

RESOLUTION NO. 2024-\_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF KEY WEST, FLORIDA APPROVING A MINOR DEVELOPMENT PLAN TO ALLOW FOR THE DEVELOPMENT OF MORE THAN 500 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA, AND ASSOCIATED SITE PLAN MODIFICATIONS INCLUDING INTERIOR RENOVATIONS, LANDSCAPE IMPROVEMENTS, THE RELOCATION OF RESTAURANT SEATING AREAS AND FOUR (4) HOTEL UNITS. THE APPLICATION ALSO INVOLVES SEVERAL LANDSCAPE WAIVERS INCLUDING A REDUCTION OF THE MINIMUM REQUIRED OPEN SPACE RATIO OF SIXTEEN PERCENT (16%) INSTEAD OF THE MINIMUM REQUIRED TWENTY PERCENT (20%), A MINIMUM LANDSCAPED AREA OF SIXTEEN PERCENT (16%) INSTEAD OF THE MINIMUM REQUIRED TWENTY PERCENT (20%), AN INCREASE IN THE MAXIMUM PERCENTAGE OF PALM TREES TO ALLOW THIRTY SIX PERCENT (36%) INSTEAD OF THE MAXIMUM PERMITTED TWENTY FIVE PERCENT (25%), A REDUCTION IN THE NUMBER OF INTERIOR TREES TO ALLOW TWO (2) INTERIOR TREES INSTEAD OF THE MINIMUM REQUIRED FOUR (4) TREES, A REDUCTION IN THE LANDSCAPE REQUIREMENT ALONG A STREET FRONTAGE TO REDUCE BOTH THE NUMBER OF PLANTS AND WIDTH OF THE PLANTING AREA, AND BUFFER YARD WAIVER FOR THE NORTHWEST BUFFER AREA FOR A PROPERTY LOCATED WITHIN THE HISTORIC COMMERCIAL CORE - 3 (HRCC-3) DISTRICT PURSUANT TO SECTIONS 108-91 (A) (1) (B), 108-346, 108-347, 108-412, 108-413, 108-416, 108-481, AND 90-395, OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FEES AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Section 108-91, of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") outlines the criteria for Minor Development plans; and

**WHEREAS**, the subject property is located at 1125 Duval Street (RE: 00027870-000000), in the Historic Commercial Core -3 zoning district; and

**WHEREAS**, the property owner has submitted a request for a minor development plan to allow for the redevelopment of four hotel units, relocating three to a newly acquired adjacent site and one transient license to an existing unit in the same structure, along with other site plan renovations, and a series of landscape waivers; and

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

**WHEREAS**, this matter came before and was approved with conditions by the Planning Board at a duly noticed public hearing on July 18, 2024; and

**WHEREAS**, Section 108-198 of the code outlines the review and action of the City Commission to approve with or without conditions or deny a request for a Minor Development Plan; and

**WHEREAS**, the granting of the proposed Minor Development Plan is consistent with the criteria of the Code of Ordinances; 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. The request for Minor Development Plan for a property located at 1125 Duval Street (RE: 00027870-000000), in the Historic Commercial Core -3 zoning district for the redevelopment of four hotel units, relocating three to a newly acquired adjacent site and one transient license to an existing unit in the same structure, along with other site plan modifications, and a series of landscape waivers, is hereby approved with the following conditions:

General conditions:

1. The proposed development shall be consistent with the plans dated January 11, 2024 by Gavin Scarbrough, the landscape plans dated January 11, 2024 by Gavin Scarbrough, and the irrigation plan dated April 4th, 2024 by Pope-Scarbrough; notwithstanding any revisions requested and recommended by staff. Construction drawings for permitting shall be dated as approved herein, with any proposed revisions (modifications) clearly noted. Development plan modifications that do not rise to the status of minor or major plan modifications may be approved by the city planner as per Section 108-91(c)(1). All modifications shall be

submitted for review and approval to the Planning Department prior to building permit application. Minor and major development plan modifications are addressed as per Section 108(c) of the City Code.

2. The hours of construction shall comply with the City Code and shall be limited to 8 a.m. to 7 p.m. on Monday to Friday, and 9 a.m. to 5 p.m. on Saturday.

3. During all phases of construction, temporary fencing shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.

4. The applicant shall submit revised landscape plans subject to the review and approval of the Urban Forester prior to the issuance of any building permits.

5. The location and screening of any existing and proposed dumpsters shall be subject to the review and approval of the Utilities Department prior to the issuance of any building permits for the proposed work. Applicant/owner agrees to comply with all City requirements concerning the maintenance of any dumpsters on site.

6. The applicant/owner agrees to convert the existing loading zone along Catherine Street adjacent to the subject parcel to a public parking space. The applicant/owner shall submit an affidavit to the City of Key West Parking Director, confirming

that the loading zone adjacent to Catherine Street will be converted to a public parking space.

7. No live music shall be permitted at the pool, which shall be restricted to use by Hotel guests only.

8. All construction, reconstruction, and demolition shall be in compliance with Historic Architectural Review Commission (HARC) Guidelines and shall be subject to the review and approval of the Historic Preservation Planner.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Authenticated by the presiding officer and Clerk of the Commission on \_\_\_\_\_, 2024.

Filed with the Clerk \_\_\_\_\_, 2024.

Mayor Danise Henriquez	_____
Vice Mayor Sam Kaufman	_____
Commissioner Lissette Carey	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Donald "Donie" Lee	_____
Commissioner Clayton Lopez	_____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK