

THE CITY OF KEY WEST
PLANNING BOARD
Staff Report

To: Chair and Planning Board Members

Through: Katie P. Halloran, Planning Director

From: Ben Gagnon, Planner I

Meeting Date: December 19, 2024

Agenda Item: **Conditional Use – 804 Caroline Street (RE# 00003200-000000)** applicant seeks a conditional use revision to allow expanded retail services for a walk-up lemonade and flower stand, in an existing accessory structure (booth) located in the Historic Neighborhood Commercial (HNC-2) zoning district, pursuant to Section 122-62, Section 122-836 through Section 122-838 and Section 108-573 of the City of Key West Land Development Regulations.

Request: A request for a Conditional Use revision to allow expanded retail services including the addition of 120 square feet of multi-function outdoor space to host art classes.

Applicant: Krystal Sanchez, Holly Tremaine

Property Owners: James Disdier, Karen Disdier

Location: 804 Caroline Street (RE# 0003200-000000)

Zoning: Historic Neighborhood Commercial (HNC-2)

Background:

The subject property is a 3,061 square-foot parcel located at 804 Caroline Street near the corner of Caroline and William Street in historic downtown. The property includes a 2,201 square foot building that currently accommodates one retail business out of the first floor of the primary structure, along with a small 35 square foot accessory booth (shed) which is operated as Lemon and Lily, a boutique lemonade stand and flower shop. The property is adjacent to other commercial properties.

Restaurants are a conditional use in the HNC-1 zoning district. The property was granted PB Res 2022-023 allowing restaurant use, then an Italian ice stand, out of the accessory structure. The resolution added the following conditions: No tables or street furniture, no liquor sales, no outdoor music from the business, and operating hours to stay within 9am-10pm with exceptions for special events and holidays. Sec 122-62 outlines the specific criteria for approval for conditional uses.

SITE PHOTO



Request:

The applicant proposes to maintain the boutique refreshment and flower stand while adding four (4) small two top tables to a 120 square foot outdoor area behind the accessory structure. The applicant submitted "This expanded use is designed to not only avoid any adverse impact on the neighborhood but to positively contribute to the community by providing a unique and engaging space for social and creative activities." Such activities would include things like bouquet making, paint & pick, table setting, and other related events.

Surrounding Zoning and Uses:

North: Historic Residential Commercial Core -2, City Parking Lot

South: Historic Medium Density Residential, Residential

East: Historic Neighborhood Commercial, Commercial

West: Historic Neighborhood Commercial, Commercial

Process:

Development Review Committee: October 15, 2024 (Hurricane Rescheduled September Meeting)

Planning Board: December 19, 2024

Local Appeal Period: 10 days

DEO Review: Up to 45 days

Development Review Committee:

This application appeared before the October 15, 2024, Development Review Committee. Committee member had no concerning comments.

HARC: Any additional signage would require HARC Certificate of Appropriateness

Section 18-358 Review: Traffic impacts on level of service and nuisance prevention:

The property is located in the historic commercial pedestrian-oriented area which states that no additional off-street parking shall be required unless additional floor area is created. The creation of 120 square feet of new commercial space would be 1 space for 300 square feet, which would mean 0.4 spaces required.

Section 108-575 – Computation of Parking Spaces (2), *“Interpretation of computation with fractions. When calculation of required parking results in requiring a fractional space, any fraction shall be rounded off to the next highest number.”* As 0.4 is under 0.5, common rounding would bring this to 0 new spaces required.

Any additional traffic triggered by the proposed use is not likely to be significant in terms of average traffic volume within the immediate area. Staff does not anticipate that the proposed use would increase noise, dust, fumes, environmental hazards, or have an adverse impact on drainage.

Conditional Use Criteria:

Pursuant to Section 122-61 and 122-62(a), conditional uses shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity. Section 122-26(a) provides the required content of Conditional Use applications. Section 122-26(b) provides specific criteria for approval. The request is minor in intensity and the pedestrian nature of the area, and intent to bring the community together in a social and activity-based setting is appreciated and appropriate for the space.

Public comments:

The Planning Department has received no public comments as of December 5th, 2024

Planning Analysis:

Code Section 122-62 provides that a “conditional use shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity.” Further, it provides that a conditional use shall only be approved if it complies with the criteria specified in Section 122-62, including requirements that:

- The conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
- The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements are adequate to accommodate the proposed scale and intensity of the conditional use requested.
- The conditional use and site plan incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses.

After review, it is the opinion of staff that the subject application is in compliance with the requirements noted above.

RECOMMENDATION:

The Planning Department, based on the criteria of Section 122-62, recommends APPROVAL of the subject conditional use revision for 804 Caroline Street with the following recommended conditions:

1. The area of the proposed use shall remain consistent with the floor plan submitted by the applicant.

- This Conditional Use shall allow for the addition of four tables and a total of eight (8) seats in the area depicted on the floor plan. Modifications to the proposed use shall be subject to review and approval of the Planning Board.

General conditions kept from previous resolution:

- No tables or street furniture fronting Caroline Street allowed.
- There shall be no liquor sales from the business.
- There shall be no outdoor music from the business.
- Operating hours are to stay within 9:00am- 10:00pm. Minor exceptions include Fantasy Fest, New Years Eve and city sanctioned street fairs and events.
- The owner shall obtain any required HARC approvals for signage.

