

Thank you for your time and for the detailed responses regarding the proposed Phase II redevelopment at 1621–1622 Spalding Court, related to the 3401 Duck Avenue AH Monroe Major Development Plan and Conditional Use. I appreciate the opportunity to provide the technical framework and code interpretations associated with this project.

Based on your responses and my review of the planning materials, I have summarized the key clarifications below for confirmation and record:

### **Unit Configuration & Kitchens – Spalding Court**

#### **• Assisted Living Classification**

- The project does qualify under assisted living/nursing home standards, even without a communal kitchen.
- Per Section 86-9, “Land use classification,” and specifically subsection (2)(h), which defines nursing homes, rest homes, assisted living facilities, and convalescent homes, the classification is based on the provision of housing, care, and related services to residents—not on the presence or absence of shared kitchen facilities.

#### **• Communal Kitchen Requirement**

- A communal kitchen is not a code requirement, though it may be typical in some facilities.
- Therefore, the inclusion of full kitchens in each unit does not disqualify the project from its classification.

#### **• Occupancy Limits**

- Units are limited to up to four unrelated individuals per dwelling unit.
- Each bed counts toward the 0.1 BPAS allocation.
- The proposal consists of 43 beds total (4.3 BPAS allocation) across a mix of one- and two-bedroom units.

### **Use & Density**

#### **• BPAS Interpretation**

- Per Section 86-9, “Land use classification,” and specifically subsection (2)(h), there is an equivalency difference for the assisted living use provided in the Land Development Regulations (LDRs) whereas:
  - Each bed or unit is treated as 0.1 equivalent unit.
- The approved scope for this phase is 43 beds, equivalent to 4.3 BPAS units, not 140.

#### **• Clarification on 140 Beds**

- The 140-bed figure refers to total project phases, not the current approval (Phase II).
- The proposed redevelopment maintains the same population and number of residents while significantly improving living conditions through modernized structures and more appropriate unit configurations.

### **Future Use & Conversion**

- Conversion to Apartments\_ Any future conversion to apartments or deviation from the approved use, would require additional review, approvals, and BPAS allocation.
- The site is not automatically entitled to convert uses.
- Key West Housing Authority currently holds (now) a 74 year lease to maintain operations for CoC and affordable housing.
- See below **Ownership & Long-Term Use Restrictions**

### **Poinciana Gardens**

#### **Current Status**

- The facility is considered by the city to fall under the assisted living/nursing home classification.
- Questions regarding its operations or future use should be directed to the Key West Housing Authority.
- Its status is not directly applicable to the Spalding Court proposal.

### **Ownership & Long-Term Use Restrictions**

#### **• Ownership**

- The property is subject to federal land transfer restrictions in perpetuity.

#### **• Use Limitations**

- Under a master lease with Key West Housing Authority, the site is restricted to:
  - Continuum of care
  - Affordable housing
- These restrictions limit the ability for unrestricted future changes in use.

### **Resident Type & Screening**

#### **Screening Requirements**

- The city does not impose specific screening requirements under its Code of Ordinances.

- CoC Operator Screening - all programs require background checks, income qualifications, and participation in the program offered by each respected nonprofit. All programs have staff that live on site as well as drug and alcohol testing.
- Additional details will need to come from the operator.

### **Traffic Impact – (All 3 Phases)**

#### **Traffic Impact (Updated with ITE Data)**

##### **Phase III – Overall Parcel (ITE 254: Assisted Living)**

- **Existing Condition**
  - $231 \text{ beds} \times 4.14 \text{ trips/bed/day} = 956.34 \text{ trips/day}$
  - Plus baseline = 1,018.44 total trips/day
- **Proposed Condition**
  - $237 \text{ beds} \times 4.14 \text{ trips/bed/day} = 981.18 \text{ trips/day}$
  - Plus baseline = 1,043.28 total trips/day
- **Net Change**
  - +24.84 trips/day

### **Parking Adequacy**

- **Code Compliance**
  - The proposed parking meets Land Development Regulations (LDR) requirements.
  - Use of assisted living parking ratios is considered appropriate under current classification.
- **Evacuation Vehicles**
  - From AH Monroe: Each nonprofit organization on site maintains a specific evacuation plan that utilizes a combination of coordinated strategies. The Agency operates a dedicated evacuation team and utilizes a rental van service from the mainland. This team deploys to Miami-Dade County well in advance of any impending storm to secure the necessary vehicles. These vans are then used not only to evacuate residents but also to remain with them at designated Monroe County shelters to ensure continuity of care and supervision.
  - In addition, evacuation efforts incorporate support from the Monroe County Special Needs Registry through Special Services, which provides assistance for individuals with disabilities. City bus services are also utilized to transport residents north to mainland shelters as needed.

- Furthermore, partner organizations collaborate through the Monroe County Homeless Continuum of Care to support coordinated evacuation planning and implementation across agencies at the site.
- **Poinciana Gardens Parking**
  - Parking to be addressed under its own proposed plan, separate from this development.

### **Public Notice & Process**

- Notice Compliance
  - Documentation (mailing labels, notices, postings) is being compiled to confirm compliance with:
    - DRC
    - Planning Board
    - Board of Adjustment
    - City Commission requirements
- **City Website Listing**
  - The project is not listed because:
    - It is not a city-initiated project
    - The website is informational only and not a comprehensive project database

### **Consistence with Prior Findings**

- **2010 Resolution (10-201)**
  - Determined to have:
    - No implementing ordinance
  - It predates the BPAS system (Ordinance 13-10)
- **Current Governing Framework**
  - The project is evaluated under:
    - The current City Code
    - The BPAS system
  - Therefore, prior findings on density/intensity are not controlling for this parcel.

## Keri O'Brien

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**From:** Taylor Brown  
**Sent:** Tuesday, May 5, 2026 5:40 PM  
**To:** Oscar Fernandez; Patrick Wright  
**Cc:** Danise Henriquez; Brian L. Barroso; Rod Delostrinos; James Singelyn; Kendal Harden; Keri O'Brien  
**Subject:** Re: [EXTERNAL] Re: [EXTERNAL] Re: 3401 Duck Avenue AH Monroe Major Development Plan and Conditional Use

Good afternoon Mr. Fernandez,

I have received your correspondence in response to the information previously provided by Patrick Wright regarding the Poinciana redevelopment. I am writing to acknowledge receipt and to let you know that I will request that the City Clerk include your response in the official record for this project.

This item is scheduled to be presented to the City Commission at its meeting this Thursday evening. I encourage you to attend if you are able, both to hear the presentation and to share your perspective directly with the Commission. Your input will be part of the public record and considered as part of their discussion.

Sincerely,

Taylor Brown  
**City Planner**  
City of Key West  
1300 White Street  
Key West, FL 33040  
Office: 305-809-3746  
Email: [Taylor.Brown@cityofkeywest-fl.gov](mailto:Taylor.Brown@cityofkeywest-fl.gov)



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**From:** Oscar Fernandez <[oscar@keywestwindow.com](mailto:oscar@keywestwindow.com)>  
**Sent:** Friday, May 1, 2026 4:04 PM

**To:** Patrick Wright <patrick.wright@cityofkeywest-fl.gov>

**Cc:** Danise Henriquez <danise.henriquez@cityofkeywest-fl.gov>; Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>; Rod Delostrinos <rdelostrinos@cityofkeywest-fl.gov>; Taylor Brown <taylor.brown@cityofkeywest-fl.gov>; James Singelyn <james.singelyn@cityofkeywest-fl.gov>; Kendal Harden <kendal.harden@cityofkeywest-fl.gov>

**Subject:** [EXTERNAL] Re: [EXTERNAL] Re: 3401 Duck Avenue AH Monroe Major Development Plan and Conditional Use

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Patrick,

Thank you for providing this information.

Taylor, please see my response attached. This has raised many more concerns and questions.

Regards,

Oscar Fernandez  
Key West Windows  
Cell: 305-304-3727



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**From:** Patrick Wright <patrick.wright@cityofkeywest-fl.gov>

**Sent:** Wednesday, April 29, 2026 8:50 AM

**To:** Oscar Fernandez <oscar@keywestwindow.com>

**Cc:** Danise Henriquez <danise.henriquez@cityofkeywest-fl.gov>; Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>; Rod Delostrinos <rdelostrinos@cityofkeywest-fl.gov>; Taylor Brown <taylor.brown@cityofkeywest-fl.gov>; James Singelyn <james.singelyn@cityofkeywest-fl.gov>; Kendal Harden <kendal.harden@cityofkeywest-fl.gov>

**Subject:** Re: [EXTERNAL] Re: 3401 Duck Avenue AH Monroe Major Development Plan and Conditional Use

Good morning Mr. Fernandez,

Please see the attached comprehensive response addressing the issues and questions raised in the correspondence below. Should you have any additional follow-up questions, need clarification, or wish to provide comments, please feel free to direct them to the City Planner, Taylor Brown (copied here), whose staff is assigned to this project.

I am also available to discuss further as needed.

Respectfully,

Patrick T. Wright  
**Growth Management Division Director**  
City of Key West  
1300 White Street  
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Email: [Patrick.Wright@cityofkeywest-fl.gov](mailto:Patrick.Wright@cityofkeywest-fl.gov)



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**From:** Oscar Fernandez <oscar@keywestwindow.com>  
**Sent:** Tuesday, April 14, 2026 12:36 PM  
**To:** Patrick Wright <patrick.wright@cityofkeywest-fl.gov>  
**Cc:** Danise Henriquez <danise.henriquez@cityofkeywest-fl.gov>; Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>; Rod Delostrinos <rdelostrinos@cityofkeywest-fl.gov>; Taylor Brown <taylor.brown@cityofkeywest-fl.gov>; James Singelyn <james.singelyn@cityofkeywest-fl.gov>  
**Subject:** [EXTERNAL] Re: 3401 Duck Avenue AH Monroe Major Development Plan and Conditional Use

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Patrick,

I should be thanking you for taking the time to meet with me, not the other way around. Your insight on the project was very helpful. I can't stress how much I appreciate the chance to be heard by the Mayor and the rest of the staff.

I sent the following questions/concerns to Commissioner Carey last week. The bullet points are directed at her, so not all of this is relevant to you or your team. However, your insight on the technical components would be greatly appreciated. The numbers I am using all came from the "planning package" for the development. Hopefully I am interpreting them correctly, but this isn't my area of expertise.

- My property is listed on page 3 of the "noticing packet" for the proposed project at 1621-1622 Spalding Court. However, I have not received any type of notification that this project was being proposed. **Correction, I received my first notice in the mail yesterday 4/13. Well after funding and height variances for the project have been approved.**
  - The "public notice" that was posted on the building is not in a visible location for the general public. Unless you live in that specific cul-de-sac, within the poinciana plaza community, there is no reason to go back into the neighborhood. The notice should have been posted in an area that is visible to the property owners that are being affected.
  - I have received notice that two other buildings containing 54 units for the housing authority are going to be constructed in the Poinciana Royale vicinity.

- As a Conch and local business owner, I understand the need for affordable housing and I am here for it. I don't have any issues with the 2 new buildings for the housing authority.
- It's blatantly obvious that the "1621-1622 Spalding Court Redevelopment" project is being concealed to the public by guise of the housing authority project.
  - It's not listed on the "ongoing projects" or "planning projects" of the city's website.
    - The city has provided funding for the preconstruction process and the project will be located on city land. It should be on the city's website.
- The developer is using a land development loophole that allows "nursing homes and assisted living facilities" to increase the number of beds allowed by 10X, 4.3 BPAS allocations equates to 43 individual living units
  - Is AH Monroe allowed to put multiple people in bunk beds in each one of these units? The documents say 140 beds but they only show 43 units.

*Poinciana Special Needs Housing Redevelopment*

AH Monroe is working with local Continuum of Care (CoC) providers and other aging residential facilities at the Poinciana Plaza Special Needs Housing site.

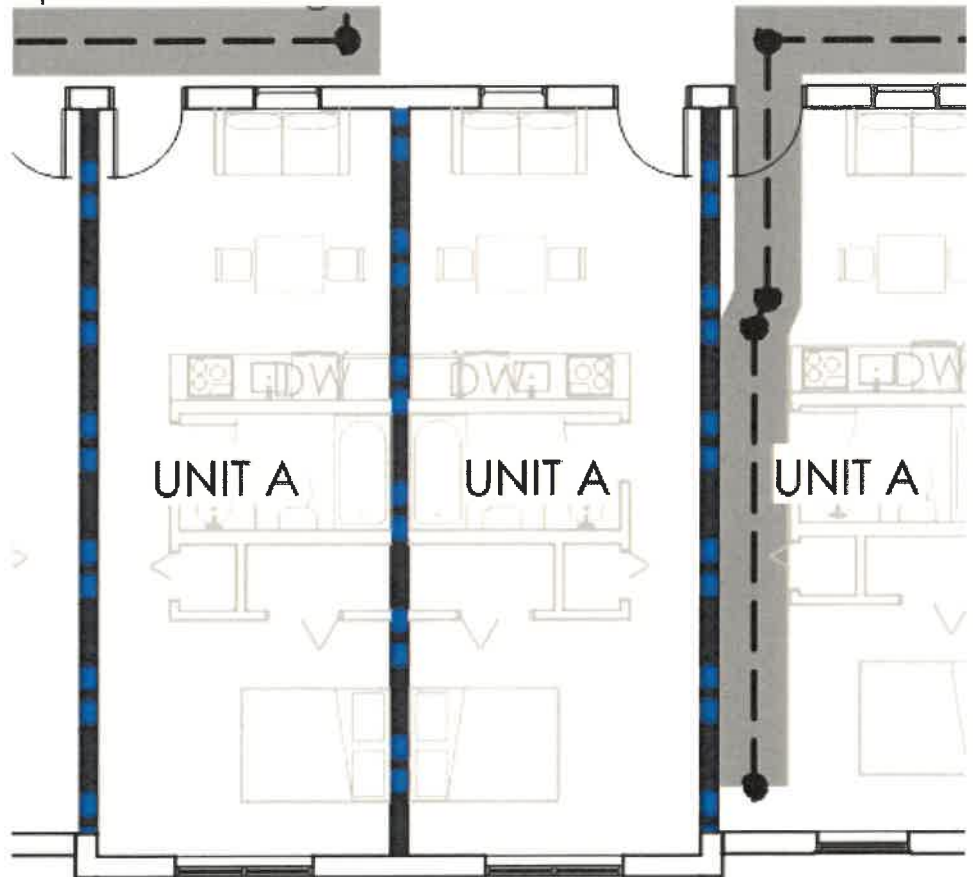
In a letter received 2/5/25, AH Monroe identifies the following proposed facilities and proposed service providers:

Provider	Housing Type	Services	Proposed Units	Applicant's Proposed ESFU	Provi colle evac for al resid
MARC	Permanent Supportive Housing	residential nursing & personal care assistance to clients with developmental and intellectual disabilities	6 units 18 beds	0.6	No
Domestic Abuse Shelter		Food, clothing, shelter, and case management	6 units 24 beds	0.6	No
AH/EKOC	Mental Health Permanent Supportive Housing	Food, clothing, shelter, and case management	9 units 36 beds	.9	No
AH/EKOC	Transitional/Permanent Supportive Housings	Food, clothing, shelter, and case management	40 units 104 beds	4.0	No
Samuel's House		Food, clothing, shelter, and case management	15 units 60 beds	1.5	No
Catholic Charities	Permanent supportive Housing	Food, clothing, shelter, and case management	6 units 24 beds	0.6	No
Volunteers of America	Transitional Housing	Supportive services to veterans experiencing homelessness, plus case management, life skills training, and mental health counseling	6 units 24 beds	0.6	No
Florida Keys Children's Shelter	Transitional housing/ temporary shelter for people aged 16-21	Food, clothing, shelter, and case management	6 units 24 beds	0.6	No
<b>TOTAL</b>			<b>94 units 314 beds</b>	<b>9.4</b>	

- o Poinciana Gardens assisted living facility is only a few hundred feet from the new proposed development. The Facility is less than a decade old and is currently being converted to an apartment complex because the city could no longer provide funding for it. If we can't afford to fund a facility that is less than a decade old, why are we allowing another "assisted living" facility to go in? It's clearly a scam by the developer, exploiting a loophole

to maximize the number of beds because they get paid by the state per person that they house.

- If Poinciana Gardens is no longer an assisted living facility, are the number of beds allowed going to be decreased by 10x?
  - The building has "conditional use" for a nursing home not for an apartment building
- In our meeting, you had noted that the loophole had to do with the facility having a shared kitchen.
  - The communal kitchen in Poinciana Gardens is currently being rented to a private company.
  - Per the planning packet of the Spalding court facility, each individual unit has a full kitchen and there is no communal kitchen. The screenshot below is from the plans.



- Is the plan for this building to be used for a few years and then be converted into apartments as well? That's what it looks like per the plans shared on the commissioner's agenda.
- Who owns the building after construction? Are they free to do what they want with it after a few years?
- Currently, AH Monroe controls 57 units on the property, 10 units (40 beds) of which are at the 1621 and 1622 Spalding court. That number will be increased to 140 beds. AH Monroe is known for providing housing to alcoholics and drug addicts seeking recovery. It's a very noble cause and I am sure that it's a great program for some. Their units in Poinciana Royal are currently being used for this purpose. Are we going to have 100 more people "seeking help" move into this community?

- Poinciana plaza and the surrounding neighborhoods are loaded with kids. **Poinciana Elementary is right down the street.** I am concerned about the influence it will have on the surrounding community.
  - What types of screenings are going to be done on the individuals being housed? Are they going to allow criminals, sex offenders, thieves, etc. move into a family neighborhood?
    - One of the current AH Monroe residents shared his plans to break into a shop on Duck Ave. His plan was exposed and he ended up robbing another store the same night. The business owner on Duck is forced to watch him ride his by the shop everyday. Whatever screening they are currently doing is not enough.
  - Statistically 50-60% of recovering alcoholics relapse within the 1<sup>st</sup> year. If the city allows this, they are potentially inviting 84 drunk drivers onto the streets our kids play on?
  - If someone is caught driving 60mph in a residential neighborhood, do you think that person has the best interest of the families and children living there? The same person is the one pushing for this development...
- Within the last few months, we have had 2 incidents on Duck Ave where kids were hit by cars while riding their bikes. According to the traffic study in the planning package, the volume of trips/day is going to increase from 0.8645 to 13.7416. That equates to 15.9 times the volume of cars traveling in and out of the community. What additional infrastructure is the city going to provide to accommodate the 1589.54% increase in traffic volume?
  - Does this study include the other 54 units being built by the housing authority?
  - Does this study include the "change of use" of the Poinciana Gardens assisted living facility?
- The planning documents also state that the community currently has 88 parking spaces. With the current conditions, cars are overflowing from the community and utilizing Duck Ave for parking which inhibits the surrounding businesses. The proposed change only adds 26 parking spaces, but quadruples the number of units. None of the proposed bed usages are directly related to senior living but the proposal uses the parking ratios for assisted living facilities. These numbers do not add up with the traffic study.
  - The documents also say that for evacuation purposes, they will evacuate 10 people per van. Is the developer going to purchase, maintain, and store 32 vans for the 314 beds? Are those 32 vans going to take away from the 114 parking spaces?
  - What is the plan for additional parking for poinciana gardens? Once the construction is complete, where are the new tenants going to park?
- The attached document is a resolution determined by the city commission and ex-mayor in 2010. Patrick explained to me that the BPAS system came after the resolution and it is no longer valid. I am not opposed to additional housing being created for those in need, but I am opposed to adding more alcoholics and drug addicts to my neighborhood. The city commission and Ex-Mayor ruled that this area had "reached saturation from a density and **intensity** perspective." Key word is intensity.

Regards,

Oscar Fernandez  
Key West Windows

Cell: 305-304-3727



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**From:** Patrick Wright <patrick.wright@cityofkeywest-fl.gov>  
**Sent:** Monday, April 13, 2026 3:56 PM  
**To:** Oscar Fernandez <oscar@keywestwindow.com>  
**Cc:** Danise Henriquez <danise.henriquez@cityofkeywest-fl.gov>; Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>; Rod Delostrinos <rdelostrinos@cityofkeywest-fl.gov>; Taylor Brown <taylor.brown@cityofkeywest-fl.gov>; James Singelyn <james.singelyn@cityofkeywest-fl.gov>  
**Subject:** 3401 Duck Avenue AH Monroe Major Development Plan and Conditional Use

Mr. Fernandez,

Thank you for taking the time to meet with Mayor Henriquez and myself to discuss your concerns regarding the proposed Continuum of Care redevelopment anticipated to go before the City Commission at the May 7 meeting. I appreciate your engagement and the thoughtful perspective you brought to the conversation.

I wanted to follow up and assure you that our Planning team is available to work with you directly to address any questions or concerns as the proposal moves forward. Our City Planner, Taylor Brown (cc'd), along with staff, are committed to providing clear and timely information on the project, including potential impacts, applicable regulations, and the review process.

At your convenience, please feel free to respond with an itemized list of the specific concerns or questions you would like us to address, and we will ensure a thorough and timely response.

We value community input as an important part of responsible growth management, and we will make every effort to ensure you feel informed and heard throughout this process. Please feel free to reach out to me or my office at any time, and we would be happy to coordinate a follow-up discussion or provide additional materials as needed.

Thank you again for your time and continued interest.

Patrick T. Wright  
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