

SMITH / HAWKS
ATTORNEYS AT LAW

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VIA EMAIL

September 3, 2024

Gary Moreira, Senior Property Manager
City of Key West
1300 White Street
Key West, FL 33040
E-mail: Gary.Moreira@cityofkeywest-fl.gov

RE: Request for Amendment to Key West Golf Course Ground Lease Agreement

Dear Gary:

We represent Key West Golf Club, LLC, a Florida limited liability company (“Lessee”) with respect to the Ground Lease Agreement dated June 5, 1981 (“Lease”) between Lessee’s predecessors-in-interest, as lessee, and the City of Key West, as lessor. Please accept this correspondence as Lessee’s request for an amendment to the Lease. The Lease amendment proposed is provided with this correspondence.

The property subject to the Lease is developed as a public golf course and has an address of 6450 College Road, Key West, FL 33040. To assist with the attraction and retention of groundskeepers and assistant golf professionals needed to operate a quality public golf course, Lessee identified an under-utilized storage and locker room area in an existing building that could be converted to two (2) studio apartments. Site plans (see Exhibit A) were prepared and submitted, and the project received BPAS allocations via Planning Board Resolution No. 2024-26 (see Exhibit B).

The purpose of the Lease amendment is to add an additional permitted use under the Lease to allow the apartments to be occupied by people employed in Monroe County if there is ever a situation where the apartments were not occupied by Golf Course employees. Please let me know of any questions.

Sincerely,



Anthony J. Davila

Cc: Ronald J. Ramsingh, City Attorney (r Ramsingh@cityofkeywest-fl.gov)
Todd Stoughton, Interim City Manager (tstoughton@cityofkeywest-fl.gov)

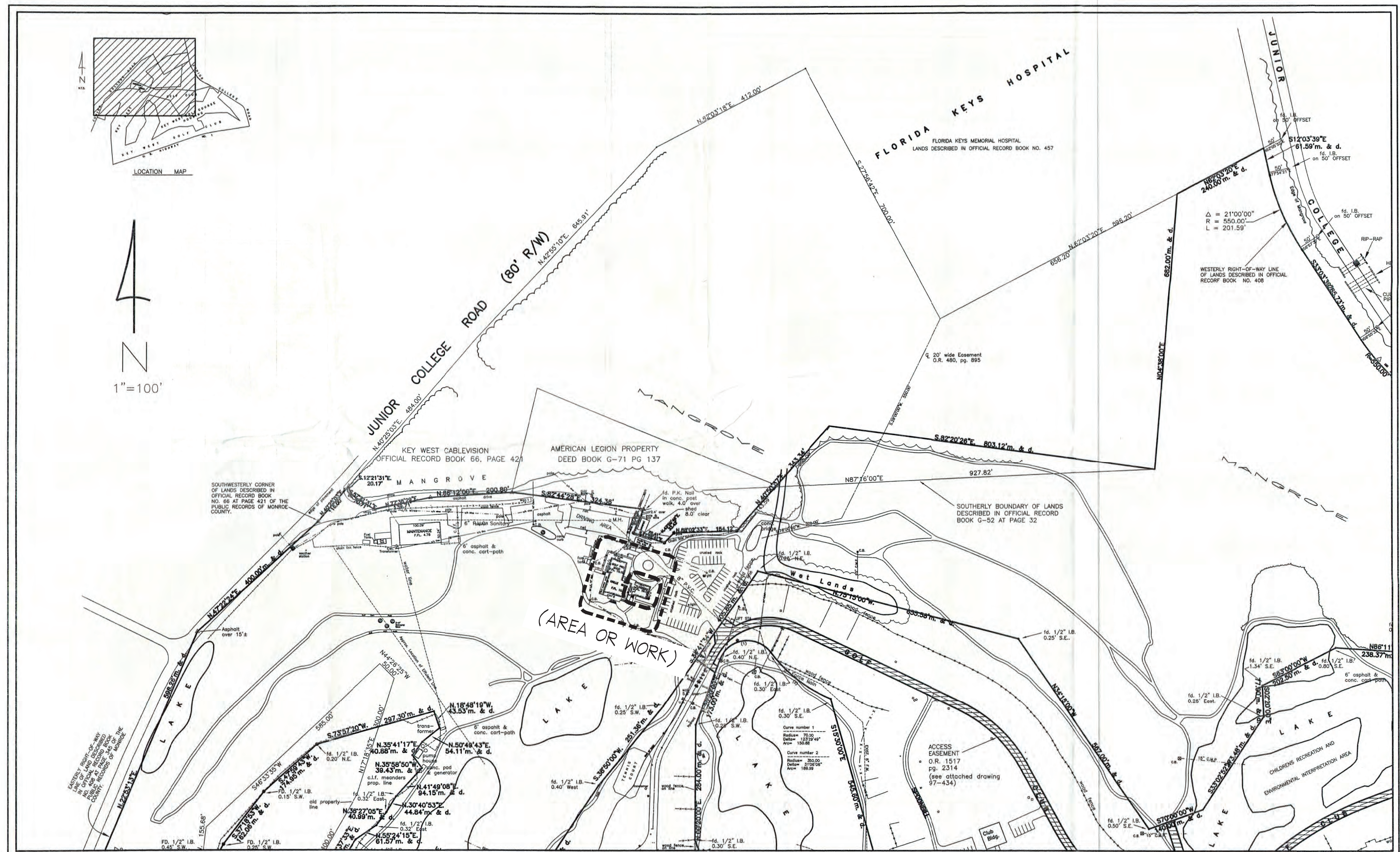
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Exhibit A

KEY WEST GOLF CLUB

Key West Florida 33040

SITE MAP - KEY WEST	PROJECT DIRECTORY	GENERAL NOTES																																																																																																																																																																																																	
<p style="text-align: center;">Not to Scale</p>	<p>PROJECT: KEY WEST GOLF CLUB ARCHITECT'S PROJECT No.: 2245</p> <p>CONTACT: Lesley Johnson Address: 6450 College Road Key West Florida, 33040</p> <p>Tel: -- Email: --</p> <p>ARCHITECT: BENDER & ASSOCIATES ARCHITECTS, P.A. Address: 410 Angela Street, Key West, FL 33040 Tel: (305) 296-1347 Fax: (305) 296-2727 E-mail: info@benderarchitects.com Architect: Haven Burkee Designer Associate: Ana Catalina Alvarez</p>	<ol style="list-style-type: none"> 1. All work shall comply with the Florida Building Code, latest edition, and all applicable laws, codes and ordinances of the City, County, and the State of Florida. In the City of Key West, applicable Codes forming the basis of this design and compliance requirements for the Contractor include: FLORIDA BUILDING CODE - Building 2020 EDITION FLORIDA BUILDING CODE - Existing 2020 EDITION FLORIDA BUILDING CODE - Residential 2020 EDITION FLORIDA BUILDING CODE - Plumbing 2020 EDITION FLORIDA BUILDING CODE - Fuel Gas 2020 EDITION FLORIDA BUILDING CODE - Mechanical 2020 EDITION FLORIDA BUILDING CODE - Energy Conservation 2020 EDITION NATIONAL ELECTRICAL CODE 2020 EDITION NFPA 101 LIFE SAFETY CODE w/ Florida Modifications 2006 EDITION FLORIDA FIRE PREVENTION CODE 2007 EDITION NFPA 1 2020 EDITION 2. This project is designed in accordance with A.S.C.E. 7-10 to resist wind loads of 180 mph (3 second gusts) and in accordance with ASCE 24-14 Flood Resistant Design and Construction. 3. Prior to submitting a bid, verify all existing conditions and dimensions on the jobsite, and also after award, but prior to the start of construction. 4. Contours and/or existing grades shown are approximate. Verify with field conditions. Final grading shall provide gradual slopes and grades. Slope all grades away from the building. Planting areas shall be graded with soil suitable for planting. Rock and debris will not be allowed. 5. Where discrepancies between drawings, specifications, and code requirements occur, adhere to the most stringent requirement. 6. Dimensions shall take precedence over scale. 7. All new utilities shall be underground. 8. Drawings and specifications are complementary. Refer to all sheets of drawings and applicable sections of the specifications for interfaces of work with related trades. 9. After completion of construction remove all debris and construction equipment. Restore site to original condition. 10. Notify owner of any possible artifacts uncovered during site grading and throughout the course of construction. 11. Furnish a receptacle on site to contain construction debris and maintain the site in an orderly manner to ensure public safety and prevent blowing debris. 12. Comply with all requirements for selective demolition as specified, shown on the Demolition Plan, or called for in the selective Demolition Notes. 																																																																																																																																																																																																	
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	<p>Project No. 2245</p> <p>SITE MAP KEY WEST PROJECT DIRECTORY GENERAL NOTES SYMBOLS LEGEND SHEET INDEX</p> <p>Date: 10/30/2023</p> <p style="font-size: 2em; text-align: center;">C</p> <p style="text-align: center;">OF</p>	<p>Project No. 2245</p> <p>SITE MAP KEY WEST PROJECT DIRECTORY GENERAL NOTES SYMBOLS LEGEND SHEET INDEX</p> <p>Date: 10/30/2023</p> <p style="font-size: 2em; text-align: center;">C</p> <p style="text-align: center;">OF</p>																																																																																																																																																																																																	



No.	Date	REVISIONS	Remarks
1	12/12/98	1	typo's revise legal description
2	11/10/99	1	typo's, C.B., Force main, Effluent line
3	12/10/10	1	Update

Sheet Description:
BOUNDARY SURVEY

Project:
 Gwenn H. Smith, W. Kent Fuller & Scott W. Wood
 Key West Golf Course
 Junior College Road, Key West, FL.

ISLAND SURVEYING INC.
 Engineers Planners Surveyors
 3152 Northside Drive, Key West, Florida 33040
 (305) 293-0466 Fax. (305) 293-0237
 fhiideb1@bellsouth.net L.B. No. 7700

Date: 12/3/98
 Designed: _____
 Drawn: F.H.H.
 Checked: _____
 Job. No. 10-382
 Sheet No. 1 of 5

I SURVEY
 S SCALE: N.T.S.



KEY WEST GOLF CLUB
 KEY WEST, FLORIDA



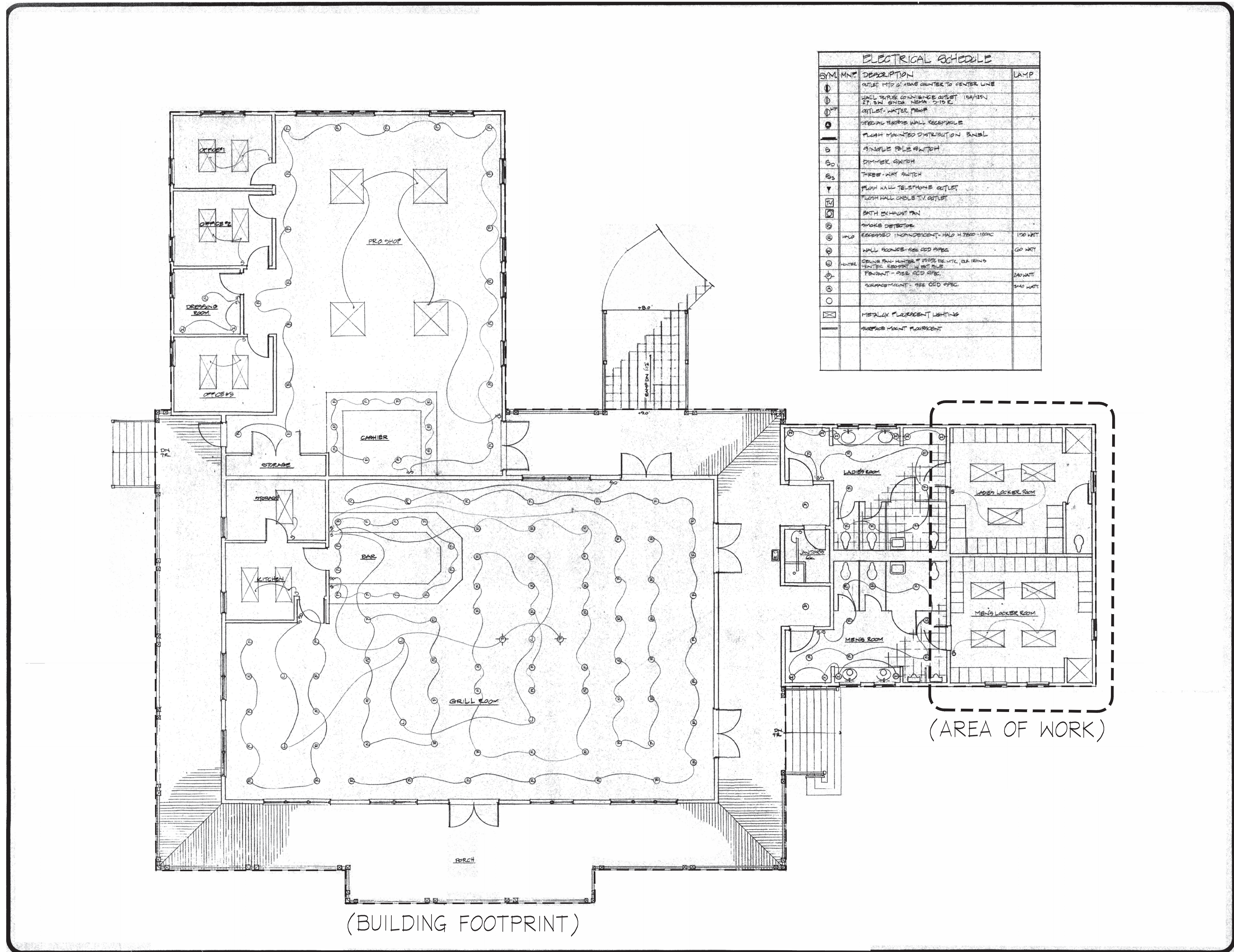
410 Angela Street
 Key West, Florida 33040
 Telephone (305) 296-1347
 Facsimile (305) 296-2727
 Florida License AAC002022

Bender & Associates
ARCHITECTS
 p.a.

Project No.: 2323

Date: 10/30/2023

S



ELECTRICAL SCHEDULE			
SYM.	MNT.	DESCRIPTION	LAMP
⊕		OUTLET 110V 20 AMP CENTER TO CENTER LINE	
⊕		SMALL THREE CO. UNIDIRECTIONAL OUTLET 15 AMP/120V 2T. SW. GND. NEMA 2-T0-E	
⊕		OUTLET - WATER PUMP	
⊕		RECORDING METER WALL RECEPTACLE	
⊕		FLOOR MOUNTED DISTRIBUTION PANEL	
⊕		SINGLE POLE SWITCH	
⊕		DIMMER SWITCH	
⊕		THREE-WAY SWITCH	
⊕		FLOOR WALL TELEPHONE OUTLET	
⊕		FLOOR WALL CABLE TV OUTLET	
⊕		BATH EXHAUST FAN	
⊕		SMOKE DETECTOR	
⊕		ESCAPED INDEPENDENT - HALO 4 THERM - 100W	100 WAT
⊕		WALL RECESSED - 600 CED SPEC	60 WAT
⊕		CEILING PANEL - HETEROGENEOUS - 4' X 4' - 100 WAT	100 WAT
⊕		POUNCE - 600 CED SPEC	60 WAT
⊕		RECESSED - 600 CED SPEC	60 WAT
⊕		MISTLECK FLUORESCENT LIGHTING	
⊕		AVERTAGE MOUNT FLUORESCENT	

KEY WEST GOLF CLUB
KEY WEST, FLORIDA

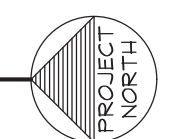


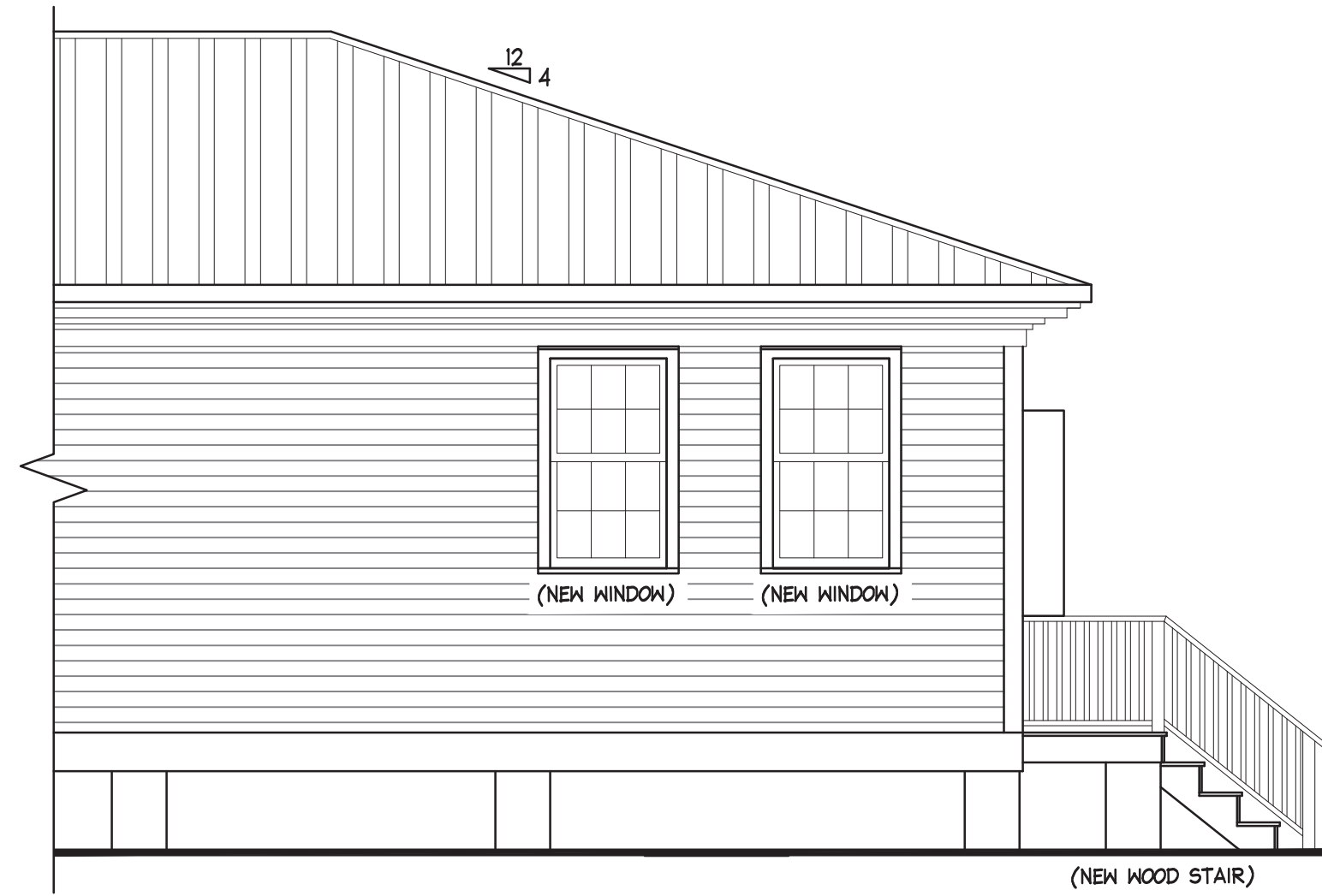
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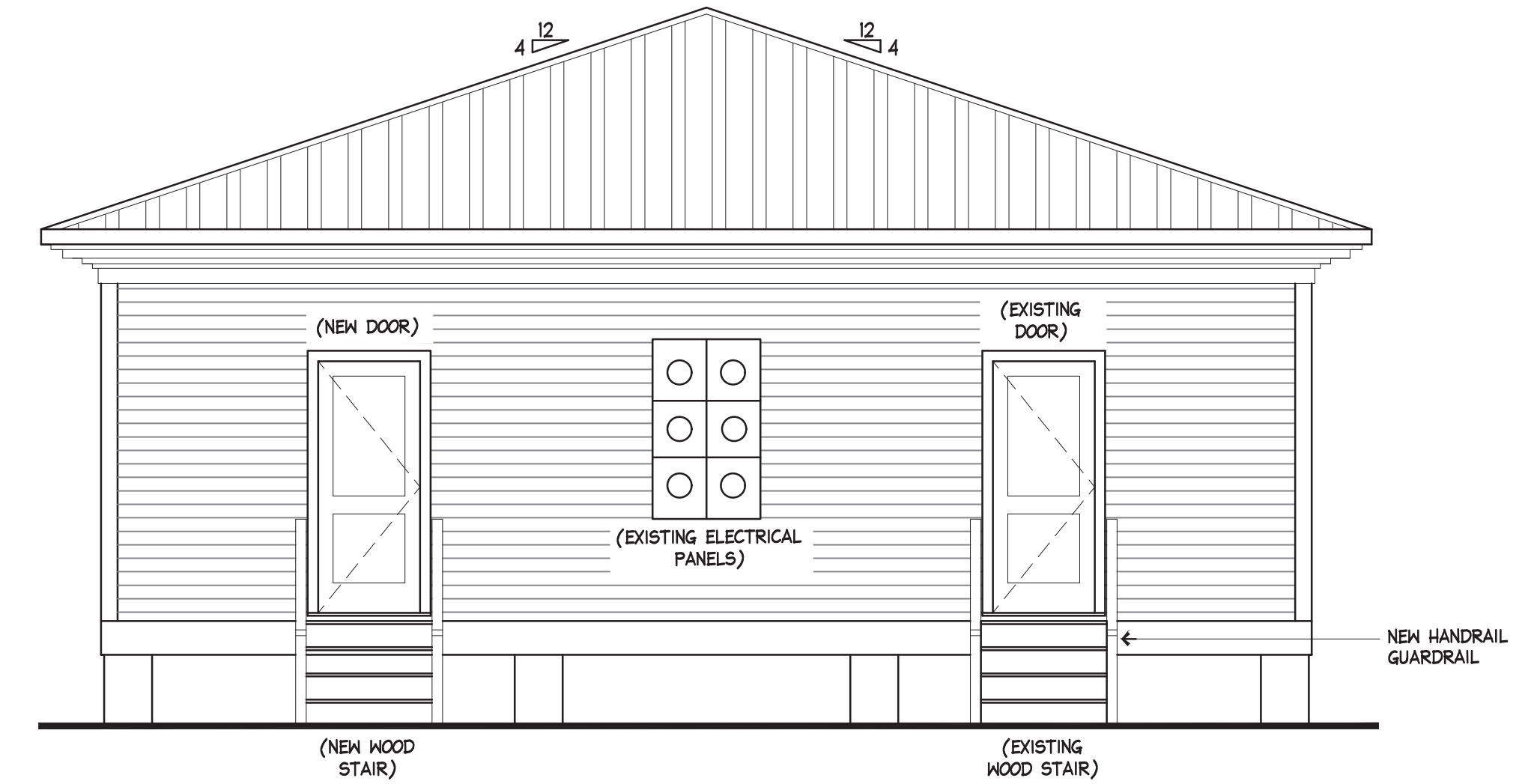
Project No: 2823
Date: 10/30/2023

A0

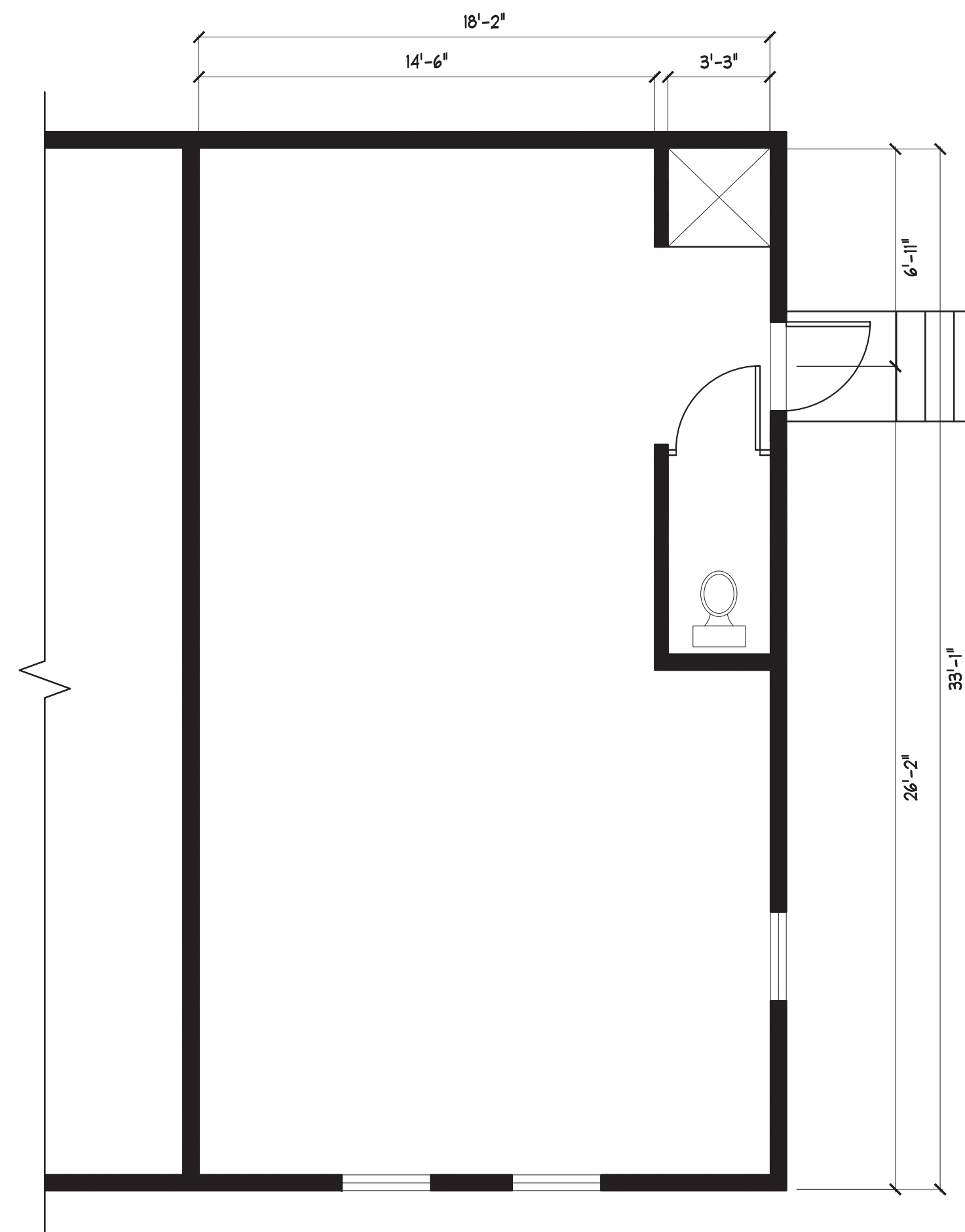




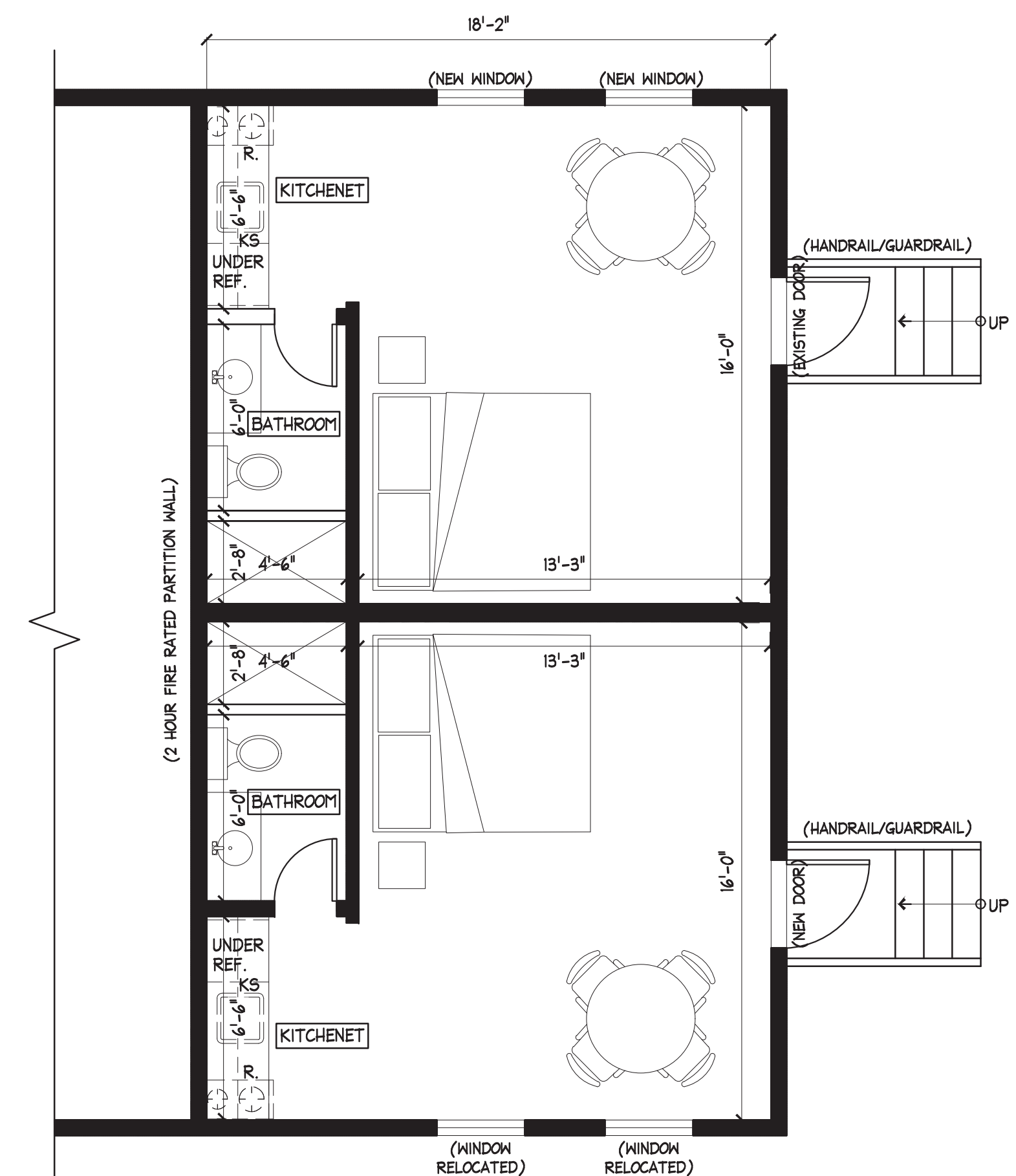
4 PROPOSED SOUTH ELEVATION (NORTH SIMILAR)
A1 SCALE: 1/4"=1'-0"



3 PROPOSED EAST ELEVATION
A1 SCALE: 1/4"=1'-0"

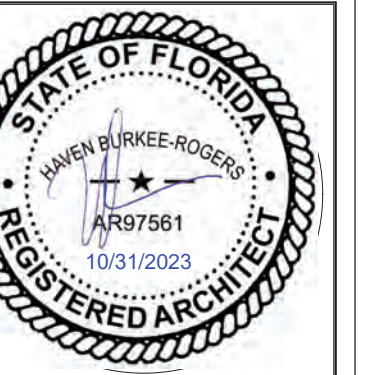


2 EXISTING FLOOR PLAN
A1 SCALE: 1/4"=1'-0"



1 PROPOSED FLOOR PLAN
A1 SCALE: 1/4"=1'-0"

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Project No: 2823

Date: 10/30/2023

A1

PLUMBING FIXTURE SCHEDULE

NOTES: CONTRACTOR TO INSTALL ALL OWNER PROVIDED FIXTURES. PLUMBING CONTRACTOR TO PROVIDED REQ'D VALVES.

MARK	FIXTURE	MFR./CATALOG NO.	REMARKS
S-1	SHOWER VALV	(SEE RESIDENTIAL WATER USAGE CALCULATIONS)	-
S-1	SHOWER HEAD	(SEE RESIDENTIAL WATER USAGE CALCULATIONS)	-
LAV-1	UNDERMOUNT SINK	(SEE RESIDENTIAL WATER USAGE CALCULATIONS)	-
WC-1	WATER CLOSET	(SEE RESIDENTIAL WATER USAGE CALCULATIONS)	-
KS	KITCHEN SINK	(SEE RESIDENTIAL WATER USAGE CALCULATIONS)	-

APPLIANCE SCHEDULE (CONFIRM ALL SELECTION W/ OWNER PRIOR TO ORDERING)

MARK	APPLIANCE	MANUFACTURER	MODEL	DIMENSIONS			COLOR	REMARKS
				H	W	D		
UNDER CONT.	UNDER COUNTER REFRIGERATOR							ALL APPLIANCES SELECTED BY OWNER
CT	COOKTOP							
MW	MICROWAVE/FAN COMBO							
GD-1	GARBAGE DISPOSAL							

NOTE: CONTRACTOR TO INCLUDE INSTALLATION COSTS OF ALL APPLIANCES. INCLUDING COORDINATION WITH SUB- CONTRACTORS.

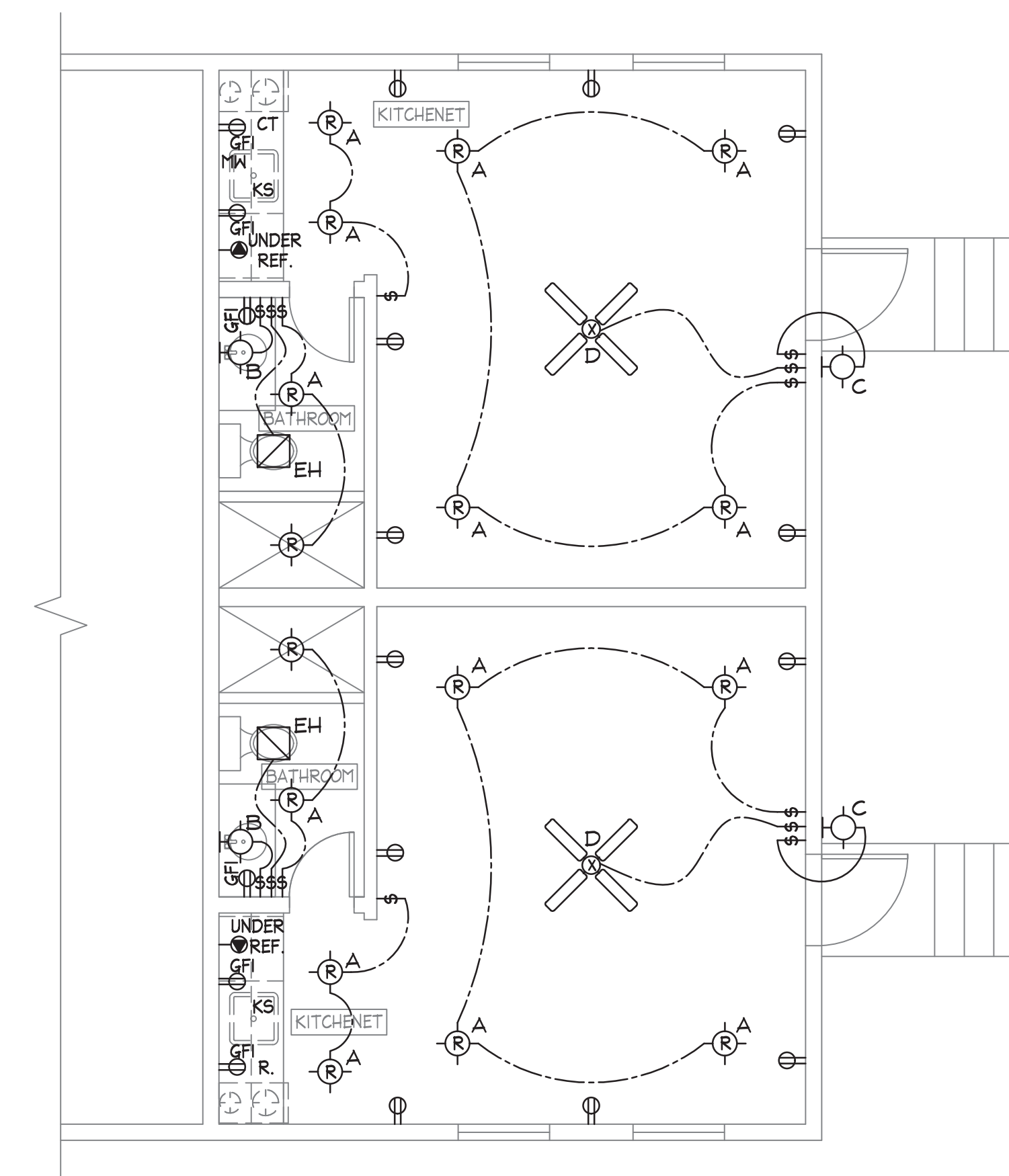
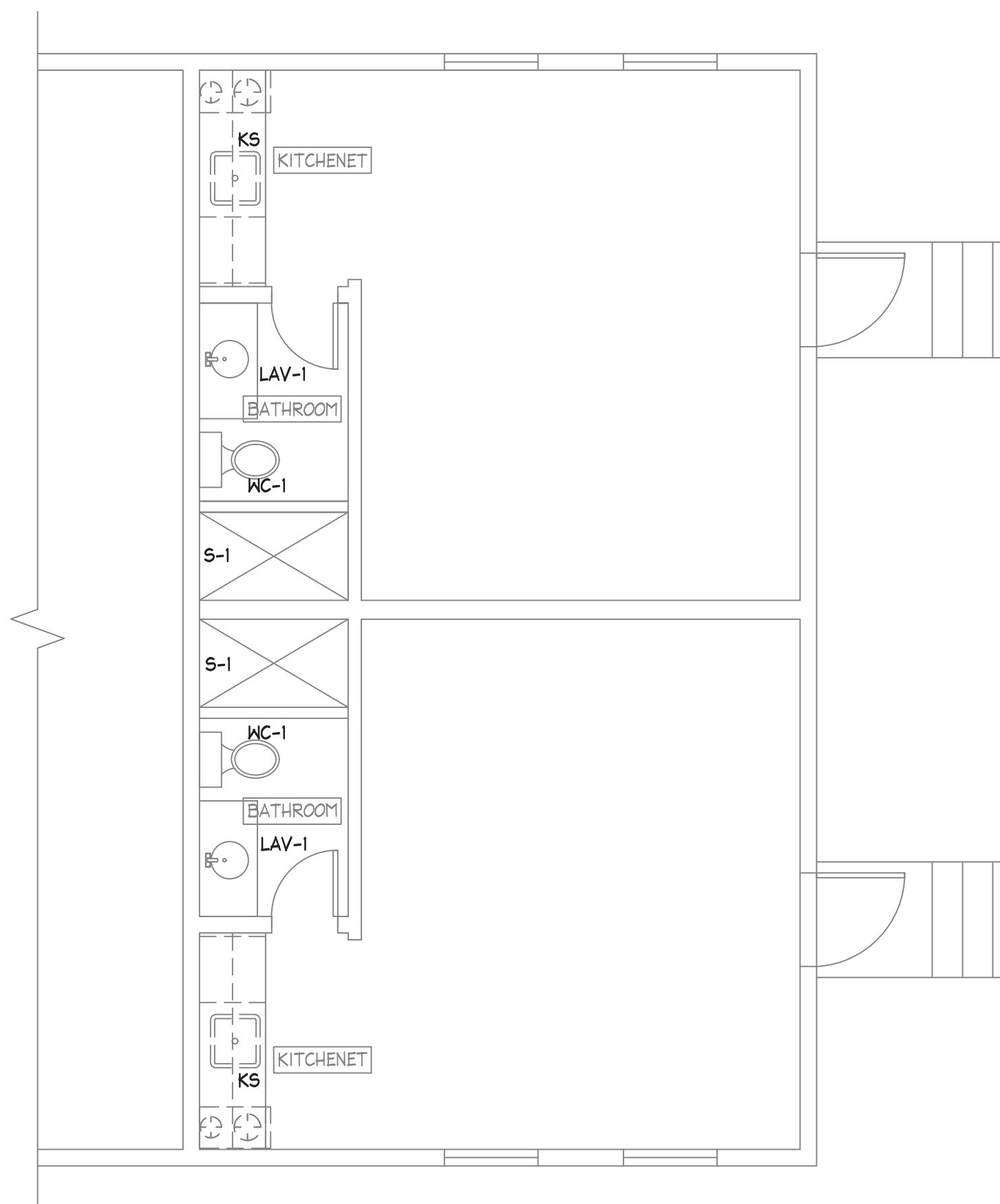
NOTES:

- REFER TO CUT SHEETS FOR ELECTRICAL, VENTILATION AND PLUMBING REQUIREMENTS.
- CONTRACTOR TO PROVIDE AND INSTALL ALL ELECTRICAL, VENTILATION AND PLUMBING CONNECTIONS AS REQUIRED FOR COMPLETE FUNCTIONAL SYSTEMS.
- ASSUME NOTHING. IF YOU HAVE ANY QUESTIONS ABOUT OWNER PREFERENCES FOR THE STYLE, SIZE, COLOR, WIDTH, ETC. ETC. OF ANY OF THESE APPLIANCES CONSULT WITH OWNER.
- CONFIRM ALL APPLIANCES WITH OWNER BEFORE PURCHASE.

LIGHTING FIXTURE SCHEDULE

CONFIRM SELECTIONS WITH OWNER / ARCHITECT PRIOR TO ORDERING.

TYPE	DESCRIPTION	MANUFACTURER AND CATALOG NUMBER	LAMPS	REMARKS
A	RECESSED LED	OWNER SELECTED		
B	BATHROOM WALL MOUNTED	OWNER SELECTED		
C	EXTERIOR WALL MOUNTED	OWNER SELECTED		
D	CEILING FAN (INTERIOR)	OWNER SELECTED		
EH	EXHAUST FAN	OWNER SELECTED		



2 PROPOSED PLUMBING PLAN
A2 SCALE: 1/4"=1'-0"

1 PROPOSED ELECTRICAL & POWER PLAN
A2 SCALE: 1/4"=1'-0"



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KEY WEST, FLORIDA



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Bender & Associates
ARCHITECTS
p.a.

Project No: 2823

Date: 10/30/2023

A2

Exhibit B

PLANNING BOARD RESOLUTION NO. 2024 -26

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD APPROVING BUILDING PERMIT ALLOCATION SYSTEM (BPAS) RANKINGS AND MAKING THE FINAL DETERMINATION OF AWARD FOR YEAR 11 BUILDING PERMIT ALLOCATION SYSTEM (BPAS) APPLICATIONS PURSUANT TO SECTIONS 108-995 AND 108-997 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.

WHEREAS, the City of Key West, Florida, (the “City”) adopted Ordinance No.13-19, which became effective on February 27, 2014, establishing a Building Permit Allocation System (“BPAS”) in order to limit the amount of new permanent and transient residential development in the City pursuant to Objective 1-1.16 of the Comprehensive Plan; and

WHEREAS, the BPAS is now codified in Chapter 108, article X of the Land Development Regulations (“LDRs”) of the Code of Ordinances (the “Code”); and

WHEREAS, City Code Section 108-995 identifies the annual amount of residential development that may be allocated by housing type (affordable and market rate) using the Equivalent Single-Family Unit (“ESFU”) Factors of City Code Section 108-994; and

WHEREAS, BPAS awards are independent of additional approvals that may be required from the Tree Commission, Historic Architectural Review Board, the Planning Board, City Commission and pursuant to the Land Development Regulations; and

WHEREAS, for Year 11 (July 1, 2023 - June 30, 2024), a maximum of 212.40 units were available for allocation and a minimum of 75% of those awarded must be affordable; and

WHEREAS, on June 20, 2024, the Planning Board conducted a public hearing regarding

 Chairman

 Planning Director

the BPAS rankings and Final Determination of Award for Year 11 applications; and

WHEREAS, the Planning Board desires to approve the rankings and make the Final Determination of Award for Year 11.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends to the Planning Board APPROVAL of the final Year 11 BPAS rankings, the award of fifty-three (53) market-rate housing units, and one hundred and fifty-nine (159) affordable-rate housing units with the following conditions:

1. 2709 Staples Avenue submitted for two levels of affordable housing but are only proposing one unit. The applicant has indicated that they are going to be deed restricting the unit to median affordability.
2. 3400 Duck Ave has requested 54 affordable rate units and shall deed restrict thirteen (13) units at median affordable income level and forty-one (41) units at moderate affordable income level as stated in their certification.

Section 3. The Planning Board approves the attached rankings and makes its Final Determination and award of fifty-three (53) market-rate housing units, and one hundred and fifty-nine (159) affordable-rate housing units:

 Chairman
 Planning Director

Market-Rate:

- Fourteen (14) units with 1.00 ESFU to 201 Front Street with 100 points
- Four (4) units with 1.00 ESFU to 638 United Street with 87 points
- Three (3) units with 1.00 ESFU to 1817 Staples Avenue with 87 points
- Four (4) units with 1.00 ESFU to 3228 Flagler Avenue with 87 points
- Twenty-Four (24) units with 1.00 ESFU to 1213 14th Street 80 points.
- One (1) unit with 1.00 ESFU to 1409 United Street with 45 points.
- One (1) unit with 1.00 ESFU to 916 Pohalski Avenue With 25 points.
- Two (2) units with 1.00 ESFU to 6450 College Road with 15 points

Affordable-Rate:

- Fifty-Four (54) units with 1.00 ESFU to 3400 Duck Ave with 105 points
- Four (4) units with 1.00 ESFU to 3228 Flagler Avenue with 87 points
- Thirteen (13) units with 1.00 ESFU to 3101 North Roosevelt Boulevard with 95 points
- Eighty-Four (84) units with 1.00 ESFU to 1213 14th Street 80 points.
- One (1) unit with 0.78 ESFU to 2709 Staples Avenue with 55 points.
- One (1) unit with 0.78 ESFU to 3504 Duck Avenue with 45 points.
- One (1) unit with 1.00 ESFU to 1110 Truman Avenue with 30 points.
- One (1) unit with 1.00 ESFU to 920 Virginia Street with 5 points.

Section 3. This Resolution shall go into effect immediately upon the beginning of the

 Chairman

 Planning Director

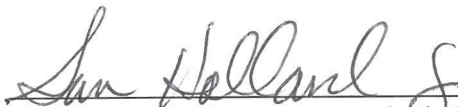
appeal period.

General Conditions:

1. 2709 Staples Avenue submitted for two levels of affordable housing but are only proposing one unit. The applicant has indicated that they are going to be deed restricting the unit to median affordability.
2. 3400 Duck Ave has requested 54 affordable rate units and shall deed restrict thirteen (13) units at median affordable income level and forty-one (41) units at moderate affordable income level as stated in their certification.

Read and passed on second reading at a regularly scheduled meeting held this 20th day of June, 2024.

Authenticated by the Chairman of the Planning Board and the Planning Director;




Sam Holland, Planning Board Chair

7/10/24

Date

Attest:

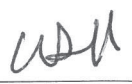


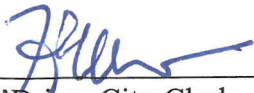
Katie R. Halloran, Planning Director

7/9/2024

Date

Filed with the Clerk:

 Chairman
 Planning Director



Keri O'Brien, City Clerk

7/10/2024

Date



Chairman



Planning Director