950,104	10,950,104	10,950,104	0
2006	239,740	119,740	13,827,200	14,186,680	14,186,680	14,186,680	0
2005	244,841	124,854	13,350,400	13,720,095	13,720,095	13,720,095	0
2004	249,930	129,501	9,536,000	9,915,431	9,915,431	9,915,431	0
2003	0	60,092	826,500	886,592	886,592	407,832	478,760
2002	0	61,938	584,060	645,998	645,998	297,159	348,839
2001	0	62,984	584,060	647,044	647,044	297,640	349,404
2000	0	19,821	352,640	372,461	372,461	171,332	201,129
1999	0	20,413	352,640	373,053	373,053	171,604	201,449
1998	0	20,778	282,112	302,890	302,890	139,329	163,561
1997	0	21,371	264,480	285,851	285,851	131,491	154,360
1996	0	21,964	264,480	286,444	286,444	131,764	154,680
1995	0	18,892	264,480	283,372	283,372	130,351	153,021
1994	0	19,348	264,480	283,828	283,828	130,560	153,268
1993	0	19,803	264,480	284,283	284,283	0	284,283
1992	1,520,663	222,469	3,383,064	5,126,196	5,126,196	0	5,126,196
1991	1,520,663	228,222	3,383,064	5,131,949	5,131,949	0	5,131,949
1990	1,520,747	235,052	3,383,064	5,138,863	5,138,863	0	5,138,863
1989	1,520,747	240,279	4,228,830	5,989,856	5,989,856	0	5,989,856
1988	1,399,725	382,732	3,710,460	5,492,917	5,492,917	0	5,492,917
1987	1,362,997	390,224	2,132,087	3,885,308	3,885,308	0	3,885,308
1986	1,367,229	399,441	2,132,087	3,898,757	3,898,757	0	3,898,757
1985	1,323,783	410,470	1,654,632	3,388,885	3,388,885	0	3,388,885
1984	1,277,078	417,203	1,654,632	3,348,913	3,348,913	0	3,348,913
1983	1,275,852	475,447	1,068,898	2,820,197	2,820,197	0	2,820,197
1982	345,796	85,400	642,195	1,073,391	1,073,391	0	1,073,391

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and

Public Notices
(radius map & mailing list)

Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 p.m., May 31, 2012 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Major Development Plan - 201 William Street (RE# 00072082-004200) - A request for the addition of outdoor commercial activity for a new restaurant in the HRCC-2 zoning district per Section 108-91A(2)c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at www.keywestcity.com.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: Major Development Plan - 201 William Street (RE# 00072082-004200) - A request for the addition of outdoor commercial activity for a new restaurant in the HRCC-2 zoning district per Section 108-91A(2)c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Applicant:	Trepanier & Associates, Inc. on behalf of Waterfront Brewery, LLC.	Owner:	City of Key West
Project Location:	201 William	Date of Hearing:	Thursday, May 31, 2012
Time of Hearing:	6:00 PM	Location of Hearing:	Old City Hall, 510 Greene City Commission Chambers

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

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Carlene Smith at cesmith@keywestcity.com .

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

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

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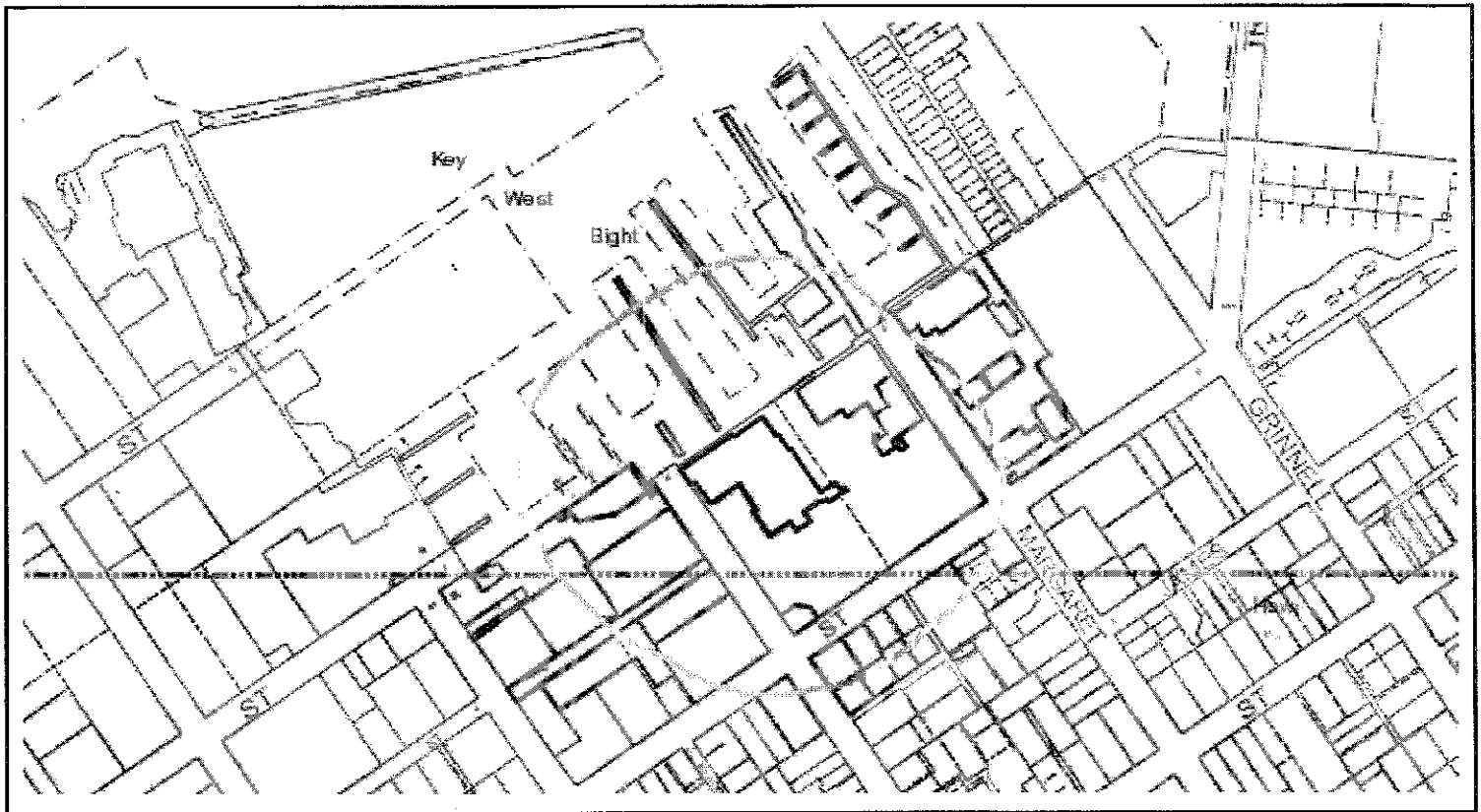
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Monroe County, Florida

201 William

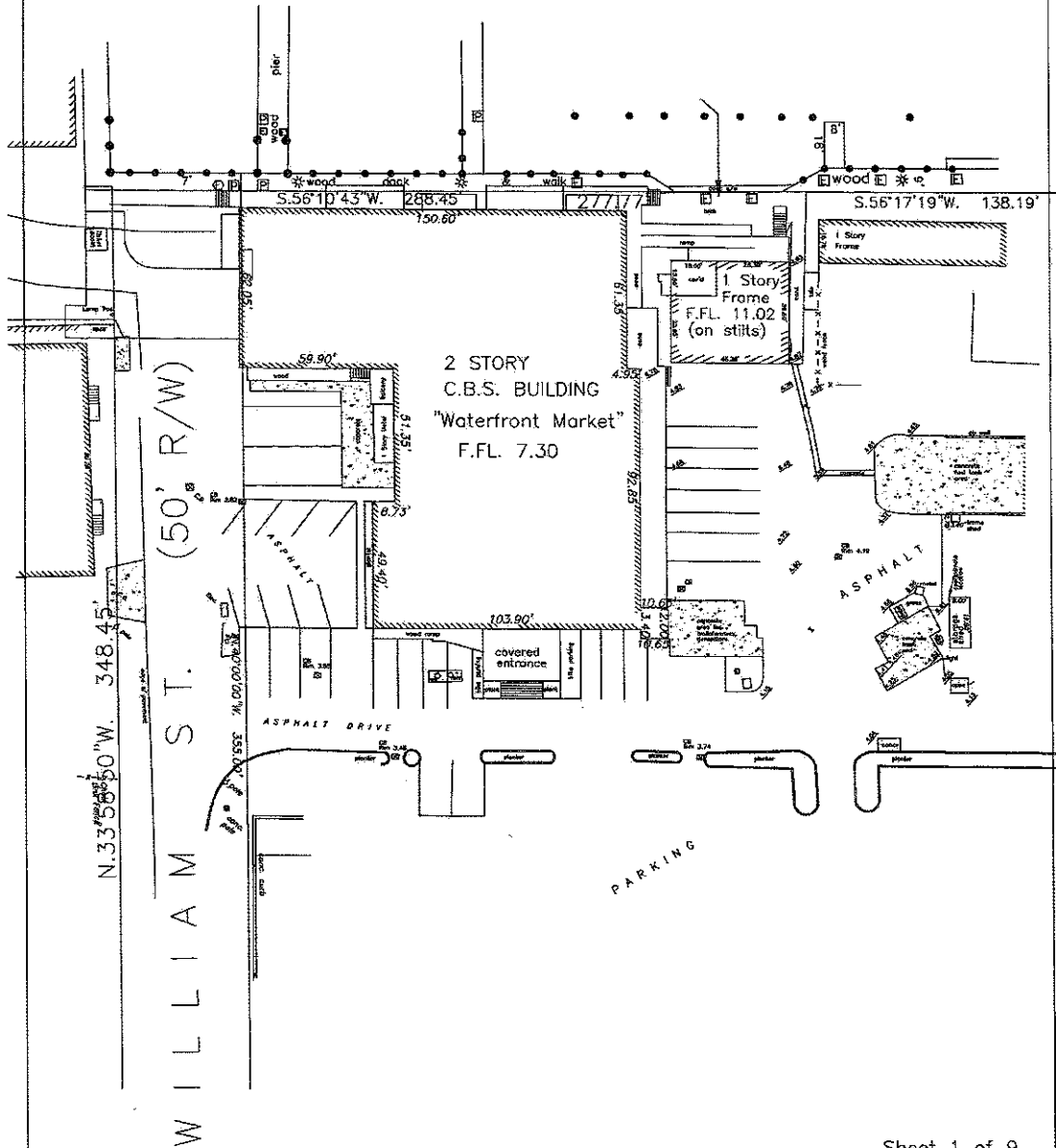
Printed: May 17, 2012

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
1 830 CAROLINE LLC	830 CAROLINE ST		KEY WEST	FL	33040	
2 CATES LINDA MARIE	309 WILLIAM ST		KEY WEST	FL	33040	
3 GARRIDO HUMBERTO J AND OFELIA E	818 CAROLINE ST		KEY WEST	FL	33040	
4 DISDIER JAMES L AND KAREN L	PO BOX 6521		KEY WEST	FL	33041-6521	
5 M AND I REGIONAL PROPERTIES LLC	309 WHITEHEAD ST		KEY WEST	FL	33040	
6 MCCALL SUSAN 1993 TR	22431 GILMORE ST		WEST HILLS	CA	91307	
7 DOE BRIAN D AND JULIE C	47 W SHORE RD		WINDHAM	NH	03087-2115	
8 ALDEN PAULETTE BATES	4900 WASHBURN AVE S		MINNEAPOLIS	MN	55410-1814	
9 MIKE LORI A	22431 GILMORE ST		WEST HILLS	CA	91307	
10 OLOUGHLIN KEVIN F AND DIANE	308 MARGARET ST	UNIT 3	KEY WEST	FL	33040	
11 GALLETTA PROPERTY GROUP LLC	3266 PACETTI RD		SAINT AUGUSTIN	FL	32092-0486	
12 CIARDI MARGARET F TRUST 2006 11/17/2006	815 SAWYERS LN		KEY WEST	FL	33040-6901	
13 DAJULD1 LLC	1340 POTOMAC SCHOOL RD		MC LEAN	VA	22101	
14 HECK RONALD K	908-1 TERRY LN		KEY WEST	FL	33040-7333	
15 ANDERSON JACK K AND LILIANE	PO BOX 1944		KEY WEST	FL	33041-1944	
16 MILLER ALLEN K REVOCABLE LIVING TRUST	806 CAROLINE ST		KEY WEST	FL	33040-6643	
17 CONKLE WILLIAM H JR ESTATE	823 EATON ST		KEY WEST	FL	33040	
18 RED DOOR GALLERY INC	812 CAROLINE ST		KEY WEST	FL	33040-6643	
19 GILBERTSON DAVID L	17 ARNOLD PL		NEW BEDFORD	MA	02740-3634	
20 CLARKE KALO & PEDERSON KIM (H/W)	29 FRONT ST #2		MARBLEHEAD	MA	01945	

CITY OF KEY WEST WATERFRONT BUILDING BOUNDARY SURVEY



Sheet 1 of 9

City of Key West Key West Bight, Key West, Florida 33040			
Specific Purpose Survey		Dwn No.: 06-160	
Scale: 1" = 20'	Ref. file	Flood panel No. 1516 K	Dwn. By: F.H.H.
Date: 2/27/06	186-18	Flood Zone: AE-VE	Flood Elev. 7'-10'
REVISIONS AND/OR ADDITIONS			
c:\drawings\city of key west\bight-bay bottombottom			

FREDERICK H. HILDEBRANDT
ENGINEER PLANNER SURVEYOR

3152 Northside Drive
Suite 201
Key West, Fl. 33040
(305) 293-0466
Fax. (305) 293-0237

Existing Site Plans

- EX-1 EXISTING SITE PLAN**
- EX-2 EXISTING SITE PLAN – ROOF PLAN**
- EX-3 EXISTING 1ST. FLOOR PLAN**
- EX-4 EXISTING 2ND. FLOOR PLAN**
- EX-5 EXISTING ELEVATIONS**

RECEIVED
January 27, 2012
K/W Planning Dept

WILLIAM P. MOSE
ARCHITECT, P.A.
11411 HARC
12911 DRC

SITE DATA
SITE AREA: 14,000 SF (3.1 ACRES)
LAND USE: MISC-3
PLANNED ZONE: M-10 (MEDIUM DENSITY RESIDENTIAL)
REVISIONS:
FRONT SETBACK: 10' (NO CHANGE)
10' (NO CHANGE)
SIC SETBACK: 25' (NO CHANGE)
75' (NO CHANGE)
REAR SETBACK: 15' (NO CHANGE)
0' (NO CHANGE)
STREET SIDE SETBACK: 25' (NO CHANGE)
0' (NO CHANGE)
0' (NO CHANGE)
0' (NO CHANGE)
CENTRAL CORNER CONTROL LINE: 20' (NO CHANGE)
20' (NO CHANGE)
20' (NO CHANGE)
20' (NO CHANGE)

PERMITTED: 20,000 SF (4.5 ACRES)
PROPOSED: 20,000 SF (4.5 ACRES)
OPEN SPACE: 10,000 SF (2.25 ACRES)
REAR: 10,000 SF (2.25 ACRES)
FRONT: 10,000 SF (2.25 ACRES)
LEFT CORNER: 10,000 SF (2.25 ACRES)
RIGHT CORNER: 10,000 SF (2.25 ACRES)
REAR CORNER: 10,000 SF (2.25 ACRES)
FRONT CORNER: 10,000 SF (2.25 ACRES)
LAWYER AREA: 10,000 SF (2.25 ACRES)
REAR AREA: 10,000 SF (2.25 ACRES)
FRONT AREA: 10,000 SF (2.25 ACRES)
LEFT CORNER AREA: 10,000 SF (2.25 ACRES)
RIGHT CORNER AREA: 10,000 SF (2.25 ACRES)
REAR CORNER AREA: 10,000 SF (2.25 ACRES)
FRONT CORNER AREA: 10,000 SF (2.25 ACRES)

REAR CORNER: 10,000 SF (2.25 ACRES)
FRONT CORNER: 10,000 SF (2.25 ACRES)
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REAR CORNER: 10,000 SF (2.25 ACRES)
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RIGHT CORNER: 10,000 SF (2.25 ACRES)

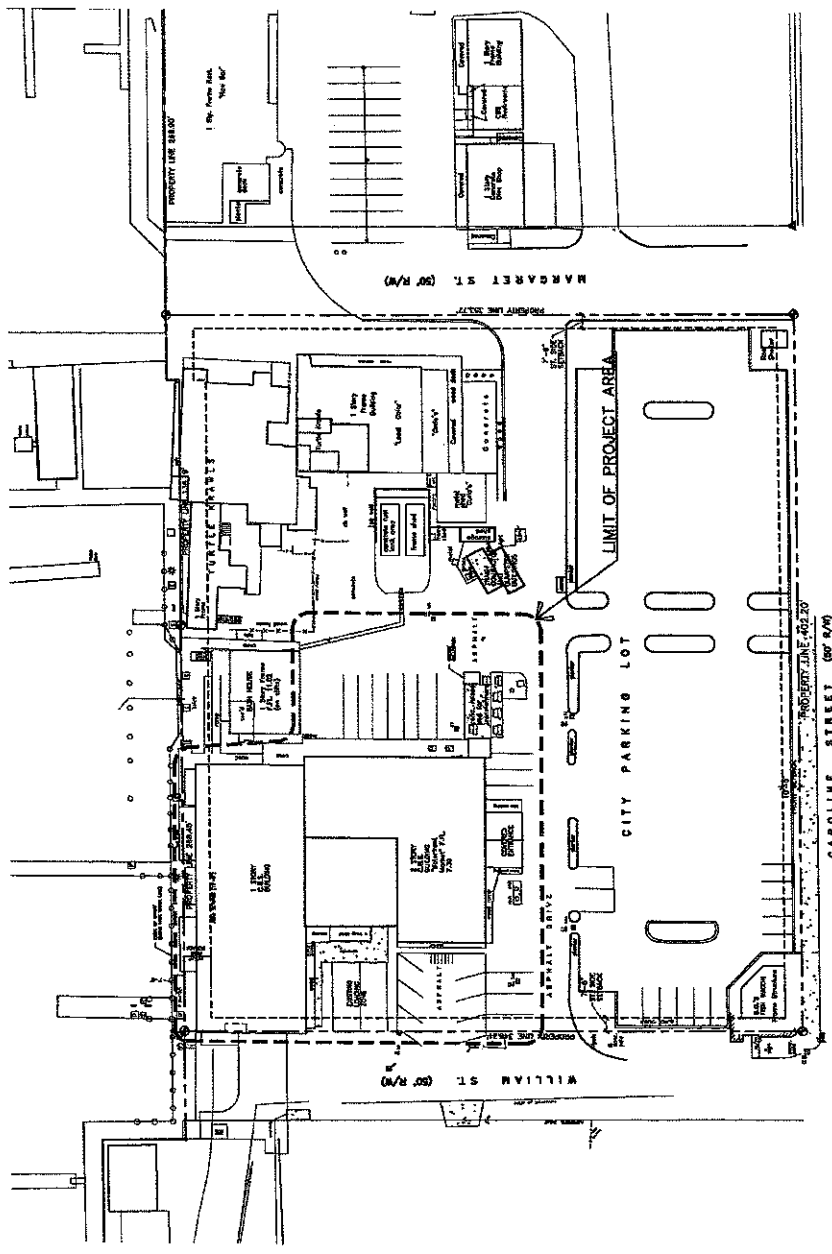
REAR CORNER: 10,000 SF (2.25 ACRES)
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RIGHT CORNER: 10,000 SF (2.25 ACRES)



EXISTING SITE PLAN
SCALE: 1" = 30'-0"
SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED BY FREDERICK H. HILDEBRANDT, SURVEYOR DATED ON 07-13-06

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST BIGHT, FLORIDA

REVISIONS
DRAWN BY
DATE

DATE: 11-11-11 HARC
12911 DRC

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST BIGHT, FLORIDA

EX-1

WILLIAM B. HORN
ARCHITECT, P.A.

RECEIVED
January 17, 2012
KRW Planning P/C



10 BELLEVUE ST
APT 1001
FORT LAUDERDALE
FL 33304

TEL: 954-366-8888
FAX: 954-366-8888

LEONARD O.
OWNER

WATERFRONT BREWERY
201 WEST BIGHT FL
KEY WEST, FL

SCALE

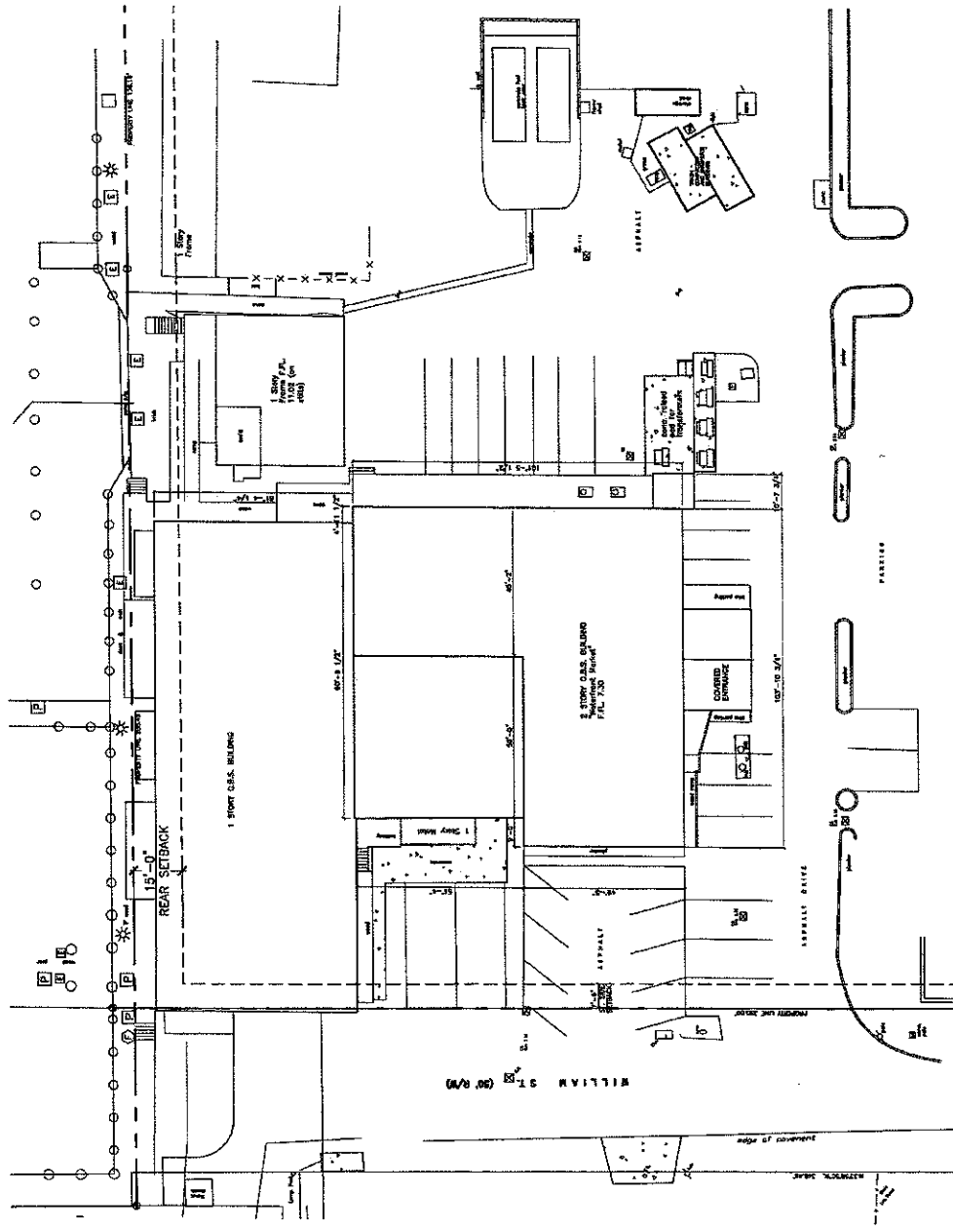
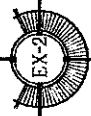
THESE DRAWINGS ARE
THE PROPERTY OF
WILLIAM B. HORN
ARCHITECT, P.A.

DATE
11-11-11 HARC
12-20-11 DRC

APPROVED

DRAWN BY
SSA

PROJECT
1113



EXISTING SITE PLAN - ROOF PLAN
SCALE: 1/8" = 1'-0"
SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED
BY FREDERICK H. HEIDENBANDT, SURVEYOR DATED ON 02-27-08



WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST BIGHT, FLORIDA



WILLIAM HORN
ARCHITECT, P.A.

RELATIONS
AND WEST
FLORIDA
ARCHITECTS

TEL. 305 944-0202
FAX 305 944-0202

11111 HARC
1260-11 DNC

REVISIONS

WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST FL

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

DATE: 11-11-11 HARC
1260-11 DNC

DRAWN BY: ENA

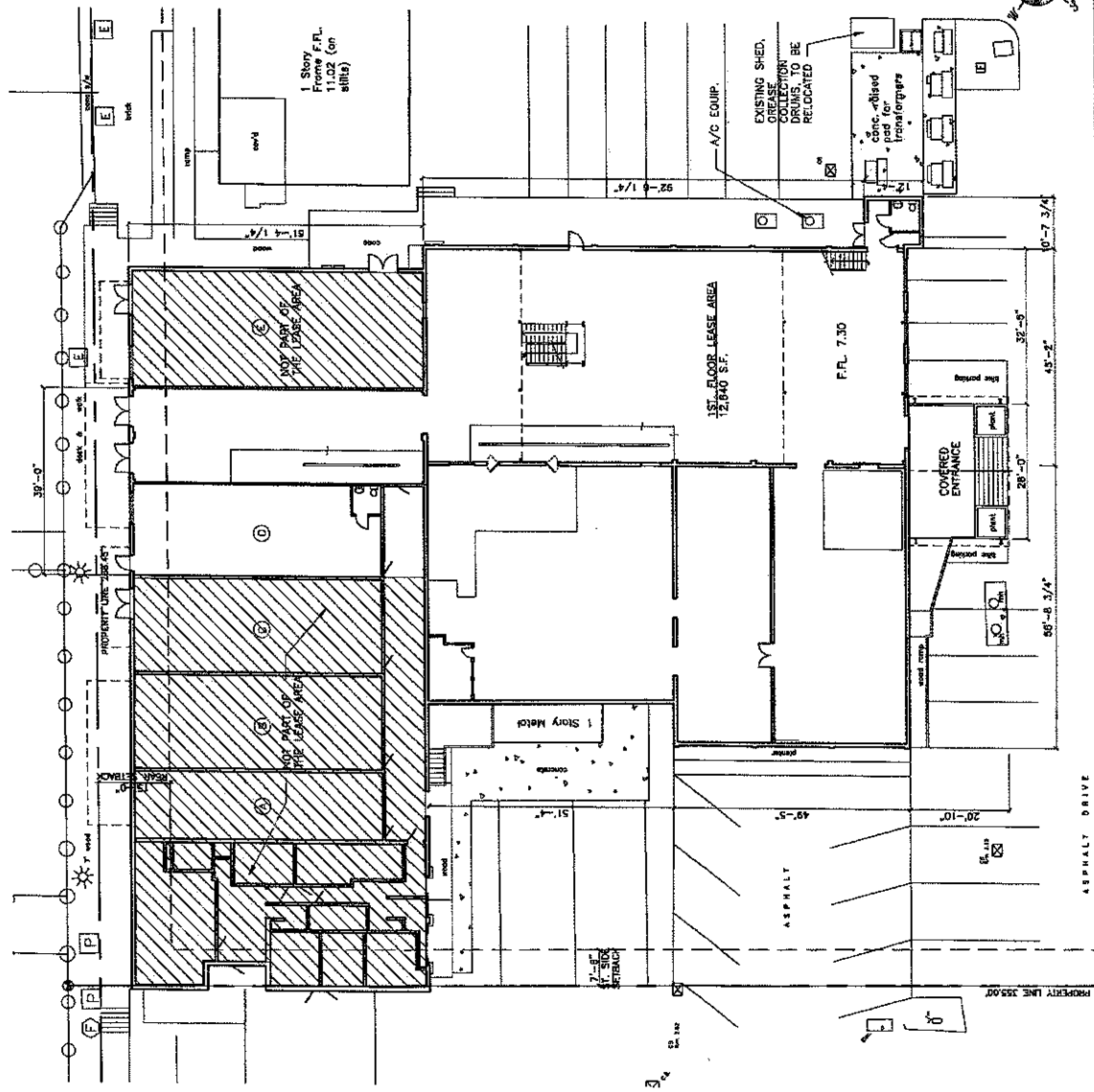
1113

THIS DRAWING IS THE PROPERTY OF WILLIAM HORN ARCHITECT, P.A. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.

THIS PLAN IS BASED ON INFORMATION OBTAINED FROM SURVEY DATA PREPARED BY FREDERICK H. HILDEBRANDT, SURVEYOR DATED ON 02-27-08

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

EXISTING 1ST. FLOOR PLAN



BUILDING DATA			
EXISTING BUILDING DATA (LEASE AREA)			
1ST FLOOR	2ND FLOOR	TOTAL	1,210.00 S.F.
1,210.00 S.F.	0.00 S.F.	1,210.00 S.F.	
1,210.00 S.F.	0.00 S.F.	1,210.00 S.F.	
TOTAL EXISTING INCLUDED AREA S.F.			1,210.00 S.F.

WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST BIGHT, FLORIDA



WILLIAM P. NORS
ARCHITECT, P.A.

HEAVEN 47
KEY WEST
FLORIDA
33004

TEL: 305 864-3300
FAX: 305 864-3300

WWW: 305
44103040

WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST, FLORIDA

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

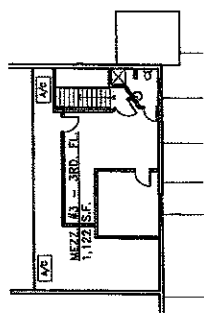
DATE: 11-11-11
12:01:11 AM

PROJECT: 1113

DESIGNER: [Redacted]

DATE: 11-11-11

PROJECT: 1113



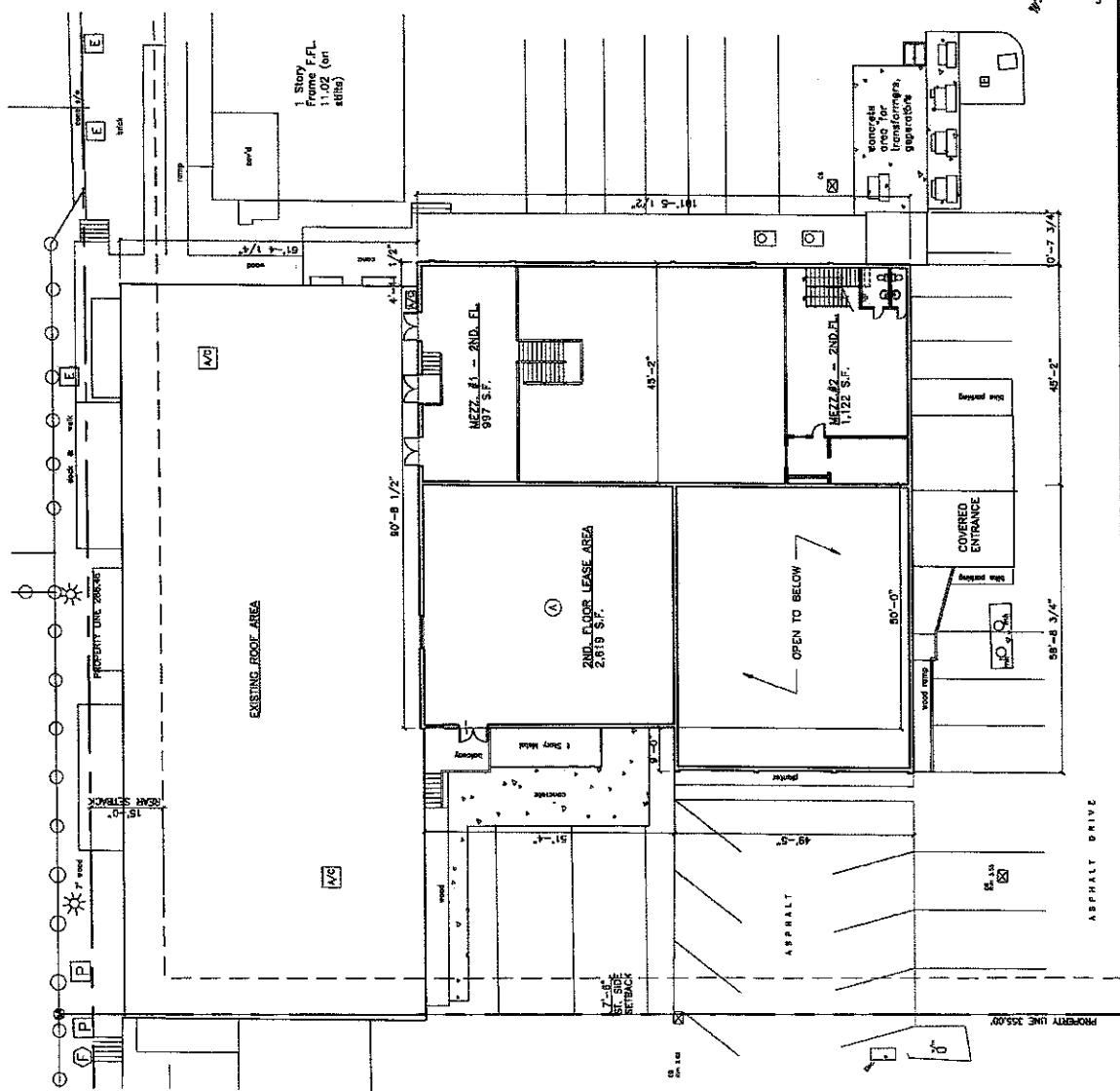
PARTIAL 3RD. FL. MEZZ.
(LOCATED ABOVE MEZZANINE #2)

BUILDING DATA	
EXISTING BUILDING DATA (LEASE AREA)	
1ST FLOOR	1,000 SF.
2ND FLOOR	2,819 SF.
MEZZANINE	2,118 SF.
TOTAL EXISTING ENCLOSED SQUARE FEET	5,937 SF.
MEZZANINE	2,118 SF.
TOTAL EXISTING ENCLOSED SQUARE FEET	8,055 SF.



EXISTING 2ND. FLOOR PLAN
SCALE: 3/32" = 1'-0"

SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED BY FREDERICK H. HILDEBRANDT, SURVEYOR DATED ON 02-27-06



WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST, FLORIDA

ASPHALT DRIVE

PROPERTY LINE 355.00'

WILLIAM P. HORN
ARCHITECT, P.A.

11111111 ST
11111111 ST
11111111 ST

11111111 ST
11111111 ST
11111111 ST

11111111 ST
11111111 ST
11111111 ST

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

SCALE

THESE DRAWINGS ARE
THE PROPERTY OF
WILLIAM P. HORN
ARCHITECT, P.A.

DATE: 11-11-11
DRAWN BY: JHC

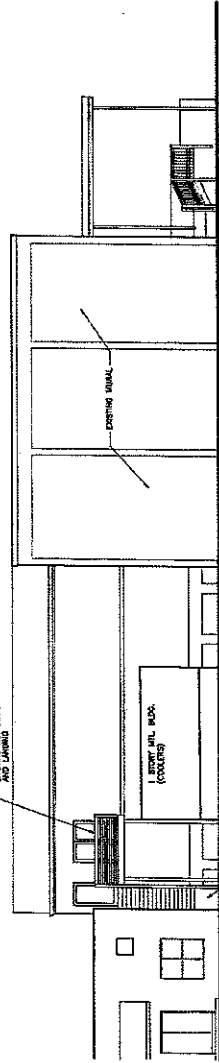
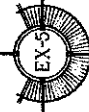
REVISIONS:

DRAWN BY: JHC

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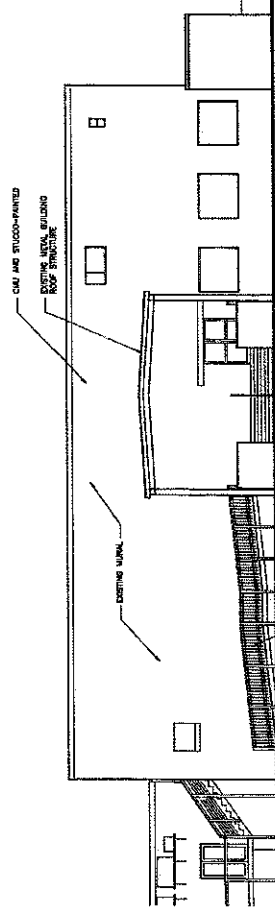
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EXISTING SOUTHWEST ELEVATION

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

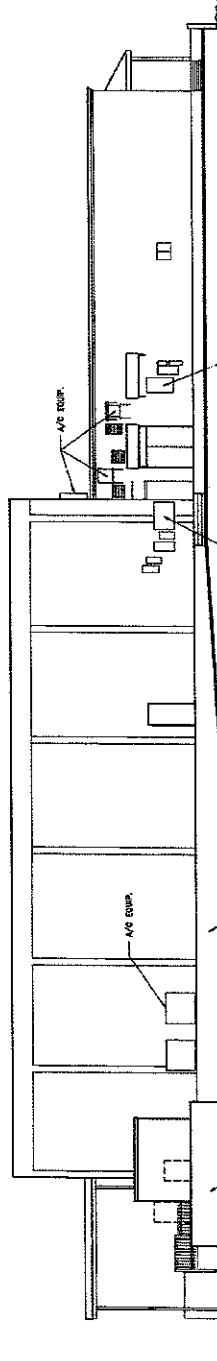


EXISTING NORTHWEST ELEVATION

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

EXISTING NORTHWEST ELEVATION (FRONT)

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



EXISTING NORTHEAST ELEVATION

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

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

Index of Site Plans

- A-1 PROPOSED SITE PLAN - ROOF PLAN**
- A-2 PROPOSED SITE PLAN - ROOF PLAN**
- A-3 PROPOSED 1ST. FLOOR PLAN**
- A-4 PROPOSED 2ND. FLOOR PLAN AND
CONSUMPTION AREA**
- A-5 PROPOSED ELEVATIONS**
- A-6 PROPOSED ELEVATIONS**
- A-7 PERSPECTIVES**
- A-8 PERSPECTIVES AND AERIALS**
- A-9 PERSPECTIVES AND AERIALS**
- L-1 PROPOSED LANDSCAPE PLAN**
- EX-1 EXISTING SITE PLAN**
- EX-2 EXISTING SITE PLAN – ROOF PLAN**
- EX-3 EXISTING 1ST. FLOOR PLAN**
- EX-4 EXISTING 2ND. FLOOR PLAN**
- EX-5 EXISTING ELEVATIONS**

WILLIAM P. HORN
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WATERFRONT BREWERY
201 WILLIAM STREET
WEST PALM BEACH, FL

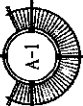
SCALE

THIS PLAN IS PREPARED
ON THE BASIS OF THE
INFORMATION PROVIDED
BY WILLIAM P. HORN

DATE
10/14/11
10:34:11 AM

REVISIONS

DRAWN BY
LMA
FPH
PROJECT
NUMBER
111



SITE DATA

SITE AREA: 10,500 SF (3.17 ACRES)
LAND USE: MHC-3
FLOOD ZONE: X-1 (1% FLOOD PLAIN, #1000000), COASTAL TFR-1 (2%)
STREETS:

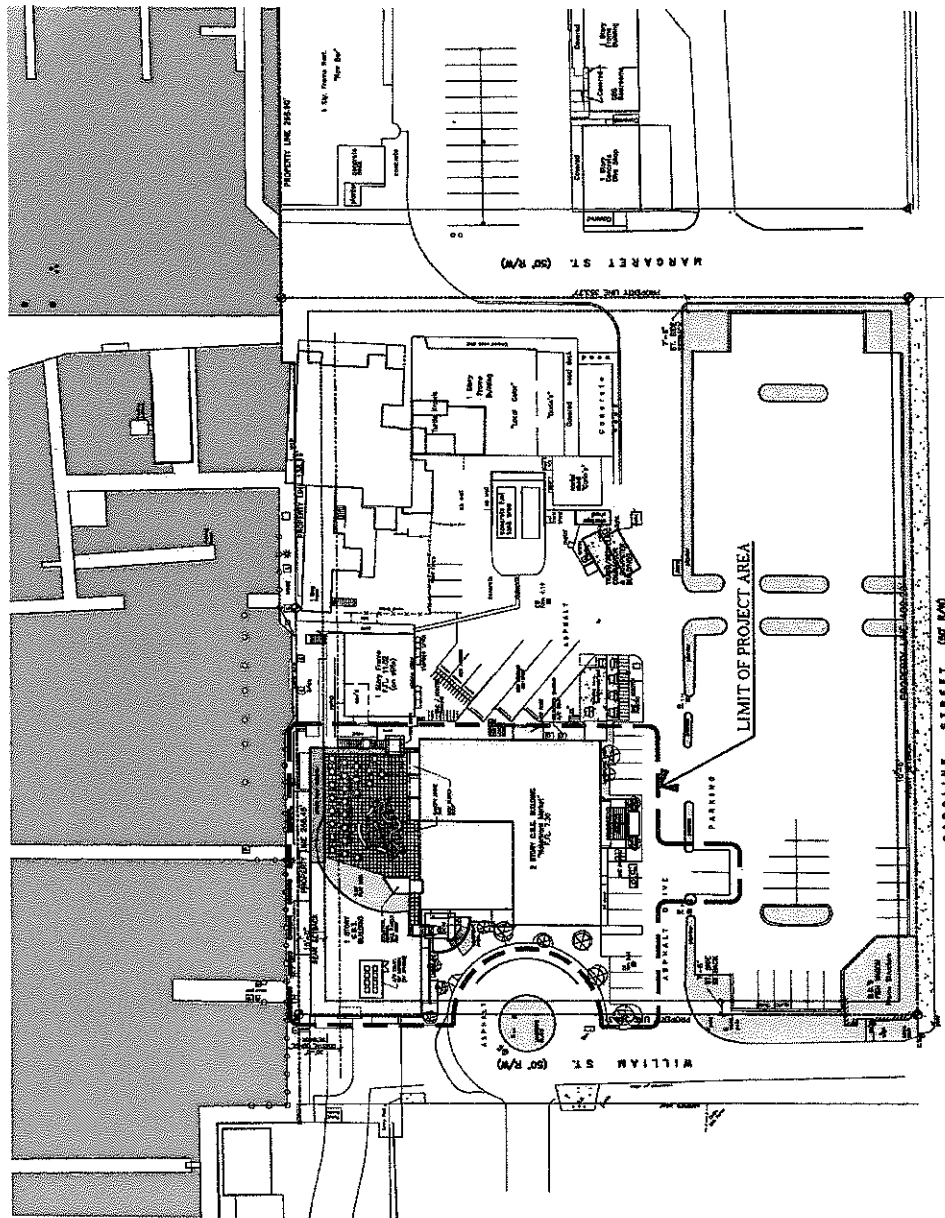
FRONT SETBACK	REQUIRED	10.0'	(NO CHANGE)
REAR SETBACK	REQUIRED	10.0'	(NO CHANGE)
SIDE SETBACK	REQUIRED	5.0'	(NO CHANGE)
REAR SETBACK	REQUIRED	5.0'	(NO CHANGE)
STREET ONE SETBACK	REQUIRED	5.0'	(NO CHANGE)
STREET TWO SETBACK	REQUIRED	5.0'	(NO CHANGE)
CONTR. ONST. CONTROL LINE	REQUIRED	5.0'	(NO CHANGE)
REQUIRED	PROVIDED	5.0'	(NO CHANGE)
REQUIRED	PROVIDED	5.0'	(NO CHANGE)

FAS:
ALLOWABLE: 70,000 SF (0.5 ACRES)
PROPOSED: 14,500 SF (0.34 ACRES)
MIN. SPACE BARR. 0.25 W/1100' MIN.
HEIGHT: 35.0' (T.O. EAVE CANOPY)
24.0' (T.O. SIGN)
LOT COVERAGE AREA: 24.0' (T.O. SIGN)
REAR: 24.0' (T.O. SIGN)
PROPOSED: 24.0' (T.O. SIGN)
APPROX. AREA: 14,500 SF (0.34 ACRES)
LANDSCAPE: 14,500 SF (0.34 ACRES)
REAR: 14,500 SF (0.34 ACRES)
PROPOSED: 14,500 SF (0.34 ACRES)
MIN. SPACE BARR. 0.25 W/1100' MIN.
HEIGHT: 35.0' (T.O. EAVE CANOPY)
24.0' (T.O. SIGN)
LOT COVERAGE AREA: 24.0' (T.O. SIGN)
REAR: 24.0' (T.O. SIGN)
PROPOSED: 24.0' (T.O. SIGN)

MOBILE SPACES:
REAR: 20 SPACES
PROPOSED: 20 SPACES
FRONT: 18 SPACES
PROPOSED: 18 SPACES
TOTAL: 38 SPACES
PROPOSED: 38 SPACES

CONSTRUCTION LEVEL:
PROPOSED: 12.00' AT 14' BEARS & 10' AT 15' BEARS
PROPOSED: 12.00' AT 14' BEARS & 10' AT 15' BEARS

SITE DRAINAGE:
SITE DRAINAGE TO BE DETERMINED
(BASED ON INCREASE IN LANDSCAPE, PREVIOUS ADO.)



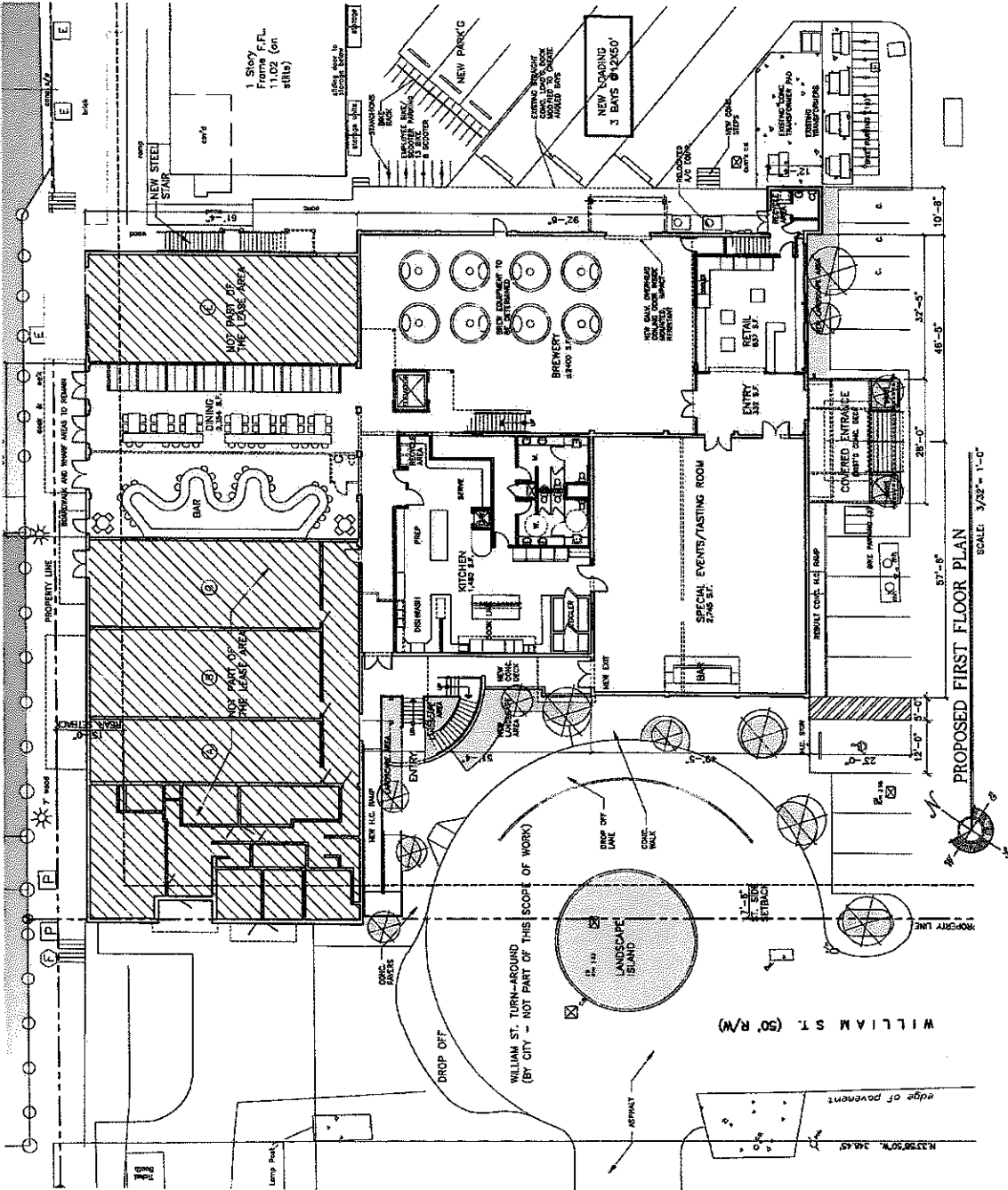
PROPOSED SITE PLAN - ROOF PLAN

SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED BY FREDERICK H. HILDEBRANT, SURVEYOR DATED ON 02-27-08



WATERFRONT BREWERY
201 WILLIAM STREET
WEST PALM BEACH, FLORIDA

WILLIAM P. HORN
ARCHITECT, P.A.
150 N. WILSON
17th FLOOR
UNION STATION
AT 100000



PROPOSED FIRST FLOOR PLAN
SCALE: 3/32" = 1'-0"

WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST CITY, FLORIDA

WALL LEGEND

(Symbol: Dashed line)	EXISTING 1/2" PRIME WALL CORNER
(Symbol: Solid line)	NEW WALL
(Symbol: Dotted line)	EXISTING TO BE REMOVED

BUILDING DATA

EXISTING BUILDING DATA (LEASE AREA)	
NET FLOOR AREA	15,400 S.F.
ENCLOSURE	148 S.F.
MEZZ. #1	897 S.F.
MEZZ. #2	1,312 S.F.
MEZZ. #3	1,312 S.F.
TOTAL EXISTING INCLUDED	3,608 S.F.
TOTAL EXISTING EXCLUDED	1,692 S.F.
TOTAL EXISTING ENCLOSED	1,692 S.F.

EXISTING AREA TO BE REMOVED

1 ST. FL.	(C) 182 S.F.	(ONLY PART OF 1000 S.F. AREA)
2ND FL.	(C) 182 S.F.	(ONLY PART OF 1000 S.F. AREA)
MEZZ. #1	(C) 374 S.F.	(ONLY PART OF 897 S.F. AREA)
MEZZ. #2	(C) 374 S.F.	(ONLY PART OF 1,312 S.F. AREA)
MEZZ. #3	(C) 374 S.F.	(ONLY PART OF 1,312 S.F. AREA)
TOTAL AREA REMOVED	3,378 S.F.	

PROPOSED BUILDING DATA

NET FLOOR AREA	15,400 S.F.
ENCLOSURE	148 S.F.
MEZZ. #1	897 S.F.
MEZZ. #2	1,312 S.F.
MEZZ. #3	1,312 S.F.
TOTAL PROPOSED INCLUDED	3,608 S.F.
TOTAL PROPOSED EXCLUDED	1,692 S.F.
TOTAL PROPOSED ENCLOSED	1,692 S.F.

NEW ROOFTOP CONSTRUCTION AREA (SEE SECTION)

NEW ROOFTOP CONSTRUCTION AREA	8,240 S.F.
EXHAUST FAN AREA	2,200 S.F.
NEW ROOFTOP RATED ROOF AREA	2,200 S.F.
CONSTRUCTION AREA	1,400 S.F.
PERMIT AREA (TOTAL)	9,900 S.F.
TOTAL ROOF TOP LEASE AREA	12,717 S.F.
EXISTING ROOF TANK	430 S.F.



WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST FLORIDA

SCALE

DATE: 11-11-11 DWG: 12-01-11 DWG

DESIGNED BY: [Name]

CHECKED BY: [Name]

PROJECT: [Name]

1118

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FLORIDA
33409
TEL. 301 364-8262
134 300 00-00-00
LICENSE NO.
44 00000

RECEIVED
March 2, 2013
KIV Planning Div

WALL LEGEND

-----	EXISTING NO. FRAME WALL COUNT
=====	NET WALL
-----	EXISTING TO BE REMOVED

BUILDING DATA

EXISTING BUILDING DATA (LEASE AREA)		NET USABLE	
ENCLOSURE	145 S.F.	ENCLOSURE	145 S.F.
MEZZ. #1	2,819 S.F.	MEZZ. #1	2,819 S.F.
MEZZ. #2	891 S.F.	MEZZ. #2	891 S.F.
MEZZ. #3	5,123 S.F.	MEZZ. #3	5,123 S.F.
TOTAL EXISTING ENCLOSED	8,878 S.F.	TOTAL EXISTING ENCLOSED	8,878 S.F.

EXISTING AREA TO BE REMOVED

MEZZ. #1	(-) 197 S.F.	MEZZ. #1	(-) 197 S.F.
MEZZ. #2	(-) 891 S.F.	MEZZ. #2	(-) 891 S.F.
MEZZ. #3	(-) 270 S.F.	MEZZ. #3	(-) 270 S.F.
MEZZ. #4	(-) 1,122 S.F.	MEZZ. #4	(-) 1,122 S.F.
TOTAL AREA REMOVED	2,480 S.F.	TOTAL AREA REMOVED	2,480 S.F.

PROPOSED BUILDING DATA

ENCLOSURE	1,840 S.F.	ENCLOSURE	1,840 S.F.
MEZZ. #1	2,819 S.F.	MEZZ. #1	2,819 S.F.
MEZZ. #2	798 S.F.	MEZZ. #2	798 S.F.
MEZZ. #3	798 S.F.	MEZZ. #3	798 S.F.
TOTAL PROPOSED ENCLOSED	6,255 S.F.	TOTAL PROPOSED ENCLOSED	6,255 S.F.

NET REDUCTION FROM EXISTING = 2,623 S.F.

NEW ROOF TOP CONSTRUCTION AREA = 2,819 S.F.

NEW REDUCTION FROM EXISTING = 2,623 S.F.

NEW ROOF TOP BASED NET AREA = 2,819 S.F.

CONSTRUCTION AREA = 1,418 S.F.

GAME AREA (LIFT) = 978 S.F.

TOTAL ROOF TOP LEASE AREA = 4,697 S.F.

EXISTING ROOF DAMPEN = 882 S.F.

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FL 33409

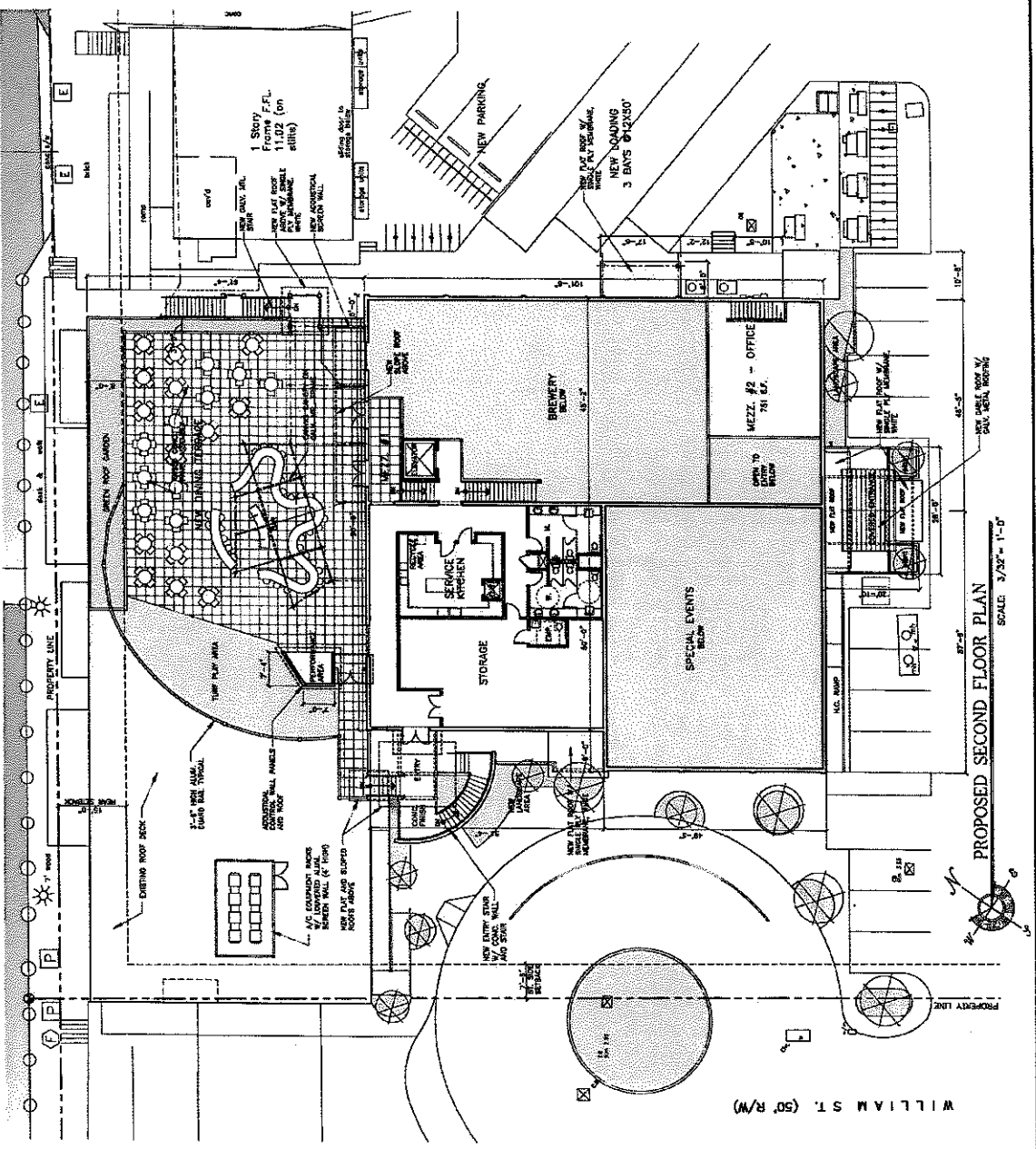
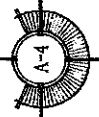
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DATE: 12/11/11
PROJECT: 1112

DESIGNED BY: ENA
DRAWN BY: FPH

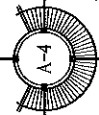
REVISIONS

DATE: 12/11/11
PROJECT: 1112



PROPOSED SECOND FLOOR PLAN
SCALE: 3/32" = 1'-0"

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA 33409



WALL LEGEND

	EXISTING FR. FRAME WALL CORE
	NEW WALL
	EXISTING TO BE REMOVED

BUILDING DATA

EXISTING BUILDING DATA (LEASE AREA)	
1ST FLOOR FLOORED	12,038 S.F.
2ND FLOOR FLOORED	2,618 S.F.
MEZZ. #1	907 S.F.
MEZZ. #2	1,122 S.F.
MEZZ. #3	1,122 S.F.
TOTAL EXISTING ENCLOSED	18,607 S.F.
TOTAL EXISTING COVERED	1,683 S.F.

EXISTING AREA TO BE REMOVED

1. ST. FL.	(C) 702 S.F. (COOLER BLDG @ OLD LAMP'S AREA)
2. ST. FL.	(C) 1,122 S.F. (MEZZ. #1)
MEZZ. #2	(C) 1,122 S.F. (MEZZ. #2)
MEZZ. #3	(C) 1,122 S.F. (MEZZ. #3)
TOTAL AREA REDUCTION	3,956 S.F.

PROPOSED BUILDING DATA

PROPOSED BUILDING DATA	
1ST FLOOR FLOORED	12,040 S.F.
2ND FLOOR FLOORED	2,619 S.F.
MEZZ. #1	909 S.F.
MEZZ. #2	791 S.F.
MEZZ. #3	791 S.F.
TOTAL PROPOSED ENCLOSED	18,250 S.F.
TOTAL PROPOSED COVERED	2,281 S.F.

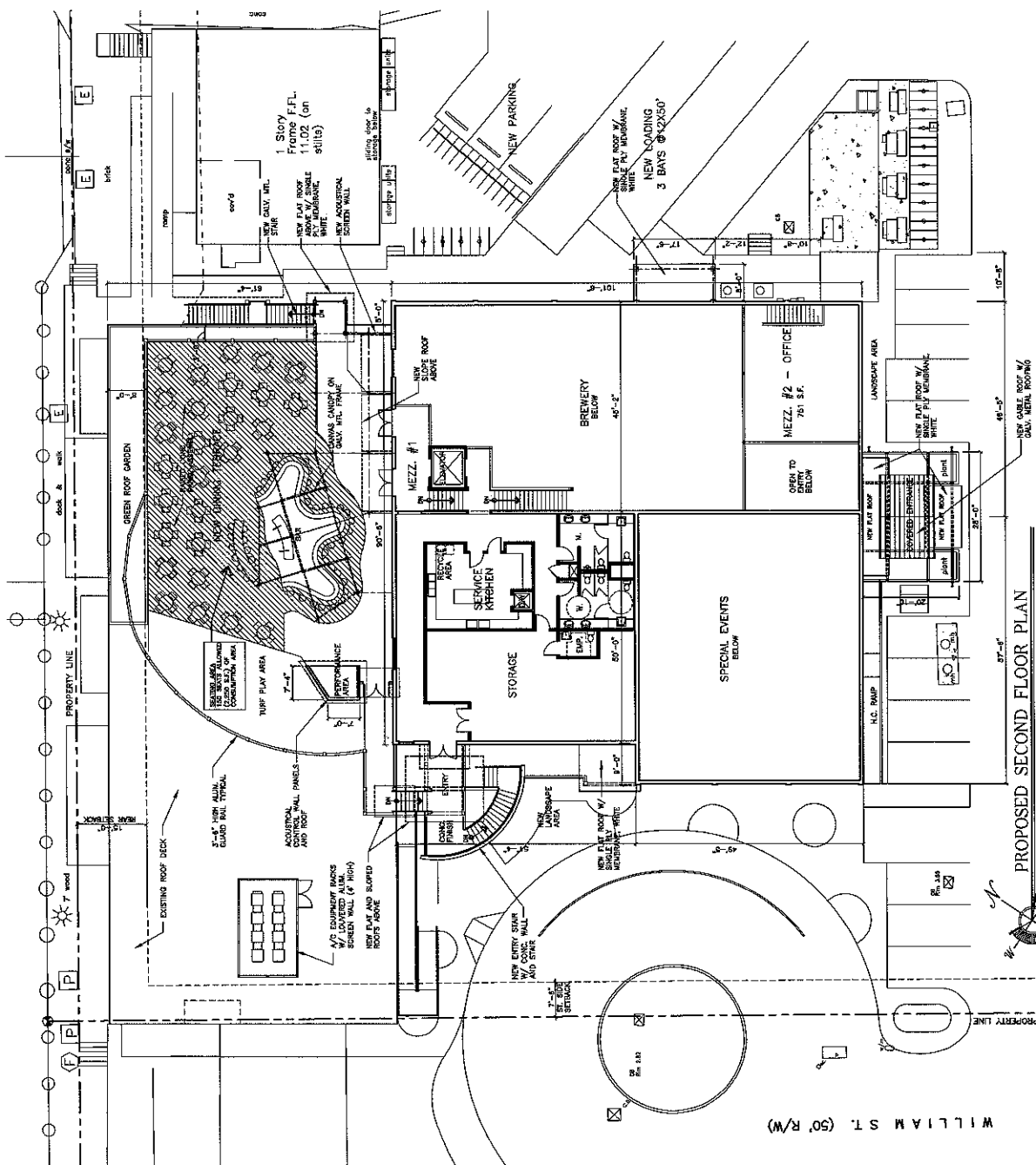
NEW ROOFTOP CONSUMPTION AREA = 2,250 S.F., EQUAL 100 SEATS

NEW ROOFTOP CONSUMPTION AREA = 2,250 S.F., EQUAL 100 SEATS

AREA REDUCTION FROM ABOVE = 3,957 S.F.

NEW ROOFTOP RAMPED DECK AREA

CONSUMPTION AREA	= 2,250 S.F.
CIRCULATION	= 1,491 S.F.
GAME AREA (LBBF)	= 970 S.F.
TOTAL ROOFTOP LEASE AREA	= 4,711 S.F.
GREEN ROOFTOP GARDEN	= 630 S.F.



WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

WILLIAM ST. (50' R/W)

WILLIAM W. HARK
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WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

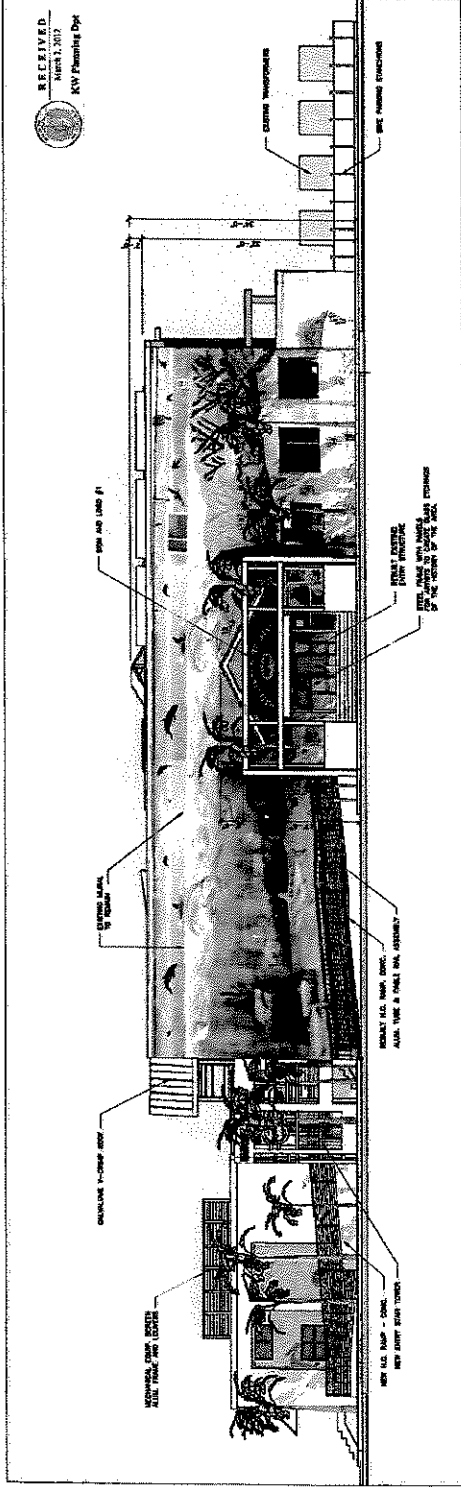
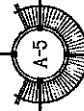
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PROJECT LOCATION: 201 WILLIAM STREET, KEY WEST, FLORIDA

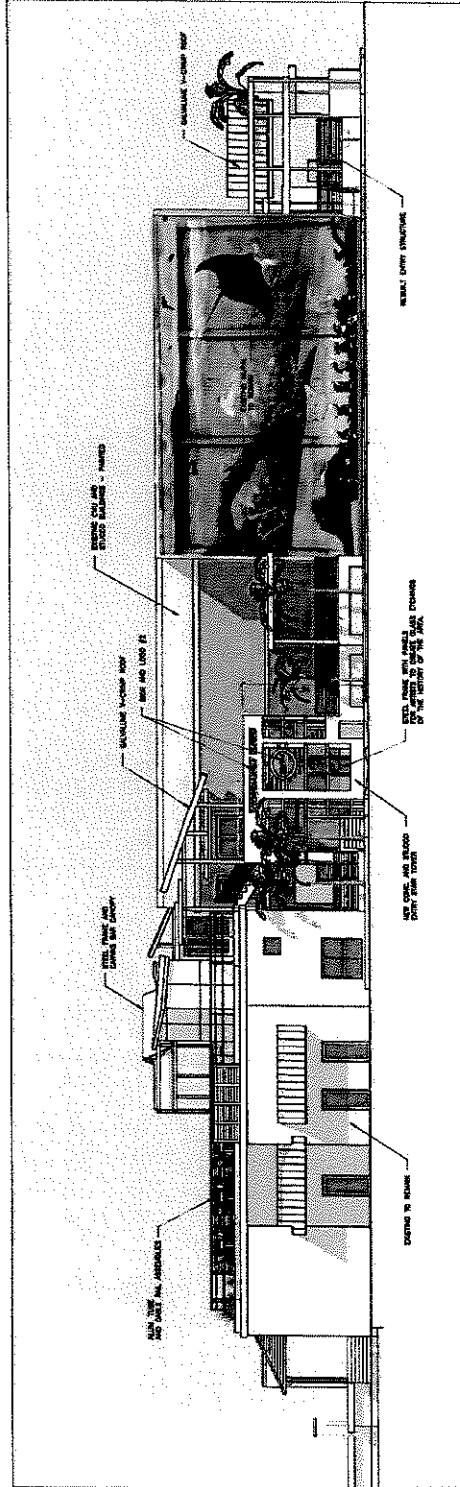
DATE: 11-11-11
DRAWN BY: J. HARK

REVISIONS:

DATE: 11-11-11
DRAWN BY: J. HARK
CHECKED BY: J. HARK
SCALE: 1/8" = 1'-0"



1 ELEVATION - ENTRANCE I
SCALE: 1/8" = 1'-0"



2 ELEVATION - ENTRANCE II
SCALE: 1/8" = 1'-0"

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

WILLIAM PENN
ARCHITECT, P.A.

PROJECT
KEY PLAN
PDR/DA
JMS

FILE NO. 07-00000
DATE OF DRAWING
12/11/11
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A-7

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

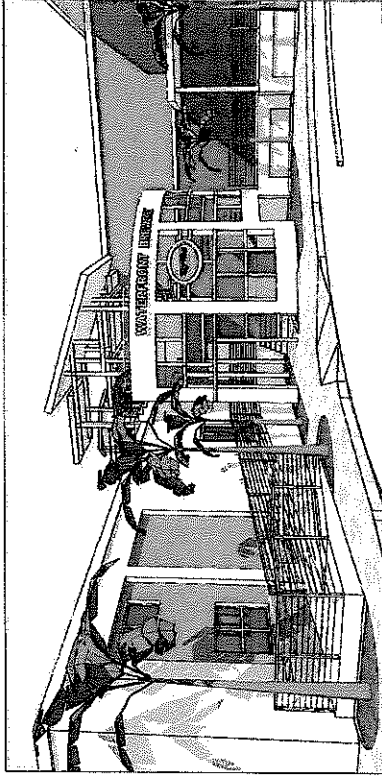
SCALE

DATE
11-11-11 HARC
12-11-11 DRC

DESIGNER

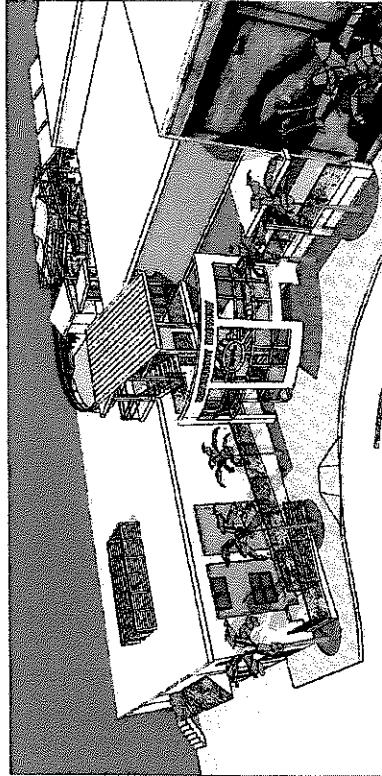
DRAWN BY
CMA
PDR
KOSKOFF
1113

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November 2012
KW Planning Dept



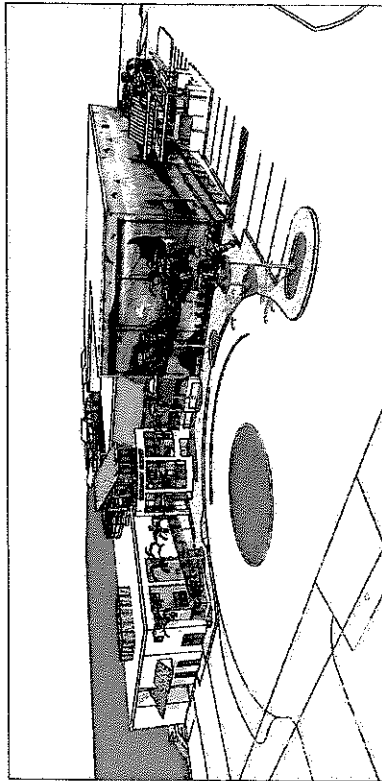
2 ENTRANCE II - PERSPECTIVE VIEW

2
A-7



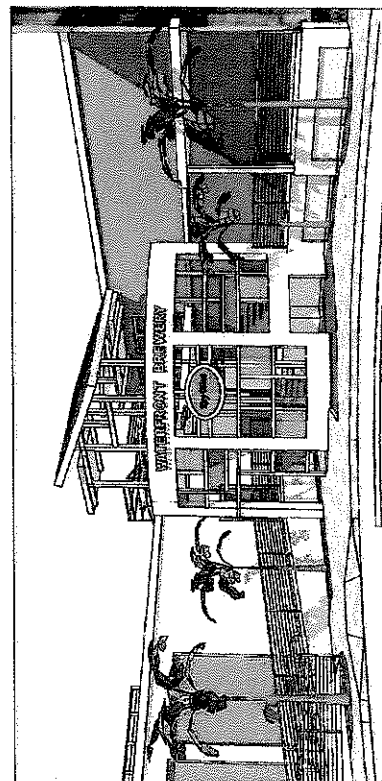
4 ENTRANCE II - AERIAL VIEW

4
A-7



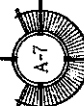
1 ENTRANCE II - PERSPECTIVE VIEW

1
A-7



3 ENTRANCE II - PERSPECTIVE VIEW

3
A-7



WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

WILLIAM P. BOBS
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FAX 305-294-1123
LARCHES 305
21.500000

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST BIGHT, FL.

SEA

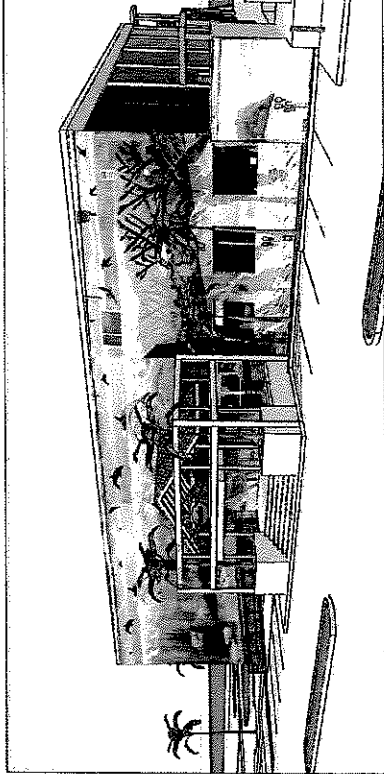
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OR TRANSMITTED IN
ANY FORM OR BY
ANY MEANS

DATE: 12-11-11
12-11-11 JAC
12-11-11 DBC

REVISIONS

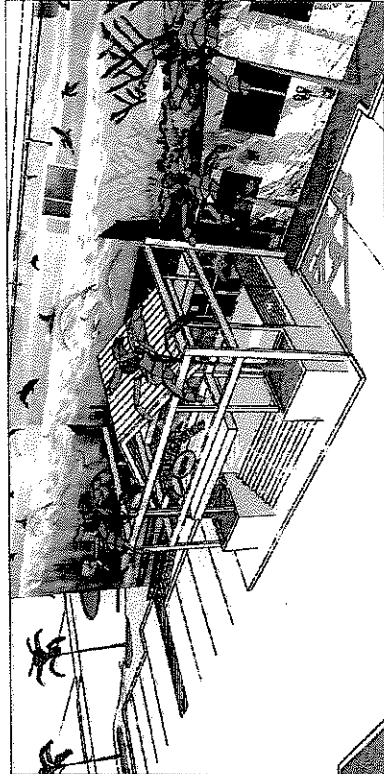
DRAWN BY:
EVA
FBI
PROJECT
1115

RECEIVED
March 2, 2012
KW Planning, Inc.



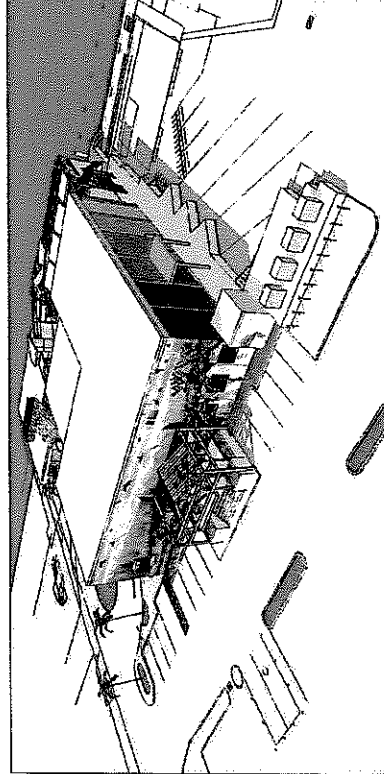
ENTRANCE I - PERSPECTIVE VIEW

2
A-8



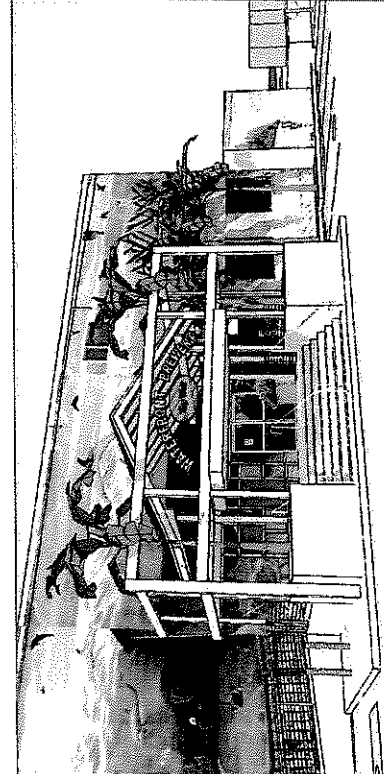
ENTRANCE I - AERIAL VIEW

4
A-8



ENTRANCE I - AERIAL VIEW

1
A-8



ENTRANCE I - PERSPECTIVE VIEW

3
A-8



WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST BIGHT, FLORIDA

RECEIVED
March 2, 2011
NY Planning Dep.

WILLIAM P. HORN
ARCHITECT, P.A.

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33085

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WWW.WPHORN.COM
LA 10000000

WATERFRONT BREWERY
BY PERLBERG/SPENCER
ARCHITECTS

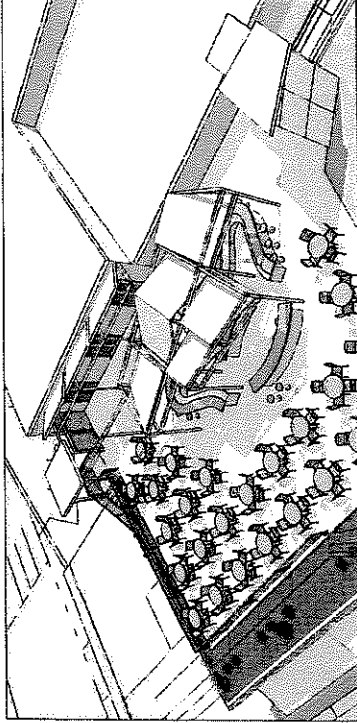
SEA

THIS DRAWING IS A
WORKING DOCUMENT
FOR THE PROJECT
OF WILLIAM P. HORN

DATE: 11-11-11 MARC
12-21-11 DMC

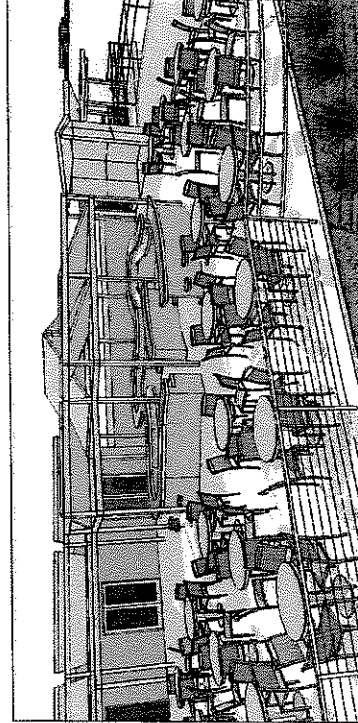
ARCHITECTS

DRAWN BY:
EMA
PH
CHECKED BY:
SPENCER
1118



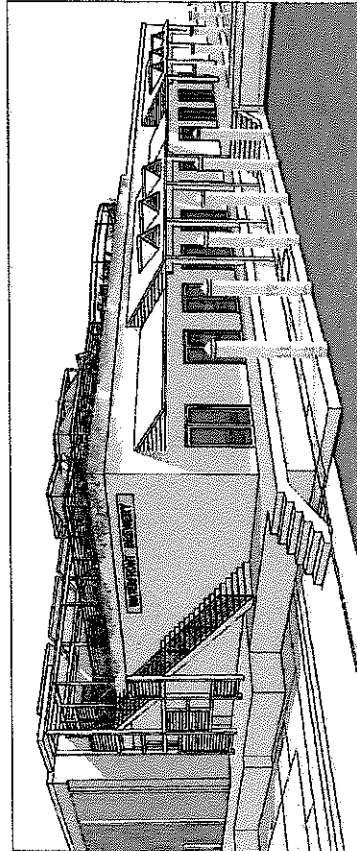
2 ROOF DECK - AERIAL VIEW

A-9



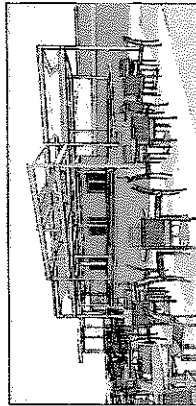
5 ROOF DECK - PERSPECTIVE VIEW

A-9



1 PERSPECTIVE VIEW

A-9



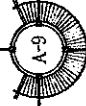
4 PERSPECTIVE VIEW

A-9



3 PERSPECTIVE VIEW

A-9



WATERFRONT BREWERY
20 WILLIAM STREET
KEY WEST BIGHT, FLORIDA

WILLIAM HERR
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L@ELN.LLC

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST BIGHT, FL

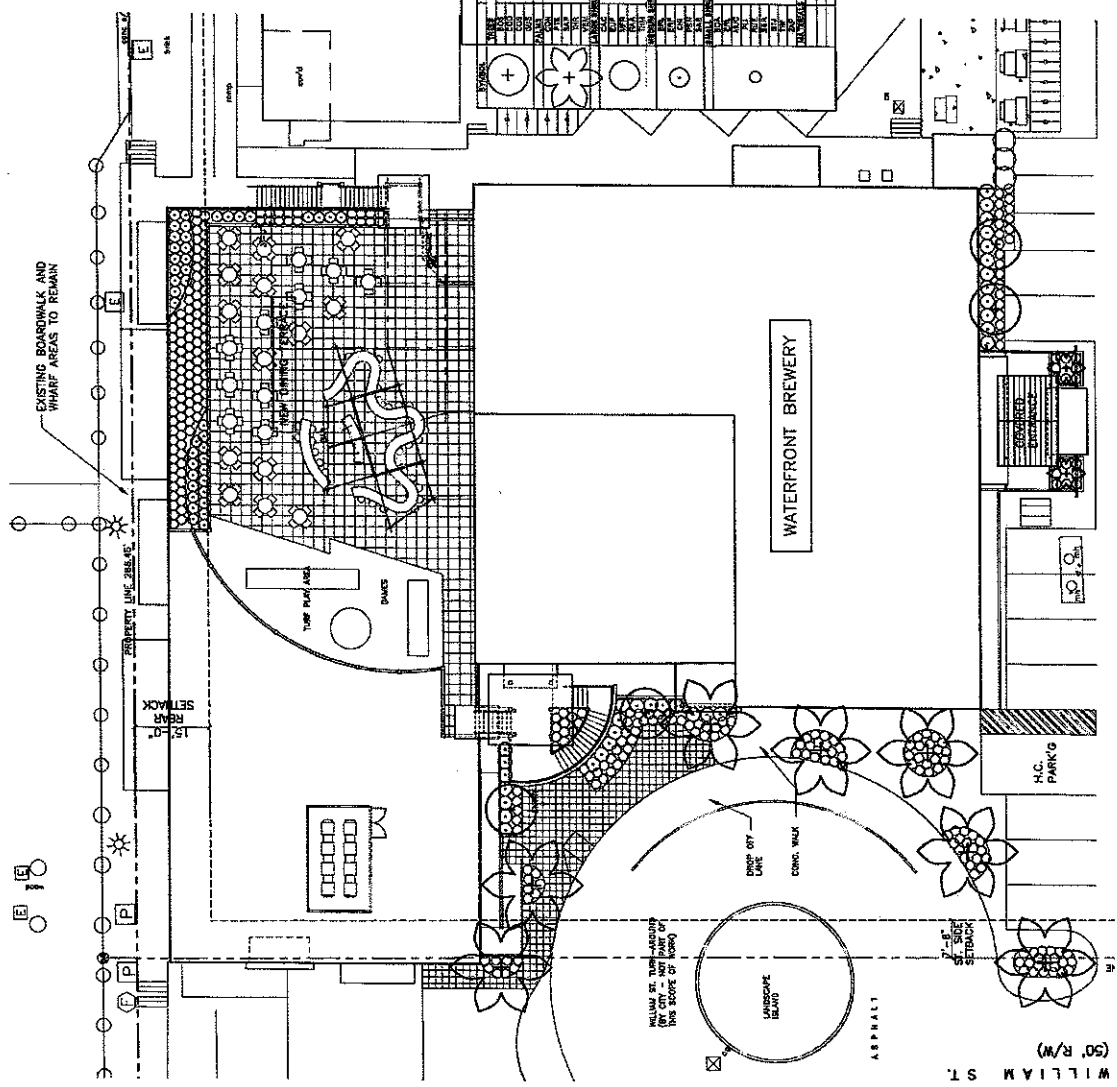
SCALE

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DATE: 11-14-11
DRAWN BY: JH
CHECKED BY: JH
PROJECT NO: 1119

REVISIONS

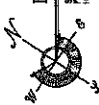
DATE: 11-14-11
DRAWN BY: JH
CHECKED BY: JH
PROJECT NO: 1119



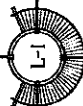
WATERFRONT BREWERY PLANT LIST

NO.	PLANT NAME	QUANTITY	PLANT SIZE	PLANT TYPE	PLANT CODE	PLANT HEIGHT	PLANT WIDTH	PLANT SPACING	PLANT NOTES
1	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
2	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
3	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
4	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
5	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
6	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
7	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
8	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
9	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
10	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
11	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
12	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
13	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
14	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
15	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
16	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
17	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
18	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
19	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS
20	BRANDY CRISIS	10	12"	SHRUB	BRANDY	12"	12"	12"	BRANDY CRISIS

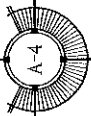
LANDSCAPE PLAN
SCALE: 3/32" = 1'-0"



WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST BIGHT, FLORIDA



WILLIAM ST
(50' R/W)

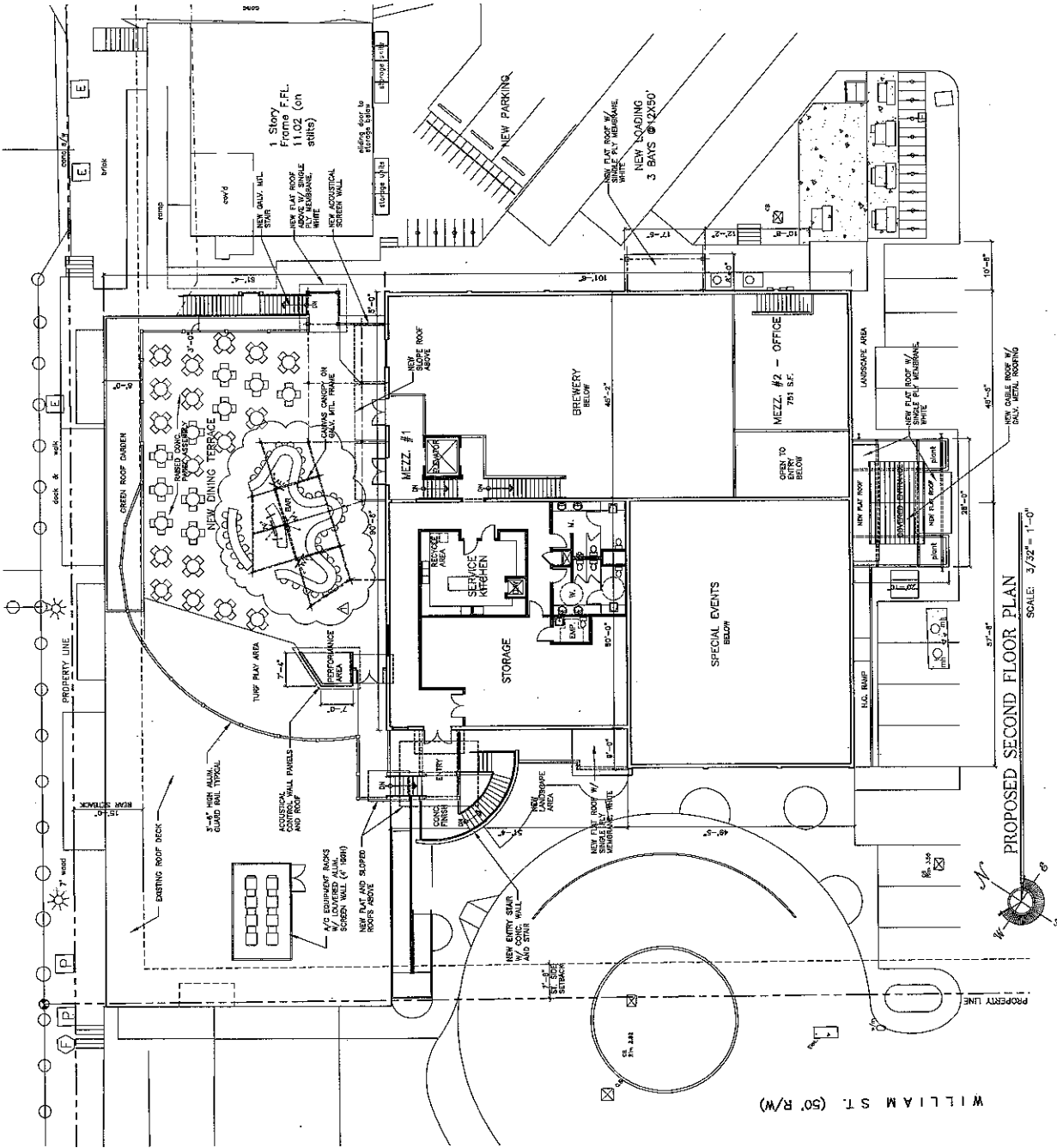
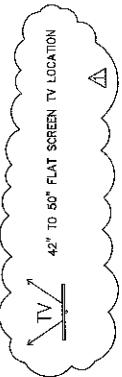


WALL LEGEND

---	EXISTING NO. FRAME WALL COURT
=====	NEW WALL
-----	EXISTING TO BE REMOVED

BUILDING DATA

EXISTING BUILDING DATA (LEASE AREA)	PROPOSED BUILDING DATA
1ST FLOOR 12,433 S.F. COVERED/UNCOVERED	1ST FLOOR 12,433 S.F. COVERED/UNCOVERED
2ND FLOOR 2,419 S.F. COVERED/UNCOVERED	2ND FLOOR 2,419 S.F. COVERED/UNCOVERED
MEZZ #1 1,122 S.F. COVERED/UNCOVERED	MEZZ #1 1,122 S.F. COVERED/UNCOVERED
MEZZ #2 1,122 S.F. COVERED/UNCOVERED	MEZZ #2 1,122 S.F. COVERED/UNCOVERED
TOTAL EXISTING ENCLOSED 18,096 S.F.	TOTAL EXISTING COVERED 18,096 S.F.
EXISTING AREA TO BE REMOVED	
1ST FL. (COOLER BLDG. @ OLD LONG'S AREA) MEZZ #1 - BUILD BACK (TOTAL REMOVAL) MEZZ #2 - BUILD BACK (TOTAL REMOVAL) TOTAL AREA REMOVED 2,419 S.F.	
PROPOSED BUILDING DATA	
1ST FLOOR 12,433 S.F. (TOTAL REMOVAL) 2ND FLOOR 2,419 S.F. (TOTAL REMOVAL) MEZZ #1 1,122 S.F. (TOTAL REMOVAL) MEZZ #2 1,122 S.F. (TOTAL REMOVAL) TOTAL PROPOSED ENCLOSED 18,096 S.F.	
NEW ROOFTOP CONSUMPTION AREA = 2,307 S.F. (TOTAL 18,096 S.F.) AREA REDUCTION FROM ABOVE = 2,307 S.F.	
NEW ROOFTOP RAINWATER CISTERN	
CONSUMPTION AREA = 2,307 S.F. RAINWATER STORAGE AREA (100% RAINFALL) TOTAL ROOF TOP LEASE AREA = 4,871 S.F. GREEN ROOF PARKING = 450 S.F.	



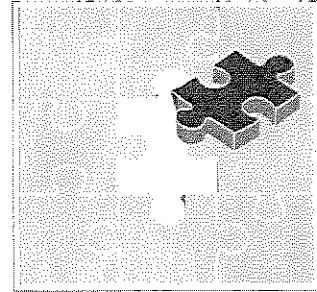
PROPOSED SECOND FLOOR PLAN
SCALE: 3/32" = 1'-0"

WATERFRONT BREWERY
201 WILLIAM STREET
KEY WEST, FLORIDA

Concurrency Analysis

MEMORANDUM

TREPANIER



& ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Date: 03/01/12
To: Key West Planning Department
From: Owen Trepanier
Re: **Concurrency Analysis - Waterfront Brewery**

The City's Comprehensive Plan Objective 9-1.5 directs the City to ensure that facilities and services needed to support development are available concurrent with the impacts of new development.

The following specific issues are outlined:

1. Potable Water & Sanitary Sewer
2. Recreation (for residential development only)
3. Solid Waste
4. Drainage
5. Roads/Trip Generation

The following concurrency analysis reflects the anticipated impacts resulting from the proposed renovation and adaptive reuse of the "Waterfront Market" building as a restaurant and micro-brewery.

Potable Water & Sanitary Sewer "Planned improvements in potable water and/or wastewater systems required to establish and/or maintain adopted water and wastewater levels of service. System improvements and proposed funding resources required for implementing any improvements required to establish and/or maintain adopted potable water and wastewater system level of service standards¹:"

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

- i) Existing capacity required based on site size: **2,090 gal/day**

The total capacity required for nonresidential use on **3.22 acres** is:

$$650 \text{ gal/acres/day} \times 3.22 \text{ acres} = 2,090 \text{ gal/day}$$

- ii) Proposed capacity required based on site size: **2,090 gal/day**

The total capacity required for nonresidential use on **3.22 acres** is:

$$650 \text{ gal/acres/day} \times 3.22 \text{ acres} = 2,090 \text{ gal/day}$$

¹ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

iii) Existing capacity required based on floor area: **280 gal/day**

The total capacity required for nonresidential use on **0.43 acres** is:

$$650 \text{ gal/acres/day} \times 0.43 \text{ acres} = 280 \text{ gal/day}$$

iv) Proposed capacity required based on floor area: **244 gal/day**

The total capacity required for nonresidential use on **0.38 acres** is:

$$650 \text{ gal/acres/day} \times 0.38 \text{ acres} = 244 \text{ gal/day}$$

Based on the concurrency management calculation prescribed in the Comprehensive Plan, there is no increase in the proposed capacity required by Key West Comprehensive Plan LOS standards; the Florida Keys Aqueduct Authority has the capacity to supply adequate service to this property, as demonstrated in the following:

Notwithstanding, the Florida Keys Aqueduct Authority ("FKAA") has adequate supply capacity to serve the potential development. FKAA has constructed facilities on the mainland in Florida City to expand water supply for the Florida Keys. This permitted and constructed improvement enables FKAA to provide over 23 MGD, which will provide sufficient capacity through 2022². Operational in 2011, the recent expansion of the R.O. plant will provide 6.0 MGD, which combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, increased available water supply to 23 MGD for the Florida Keys.

Expanded Florida City R.O. Plant. The Department of Health issued Permit # 150092-007-wc/04 (Exhibit I) on November 14, 2006 to allow for the construction of an expanded reverse osmosis (R.O.) water plant in Florida City. The expanded water plant is designed to treat blended Floridian Aquifer water as an alternative water source to the Biscayne Aquifer. The permit design capacity of the expanded R.O. plant is 6 MGD.

Revised Water Use Permit. The SFWMD issued revised Water Use Permit (WUP) #13-00005-W (Exhibit II) on March 26, 2008, which recognizes the additional blended Floridian Aquifer capacity that will be provided by the expanded R.O. plant. Interim Water Use Allocations in the WUP permit provide FKAA with an allocation of 17.00 MGD (dry season) and 17.79 GPD (wet season) which may be withdrawn from the Biscayne Aquifer and allows FKAA to utilize the Stock Island and Marathon Reverse Osmosis plants for any demands exceeding the interim withdrawal limit, pending completion of the R.O. plant in Florida City. The Stock Island and Marathon R.O. plants have a combined capacity of 3.0 MGD providing an interim WUP water supply of 20.0 MGD during the dry season if needed. Once operational in 2010, the R.O. plant will provide an additional 6.0 MGD, which when combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, will increase available water supply to 23 MGD for the Florida Keys.

The interim allocation of 20 MGD (7,300 MG/year) through 2010 and 23 MGD after 2010 provides ample water supply to support the adopted amendment and allocated growth well beyond 10 years. The "Monroe County 2007 Annual

² Excerpt from Analysis by Kenneth B. Metcalf, AICP, (Greenberg Traurig, P.A.), August 22, 2008.

Public Facilities Report” documents historic water use in the Florida Keys. Water demand has fluctuated significantly on an annual basis, however when evaluated over a ten-year period, the data shows an increase in water demand of more than 1 billion gallons over the last 10 years with an annual average increase of approximately 104 MG/year. This increase in demand can be shown in the following calculation:

$$1996 \text{ annual water demand} = 5,272 \text{ MG /year}$$

$$2006 \text{ annual water demand} = 6,310 \text{ MG /year}$$

$$\text{Average Annual Increase} = (6,310 \text{ MG} - 5,272\text{MG}) / 10 = 103.8 \text{ MG /year}$$

Based on the average annual increase of 103.8 MG per year, the interim allocation would be sufficient for an additional 9.5 years of growth beyond 2006 or through 2015 until demand reaches the interim permitted withdrawal of 20 MGD (7,300 MG/year). Since completion of the Florida City facilities, the 23 MGD allocation is available to support yet another 9.5 years of growth. Based on these findings, sufficient permitted water supply is available to meet the needs of the Florida Keys through 2024.

Improvements Schedule/Status. Condition 30 of the WUP provides the R.O. plant and the associated Floridian deep wells that will provide 23 MGD of capacity through 2024:

- DEP Underground Injection and Control permit was obtained on May 21, 2008.
- Construction contracts were required within 180 days or by November 21, 2008;
- Testing is required within one year and 30 days from issuance of the permit or by June 21, 2009.
- The R.O. plant construction was completed in January, 2010.

Sanitary Sewer Sec. 94-67 sets the level of service for residential sanitary sewer at 100 gal/capita/day and nonresidential sanitary sewer at 660 gal/acre/day.

- i) Existing capacity required based on site size: **2,122 gal/day**

The total capacity required for nonresidential use on **3.22 acres** is:

$$660 \text{ gal/acres/day} \times 3.22 \text{ acres} = 2,122 \text{ gal/day}$$

- ii) Proposed capacity required based on site size: **2,122 gal/day**

The total capacity required for nonresidential use on **3.22 acres** is:

$$660 \text{ gal/acres/day} \times 3.22 \text{ acres} = 2,122 \text{ gal/day}$$

- iii) Existing capacity required based on floor area: **284 gal/day**

The total capacity required for nonresidential use on **0.43 acres** is:

$$660 \text{ gal/acres/day} \times 0.43 \text{ acres} = 284 \text{ gal/day}$$

- iv) Proposed capacity required based on floor area: **248 gal/day**

The total capacity required for nonresidential use on **0.38 acres** is:

$$660 \text{ gal/acres/day} \times 0.28 \text{ acres} = 248 \text{ gal/day}$$

The current wastewater treatment plant has the potential treatment capacity of 10 million gallons per day. Only 4.8 million gallons per day of capacity are currently utilized³. The current plant has the capacity to service this project's projected needs.

Recreation "In cases where residential development is proposed, information shall be submitted describing plans for accommodating recreational demands generated by the development, including demonstrated evidence that the City's adopted level of service for recreation shall not be adversely impacted⁴:"

No Residential Development Proposed

Solid Waste- "Projected demand generated by the development on the solid waste disposal system and assurances that the City's adopted level of service for solid waste disposal shall not be adversely impacted⁵:"

Sec. 94-71 sets the level of service for residential solid waste disposal (1994-2010) at 2.66 lb/capita/day and nonresidential solid waste disposal at 6.37 lb/capita/day⁶.

- i) Existing capacity required: **172 lb/day**

The total capacity required for the nonresidential use of **27 FTE employees**⁷ is:

$$6.37 \text{ lb/capita/day} \times 27 \text{ employees} = 172 \text{ lb/day}$$

- ii) Proposed capacity required: **210 lb/day**

The total capacity required for the nonresidential use of **33 FTE employees**⁸ is:

$$6.37 \text{ lb/capita/day} \times 33 \text{ people} = 210 \text{ lb/day}$$

Waste Management has more than enough capacity to handle the increase⁹.

Drainage - "Conceptual plan for accommodating storm water run-off and demonstrated evidence that the proposed drainage improvements shall accommodate storm water run-off

³ Per September 3, 2010 memo from Greg Smith, project Manager for CH2M Hill OMI (Exhibit III)
⁴ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.
⁵ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.
⁶ For these calculations, we chose to use the number of employees to represent the "capita."
⁷ Base on employee estimates of the Planner's Estimating Guide, APA, 2004 (27 FTE employees)
⁸ Based on expectation of the operator
⁹ Per January 25, 2010 memo from Jay Gewin, City of Key West (Exhibit V)

without adversely impacting natural systems or the City's adopted level of service for storm drainage¹⁰

This site will meet the minimum requirements through best management practices as depicted on the attached storm water management plans. In addition there will be an over reduction in impervious surface along with incorporation of "green roof technology".

Roads/Trip Generation - "Estimated trips for the peak hour generated by the proposed land use(s) together with anticipated on- and off-site improvements necessitated to accommodate the traffic impacts generated by the development including, additional R/W, roadway improvements, additional paved laneage, traffic signalization, proposed methods for controlling access and egress, and other similar improvements¹¹."

For the purposes of calculating traffic generation we used the Institute of Transportation Engineer's 7th Edition Trip Generation Volumes.

ITE Category	Week Day		Saturday		Sunday	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
Supermarket (ITE #850)	102.24 trips / 1k sq. ft.		178 trips / 1k sq. ft.		166 trips / 1k sq. ft.	
	956 ¹²	0	1,660 ¹³	0	1,556 ¹⁴	0
Specialty Retail (ITE #814)	44.32 trips / 1k sq. ft.		42.04 trips / 1k sq. ft.		20.43 trips / 1k sq. ft.	
	0	28 ¹⁵	0	27 ¹⁶	0	13 ¹⁷
Light Industrial (ITE #150)	6.97 trips / 1k sq. ft.		1.32 trips / 1k sq. ft.		0.68 trips / 1k sq. ft.	
	164 ¹⁸	17 ¹⁹	31 ²⁰	3 ²¹	16 ²²	2 ²³
Quality Restaurant (ITE #931)	2.86 trips / seat		2.85 trips / seat		2.81 trips / seat	
	14 ²⁴	858 ²⁵	14 ²⁶	855 ²⁷	14 ²⁸	843 ²⁹
Total	1,035	903	1,686	885	1,576	858

This site is located on Margaret Street. Margaret Street is not a constrained street according to City of Key West Code Section 94-72.

Parking - The proposed site currently has 15 parking spaces associated with it. Approximately half of the existing parking spaces are nonconforming with regard to the dimensional requirements of the code. The proposed reconfiguration will retain 15 spaces, all conforming, and allow for 3 additional spaces to be created. The site is located within the Historic Commercial Pedestrian Oriented Area and fully complies with the parking regulations of Art. VII.

¹⁰ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

¹¹ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

¹² Based on half the existing GFA (9,346 sq. ft.)

¹³ Based on half the existing GFA (9,346 sq. ft.)

¹⁴ Based on half the existing GFA (9,346 sq. ft.)

¹⁵ Based on the proposed 637 sq. ft.

¹⁶ Based on the proposed 637 sq. ft.

¹⁷ Based on the proposed 637 sq. ft.

¹⁸ Based on half the existing GFA (9,346 sq. ft.)

¹⁹ Based on the proposed 2,400 sq. ft.

²⁰ Based on half the existing GFA (9,346 sq. ft.)

²¹ Based on the proposed 2,400 sq. ft.

²² Based on half the existing GFA (9,346 sq. ft.)

²³ Based on the proposed 2,400 sq. ft.

²⁴ Based on the permitted 5 seats for take out restaurant/deli

²⁵ Based on the proposed 300 seats

²⁶ Based on the permitted 5 seats for take out restaurant/deli

²⁷ Based on the proposed 300 seats

²⁸ Based on the permitted 5 seats for take out restaurant/deli

²⁹ Based on the proposed 300 seats

Exhibits

Exhibit I – Department of Health Permit #150092-007-wc/04

Exhibit II – Water Use Permit (WUP) #13-00005-W

Exhibit III – September 3, 2010 Wastewater Memo

Exhibit IV – Map of the City of Key West's Existing Recreation Services

Exhibit V – January 25, 2010 Solid Waste Memo

Exhibit I

Department of Health Permit #150092-007-wc/04



Jeb Bush
Governor

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary

Lillian Rivera, RN, MSN, Administrator

PERMITTEE:

Florida Keys Aqueduct Authority (FKAA)
C/o Ray M. Shimokubo
PO BOX 1239, Kennedy Drive
Key West, Florida 33041-1239

PERMIT No: 150092-007-WC/04
DATE OF ISSUE: November 14, 2006
EXPIRATION DATE: November 13, 2011
COUNTY: MIAMI-DADE COUNTY
LAT./LONG.: 25°26'25" N / 80°30'33" W
SECTION/TOWNSHIP/RANGE:
PROJECT: Reverse Osmosis (RO) Expansion
Facility, 6.0 MGD Permeate production with
blending options at FKAA J.Robert Dean WTP
Florida City, Dade County

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 62-4, 62-550, 62-555 & 62-560. The above named permittee is hereby authorized to perform the work shown on the application, technical specifications approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TO CONSTRUCT: A Reverse Osmosis, (RO) treatment facility with a permeate capacity of up to 6 Million Gallons per Day, (MGD) produced from Phase I, consisting of three (3) 1.5 MGD trains or Phase II, consisting of an additional 1.5 MGD or four (4) 1.5 MGD trains. The RO facility will be fully integrated with the existing lime softening plant. There will be the option of bypassing a limited amount of pretreated Floridan aquifer water and blending it with RO permeate thus adding alkalinity to the product water and increasing the overall plant "net" recovery. The RO system product water (degasified permeate/blended permeate) will be combined (blended) with existing lime softening plant product and a limited amount of cartridge-filtered Biscayne Aquifer RO bypass water. The blended product water will receive chemical addition and be transferred to existing finished water storage facilities and pumped to distribution with existing high service pumps. The water treatment plant construction permit application is for 6 MGD RO permeate capacity plus up to 3 MGD cartridge filtered Biscayne Aquifer blend flow and up to 0.576 MGD (400 gpm) pretreated Floridan Aquifer feed water bypass (which blends with RO permeate), and up to 0.7 MGD Floridan Aquifer water which blends with the existing lime softening facility influent Biscayne Aquifer water. The full operation of all the above described facility units could raise the Possible Facility Output Capacity to greater than 23.8 MGD existing permissible, plus 6.0 MGD covered under this permit application.
No other facilities or new wells are part of this permit.

TO SERVE: The Florida Keys Water Distribution System, Monroe County, Florida.



Samir Elmira, M.S., P.E., DEE, Division Director
Miami-Dade County Health Department
Environmental Health and Engineering
1725 N. W. 167th Street, Miami, Florida 33056
Tel: (305) 623-3500 Fax: (305) 623-3502
Email: Samir_elmira@doh.state.fl.us
Website: www.dadehealth.org

"A"

PERMIT NO: 150092-007-WC/04

PERMIT ISSUE DATE: November 14, 2006

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

PERMIT NO: 150092-007-WC/04

PERMIT ISSUE DATE: November 14, 2006

- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence if the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- (X) Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Certification of compliance with state Water Quality Standards (Section 401, PL 92-500)
- () Compliance with New Source Performance Standards

PERMIT NO: 150092-007-WC/04

PERMIT ISSUE DATE: November 14, 2006

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SPECIFIC CONDITIONS:

1. The applicant is responsible for retaining the engineer of record in the application for supervision of the construction of this project and upon completion, the engineer shall inspect for complete conformity to the plans and specifications as approved.

2. All concrete coatings/admixtures, liners, grouts, hoses, tubings, and protective paints and coatings shall be listed by the National Sanitation Foundation as acceptable for contact with potable water.

3. Bacteriological points depicted on the plans may be modified with Department consent to meet convenient locations where taps would be inserted in the Main for Fire, Metering, Air Release or other connections but not less than 900 foot intervals for new mains. Additionally, each part or system module shall be Bacteriologically cleared with 2 consecutive days of sampling before being placed in service as well as the final stream going to storage and subsequent service.

4. The Applicant or his designee shall notify The Department at the local DOE office of the start of the study/construction for purposes of allowing Department Personnel to observe the actual process.

5. The owner or permittee is advised that approval is given to the functional aspects of this project on the basis of representation, and data furnished to this division. There may be County, Municipal or other Local Regulations to be complied with by the owner or permittee prior to construction of the facilities represented by the plans referred to above.

6. This construction permit is issued with the understanding that pipe material and appurtenances used in this installation will be in accordance with the latest applicable AWWA & NSF Standards for public water supplies.

7. The applicant Public Water System as a condition of this permit is hereby advised they shall revert to (2) two-six Month periods of standard monitoring for Lead and Copper upon issuance of Clearance to put the facilities into service. If no Lead or Copper exceedance occurs within the 2-6 Month periods, the System may return to annual monitoring.

PERMIT NO: 150092-007-WC/04

PERMIT ISSUE DATE: November 14, 2006

8. Prior to placing a system into service, the applicant shall submit to the Department, if requested, one set of record drawings of the completed project with completed form DEP 62.555.910(9) [Certification of Construction Completion and Request for a Letter of Clearance to Place a Public Drinking water facility into Service] signed by the engineer of record. Drawings are to be at the same scale and in the same sequence as those submitted and approved for permit. Deviations from the original permitted drawings are to be highlighted and/or noted for the Department's review. Include with the DEP form the bacteriological clearance data, pressure test results and backflow inspection certification (if applicable).

Issued this 30th day of November 2006

STATE OF FLORIDA
DEPARTMENT OF HEALTH



Samir Elmir, M.S., P.E., DEE,
Division Director

Exhibit II

Water Use Permit (WUP) #13-00005-W



FORM 10299
Rev. 5/03

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT NO. RE-ISSUE 13-00005-W
(NON - ASSIGNABLE)**

Date Issued: 13-MAR-2008

Expiration Date: March 13, 2028

Authorizing: THE CONTINUATION OF AN EXISTING USE OF GROUND WATER FROM THE BISCAYNE AQUIFER AND FLORIDAN AQUIFER SYSTEM FOR PUBLIC WATER SUPPLY USE WITH AN ANNUAL ALLOCATION OF 8750.84 MILLION GALLONS.

Located In: Miami-Dade County, S26/T57S/R38E

Issued To: FLORIDA KEYS AQUEDUCT AUTHORITY FKA
(FLORIDA KEYS AQUEDUCT AUTHORITY)
1100 KENNEDY DR
KEY WEST, FL 33401

This Permit is issued pursuant to Application No.050329-23 , dated March 29, 2005, for the Use of Water as specified above and subject to the Special Conditions set forth below. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, maintenance or use of activities authorized by this permit. Said application, including all plan and specifications attached thereto, is by reference made a part hereof.

Upon written notice to the permittee, this permit may be temporarily modified, or restricted under a Declaration of Water Shortage or a Declaration of Emergency due to Water Shortage in accordance with provisions of Chapter 373, Fla. Statutes, and applicable rules and regulations of the South Florida Water Management District.

This Permit may be permanently or temporarily revoked, in whole or in part, for the violation of the conditions of the permit or for the violation of any provision of the Water Resources Act and regulations thereunder.

This Permit does not convey to the permittee any property rights nor any privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation, or requirement affecting the rights of other bodies or agencies.

Limiting Conditions are as follows:

SEE PAGES 2 - 7 OF 7 (35 LIMITING CONDITIONS).

South Florida Water Management
District, by its Governing Board

On March 13, 2008
By [Signature]
Deputy Clerk

LIMITING CONDITIONS

1. This permit shall expire on March 13, 2028.
2. Application for a permit modification may be made at any time.
3. Water use classification:

Public water supply

4. Source classification is:

Ground Water from:
Biscayne Aquifer
Floridan Aquifer System

5. Annual allocation shall not exceed 8751 MG.

Maximum monthly allocation shall not exceed 809.0088 MG.

The following limitations to annual withdrawals from specific sources are stipulated:

Biscayne Aquifer-: 6,492 MG:

6. Pursuant to Rule 40E-1.6105, F.A.C., Notification of Transfer of Interest in Real Property, within 30 days of any transfer of interest or control of the real property at which any permitted facility, system, consumptive use, or activity is located, the permittee must notify the District, in writing, of the transfer giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer, as set forth in Rule 40E-1.6107, F.A.C.

Pursuant to Rule 40E-1.6107 (4), until transfer is approved by the District, the permittee shall be liable for compliance with the permit. The permittee transferring the permit shall remain liable for all actions that are required as well as all violations of the permit which occurred prior to the transfer of the permit.

Failure to comply with this or any other condition of this permit constitutes a violation and pursuant to Rule 40E-1.609, Suspension, Revocation and Modification of Permits, the District may suspend or revoke the permit.

This Permit is issued to:

Florida Keys Aqueduct Authority
1100 Kennedy Drive
Key West, Florida 33401

7. Withdrawal facilities:

Ground Water - Existing:

- 2 - 24" X 60' X 2000 GPM Wells Cased To 35 Feet
- 3 - 24" X 56' X 2000 GPM Wells Cased To 36 Feet
- 1 - 20" X 60' X 2100 GPM Well Cased To 20 Feet
- 2 - 24" X 57' X 2000 GPM Wells Cased To 37 Feet
- 1 - 24" X 60' X 1400 GPM Well Cased To 24 Feet
- 1 - 20" X 1300' X 2000 GPM Well Cased To 880 Feet
- 1 - 24" X 60' X 1400 GPM Well Cased To 20 Feet

Ground Water - Proposed:

4 - 17" X 1300' X 2000 GPM Wells Cased To 880 Feet

8. Permittee shall mitigate interference with existing legal uses that was caused in whole or in part by the permittee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the interference, mitigation will include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means.

Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1 in 10 year drought event that results in the:

(1) Inability to withdraw water consistent with provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or

(2) Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.

9. Permittee shall mitigate harm to existing off-site land uses caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm caused by withdrawals, as determined through reference to the conditions for permit issuance, includes:

(1) Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other governmental authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g. fill for construction, mining, drainage canal, etc.)

(2) Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or

(3) Land collapse or subsidence caused by reduction in water levels associated with consumptive use.

10. Permittee shall mitigate harm to the natural resources caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to the conditions for permit issuance includes:

(1) Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface,

(2) Reduction in water levels that harm the hydroperiod of wetlands,

(3) Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond,

(4) Harmful movement of contaminants in violation of state water quality standards, or

(5) Harm to the natural system including damage to habitat for rare or endangered species.

11. If any condition of the permit is violated, the permit shall be subject to review and possible modification, enforcement action, or revocation.

12. Authorized representatives of the District shall be permitted to enter, inspect, and observe the permitted system to determine compliance with special conditions.
13. The Permittee is advised that this permit does not relieve any person from the requirement to obtain all necessary federal, state, local and special district authorizations.
14. The permit does not convey any property right to the Permittee, nor any rights and privileges other than those specified in the Permit and Chapter 40E-2, Florida Administrative Code.
15. Permittee shall submit all data as required by the implementation schedule for each of the limiting conditions to: S.F.W.M.D., Supervising Hydrogeologist - Post-Permit Compliance, Water Use Regulation Dept. (4320), P.O. Box 24680, West Palm Beach, FL 33416-4680.
16. In the event of a declared water shortage, water withdrawal reductions will be ordered by the District in accordance with the Water Shortage Plan, Chapter 40E-21, F.A.C. The Permittee is advised that during a water shortage, pumpage reports shall be submitted as required by Chapter 40E-21, F.A.C.
17. Prior to the use of any proposed water withdrawal facility authorized under this permit, unless otherwise specified, the Permittee shall equip each facility with a District-approved operating water use accounting system and submit a report of calibration to the District, pursuant to Section 4.1, Basis of Review for Water Use Permit Applications.

In addition, the Permittee shall submit a report of recalibration for the water use accounting system for each water withdrawal facility (existing and proposed) authorized under this permit every five years from each previous calibration, continuing at five-year increments.
18. Monthly withdrawals for each withdrawal facility shall be submitted to the District quarterly. The water accounting method and means of calibration shall be stated on each report.
19. The Permittee shall notify the District within 30 days of any change in service area boundary. If the Permittee will not serve a new demand within the service area for which the annual allocation was calculated, the annual allocation may then be subject to modification and reduction.
20. Permittee shall implement the following wellfield operating plan:
The Biscayne Aquifer wellfield shall be operated according to the restrictions outlined in Limiting Conditions 5, 25, 26, and 27 of this permit. Upon completion and operation of the Reverse Osmosis system, pursuant to the schedule outlined in Limiting Condition 30, the Floridan Aquifer wellfield will be operated to provide the balance of the demands beyond those restrictions.
21. Permittee shall determine unaccounted-for distribution system losses. Losses shall be determined for the entire distribution system on a monthly basis. Permittee shall define the manner in which unaccounted-for losses are calculated. Data collection shall begin within six months of Permit issuance. Loss reporting shall be submitted to the District on a yearly basis from the date of Permit issuance.
22. Permittee shall maintain an accurate flow meter at the intake of the water treatment plant for the purpose of measuring daily inflow of water.
23. The Permittee shall continue to submit monitoring data in accordance with the approved saline water intrusion monitoring program for this project.
24. The Water Conservation Plan required by Section 2.6.1 of the Basis of Review for Water Use Permit Applications within the South Florida Water Management District, must be implemented in accordance with the approved implementation schedule.
25. In addition to the allocation specified in Limiting Condition 5, the permittee may apply a Special Event Peaking Factor Ratio of 1.3:1 to compensate for temporary increased demand during seasonal and Special Events up to a maximum daily withdrawal of 33.57 MG. The source limitations imposed by

Limiting Conditions 5 and 26 apply to the Special Event Peaking Factor Ratio. The permittee must notify the District in writing no less than 24 hours prior to applying this Special Event Peaking Factor Ratio and must specify the proposed duration of the use of the Special Event Peaking Factor Ratio. The use of the Special Event Peaking Factor Ratio shall be noted on the monthly pumpage reports.

26.

In addition to the allocations specified in Limiting Conditions 5 and 25, during the dry season (December 1 to April 30), FKAA shall limit their average day withdrawals from the Biscayne Aquifer to 17 MGD, calculated on a monthly basis. The remaining dry season demands shall be provided by the reverse osmosis system. During the remainder of the year from May 1 to November 30, the withdrawals from the Biscayne Aquifer shall be limited to the Base Condition water use for the Biscayne Aquifer of 6,492 MGY, or an average day of 17.79 MGD. Demands in excess of these volumes shall be provided by the Floridan Aquifer System wells and the emergency desalination facilities.

27.

Prior to the availability of the Floridan Aquifer reverse osmosis system, dry season demand in excess of the Biscayne Aquifer pumpage limitations specified in Limiting Condition 26 shall be obtained from emergency sources pursuant to Limiting Condition 29.

28.

In addition to the monthly reporting required in Limiting Condition 18, and prior to the operation of the Reverse Osmosis system, on the 15th day of each month during and immediately following the dry season extending from December 1 to April 30, FKAA shall file a written report with the District ("mid-month report") evaluating the following: 1) the daily pumpage to date during the last 30 days; and 2) any daily pumpage distribution for the remainder of the dry season as necessary to comply with the 17 MGD Biscayne Aquifer average dry season limitation. Such report shall also identify any remedial actions necessary to ensure compliance that through the remainder of the dry season the applicable Biscayne Aquifer pumpage limitations described above will be met. This report shall replace the other reports required by the Consent Agreement (including the June 15 post-dry season report and the February 15th mid-dry season additional demand report). Such mid-month report shall be evaluated by District staff and revised by the District as necessary to achieve compliance with the above. Upon completion and operation of the Reverse Osmosis system, pursuant to the schedule outlined in Limiting Condition 30, this report requirement shall cease and the monthly Biscayne Aquifer withdrawals shall be reported as required by Limiting Condition 18 of this permit.

29.

In order to reduce the potential for violating the 17 MGD Biscayne Aquifer average monthly withdrawal limitation during the dry season, FKAA must to the greatest extent practical utilize the emergency desalination facilities FKAA owns and operates at Stock Island and Marathon, which are potentially capable of treating saline water at rates up to 3.0 MGD. The FKAA shall use these two emergency desalination facilities as an alternative source of water in order to assist in limiting its dry season Biscayne Aquifer withdrawals. The FKAA's ability to use, and extent of use, of these emergency desalination facilities shall be subject to not causing (i) significant adverse affects to FKAA's water treatment or distribution system; or (ii) a violation of any applicable primary or secondary drinking water standards.

30.

The permittee shall adhere to the following schedule for the construction and operation of the Floridan Aquifer System reverse osmosis wellfield and treatment facility:

Florida Keys Aqueduct Authority - Schedule for Construction and Operation of Floridan Aquifer Production Well, Floridan Aquifer Reverse Osmosis Treatment Facility, and Demineralized Concentrate Disposal Well

--Reverse osmosis water treatment plant expansion
Award Contract - September 30, 2007
Complete Construction - December 31, 2009

- Deep Injection Well
 - Obtain FDEP Permit - March 31, 2008
 - Award Contract - 152 days after receiving FDEP Underground Injection Control Permit
 - Complete Drilling and Testing - 1 year and 30 days after receiving FDEP Underground Injection Control Permit
- Complete reverse osmosis water treatment plant system
 - Begin and Stabilize Operation - 2 years and 60 days after receiving FDEP Underground Injection Control Permit

31.

In the event that a milestone specified in the alternative water supply schedule and plan contained in Limiting Condition 30 is going to be missed, the permittee shall notify the Executive Director of the District in writing explaining the nature of the delay, actions taken to bring the project back on schedule and an assessment of the impact the delay would have on the rates of withdrawals from the Everglades water bodies and associated canals as defined in District CUP rules. The District will evaluate the situation and take actions as appropriate which could include: a) granting an extension of time to complete the project (if the delay is minor and doesn't affect the Everglades Waterbodies or otherwise violates permit conditions), b) take enforcement actions including consent orders and penalties, c) modify allocations contained in this permit from the Biscayne Aquifer including capping withdrawal rates until the alternative water supply project(s) are completed (in cases where the delay would result in violations of permit conditions) or d) working with the Department of Community Affairs to limit increase demands for water until the alternative water supply project is completed. In addition, Permittee shall make to the District payment of funds as identified below for non-compliance with any timeline for development of the Floridan Aquifer System production and treatment system as provided in Limiting Condition 30, as follows:

A. Reverse Osmosis Plant construction and operation timelines in Limiting Condition 30

- Award Contract - \$2,000.00 per week
- Complete Construction - \$2,000.00 per week

B. Floridan Deep Injection Well(s) Construction and Operation

- Award Contract - \$2,000.00 per week
- Complete drilling and Testing - \$2,000.00 per week
- Complete reverse Osmosis Water Treatment Plant System - \$2,000.00 per week
- Begin and Stabilize Operation - \$2,000.00 per week

32. Prior to any application to renew or modify this permit, the Permittee shall evaluate long term water supply alternatives and submit a long term water supply plan to the District. Within one year of permit issuance, the Permittee shall submit to the District an outline of the proposed plan. The assessment should include consideration of saline intrusion, wellfield protection, plans for compliance with applicable wellfield protection ordinances, expected frequencies and plans to cope with water shortages or well field failures, and conservation measures to reduce overall stresses on the aquifer.
33. For uses with an annual allocation greater than 10 MGD and a permit duration of 20 years, every five years from the date of permit issuance, the permittee shall submit a water use compliance report for review and approval by District Staff, which addresses the following:

1. The results of a water conservation audit that documents the efficiency of water use on the project site using data produced from an onsite evaluation conducted. In the event that the audit indicates additional water conservation is appropriate or the per capita use rate authorized in the permit is exceeded, the permittee shall propose and implement specific actions to reduce the water use to acceptable levels within timeframes proposed by the permittee and approved by the District.
2. A comparison of the permitted allocation and the allocation that would apply to the project based on current District allocation rules and updated population and per capita use rates. In the event the permit allocation is greater than the allocation provided for under District rule, the permittee shall apply for a letter modification to reduce the allocation consistent with District rules and the updated population and per capita use rates to the extent they are considered by the District to be indicative of long term trends in the population and per capita use rates over the permit duration. In the event that the permit allocation is less than allowable under District rule, the permittee shall apply for a modification of the permit to increase the allocation if the permittee intends to utilize an additional allocation, or modify its operation to comply with the existing conditions of the permit.
34. If at any time there is an indication that the well casing, valves, or controls leak or have become inoperative, repairs or replacement shall be made to restore the system to an operating condition. Failure to make such repairs shall be cause for filling and abandoning the well, in accordance with procedures outlined in Chapters 40E-3 and 40E-30, Florida Administrative Code.
35. It has been determined that this project relies, in part, on the waters from the Central and Southern Florida Project, and as such is considered to be an indirect withdrawal from an MFL water body under recovery (Everglades). The 2005-2006 Lower East Coast Water Supply Plan Update (February, 2007), which is the recovery plan for the Everglades, incorporates a series of water resource development projects and operational changes that are to be completed over the duration of the permit and beyond. If the recovery plan is modified and it is determined that this project is inconsistent with the approved recovery plan, the permittee shall be required to modify the permit consistent with the provisions of Chapter 373, Florida Statutes.

Exhibit III

September 3, 2010 Wastewater Memo

Mehdi Benkhatar

To: Jay Gewin
Subject: RE: Wastewater Capacity for the City of Key West

From: Jay Gewin [mailto:jgewin@keywestcity.com]
Sent: Friday, September 03, 2010 8:27 AM
To: Mehdi Benkhatar
Cc: Owen Trepanier
Subject: RE: Wastewater Capacity for the City of Key West

The City of Key West transports its wastewater to its state of the art wastewater treatment facility located on Fleming Key. The facility is permitted to treat 10 million gallons per day (mgd), and currently the average daily influent flow is 4.8 mgd. This average daily flow can go much higher during heavy rain and flood events, up to the capacity of the plant a few times during the year.

The Wastewater Treatment Plant is of course, the final destination for wastewater after it passes through the City's collection system. The capacity of the collection system varies at different locations on the island, as the wastewater passes through a series of lift stations on its way to the Treatment Plant.

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

From: Mehdi Benkhatar [mailto:mehdi@owentrepanier.com]
Sent: Thursday, September 02, 2010 4:17 PM
To: Jay Gewin
Cc: Owen Trepanier
Subject: Wastewater Capacity for the City of Key West

Good afternoon Jay,

The City is asking Trepanier & Associates for information regarding the Key West's wastewater capacity. Would you be able to provide me a short memo similar to the one below explaining the current wastewater capacity situation?

Thanks very much,

***Mehdi Benkhatar
Planner/Development Specialist
Trepanier & Associates, Inc.
305-293-8983***

Exhibit IV

Map of the City of Key West's Existing Recreation Services

The City of Key West's Recreation Facilities

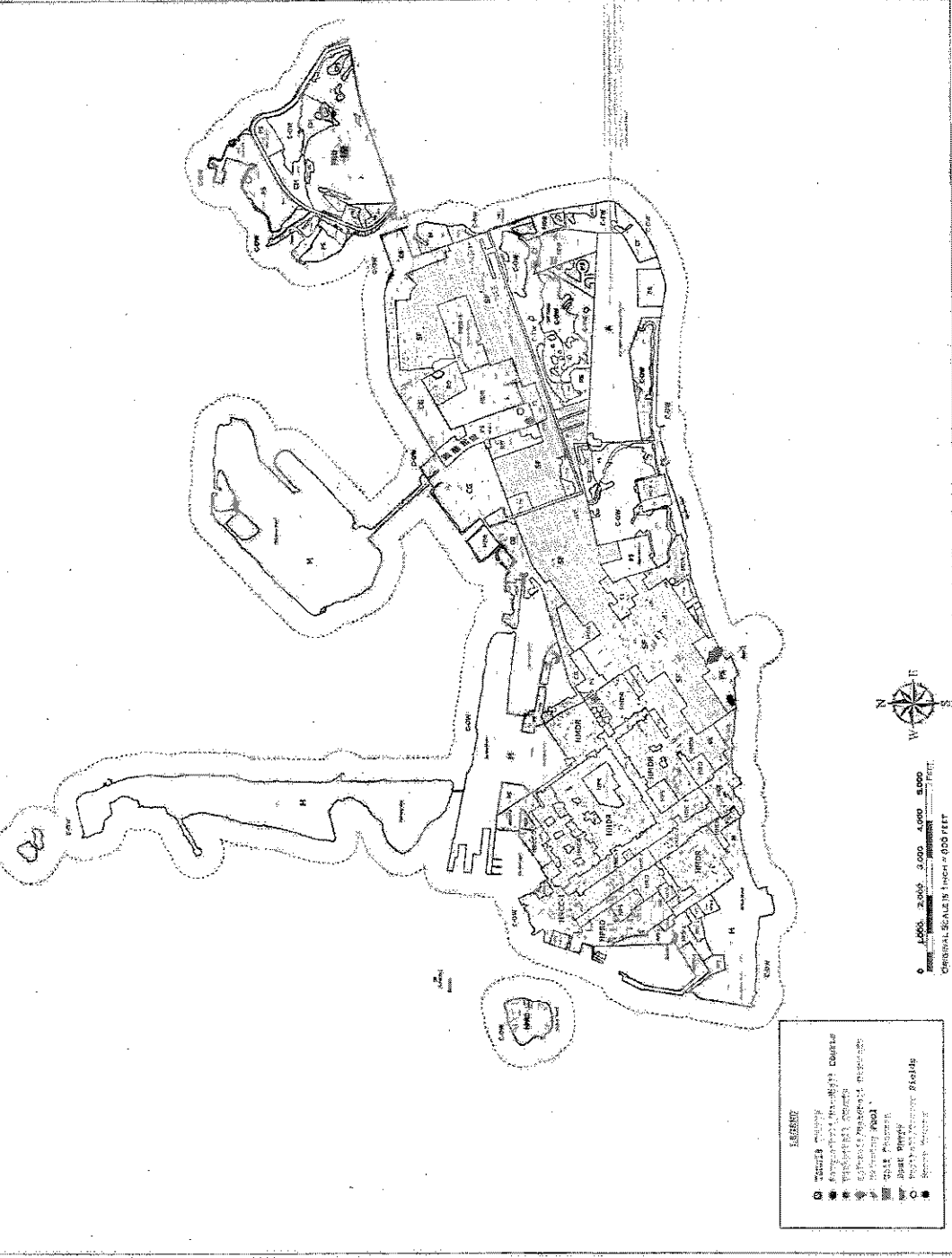


Exhibit V

January 25, 2010 Solid Waste Memo

Mehdi Benkhatar

Subject: FW: Solid Waste Capacity for the City of Key West

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

The City of Key West ships its solid waste to one of two waste-to-energy facilities on the mainland, that are shared by other municipalities. Those facilities are capable of receiving 2,500 tons per day, and currently they are only receiving about 70% of that capacity. Our contractor, Waste Management, has informed us that we are in no danger of surpassing our capacity.

Primarily due to ROGO limitations, lack of buildable space, and economic factors; the population of Key West has stayed flat in recent years compared to the rest of Florida. Therefore we have not had to plan for continued growth in solid waste as other high-growth areas of Florida had in better economic times. We currently are generating approximately 45,000 tons of solid waste per year. In better economic times, that figure was closer to 50,000 or slightly higher. In the future, the City plans on increasing its rate of recycling which should lessen the amount of solid waste generated. Our recyclables are shipped to a single-stream recycle facility also located on the mainland.

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

Carlene Smith

From: "Shirley Freeman" <svfkw@bellsouth.net>

Date: April 18, 2012 6:11:27 PM EDT

To: <svfkw@bellsouth.net>

Cc: "Chris Shultz" <cshultz75@yahoo.com>, "George Esbensen" <esbenseng1@bellsouth.net>

Subject: More good news - Sound Report and Planning meeting Agenda

Reply-To: <svfkw@bellsouth.net>

Sound Report &

Planning Meeting, Thursday, April 19, 6pm, Old City Hall, 510 Greene St

Dear Key West Bight Neighbors and Friends:

Our sound test last week was successful on many fronts. First of all, the sound from the roof could **not be heard** from anywhere except slightly in the street behind the Turtle Kraals.

As requested by Pritam Singh and me, the music was played much louder than they plan to play it (so loud that on the roof, it was so loud I couldn't stand to be there) and the music had a very strong bass and drum beat.

Chris and George plan to have quiet ambient music played from a distributive sound system (many little speakers placed around the room rather than a few big speakers loud enough for the entire area). They plan to have fine dining on the roof, similar to Louie's Back Yard. The music will be quiet background for normal conversation.

I am fine with that, and Pritam is fine with that, **IF** it can be enforced in case the guys change their mind or they transfer the lease to someone else.

So Pritam has hired an attorney, Bart Smith. I met this morning with attorney Bart Smith, proposed brewery owners Chris Schultz & George Esbensen, their planner Owen Trepanier, and Pritam.

Everyone at the meeting agreed that Bart and Owen are going to draft language to be added to the proposal that will define ambient music and fine dining and the use of the roof-top space so distinctly and tightly that it would stand up in court, if need be in the future.

The new language will be added to the entire application for the Major Development Plan for 201 William Street that is on the Planning Commission Agenda for tomorrow, Thursday. Date and time above.

It would be nice to have a few people from the neighborhood at the planning commission meeting.

Best wishes to all. The price of peace and quiet is eternal

vigilance. Shirley

Shirley Freeman

724 Eaton Street, Key West, FL 33040

305-294-2725, cell 305-304-1975

svfkw@bellsouth.net



Please consider the environment before printing this email

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From: Barbara Bowers
Sent: Friday, March 09, 2012 8:40 AM
To: cesmith@keywestcity.com
Subject: Mar 15 planning meeting

Date: February 12, 2012

To: Key West Planning Board

Chairman Richard Klitenick, vice-chair Tim Root, James Gilleran , Michael Browning, Greg Oropeza, Lisa Tennyson, Sam Holland

Don Craig, Key West City Planner

Fr: Barbara Bowers

320 Willam Street

Key West, Florida

Re: Brewery development at Key West Bight

Please read this letter into the March 15 Planning Board Meeting

As a near neighbor to the proposed brewery development at the former Waterfront Market, I am asking board members to refuse the developers the right to use amplified music on the roof of this building. Already the ground-level swell of amplified noise emanating from Duval Street and the developing Key West Bight area affects my nights; some nights the amplification is so profound, it sounds like the wet t-shirt contest is right in my backyard.

If amplified music is added to the second-floor level, I fear the noise mix in the Bight will ratchet up even more dramatically, and with no building or foliage

buffers to absorb the sound waves, it's very likely to end up in your backyards, too.

I understand the developer proposes to diffuse the amplified music by placing individual speakers at all the tables on the rooftop. My concern, though, is this solution will be short lived: Musicians--not bar owners--determine what equipment works best for their instrumentation, and it's quite possible that brewery-rooftop guests will want louder music just to overcome the noise level coming from other bars around the boardwalk.

Last fall, at a Key West Bight Neighborhood Association meeting, Mayor Cates said that he didn't want the Caroline Street corridor to become another Duval Street. I applaud this thought, but I understand that bars and restaurants are the big money-makers in this town, and this huge empty building seems well suited to a brewery, bar and restaurant. I'm not opposed to the project, in fact, I wish the developers much success. Nevertheless, I wish they would compromise by forgoing music on their rooftop, and understand how invasive open-air amplification has been to this historic residential neighborhood; how often it negatively affects the quality of life in homes like mine, which are blocks away from the source of the music.

Mind you, I don't wish Schooner Wharf to be the fueling dock it was when I moved to the Bight neighborhood in 1988. I don't miss the dusty, shell parking lot on Caroline. I like the boardwalk and the ferryboat terminal is a grand and functional improvement to what was an eyesore.

Clearly, progress at the Bight does not have to mimic the attractions—and especially not the noise level—of Duval Street. The serenity of water and docks and bobbing sailboats has a quiet charm and attraction all its own.

Please don't permit the proposed use of amplified music on the rooftop of this taxpayer-owned building, or any buildings in the Key West Bight.

Many thanks for your consideration.

KEY WEST BIGHT NEIGHBORHOOD ASSOCIATION

8 March 2012

City of Key West Planning Board

The KW Bight Neighborhood Ass. is made up of residential and commercial neighbors around the KW Bight. Most of us have owned our homes and businesses since before the Bight was owned by the City. Before there was any amplified music around the harbor.

Since the purchase of the Bight, Schooner Wharf Bar, Conch Republic Seafood Company, Turtle Kraals, and Dante's have put in outside, amplified music.

The City also issues several special events permits for each of these businesses through out the year.

Our neighborhood is now subjected to continual, loud, 'surround sound'. It is very difficult to get the police or code compliance to enforce the noise ordinance, never mind the Bight managers.

The Waterfront Brewery is now planning to put a bar and restaurant on the roof of the building w/ OPEN AIR, AMPLIFIED MUSIC. It is tough enough to contain audio in an enclosed space. Quite frankly, just the ambient noise of a roof top, 150 seat restaurant will be hard to contain.

Please do not allow amplified, open air music on the roof of the Waterfront Brewery.

**Thank you, Patricia Rogers, KWBNA representative
324 Margaret Street**

----- Forwarded message -----

From: **Shirley Freeman** <svfkw@bellsouth.net>

Date: Wed, Mar 14, 2012 at 9:26 AM

Subject: FW: Planning Board Meeting Thursday, March 15th, at Old City Hall at 6:00PM

To: abudde@keywestcity.com

Members of the Planning Board:

Attached please find the Petition from the Key West Bight Neighborhood Association about music from the roof top of the old Waterfront Market. We have 196 signatures from friends and neighbors that are against amplified music on the rooftop. We are not against the brewery, the restaurant, or the roof top restaurant. We are against letting them have amplified music on the rooftop. We would like the petition to be read into the minutes of the meeting of the Planning Board in their meeting on 15 March 2012.

Thank you,

Doug Bennett for

The Key West Bight Neighborhood Association.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.455 / Virus Database: 271.1.1/4267 - Release Date: 03/12/12

19:34:00

**Key West Bight Neighborhood Association
Petition**

Neighbors are excited about the new brewery/restaurant development taking shape in the former Waterfront Market Building. Architect Bill Horn has created an interesting redesign of the building owned by the City of Key West, which includes a rooftop restaurant with 130 seats and a bandstand there for musicians. It looks great, but Bight neighbors—many who have lived here since before Schooner Wharf became a bar—are considerably less pleased with the possibility of amplified sound on this roof. Even with just the ground-level noise swell, the quality of life in the neighborhood has deteriorated in direct proportion to invasive open-air amplification emanating from bars and restaurants that currently line the harbor Boardwalk. Adding rooftop music to this already intense cumulative mix is sure to impact far more neighborhoods than the Bight area so we are asking the City to:

1. Refuse to permit the use of amplified music on the rooftop of this tax-payer owned building, or any buildings in the Key West Bight;
2. Enforce the existing noise ordinance for all buildings with open-air music leases.

Print Name	Address	Signature	Phone/email	Date
Daniel Nona	1029 Fleming St.	Daniel Nona	294-5877	3/12/12
John RUSSELL	1029 Fleming St.	J. Russell	305 942-1444	3/12/12
Maryann Jackowski	506 Grinnell St	Maryann Jackowski	305 294-7800	3/12/12
Core Eisenberg	512 Grinnell	Core Eisenberg	305-296-3245	3-12-12
Ronen Tshover	520 Grinnell	Ronen Tshover	305 896 4453	
William A. Antel	529 Grinnell St 529 Grinnell	William A. Antel	529 734-2239/180	3/12/12
Suzanne Kaul	529 Grinnell	Suzanne Kaul		3/12/12
Don Saul	529 Grinnell	Don Saul		3-12-12
Ivy Senior	513 Grinnell St	Ivy Senior		3/12/12

**Key West Bight Neighborhood Association
Petition**

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Print Name	Address	Signature	Phone/email	Date
Joyce STAHL	727 Eaton St.	<i>Joyce Stahl</i>	305 304 1726 J.STAHL@Bell SOUTH.NET	3/11/12
ALBINA ROMO	910 FLEMING	<i>Albina Romo</i>	226 415 89	3/12/12
Paul Mansour	513 Margaret	<i>Paul Mansour</i>	570-913-6949	3/12/12
Bill Mc Coy	916 Fleming	<i>Bill Mc Coy</i>		3/12/12
PERRY COLLIER	922 Fleming St	<i>Perry Collier</i>		03-12-2012
Martha Schnyer	11 Nassau Lane	<i>Martha Schnyer</i>		3/12/12
Juda Wolf	1006 Fleming			3/12/12
Julie Reid	1008 Fleming			3/12/12

**Key West Bight Neighborhood Association
Petition**

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2. Enforce the existing noise ordinance for all buildings with open-air music leases.

Print Name	Address	Signature	Phone/email	Date
Roland Valois	1009 EATON	<i>Roland Valois</i>	508-509-7579	3/11/12
Virginia Ward	1020 Eaton	<i>Virginia Ward</i>		3/11/12
Marshe Conley	1108 Eaden	<i>Marshe Conley</i>	302-5073649	3/11/12
Frank J. Wooten	1115 Eaton St.	FRANK F. WOOTEN	305-297-1137	
R. Street	1017 EATON ST		796-0544	
Jane Van dila	1015 Eaton St.	<i>Jane Van dila</i>		3/11/12
B. Hardner	1005 Eaton St.		292-9560	3/11/12
Michael Messina	917 Eaton St.	<i>Michael Messina</i>	305-304-9336	3/11/12
Anthony Falcone	823 Eaton St		294-8033	

**Key West Bight Neighborhood Association
Petition**

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Print Name	Address	Signature	Phone/email	Date
Moody Lawrence	708 Southard	Moody Lawrence		3/10/12
JOHN ABRANN	713 SOUTHARD ST	[Signature]	loveandjack@gmail.com	
Lюдмила Nemchenko	701 SOUTHARD Apt. E.	[Signature]		3-10-12
Lynda HALEY	918 Southard St.			3-10-12
Larry Douglu	822 Eaton St.			3/11/12
Ryan Cecil	824 Eaton St.	[Signature]		3/11/12
Lisette Cecil	824 Eaton St.	[Signature]		3/11/12
Sandra Higgs	826 Eaton St	[Signature]		03/11/12
BROD REMMEN	4 PLETUKER LANE	[Signature]		3/11/12

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Print Name	Address	Signature	Phone/email	Date
Richard L. Ewert	555 S. Duval	<i>Richard L. Ewert</i> Richard L. Ewert	Rick@nkwo @Yahoo. com	3/10/12
Paul R. Biel	724 EATON ST. REAR	<i>PAUL R. BIEL</i>		03/10
Leonard Lane	712 EATON	LEONARD LANE	294-1142	3/10/12
SUE LANE	712 EATON ST	<i>Sue Lane</i>	294-1142	3/10/12
Steve Jambri	528 Elizabeth	<i>Steve Jambri</i>		3/10/12
Robert Fisher	531 Elizabeth	<i>Robert Fisher</i>	295-9724	3/10/12
JOHN R MOEBIUS	707 SOUTHMAN	<i>JR Moebius</i>		3-10-12
Sandy Curtis	902 Windsor Ln	<i>Sandy Curtis</i>	404-387-3300	

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Print Name	Address	Signature	Phone/email	Date
Peter King	736 Eaton	Patti Kemp	305 294-2257	3/9/12
John King	730 Eaton	Jim Kemp	" " "	3/9/12
Tom Monahan	420 Elizabeth	[Signature]	215 826	2-23-12
Clarataylor	628 Fleming	Clarataylor	305 923-3912	4/6/12
Carolyn [Signature]	506 ELIZABETH ST		305 731-6746	
Debbie Miller	514 Elizabeth St.			3-9-12
M. Skoglund	522 ELIZABETH		296-2632	3-9-12
Susan Fisher	531 ELIZABETH ST	S. Fisher	295-9784	3-7-12
Jan Skerwood	704 Eaton ST		305 797-7777	

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Print Name	Address	Signature	Phone/email	Date
Tim Glancey	330 Elizabeth	[Signature]	305 292-2040	3/8/12
Darryl Foreman	332 Elizabeth	[Signature]	305 296-8800 TG/glancey@tol.com DARRYL.FOREMAN@GMAIL.COM	3/8/12
Melanie Fatzmann	327 Elizabeth	[Signature]	melanie.fatzmann@comcast.net	
Shirley Freeman	724 Eaton St Key West	[Signature]	305-304-1975 svfkw@hallbouch.net	
Harvey Server	724 Eaton St.	HARVEY SERVER	305 393-0355	
Wendy Topluch	1208 Duval	[Signature]	294-3771 ask@archeo-gallery.com	
Ashley Kamen	716 Core Lane	[Signature]	294-3771	3/8/12

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Print Name	Address	Signature	Phone/email	Date
Loris Cruz	322 PEACON LA	Loris Cruz	944-0119	3/8/12
WILLIAM ROWAN MOSTLY # 2 WHICH SCHEDULED TO BE VIOLATED EVERY WEEK	321 PEACON LN.	Will Rowan	296 5784	3/8/12
HANK SCHMITZ	316 Peacon Ln	Hank Schmitz	860-480-3898	3/8
O. Cruz	310 Peacon Lane	O. Cruz	292 8653	
HILARY HARDING	311, 313 PEACON LANE		305 923 4359	
Jane S. [Signature]	307 Peacon Ln		305-434-2005	
Willie Brown	315A ELIZABETH ST		774 251 1100	

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R. C. FESSIER	724 FLEMING	R. C. Fessier	305-296-5540	
MARK HOLLANDSWORTH	719 FLEMING	Mark Hollandsworth	MARK.HOLLANDSWORTH@KEYWESTFLORIDA.GOV	3-7-12
L.P. Phillips	715 FLEMING	L.P. Phillips	305-294-6059	
P. Offandre	701 Fleming ST	P. Offandre	305-296-6386	
Leonard Nadborne LEONARD NADBORNE	713 EATON		305-296-7575	
Felicia Nadborne Felicia Nadborne	713 Eaton		305-296-7575	
Bill Verge W. G. VERGE	729 PLEASANT LN		305-296-8469	

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ED THAYER	718 EADA ST.	<i>Ed Thayer</i>	296-0888 EDTHAYER44@HOTMAIL.COM	3-7-12
Gabrielle O'Leary	412 ELIZABETH ST.	<i>Gabrielle O'Leary</i>	908-403-2515 gabrielle.a.oleary@gmail.com	3-7-12
Anna Thomas	420 Elizabeth St. CST	<i>Anna Thomas</i>	309 880 2139 anna@gardensgarden.se	
MARY CIESINSKI	417 ELIZABETH REAR	<i>Mary Ciesinski</i>	296-8078	
KERSTING GRIFFITH	717 FLEMING ST	<i>Keresting Griffith</i>	294-0144 kerstinggriffith@aol.com	
RICHARD GRIFFITH	DITO	<i>R.D. Griffith</i>	DITO	
SUSAN DAVIDSON	726 Fleming	<i>Susan Davidson</i>	11VINATTHE BEACH 58e faboo	

Key West Bight Neighborhood Association

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Print

Address

Signature

Phone/email

Name

Sherry Reed	1509 Patricia St	Sherry Reed	294-2648	sherryreed@adcom
Janet Mooney	1601 Jamaica Dr	Janet Mooney	294-0156	
Cynthia W. Edwards	1402 Olivia St, #1	Cynthia W. Edwards	294-8503	
Margaret Neill	324 Margaret St	Margaret Neill	744-7340	
Lynne Bentley-Kemp	23082 Snapper Ln	Lynne Bentley-Kemp	745-9884	
MARGARET NYGREN	918 SOUTH ROAD ST 15109	Margaret Nygren	295-8997	
Karen Contreras	405-B Fama St.	Karen Contreras	295-0062	
Rosalinda Rangel	1320 Eliza St	Rosalinda Rangel	295-0302	


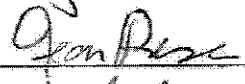
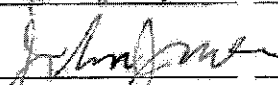


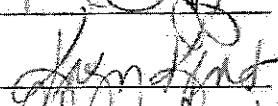
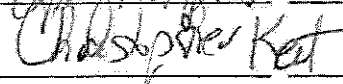
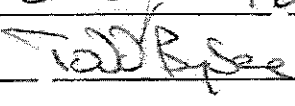
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Print Name	Address	Signature	Phone/email
Seline Clow	1020 JAMES		
JEAN E. ROSE	1022 JAMES		
JOHN JONE	1024 JAMES		
G. CASONE	1028 JAMES		
M. COGG	1027 James St		
Christopher Keet	4 Gecks Lane		
Christopher Keet	4 Gecks Ln		
Todd B. See	3 Gecks Ln		

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Print Name	Address	Signature	Phone/email
CHAROLEE MATSUMOTO	813 SAOYER'S LN	<i>Charolee Matsumoto</i>	508-207-2198 Cmatsumoto@comcast.net
DAVID GILBERTSON	818 SAOYER'S LN	<i>David Gilbertson</i>	tdkai@comcast.net

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<u>Print Name</u>	<u>Address</u>	<u>Signature</u>	<u>Phone/Email</u>
JOSEPH BOERT	818 SAWYER		305-896-0841
Zen Mixer	810 Sawyer's Lane	Zen Mixer	zammix@gmail.com
Alexis Grattan	818 Sawyer Lane		(201) 803-4119 alexis.grattan@gmail.com
PAM BARKE	806 Caroline		207-841-6009
MARNY HEINEU	620 OLIVIA ST		305 295-1349
Catherine Stentzel	526 William St.		305-304-2304

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MARGARET CIARDI 815 Sawyer's Lane Margaret P Ciardi ciardi@hotmail.com
 JOHN C. HOBBS 1016 GYLIWELL John C Hobbs jchobbs@gmail.com
 LINDA CATES 309 W. WILLIAM ST Linda Cates 305-294-8798
 Gregory Ciardi 815 Sawyer's Gregory P Ciardi gregciardi@gmail.com
 Gene Grattan 818 Sawyer Gene Grattan 305-896-3008
 JUDY CLIFFORD 1418 CATHAMINE Judy Clifford 305-296-2047
 Julie Higgins Julie Higgins 305-296-7110
 SANDAROBA ROOD P.O. Box 742 Sandaroba Rood 305-600-6367
 MARK COWLES P.O. Box 132 Mark R. Cowles
 Chae & Roberts Chae & Roberts 305-600-8553
 Barb Roberts Barbara Roberts 305-600-8553
 Joe Sanders Joe Sanders 423-993-5500
 Jacques LEMAIRE P.O. Box 33041 Jacques Lemaire 207-691-0467

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Print Address Signature Phone/email

Name

Ellen Engelen 1217 Pearl St Ellen Engelen 703-597-4832

DANNA FADENGA 738 BOOR HOUSE D. Friedrich 305-294-5136

Gloria Shaw 327 Elizabeth Main St Gloria Shaw 305-304-0592

CLIFFORD SAYLOR 321 MARGARET ST Clifford N. Saylor 305-293-9864

BRYAN WEAVER 327 MARGARET ST Bryan Weaver 305-217-4013

Bob Rowley 324 MARGARET Bob Rowley

John Holder 322 MARGARET ST John Holder

MARY G. HIGGINS 401 MARGARET ST M.G. Higgins 443-803-1896

Beth Vetter 815 EATON ST Beth Vetter 904-509-1981

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Marilyn Helgeson	3516 Sunrise Dr.	<i>M. Helgeson</i>	903-302-3942
Eloise M Pratt	814 Pearl St	<i>Eloise M Pratt</i>	3053048686
Suzanne M Sullivan	1210 Watson	<i>Suzanne M Sullivan</i>	294 3362
Donald Booth	411 CATHERINE ST	<i>Donald Booth</i>	296 6701
Rosi Ware	1400 Olivia St	<i>Rosi Ware</i>	292 1442
Ron Hamburg	407 A Emma St	<i>Ron Hamburg</i>	293 6958
Maria Hamburg	407 Emma St	"	"
<i>[Signature]</i>	1400 Olivia	<i>[Signature]</i>	292-1442
Sharon MacDonald	711 William St	<i>Sharon MacDonald</i>	7033045060

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PATRICIA ROEBERS	324 MARGARET	Patricia Roebers	305-395-8548
Brenda Schiff	1405 Albion	Brenda Schiff	
JILL BENADO	412 VON PISTIER	Jill Benado	
JEFF FROWLEY	1407 Pine	Jeff Frowley	
Carol Evans	1800 Atlantic	Carol Evans	
Marky Kozlar	829 Estey St.	Marky Kozlar	
Renee Jordan	327 Margaret #3	Renee Jordan	305-293-8914
Cindy Chelms	1012 James	Cindy Chelms	

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Print Name	Address	Signature	Phone/email
DEUG BENNETT	706 CAROLINE	<i>[Signature]</i>	G. Doug Bennett @ ATT.NET
To Bennett	706 Caroline	<i>[Signature]</i>	nbmanone@caroline@att.net
JAY WEISMAIR	701 WILLIAM ST	<i>[Signature]</i>	299 0074
Stephen Chandler	1619 Truscade	<i>[Signature]</i>	305-923-7819
JEREMY HYKES	5555 COLLEGER	<i>[Signature]</i>	214-489-5176
Anthony Aquino	202 William	Anthony Aquino	Sunnyboysailor@aol.com
Mark Bergin	2705 Flegler	MARK BERGIN	305-507-1880
DANIEL KOFER	1214 Hercules	<i>[Signature]</i>	305 849 9720
BOB ATKINSON	1701 SPANISH	<i>[Signature]</i>	305 983 9533
TIM BALLARD	832 CAROLINE	<i>[Signature]</i>	305-842-0906
			305-923-5514

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Print Name	Address	Signature	Phone/email
MICHAEL ATKINSON	1701 JAMAICA DE ROY	<i>Michael Atkinson</i>	305 849-0728
JANE CLOUTIER	714B ELIZABETH	<i>Jane Cloutier</i>	305-413-896-3262
Mark A. [unclear]	1425 CATHERINE	<i>Mark A. [unclear]</i>	305-590-0400
Frank Atargo	724 OLIVE	<i>Frank Atargo</i>	846-0969
[unclear]	3920 SLOAN	[unclear]	879-0091
SHEPHERD CULLEN	124 SIMONSON #202	<i>Shepherd Cullen</i>	305 296 5464
KATHLEEN EDDINS	210 SOUTH HADLEY	<i>Kathleen Eddins</i>	305 304-2544
CRAIG FARLAND	1214 BAY ST	<i>Craig Farland</i>	305 879-9521
STEVE GERGEN	925 SEMINARY ST	<i>Steve Gergen</i>	954 592 4322
Molly Matheny	2011 Stables Ave	<i>Molly Matheny</i>	305 931 9850
Kent Lavangor	1423 Catherine St	<i>Kent Lavangor</i>	305 928 3882
[unclear]	1100 Margaret St	[unclear]	305-290-0306
DAVID SULLS	Home of Way	<i>David Sullis</i>	305-3044192
DONALD RIGORE	2109 HARRISON AVE	<i>Donald Rigore</i>	305-904-1451
LEONARD WERT	219 ELIZABETH ST	<i>Leonard Wert</i>	305-296-2978
William Kirkwood	615 Caroline	<i>William Kirkwood</i>	292-8639
Chuck Seaman	611 Caroline St	<i>Chuck Seaman</i>	631-338-7977
Mariella Seaman	611 Caroline St	<i>Mariella Seaman</i>	631-786-1178
Chris Murrell	1012 Fleming St #5	<i>Chris Murrell</i>	mvmurrell@yahoo.com
Lynn Donnelly	602 Caroline St	<i>Lynn Donnelly</i>	239 292 7848
Mike Miller	602 Caroline	<i>Mike Miller</i>	239 910 2132
KENNETH MILLER	311 ELIZABETH	<i>Kenneth Miller</i>	293-8613

Key West Bight Neighborhood Association

Petition

Neighbors are excited about the new brewery/restaurant development taking shape in the former Waterfront Market Building. Architect Bill Horn has created an interesting redesign of the building owned by the City of Key West, which includes a rooftop restaurant with 130 seats and a bandstand there for musicians. It looks great, but Bight neighbors—many who have lived here since before Schooner Wharf became a bar—are considerably less pleased with the possibility of amplified sound on this roof. Even with just the ground-level noise swell, the quality of life in the neighborhood has deteriorated in direct proportion to invasive open-air amplification emanating from bars and restaurants that currently line the harbor Boardwalk. Adding rooftop music to this already intense cumulative mix is sure to impact far more neighborhoods than the Bight area so we are asking the City to:

1. Refuse to permit the use of amplified music on the rooftop of this tax-payer owned building, or any buildings in the Key West Bight;
2. Enforce the existing noise ordinance for all buildings with open-air music leases.

Print
Phone/email

Address

Signature

Name

EDWARD J. MOY	409 WILLIAM ST	[Signature]
MARIA B. MOY	409 WILLIAM ST	[Signature]
DAN HOWER	405 WILLIAM ST	[Signature]
MISSY HOWER	405 WILLIAM ST	[Signature]
SARA HIGGINS	801 EATON ST	[Signature]
CARLY BALKENISK	801 EATON ST	[Signature]
HELEN BERNARD	418 WATERLOO	[Signature]
BOB ALTMAN	421 WILLIAM ST	[Signature]

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Petition

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<u>Print Name</u>	<u>Address</u>	<u>Signature</u>	<u>Phone/Email</u>
PAUL V TAGLIAFERRO	311 Elizabeth	Paul V Tagliaferro	293 8613
Phoia h Shale	327 Elizabeth	Phoia h Shale	304-2592
Richard G. Curry	630 Caroline St	Richard G. Curry	294-4529
William Thomas	804 CAROLINES	William Thomas	766-0456
Patty O'Connor	804 CAROLINES	Patty O'Connor	766-0457
David A. Jay	812 CAROLINES	David A. Jay	96-662 @
Robert A. Jay	832 Caroline	Robert A. Jay	305-294-8744
Van Chandra	800 Caroline	Van Chandra	305 706 1976 kw@aol.com
CHRISTINE SCARBLE	830 CAROLINE ST	Christine Scarble	294-9595 Art Key West.com
TONY GRADY	830 CAROLINE ST	Tony Grady	294-7131 ATTACK@GMAIL.com
Shelly McInnis	800 Caroline	Shelly McInnis	294-7192
MIKE MILA	812 Caroline	MIKE MILA	207 8418445

M & I REGIONAL PROPERTIES
309 WHITEHEAD ST
KEY WEST, FL 33040
C/O JOSEPH ALBURY ESQ
CONKLE WILLIAM H JR ESTATE
823 EATON ST
KEY WEST, FL 33040

ANDERSON JACK K & LILIANE
PO BOX 1944
KEY WEST, FL 33041-1944

MILLER ALLEN K REVOCABLE
LIVING TRUST
806 CAROLINE ST
KEY WEST, FL 33040-6643

HECK RONALD K
908-1 TERRY LN
KEY WEST, FL 33040-7333

830 CAROLINE LLC
830 CAROLINE ST
KEY WEST, FL 33040

DISDIER JAMES L & KAREN L
PO BOX 6521
KEY WEST, FL 33041-6521

RED DOOR GALLERY INC
812 CAROLINE ST
KEY WEST, FL 33040-6643

CATES LINDA MARIE
309 WILLIAM ST
KEY WEST, FL 33040

ALDEN PAULETTE BATES
4900 WASHBURN AVE S
MINNEAPOLIS, MN 55410-1814

MCCALL SUSAN 1993 TR
22431 GILMORE ST
WEST HILLS, CA 91307

DOYLE SHARON
110 FAWN DR
NEWFIELD, NJ 08344-9567

OLOUGHLIN KEVIN F & DIANE
308 MARGARET ST UNIT 3
KEY WEST, FL 33040

CLARKE KALO & PEDERSON KIM
(H/W)
29 FRONT ST #2
MARBLEHEAD, MA 1945

MIKE LORI A
22431 GILMORE ST
WEST HILLS, CA 91307

GARRIDO HUMBERTO J & OFELIA E
818 CAROLINE ST
KEY WEST, FL 32092

GILBERTSON DAVID L
17 ARNOLD PL
NEW BEDFORD, MA 02740-3634

DOE BRIAN D & JULIE C
47 W SHORE RD
WINDHAM, NH 03087-2115

GILBERTSON DAVID L
17 ARNOLD PL
NEW BEDFORD, MA 02740-3634