

**THE CITY OF KEY WEST
PLANNING BOARD**



Staff Report

To: Chairman and Planning Board Members
Through: Taylor Brown, Planning Director
From: Ben Gagnon, Planner II
Meeting Date: February 19, 2026

Agenda Item: **Minor Development Plan – 1903-1905 Flagler Avenue (RE# 00045090-000000, RE# 00045110-000000) - A request for a minor development plan approval for redevelopment of two existing vacant lots to construct a plant and tree nursery including sales on a property located within the Limited Commercial (CL) zoning district pursuant to Sections 108-91 and 122-386 through 122-415 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Request: This application proposes a minor development plan and accompanying parking variance to redevelop a largely vacant parcel to a nursery and plant commercial business.

Applicant: SmithHawks PL

Property Owner: Sugar Apple Properties LLC

Location: 1903-1905 Flagler Avenue (RE# 00045090-000000, RE# 00045110-000000)

Zoning: Commercial Limited (CL)



Background and Analysis

The current site 11,525 square feet and consists of both 1903 Flagler Ave and 1905 Flagler Ave under common ownership. The proposal is for a plant and tree nursery including the sale of both with approximately 4,096 square feet of commercial use – as potted plants and trees. The only proposed structure on site is a shade structure that would allow rain to fall through but prevent high sun exposure to the plants. There is a 150 square foot concrete shed that exists on site, the shed will remain and be renovated to be used as an accessory to the business including a new ADA restroom.

While there is very little actual building coverage, Sec 122-386 states, “*The CL district shall accommodate limited commercial land uses with maximum gross floor area not exceeding 5,000 square feet, including total area both under roof and outside sales area*” therefore, planning took into account the entire outdoor sales area when it came to whether the project triggered development review and or a parking variance. Staff found that both were required. A conditional use is not required as a plant and tree nursery would fall under commercial retail – a permitted use in the CL district.

Pursuant to Section 108-572 of the Code, commercial uses are required to provide one parking space per 300 square feet of commercial floor area. The proposed 4,096-square-foot development requires 14 parking spaces. The applicant is proposing 9 automobile spaces and 4 bicycle parking spaces. The parking shortfall is the subject of a separate variance application and is not addressed or resolved through this Minor Development Plan review.

Proposed Development:

The site data table for the proposed development is shown below. All numbers are in Square Feet.

	Required	Existing	Proposed
Site Area		11,525	No change
Impervious Surface	60%	680 (5.9%)	1,027 (8.9%)
Building Coverage	40%	150 (1.3%)	4,246 (4096 of which is a shade structure) 36%
Open Space	20%	10,845 (94%)	10,498 (91%)
Front Setback	25'	N/A	25'
Side Setback	15'	N/A	15' (5' Accessory)
Rear Setback	25'	N/A	25' (5' Accessory)

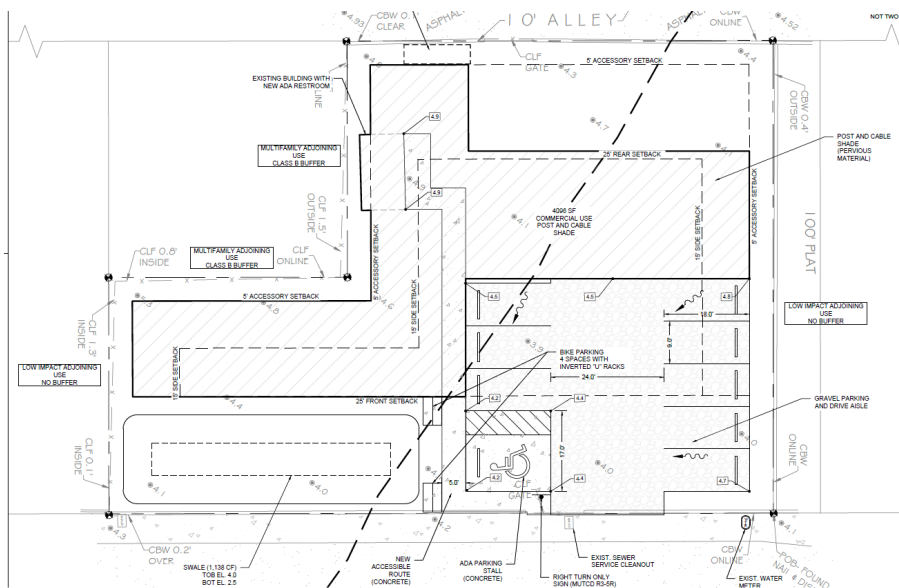
Shade Structure / Site Rendering



POST AND CABLE SHADE

PRELIMINARY - NOT FOR CONSTRUCTION

Proposed Site Plan, submitted by applicant.



Surrounding Zoning and Uses:

Single Family zoning is to the North, and Commercial Limited zoning district is on all other sides. To the north there are residential properties, and to the east south and west there are commercial properties and a school.

Process:

Development Review Committee:	November 20, 2025
Tree Commission Meeting (Conceptual landscape plan & tree removal approval):	January 20, 2026
Planning Board Meeting:	February 19, 2026
Tree Commission Meeting (Final landscape plan approval):	TBD
Local Appeal Period:	10 Days
Planning renders to DOC for review:	Up to 45 days

Landscaping (Code Chapter 108, Article VI)

The Tree commission minutes from January 20th show the following passed motions were made:

A motion was made by Commissioner Pope, seconded by Commissioner Cullen, to approve the Conceptual Landscape Plan and in accordance with Sec.110-327, to approve the removal of (1) Jamaican Dogwood tree, (1) Royal Poinciana tree, (1) Spanish Lime tree, (2) Strangler Fig trees, (2) Gumbo Limbo trees and (1) Barbados Cherry tree, at 1903 Flagler Avenue to be replaced with 51.7 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by a unanimous vote.

A second motion was made by Commissioner Pope, seconded by Commissioner Cullen, in accordance with Sec. 110-328(1) that the removal of the Sapodilla tree at 1903 Flagler Avenue be denied due to the species, size, champion tree status, historical importance and/or condition of the tree make it a unique or rare specimen. The motion passed by a unanimous vote.

Appropriate buffers as noted on the site plan shall be followed to stay in compliance with Chapter 108 of the code.

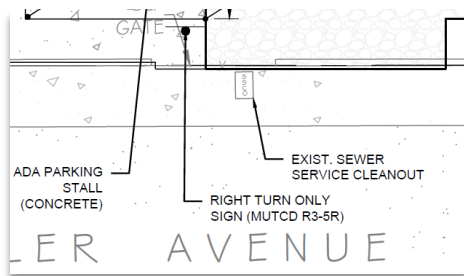
Concurrency Facilities and Other Utilities or Services (City Code Section 108-233)

Comprehensive Plan Objective 9-1.5 directs the City to ensure that public facilities and services needed to support development are available concurrent with the impacts of new development. The analysis considers potable water, sanitary sewer, solid waste, drainage, vehicle trip generation and recreation. City Code Section 94-36 requires a concurrency review determination to be made concerning the proposed development. Staff determined that public facilities are expected to accommodate the proposed development at the adopted level of service (LOS) standards. Staff find that the project meets the adopted level of service standards pursuant to Sec. 108-233

ANALYSIS

Staff have found that the proposed commercial use of the space as a tree and plant nursery including commercial sales of trees and plants is appropriate for the proposed site. The property complies with dimensional standards of the Commercial Limited zoning district and has passed conceptual landscape review at Tree Commission. The applicant has demonstrated that they have successfully cleared up any concerns from Tree, Utilities, and Multimodal. The proposal raises no concerns over exceeding the threshold of potable water, sanitary sewer, solid waste, drainage, vehicle trip generation, and recreation. The lot is currently vacant, and the proposed use will add a new small business to the city while not taking away open space or pervious surface to a large degree.

Due to the site's proximity to a major intersection, staff recommends, and the applicant has incorporated into the plans, the installation of a "Right Turn Only" sign at the project exit. This measure is intended to discourage left-turn movements that could introduce additional traffic conflicts within the roadway.



From Plans

RECOMMENDATION

As per Sec. 108-94. - Review by staff. - "Each application for development plan approval shall be reviewed by the city planner and transmitted to the development review committee and other staff as may be designated by the city planner based upon the type of development proposed. The city planner shall review each application for compliance with land development regulations."

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends to the Planning Board that the request for Minor Development Plan be **APPROVED** with the conditions listed below.

General conditions:

1. The proposed development shall be consistent with the plans dated January 13, 2026 by Allen E Perez. PE
2. The proposed development shall follow the conceptual landscape plan reviewed and approved by the Tree Commission on January 20th, 2026 and attached in the planning package prepared and signed by Rooted Exotics, LLC and dated December 1, 2025.

3. A Right-Turn-Only sign shall be installed on the property parking lot to direct existing vehicles to turn west towards Bertha and First Street. The sign shall be reviewed by City of Key West Multimodal Coordinator.
4. Bike racks style and placement shall be approved by the City of Key West Multimodal Coordinator.
5. All refuse containers shall conform with City of Key West rules and regulations. The applicant shall work with the building owner and/or tenant to screen the solid waste dumpsters from view daily, pursuant to City of Key West Land Development Regulations, Sec. 108-279.
6. The hours of construction shall follow City Code and be limited to 8 a.m. to 7 p.m. on Monday to Friday, and 9 a.m. to 5 p.m. on Saturday.
7. 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.