

DEVELOPMENT REVIEW COMMITTEE

Tuesday, April 26, 2022

MEETING MINUTES

The Monroe County Development Review Committee conducted a virtual meeting on **Tuesday, April 26, 2022**, beginning at 1:00 p.m. via **Communication Media Technology (“CMT”)** using a **Zoom Webinar** platform.

CALL TO ORDER by Emily Schemper at 1:00 p.m.

ROLL CALL by Ilze Aguila

DRC MEMBERS PRESENT

Emily Schemper, Senior Director of Planning and Environmental Resources
Cheryl Cioffari, Assistant Director of Planning
Mike Roberts, Assistant Director, Environmental Resources
Bradley Stein, Development Review Manager
Rey Ortiz, Assistant Building Official
Cassy Cane, Deputy Fire Marshal
Craig Marston, Deputy Fire Marshal
Zully Hemeyer, Executive Assistant/Fire Safety Inspector I, Fire Marshal’s Office
Judy Clarke, Engineering
Christina Gardner, Naval Air Station Key West

STAFF MEMBERS PRESENT

Peter Morris, Assistant County Attorney
Ilze Aguila, Planning Commission Supervisor

APPLICANTS & PUBLIC PRESENT

Jess Goodall Bart Smith, Esq.

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES FOR APPROVAL

Approval of the meeting minutes for Tuesday, March 22, 2022, by Emily Schemper.

MEETING

1. SH MARINAS 6000, LLC., 6000 PENINSULAR AVENUE, STOCK ISLAND, MILE MARKER 5 OCEAN SIDE: A PUBLIC MEETING CONCERNING A REQUEST FOR A MAJOR CONDITIONAL USE PERMIT BY SH MARINAS 6000, LLC. AS IT RELATES TO THE REDEVELOPMENT OF A MARINA WITH ONE HUNDRED AND SEVEN (107) ATTACHED RESIDENTIAL DWELLING UNITS TO BE UTILIZED AS VACATION RENTALS, UP TO FORTY-ONE (41) TRANSIENT HOTEL ROOM UNITS, THREE (3)

AFFORDABLE DWELLING UNITS AND ACCESSORY STRUCTURES/USES THERETO, ON THE PROPERTY. THE SUBJECT PROPERTY IS DESCRIBED AS A PARCEL OF LAND IN SECTIONS 36, TOWNSHIP 67 SOUTH, RANGE 25 EAST, STOCK ISLAND, MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00127480-000000. (FILE 2021-195)

(1:02 p.m.) Mr. Bradley Stein, Planning Development Review Manager, presented the staff report. This is a request for a major conditional use permit which involves the partial redevelopment of Stock Island Harbor Yacht Club, formerly known as the Key West Harbor Yacht Club, and is proposed to be Bartlum Yards. The proposed development will include up to 107 attached residential dwelling units to utilize as vacation rentals, up to 41 transient hotel dwelling units, three affordable dwelling units, and to maintain the existing marina at 6000 Penninsular Avenue, Stock Island. The applicant is SH Marinas 6000, LLC. The agents for the applicant are Bart Smith and Jess Goodall of Smith Hawks.

Mr. Stein presented a site plan for the project. As background, the land use district is destination resort, though the staff report still has it as mixed use on page two. The map amendment from MU to DR has been effective as of March 30, 2022, and staff will make the correction in the staff report. The FLUM designation is mixed use commercial, with a tier designation of Tier III infill area. Existing vegetation is scarified and disturbed with some mangrove fringe. The upland project site proposed to be developed is 13.14 acres. Section 110-67 of the Monroe County Land Development Code provides standards which apply for all conditional uses. The development will be of mixed unit types and uses with 42 townhomes located on the west side of the property, 41 transient and 65 market rate units in the resort building, a ship shop with three affordable dwelling units on top, a boat barn to the north, and the amenity building to the south. Parking is spread out throughout the entire site. The major conditional use permit has been reviewed for compliance with the Land Development Code pursuant to Section 110-67, and the additional requirements under Section 130-81(b)(1) for hotels, and Section 130-81(c)(1) and (3) for marinas and attached dwelling units. Hotels are only required to have a minor conditional use approval in destination resort zoning, but because this proposed plan incorporates the existing marina and attached dwelling units it required following the major conditional use process pursuant to 130-81(c).

Staff finds the proposal to generally be consistent with the Comprehensive Plan Liveable CommuniKeys Plan and Land Development Code, but the following are required to be corrected prior to scheduling the application for the Planning Commission hearing: Revise plans to show compliant trash and recycling area under Section 114-14 which can be met by adding an additional 112 square feet of trash and recycling area. All comments provided by the Engineering Services memo dated November 15, 2021, shall be addressed and shown on the site plan as applicable. Update shoreline setback on all plans as the plans do not identify the different shoreline types and do not specify the open space impacts by the shoreline type. Delineate shoreline type, correct shoreline setbacks and the open space requirements. The remaining corrections are lengthy. Revise the stormwater management plan to the current LDC requirements which have become effective in the last year. Revise landscape plans for parking lot landscaping and stormwater flows and infiltration, and show and include all buffer yards. The listed recommended conditions from staff are being requested to be part of the approval when going before Planning Commission once all previous items have been addressed.

Ms. Schemper confirmed with Mr. Stein that everything in the staff report had been evaluated based on the new zoning of Destination Resort. Ms. Schemper then asked for comments from members of the DRC. Mr. Mike Roberts pointed out that in the stormwater plans that need to be revised and updated should be updated pursuant to the 2016 code, not the code adopted in January of this year, because the file was complete prior to the new code coming into effect. Ms. Schemper asked if, either way, they were not compliant with the stormwater code. Mr. Roberts

indicated that was correct, that it still needs to be revised but in accordance with the old code, not the current code. Ms. Schemper was not sure there was a huge difference, and although the applicant could only be held to the previous code, if there is any possibility the new code can be met, staff believes it is better. Therefore, if the plans have not been done yet, they should try to meet the new code. Mr. Roberts added that he did not think the differences would be significant.

Ms. Schemper asked for further questions or comments from DRC members. Ms. Judy Clark from Engineering confirmed her comments had been sufficiently covered. Ms. Schemper stated that she is trying to avoid the applicant getting sent back once they get to permitting and asked if there were any red flags noted by Building Department. Mr. Rey Ortiz, Assistant Building Official, stated that there is a lot going on such as ADA requirements, fire separation issues and egress issues. There wasn't much for him to conduct an assessment on but once this moves forward, the Building Department most likely will have comments. It looks okay but must be looked at much closer. Mr. Craig Marston from the Fire Marshal's office stated he'd had extensive discussions with the designers and developers and one of his main concerns is having the adequate fire flows indicated as required by the ISO, Insurance Services Office. There are also issues with the right-of-way abandonment that should be indicated on the plans when they get submitted, but the fire flow must be provided.

Ms. Christina Gardner, NASKW joined the meeting, and Ms. Schemper asked if she had any comments. Ms. Gardner read a statement into the record. The U.S. Department of Defense initiated the AICUZ program to assist governments and communities in identifying and planning for compatible land use and development near military installations. The goal of the AICUZ program is to protect the health, safety and welfare of the public while also protecting the operational capabilities of the military. This study evaluates historical and protected accident potential zones and noise contours to make up the footprint. The property is located within the AICUZ footprint and falls within the 70 to 79 DNL noise contours. Residential development is not a compatible land use within these contours and is strongly discouraged. Additionally, the Monroe County Comprehensive Plan Policy 108.2.6 contains a table of land use compatibility recommendations for property located within that military installation area of impact. Residential uses, to include transient lodgings, are noted as generally incompatible in the Mixed Use Commercial Future Land Use District. Please use your vote to discourage noise-sensitive land uses in areas of higher noise exposure from aircraft operations. Ms. Schemper noted that Ms. Taporca had given those comments earlier during the development agreement. Though the level of detail may not be in the plans here, the applicant is planning to do the sound attenuation as necessary if there are certain units within certain noise zones, and there was no change to the density or number of units on the property based on the future land use category which stayed the same.

Ms. Schemper asked if Mr. Jess Goodall or Mr. Bart Smith, agents for the applicant, wished to speak. Mr. Jess Goodall thanked staff for working with them on this and stated that he is looking forward to getting this to the finish line. Ms. Schemper added that this is a major conditional use that will move on to the Planning Commission for the actual approval. Staff will be giving a recommendation to the Planning Commission. Ms. Schemper asked for public comment, and there was none.

Mr. Rey Ortiz then asked what the timeline was for this project breaking ground. Ms. Schemper stated this was still months away. Mr. Ortiz added that he was asking as there has been shifting of staff down on Stock Island and he wants to be prepared for it when it comes through. Mr. Bart Smith, agent for the applicant, stated that it would be approximately four to five months before submittal of the permit.

There were no further questions or comments from staff, committee members, nor the public.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 1:18 p.m.