

Kevin Bond

From: Gonzalez, Tracey T.
Sent: Thursday, July 17, 2014 4:31 PM
To: kbond@keywestcity.com
Cc: Angelica Cortinas; daveandaralynn@gmail.com; Rho123@comcast.net; rebaraguso@msn.com; vicki816eyw@att.net; peternautek@aol.com; angel.gonzalez@tvguidemagazine.com; stvelisadigs@aol.com; areinking@aol.com; jamesdibiasio@comcast.net; rachapuis@msn.com; darlenedv@gmail.com; kede12@gmail.com; ldibiasio@comcast.net; drconcrete67@gmail.com; WPBahlke@aol.com; paul.hazlett@mergent.com; d.keller79@yahoo.com; janinekeller14@gmail.com
Subject: Proposed Development of the Seashell Motel & Youth Hostel
Attachments: Proposed Design.pdf; Seashell Motel - HARC.docx

Dear Mr. Bond:

Attached please find comments by the residents of Southpark Condominiums, located at 804 through 816 South Street, Key West, regarding the proposed redevelopment of our neighbor, the Seashell Motel & Youth Hostel. We understand that this issue is on tonight's planning board agenda and would appreciate the attached comments being read into the meeting minutes, particularly as many of residents did not receive the required notice in the mail. We appreciate your kind attention to this matter.

Best regards,
Tracey Topper Gonzalez, Esq.

Tracey Topper Gonzalez, Esq.
Associate

GDLSK

**GRUNFELD | DESIDERIO | LEBOWITZ
SILVERMAN & KLESTADT LLP**
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06/24/14

TREPANIER



& ASSOCIATES INC.

1000 W. UNIVERSITY BLVD.
SUITE 200
TALLahasSEE, FL 32310

Dear Neighbor of the Seashell Motel & Youth Hostel,

Trepanier & Associates is assisting the Soni family to amend the existing development approval for the Seashell Motel & Youth Hostel. As you may know, Sea Shell Motel & Youth Hostel received approval to redevelop the site as 17 hotel units, each with cooking facilities. The motel was recently sold to the Soni family under South Street Hospitality, LLC. The Soni's would like to amend the approved design to reduce the size of the building from three stories to two, improve the parking design, expand the landscaping area, reduce impervious surface, increase stormwater retention and incorporate green-technology to gain approval as a *Florida Green Lodging* property

The existing and the proposed conceptual drawings are attached. If you have an opportunity to review the plans and have any questions please don't hesitate to call me at 305-293-8983. We'd be happy to discuss the plans and/or meet you on site, if you would like. You may also want to contact the property owner, Ashish Soni, at 305-394-2923, or the project architect, Bill Horn, at 305-296-8302.

Best regards,

Lori Thompson
Research and Development

Elevations of Existing and Proposed Design

Existing Approved Design



Proposed Design



Southpark Condominium Association
804-816 South Street
Key West, FL 33040

July 17, 2014

VIA EMAIL: kbond@keywestcity.com

Mr. Kevin Bond
AICP, LEED Green Associate
City of Key West Planning and Zoning Services
3140 Flagler Ave
Key West, FL 33040

Dear Mr. Bond:

We are writing in response to the attached letter from Trepanier & Associates of June 24, 2014, seeking comments on the proposed redesign of our neighbor, the Seashell Motel & Youth Hostel.

After reviewing both the existing approved design and the new, proposed design, it is immediately apparent that the new design is glaringly out of step with the prevailing architectural style in Key West – a style that the Key West Historic Architectural Review Commission (HARC) has fought so hard to preserve. With its stark, all-white façade, this design is far more appropriate in a city like Miami than in Key West, particularly as Key West is famed for its historic Conch architecture. As you know, that style is typically constructed of wood and is characterized by horizontal clapboarding, low gabled roofs, balconies, and double-hung sash windows – features that are nowhere to be found on the proposed redesign of the Seashell Motel. In addition, we feel that the proposed design looks more like an office building than a hotel, an impression that is reinforced by what appear to be large solar panels fronting the building. Overall, it is our opinion that the building is simply too “Miami” to blend easily into the existing neighborhood.

Even more disturbingly, it appears that the “amended” design is nothing more than an attempt to convert an existing plan approval into something that no one who approved the existing plan could have envisioned (or would have approved) – a stark, white, modern building in lieu of the Conch-style building that was originally approved. While we very much appreciate certain aspects of the redesign (the reduced height of the building, the increased amount of landscaping, and the various green-technology initiatives), we overwhelmingly prefer the existing approved design. With its dormers, balconies, and classic wood siding, the original design is much more in keeping with the Conch style of architecture so prevalent throughout Key West. Indeed, even redesigning the hotel in a Mediterranean or Spanish style, similar to that of the nearby Casa Marina resort, would allow the developer to still build an elegant, upscale hotel without compromising the Key West aesthetic.

In sum, we sincerely hope that the HARC will withhold its approval of the amended design plan for the Seashell Motel and require that any proposed redesign be more in keeping with the

Conch-style architecture that visitors to Key West expect, and that residents of Key West treasure.

Should you have any questions, please feel free to contact Tracey Topper Gonzalez at (917) 407-5338 or at tgonzalez@gdlsk.com.

Best regards,

Tracey Topper Gonzalez, Esq., 804 South Street #2

/s/ Angel T. Gonzalez, Jr., 804 South Street #2

/s/ Dave and Janine Keller, 808 South Street #3

/s/ Bill and Meda Bahlke, 804 South Street #4

/s/ Rebecca Raguso, 816 South Street #2

/s/ Stace Valenzuela, 812 South Street #2

/s/ Adam Chapuis – 812 South Street #1

/s/ Darlene and Ed DeVault, 808 South Street #2

/s/ Angelica Cortinas, 816 South Street #3

/s/ Linda and Jim DiBiasio, 804 South Street #3

David Zensinger
Owner, 807 Washington Street, #101
Key West, FL 33040

August 4, 2014

Trepanier & Associates, Inc
P.O. Box 2155
Key West, FL 33045-2155

Dear Owen,

The meeting at the Seashell Motel on Tuesday, July 29 was helpful and informative. Thank you for organizing it. I wish to reiterate the comment I made to you at that meeting in which I requested a 10 foot landscaping buffer on both South Street and William Street.

As mentioned, the 807 to 811 Washington Street development which was approved in 2005 and completed in 2007 is directly across William Street from the Seashell Motel. It is therefore appropriate that the Seashell Motel development project should be accomplished in a manner consistent with this adjacent and recently completed development. In 2005 when the Washington Street development was approved it was required to provide a 10 foot landscaping buffer. Attached is the relevant section from the February 4, 2005 Planning Staff Analysis memo to the Planning Department in which the 10 foot street frontage landscaping buffer was recommended (lines 27 and 28). As you know, that landscaping buffer was ultimately required of the project on both the Washington Street frontage and the William Street frontage and was installed. I would like to see this same 10 foot landscaping buffer standard applied to the Seashell Motel development.

You are the expert but my reading of "Sec. 108-413(b). Requirement along street frontage" indicates that the minimum standard for landscaping along the street for a development less than a half acre, which the Seashell Motel is, is 10 feet. Thus, it seems that the current landscaping requirements are still written so as to blend this new development with the previously built development in 2007.

I am only asking for this new development to be designed to blend with the neighborhood by complying with the same development standards as the most recently completed development just across the street. I therefore respectfully request that you revise your plan to include a 10 foot minimum landscaping buffer on both the South Street and William Street frontages.

Sincerely,



David Zensinger

Cc: City of Key West Planning Department

1 **Transient Licenses and Use:** Complies due to existing nonconformity but inconsistent with
2 application. The applicant provided the Planning Department with 4 letters from neighbors
3 stating their support for any proposal that conforms to all city codes and guidelines related to
4 developing 9 non-transient residences. The Development Plan application received on September
5 2, 2004 states that the project will not be transient. On February 3, 2005, the Planning
6 Department received updated plans with a letter that declared the applicant's intent to retain the
7 transient use.

8
9 The reason for this change is that *Section 122-28 (b)* provides that redeveloping a residential site
10 with a nonconforming density requires a variance from the Board of Adjustment while *Section*
11 *122-28 (c)* states that redeveloping a transient property with a nonconforming density is
12 permitted as long as no other variances are necessary.

13
14 **Neighborhood Compatibility:** The surrounding neighborhood is a mixture of single-family
15 homes, hotels, and multifamily residences. The proposed use will be more in harmony with the
16 neighborhood than the existing use because density will decrease and the units may be used as
17 homes or second homes instead of transient rentals.

18
19 **Building Coverage:** At limit. The proposal decreases building coverage from 45% to 40%.
20 Maximum building coverage for this zone is 40%.

21
22 **Impervious Surface:** Does not comply. The plan indicates over 5,000 sq. ft. of pavers, but the
23 percent permeability of the pavers is not shown. Therefore, the impervious surface percent
24 cannot be determined. The pre-development impervious surface percent is 59% impervious
25 surface. Maximum impervious surface is 60% for this zone.

26
27 **Street Frontage Landscaping Width:** At limit. Application proposes a 10-foot landscaping
28 buffer and a 10-foot landscaped buffer is required.

29
30 **Street Frontage Landscaping Plant Units:** Does not comply. Application proposes 66 plant
31 units along Washington Street. Code requires at least 80 plant units.

32
33 The Planning Board can waive this requirement. See discussion in the Interior Parking section
34 below.

35
36 **Interior Parking Landscaping Requirement:** Does not comply. The application proposes 11%
37 landscaping around the parking area. *Section 108-414 (b)* states that all paved areas for off-street
38 parking, drives, and aisles shall have a minimum landscape area of 20% of the total parking area
39 and that each landscaping area shall be a minimum of 6 feet wide and have a minimum of 60
40 square feet. The perimeter landscaping cannot be counted as landscaping for the parking area
41 because it is required with or without parking.

42
43 The Planning Board can waive this requirement. Staff feel that if the area between the property
44 line and the edge of pavement is designed according to staff recommendations (which includes
45 significant landscaping), then this requirement should be waived. The proposed design by staff
46 includes on-street parking where there previously was none, improvements for pedestrian safety,

Kevin Bond

From: Jim Wherty <jwherty@comcast.net>
Sent: Tuesday, September 09, 2014 7:01 PM
To: Kevin Bond
Subject: Comments re. South Street Hospitality, LLC project Variance request
Attachments: KW Letter to Kevin Bond.pdf

Hi Kevin,

Regarding the meeting September 18th for a variance to the development at 716 – 718 South Street I would like to include my comments for the record.
My comments are in the letter attached.

Thank you

Jim Wherty
American Business Supply Source
609-410-7154
FAX 480-287-8756

James Wherty
811 Washington Street, #102
Key West, FL 33040

City Of Key West, Florida

September 9, 2014

Planning Department

PO Box 1409

Key West, Florida 33041-1409

Attn: Kevin Bond, Senior Planner

RE: 716-718 South Street (RE # 00036870-000000, AK# 1037681)

Dear Mr. Bond,

This letter is in response to the post card notice of a public hearing on September 18, 2014 regarding the above referenced development project, most specifically the variance to the 10 foot landscape buffer being requested.

Although I will be out of town until 10/6/14 and unable to attend the hearing I am concerned that a setback variance to this development is being considered. I am the owner of townhouse 811 Washington Street #102 directly across the street from the development. Our beautiful cluster of townhomes could and should be a mirror image of what the clear thinking planners had the foresight to insist upon when they codified the 10 foot buffer requirement to maintain a minimum standard of uniformity in light of the continued growth and development of Key West.

If a variance were to be granted in this case without an extreme hardship being established that was not apparent prior to the purchase of the property, it could become the precedent set for future avoidance of this restriction by all developers. It could also be seen as grounds for overturning the restriction in existing developments that would like to expand into that 10 foot area.

Our parking is very tight at Casa Marina Estates. A few more feet would be nice but when requested during the building it was denied. If that ruling is relaxed I can see exceptions being requested.

These are things I believe should be seriously considered before granting this variance.

I would also like to request that the restrictions already agreed to by the owners be recorded with the deed so that when this property changes hands those restrictions follow.

Sincerely


James Wherty

Kevin Bond

From: zinger10 <zinger10@bellsouth.net>
Sent: Tuesday, September 09, 2014 3:16 PM
To: kbond@keywestcity.com
Subject: 716-718 South Street Major Development Plan
Attachments: Sea Shell Planning Board Letter.doc

Kevin,

Please include the attached comments of the CME Homeowners Association Board of Directors for the Major Development Plan for 716 to 718 South Street into the record for consideration by the Planning Board at its September 18, 2014 meeting.

Thank you.

Dave Zensinger
President, CME Homeowners Association, Inc
807-811 Washington Street

CME Homeowners Association
807-811 Washington Street
Key West, FL 33040

September 10, 2014

City of Key West Planning Board
3140 Flagler Avenue
Key West, FL 33040

RE: 716-718 South Street (RE # 00036870-000000, AK # 1037681)

Dear Sirs/Madam,

By resolution of the association board we are writing to request that the Planning Board deny the applicants request for a waiver to the requirements of City Code of Ordinances Section 108-413.

The applicant is requesting a waiver of the “Minimum Standards for Landscaping Along The Right Of Way”, specifically “Section 108-413 Requirements Along Street Frontage”. This ordinance requires a ten foot (10 ft) setback from City Right Of Way and minimum “Plant Units” that must be planted to provide a buffer between the development and the public right of way. This ordinance was enacted for an obvious reason, to protect and preserve the character of residential neighborhoods from visual intrusion by developments. The 716-718 South Street Major Development Plan is a classic example of the true wisdom of having an ordinance like Section 108-413. The project as current envisioned, with its minimal setback and total lack of buffering landscape, does not conform to the characteristics of the neighborhood in which it is planned. Please examine the photos on Attachment A. These photos show the three opposing corners to the proposed project. Every corner has significant setbacks and landscaping which partially or totally obscures the developed land from the street. If this project is approved with a waiver from the requirements of Section 108-413 in the Casa Marina neighborhood it would initiate a decline in the value of all neighboring residential properties.

Additionally, we ask that you take a close look at the pictures of our CME Association, 807 through 811 Washington Street. This Minor Development Project was approved by the Planning Board in 2005. It is directly across William Street from the proposed Major Development Project. The Planning Board required the 807-811 Washington Street project to have a 10 foot setback and full landscaping as was recommended by the Planning Staff at that time. Please refer to the pictures at the bottom of Attachment B, Page 1 and top of Page 2. Please note that due to the wisdom of that decision the two and one half story town homes are barely visible from the street. Also, note the sidewalk view with the tunnel effect from the landscaping on either side. This is the type of re-development that not only offers value to this important and historic Key West neighborhood but is also proof that not waiving city codes is effective.

Finally, if the Planning Board does not enforce Section 108-413 and waives the setback and landscaping requirements now, when it mandated compliance by the adjacent minor development just a few years ago, it may call into question the methods and motivation by which the Planning Department makes important development decisions that will affect valuable neighborhoods for decades to come.

Sincerely,

David J. Zensinger
President, CME Homeowners Association, Inc.

CORNER OF SOUTH STREET AND WILLIAM STREET



CURRENT EAST CORNER



CURRENT NORTH CORNER



CURRENT WEST CORNER



PROPOSED SOUTH CORNER

Please note that all current development on all opposing corners incorporates setback and landscaping such as to partially or completely obscure the development.

NEIGHBORING PROPERTIES



804-816 SOUTH STREET



1321 WILLIAM STREET



1321 WILLIAM STREET SETBACK



721 SOUTH STREET



807-811 WASHINGTON ST CORNER



807-811 WASHINGTON ST, FRONT VIEW

NEIGHBORING PROPERTIES - CONTINUED



807-811 WASHINGTON ST, SIDEWALK



807-811 VIEW FROM PROPOSED PROJECT



727 WASHINGTON STREET, PROPERTY DIRECTLY BEHIND PROPOSED PROJECT



Kevin Bond

From: Brandi Stocksick <stockbl@gmail.com>
Sent: Wednesday, September 10, 2014 8:18 PM
To: Kevin Bond
Cc: Martin Purdy
Subject: RE: 716-718 South Street (RE# 00036870-000000, AK# 1037681)

Dear Mr. Bond:

This letter is in response to the notice of a public hearing on September 18, 2014 regarding the above referenced development project, more specifically the variance to the 10 foot landscape buffer being requested.

We request that the planning board **deny** the applicants request for this variance to the “Minimum Standards for Landscaping along the Right of Way,” specifically “Section 108-413 Requirements Along Street Frontage.”

We recently bought townhouse 811 Washington Street #103. A couple selling points to this property were the landscaping, charm and privacy of the neighborhood. We have deep concerns if anything is done to not preserve the character of the neighborhood and goes against the ordinance that was put in place to protect the neighborhood from such actions being requested. Additionally, if the waiver is approved it could initiate a decline in the value of all neighboring residential properties and also be seen as grounds for overturning the restriction in existing developments that would like to expand into that 10ft area.

In addition, we would also like to request that the restrictions already agreed to by the owners be recorded with the deed so that when the property changes hands those restrictions follow.

We hope the final decision will be made to deny the waiver request.

Thank you in advance for your support.

Sincerely,

David Purdy & Brandi Stocksick

Kevin Bond

From: Onnie Dickerson <onnie@southernmosttitle.com>
Sent: Thursday, September 11, 2014 8:47 AM
To: Kevin Bond
Subject: 716-718 South Street

Dea Mr. Bond,

Larry Mackall & I are the owners of 809 Washington Street, Unit #103, Key West.

After reviewing the proposed plans for the Sea Shell Hostel property, currently before the Planning Board, I have become aware of the request to violate the 10 foot setback line. This is grossly unfair to me and my neighbors, as all other surrounding property has been forced by the City of Key West to adhere to this rule. To allow this violation would not only disrupt the aesthetics of the neighborhood, but also set an unwanted precedence for future developments by other property owners in the area. No valid reason for giving this variance has been given by the developer except for "economies of scale", which should not be a consideration of this board in its decision making.

As to the pool lights not being used after dark, please insist that a deed restriction be place on the property owner's deed, as this is the only way to insure future ownership will not violate this agreement.

Also, I do not believe there is adequate parking, ingress or egress to the property for such a large development.

thank you,
Onnie Dickerson
Southernmost Title, Inc.
700 Catherine Street
Key West, FL 33040
tel: 305-293-4673
fax: 305-293-4683
onnie@southernmosttitle.com

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>>>

Kevin Bond

From: Bonnie Koontz <bonniewk@comcast.net>
Sent: Friday, September 12, 2014 2:32 PM
To: Kevin Bond
Subject: 716-718 South Street (Sea Shell Hostel)

Dear Mr. Bond,

My husband, Bill Koontz & I are the owners of 807 Washington Street, Unit #103, Key West. FL.

I would like to voice a few concerns we have regarding the Sea Shell Hostel project (716-718 South Street) to you as we will be unable to attend the scheduled meeting this time. We did attend the July meeting, only to discover the review of this project had been postponed.

1. I think that waiving the 10 foot setback not only negatively impacts the aesthetics of the neighborhood but also creates a dangerous situation for both automotive and pedestrian traffic. William and South is a very busy intersection where it is already difficult to see to safely cross. A three story building without adequate setback will only make this situation more dangerous.
2. The proposed green screens are not an adequate substitute for neighborhood landscaping that has been required by other developments in the area. It will not blend in with the rest of the neighborhood.
3. I think that it will be quite difficult for this or any establishment with transient patrons to enforce the dawn to dusk rules regarding the pool. I fear the loud disruptive noise from the roof top will carry through the neighborhood at night. If the pool is allowed on the roof, I request that installation of lights not be allowed and this restriction be placed into the property owner's deed.

I would also like to point out that it is virtually impossible to find the application in question online. The notice we received states that the applications under consideration are online the Friday before a Planning Department meeting. The link provided is inadequate in finding the application and I find this is very disappointing. All of my comments are based on information provided by the new owner of 716-718 South Street at a meeting with interested neighbors rather than the actual document under your consideration.

Sincerely,
Bonnie Koontz
8407 Broecker Blvd.
Louisville, KY 40241
502-228-1829
502-751-3931

Kevin Bond

From: koontzmd@twc.com
Sent: Sunday, September 14, 2014 10:49 PM
To: Kevin Bond
Subject: 716-718 South Street (Seashell Motel)

Mr. Bond,

I reside at 807 Washington Street #103 in the Casa Marina Estates development. You have already heard from my wife and from David Zensinger, the president of our HOA, as well as several other residents of the area. I agree with all of their concerns regarding the proposed variances, including height, setbacks, and landscaping. I think that Dave's photographs are very effective in portraying the way that other properties in the area are separated from street view. I would like to stress again that our development has smaller buildings and parking because of the 10 foot setback that was required of us. Why should this project be different?

I share Onnie Dickerson's concerns about the rooftop pool. The assurances that there will be no activity up there at night ring hollow. Human nature being what it is, I think that it is fairly certain that there will be drunks making noise up there at all hours, and that noise will carry for blocks. How many rooftop pools are there in Key West?

My main concern is the appearance of the building. I don't see how anyone could approve a building that looks like an overgrown White Castle to be built in the historic district. If this is approved, I can't conceive of what would be rejected. I would love an example or two.

While the owner's representative has made a very big deal about this being a "green" building (which is a good thing), I fear that the planning board staff is so enamored of this concept that they are neglecting several glaring deficiencies which make this project so inappropriate for this area.

Thank you for consideration.

William L. Koontz

Warren Dedrick

727 Washington ST, Key West, FL 33040

City of Key West Planning Board

3140 Flagler Avenue

Key West, FL 33040

RE: 716-718 South Street (RE # 00036870-000000, AK # 1037681)

Dear Sirs/Madam,

As a owner of the home next to this project I am writing to request that the Planning Board deny the applicants request for a waiver to the requirements of City Code of Ordinances Section 108-413.

The applicant is requesting a waiver of the "Minimum Standards for Landscaping Along The Right Of Way", specifically "Section 108-413 Requirements Along Street Frontage". This ordinance requires a ten foot (10 ft) setback from City Right Of Way and minimum "Plant Units" that must be planted to provide a buffer between the development and the public right of way.

This causes me great concern for the value of my home and my neighbor's homes. If the city would send someone to view our properties and then envision this large building with no setback. We also are concerned with the parking, their patrons have been parking on my property when their lot is full, what will happen now?

Why is the city even considering this plan?

I will not be back in Key West for 4 weeks, if you need to speak with me, my cell phone is 518 791 0049.
Thank you for reading this letter