

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: April 16, 2026

Agenda Item: **Minor Development Plan & Conditional Use – 325 Duval Street, Rear (RE# 00004320-000000)** – A request for a minor development plan and conditional use approval to allow for the after-the-fact construction of an outdoor bar, live music space, and associated seating area located in the Historic Residential Commercial Core – 1 Duval Street Gulfside (HRCC-1) zoning district, pursuant to Sections 122-62, 122-688, and Section 108-91 of the Land Development Regulations of the City of Key West, Florida.

Request: This application requests approval of a Minor Development Plan to address after-the-fact improvements constructed without permits, currently subject to an open code enforcement case, including two tiki huts: one containing a full bar and the other functioning as a stage for live performers, as well as an open-air consumption area with seating.

The site plan has been deemed insufficient by staff, and the applicant is working with their engineer to produce more detailed plans – this is the basis of postponement.

Applicant: Smith Hawks, PL

Property Owner: Key West Hotel LLC

Location: 325 Duval Street (RE# 00004320-000000)

Zoning: Historic Residential Commercial Core – (HRCC-1)

Background and Analysis

The subject property, located at 325 Duval Street is improved with a hotel with 12 transient units. The property was allowed to serve alcohol within 300ft of a Church through PB Resolution 2024-015, and then allowed to serve through a moveable bar fronting Duval street through PB Resolution 2025-041 (conditional use) and PB Resolution 2025-040 (alcohol sales exception).

The proposed Minor Development Plan and Conditional Use is for a full Bar/Lounge use in the rear of the hotel, an open air space that used to be a small parking lot. The owner has constructed, without permits and is subject to an open code case, two tiki huts, one with a full bar underneath, and the other operating as a music stage for performers.

Section 108-91(B)(1)(c), of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that inside the Historic District, a Minor Development Plan is required for the *“addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities of 500 to 2,499 square feet”*

The after the fact request is to approve these structures along with the open consumption and seating areas and allow a bar use at 325 Duval Street. An accompanying parking variance has also been submitted for the additional commercial floor area, consumption area, and the reduction of preexisting parking.

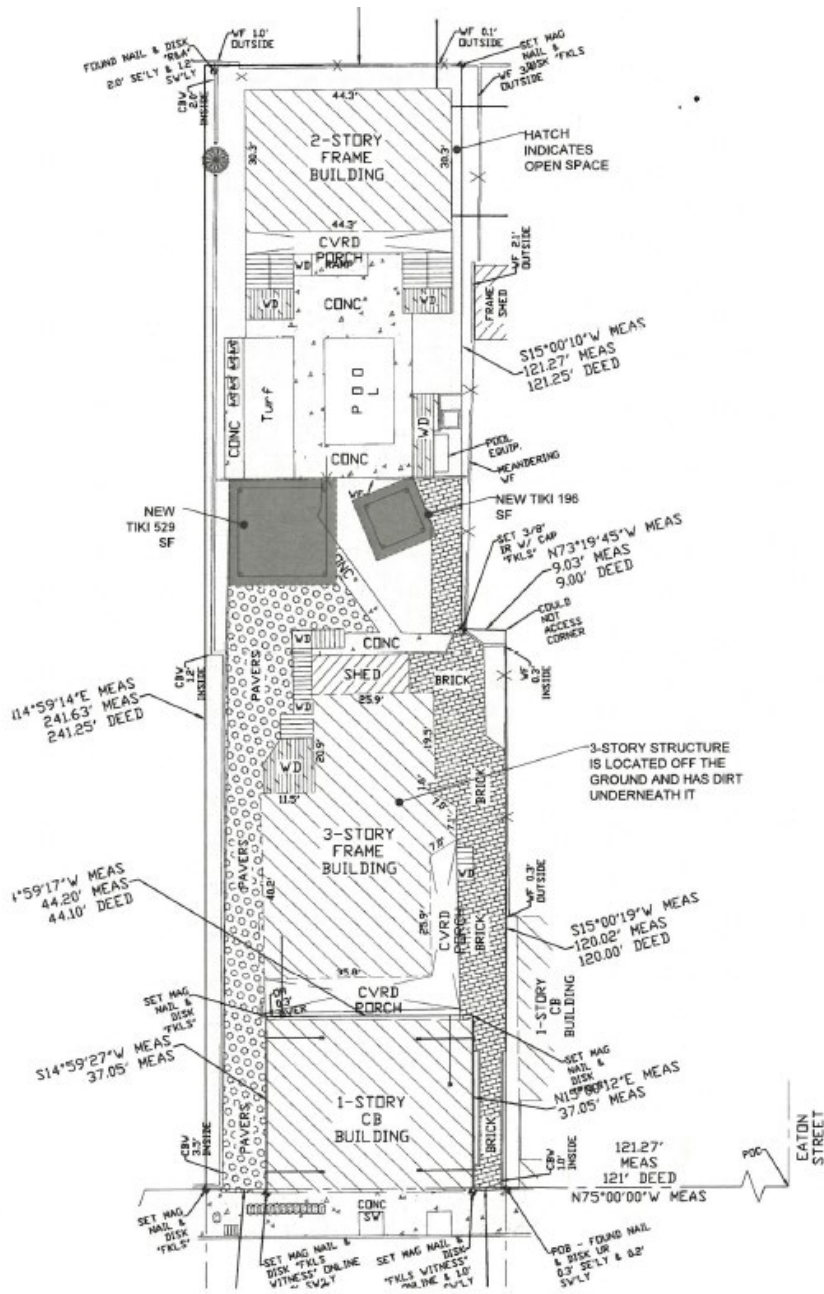
Planning has asked for a postponement until May as the plans in the package do not reflect in detail what is being requested. We have asked for a full area showing consumption area, seating, bar layout, and stage details.

Proposed Development:

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

	Required	Existing	Proposed
Site Area	4,000	12,771 sf	No Change
Impervious Surface	70%	7,725 (60.5%)	7,954 (62.3%)
Building Coverage	50%	4,762 (37.3%)	5,487 (43.0%)
Open Space	20%	2,586 (20.2%)	2,690 (21%)
Front Setback	0'	NA	92'-9" (From Bar)
Side Setback	2' 6"	NA	11' 5"
Side Setback	2' 6"	NA	11' 6"
Rear Setback	10'	NA	89' 3"

Proposed Site Plan, submitted by applicant.



PROPOSED SITE PLAN

SCALE: 1/16"=1'-0"

The site plan has been deemed insufficient by staff and the applicant is working with their engineer to produce more detailed plans – this is the basis of postponement.

Surrounding Zoning and Uses:

The surrounding uses are primarily commercial uses in the heart of Duval Street in downtown Key West.

Process:

Development Review Committee:	January 22, 2026
Tree Commission Meeting (Conceptual landscape plan & tree removal approval):	None required due to limited scope of landscaping work
Planning Board Meeting: Tree Commission Meeting (Final landscape plan approval):	April 16, 2026
Local Appeal Period:	TBD
Planning renders to DOC for review:	10 Days
	Up to 45 days

Landscaping (Code Chapter 108, Article VI)

The Urban Forester has confirmed that this project does not trigger the need to go in front of the Tree Commission, and the applicant has confirmed no palms or trees are being removed, all improvements or changes on site have already been made and no further are proposed.

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 finds that the project meets the adopted level of service standards pursuant to Sec. 108-233

Comprehensive Plan Consistency

Pursuant to Policy 1-1.1.8 *“The HRCC-1 zoning sub-district encompasses the Duval Street Gulf side tourist commercial core, which provides an intensely vibrant tourist commercial entertainment center characterized by specialty shops, sidewalk-oriented restaurants, lounges and bars with inviting live entertainment; and transient residential accommodations. The commercial entertainment center spans Duval Street generally from the Pier House Hotel south to Petronia Street, and is the most intense activity center in the historic commercial core.”*

The proposed consumption area and bar is located in the rear of the property – out of sight from pedestrians and muffles noise due to the setback from the street, the proposed is a conditional use and fits the nature of the zoning district well. The proposal is therefore consistent with the Comprehensive Plan policies supporting the vibrant tourist commercial entertainment center.

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 a Minor Development Plan be **POSTPONED** until further plans are provided.