

Ilze Aguila

From: Stuart <sfschaffer@gmail.com>
Sent: Saturday, August 8, 2020 12:38 PM
To: Cioffari-Cheryl <Cioffari-Cheryl@MonroeCounty-FL.Gov>
Cc: Schemper-Emily <Schemper-Emily@MonroeCounty-FL.Gov>
Subject: SH Marinas Zoning Change Proposal

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Hi, Cheryl. I wanted to share with you my reaction to the recent community meeting as well as the application with respect to the requested zoning change for SH Marinas on Stock Island from Mixed Use (MU) to Destination Resort (DR).

It seems pretty clear to me that the driving force behind the request is the ability to vacation rent attached dwelling units in DR. Only detached dwelling units can be vacation rented in MU. When I think about a project that includes a hotel plus attached vacation rental units, what I picture is simply an even larger hotel.

The other main potential benefits to the applicants of the zoning change relate to increased max net density in DR for both market rate dwelling units (18 units per buildable acre vs 12) and a hotel (25 rooms per buildable acre vs 15). I have no idea whether the applicants would have TDRs to be able to exceed allocated density. A final potential benefit would be that, for a hotel with 50 or more rooms, only a minor conditional use permit would be required (vs a major conditional use permit in MU).

I will leave to the residents of Stock Island to weigh in on whether this requested additional transient rental availability would be appropriate for Stock Island. My focus is on why the County would consider granting these valuable benefits to the applicant without getting something in return that would benefit the County and its residents. My specific focus is on affordable workforce housing and working waterfront.

1. Affordable workforce housing. I realize that the requested rezoning would bring with it a requirement to develop on site affordable housing for employees of the project with at least 10% of the hotel floor space. However, I will note that this affordable workforce housing requirement does not seem to take into account any of the floor space of the market rate vacation rental units. My view is that this rezoning should be conditioned on the development of a number of units on the parcel that would be sufficient to house at least all of the expected number of employees of the project, and in any case not less than a 10% of floor space requirement based on both hotel rooms and vacation rental units. Monroe County needs affordable workforce housing in or near the main employment centers of Key West and Stock Island. This project provides a great opportunity for adding more affordable workforce housing where it is needed. This housing should be on site, and not linked with any other project such as Wreckers

Cay. Wreckers Cay has already benefitted from the concessions granted through Goal 111 and the abandonment of portions of two County roads, as the price paid by the County for the development of a 280-unit affordable workforce housing project on Stock Island. If SH Marinas wants the benefit of increased transient units through a zoning change, it should be required to build affordable workforce housing units on site. I also believe that a significant percentage of the employee housing on the property should be for median and low income residents, as fits the profile of hotel employees.

2. Working waterfront. My understanding is that the property at issue currently hosts charter fishing boats. DR zoning would prohibit use of the property for commercial fishing, including charter fishing boats, which is permitted as a matter of right in MU. My view is that the benefits of DR zoning should be conditioned on the requirement that commercial fishing activities be preserved on site at their current or recent levels.

Several recent large projects in the Lower Keys have been granted zoning changes and/or other benefits by the County without sufficient quid pro quo for the County and its workforce. I would like to see County planning staff drive a harder bargain in the future.

Thanks for your consideration.

Stuart Schaffer
President, SSPOA
713.553.1977

08-12-20

Dear Planning Department,

While I did not speak at the SH Marinas 6000, LLC Community Meeting on Aug 6, I did listen in. During the discussion, the applicant implied that the up zoning of the property and subsequent development would not have any impact on traffic as the guests would be arriving via Key West Airport. I find that to be a very puzzling position to assume. The TDC Marketing Research Department spends about \$600,000 on research to gain insight into tourist behavior. Their most recent 2021 Marketing Plan reveals the primary mode of travel for overnight visitors to the Keys is by land-based transport. (77%).

It was also implied that the potential guests of the Destination Resort would not be leaving the property once they arrived. Again, I cite the TDC's research which found sightseeing ranks among the highest of visitor activities. As was brought up at the meeting, it would be quite unusual if once having arrived in Stock Island, visitors would not want to sightsee in Key West and other islands.

Further research disclosed the desire of many travelers to fly into an airport other than Key West and then drive the Scenic Highway to Key West. And in the age of COVID-19, the TDC will be targeting visitors that will drive to the Keys by promoting the campaign "the islands you can drive to".

Stock Island is already a highly congested island. The traffic along this segment of US 1 is problematic and there are already traffic backups especially during rush hour. Multiple developments have been approved on the Key West side of the island as well as the Monroe County side and when they are completed, the available reserve capacity of US 1 Segment 1 will most likely be exceeded.

The 2019 US 1 Arterial Travel Time and Delay Study shows that the overall LOS for the entire length of US1 has fallen from LOS C to LOS D, and there is no reserve capacity for additional trips. This is not a surprise to many who travel US 1 yet the county has not accepted the results. This has led to unrealistic expectations that up zoning and development, such as this one, will not generate even more congestion and traffic.

Development on Stock Island will have the ripple effect of added traffic in the rest of the Keys. Every vehicle from the mainland must drive through Key Largo and Islamorada (a LOS D/F segment of US 1) on its way to Stock Island. And every vehicle must exit through Key Largo/Islamorada to leave the Keys.

It is also quite curious that after listening to the BOCC agonize over the professed lack of workforce housing and the dire concerns for potential takings cases when there are no more ROGOs to distribute, that 131 market rate residential ROGOs will be transferred onto an up zoned Destination Resort property and apparently be used as transient units in the way of vacation rentals.

If the county wishes to resolve the traffic problem and housing problem, this zoning change and subsequent development does nothing to alleviate these concerns and will actually exacerbate them by creating more traffic and generating more demand for workforce housing by building yet another resort. The county has a moratorium on new transient units yet this proposal seems to be creating transient units. Why would the county establish a moratorium and then allow a means to sabotage that moratorium?

Many things about this proposed up zoning do not make any sense. The county's pronounced Keys-wide goals to limit takings cases, alleviate traffic congestion, halt the creation of new transient units, preserve working waterfront, ease the demand for workforce housing, and stop ignoring and neglecting the Stock Island residential community will be abandoned in an effort to accommodate a single property owner.

It is my understanding that the community meeting is suppose to be an opportunity for the applicant to explain their plans to the public and give the public an opportunity to learn about the project and reveal to the applicant any community concerns or perceived conflicts. It was very disappointing to have the representative for the applicant express total ignorance when asked questions about the project. The impression was given that the applicant did not care to share information with the public or hear what the public had to say.

Thank you for considering my comments. Please keep the residents of Stock Island in mind when reviewing and planning applications for Stock Island. They always seem to get the short end of the stick on these deals.

Dottie Moses

Aguila-Ilze

From: Schemper-Emily
Sent: Tuesday, August 25, 2020 9:43 AM
To: Beth Rodriguez
Cc: Aguila-Ilze; Cioffari-Cheryl
Subject: RE: Error in Yacht Club's Application to Rezone - FILE 2020-037

Thank you Ms. Rodriguez. We will be sure to review the details.

Emily Schemper, AICP, CFM
Senior Director of Planning & Environmental Resources
Monroe County | Planning & Environmental Resources Department
2798 Overseas Highway, Suite 400, Marathon, FL 33050
305.453.8772

From: Beth Rodriguez <ebethr1985@gmail.com>
Sent: Monday, August 24, 2020 9:35 PM
To: Schemper-Emily <Schemper-Emily@MonroeCounty-FL.Gov>; Cioffari-Cheryl <Cioffari-Cheryl@MonroeCounty-FL.Gov>
Subject: Error in Yacht Club's Application to Rezone

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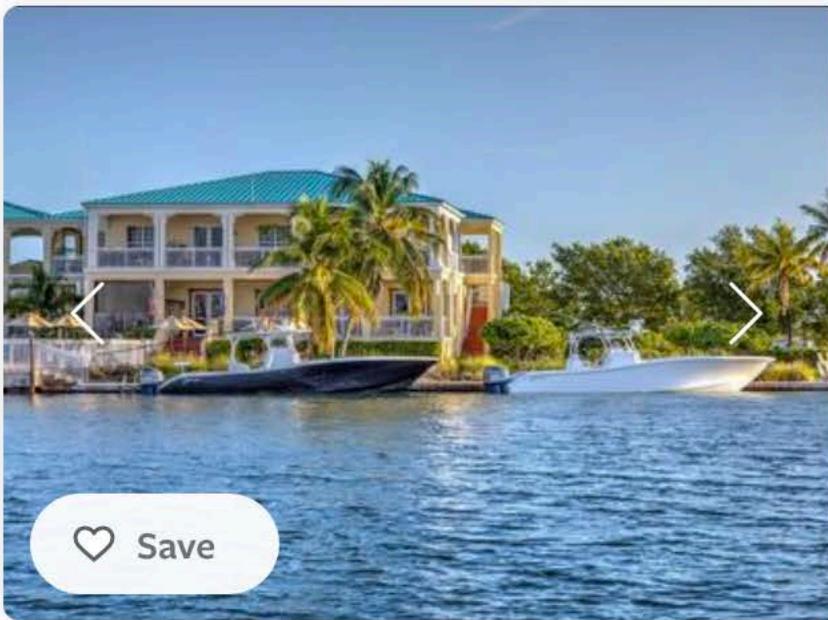
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Dear Ms. Schemper and Ms. Cioffari,

In Yacht Club's application to rezone, Bart Smith states that the property "currently has legally functioning detached vacation rentals." This is false, and I have a hard time believing this was a mistake and not done to deliberately deceive the county and the public. The property has three condos that are currently used as vacation rentals. See attached planning commission resolution P11-07 that allows for "three attached market-rate dwelling units". See also a photo of VRBO advertisements for the three condos that was taken yesterday.

I wanted to bring this to your attention in advance of the DRC meeting and urge you to carefully fact check anything put forward by Bart Smith.

Sincerely,
Beth Rodriguez



Free cancellation up to 30 days before check-in

Oceanfront Oasis Summ

Condo · 2 BA · 1 HF BA · Sleeps 6 · 1781 Sq. Ft.

Hot Tub

Kitchen

Parking

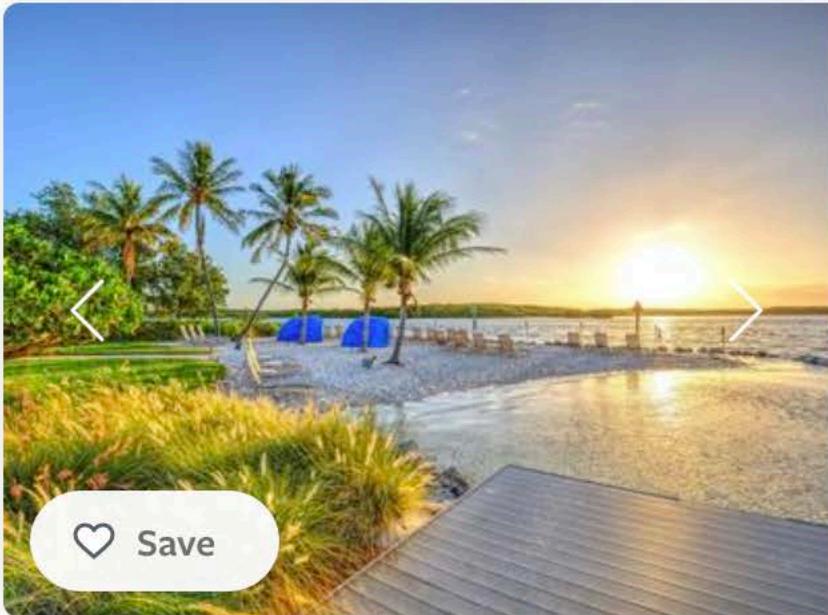
Patio

Internet

Linens and towels

★ 5.0 (1)

⚡ \$416 avg/night



Free cancellation up to 30 days before check-in

Oceanfront Oasis Summ

Condo · 2 BA · 1 HF BA · Sleeps 4 · 1781 Sq. Ft.

Premier Host

Kitchen

Parking

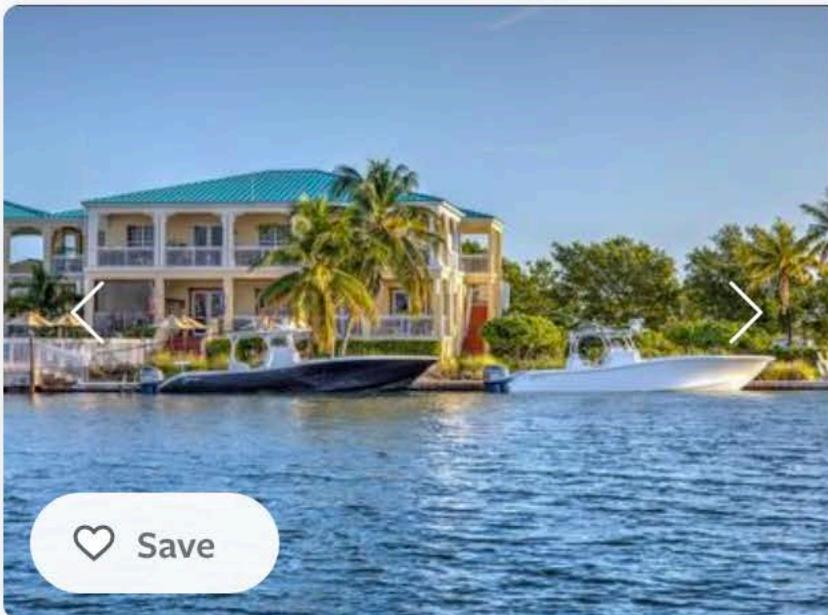
Patio

Internet

Linens and towels

★ 5.0 (4)

⚡ \$441 avg/night



Free cancellation up to 30 days before check-in

Oceanfront Oasis Summ

Condo · 2 BA · 1 HF BA · Sleeps 6 · 1781 Sq. Ft.

Hot Tub

Kitchen

Parking

Patio

Internet

Linens and towels

★ 5.0 (1)

⚡ \$424 avg/night

PLANNING COMMISSION RESOLUTION NO. P11-07

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION **APPROVING** THE REQUEST BY KEY WEST MARINA INVESTMENTS LLC FOR AN AMENDMENT TO A MAJOR CONDITIONAL USE PERMIT TO REDEVELOP THE EXISTING MARINA BY CONSTRUCTING THREE (3) BOAT BARNs, PROVIDING SPACE FOR APPROXIMATELY 475 DRY BOAT STORAGE RACKS; 100 WET SLIPS; ONE (1) MULTI-USE BUILDING CONTAINING A COMBINATION OF NON-RESIDENTIAL FLOOR AREA AND THREE (3) AFFORDABLE HOUSING DWELLING UNITS; ONE (1) CLUB HOUSE; AND THREE (3) ATTACHED MARKET-RATE DWELLING UNITS, AT PROPERTY LEGALLY DESCRIBED AS LOTS 5, 6 & 7, SQUARE 61, MALONEY SUBDIVISION, STOCK ISLAND, MONROE COUNTY, FLORIDA.

WHEREAS, during a regularly scheduled public meeting held on March 7, 2007, the Monroe County Planning Commission conducted a review and consideration of a request filed by Trepanier & Associates Inc, on behalf of Key West Marina Investments LLC, for an amendment to a major conditional use pursuant to Sections 9.5-69 and 9.5-248 of the Monroe County Code; and

WHEREAS, during a regularly scheduled meeting held on December 5, 2006, the Monroe County Development Review Committee conducted a review and consideration of the request for an amendment to a major conditional use pursuant to Sections 9.5-69 and 9.5-248 of the Monroe County Code; and

WHEREAS, the subject property is located at 6000 Peninsula Avenue, Stock Island, at approximate mile marker 5 and is legally described as lots 5, 6 and 7, Square 61, Stock Island, Monroe County, Florida, having Real Estate Numbers 00127470.000000; 00127480.000000 and 00127480.000100; and

WHEREAS, the Monroe County Planning Commission was presented with the following information, which by reference is hereby incorporated as part of the record of said hearing:

1. Amendment to a major conditional use application received by the Monroe County Planning & Environmental Resources Department on October 2, 2006; and
2. Revised amendment to a major conditional use application received by the Monroe County Planning & Environmental Resources Department on January 10, 2007; and
3. Site Plan (C-1) by Consulting Engineering and Science (CES), dated Dec. 5, 2006; and

4. Paving-Grading-Drainage Plan (C-2) by Consulting Engineering & Science (CES), dated December 5, 2006; and
5. Building Floor Plans (A2.1A, A2.1B, A2.2, A2.3, A2.4A, A2.4B, A2.4C & A2.5) by Fisher and Associates, dated September 29, 2006; and
6. Building Floor Plans (A2.6A & A2.6B) by Fisher and Associates, dated January 3, 2007; and
7. Building Elevations (A4.1A, A4.1B, A4.2, A4.3, A4.4A, A4.4B, A4.4C, A4.5A & A4.5B) by Fisher and Associates, dated September 29, 2006; and
8. Building Elevations (A4.6A & A4.6B) by Fisher and Associates, dated January 3, 2007; and
9. Landscape Plan and Plant List by Carl P. Gilley, not dated; and
10. Boundary Survey by Frederick H. Hildebrandt, dated January 1, 2007; and
11. Level III Traffic Study by Transport Analysis Professionals, Inc, dated December 2006; and
12. Staff report prepared by Joseph Haberman, Monroe County Planner, dated February 16, 2007; and
13. Sworn testimony of Monroe County Growth Management Division Staff; and
14. Sworn testimony of the Applicant and the general public; and

WHEREAS, the redevelopment proposal includes the construction of three (3) boat barns, which would provide space for up to 475 dry boat storage racks; one (1) multi-use building, which would contain a retail ship's store and three (3) affordable housing dwelling units; one (1) private club house; and three (3) attached market-rate dwelling units. No existing structures on the property will be retained; and

WHEREAS, the subject property is located in a Mixed Use (MU) Land Use District and has a Future Land Use Map (FLUM) designation of Mixed Use / Commercial (MC); and

WHEREAS, pursuant to Section 9.5-248 of the Monroe County Code, in the MU District, the redevelopment requires conditional use approval by the Monroe County Planning Commission; and

WHEREAS, the Applicant has also applied for a variance to the off-street parking requirements for the redevelopment; and

WHEREAS, the Monroe County Planning Commission makes the following Findings of Fact and Conclusions of Law:

1. Pursuant to Section 9.5-62 of the Monroe County Code, the Monroe County Planning Commission is authorized to approve applications for conditional use permits in accordance with the standards provided in Section 9.5-65; and
2. Section 9.5-65 of the Monroe County Code provides the standards which are applicable to all conditional uses. When considering applications for a

conditional use permit, the Monroe County Planning Commission shall consider the extent to which:

- (a) The conditional use is consistent with the purposes, goals, objectives and standards of the Monroe County Year 2010 Comprehensive Plan and Monroe County Code; and
 - (b) The conditional use is consistent with the community character of the immediate vicinity of the parcel proposed for development; and
 - (c) The design of the proposed development minimizes adverse effects, including visual impacts, or the proposed use on adjacent properties; and
 - (d) The proposed use will have an adverse effect on the value of surrounding properties; and
 - (e) The adequacy of public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and Medicare services, disaster preparedness program, drainage systems, refuse disposal, water and sewers, judged according to standards from and specifically modified by the public facilities capital improvements adopted in the annual report required by the Monroe County Code; and
 - (f) The Applicant for conditional use approval has the financial and technical capacity to complete the development as proposed and has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development; and
 - (g) The development will adversely affect a known archaeological, historical or cultural resource; and
 - (h) Public access to public beaches and other waterfront areas is preserved as a part of the proposed development; and
 - (i) The proposed use complies with all additional standards imposed on it by the particular provision of this chapter authorizing such use and by all other applicable requirements of the Monroe County Code; and
3. Staff found that the Applicant has demonstrated that all of the required standards shall be met and recommended approval of the amendment to a major conditional use application with conditions; and
 4. The Monroe County Development Review Committee found that the Applicant has demonstrated that all of the required standards shall be met and recommended approval of the amendment to a major conditional use application with conditions, recorded in Development Order No. 03-07; and
 5. The Monroe County Planning Commission found that the Applicant has demonstrated that all of the required standards have been met; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request by Key West Marina Investments LLC for an amendment to a major conditional use permit to redevelop the existing marina by constructing three (3) boat barns, providing space for approximately 475 dry boat storage racks; 100 wet slips; one (1) multi-use building containing a combination of non-residential floor area and three (3) affordable housing dwelling units; one (1) club house; and three (3) attached market-rate dwelling units, at property legally described as lots 5, 6 & 7, Square 61, Maloney Subdivision, Stock Island, Monroe County, Florida, subject to the following conditions:

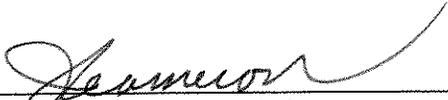
1. Prior to issuance of a Building Permit, the Applicant must submit revised landscaping plan that is consistent with the site plan to the Planning & Environmental Resources Department.
2. Prior to the issuance of a Building Permit, the Applicant must submit revised building elevations to the Planning & Environmental Resources Department that are consistent with the site plan and indicate that all proposed structures will be in compliance with Section 9.5-283 of the Monroe County Code.
3. Prior to the issuance of a Building Permit, the Applicant must submit a revised site plan or floor plans that show which areas within the boat barns and provide the total amount of floor area that will be designated for activities other than storage, such as boat repair.
4. The boat barns may only be used for the storage of boats and associated equipments. Retail sales will only be allowed if a Non-Residential Rate of Growth Ordinance (NROGO) allocation is received and the floor area ratio and the density requirements of the Monroe County Code permit the addition of commercial retail floor area.
5. The two required affordable housing units must be built either before or simultaneously with the three proposed market-rate units, in accordance with the provisions of Section 9.5-266(b) of the Monroe County Code.
6. Prior to the issuance of a Certificate of Occupancy, the Applicant shall collaborate with Monroe County to develop a public waterfront access point as proposed in the conditional use application.
7. Prior to the issuance of a Building Permit for its completion, the sixth dwelling unit must be acquired through the Residential Rate of Growth Ordinance (ROGO) allocation system.
8. Prior to the issuance of a Building Permit, the site plans shall be determined to be in compliance by the Building Department, the County Engineer, the Florida Department of Health and the Fire Marshal.

PASSED AND ADOPTED BY THE PLANNING COMMISSION of Monroe County, Florida, at a regular meeting held on the 7th day of March, 2007.

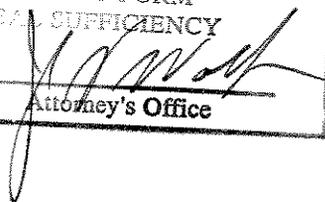
Chair Cameron	<u>YES</u>
Vice-Chair Wall	<u>YES</u>
Commissioner Cates Deal	<u>YES</u>
Commissioner Windle	<u>YES</u>
Commissioner Popham	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY


James Cameron, Chair

Signed this 7th day of March, 2007.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY 
Attorney's Office

MONROE COUNTY
OFFICIAL RECORDS

Aguila-Ilze

From: Dottie Moses <dpmoses@bellsouth.net>
Sent: Tuesday, April 6, 2021 6:16 PM
To: Stein-Bradley; Aguila-Ilze
Subject: SH Marinas 6000, LLC

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

Dear Planning Dept,

After watching the Community meeting for Key West Yacht Club aka as SH Marinas 6000, LLC I have several questions/comments.

The navy advised that this development is within their ACUZ area. Since market rate residential ROGOs are to be used to build out the resort, is that still considered residential even though the applicant claims they will be used as Vacation Rentals. Is there anything that would stop the owners from using them for employee housing or longer term use? Wouldn't the developer still be required to sound proof the units and meet the residential concerns of the navy?

There is a rumor running around that this resort will become a casino should state legislation allow it. What would the planning process be if this were to move Forward? A major development agreement? An amendment to the DA? Would a DR zone allow it?

Since the county is ever so worried about housing shortages and ROGO shortages, why would they allow the precious few residential ROGOs left in the system to be commandeered for transient use? Is this the best use of our residential ROGOs? It appears that developers have found a loop hole to get around the transient ROGO moratorium and the county is allowing it. How will we ever resolve our housing and employee shortages if we keep building more resorts?

Traffic traffic and more traffic will not be relieved by a water taxi. Employees, delivery services, and the many other services this resort will create a demand for, will not be using the water taxi.

How is the employee housing issue going to be addressed with this development?

Thank you,
Dottie Moses
Key Largo

[Sent from AT&T Yahoo Mail on Android](#)