



MEMORANDUM

Date: December 12, 2024

To: Honorable Mayor and Commissioners

Via: Katie Halloran
Planning Director

From: Nicholas Perez-Alvarez, Stantec

Subject: **File 24-6240 - Minor Development Plan, Conditional Use - 430 Greene Street (RE# 00001470-000100)** – A request for a Minor Development Plan to reconstruct a two-story commercial structure and a request for conditional use approval to allow for the expansion of a bar consumption area and an amendment to Planning Board Resolution 2006-020, located in the HRCC-1 zoning district, pursuant to Section 108-91 and Section 122-62 of the Land Development Regulations of the City of Key West, Florida; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Introduction

The applicant, Trepanier & Associates Inc, has proposed reconstruction of the demolished building at 430 Greene Street and is seeking minor development plan with conditional use approval. This item was recommended for approval by the City of Key West Planning Board at their hearing on November 20, 2024, under Resolution No. 2024-035.

Background

430 Greene Street received a conditional use approval by the Planning Board for use as a bar in 2006 under Resolution 2006-020. On May 29, 2024, the City of Key West Building Department revoked the certificate of occupancy for the existing building located at 430 Greene Street, which most recently served as a bar, due to significant structural damage and life safety issues. The Building Department concluded that the entire structure would be required to be demolished and rebuilt to current code. This minor development plan application proposes to rebuild the structure in a manner largely consistent with the architectural style and massing of the current structure with slight increases in building height and second floor consumption area.

While the existing structure is nonconforming as it is out of compliance with several dimensional standards of the current HRCC-1 zoning as noted in the site data table in the Planning Board staff report, Section 122-28(f) of the Land Development Regulations enables reconstruction in this instance as noted below:

Notwithstanding any other subsection contained in this section, if a noncomplying building or structure is a contributing building or structure according to the historic architectural review commission (HARC) and it is involuntarily destroyed, such building or structure may be reconstructed or replaced without a variance so long as it is to be rebuilt in the three-dimensional footprint of the original building and built in the historic vernacular as approved by the historic architectural review commission.

No variances for reconstruction of this building as proposed are required, as there is a reduction in the proposed new building footprint, and the slight increase in height of 2'-10" is still well within the maximum height limits of the HRCC-1 district.

Request:

This application proposes a minor development plan and conditional use approval for the reconstruction of a two-story commercial structure that had been declared an unsafe structure and unfit for occupancy by the City of Key West Building Department. Therefore, the structure has since been involuntarily demolished. The applicant is requesting removal of all conditions of approval established for the previous building under Resolution 2006-020, listed in further detail in the Planning Board staff report.

Analysis:

Staff determined the proposal is in compliance with the Minor Development Review criteria listed under Section 108-91.A.1. Planning staff and the Planning Board, as required by Chapter 108 of the City Code, reviewed the request for compliance with the Land Development Regulations and the Comprehensive Plan as detailed in the attached Planning Board staff report. The proposed minor development plan with conditional use was reviewed before the Planning Board on November 20, 2024, where they recommended approval through Resolution No. 2024-035.

A full planning staff analysis is available in the Planning Board staff report.

Other Matters:

N/A

Options / Advantages / Disadvantages:

Option 1:

Approve the minor development plan and conditional use as recommended by the Planning Board through Resolution No. 2024-035.

Option 2:

Deny the minor development plan and conditional use.

Recommendation:

As per Planning Board Resolution No. 2024-035, the Planning Board recommended to the City Commission **Option 1** for the approval of the minor development plan and conditional use. Planning Department staff support Planning Board Resolution No. 2024-035 to approve.