

Shawn D. Smith

From: mhpa@bellsouth.net
Sent: Tuesday, November 15, 2022 1:51 PM
To: Shawn D. Smith
Subject: [EXTERNAL]

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.

Dear City Attorney,

Southernmost House Ltd would like to amend it's lease with the City of Key West for the Pocket Park located at 1400 Duval Street Key West, FL.

Approximately four years ago, my client was granted a leasehold upon 15% of the Pocket Park in return for building the park and maintenance of the landscaping in the park. Southernmost House and the Southernmost Beach Café each received restaurant seating in return for building the park. The Southernmost Beach Café received 50 seats which the City approved moving from the park to its existing location adjacent to the park. The Southernmost House received 115 seats to be divided between two leased locations in the park.

Upon the opening of the park, the City took possession of one of the two leased spaces to be used as an area for bicycle racks and garbage cans. The Southernmost House attempted to open café seating on the remaining area which became impossible due to ocean water and seaweed flooding the area on a regular basis. The ocean water and seaweed flood in over the seawall, which is too low to block the water, and from the entrance to the City pier.

Southernmost House moved its seating onto its property, just as the Southernmost Beach Café had done previously. The net result was a beautiful park for the city enjoyed by tens of thousands of visitors and locals without commercial activity in the park. The overwhelming response by the public to leaving the park free of commercial activity has been positive and appreciative. We have received no response in four years that the park would be better off with alcohol and food sold in the park.

Southernmost House and Southernmost Beach Café have each invested in excess of \$400,000 to make a once blighted area a public park that the community is proud of. Prior to the building of the park, the street was a filthy eyesore that contained a giant dumpster and eight illegal parking spaces. Those parking spaces created a serious risk to human safety as the cars were required to back into two lanes of oncoming traffic to exit. The liability to the City was immeasurable. Today, the park is a model of what government and private enterprise can accomplish working together.

An unintended benefit of moving the seating onto the private property of the Southernmost House is that the seating replaced the event space formally used by the Southernmost House for weddings and big events. Prior to moving the seating onto its property, the weddings held at the Southernmost House were a source of conflict with the neighbor. The Southernmost House stopped accepting wedding bookings upon the opening of the café seating on its property. The Southernmost House went from holding forty-seven weddings a year to none in the last three years. This has allowed us to end the conflict with our neighbor over music played at the weddings.

If this requested amendment is approved, the Southernmost House would continue under the lease to maintain the landscaping in the park. The two leased spaces would be returned to the City and the City would then have exclusive possession of 100% of the park. Please place this request on the next agenda.

Sincerely,
Michael Halpern
Attorney for the Southernmost House