

THE CITY OF KEY WEST
PLANNING BOARD
Staff Report



To: Chairman and Planning Board Members

Through: Katie P. Halloran, Planning Director

From: Daniel Sobczak, AICP-C, Planner II

Meeting Date: July 15th, 2021

Application: **Major Development Plan** – 220 Margaret Street (RE# 00072082-004400) - A request for a major development plan to renovate an existing historic structure, enclose a portion of the structure, and add commercial floor area to open space on a property located in the Historic Residential Commercial Core (HRCC-2) zoning district pursuant to Section 108-91 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: The applicant is requesting approval of a major development plan to renovate an existing historic non-contributing structure from an internally segmented restaurant/bar use to a proposed open floor plan with a restaurant/bar use. The subject property is a lease area of the greater Key West Bight.

Applicant: Michael Halpern

Property Owner: City of Key West

Location: 220 Margaret Street (RE# 00072082-004400)



Background:



The subject lease area is located at 220 Margaret Street near the corner of Margaret Street and Caroline Street. According to the Historical Architectural Review Commission, the current structure was constructed prior to 1965 and the structure itself is historic but has been significantly altered over time.

1965, Turtle Kraals, courtesy of Monroe County Library

The parcel is zoned HRCC-2 and is surrounded by HRCC-2 zoned properties in all directions. The lease area was renewed for a period of five years in July 2016 with the following:

Permitted Use:

Operation of a restaurant containing 191 licensed seats with alcohol, a retail area for logo apparel, gifts, souvenirs, retail sales of alcohol and beer and no other purpose.”

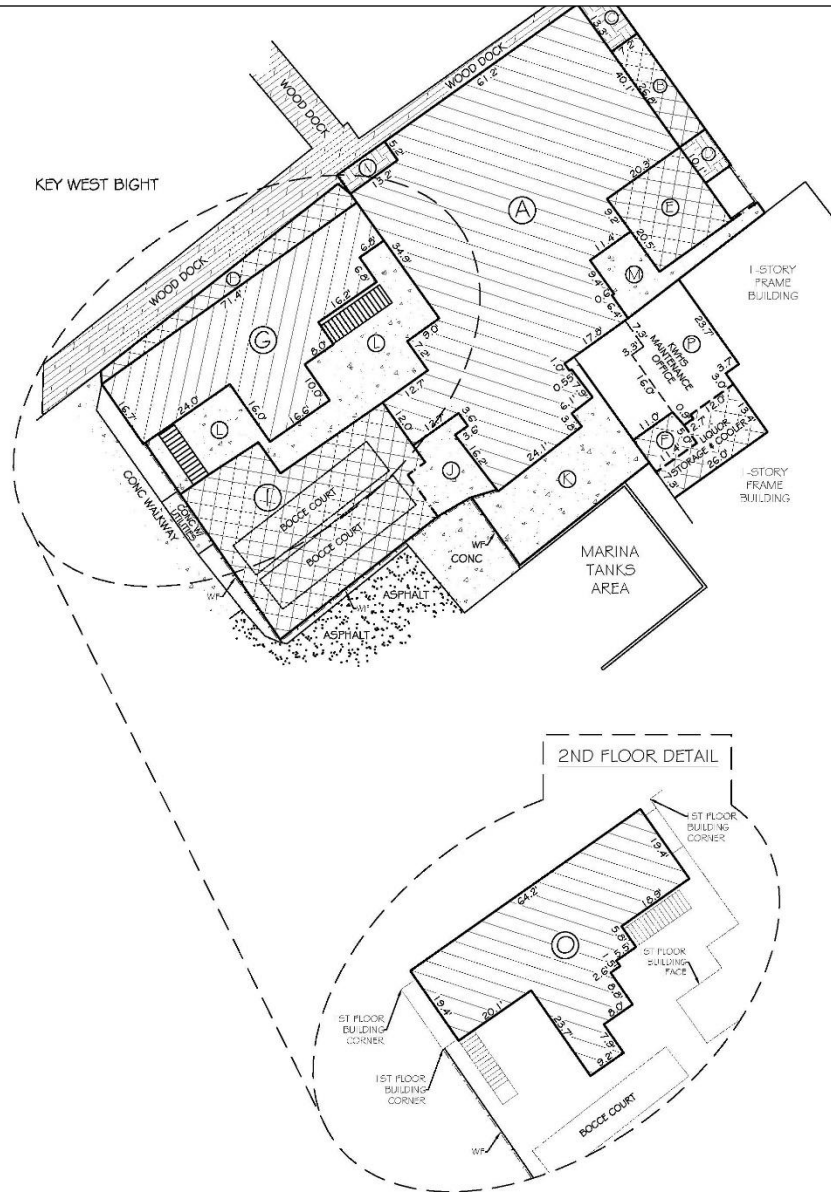
Demised Premises:

The Turtle Kraals lease was renewed in 2016 and includes 12,387 square feet.

The lease area is a part of the greater Key West Bight, which is subject to the Key West Bight Master Plan, and the Key West Bight Master Plan Community Impact Assessment Statement (CIAS). The K.W. Bight CIAS mentions that “As shown by the Parking Analysis, the demand created by new uses and intensification of uses is satisfied by a combination of spaces provided and the exemption provided by Code.”

The applicant is proposing to restore the historic structure, including the roof, façade, interior and exterior. The major renovation is proposed to include; the removal of walls and columns to make a formerly segmented floor plan into an open concept floor plan, the relocation of the central bar/counter area, the creation of a roofed section over formerly open space, the creation of consumption area on the second floor of the restaurant, and the placement of a walk-in cooler on formerly open recreational space.

Current Survey of Demised Lease Premises



AREA DELINEATION / DESCRIPTION	AREA
(A) = MAIN BUILDING INCLUDING DINING AREA; BAR; KITCHEN & STORAGE	4,410.7 SQ FT +/-
(B) = COVERED AREA	193.0 SQ FT +/-
(C) = FERRY OFFICE / BOOTH	96.0 SQ FT +/-
(D) = ATM AREA	72.7 SQ FT +/-
(E) = BATHROOMS	416.2 SQ FT +/-
(F) = STORAGE & COOLER	333.0 SQ FT +/-
(G) = DINING AREA	1,487.3 SQ FT +/-
(H) = OUTDOOR COVERED DINING AREA	1,49.5 SQ FT +/-
(I) = OUTDOOR BOCCE COURT AREA	1,621.2 SQ FT +/-
(J) = OUTDOOR CONCRETE STORAGE AREA	237.7 SQ FT +/-
(K) = OUTDOOR CONCRETE STORAGE AREA (50% LESSEE = 332.1 SQ FT +/-)	664.2 SQ FT +/-
(L) = OUTDOOR CONCRETE COURTYARD AREA (INCLUDING STAIRS)	1,046.0 SQ FT +/-
(M) = OUTDOOR WALKWAY AREA	278.4 SQ FT +/-
(N) = OUTDOOR COVERED AREA	68.6 SQ FT +/-
(O) = 2ND FLOOR DINING & BAR AREA	1,644.9 SQ FT +/-

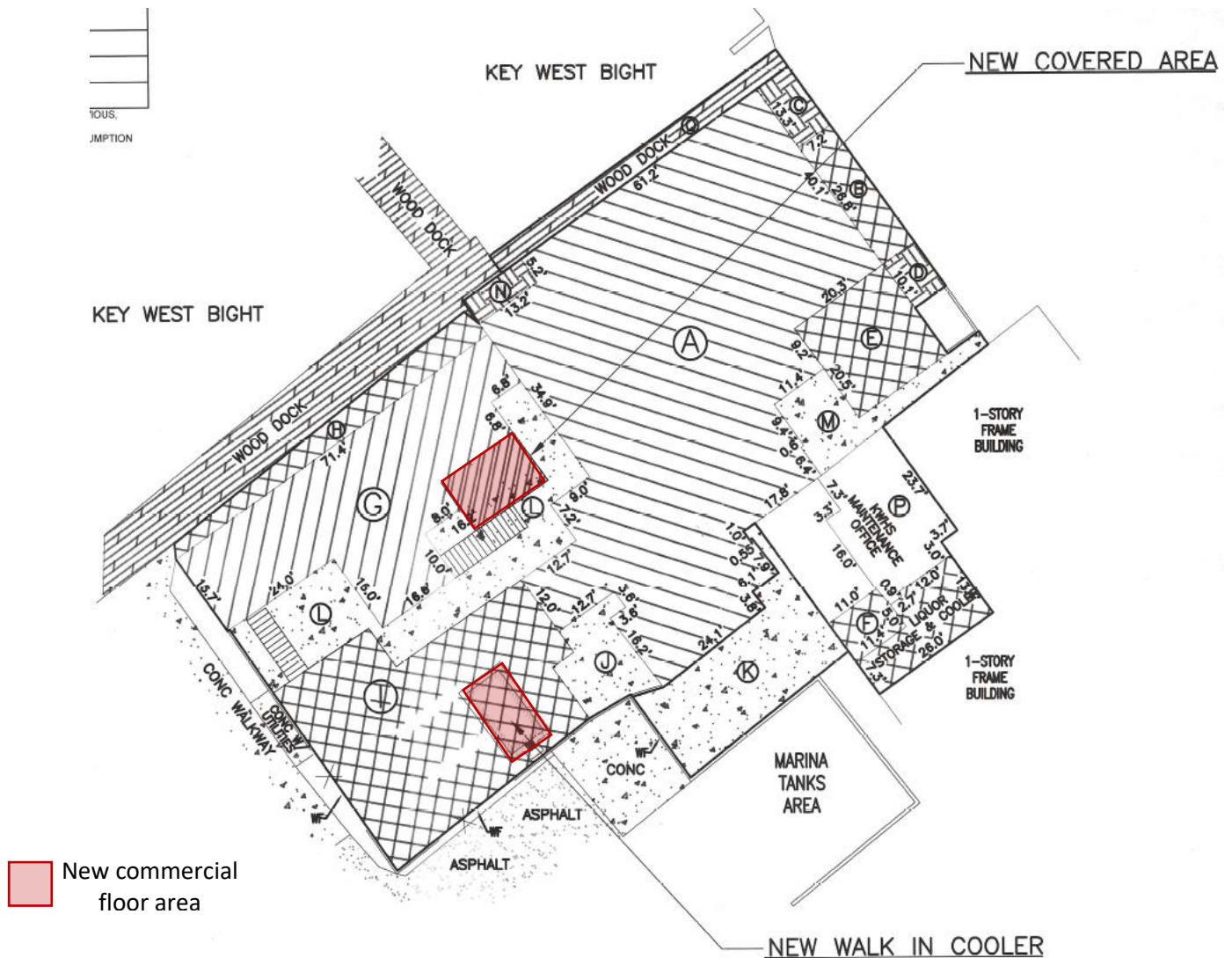
**TOTAL LEASE AREA OCCUPIED = 12,387.3 SQ FT +/-

Proposed Development:

The site table below details the current and proposed site data for the property.

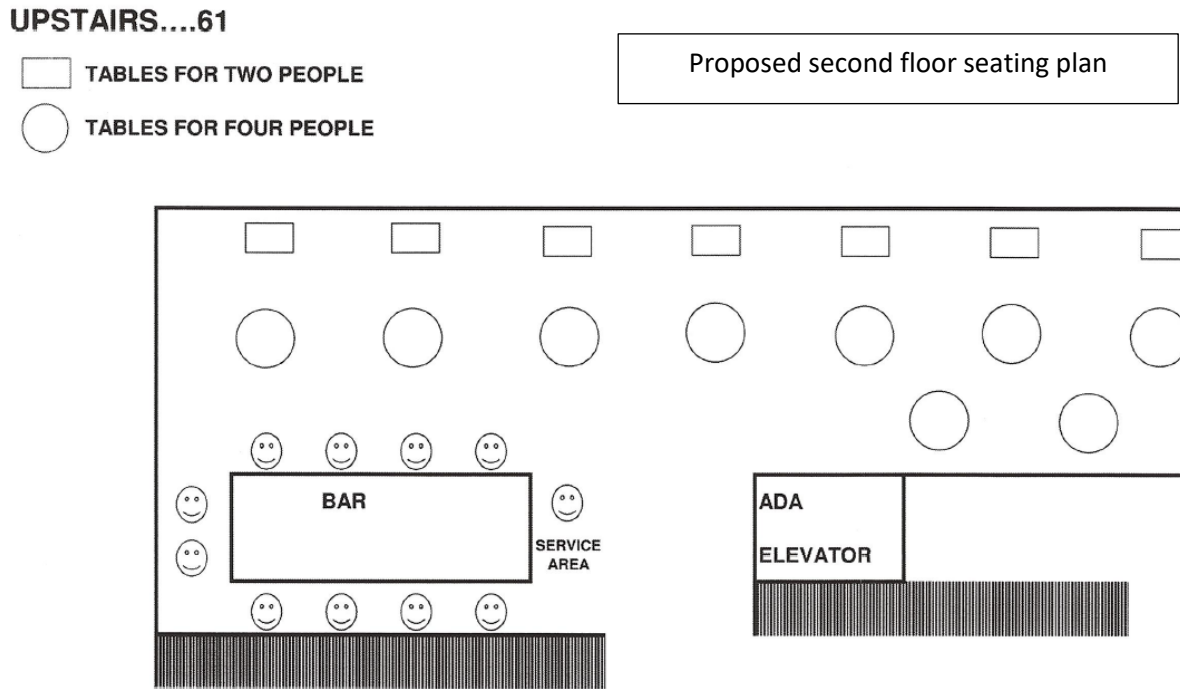
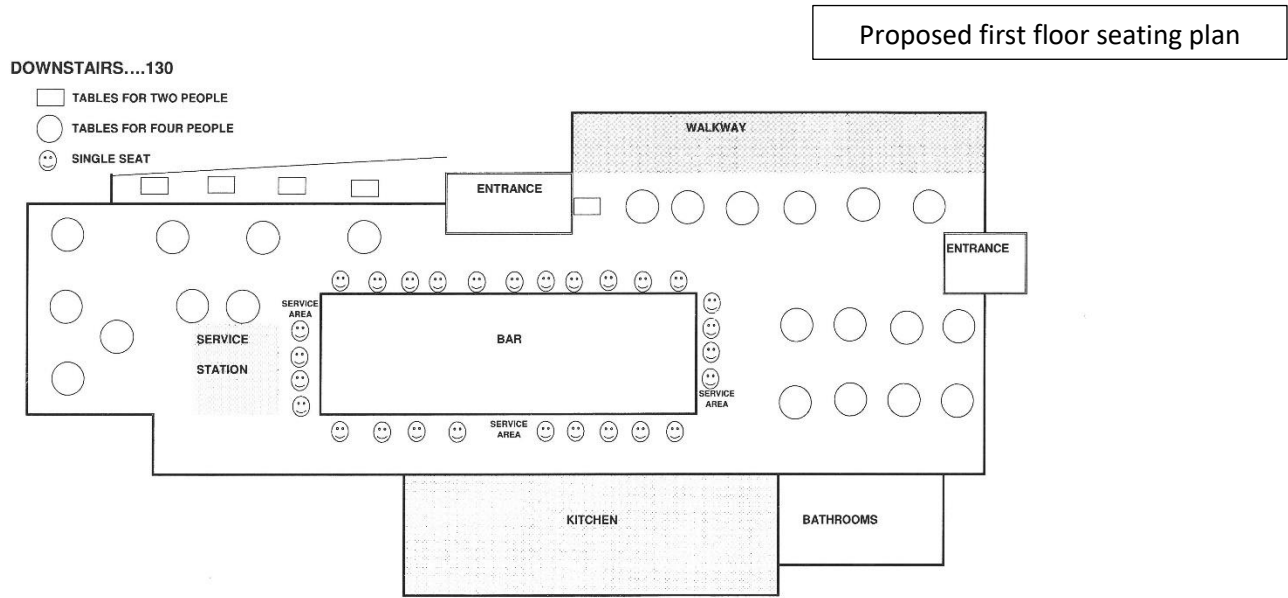
Site Data Table				
	Code Required	Existing	Proposed	Change
Zoning	HRCC-2			
Flood Zone	AE-6			
Size of lease area	n/a	12,387 sqft	12,387 sqft	N/A
Consumption area	n/a	5,260 sqft	5,536 sqft	+ 276 sqft
Building Coverage	50%	8,454 sqft	8,909 sqft	+ 455 sqft
Impervious Surface	60%	9,121 sqft	9,576 sqft	+ 455 sqft
Open Space	20%	1,621 sqft	1,166 sqft	- 455 sqft

Proposed Plans 220 Margaret Street submitted by applicant.



The applicant is proposing to add a walk-in cooler and a new covered area. The covered area is being added atop a formally open space that consisted of gravel, plantings, and a stairwell. The new covered area will provide additional consumption

area on the second floor of the restaurant. The new walk in cooler is being proposed to be added atop the former bocce ball courts. The below seating plans show a total of 191 seats which is commensurate with the lease renewal in 2016.



Process:

Development Review Committee:	May 27 th , 2021
Planning Board Meeting:	July 15 th , 2021
HARC Approval (administrative):	July 2021
Urban Forester’s Approval:	July 2021
Ratification by the City Commission:	August 3, 2021
Local Appeal Period:	10 Days
Planning renders to DEO for review:	Up to 45 days

Staff Analysis - Evaluation:

Section 108-91 states that the reconstruction of nonresidential floor area equal to 2,500 sq.ft. or more shall be a major development plan. The proposed major development plan proposal includes both the reconstruction of nonresidential floor area. Section 108-196 states that the Planning Board shall act by resolution to recommend to approve, approve with conditions, or disapprove a major development plan based on specific development review criteria contained in the Land Development Regulations and the intent of both the City Code and the LDRs.

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

- Comprehensive Plan Objective 9-1.5 directs the City to ensure that public 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. City Code Section 94-36 requires a concurrency review determination to be made concerning the proposed development. The Applicant and property owner provided a concurrency analysis as part of the Major Development Plan application. Staff reviewed the provided concurrency analysis following the criteria in City Code Section 94-36 and determines that public facilities are expected to accommodate the proposed development at the adopted level of service (LOS) standards.

Appearance, design and compatibility (City Code Section 108-234)

- The development plan shall satisfy criteria established in: Chapter 102; articles III, IV and V of Chapter 108; section 108-956; and article II of chapter 110, included in staff’s review below.

City Code Chapter 102 (historic preservation)

- The historic non-contributing structure will be renovated, and all improvement and/or additional structures proposed shall be granted a certificate of appropriateness prior to completion.

Articles III (site plan), IV (traffic impacts) and V (open space, screening and buffers) of City Code Chapter 108 (planning and development)

- The proposed major development plan will allow the reconstruction of a commercial space. Section 108-573 of the City Code provides for special provisions within the historic commercial pedestrian-oriented area. The subject lease area is located within the historic commercial pedestrian-oriented area; the code states that off-street parking regulations shall apply if there is expansion or creation of floor area, etc. The proposed Major Development Plan does not constitute an expansion of lease area or seating. The applicant is proposing to create floor area in the center of the historic non-contributing structure. The additional parking associated with the addition of the floor area is listed in the K.W. Bight CIAS, and the Key West Bight Master Plan. The CIAS, the Master Plan and the lease approval lists additional parking needs as being satisfied through shared parking across

the entire Bight area, and the multi-modal capacity of the Bight including the Duval Loop and ample bicycle spaces.

- The proposed project was granted approval for the Conceptual Landscape Plan on June 29th, 2021 (see Urban Forester Staff Report attached). Upon approval from the Planning Board and HARC, the final Landscape Plan shall be reviewed and approved by staff before appearing before City Commission.

City Code Section 108-956 (potable water and wastewater)

- Potable water and wastewater were found to comply in the concurrency determination above.

Article II (archaeological resources) of City Code Chapter 110 (resource protection)

- There are no known archaeological resources on the property. If any archeological resources are discovered during construction, the Applicant would be required to comply with this article of the LDRs.

Site location and character of use (City Code Section 108-235)

(a) *Compliance.* The development plan submitted for review should be in compliance with all applicable performance criteria set forth in chapter 94, chapter 102, chapter 106, articles I and III through IX of this chapter, chapter 110 and chapter 114.

- The submitted major development plan has been reviewed for compliance with all applicable performance criteria. It is the Planning Department's determination that the application is in compliance will all applicable criteria.

(b) *Vicinity map.* A vicinity map shall be provided with the project's location noted together with a general written description of the proposed development.

- *The vicinity map is included in the Planning Package submitted with the Staff Report.*

(c) *Land use compatibility*

- Land use compatibility. Adjacent land uses shall be identified including current zoning designation, conditional uses and/or special districts within 50 feet of the boundaries for a minor development, and 100 feet of the boundaries for a major development. Properties within 100 feet are located within the HRCC-2. Adjacent land uses within 300 feet include professional office, hotel, retail, and restaurant/bar. There is no subdivision of land proposed at this time.

(d) *Historic and archeological resource protection.* A review of the project's impact on archaeological and historic resources shall be included.

- There are no proposed impacts on archeological and historical resources. The structure at 220 Margaret is historic but non-contributing due to extensive renovations throughout the years.

(e) *Subdivision of land.* Any subdivision of land shall comply with section 108-1 and chapter 118 pertaining to subdivisions.

- There is no subdivision of land proposed at this time.

Site and structures (City Code Section 108-236 – 108-246)

- The site is located in the Historic District, the proposed major development project is an overall harmonious design per Section 108-278. The lease area consists of several connected structures that span most of the lease area. Historically the parcel was commercial, and the redevelopment will maintain the commercial use. The reconstructed commercial space is proposed to be a bar/restaurant and has a proposed consumption space of approximately 5,563 square feet.

Construction management plan and inspection schedule (City Code Section 108-248)

- Construction will take place pursuant to approval from the Planning Board and ratification by the City Commission. Inspections will take place during the building permit process.

Off-street parking and loading (Code Chapter 108, Article VII)

- The City of Key West approved a lease renewal for the property at 220 Margaret. The lease renewal reiterated that the total amount of seating allowed is 191 seats as well as satisfaction of parking and loading requirements per the K.W. Bight CIAS and Key West Bight Masterplan. The proposed Major Development Plan work will not change the number of permitted seats. The satisfaction of parking/loading requirements, per the K.W. Bight CIAS, are satisfied by site design, the Caroline Street Garage, the City owned Key West Bight Parking lots, the multi-modal access to the Bight including the Duval Loop, and the historic pedestrian oriented zone. Both the K.W. Bight CIAS and the Key West Bight Masterplan are attached to this file.

Stormwater and surface water management (Code Chapter 108, Article VIII)

- No changes proposed, however a stormwater management plan shall be submitted pursuant to Sec. 108-777 prior to final approval.

Utilities (Code Chapter 108, Article IX)

- The applicant proposes to update both the plumbing and electric as part of the Major Development Plan.

Recommendation:

The proposed development plan for the property located at 220 Margaret St. will redevelop a historic non-contributing structure.

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

Conditions of Approval:

1. Adhere to the landscape plan as provided in the attached Urban Forester’s Staff Report and maintain all landscaping in good health per the City’s Land Development Regulations.
2. Construction will be in accordance with plans signed, sealed and dated July 9, 2021, by Richard J. Milelli, PE #58315.