



**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: June 18th, 2025

Agenda Item: **Conditional Use – 601 Fleming Street (RE#00065220-000100)** - Applicant seeks a conditional use to allow for the interior remodel of a commercial space to open a proposed coffee shop (restaurant) located in the Historic Neighborhood Commercial (HNC-1) zoning district, pursuant to Section 122-62, Section 122-836 through Section 122-808 and Section 108-573 of the City of Key West Land Development Regulations.

Request: The applicant requests to open a coffee shop with food service at a currently vacant commercial property in downtown Key West.

Owner: C AND D PROPERTIES OF KEY WEST I LLC

Applicant: Oropeza, Stones & Cardenas PLL

Location: 601 Fleming Street (RE# 00006350-000000)

Zoning: Historic Neighborhood Commercial (HNC-1)

SITE MAP



BACKGROUND:

The subject property is a 3,600 square-foot parcel located at 601 Fleming Street in the Historic Neighborhood Commercial (HNC-1) zoning district. The principal use was a commercial retail store, however the building is currently vacant.

REQUEST:

The proposed use is a coffee shop with food service. Guests will have 1,750 square feet of consumption area and fifteen (15) proposed seats for dining. The coffee shop will also offer a small retail section with merchandise associated with the coffee shop. Restaurants are a conditional use in the HNC-1 zoning district, triggering the application.

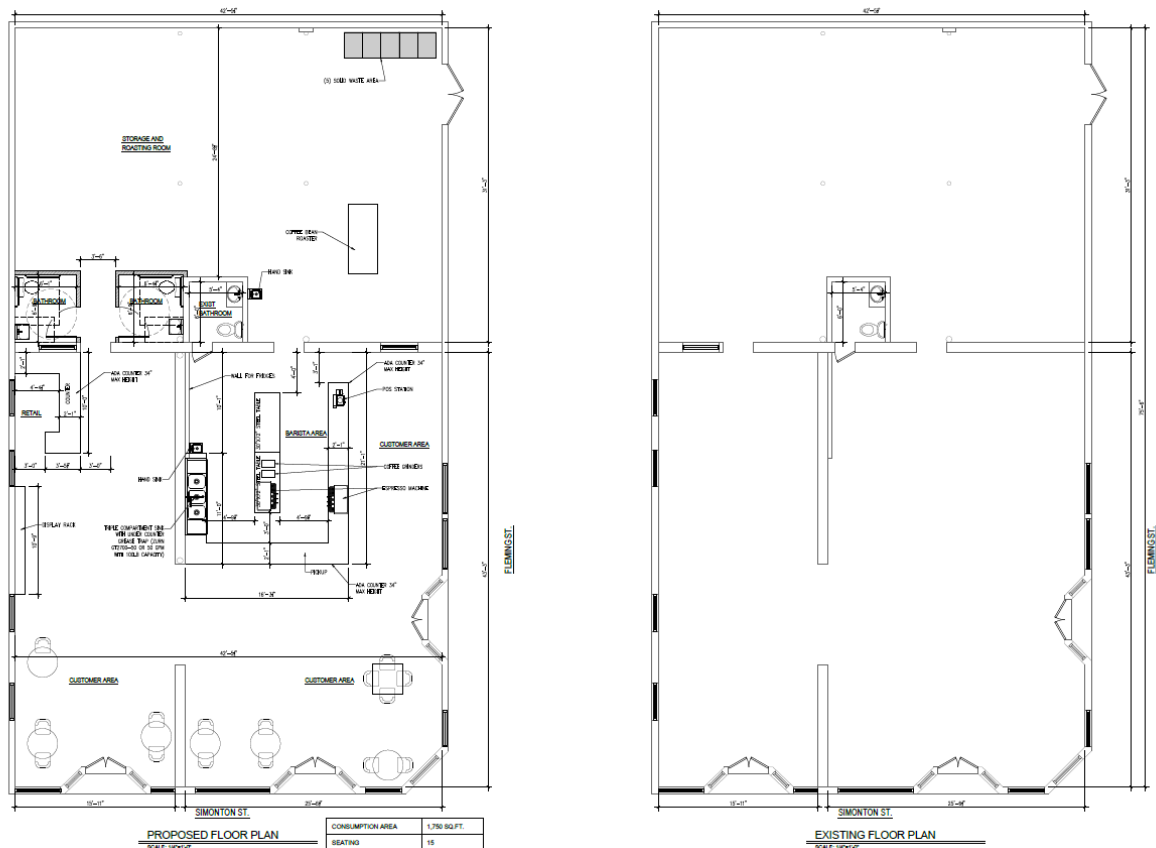
No parking is proposed or required pursuant to Sec. 108-573. – “Special provisions within historic commercial pedestrian-oriented area.” The floor area in question was not created after 1998 and no new floor area is proposed.

(c) Change of existing commercial pedestrian oriented uses. No additional off-street parking shall be required within the historic commercial pedestrian-oriented area if a commercial structure is the subject of a change from one type of commercial use to another type of commercial use, so long as no additional or expanded floor area is created. However, the off-street parking regulations in this article shall apply to the following:

(1) Additional floor area; or

(2) Any nonresidential floor area created after January 1, 1998, and converted to another use requiring more parking.

SITE PLAN



SURROUNDING ZONING AND USES:

North: Historic Neighborhood Commercial (HNC-1)

South: Historic Neighborhood Commercial (HNC-1)

East: Historic Medium Density Residential (HMDR)

West: Historic Neighborhood Commercial (HNC-1)

PROCESS:

Development Review Committee: April 24th, 2025

Planning Board: June 18th, 2025

Local Appeal Period: 10 days

DEO Review: Up to 45 days

DEVELOPMENT REVIEW COMMITTEE:

This application appeared at the April 24, 2025, Development Review Committee. The main concern involved waste storage, location of totes, and quantity of pick-ups. The applicant worked with Utilities to come up with the latest plans as shown on the above site plan. Trash will be kept inside in the rear of the building, five (5) totes will be used and daily pick up service will be required.

Multimodal also commented on potential new bike racks being added in the ROW surrounding the building to increase bicycle parking for customers.

SECTION 18-358 REVIEW: TRAFFIC IMPACTS ON LEVEL OF SERVICE AND NUISANCE PREVENTION.

The property is in the historic commercial pedestrian-oriented area where most patrons are expected to walk or bike to the business.

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 the property 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.

Section 122-62(b): Characteristics of Use Described:

The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

Scale and Intensity:

- **Floor area ratio:** N/A - No change
- **Traffic generation:** N/A
- **Square feet of enclosed building for each specific use:** No additional indoor space created, approximately 3,157 square feet of floor area
- **Proposed employment:** average of 2 per shift.
- **Proposed number and type of service vehicles:** N/A
- **Off-street parking needs:** None required given Historic Commercial Pedestrian Oriented Area

On- or off-site improvement needs generated by the proposed conditional use:

- **Utilities:** No needs are identified by the application.
- **Public facilities:** No needs are identified by the application.
- **Roadway or signalization improvements:** None proposed.
- **Accessory structures or facilities:** No needs are identified by the applicant.

- **Other unique structures or facilities:** No needs are identified by the applicant.
- **Staff Comment:** N/A

On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:

- **Open Space:** Lot is nonconforming on building coverage, very minimal open space – but no exterior changes proposed.
- **Screening and buffers:** Trash bins will be kept inside to reduce visual waste.

Section 122-62(c): Criteria for conditional use review and approval.

Land Use Compatibility: The 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 property is surrounded by residential, and commercial uses including two restaurants, a hotel, and a grocery store all nearby. Paid parking lots, bike racks, and walkable sidewalks are all in the close vicinity as well.

Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use: The site shall be of sufficient size to accommodate the proposed scale and intensity of the use, including urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure.

Site plans show ample space to accommodate the coffee shop, food service, and accessory retail space.

Proper Use of Mitigative Techniques: The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses, and to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.

- **Enhancements to mitigate against potential adverse impacts to adjacent land uses:** The applicant is proposing indoor waste storage, and no outdoor activity is proposed or expected.
- **Noise & fumes:** The applicant is proposing indoor waste storage.
- **Traffic:** No mitigative techniques are proposed.
- **Multimodal safety:** Multimodal commented at DRC in hopes the applicant would work with the City to add bike racks on the ROW in the future.
- **General public health, safety & welfare:** No mitigative techniques are proposed.

Public Comment

Staff have received no public comments as of June 7th, 2025.

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.” Section 122-62 requires that conditional use approval shall be based on a finding that the use complies with the criteria specified in Section 122-62 and in referenced sections of the Land Development Regulations, in order to ensure compliance with the Comprehensive Plan and Land Development Regulations. Staff has reviewed the proposed use expansion and finds that it does comply with the criteria specifies in Section 122-62 and poses no conflicts with provisions of the Land Development Regulations and Comprehensive Plan.

Conditional Use Recommendation:

Section 122-62 requires that conditional use approval shall be based on a finding that the use complies with the criteria specified in Section 122-62 and in referenced sections of the Land Development Regulations to ensure compliance with the Comprehensive Plan and Land Development Regulations. The Planning Department, based on the criteria of Section 122-62 and 18-358, recommends **approval** of the subject conditional use application for 601 Fleming Street with the conditions below.

1. Floor plans shall remain consistent with the attached plans dated 6.2.2025 by Nautilus Drafting & Design Services. Consumption area shall be limited to 1,750 square feet with a maximum of 15 seats 15 unless otherwise approved by the Licensing Department in coordination with the Planning Department.
2. The owner shall obtain and maintain a Conditional Use Approval Permit, pursuant to City Code Chapter 18, Article II, Division 1. The owner shall be subject to an annual inspection to verify compliance with the conditions of this approval.
3. Waste bins shall be kept inside unless otherwise approved by the Utilities Department.