

RESOLUTION NO. 2025-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING MAJOR DEVELOPMENT PLAN AND CONDITIONAL USE APPROVAL FOR REDEVELOPMENT OF A SHOPPING CENTER WITH 179,420 SQUARE FEET OF COMMERCIAL RETAIL ON PROPERTY LOCATED WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT PURSUANT TO CHAPTER 108, SECTION 108-91, AND ARTICLE III THROUGH IX; AND CHAPTER 122, ARTICLE IV, DIVISION 4, SUBDIVISION III OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 108-91(b) (2), of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that outside the Historic District, Major Development Plan is required for the construction of nonresidential floor area equal to or greater than 5,000 square feet of gross floor area; and

WHEREAS, the subject property is located at 3200 N Roosevelt Boulevard (RE# 00066120-000000) and is located in the General Commercial (CG) zoning district, and

WHEREAS, the proposed use of low intensity commercial retail totaling 179,420 sq. ft. requiring conditional use approval pursuant to Code Section 122-418(12), and

WHEREAS, this matter came before and was recommended for approval with conditions by the Planning Board at a duly noticed public hearing on February 20, 2025; and

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

WHEREAS, the City Commission finds that the granting approval of the proposed Major Development Plan 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.

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 a Major Development Plan for the construction of a shopping center at 3200 N Roosevelt Boulevard (RE# 00066120-000000) within the General Commercial (CG) zoning district pursuant to Sections 108-91(b)(2)(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans, is hereby approved with the following conditions:

General conditions:

1. The proposed development shall be consistent with the plans dated August 29, 2022 by Graef-USA Inc., and the landscape plans dated October 22, 2024 by Graef-USA Inc.

2. Final landscape plan approval is required from the Tree Commission or the Urban Forestry Manager prior to placement on the City Commission agenda.
3. The hours of construction shall follow City Code.
4. 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 unless the required right-of-way permit is obtained.
5. If construction costs exceed \$500,000, the applicant shall coordinate with the Art in Public Places Board and set aside one percent (1%) of the construction costs for public art in compliance with City Code Section 2-487.

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

Section 4. This Major Development Plan application approval by the City Commission 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 expired, this permit or development order shall be rendered to the Florida Department of Commerce. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 45 days after it has been properly rendered to the DOC with all exhibits and applications attached to or incorporated by reference in this approval; that within the 45-day review period, the DOC 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 regularly scheduled meeting held this 1st day of April, 2025.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2025.

Filed with the Clerk _____, 2025.

Mayor Danise Henriquez _____
Vice Mayor Lisette Carey _____
Commissioner Aaron Castillo _____
Commissioner Monica Haskell _____
Commissioner Mary Lou Hoover _____
Commissioner Sam Kaufman _____
Commissioner Donald "Donie" Lee _____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK