



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 II

Meeting Date: July 17th, 2025

Agenda Item: **Conditional Use – 207 Petronia Street (RE# 00013740-000000)** - Applicant seeks a conditional use to allow for the continued operation and expansion of seating area of a restaurant located in the Historic Neighborhood Commercial (HNC-3) zoning district, pursuant to Sections 122-62 and 122-868 of the City of Key West Land Development Regulations.

Request: A request for a Conditional Use to allow a legal nonconforming restaurant to seek compliance and expand the current number of seats from 56 seats to 91 with 73 inside and 18 outside.

Applicant: Mad East Key West, LLC - DBA Santiagos Bodega

Property Owners: Happy Lion LLC

Location: 207 Petronia Street (RE# 00013740-000000)

Zoning: Historic Neighborhood Commercial (HNC-3)

Background:

The subject property is a 4,820.58 square foot parcel located at 207 Petronia Street on the corner of Petronia and Emma Street in historic 'Bahama Village' Key West. The property includes a 3,600 square foot building that currently accommodates a legally nonconforming restaurant out of the first floor commonly known as 'Santiago's Bodega'. There are two residential units on the second floor. The property is adjacent to another restaurant to the west and surrounded by residential properties on all other sides.

Restaurants are a conditional use in the HNC-3 zoning district. In 1997 the building opened with two commercial units on the first floor, a restaurant and a laundry mat. The property was granted PB Res 2009-029 in 2009 to allow for a coffee shop to replace the laundry mat next to the then smaller Santiago's space. The coffee shop was shortly taken over by Santiago's – expanding to the current size they have now. No further expansions or renovations are proposed with this application. Because the original Santiago's never received a conditional use, and only the coffee shop space did, the entire restaurant must be brought into conformance prior to additional seats being granted.

SITE PHOTO



Request:

The request is to apply for a conditional use permit to change the status of the restaurant from legally nonconforming to a valid conditional use in the area, as the original Santiago's space in 1997 never received a conditional use. The conditional use would then allow the restaurant to expand its number of seats from the current 56 to a proposed 91.

Surrounding Zoning and Uses:

North: Historic Neighborhood Commercial, Residential
South: Historic Neighborhood Commercial, Residential
East: Historic Neighborhood Commercial, Residential
West: Historic Neighborhood Commercial, Commercial

Process:

Development Review Committee: May 22, 2025
Planning Board: July 17, 2025
Local Appeal Period: 10 days
DEO Review: Up to 45 days

Development Review Committee:

This application appeared before the May 22, 2025, Development Review Committee.

HARC and Utilities requested that dumpsters be screened from view. The applicant agrees and is working with the City to determine a route forward to install fencing or vegetation to screen the dumpsters.

Sec. 108-279. - Location and screening of mechanical equipment, utility hardware and waste storage areas.

Mechanical equipment or other utility hardware on roofs shall be harmonious with the building or they shall be located and/or screened so as not to be visible from any public ways within the impacted area. All refuse and waste storage areas shall be screened from adjacent properties and public ways by appropriate fences, walls or landscaping. Front-end loaded refuse containers shall also be required to be screened by vegetation or structural means to shield an unsightly condition.

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

The property is in the historic commercial pedestrian-oriented area which states that no additional off-street parking shall be required unless any additional floor area is created. Parking spaces for restaurants are calculated based on the consumption area rather than the number of seats, so additional chairs would not trigger further parking needs.

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 as the restaurant has been operating in the space for over twenty years.

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 to establish legal status for an existing restaurant and proposes no expansions in floor area.

Public comments:

The Planning Department has received no public comments as of July 1st, 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.” 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 will incorporate mitigative techniques needed such as solid waste screening 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.

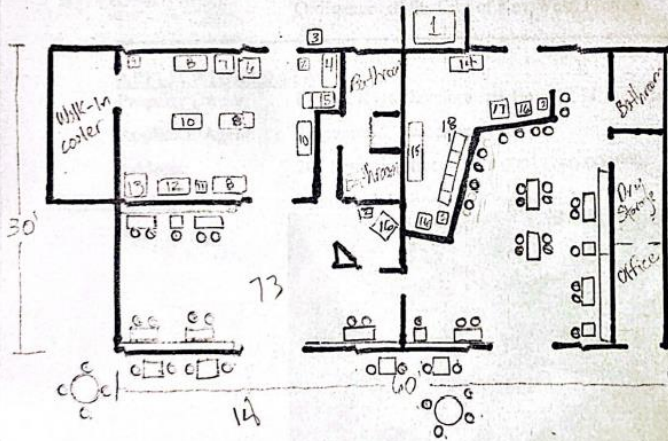
RECOMMENDATION:

The Planning Department, based on the criteria of Section 122-62, recommends APPROVAL of the subject conditional use for 207 Petronia Street with the following recommended conditions:

1. The area of the proposed use shall remain consistent with the floor plan submitted by the applicant.
2. Applicant shall comply with Sec 108-279 pertaining solid waste screening.

Site Plan and Floor Plan

Approximate square footage of consumption area is 1400 sq feet.



- 1 Ice Machine
- 2 Handwashing Sink
- 3 Prep Sink
- 4 Eat-in Dish machine
- 5 Triple Sink
- 6 Reach-In Freezer
- 7 Work Table
- 8 11x20 Prep Table
- 9 Small Ice Cream freezer
- 10 Prep Table
- 11 Fryer
- 12 8 Burner Stove
- 13 Double Convection
- 14 2 Over Back Bar Over
- 15 3 over back bar
- 16 Ice Bin
- 17 Eat-in Dish Washer
- 18 Triple Sink