



City of Marathon Planning Commission
Monday June 15, 2020
9805 Overseas Hwy
City Hall Council Chambers
5:30 PM

1. **Call To Order**
 2. **Pledge Of Allegiance**
 3. **Roll Call**
 4. **Minutes**
 5. **Quasi-Judicial Statement**
 6. **Items For Public Hearing**
 7. **Adjournment**
-

5. Quasi-Judicial Statement

Please be advised that some of the items on the agenda are quasi-judicial in nature. If you wish to give testimony on any item please inform the Boards clerk by filling out an available sign up form. An opportunity to speak will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, all persons giving testimony may be subject to cross examination. If you refuse either to be cross examined or to be sworn your testimony will not be considered. The general public will not be allowed to cross examine witnesses, but they can ask the Commission to ask questions on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization.

6. Items For Public Hearing

Item 1: Consideration Of A Request By Seaview Commons II For A Conditional Use Permit Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (LDRs) Entitled "Conditional Use Permits," Proposing The Mixed Development Of Six (6) Market Rate And Sixty (60) Affordable Housing Residential Units With Amenities; For Property Located At The Southeast Corner Of Pescayo Ave., Coco Plum, Marathon, Florida, Which Is Legally Described As Lying Within Township 66S, Section 5, Range 33E; Key Vaca, Marathon, Florida; Having Real Estate Numbers 00363550-000000 And 00363560-000000. Nearest Mile Marker 54.

Item 2: POSTPONED BY APPLICANT. Consideration Of A Request By Knight's Key Investors, LLC and Knight's Key Road, LLC (Isla Bella) To Amend An Existing Conditional Use Permit And Development Agreement Approvals (Resolutions 2015-94 and 2015-96) Pursuant To Chapter 102, Articles 8 And 13 Of The City Of Marathon Land Development Regulations (LDRs) Entitled "Development Agreement" And "Conditional Use Permits" Respectively, Proposing The Development Of Ninety (90) Additional Hotel Style Transient Units With Amenities; For Property Located At 1 Knight's Key Boulevard, Marathon,

Florida, ; Having Real Estate Numbers 00101800-000000, 00101800-001000, and 00101800-002000. Nearest Mile Marker 47.

Item 3: A Request By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend The Future Land Use Map From Residential Low (RL) to Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

Item 4: A Request By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend Land Development Regulations Zoning Map From Residential Low (RL) to Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

Item 5: An Ordinance Of The City Of Marathon, Florida Amending The Zoning Designation From Residential Medium (RM) To Mixed Use (MU) For The Property Described As Block 3 Lot 9, Key Colony Subdivision, Key Vaca , Marathon, Monroe County, Florida, Having Real Estate Number 00335200-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

Item 6: An Ordinance Of The City Of Marathon, Florida Amending The Future Land Use Map (FLUM) From Residential Medium (RM) To Mixed Use-Commercial (MU-C) For The Property Described As Block 3 Lot 9, Key Colony Subdivision, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00335200-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.



**City of Marathon
Planning Commission
Tuesday January 21, 2020
9805 Overseas Hwy
City Hall Council Chambers**

MINUTES

Dale Colburn called the meeting of the Planning Commission to order on Tuesday January 21, 2020 at City Hall Council Chambers, 9805 Overseas Hwy. at 5:30 pm.

In attendance: Planning Director George Garrett, Attorney Dale Coburn, Admin Assistant Lorie Mullins and members of the public.

The Pledge of Allegiance was recited.

George Garrett introduced Attorney Dale Colburn, sitting in for Attorney David Migut who resigned.

The roll was called. Mike Cinque-absent; Matt Sexton-present; Eugene Gilson-present, Mike Leonard-present; Lynn Landry-absent.

Colburn asked for nominations for a Chairman for this meeting only. Gilson nominated Leonard. Sexton seconded. Leonard accepted.

Leonard asked for approval of the last meeting minutes.

Sexton moved to approve. Gilson seconded. The roll was called. The minutes were approved 3-0.

The Quasi-Judicial Statement was read for the record.

The speakers were sworn in.

Item 1 was read into the record: A Request By Design Center And Yadira Blanco For A Conditional Use Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations Entitled "Conditional Use Permits", Authorizing A Duplex At Property Located On 79th Street, Which Is Described As Lot 11 Atlantic Shores PB 3-5, Key Vaca, Monroe County, Florida, And Having Real Estate Number 00347110-000000, Nearest Mile Marker 51.

George Garrett presented the item as *in compliance* with all criteria of the City LDRs and not intended to be used as a dormitory, but instead, would be deed restricted as affordable housing.

Leonard asked the difference between affordable and workforce housing. The 2 words are used interchangeably as our code does not differentiate.

Conditions can be placed on the development that no dormitory style living is permitted in the units. If that happens it would become a code case.

As affordable housing, the units cannot be used as vacation rentals.

Andrew George, applicant, spoke on behalf of the item as being much needed affordable housing for his own employees.

Leonard stated that he spoke with James Tashjian for about 15 minutes over Tashjian's concerns. There were no other ex-parte communications.

Leonard opened the meeting to public speakers:

1. James Tashjian spoke against the item, questioning the definition of 'household', the potential of 16 adults with 16 vehicles, and neighborhood character.
2. Vicki Tashjian spoke against the item regarding potential traffic and parking problems.
3. Laurie Luher spoke against the item.

Garrett responded to the speakers; affordable and workforce housing are both allowed in Residential Medium. Dormitories are only be allowed in Mixed Use.

After a brief discussion on neighborhood character, number of bedrooms, parking, and the need for definitions, Sexton moved to approve the item with consideration from Council to clarify definitions of "affordable housing", "workforce housing", "dormitories", and "household". Gilson seconded.

The roll was called. The item was approved 3-0.

Motion to adjourn.

Leonard adjourned the meeting at 6:24 p.m.

ATTEST:

Mike Leonard – Planning Commission Alternative Chairman

ATTEST:

Lorie Mullins-Administrative Assistant
City of Marathon Planning Department

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: Anyone needing special assistance at the Planning Commission Meeting due to disability should contact the City of Marathon at (305-) 743-0033 at least two days prior thereto.

(Please note that one or more Marathon City Council members may participate in the meeting.)

Public Comment thus far:

- Space for Vendors
- Add beach sand
- Fishing pier
- Place for old people to sit and relax
- More playgrounds. There needs to be more places for families to go with their kids.
- No more passive parks
- Shade structures
- Somewhere to eat a packed lunch
- More parking for boat trailers
- Restroom facilities
- Overflow parking in grass area
- Kids Go Carts
- Splash pad
- Roller rink
- Motion activated water features
- Stuff to use to work out
- A welcome center
- Something friendly for people to know they are in Marathon
- Educational stuff pertaining to coral, fishing, environment, etc.
- The property should be 100% boat launch park with as much parking for trucks/trailers as possible
- fix or replace the lighthouses
- Community/sunset/launch/picnic area
- Sunset park for weddings and photo shoots
- Sell it.
- Middle Keys Dialysis and Chemo center
- Space for food trucks
- Beer garden
- Statues/art

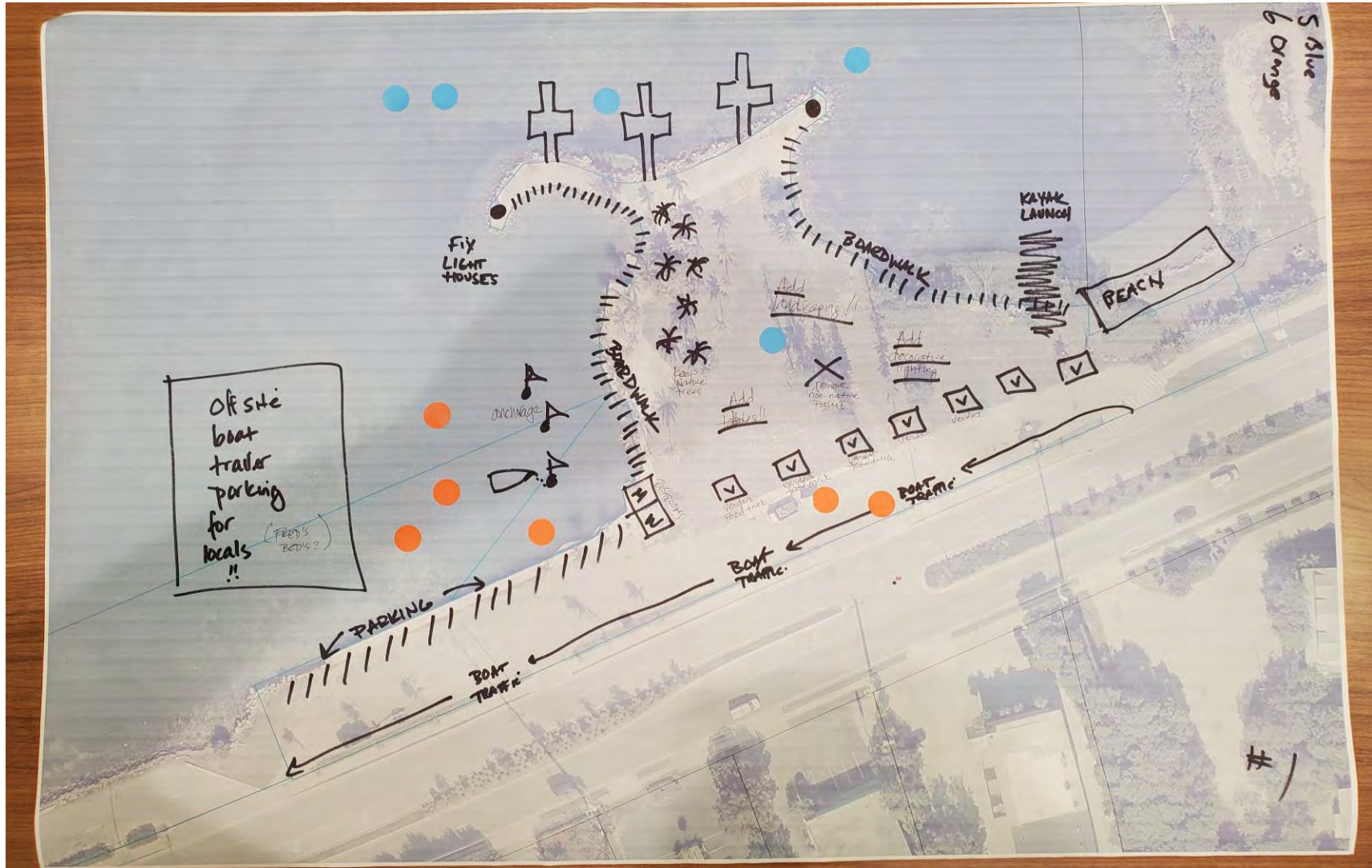


**Quay PC Workshop
Tuesday February 18, 2020**

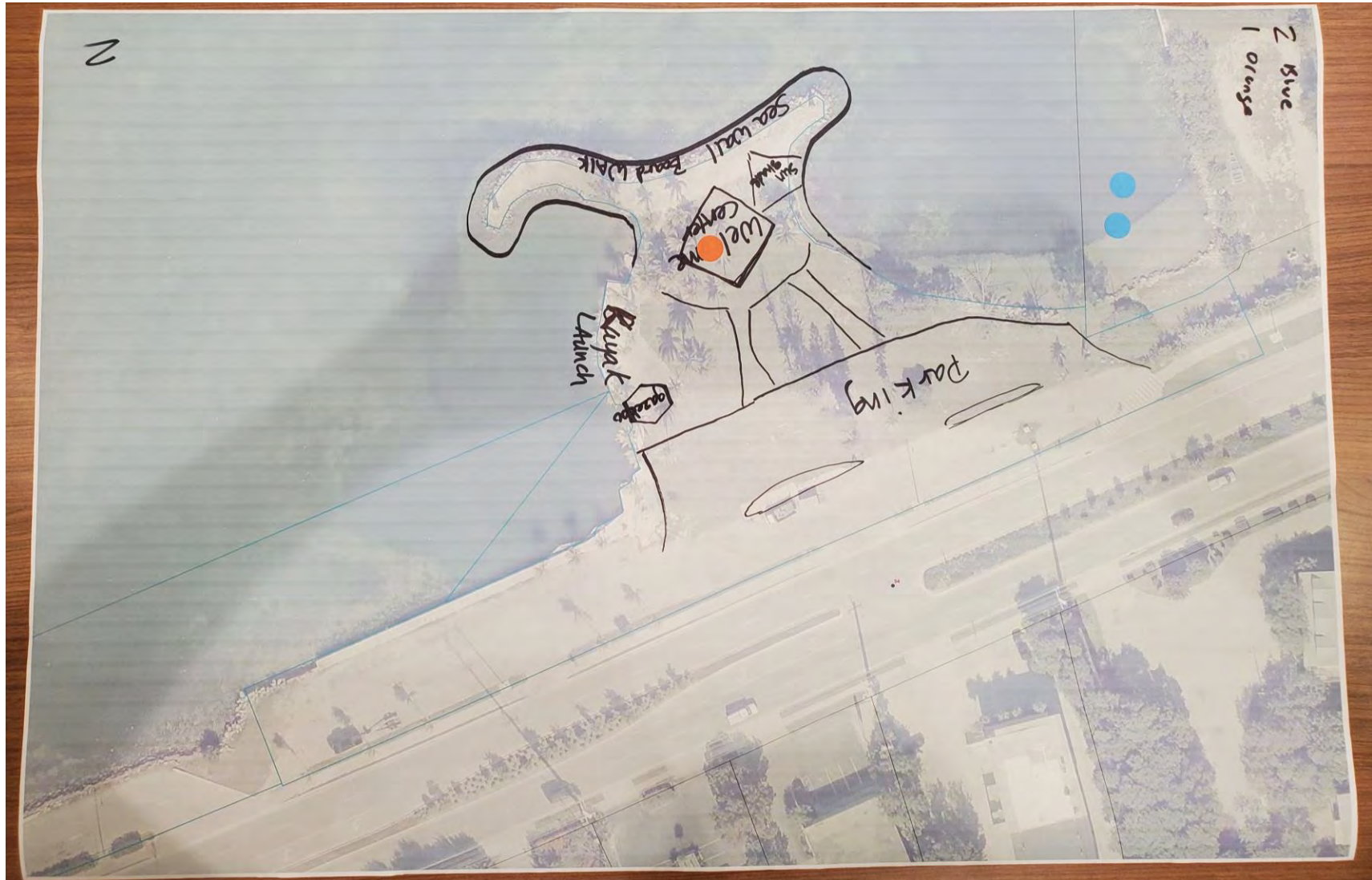
Planning Commission and the public were broken up into 5 groups. Groups were tasked with listing uses/improvements that were needed for the Quay Property. Groups reported the listed items back to everyone present, and duplicate items were noted. Groups reconvened, and took the listed items, and drew a concept site plan. Upon completion of the site plans, participants were asked to rank the site plans. Blue stickers were used to mark the favorite site plan. Orange stickers were used to mark the second favorite site plan. Participants were given yellow stickers, to mark the items that were top priority from the lists, which may or may not have made it onto the site plans due to layout/other constraints.

Item	Votes
Boat trailer parking	15 (5 of which were for offsite parking)
Boardwalk	5
Splash park	5
Food trucks/other vendors	4
Restrooms	3
Fix lighthouses	3
Shade structures	3
Welcome center	2
Passive park	2
Label native species	1
Kayak ramp	1
No vendors	1

Group	Blue Dots	Orange Dots
5	5	7
1	5	6
4	5	4
3	2	2
2	2	1

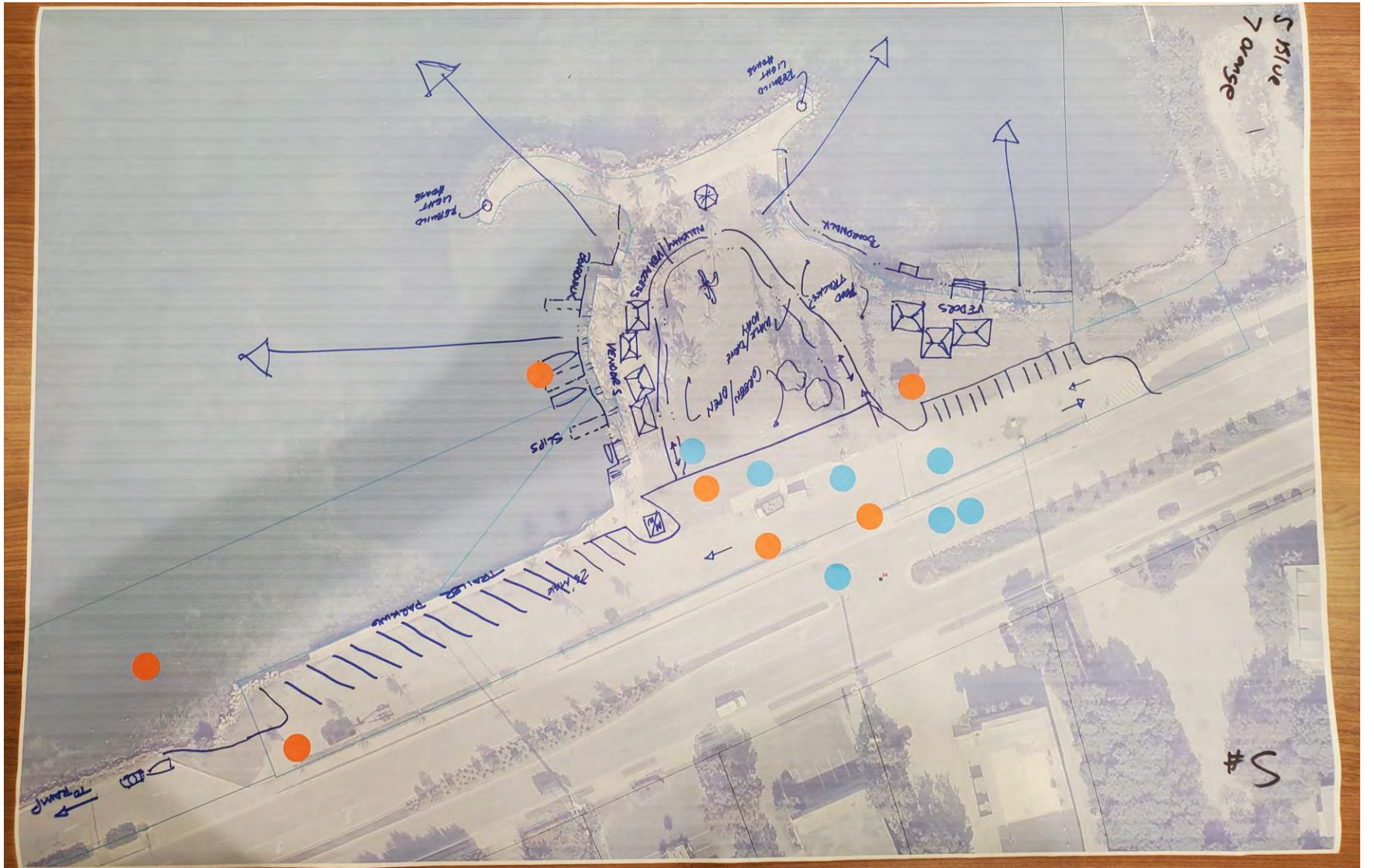


S Blue
6 Orange









BEACH 2 THE EAST/END PROPERTY

FISHING PIERS EXTENDING OFF LIGHTHOUSES

● LABELED NATIVE SPECIES

BEACH SAND

● JURIED ART + FOOD VENDORS

↑ MUST APPLY - STATED HOURS - % PROFITS
- TAX FEE - CONTRACT

MANAGE BOAT/TRAILER TRAFFIC

ANCHORAGE/SEAWALL TO INVITE BOATERS IN

MANAGED BOAT TRAILER PARKING
(LIMITED)

● FIX LIGHTHOUSES

● OFF SITE TRAILER PARKING

NO

PLAYGROUND EQUIP

WELCOME CENTER

GO CARTS

SEATING ZONE

CHEMO i:

2

- 1.) Fishing Pier
- 2.) Welcome Center ●●
- 3.) w/ Fishing, Kayaking,
Family Oriented activities,
Farmers Market, Food trucks
Music (Sunset)
4. Metered Parking

3

- ① ● ● ● ● Parking for Boat trailers ● ● ● ●
- ② Separate entrance for car park / No trailers
- ● ③ Small Splash Park ● ●
- ④ Boardwalk / Pavers along edge
- ⑤ No Food - Drink - Vendors
- ⑥ Fix Lighthouses

- PASSIVE PARK
NON COMM.
- GAZEBO'S - ON LAND - MAYBE ON FISHING PIER
FISHING PIER
SHADE STRUCTURES
KAYAK LAUNCE
- LEAVE LIGHTHOUSES
- RESTROOMS

9#

- ① Welcome Center
- ② Boat Parking ●●●●●
- ③ Shaded Seat w/6
- ④ Food + Bev ●●●
 - ↳ Rest
 - ↳ Food Truck
 - ↳ Aux shops
- ⑤ - Kayak Ramp ●
- ⑥ Park
- ⑦ - Splash Pad ●
- ⑧ Slips
- ⑨ - Boardwalk ●●●●●
- ⑩ - Bathrooms
- ⑪ - ReBuild Lighthouse
- ⑫ - Wedding Pavilion (Shade Structure)

PLANNING COMMISSION AGENDA STATEMENT



Meeting Date: June 15, 2020
To: Planning Commission
From: George Garrett, Planning Director

Agenda Item: A Request By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend The Future Land Use Map From Residential Low (RL) to Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

A Request By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend Land Development Regulations Zoning Map From Residential Low (RL) to Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

APPLICANT/OWNER/AGENT: Julie Walker

LOCATION: The subject properties are located at the end of Coco Plum Drive, Avenues O and P, Fat Deer Key, Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000).

ADDRESS: 10155 Overseas Highway, near Mile Marker 52.5

Location Map



REQUEST: Amend the Future Land Use Map (FLUM) and the Zoning Map for the subject properties from Residential Low (RL) to Residential Medium (RM with a Zoning of Residential Medium (RM-1). See existing FLUM and Zoning maps for the property (Exhibit 1a and 1b).

LOT AREA: The aggregated size of the parcels is approximately 153,570 sq./ft.; 3.53 acres
Upland area is approximately 98,769 sq. ft. or 2.26 acres
(Proposed area of re-FLUM / re-Zone).
Submerged land area is approximately 54,801 sq. ft. or 1.26 acres

BACKGROUND:

The applicant in this matter is Julie Walker. She represents two properties in the matter – RE Nos. 00365970-000000 and 00365980-000000.

In addition, the City is suggesting that a re-FLUM & Re-zoning occur for RE No. 00366031-000100. The owner of said property is supportive. This RE Number has been combined from RE Numbers 00366010-000000 and 00366020-000000. This is an adjacent property already developed which is currently FLUMed and Zoned RM-1 and RL. The RL portion gave that property enough density to build three (3) residential units which have been built and have received a Certificate of Occupancy. The change in FLUM and Zoning will make the FLUM / Zoning consistent with what has been built but will not allow any more construction. It should also be noted that the City abandoned Avenue P to this parcel as the street only served this parcel.

Current and Proposed Future Land Uses and Zoning

Future Land Use Map Designation

Current: Residential Low (RL) and Residential Medium (RM)
Proposed: Residential Medium (RM)

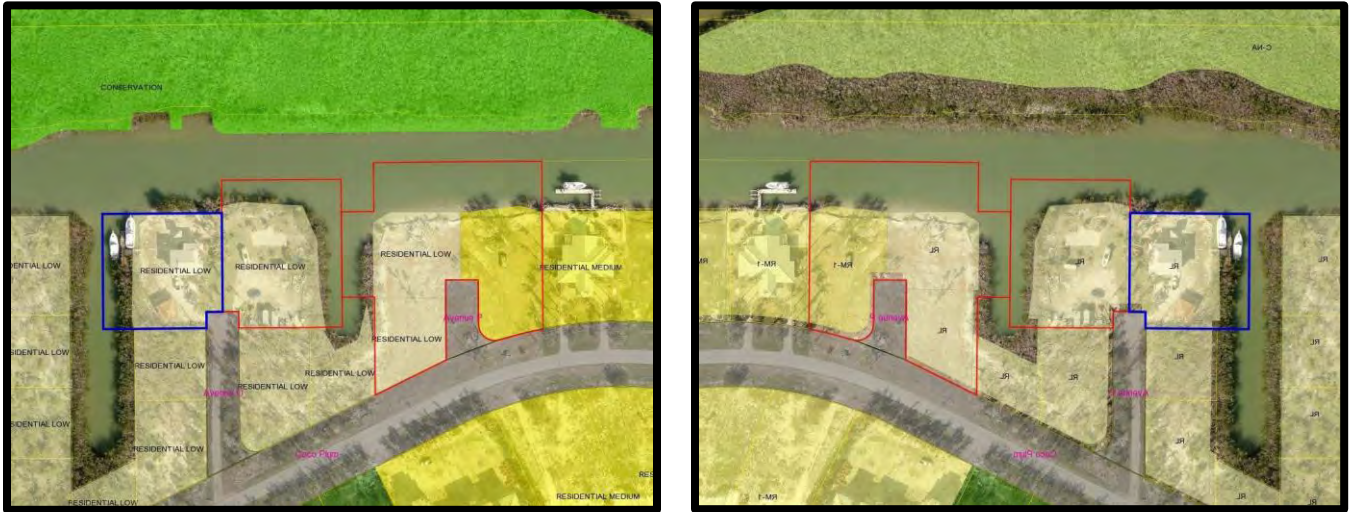
Land Use (Zoning) District Designation

Existing: Residential Low (RL) and Residential Medium (RM-1)
Proposed: Residential Medium (RM-1)

Use of Properties

Existing: Residential (four (4) units) and one vacant parcel
Proposed: Residential (four (4) units) with the potential for one extra residential unit on the vacant Walker property

Figures 1a and 1b
Existing FLUM and Zoning



Highlighted Parcels (Blue and Red) would become Residential Medium FLUM & Zoning (RM-1)

Surrounding FLUM, Zoning and Uses

The properties subject to the FLUM and Zoning amendments are located at the east end of Coco Plum Drive associated with Avenue O and P.

The following table correlates existing uses with the existing FLUM and Zoning map:

Table 1. Existing Conditions

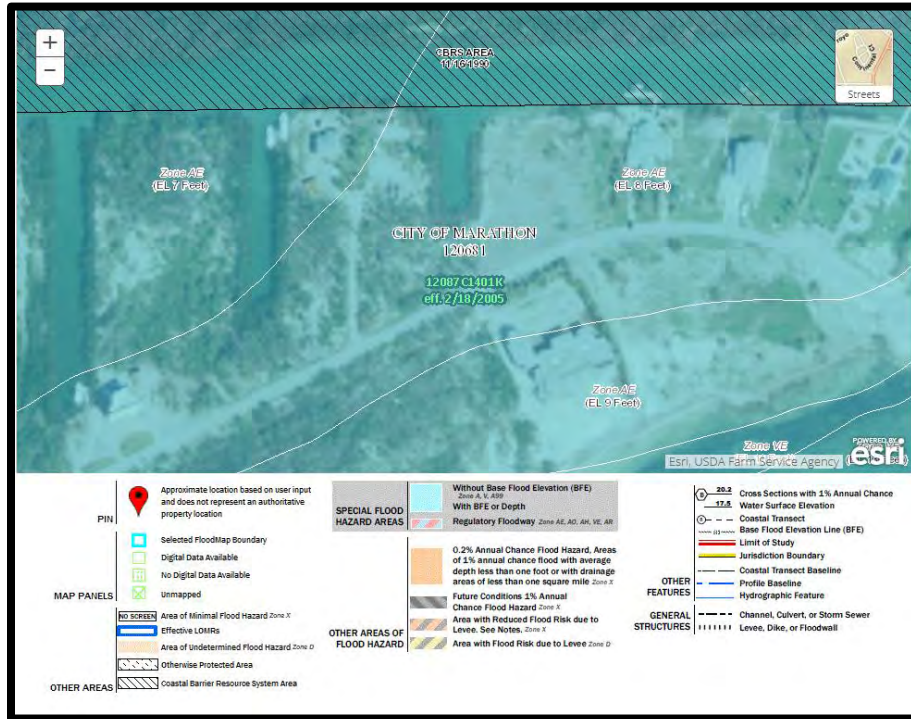
	<u>Existing FLUM</u>	<u>Existing Zoning</u>	<u>Existing Uses</u>
North	Conservation (C)	Conservation Native Area (C-NA)	State Park Land
East	Residential Medium (RM)	Residential Medium-1 (RM-1)	Residential units
South	Residential Medium (RM)	Residential Medium-1 (RM-1)	Residential development and Vacant land
West	Residential Low (RL)	Residential Low (RL)	Conservation land and Residential Development

Existing Habitat

The existing conditions maps shows that the parcels in question are either developed or vacant and scarified.

FEMA

The property is within multiple flood zones: extending from the shoreline, the property includes AE 7, and AE 8 Flood zones. Just outside the boundary of the parcels in question is one of four Coastal Barrier Resource System (CBRS) areas within or adjacent to the City of Marathon. It does not affect this RE-FLUM or Re-zoning request.



Zoning and Land Use History

The City has not made any amendments to the FLUM or zoning map associated with these properties since the adoption of the Current FLUM and Zoning Maps in 2005 & 2007 respectively. The property has historically had land use and zoning designations of low and medium density residential uses

ANALYSIS OF FLUM CHANGE REQUEST:

Consistency with FL State Statutes

Compliance Discussion

Relevant criteria promulgated in Chapter 163 and 380, can be itemized in bullets as follows based on the critical concerns more specifically identified in the City's Comprehensive plan:

- Natural Resource Protection
 - Wetlands
 - Estuaries
 - Living marine resources

- Beaches / Dunes
- Unique wildlife habitat
- Water Quality
- Historical Resources
- Infrastructure / Concurrency Management
 - Wastewater
 - Stormwater
 - Potable Water
 - Solid Waste
 - Transportation
- Affordable Housing
- Hazard Mitigation
 - CHHA
 - Hurricane Evacuation
- Ports
 - Marina Siting
- Public Use
 - Shoreline use and Access
 - Water dependent and independent activity
- Land Acquisition
 - Conservation
 - CHHA
 - Public Services

The above bullet items will be utilized as the focus points for review of the proposed zoning amendment and for future comprehensive plan amendments.

In General

Predominately, the FLUM designation along Coco Plum Drive in this area is either Residential Low to the west to Avenue L with interspersed single family residences; Conservation on the oceanside of Coco Plum Drive where the City owns Coco Plum Beach; or Residential Medium (RM) to the east leading to the end of Coco Plum Drive.

The proposed Re-FLUM and re-Zoning converts all of the residential development at the end of Coco Plum Drive to Residential Medium (FLUM) and RM-1 (Zoning), thus making the entire end of Coco Plum Drive FLUMed and Zoned consistently.

Remaining FLUM and Zoning to the west should remain Residential Low (RL). That property and area has been slated for acquisition in the past and is much of the area is already either owned by the State, the County, or the City as conservation lands. Any single-family homes in the RL area, though non-conforming for FLUM and Zoning, could rebuild under the City's Comprehensive Plan or Land Development Regulations if severely damaged or destroyed.

The proposed FLUM and Zoning amendments *are compatible* with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area. Therefore, it is staff's

finding that the request is *in compliance* with this criterion.

Natural Resources

Direct impacts to natural resources would differ minimally as a result of the proposed FLUM and Zoning changes. The area proposed for a FLUM change is either already developed or vacant and scarified.

The proposed FLUM and Zoning amendments *are consistent* with these provisions of the Comprehensive Plan and Chapters 163 and 380 F.S.

Historical and Cultural Resources

Protection of historical and cultural resources is crucial under the City's Comprehensive Plan, Chapters 163 and 380 F.S.

There are no known historical or cultural resources associated with the subject properties or within the area of the requested FLUM and Zoning changes. Therefore, the FLUM and Zoning changes would have no impacts on historical or cultural resources.

The proposed FLUM and Zoning amendments *are therefore consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Infrastructure

• Wastewater infrastructure

Wastewater as an issue of infrastructure capacity and provides a means of water quality protection for the waters surrounding our islands. Water quality protection represents the backbone to the City's Comprehensive Plan, the tenants of Chapters 163 and 380 F.S. The subject property inclusive of the area of the proposed FLUM change is served by the Area 6 sewer infrastructure. The Utility Manager for the City of Marathon reviewed the proposed FLUM and Zoning changes and determined that there would be no adverse impact on sewer capacity if the proposal were approved.

The proposed FLUM and Zoning changes would not place any additional constraints on wastewater infrastructure capacity and would provide limited or no adverse impact resulting from additional nutrient loading.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 163 and 380 F.S.

• Stormwater infrastructure

Stormwater infrastructure capacity and means of water quality protection represents another of the backbone elements of the City's Comprehensive Plan, the tenants of Chapters 163 and 380 F.S. The City of Marathon requires that all property owners retain their stormwater on site. All proposals for new developments, and redevelopments, must submit detailed civil engineering plans for review by the City

Engineer. Proposals for redevelopment would have to obtain all required permits through other applicable agencies, such as the Department of Environmental Protection or the South Florida Water Management District.

Staff believes that the proposed FLUM and zoning changes would have a diminimus impact on stormwater infrastructure capacity and *is, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 163 and 380 F.S.

• **Potable Water**

Monroe County's potable water facilities do not critically constrain the amount of future growth that can be accommodated in the County (see End Note 1). The current FKAA Consumptive Use Permit, when compared to current potable water consumption rates, will provide sufficient potable water to accommodate existing and committed development plus an additional 18,258 equivalent residential units (ERU's) in unincorporated and incorporated Monroe County. The FKAA's Consumptive Use Permit has been renewed. Costs of improvements to upgrade facilities for potable water supply, treatment and distribution, in order to accommodate future growth impacts, would not be borne by the City.

An increase in potable water demand is not expected as part of the proposed FLUM change, any increase would have a diminimus impact on potable water infrastructure capacity. The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

• **Solid Waste**

Solid waste capacity is managed in the Florida Keys under haul-out contracts to mainland solid waste facilities. There are currently no limits on solid waste capacity that would be impacted by this FLUM proposal.

The proposed FLUM and Zoning changes would not impact concurrency levels of solid waste infrastructure capacity.

The proposed FLUM and Zoning amendment *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

• **Transportation**

The requested FLUM change is not expected to have an adverse impact on roadway capacity.

The proposed FLUM and Zoning changes would not affect concurrency levels of transportation on U.S. Highway 1.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Affordable Housing

Affordable housing is an important issue in the Florida Keys and throughout the state of Florida. The proposed FLUM and Zoning changes would not affect the potential to develop affordable housing.

The proposed FLUM and Zoning changes will have no effect on the potential for affordable housing projects. The proposed FLUM and Zoning amendments *are therefore consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Hazard Mitigation

• Coastal High Hazard Areas

The entirety of the parcel lies outside the Coastal Barrier Resources System (CBRS) The proposed FLUM and Zoning changes results in a diminimus impact to public safety.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

• Hurricane Evacuation

The critical carrying capacity constraint at the present time is related to the requirement that hurricane evacuation clearance times for Monroe County be maintained at or below 30 hours through the Year 2002, and further reduced to 24 hours by 2010.

The Florida Department of Economic Opportunity in conjunction with sister state agencies and the participation of all local governments completed an analysis of current hurricane evacuation constraints. It was determined that under defined conditions, the County was able to maintain a 24 hour evacuation time while continuing the current ROGO and BPAS allocation formulas. Thus, for the ensuing ten (10) thorough 2023, the City will continue to be able to issue 30 residential allocations per year.

The proposed FLUM and zoning changes would have a neutral impact on hurricane evacuation times with the BPAS system in place.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Ports – Marina Siting

Staff believes that the proposed FLUM and Zoning change will have no adverse impact on ports management or the City’s Marina Siting Plan.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Public Use – Access to Water

The proposed FLUM amendment is located on waters leading to the Atlantic Ocean. However, there are no public points of access to the water from this location. Staff believes that the proposed FLUM and Zoning change will have no adverse impact on public access to water.

The proposed FLUM and Zoning amendments *are, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.*

Land Acquisition

Land acquisition in the Florida Keys is carried out by the City, County, State, and to a limited extent the federal government for the purposes of resource conservation and management, removal of properties in the CHHA from public ownership, and to provide for public services and facilities. The subject parcel is not on the Florida Forever boundary map.

The proposed FLUM and Zoning change would have no impact on land acquisition efforts. The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

SUMMARY:

The applicant has requested a change in the FLUM and Zoning Map designations for the properties located on and adjacent to Avenues O and P on Coco Plum Drive. Currently the property is designated as Residential Low (RL) with a small area overlapping onto Residential Medium (RM). The applicant is requesting a change to Residential Medium (RM) entirely for the FLUM map and Residential Medium-1 (RM-1) map, which will make the FLUM and Zoning consistent with the uses east of the subject properties.

RECOMMENDATION:

Staff recommends approval of the proposed FLUM and Zoning changes to Residential Medium (FLUM) and Residential Medium (RM-1) (Zoning).



Avenue C

Avenue B

Coco Plum

C-NA



RL

RL

RL

RM-1

RM-1

RL

RL

RL

RL

RL

RL

Avenue Q

Avenue P

Coco Plum

27

RL

RL

RM-1

CONSERVATION

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL MEDIUM

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

Avenue P

Avenue O

Coco Plum

28

RESIDENTIAL LOW

RESIDENTIAL MEDIUM

RES



Sponsored By: Lindsey
Planning Commission Public Hearing Date: June 15, 2020
City Council Public Hearing Dates: July 14, 2020
TBD
Enactment Date: TBD

**CITY OF MARATHON, FLORIDA
ORDINANCE 2020-XXX**

AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA AMENDING THE FUTURE LAND USE MAP FROM RESIDENTIAL LOW (RL) TO RESIDENTIAL MEDIUM (RM) FOR LOT 8, BLOCK 18; LOT 1, BLOCK 19; LOT 4, BLOCK 19; AND LOT 5, BLOCK 19, COCO PLUM BEACH SUBDIVISION; HAVING REAL ESTATE NUMBERS 00365970-000000, 00365980-000000, AND PART OF 00366031-000100 (FORMERLY 00366010-000000 AND 00366020-000000), MARATHON, FLORIDA, MONROE COUNTY, FLORIDA; NEAREST MILE MARKER 54.

WHEREAS, pursuant to the provisions of Chapters, 163, 166 and 380 Florida Statutes, the City of Marathon, Florida (the "City") proposes to amend the City's Future Land Use Map (the "Map") to change the land use district designation of property owned by Julie and Chad Walker and Marathon Vacation Properties, LLC., from Residential Low (RL) to Residential Medium (RM); and

WHEREAS, amending the Map designation of the Property furthers the goals, objectives and policies of the City Comprehensive Plan (the "Plan"); and

WHEREAS, pursuant to Chapter 163, *Florida Statutes*, and Sections 101.02 and 102.22 of the Code, the Planning Commission sitting as the Local Planning Agency publicly considered the proposed Zoning Map amendment on June 15, 2020 at a duly noticed public hearing, and has recommended approval of the proposed Map amendment to the City Council; and

WHEREAS, pursuant to the same legislative provision, the City Council considered the recommendation of the Planning Commission, accepted public input, and deliberated on the proposed Map amendment on July 14, 2020 at a duly noticed public hearing, and recommended that the amendment be transmitted to the Florida Department of Economic Opportunity (DEO) for review; and

WHEREAS, in accordance with Section 166.041, *Florida Statutes*, notice of the public hearings concerning the proposed Map amendment has been provided to the general public; and

WHEREAS, the City Council finds that approval of the proposed Map amendment is in the best interest of the City and complies with applicable laws and is consistent with the South Florida Regional Plan, the State Plan, Chapter 163, *Florida Statutes*, the principles for guiding development in the Florida Keys Area of Critical State Concern, the goals, objectives, and policies of the Plan, Chapter 102, Article 6 of the Code, and promotes and protects the health, safety and welfare of the residents of the City; and

WHEREAS, the City Council desires to approve the proposed Map amendment, in accordance with State law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA THAT:

SECTION 1. The above recitals are true, correct, and incorporated herein by this reference.

SECTION 2. The proposed FLUM Map designation change of the Property is approved in its first reading from its current designation of Residential Low (RL) Residential Medium (RM).

SECTION 3. The City Council directs staff to transmit the revised Map reflecting the Map amendment, and all data and analysis supporting the Map amendment, to the Department of Economic Opportunity, in its capacity as the State Land Planning Agency, as required by Chapters 163 and 380, *Florida Statutes*.

SECTION 4. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause of phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. The effective date of this FLUM Amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 14TH DAY OF JULY 2020.

THE CITY OF MARATHON, FLORIDA

Steve Cook, Mayor

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Diane Clavier, City Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

Dirk Smits, City Attorney

Sponsored By: Lindsey
Planning Commission Public Hearing Date: June 15, 2020
City Council Public Hearing Dates: July 14, 2020
TBD
Enactment Date: TBD

**CITY OF MARATHON, FLORIDA
ORDINANCE 2020-XXX**

AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS ZONING MAP FROM RESIDENTIAL LOW (RL) TO RESIDENTIAL MEDIUM (RM) FOR LOT 8, BLOCK 18; LOT 1, BLOCK 19; LOT 4, BLOCK 19; AND LOT 5, BLOCK 19, COCO PLUM BEACH SUBDIVISION; HAVING REAL ESTATE NUMBERS 00365970-000000, 00365980-000000, AND PART OF 00366031-000100 (FORMERLY 00366010-000000 AND 00366020-000000), MARATHON, FLORIDA, MONROE COUNTY, FLORIDA; NEAREST MILE

WHEREAS, pursuant to the provisions of Chapters, 163, 166 and 380 Florida Statutes, the City of Marathon, Florida (the "City") proposes to amend the City's Future Land Use Map (the "Map") to change the land use district designation of property owned by Julie and Chad Walker and Marathon Vacation Properties LLC; and

WHEREAS, amending the Zoning Map designation of the Property furthers the goals, objectives and policies of the City Comprehensive Plan (the "Plan"); and

WHEREAS, pursuant to Chapter 163, *Florida Statutes*, and Sections 101.02 and 102.22 of the Code, the Planning Commission sitting as the Local Planning Agency publicly considered the proposed Zoning Map amendment on June 15, 2020 at a duly noticed public hearing, and has recommended approval of the proposed Map amendment to the City Council; and

WHEREAS, pursuant to the same legislative provision, the City Council considered the recommendation of the Planning Commission, accepted public input, and deliberated on the proposed Map amendment on July 14, 2020 and again on ??? at a duly noticed public hearing, and recommended that the amendment be transmitted to the Florida Department of Economic Opportunity (DEO) for review and final approval; and

WHEREAS, in accordance with Section 166.041, *Florida Statutes*, notice of the public hearings concerning the proposed Map amendment has been provided to the general public; and

WHEREAS, the City Council finds that approval of the proposed Zoning Map amendment is in the best interest of the City and complies with applicable laws and is consistent with the South Florida Regional Plan, the State Plan, Chapter 163, *Florida Statutes*, the principles for guiding development in the Florida Keys Area of Critical State Concern, the goals, objectives, and policies of the Plan, Chapter 102, Article 6 of the Code, and promotes and protects the health, safety and welfare of the residents of the City; and

WHEREAS, the City Council desires to approve the proposed Map amendment, in accordance with State law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA THAT:

Section 1. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. In accordance with State law, the City of Marathon Comprehensive Plan, the Zoning Map designation of the Properties are amended from their current designation of Residential Low (RL) to Residential Medium (RM-1).

Section 3. The City shall timely transmit the revised Zoning Map reflecting the Map amendment, and all data and analysis supporting the Map amendment, to the State of Florida Department of Economic Opportunity, in its capacity as the State Land Planning Agency (the “Department”), as required by Chapters 163 and 380, *Florida Statutes*.

Section 4. That upon its effective date, the revised Map shall replace the City’s Zoning Map, previously applicable to the City pursuant to Sections 163.3167(4), 380.05(10) and 380.0552(9), *Florida Statutes*, and Section 9(6) of the City Charter to the fullest extent allowed by law.

Section 5. The provisions of this Ordinance constitute a “land development regulation” as State law defines that term. Accordingly, the City Clerk is authorized to forward a copy of this Ordinance to the Department for approval pursuant to Sections 380.05(6) and (11), *Florida Statutes*.

Section 6. That this Ordinance shall be effective immediately upon approval by the Department pursuant to Chapter 380, *Florida Statutes*.

ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, this ____ day of ____ 2020.

THE CITY OF MARATHON, FLORIDA

Steve Cook, Mayor

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Diane Clavier
City Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

Dirk Smits
City Attorney

PLANNING COMMISSION AGENDA STATEMENT



Meeting Date: June 15, 2020

From: George Garrett, Planning Director

Agenda Item: An Ordinance Of The City Of Marathon, Florida Amending The Future Land Use Map (FLUM) From Residential Medium (RM) To Mixed Use-Commercial (MU-C) For The Property Described As Block 3 Lot 9, Key Colony Subdivision, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00335200-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

APPLICANT/OWNER: Mr. Chris Stiles, Stiles Family Partnership LLC

AGENT: L. Steven Hurley

LOCATION: The subject property is located on 6th Avenue Gulf, nearest Mile Marker 52 and is legally described as Block 3 Lot 9, Key Colony Subdivision, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00335200-000000.

ADDRESS: 10701 6th Avenue

REQUEST: Amend the Future Land Use Map (FLUM) for the subject properties from Residential Medium (RM) to Mixed Use Commercial (MU-C).

LOT AREA: The aggregated size of the parcels is approximately .19 acres (8,250 sq./ft.)

BACKGROUND:

These parcels were zoned as Suburban Commercial (SC) under Monroe County. In 2005, when the City of Marathon adopted the Comprehensive Plan, the parcels were given a Residential Medium (RM) FLUM designation and were in turn zoned as Residential Medium (RM) when the City adopted the current zoning maps in 2007. The applicants are requesting the re-designation of the FLUM map and subsequent rezoning to make the parcels consistent with the Mixed Use Commercial (MU-C) designation along US1. The rezoning is not addressed in this application. Existing use on the vacant property is a parking lot.

The applicants have stated that the FLUM and zoning designation should be the same as the adjacent owned commercial property that the parking lot is used for.

	Pre 2005	Pre 2007	2005	2007
	OLD FLUM	OLD ZONING	CURRENT FLUM	CURRENT ZONING

	Suburban Commercial	Suburban Commercial	Residential Medium	Residential Medium
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Current and Proposed Future Land Uses and Zoning

Future Land Use Map Designation

Current: Residential Medium (RM)
Proposed: Mixed Use Commercial (MU-C)

Land Use (Zoning) District Designation

Existing: Residential Medium (RM)
Proposed: Mixed Use (MU)

Use of Properties

Existing: Residential
Proposed: No plans at this time

Surrounding FLUM, Zoning and Uses

The property subject to the FLUM amendment is located on 6th Avenue Gulf and consists of one parcel. The property is located next to a property under the same ownership that is zoned Mixed Use. Adjacent land use to the East and North is Residential Medium. Across the street the zoning is Industrial General. The following table correlates existing uses with the existing FLUM, zoning and uses.

	<u>Existing FLUM</u>	<u>Existing Zoning</u>	<u>Existing Uses</u>
North	Residential Medium (RM)	Residential Medium (RM)	Duplexes and SFR
East	Residential Medium (RM)	Residential Medium (RM)	Duplexes and SFR
South	Industrial (I)	Industrial General (IG)	Auto Repair and storage
West	Mixed Use Commercial (MUC)	Mixed Use (MU)	Storage and commercial.

Existing Habitat

The existing conditions maps indicate the properties are designated as developed. The parcel is not within the Florida Forever boundaries, which is land that has been identified as critical areas suitable for acquisition by federal, state, or local agencies.

FEMA

The properties are within the AE 7 flood zone.

DEVELOPMENT ANALYSIS:

Current FLUM: Residential Medium (RM)

Policy 1-3.1.4 Residential Medium of the Comprehensive Plan states “the principal purpose of the Residential Medium land use category is to provide for medium density residential development.”

Residential Medium Allowable Density:

Market Rate – 5 Units per acre

Affordable – 10 units per acre

Proposed FLUM: Mixed Use Commercial (MU-C)

Policy 1-3.1.4 Mixed Use Commercial of the Comprehensive Plan states “the principal purpose of the Mixed Use Commercial land use category is to provide for the establishment of Mixed Use development patterns within the City. This land use category is intended to provide for the commercial zoning district where various types of commercial, retail, and office uses may be permitted at intensities which are consistent with the community character and the natural environment and to provide for various types of residential uses, including employee housing and commercial apartments.”

Mixed Use Commercial Allowable Density

Market Rate – 2-6 Units per acre

Affordable – 10-15 units per acre

Transient – 10-25 units per acre

Commercial-Industrial Intensity Table

Type of Use	FAR ¹
Retail	
<i>Low Intensity</i>	.60
<i>Med Intensity</i>	.45
<i>High Intensity</i>	.25
Office	.60
Commercial Recreation	.15
Institutional	.30
Outdoor Recreational	.15
Public Buildings and Uses	.45
Restaurant/Bar	.60
Industrial	.85
Light Industrial in MU	.30

¹ The FAR for mixed use developments may be increased to .75 if mitigated by the development of affordable/workforce housing is provided

ANALYSIS OF FLUM CHANGE REQUEST:

Consistency with Adopted Comprehensive Plan Goals, Objectives, and Policies.

The following excerpts from the City of Marathon Comprehensive Plan apply to the proposed development.

Policy 1-1.1.1 states the City is to protect and enhance the “small town” atmosphere and to encourage mixed- use development patterns.

Policy 1-1.1.3 states the City is to protect viable and stable residential neighborhoods from inconsistent uses via LDR standards for landscaping, buffering, bulk restrictions, building height, setbacks, and separation between uses.

Policy 1-1.1.4 states the City shall continue to maintain LAND DEVELOPMENT REGULATIONS which implement the following techniques required to create a smooth land use transition where it is not feasible to separate incompatible land uses.

- a. Variable buffers, combining land and landscaping to achieve adequate separation of uses, appropriate open space, reduction of potential noise, light, glare, and pollution, and screening of physical features of a proposed development;
- b. Variable setbacks, based upon degree of difference in proposed use, density, intensity, scale, mass, or height;
- c. Placement and effective screening or shielding of site features such as lights, signs, dumpsters, loading areas, parking areas, outdoor storage, or other features with potential negative impacts;
- d. Effective transitions of on-site densities, intensities, scale, mass, and height; and
- e. Other innovative site design features that effectively achieve compatibility and effectively mitigate potential negative impacts.

FL State Statutes

Relevant criteria promulgated in Chapters 163, 380, and 9J-5 F.A.C. can be itemized in bullets as follows based on the critical concerns more specifically identified in the City’s comprehensive plan:

- Natural Resource Protection
 - Wetlands
 - Estuaries
 - Living marine resources
 - Beaches / Dunes
 - Unique wildlife habitat
 - Water Quality
- Historical Resources
- Infrastructure / Concurrency Management
 - Wastewater
 - Stormwater

- Potable Water
- Solid Waste
- Transportation

- Affordable Housing

- Hazard Mitigation
 - CHHA
 - Hurricane Evacuation

- Ports
 - Marina Siting

- Public Use
 - Shoreline use and Access
 - water dependent and independent activity

- Land Acquisition
 - Conservation
 - CHHA
 - Public Services

These bullet items will be utilized as the focus points for review of the proposed FLUM amendment and for future comprehensive plan amendments.

Natural Resources

Direct impacts to natural resources would differ minimally as a result of the proposed FLUM change. These properties are not recognized habitat to any state or federally listed animal species and are not within Florida Forever boundaries or critical habitat areas.

There are no associated wetlands, estuaries, beach areas or dunes associated with the area proposed for FLUM change. These are protected resources important to the tenants of Chapter 163, 9J-5, F.A.C., or the Principals for Guiding Development. Similarly, no living marine resources adjacent to the subject area would be adversely impacted by the proposed change in the FLUM map.

The proposed FLUM amendment is consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Historical and Cultural Resources

Protection of historical and cultural resources is crucial under the City’s Comprehensive Plan, Chapters 163 and 380 F.S.

There are no known historical or cultural resources associated with the subject properties or within the area of the requested FLUM change. Therefore, the FLUM change would have no impacts on historical or cultural resources. The proposed FLUM amendment is therefore consistent with these

provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Infrastructure

• Wastewater infrastructure

Wastewater as an issue of infrastructure capacity and means of water quality protection represents the backbone to the City's Comprehensive Plan, the tenants of Chapters 163 and 380 F.S. The subject property inclusive of the area of the proposed FLUM change is served by the Area 5 sewer infrastructure. The Utility Manager for the City of Marathon reviewed the proposed FLUM changes and determined that there would be no adverse impact on sewer capacity if the proposal were approved.

The proposed FLUM change would maintain concurrency levels of wastewater infrastructure capacity and provide limited or no adverse impact resulting from nutrient loading. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

• Stormwater infrastructure

Stormwater infrastructure capacity and means of water quality protection represents another of the backbone elements of the City's Comprehensive Plan, the tenants of Chapters 163 and 380 F.S. The City of Marathon requires that all property owners retain their stormwater on site. All proposals for new developments, and redevelopments, must submit detailed civil engineering plans for review by the City Engineer. Proposals for redevelopment would have to obtain all required permits through other applicable agencies, such as the Department of Environmental Protection & South Florida Water Management District.

Staff believes that the proposed FLUM change would have a diminimus impact on stormwater infrastructure capacity.

• Potable Water

Monroe County's potable water facilities do not critically constrain the amount of future growth that can be accommodated in the County (see End Note 1). The current FKAA Consumptive Use Permit, when compared to current potable water consumption rates, will provide sufficient potable water to accommodate existing and committed development plus an additional 18,258 equivalent residential units (ERU's) in unincorporated and incorporated Monroe County. The FKAA's Consumptive Use Permit has been renewed (see End Note 1). Costs of improvements to upgrade facilities for potable water supply, treatment and distribution, in order to accommodate future growth impacts, would not be borne by the City, as this utility is private and would be in the FKAA's CIP, not the City's.

An increase in potable water demand is not expected as part of the proposed FLUM change, any increase would have a diminimus impact on potable water infrastructure capacity. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

- **Solid Waste**

Solid waste capacity is managed in the Florida Keys under haul-out contracts to mainland solid waste facilities. There are currently no limits on solid waste capacity that would be impacted by this FLUM proposal.

The proposed FLUM change would maintain concurrency levels of solid waste infrastructure capacity. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

- **Transportation**

The requested FLUM change is not expected to have an adverse impact on roadway capacity.

Monroe County's roadway facilities do not critically constrain the amount of future growth that can be accommodated in the County or the City (see End Note 1). Although localized deficiencies characterize several segments of US 1, sufficient reserve capacity exists in the overall roadway system to accommodate existing and committed development plus an additional 5,738 residential units (see End Note 1). Only 2,550 were allocated to unincorporated Monroe County in 1992, of which 150 went to the City. Thus, there is reserve capacity on US 1 to accommodate planned growth in the City (see End Note 2).

The proposed FLUM change would maintain concurrency levels of transportation on U.S. Highway One. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Affordable Housing

Affordable housing is an important issue in the Florida Keys and throughout the state of Florida. The City has well over 200 developed or approved affordable housing units. The proposed FLUM change would facilitate a potential for increased affordable housing on site. The Public FLUM category allows for a potential increase of 15 units per acre of affordable housing versus the RM FLUM category.

The proposed FLUM change will have the effect of enhancing the potential for affordable housing projects. The proposed FLUM amendment is therefore consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Hazard Mitigation

- **Coastal High Hazard Areas**

The subject parcel, closest to the Atlantic Ocean, is in a Coastal High Hazard Area (CHHA). Any future development on site, if encroaching into this zone, would have to comply with all provisions of the local City of Marathon Floodplain Ordinance, in accordance with the standards as set to be a participating community in the National Flood Insurance Program (NFIP).

Policy 4- 1.17.6 Limit Redevelopment in CHHA

The City shall limit redevelopment in areas within the CHHA shown by the Local Mitigation Strategy to be particularly susceptible to repeated damage. Criteria for assessing redevelopment potential for these properties shall be addressed within the Post Disaster Redevelopment Plan, to be prepared pursuant to Policy 4-1.22.3.

Policy 4-1.20.1 Discourage Development in the High Velocity Area

The City shall, through the Land Development Regulations, continue to encourage both residential and non-residential development away from the areas designated as high velocity storm surge areas through disincentives in the adopted BPAS.

While development in the CHHA is to be discouraged in the Comprehensive Plan, it can be permitted by the Land Development Regulations in cases where it cannot be avoided; in these cases, development is required to comply with local Floodplain Management Regulations related to Velocity zone construction. The City has recently revised its floodplain regulations to comply with all recent revisions to the construction standards typically applied in a VE (CHHA) zone.

The proposed FLUM change results in a diminished hazard to public safety. Permanent residential would be replaced with non- residential and therefore represents decreased development in the CHHA on site. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

• Hurricane Evacuation

The critical carrying capacity constraint at the present time is related to the requirement that hurricane evacuation clearance times for Monroe County be maintained at or below 30 hours through the Year 2002, and further reduced to 24 hours by 2010 (see End Note 1).

The Florida Department of Economic Opportunity in conjunction with sister state agencies and the participation of all local governments completed an analysis this year of current hurricane evacuation constraints. It was determined that under defined conditions, the County was able to maintain a 24-hour evacuation time while continuing the current ROGO and BPAS allocation formulas. Thus, for the ensuing ten (10) years the City will continue to be able to issue 30 residential allocations per year.

The proposed FLUM change would have a positive impact on hurricane evacuation times with the BPAS system in place. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Ports – Marina Siting

Staff believes that the proposed FLUM change will have no adverse impact on ports management or the City’s Marina Siting Plan. Marinas are allowed under a conditional use permit in the Mixed Use (MU) zoning district under the City’s Land Development Regulations; while no marina development is foreseeable, a Marina Operating Permit, consistent with the LDRs would be required, this would include obtaining coordination letters from external agencies, and all necessary Federal, State and

local approvals and permitting.

The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Public Use – Access to Water

There is no public access to the water from this location

Staff believes that the proposed FLUM change will have no adverse impact on public access to water. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Land Acquisition

Land acquisition in the Florida Keys is carried out by the City, County, State, and to a limited extent the federal government for the purposes of resource conservation and management, removal of properties in the CHHA from public ownership, and to provide for public services and facilities. The parcels are not on the Florida Forever boundary map.

The proposed FLUM change would have no impact on land acquisition efforts of the above mentioned entities so long a conservation easement is ensured. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

SUMMARY:

The applicants have requested a change in the Future Land Use Map (FLUM) designation for the parcel located on 6th Avenue Gulf. Currently the property is designated as Residential Medium (RM). The applicant is requesting a change to Mixed Use Commercial (MUC), and subsequent rezoning of the parcel.

Staff finds the proposed FLUM change consistent with the standards and tenants of Chapter 163 and 380 F.S., and the City's Comprehensive Plan adopted under the requirements of these statutes and rules.

RECOMMENDATION:

Based on the above information, the Marathon Planning Department staff recommends that the Planning Commission forward a recommendation to Council for transmittal of the request to amend the Future Land Use Map for this parcel from Residential Medium (RM) to Mixed Use Commercial (MU-C).

End Notes:

1. The source of the future land use analysis based on carrying capacity limitations can be found in the Monroe County Comprehensive Plan Technical Document (Data and Analysis) Section 2.4 (pp. 2-86 – 2-95).
2. City of Marathon, Comprehensive Plan Data and Analysis, page 10.

PLANNING COMMISSION AGENDA STATEMENT



Meeting Date: June 15, 2020

From: George Garrett, Planning Director

An Ordinance Of The City Of Marathon, Florida Amending The Zoning Designation From Residential Medium (RM) To Mixed Use (MU) For The Property Described As Block 3 Lot 9, Key Colony Subdivision, Key Vaca , Marathon, Monroe County, Florida, Having Real Estate Number 00335200-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

APPLICANT/OWNER: Mr. Chris Stiles, Stiles Family Partnership LLC

AGENT: L. Steven Hurley

LOCATION: The subject property is located on 6th Avenue Gulf, nearest Mile Marker 52 and is legally described as Block 3 Lot 9, Key Colony Subdivision, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00335200-000000.

ADDRESS: 10701 6th Avenue

REQUEST: Amend the Zoning Map for the subject properties from Residential Medium (RM) to Mixed Use (MU).

LOT AREA: The aggregated size of the parcels is approximately .19 acres (8,250 sq./ft.)

BACKGROUND:

These parcels were zoned as Suburban Commercial (SC) under Monroe County. In 2005, when the City of Marathon adopted the Comprehensive Plan, the parcels were given a Residential Medium (RM) FLUM designation and were in turn zoned as Residential Medium (RM) when the City adopted the current zoning maps in 2007. The applicants are requesting the re-designation of the FLUM map and subsequent rezoning to make the parcels consistent with the Mixed Use Commercial (MUC) designation along US1. The FLUM change is not addressed in this application. Existing use on the vacant property is a parking lot.

The applicants have stated that the FLUM and zoning designation should be the same as the adjacent owned commercial property that the parking lot is used for.

	Pre 2005	Pre 2007	2005	2007
	OLD FLUM	OLD ZONING	CURRENT FLUM	CURRENT ZONING
	Suburban Commercial	Suburban Commercial	Residential Medium	Residential Medium

Current and Proposed Future Land Uses and Zoning

Future Land Use Map Designation

Current: Residential Medium (RM)
Proposed: Mixed Use Commercial (MUC)

Land Use (Zoning) District Designation

Existing: Residential Medium (RM)
Proposed: Mixed Use (MU)

Use of Properties

Existing: Residential
Proposed: No plans at this time

Surrounding FLUM, Zoning and Uses

The property subject to the FLUM amendment is located on 6th Avenue Gulf and consists of one parcel. The property is located next to a property under the same ownership that is zoned Mixed Use. Adjacent land use to the East and North is Residential Medium. Across the street the zoning is Industrial General. The following table correlates existing uses with the existing FLUM, zoning and uses.

	<u>Existing FLUM</u>	<u>Existing Zoning</u>	<u>Existing Uses</u>
North	Residential Medium (RM)	Residential Medium (RM)	Duplexes and SFR
East	Residential Medium (RM)	Residential Medium (RM)	Duplexes and SFR
South	Industrial (I)	Industrial General (IG)	Auto Repair and storage
West	Mixed Use Commercial (MUC)	Mixed Use (MU)	Storage and commercial.

Existing Habitat

The existing conditions maps indicate the properties are designated as developed. The parcel is not within the Florida Forever boundaries, which is land that has been identified as critical areas suitable for acquisition by federal, state, or local agencies.

FEMA

The properties are within the AE 7 flood zone.

DEVELOPMENT ANALYSIS:

Current FLUM: Residential Medium (RM)

Policy 1-3.1.4 Residential Medium of the Comprehensive Plan states “the principal purpose of the Residential Medium land use category is to provide for medium density residential development.”

Residential Medium Allowable Density:

Market Rate – 5 Units per acre

Affordable – 10 units per acre

Proposed FLUM: Mixed Use Commercial (MUC)

Policy 1-3.1.4 Mixed Use Commercial of the Comprehensive Plan states “the principal purpose of the Mixed Use Commercial land use category is to provide for the establishment of Mixed Use development patterns within the City. This land use category is intended to provide for the commercial zoning district where various types of commercial, retail, and office uses may be permitted at intensities which are consistent with the community character and the natural environment and to provide for various types of residential uses, including employee housing and commercial apartments.”

Mixed Use Commercial Allowable Density

Market Rate – 2-6 Units per acre

Affordable – 10-15 units per acre

Transient – 10-25 units per acre

Commercial-Industrial Intensity Table

Type of Use	FAR ¹
Retail	
<i>Low Intensity</i>	.60
<i>Med Intensity</i>	.45
<i>High Intensity</i>	.25
Office	.60
Commercial Recreation	.15
Institutional	.30
Outdoor Recreational	.15
Public Buildings and Uses	.45
Restaurant/Bar	.60
Industrial	.85
Light Industrial in MU	.30

¹ The FAR for mixed use developments may be increased to .75 if mitigated by the development of affordable/workforce housing is provided

ANALYSIS OF FLUM CHANGE REQUEST:

Consistency with Adopted Comprehensive Plan Goals, Objectives, and Policies.

The following excerpts from the City of Marathon Comprehensive Plan apply to the proposed development.

Policy 1-1.1.1 states the City is to protect and enhance the “small town” atmosphere and to encourage mixed- use development patterns.

Policy 1-1.1.3 states the City is to protect viable and stable residential neighborhoods from inconsistent uses via LDR standards for landscaping, buffering, bulk restrictions, building height, setbacks, and separation between uses.

Policy 1-1.1.4 states the City shall continue to maintain LAND DEVELOPMENT REGULATIONS which implement the following techniques required to create a smooth land use transition where it is not feasible to separate incompatible land uses.

- a. Variable buffers, combining land and landscaping to achieve adequate separation of uses, appropriate open space, reduction of potential noise, light, glare, and pollution, and screening of physical features of a proposed development;
- b. Variable setbacks, based upon degree of difference in proposed use, density, intensity, scale, mass, or height;
- c. Placement and effective screening or shielding of site features such as lights, signs, dumpsters, loading areas, parking areas, outdoor storage, or other features with potential negative impacts;
- d. Effective transitions of on-site densities, intensities, scale, mass, and height; and
- e. Other innovative site design features that effectively achieve compatibility and effectively mitigate potential negative impacts.

FL State Statutes

Relevant criteria promulgated in Chapters 163, 380, and 9J-5 F.A.C. can be itemized in bullets as follows based on the critical concerns more specifically identified in the City’s comprehensive plan:

- Natural Resource Protection
 - Wetlands
 - Estuaries
 - Living marine resources
 - Beaches / Dunes
 - Unique wildlife habitat
 - Water Quality
- Historical Resources
- Infrastructure / Concurrency Management
 - Wastewater
 - Stormwater

- Potable Water
- Solid Waste
- Transportation

- Affordable Housing

- Hazard Mitigation
 - CHHA
 - Hurricane Evacuation

- Ports
 - Marina Siting

- Public Use
 - Shoreline use and Access
 - water dependent and independent activity

- Land Acquisition
 - Conservation
 - CHHA
 - Public Services

These bullet items will be utilized as the focus points for review of the proposed FLUM amendment and for future comprehensive plan amendments.

Natural Resources

Direct impacts to natural resources would differ minimally as a result of the proposed FLUM change. These properties are not recognized habitat to any state or federally listed animal species and are not within Florida Forever boundaries or critical habitat areas.

There are no associated wetlands, estuaries, beach areas or dunes associated with the area proposed for FLUM change. These are protected resources important to the tenants of Chapter 163, 9J-5, F.A.C., or the Principals for Guiding Development. Similarly, no living marine resources adjacent to the subject area would be adversely impacted by the proposed change in the FLUM map.

The proposed FLUM amendment is consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Historical and Cultural Resources

Protection of historical and cultural resources is crucial under the City’s Comprehensive Plan, Chapters 163 and 380 F.S.

There are no known historical or cultural resources associated with the subject properties or within the area of the requested FLUM change. Therefore, the FLUM change would have no impacts on historical or cultural resources. The proposed FLUM amendment is therefore consistent with these

provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Infrastructure

• Wastewater infrastructure

Wastewater as an issue of infrastructure capacity and means of water quality protection represents the backbone to the City's Comprehensive Plan, the tenants of Chapters 163 and 380 F.S. The subject property inclusive of the area of the proposed FLUM change is served by the Area 5 sewer infrastructure. The Utility Manager for the City of Marathon reviewed the proposed FLUM changes and determined that there would be no adverse impact on sewer capacity if the proposal were approved.

The proposed FLUM change would maintain concurrency levels of wastewater infrastructure capacity and provide limited or no adverse impact resulting from nutrient loading. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

• Stormwater infrastructure

Stormwater infrastructure capacity and means of water quality protection represents another of the backbone elements of the City's Comprehensive Plan, the tenants of Chapters 163 and 380 F.S. The City of Marathon requires that all property owners retain their stormwater on site. All proposals for new developments, and redevelopments, must submit detailed civil engineering plans for review by the City Engineer. Proposals for redevelopment would have to obtain all required permits through other applicable agencies, such as the Department of Environmental Protection & South Florida Water Management District.

Staff believes that the proposed FLUM change would have a diminimus impact on stormwater infrastructure capacity.

• Potable Water

Monroe County's potable water facilities do not critically constrain the amount of future growth that can be accommodated in the County (see End Note 1). The current FKAA Consumptive Use Permit, when compared to current potable water consumption rates, will provide sufficient potable water to accommodate existing and committed development plus an additional 18,258 equivalent residential units (ERU's) in unincorporated and incorporated Monroe County. The FKAA's Consumptive Use Permit has been renewed (see End Note 1). Costs of improvements to upgrade facilities for potable water supply, treatment and distribution, in order to accommodate future growth impacts, would not be borne by the City, as this utility is private and would be in the FKAA's CIP, not the City's.

An increase in potable water demand is not expected as part of the proposed FLUM change, any increase would have a diminimus impact on potable water infrastructure capacity. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and

Chapters 16 and 380 F.S.

• **Solid Waste**

Solid waste capacity is managed in the Florida Keys under haul-out contracts to mainland solid waste facilities. There are currently no limits on solid waste capacity that would be impacted by this FLUM proposal.

The proposed FLUM change would maintain concurrency levels of solid waste infrastructure capacity. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

• **Transportation**

The requested FLUM change is not expected to have an adverse impact on roadway capacity.

Monroe County's roadway facilities do not critically constrain the amount of future growth that can be accommodated in the County or the City (see End Note 1). Although localized deficiencies characterize several segments of US 1, sufficient reserve capacity exists in the overall roadway system to accommodate existing and committed development plus an additional 5,738 residential units (see End Note 1). Only 2,550 were allocated to unincorporated Monroe County in 1992, of which 150 went to the City. Thus, there is reserve capacity on US 1 to accommodate planned growth in the City (see End Note 2).

The proposed FLUM change would maintain concurrency levels of transportation on U.S. Highway 1. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Affordable Housing

Affordable housing is an important issue in the Florida Keys and throughout the state of Florida. The City has well over 200 developed or approved affordable housing units. The proposed FLUM change would facilitate a potential for increased affordable housing on site. The Public FLUM category allows for a potential increase of 15 units per acre of affordable housing versus the RM FLUM category.

The proposed FLUM change will have the effect of enhancing the potential for affordable housing projects. The proposed FLUM amendment is therefore consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Hazard Mitigation

• **Coastal High Hazard Areas**

The subject parcel, closest to the Atlantic Ocean, is in a Coastal High Hazard Area (CHHA). Any future development on site, if encroaching into this zone, would have to comply with all provisions of the local City of Marathon Floodplain Ordinance, in accordance with the standards as set to be a participating community in the National Flood Insurance Program (NFIP).

Policy 4- 1.17.6 Limit Redevelopment in CHHA

The City shall limit redevelopment in areas within the CHHA shown by the Local Mitigation Strategy to be particularly susceptible to repeated damage. Criteria for assessing redevelopment potential for these properties shall be addressed within the Post Disaster Redevelopment Plan, to be prepared pursuant to Policy 4-1.22.3.

Policy 4-1.20.1 Discourage Development in the High Velocity Area

The City shall, through the Land Development Regulations, continue to encourage both residential and non-residential development away from the areas designated as high velocity storm surge areas through disincentives in the adopted BPAS.

While development in the CHHA is to be discouraged in the Comprehensive Plan, it can be permitted by the Land Development Regulations in cases where it cannot be avoided; in these cases, development is required to comply with local Floodplain Management Regulations related to Velocity zone construction. The City has recently revised its floodplain regulations to comply with all recent revisions to the construction standards typically applied in a VE (CHHA) zone.

The proposed FLUM change results in a diminished hazard to public safety. Permanent residential would be replaced with non- residential and therefore represents decreased development in the CHHA on site. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

• Hurricane Evacuation

The critical carrying capacity constraint at the present time is related to the requirement that hurricane evacuation clearance times for Monroe County be maintained at or below 30 hours through the Year 2002, and further reduced to 24 hours by 2010 (see End Note 1).

The Florida Department of Economic Opportunity in conjunction with sister state agencies and the participation of all local governments completed an analysis this year of current hurricane evacuation constraints. It was determined that under defined conditions, the County was able to maintain a 24-hour evacuation time while continuing the current ROGO and BPAS allocation formulas. Thus, for the ensuing ten (10) years the City will continue to be able to issue 30 residential allocations per year.

The proposed FLUM change would have a positive impact on hurricane evacuation times with the BPAS system in place. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Ports – Marina Siting

Staff believes that the proposed FLUM change will have no adverse impact on ports management or the City’s Marina Siting Plan. Marinas are allowed under a conditional use permit in the Mixed Use (MU) zoning district under the City’s Land Development Regulations; while no marina development is foreseeable, a Marina Operating Permit, consistent with the LDRs would be required, this would include obtaining coordination letters from external agencies, and all necessary Federal, State and local approvals and permitting.

The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Public Use – Access to Water

There is no public access to the water from this location

Staff believes that the proposed FLUM change will have no adverse impact on public access to water. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

Land Acquisition

Land acquisition in the Florida Keys is carried out by the City, County, State, and to a limited extent the federal government for the purposes of resource conservation and management, removal of properties in the CHHA from public ownership, and to provide for public services and facilities. The parcels are not on the Florida Forever boundary map.

The proposed FLUM change would have no impact on land acquisition efforts of the above mentioned entities so long a conservation easement is ensured. The proposed FLUM amendment is, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

SUMMARY:

The applicants have requested a change in the Zoning designation for the parcel located on 6th Avenue Gulf. Currently the property is designated as Residential Medium (RM). The applicant is requesting a change to Mixed Use Commercial (MUC), and subsequent rezoning of the parcel.

Staff finds the proposed rezoning consistent with the standards and tenants of Chapter 163 and 380 F.S., and the City’s Comprehensive Plan adopted under the requirements of these statutes and rules.

RECOMMENDATION:

Based on the above information, the Marathon Planning Department staff recommends that the Planning Commission forward a recommendation to Council for transmittal of the request to amend the Zoning Map for this parcel from Residential Medium (RM) to Mixed Use (MU).

End Notes:

1. The source of the future land use analysis based on carrying capacity limitations can be found in the Monroe County Comprehensive Plan Technical Document (Data and Analysis) Section 2.4 (pp. 2-86 – 2-95).
2. City of Marathon, Comprehensive Plan Data and Analysis, page 10.

PLANNING COMMISSION AGENDA STATEMENT



Meeting Date: June 15, 2020
To: Planning Commission
From: George Garrett, Planning Director

Agenda Item: Consideration Of A Request By Seaview Commons II For A Conditional Use Permit Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (LDRs) Entitled “Conditional Use Permits,” Proposing The Mixed Development Of Six (6) Market Rate And Sixty (60) Affordable Housing Residential Units With Amenities; For Property Located At The Southeast Corner Of Pescayo Ave., Coco Plum, Marathon, Florida, Which Is Legally Described As Lying Within Township 66S, Section 5, Range 33E; Key Vaca, Marathon, Florida; Having Real Estate Numbers 00363550-000000 And 00363560-000000. Nearest Mile Marker 54.

RECOMMENDATION:

Staff recommends approval of the project with the recognized conditions and limitations.

APPLICANT/ OWNER: Seaview Commons II, LLC on Behalf of
Emily C. Damiano Charitable Trust (RE No 00363550-000000) &
Annette C. and Martha Escobar (RE No. 00363560-000000)

AGENT: Brian Schmitt / L. Steven Hurley (DDAI)

LOCATION: The project site is located on two properties on the south side of Pescayo Avenue and near the intersection with Avenue B.

REQUEST: Approval of a Conditional Use Permit for development of the subject properties (RE No 00363550-000000 & 00363560-000000), providing for construction of units as follows:

Affordable Units: 60 multi-family residences in eight (8) buildings; 6 eight-plexes and 2 six-plexes
Market Rate Units: Six (6) Market Rate Residential Units
Leasing Office: 1 Site Managers Office

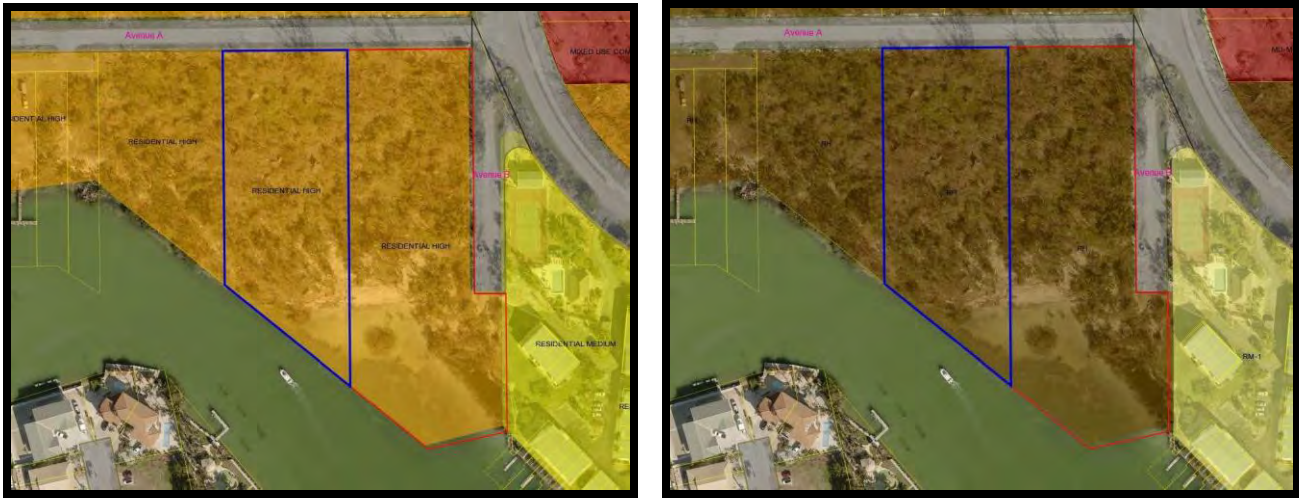
The site is currently vacant and largely scarified (cleared of exotic vegetation).

Figure 2
Project Site Aerial



FUTURE LAND USE MAP DESIGNATION:
Mixed Use Commercial (MUC). See Figure 2 A & B.

Figure 3 A & B
Future Land Use & Zoning Maps



LOT SIZE:
Total acreage: 5.10 acres or 222,156 square feet

RE Number	Upland Acres (Sq. Ft.)	Submerged Acres (Sq. Ft.)	TOTAL
00363550-000000	1.78 (77,537)	0.30 (13,080)	2.08 (90,617)
00363560-000000	2.07 (90,169)	0.95 (41,167)	3.02 (131,336)
TOTAL	3.85 (167,706)	1.25 (54,247)	5.10 (222,156)

SURROUNDING ZONING AND USES:

	<u><i>FLUM</i></u>	<u><i>Use</i></u>
North	RH / MU-M	Pescayo – Vacant Land / Commercial Fishing / Marine Industry
East	RH & RM	Multi-family / Condominium / Affordable (Approved)
West	RH	Vacant Lands & Pescayo Village Plat (SFRs)
South	Water	Bonefish Harbor Channel / KCB

EXISTING CONDITIONS:

The project site consists of two (2) parcels. The two parcels have been previously cleared of exotic vegetation. There are some remaining native hammock trees and palm trees. Approximately twenty-five percent (24.5 %) of the projects site consists of submerged land at the perimeter of the Bonefish Harbor Channel.

PROPOSED DEVELOPMENT:

Affordable Units: 60 multi-family, two bedroom +/- affordable residential units in eight (8) buildings; 6 eight-plexes, two six-plexes
Market Rate Units: 6 Market Rate residential units
Leasing Office: 1 Site Managers Office

BACKGROUND:

The proposed project consists of a development of two properties on Pescayo Avenue in Coco Plum Subdivision

The proposed project will include a total of sixty-six (66) residential units: 60 - two-bedroom apartments +/- in eight (8) buildings plus 6 single family residences along the waterfront. The buildings will range from two story eight-plexes to two story six-plexes above parking.

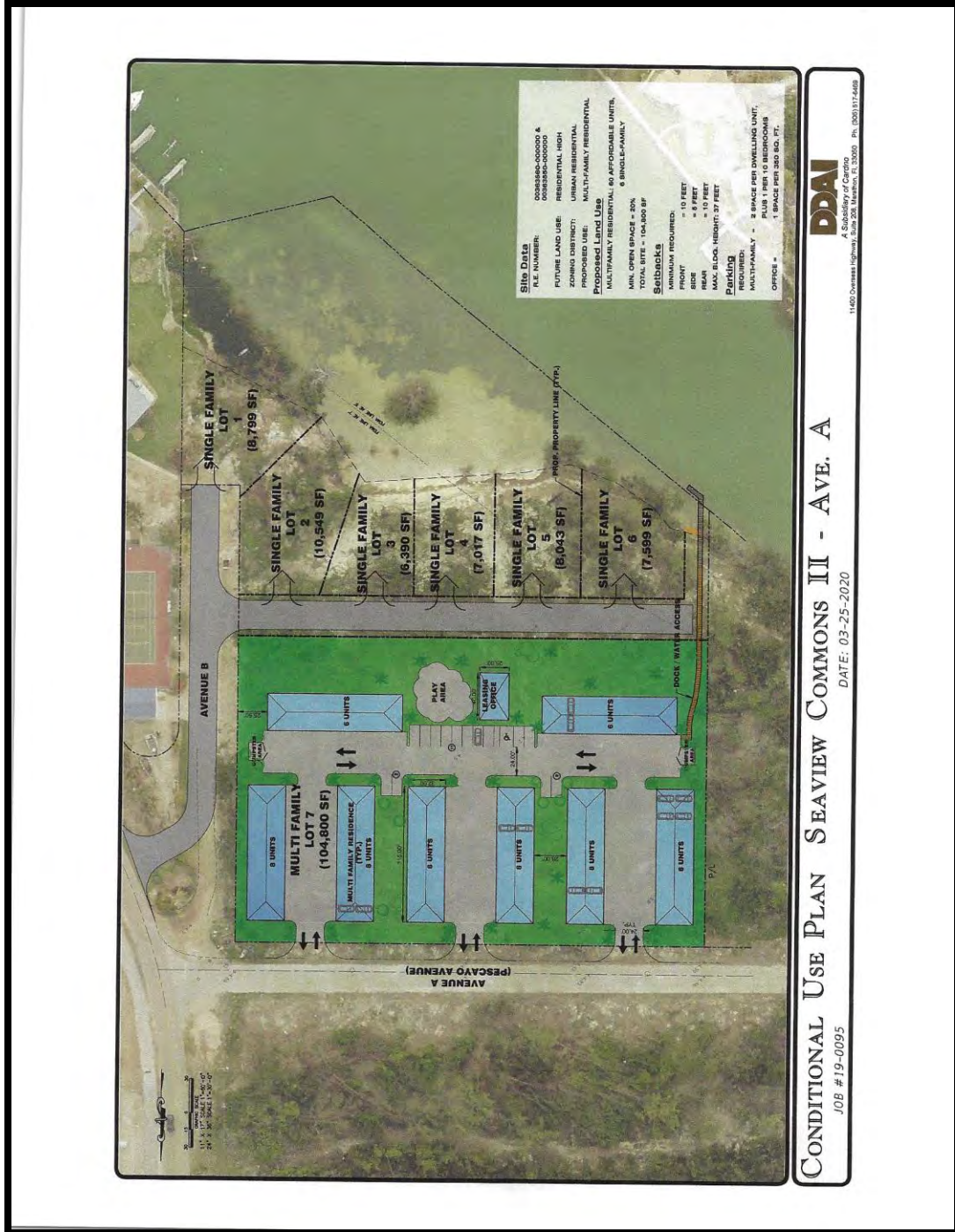
All structures will be elevated to meet minimum flood requirements and to accommodate parking under the structure. The project will provide for limited site amenities but, proposes a play area for residents. The project applicant proposes in addition, a robust vegetative buffer which exceeds City Code between the building site area and Coco Plum Road.

The project is proposed to meet workforce housing needs within the City and immediately surrounding County, including the provision of housing for Essential Personnel as recognized by the Florida Legislature in its 2018-2019 Legislative Session. This project will establish a “set aside” number of units, based on demand for Essential Personnel. Essential Personnel include but are not limited to teachers, fire fighters, police, other law enforcement and emergency personnel.

In addition, the project will include six (6) single family residences on the waterfront.

See Figure 4.

Figure 4
Proposed Development Site Plan
Pescayo Avenue



CONDITIONAL USE PLAN SEAVIEW COMMONS II - AVE. A

JOB #19-0095

DATE: 03-25-2020

DDAI
 A Subsidiary of Carolina
 11405 Dornish Highway, Suite 204, Matthews, NC 28105 Ph: (704) 837-6468

All conditions of the Conditional Use approval will have to be met before any building permit will be approved.

EVALUATION FOR COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS:

The criteria for evaluating a Conditional Use Approval are outlined in Chapter 102, Article 13, Conditional Use Permits, in the City of Marathon Land Development Regulations.

CRITERIA

A. The proposed use is consistent with the Comprehensive Plan and LDRs.

The proposed development project is located within the Residential High (RH) Zoning District. Per Chapter 103, Article 2, Section 103.09 of the Land Development Regulations, the district “is intended to establish areas of high-density residential uses characterized by multi-family dwellings and mobile homes designated within the Residential High (RH) future land use category on the Future Land Use Map (FLUM).”

The proposed project consists of the creation of affordable housing and is consistent with the Residential High Zoning District. Section 103.15 establishes whether specific uses are allowed as of right, limited, accessory or conditional uses, through Table 103.15.2. That table shows that Multifamily Residential uses are allowed by Conditional Use Permit in the Residential High district. Conditional Use review is intended to allow a broader view of the potential impacts of a project on adjacent uses and on City concurrency related resources such as road capacity, solid waste, sewer, and potable water availability.

Table 103.15.2 in the Land Development Regulations establishes constraints on density and intensity allowed in the RH district based on the types of uses proposed. Assuming that the number of market rate units is static. This site has the potential for six (6) market rate residential units and from 46 to 77 affordable residential units (based on an allowed range in the Residential High FLUM of from 15 to 25 units per acre). The applicant is proposing 60 affordable workforce housing units. The calculation is based on an allowed affordable residential density within the Residential High zoning district.

The project as proposed meets the basic definition of development in the RH zoning district and will not exceed any density constraints imposed on the type of residential construction proposed.

The Applicant cites the City Comprehensive Plan in the following Goals, Objectives, and Policies as justifying the case for the approval of this project:

Chapter 1 – Future Land Use Element

Goal 1-1 Manage Growth

Objective 1-1.1 Protect Community Character

Policy 1-1.1.1 Enhance and Preserve Existing Community Character

In order to enhance and preserve the existing community character, the City shall adopt Land Development Regulations to reflect the following desired development patterns that:

- a. Protect and enhance the “small town” atmosphere;

- b. Encourage mixed-use development patterns;
- c. Protect, enhance, and acknowledge the commercial fishing industry and its historical contributions to the City;
- d. Protect and enhance the “Keys” character; and
- e. Protect, enhance, and increase the number of affordable housing units.

Goal 1-2 Adequate Public Facilities and Services

Objective 1-2.1 Ensure Levels of Service

Policy 1-2.1.2 Ensure Availability of Public Facilities and Services

The City shall not issue a development order or permit for any development unless the applicant provides narrative and graphic information demonstrating to the satisfaction of the City that the public facilities required by the subject development shall be in place concurrent with the impacts of development. Furthermore, the applicant shall assure that the facilities operate at or above adopted level of service (LOS) standards. The applicant's narrative and graphic information shall also demonstrate that the subject development shall not reduce the levels of service for public facilities serving the development below adopted LOS standards.

1-3 Manage Growth

Objective 1-3.1 Managing Future Development and Redevelopment through Future Land Use Designations

Policy 1-3.1.4 Future Land Use Categories

The following land use categories, depicted on the *Future Land Use Map*, describe the type and extent of land use permitted in specified locations in the City. The Land Development Regulations will contain more detail about permitted land uses within the Future Land Use categories.

Residential High

The principal purpose of the Residential High land use category is to provide for high-density single-family, multi-family, and institutional residential development. The Residential High land Use category is characterized by high density compact development on lots with disturbed or scarified vegetation and areas that are appropriate for infill development and that are served by existing infrastructure. Lawfully established RV parks where a majority of the recreational vehicles have been converted into permanent structures are also allowed within the residential high land use category (See Objective 1-3.3 and 1-3.4 and the Policies therein.) The minimum lot size/density/intensity identified in Table 1-1 shall not preclude the continued use or redevelopment of existing commercial, if applicable, or residential uses on a smaller lot where such lot or parcel was platted or otherwise of record prior to the adoption of this Plan. Additionally, the application of the height and lot coverage limitations contained in the Plan and the Land Development Regulations shall not preclude the repair or reconstruction of any structure or portion thereof which is damaged by any natural disaster or other casualty as provided for in Objective 1-3.4 and Policies therein. 9J-5.006(3)(c)1 and 7

Objective 1-3.2 Regulate Density and Intensity

Policy 1-3.2.1 Allocated Density Defined

Allocated densities for the Future Land Use districts, as shown in Table 1-1, are the number of residential units allocated per gross acre of land pursuant to the Plan.

SEE TABLE 1-1 / Future Land Use Densities and Intensities*

TABLE 1-1 Future Land Use Densities and Intensities*						
Future Land Use Category	Permitted Residential Density (Units per acre)			Hotel/Motel/RV Spaces (Units per acre)	Maximum Intensity (floor area ratio)	Minimum Open Space Ratio
	Market Rate	Affordable	Licensed Mobile Home or RV Parks			
Airport (AD)	0		0	N/A	0.15 - 0.50	0.2
Conservation (C)	0.1- 0.25		0	N/A	0.05 - 0.10	0.5
Industrial (I)	0		0	N/A	0.85	0.2
Mixed Use Commercial (MUC)	2 – 6	10 – 15	10-25	5 - 25	0.15 - 0.60 ⁴	0.2
Public Facilities (PF)	0		0	3 – 25	0.15 - 0.75	0.2
Recreation (R)	0.25		0	5 – 15	0.15 - 0.50	0.2
Residential High (RH)	8	15 - 25	15-25	0	0	0.2
Residential Medium (RM)	5	10	0	0	0	0.2
Residential Low (RL)	0.5		0	0	0	0.5

Note:

1. See Objective 1-3.9 and subsequent policies.
2. The allocated and maximum net densities for submerged lands shall be 0.
For properties consisting of hammocks, pinelands, or disturbed wetlands within the Mixed Use Commercial future land use categories, the floor area ratio shall be 0.10 and the maximum net residential density shall be 0.
Opens space shall be increased based upon the requirement for a habitat evaluation and shall conform to Table 4-1 of the Coastal and Conservation Element.
The FAR in Mixed Use developments may be increased to .75 if mitigated by the development of affordable/workforce housing is provided.

*All development and redevelopment shall comply with this Plan and the Land Development regulations.

Chapter 3 – Infrastructure Element

Goal 3-1 Provide Need Public Facilities

Objective 3-1.1 Adopt Level of Service Standards

Policy 3-1.1.1 Adopt Wastewater Management System(s) Level of Service Standards

The City hereby adopts the LOS standards for wastewater management systems as currently required by Federal and State regulations as follows:

TABLE 3-1: Florida Statutory Treatment Standards				
	Mg/L			
	BOD	TSS	TN	TP
On-Site Systems (BAT) Community Wastewater Collection and Treatment Systems	10	10	10	1
Design flows less than or equal to 100,000 gpd (BAT)	10	10	10	1
Design flows greater than 100,000 gpd (AWT)	5	5	3	1

Source: Draft Monroe County Sanitary Wastewater Master Plan, CH2MHill, March 2000

Policy 3-1.1.2 Adopt Stormwater Management Level of Service Standards

The City hereby adopts LOS standards for stormwater management as currently mandated by State agencies, as defined in the City’s adopted Stormwater Management Master Plan as follows:

- a. Post development runoff shall not exceed the pre-development runoff rate for a 25 year storm event, up to and including an event with 24 hour duration;
- b. Stormwater treatment and disposal facilities shall be designed to meet the design and performance standards established in Chapter 62-25, Section 25.025, FAC, with treatment of the runoff from the first one inch of rainfall on-site to meet the water quality standards required by Chapter 62, Section - 302.500, F.A.C; and
- c. Stormwater facilities which directly discharge into ‘Outstanding Florida Waters’ (OFW) shall provide an additional treatment pursuant to Chapter 62-25.025 (9), FAC. Stormwater facilities must be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 62-302, F.A.C.

Policy 3-1.1.3 Adopt Potable Water Level of Service Standards

The City hereby adopts LOS standards for potable water as follows:

TABLE 3-2 Potable Water LOS	
Measure	LOS Standard
Residential LOS	66.5 gal/cap/day
Non Residential LOS	0.35 gal/sq. ft./ day
Overall LOS	100 gal/cap/day
Equivalent Residential Unit	149 gal/day
Minimum Pressure	20 PSI at customer service
Minimum Quality	Shall be as defined by the USEPA (part 143 National Secondary Drinking Standards, 40 CFR 143, 44FR 42198)

Source: Monroe County 2010 Comprehensive Plan

Policy 3-1.1.4 Adopt Solid Waste Level of Service Standards

The City hereby adopts LOS standards for solid waste management as follows:

TABLE 3-3 Solid Waste LOS	
Measure	LOS Standard
Residential Collection Frequency	Minimum 1 time/2 weeks for Domestic refuse Minimum 1 time/2 weeks for Yard trash
Disposal Quantity	5.44 lbs/capita/day or 12.2 lbs/day/ ERU (equivalent residential unit) 6.37 pounds/acre/day (non-residential unit)

Goal 7-1 Provide Motorized and Non-motorized Transportation Systems

Objective 7-1.1 Adopt Level of Service Standards for City Roads

Policy 7-1.1.1 Adopt Level of Service Standards

For all City roads, the City hereby adopts a minimum peak hour level of service (LOS) standard of D, based on the Florida Department of Transportation (FDOT) methodology for determination of LOS, as measure by peak hour traffic volume. The City shall maintain the level of service on City roads with five percent (5%) of LOS D.

City staff concurs with the applicant that they have acknowledged the appropriate project standards and that they have been met as iterated above and that the proposed development is in compliance with the Comprehensive Plan and the Land Development Regulations. Further, the Standards have been met well within the density limits prescribed in the City of Marathon Comprehensive Plan. Therefore, the request is ***in compliance*** with the requirements of this section and the Goals, Objectives, and Policies noted.

B. The proposed use is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan.

The proposed project is located within the Residential High Future Land Use District. Policy 1-3.1.4 of the City of Marathon Comprehensive Plan states that “the principal purpose of the Residential High land use category is to provide for high-density single-family, multi-family, and institutional residential development.

The Residential High Land Use category is characterized by high density compact development on lots with disturbed or scarified vegetation and areas that are appropriate for infill development and that are served by existing infrastructure.

The existing land use pattern in the project vicinity consists of multi-family residential development to the North on Avenue D and South across Coco Plum Road on Avenue C (west side). Further, there is a mixed residential, commercial, and marine development pattern on Coco Plum Road leading to the East.

Further to the east, on Avenue E and beyond, the development is characterized by Single Family residences. Avenue E is isolated from Avenue D by a 200-foot-wide canal.

To the West lies vacant properties and the small single-family residential subdivision of Pescayo Village.

This project is consistent with allowed densities on Pescayo Avenue, Avenue C. (west side) and Ave D. The project, as proposed, is well under the allowed densities for an affordable housing project by as much as eighteen (18) affordable residential units. Staff believes that the density of the project is consistent with the FLUM and Zoning and the general character of development in the immediate surrounding area, including the previously approved redevelopment of Seaview Commons I. The proposed project density is approximately 17 units per acre overall. By comparison, the following developments have established residential densities as follows (Seaview Commons I Redevelopment is included in the table):

Development	Acres	No of Units	Density (Units / Acre)
Coco Plum Terraces	1.90	42	22.2
Sunset Courts	0.38	8	21.1
Seaview Commons (Current)	0.40	8	20
Seaview Commons I	2.69	64	23.8
Bonefish Marina Condo	3.28	83	25.3
Bonefish Towers	2.16	75	34.7

The development of the site will result in significant new development on Pescayo Avenue, including landscaping, the further removal of invasive species, stormwater management, wastewater, and creation of an aesthetic architecture. The improvements will add new affordable housing units to the City. The proposed development will be similar in character to that of the adjacent areas to the east (Bonefish Towers, Condos, and the marina condo). Certainly, the project will contrast somewhat with the development associated with the Pescayo Village plat. That said, the proposed project will provide a mix of affordable housing and waterfront single-family residences.

Therefore, the request is **in compliance** with the requirements of these sections.

C. The proposed use shall not adversely affect the health, safety, and welfare of the public.

The proposed use is the development of a mixed market rate / affordable residential use which as proposed

should have no adverse impact to the health, safety and welfare of the public. The project will incorporate the required standards of landscape and open space by the City of Marathon, as well as the requirements set forth by Florida Housing Finance Corporation (FHFC) for Low Income Housing Tax Credit Projects (LIHTC).

Stormwater will be managed on-site and the project will connect to the City wastewater treatment system, thus alleviating any potential for water quality impacts.

Some concern has been raised that the number of approved or proposed units for the Coco Plum area may be too large for the character of the area, including some potential for significant traffic impacts. Those issues are addressed below. From the standpoint of on-site impacts, there do not appear to be any significant life-safety impacts.

Plans submitted with the project are suitable for Conditional Use Permit approval as they relate to Chapter 107, Article 12, 100 Year Floodplain. Final review of floodplain compliance will occur as part of building permit process and issuance.

Therefore, the request is **in compliance** with the requirements of these sections.

D. The proposed conditional use minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

The existing conditions maps indicate the subject area is designated as Disturbed / Undeveloped Land. The FEMA_FWS Species Focus Area Maps indicate that the property is characterized by Exotics and mangroves at the canal edge. More recent and detailed assessments indicate that most of the property as indicated is characterized by exotics with mangroves at the waters wedge, but that there are quite a number of native trees as well. The site has been recently cleared of all exotic vegetation. The proposed development will increase the native vegetation on site as part of the landscaping plan.

Site landscaping will be selected from Table 107.68.1, Appendix A, Article 8, Section 107 of the City of Marathon Code of Ordinances. The native vegetation will improve the environmental quality of the site and reduce irrigation needs.

Further improvements to water quality are expected to arise from stormwater improvements to the site, which should provide up-to-date treatment and eliminate any existing discharges to surface waters. The applicant has submitted preliminary stormwater plans suitable for the Conditional Use Application, and final plans are required prior to building permit issuance.

Further improvements to water quality are expected to arise from wastewater improvements to the site when the project connects to the City's wastewater utility.

Therefore, with conditions, the request is **in compliance** with the requirements of these sections.

- Existing native canopy and understory trees should be transplanted if possible or mitigated for if necessary within the proposed and finally approved landscape plan.

- If the redevelopment is found to have any effect on the Eastern Indigo Snake, then the prescribed protection measures must be undertaken, and the information poster posted on site.
- The project shall be required to develop on-site stormwater controls which help to improve nearshore water quality
- The project will be required to connect to the City’s wastewater utility, similarly helping to improve nearshore

E. Satisfactory provisions and arrangements have been made concerning the following matters, where applicable:

1. Ingress and egress to the property and proposed structures thereon with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control and access in cases of fire or catastrophe.

The applicant has provided a breakdown of the proposed occupancy of the onsite buildings. The “Trip Generation Analysis” schedule provided in the Traffic Study indicates that there will be an increase in trip generation based on the addition of sixty-six (66) residences to the area.

The traffic study determined that a level 2 traffic study was required based on the expected trip generation for the project. The study finds that the proposed increase in units will not have a significant adverse impact on the operating characteristics of either Pescayo Avenue or Coco Plum Drive, nor will it inhibit the safe flow of traffic traveling through the City of Marathon. Below are the calculations used to determine trip generation as established through the ITE Trip Generation Manual. The largest portion of all trips will leave Pescayo Avenue or Avenue B traveling toward U.S. 1 and then return to those streets. Very few trips will be generated to and from Coco Plum Road traveling east.

Ingress and egress to the properties is currently proposed to be from Pescayo Avenue and Avenue B. Visibility in either direction from Pescayo to Coco Plum Drive is reasonable. With speeds limited to 30 miles per hour on Coco Plum Drive, staff believes that ingress and egress from Pescayo Avenue can be accomplished safely. The addition of caution signs for the curve at Coco Plum Drive is probably warranted.

Trip Generation
 Vehicular trip ends generated by the proposed project were calculated by OTISS software based on methodology provided by Trip Generation Manual of the Institute of Transportation engineers (10th edition, 2018).

Proposed OTISS Input – Average Vehicle Trips									
ITE Land Use Code	Description	Variable Input	Weekday	AM Total	AM Entry Trips	AM Exit Trips	PM Total	PM Entry Trips	PM Exit Trips
220	Multifamily Housing (Low-Rise)	60 Dwelling Units	412	30	7	23	38	24	14
210	Single Family Detached Housing	6 Dwelling Units	78	9	2	7	7	4	3

Print outs of the trip generation by OTISS for this use are attached.

Therefore, with conditions, the request is **in compliance** with the requirements of these sections.

- Caution signs during left or right turns at the Coco Plum Drive intersection with Pescayo Avenue and Avenue B.
- As part of the permit application, all conditions of the Fire Marshal regarding ingress and egress must be met prior to permit issuance. In addition, all fire hydrants must be in place prior to any of the proposed buildings “going vertical.”

2. Off-street parking and loading areas where required, with particular attention to item 1 above.

Parking requirements are outlined in Section 107.46 (Parking Schedule). The applicant has proposed parking spaces to be located primarily under the townhome structures. The applicant proposes approximately 120 off street parking spaces for tenants under the proposed apartment buildings (2 spaces per tenant) and the proposed addition of six (6) market rate units on the water amounting to twelve (12). In addition, the Applicant has proposed visitor parking and adequate ADA parking. All tenant parking will reside under each residential building.

Section 107.52 includes a requirement that one handicapped space be provided for every 25 spaces required. For 120 required spaces, 5 handicapped spaces are required. The additional ADA spaces must be designated on the final site plan. Parking space sizes are 9’ x 18’ for 90-degree parking, and handicapped spaces are 12’ x 22’ required by Code.

The Code also requires bicycle parking to be provided for educational facilities, multifamily dwellings, commercial, institutional and industrial uses, as well as all developments adjacent to a bike path, at a rate of one space for every ten parking spaces, per Section 107.48. The bike racks must be shown on the permit application site plan.

Therefore, with the conditions below, the request is **in compliance** with the requirements of these sections.

- Sufficient parking for two spaces per unit and additional visitor parking.
- City approval is required for ADA compliant parking spaces prior to Building Permit Approval.
- City approval is required for bike racks prior to Building Permit Approval.

3. The noise, glare or odor effects of the conditional use on surrounding properties.

The proposed project consists of development of a residential use on an existing site that is mostly vacant. The proposed use does not have any adverse effect through noise, glare or odors, therefore the proposed density increase should have a de minimis impact.

Therefore, the request is **in compliance** with the requirements of this section.

4. Refuse and service areas, with particular reference to locations, screening and Items 1 and 2 above.

Section 107.39 requires that all dumpsters and recycling bins be fully enclosed and screened. The site plan indicates that the dumpsters will be screened and located for easy access and waste removal.

Therefore, the request is ***in compliance*** with the requirements of this section.

5. Utilities, with reference to location and availability;

Chapter 107, Article 13, establishes the City’s Concurrency Management and certification requirements. This Conditional Use constitutes the City’s Concurrency Level of Service Certificate, as follows:

- Wastewater: The applicant will provide wastewater and sewage collection and disposal through cooperation with the Utilities Department. This project will constitute a minor expansion, resulting in a de minimis impact.
- Water: The Florida Keys Aqueduct Authority will provide potable water for the facility.
- Solid Waste: Marathon Garbage Service will provide solid waste disposal.
- Surface Water: The applicant has provided stormwater design information suitable for the Conditional Use application review which demonstrates compliance with City standards. However, a final stormwater plan will be required for building permit issuance.
- Recreation and Open Space: This redevelopment will have a de minimis impact on recreation and open space.
- Roadways: The applicant is redeveloping the site with a higher intensity than was contained within the prior development; therefore, a traffic study was completed to analyze the impact on transportation facilities.
- Educational Facilities: This redevelopment will have a de minimis impact on educational facilities since existing uses are being replaced in kind.

At this juncture, all necessary initial letters of coordination have been received.

Therefore, with conditions, the request is ***in compliance*** with the requirements of these sections.

- City approval is required for the stormwater management system prior to Building Permit Approval.
- Applicant must obtain all outside agency approvals, this includes but is not limited to SFWMD, FDOT, ACOE, and DEP.
- City approval of the connection to the City Wastewater Utility will be required.
- A Unity of Title will be required for these parcels prior to Building Permit Approval. Additionally, if the six market rate sites are anticipated for potential platting, that may be accomplished at a future date.
- The Conditional Use Development Order will constitute the Certificate of Concurrency for the project. The determination will be valid for one year.

6. Screening and buffering with reference to type, dimensions and character;

Table 107.66.1 establishes project boundary buffer standards applicable to the project. The subject parcel is zoned RH and is bordered to the West by properties zoned Residential High (RH) and properties to the north zoned RH as well. The zoning across Coco Plum to the east is Residential Medium (RM). There is a medium project boundary buffer requirement for portions of the project area adjacent to parcels zoned RH. The final landscape plans must be approved by the City Biologist.

Buffer Type	Minimum Width	Canopy Tree	Understory Tree	Non-Deciduous	Shrub	Screening
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M-Medium	15 feet	4	2	2	16	No
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Section 107.71 A. requires that all multifamily residential developments provide Type 1 Streetscape buffer along the entire street frontage. The project is adjacent to Coco Plum Road and Avenue D. The final landscape plan must show compliance with the buffer standards. Current site plan graphics exceed the required standard.

Table 103.15.2 outlines setback requirements in the RH district as follow: front yard 20 feet'; side yards 10 feet; and rear setbacks have a 20' setback from the property line, or Mean High Water Line, or landward extent of the mangrove root system. The Applicant has complied with all setback standards.

Setback	Required	Required Landscape	Proposed	Compliant
Front	10	20	>20	Yes
Side	5	15	>15	Yes
Rear	10	NA	>15	No

Parking area landscaping is required by Section 107.66 of the Code. Proposed parking area landscaping meets the standards set forth in the code.

Therefore, with conditions, the request is ***in compliance*** with the requirements of these sections.

- A Final Landscape Plan must be submitted showing the proper treatments and buffers, including the appropriate treatment types and trees.
- A Final Site Plan must be submitted showing the buildings meeting the required setbacks, parking locations, and access drives.

7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility with surrounding uses.

A review of sign requirements at this stage in development approval is not necessary; however, signs for the project will be reviewed prior to issuance of a building permit according to Chapter 107, Article 7, Signs.

Article 107.54 establishes criteria for lighting, including light pole light limitations and other technical criteria. Final lighting plans will be submitted along with final landscaping plans, and will include verification from the landscape architect that all provisions of the article are met.

Therefore, the request is ***in compliance*** with the requirements of these sections.

- All signs will be reviewed and approved for compliance with the City of Marathon LDR's.

8. Required yards and other open space.

Section 106.16 established required open space for the project. The site is characterized by exotics and some native hammock species; therefore, a twenty percent open space requirement applies. According to calculations provided by the applicant far exceeds the open space requirement.

Therefore, the request is *in compliance* with the requirements of these sections.

9. General compatibility with surrounding properties; and

The project is the development of affordable housing in an area of the City which is relatively intense in residential and light industrial/marine uses. A development of new residential units is expected to be fully compatible with the surrounding uses. The proposed project represents improvement to the current state of prior development and is expected to increase compatibility with surrounding properties.

Section 107.40 restricts the height of buildings to 37' as measured from the crown of the roadway or unimproved grade. The site plans show that buildings are below 37'.

Therefore, the request is *in compliance* with the requirements of these sections.

10. Any special requirements set forth in the LDRs for the particular use involved.

Section 104.48 Residential Dwelling Units contains special requirements. Additionally, the project must meet all criteria of Section 104.03 pertaining to affordable housing. These conditions must be met to receive FHFC funds.

The following criteria are applicable to this proposed development:

- Two (2) side yards are required for stacked duplexes.
- Townhouses are limited to ten (10) dwelling units per row, except for affordable housing.
- The private yard area for rooftop balcony dwelling is provided by the roof or balconies of the structure.
- The total area of the mixed-use or commercial apartments, including patios and access way shall not exceed the area covered by the ground floor and any covered walks or arcades.
- Each unit shall have access to a balcony or patio that is separate from the access to the unit, provides adequate privacy and the size shall be two-tenths (2/10) of unit floor area or a minimum of 60 square feet in size.
- The patio area may be wholly or partially replaced by the provision of a recreation yard provided on site. Recreational yards shall be a minimum one-tenth (1/10) of unit floor area.

The proposed development meets all applicable criteria set forth in this section. Therefore, the request is *in compliance* with the requirements of these sections.

With regard to workforce and affordable housing, Chapter 2 – Housing Element, addresses the absolute need for workforce and affordable housing within the City and County in general. The proposed project seeks to support those Goals and Objectives as noted in Goals and Objectives highlighted below:

GOAL 2-1 CONSERVE HOUSING STOCK

To achieve a balanced and affordable range of housing stock; to encourage the diversification and distribution of the housing stock; to eliminate substandard structures; and to conserve good quality housing stock. 9J-5.010(3)(a)

Objective 2-1.1 Develop a Housing Program

Within one year of the effective date of the Plan, the City provide the framework for a housing program that encourages the creation and preservation of affordable housing for all current and anticipated future residents of the City. 9J-5.010(3)(b)1

Objective 2-1.2 Provide Information

The City shall provide for exchange of information related to job training, job creation and economic solutions in an effort to improve access to affordable housing. 9J-5.010(3)(c)8

Objective 2-1.3 Improve Housing Conditions

The City shall continue to eliminate substandard housing and blighted areas, and shall continue to improve structural and aesthetic housing conditions. 9J-5.010(3)(b)2

Objective 2-1.5 Ensure Adequate Housing Sites

Through the Land Development Regulations, the City shall ensure distribution of adequate housing sites for all residents of Marathon, including very low, low, moderate, and market income housing through the implementation of the following policies. 9J-5.010(3)(b)3

It has been suggested that the City of Marathon has no further need for workforce or affordable housing units. In a corollary to that suggestion, it has been suggested that we no longer need workforce / affordable housing units in the Extremely Low-, Very Low- or Low-income categories.

First, staff wants to make clear what those HUD limits are for 2020.

HUD income limits for FY 2020 and the associated maximum rental prices:

FY 2020 Income Limit	Persons in Household							
	1	2	3	4	5	6	7	8
Middle Income (160%)	\$112,800	\$128,900	\$145,000	\$161,100	\$174,000	\$186,900	\$199,800	\$212,700
MII Monthly Rent	\$2,820	\$3,223	\$3,625	\$4,028	\$4,350	\$4,673	\$4,995	\$5,318
Moderate Income (120%)	\$84,600	\$96,675	\$108,750	\$120,825	\$130,500	\$140,175	\$149,850	\$159,525
Moi Monthly Rent	\$2,115	\$2,417	\$2,719	\$3,021	\$3,263	\$3,504	\$3,746	\$3,988
Median Income (100%)	\$70,500	\$80,563	\$90,625	\$100,688	\$108,750	\$116,813	\$124,875	\$132,938
MI Monthly Rent	\$1,763	\$2,014	\$2,266	\$2,517	\$2,719	\$2,920	\$3,122	\$3,323
Low Income (80%)	\$56,400	\$64,450	\$72,500	\$80,550	\$87,000	\$93,450	\$99,900	\$106,350
LI Monthly Rent	\$1,410	\$1,611	\$1,813	\$2,014	\$2,175	\$2,336	\$2,498	\$2,659
Very Low Income (50%)	\$35,250	\$40,300	\$45,350	\$50,350	\$54,400	\$58,450	\$62,450	\$66,500
VLI Monthly Rent	\$881	\$1,008	\$1,134	\$1,259	\$1,360	\$1,461	\$1,561	\$1,663
Ext. Low Income (30%)	\$21,150	\$24,200	\$27,200	\$30,200	\$32,650	\$35,160	\$39,640	\$44,120
ELI Monthly Rent	\$529	\$605	\$680	\$755	\$816	\$879	\$991	\$1,103

For a single individual, Extremely Low Income equates to a maximum income of \$21,150 per year. At the upper limit, the Low-Income category equates to a maximum income for a single individual of \$56,400 per year. This range of incomes covers the majority of the City’s work force. To the extent that Habitat For Humanity of the Middle Keys can qualify individuals and build their homes, the Low Income category of individuals (80% of Median Income) actually qualifies for home ownership in this County because of how high the Median Income is at \$70,500 per individual per year.

The City of Marathon solicited an affordable housing study of Florida International University in 2015. The

resulting report (Workforce/Affordable Housing Assessment & Action Study) came to several very strong conclusions about the need for workforce housing and the specific gaps that the city has to workforce housing.

At the time there were gaps for all HUD Income Limits categories to home ownership (See Table 4.3 excerpted from the Report). Across all income categories there was a gap of 1,618 units – Demand VS Surplus market rate housing. Presumably, the “Demand” was satisfied through rental of available housing at that juncture. In three HUD Income categories (Extremely Low-, Very Low-, and almost, Low-) there was a gap of 321 units for rent – Demand VS Availability. (See Table 4.4 excerpted from the Report).

Table 4.3: City of Marathon Affordable Housing Supply/Demand Analysis: Owner Housing

	HH Income Category	Total Households (Demand)	Home Purchase at Affordable Price Levels		Number of Owner Units Within Affordable Price Range (Supply)	Surplus/Gap within Affordable Price Range
Extremely Low Income	0-30% Median	398	0% Median	30% Median	0-30% Median	(282 units)
	\$0-\$14,122		\$0	\$35,305	116 (5.8%)	
Very Low Income	31-50% Median	362	31% Median	50% Median	31-50% Median	(148 units)
	\$14,592-\$23,537		\$36,480	\$58,843	214 (10.7%)	
Low Income	51-80% Median	550	51% Median	80% Median	51-80% Median	(482 units)
	\$24,007-\$37,658		\$60,018	\$94,145	68 (3.4%)	
Median Income	81-100% Median	295	81% Median	100% Median	81-100% Median	(244 units)
	\$38,129-\$47,073		\$95,323	\$117,683	51(2.5%)	
Moderate Income	101-120% Median	251	101% Median	120% Median	101-120% Median	(161 units)
	\$47,544-\$56,488		\$118,860	\$141,220	90 (4.5%)	
Middle Income	121-160% Median	447	121% Median	160% Median	121-160% Median	(301 units)
	\$56,958-\$75,317		\$142,395	\$188,293	146 (7.3%)	

Source: 2009-2013 ACS; table and calculations by FIU Metropolitan Center.

Obviously, a great deal has happened since the date of the FIU Report – notably the impacts of Hurricane Irma (Sept. 2017) and COVID 19 (February 2020 to the present). On the one hand, it has been said that many people have left town – therefore housing demand may be lower. On the other hand, four (4) hotels have opened which carry a high staffing demand. And, Hurricane Irma destroyed an estimated 394 homes which were assessed just post storm. Since that time, the City has been able to better catalogue the replacement of these homes through the building permit process. At this juncture, the City has seen the replacement of 507 residential units in single and multi-family settings. The replacement units at \$200 to \$300 per square foot typically will not be any more affordable or available to the City’s workforce.

So, staff believes that there is still a significant need for workforce housing, regardless of the number of units and projects that have some before the City recently and are either built or in various stages of construction. The Attached table documents (Attachment D) the current number of deed restricted

workforce units. In the past five (5) years, the City has approved the construction of quite a number of workforce units. Leaving Seagrape Apartments and other previously existing projects, out of that equation, the City has approved 173 workforce residential units which are in various stages of construction. In addition, including the present project the City has approved or (in this instance) may approve another 265 deed restricted workforce residential units. Assuming all of these go to completion, the number sums to a total of 438 new deed restricted workforce residential units. This number is well within, and certainly does not exceed, the defined demand for units within the City. The largest demand is in the lower income categories, but the demand stretches across the range of HUD categories.

Table 4.3: City of Marathon Affordable Housing Supply/Demand Analysis: Owner Housing

	HH Income Category	Total Households (Demand)	Home Purchase at Affordable Price Levels		Number of Owner Units Within Affordable Price Range (Supply)	Surplus/Gap within Affordable Price Range
			0% Median	30% Median		
Extremely Low Income	0-30% Median	398	0% Median	30% Median	0-30% Median	(282 units)
	\$0-\$14,122		\$0	\$35,305	116 (5.8%)	
Very Low Income	31-50% Median	362	31% Median	50% Median	31-50% Median	(148 units)
	\$14,592-\$23,537		\$36,480	\$58,843	214 (10.7%)	
Low Income	51-80% Median	550	51% Median	80% Median	51-80% Median	(482 units)
	\$24,007-\$37,658		\$60,018	\$94,145	68 (3.4%)	
Median Income	81-100% Median	295	81% Median	100% Median	81-100% Median	(244 units)
	\$38,129-\$47,073		\$95,323	\$117,683	51(2.5%)	
Moderate Income	101-120% Median	251	101% Median	120% Median	101-120% Median	(161 units)
	\$47,544-\$56,488		\$118,860	\$141,220	90 (4.5%)	
Middle Income	121-160% Median	447	121% Median	160% Median	121-160% Median	(301 units)
	\$56,958-\$75,317		\$142,395	\$188,293	146 (7.3%)	

Source: 2009-2013 ACS; table and calculations by FIU Metropolitan Center.

Table 4.4: City of Marathon Affordable Housing Supply/Demand Analysis: Renter Housing

	HH Income Category	Total Renter Households (Demand)	Affordable Rent Levels		Number of Renter Units Within Affordable Price Range (Supply)	Surplus/Gap within Affordable Price Range
			0% Median	30% Median		
Extremely Low Income	0-30% Median	248	0% Median	30% Median	0-30% Median 26 (2.1%)	(222 units)
	\$0-\$14,122		\$0	\$353		
Very Low Income	31-50% Median	189	31% Median	50% Median	31-50% Median 92 (7.6%)	(97 units)
	\$14,592-\$23,537		\$365	\$588		
Low Income	51-80% Median	271	51% Median	80% Median	51-80% Median 327 (27.2%)	56 units
	\$24,007-\$37,658		\$600	\$941		
Median Income	81-100% Median	97	81% Median	100% Median	81-100% Median 260 (21.6%)	163 units
	\$38,129-\$47,073		\$953	\$1,177		
Moderate Income	101-120% Median	79	101% Median	120% Median	101-120% Median 182 (15.1%)	103 units
	\$47,544-\$56,488		\$1,189	\$1,412		
Middle Income	121-160% Median	158	121% Median	160% Median	121-160% Median 151 (12.6%)	(7 units)
	\$56,958-\$75,317		\$1,424	\$1,883		

Source: 2009-2013 ACS; table and calculations by FIU Metropolitan Center.

Based on this review of the available information, City staff indicates that the project meets the obligation to help establish necessary workforce and affordable housing within the city. Therefore, with the conditions noted throughout, the request is ***in compliance*** with the requirements of this section.

CONCLUSION:

The Conditional Use Approval is intended to allow for the integration of certain land uses and structures within the City of Marathon based on conditions imposed by the Council. Review is based primarily on compatibility of the use with its proposed location and with surrounding land uses. Conditional uses shall not be allowed where the conditional use would create a nuisance, traffic congestion, a threat to the public health, safety or welfare of the community.

The proposed development consists of the development of sixty (60) new workforce and six (6) market rate residential units in a residentially zoned neighborhood, zoned Residential High (RH). As such the development, including the overall upgrading and improvement of the site, furthers the policies for development in the City and is consistent with the Comprehensive Plan and Land Development Regulations. The project is compatible with surrounding uses, and is not expected to create a nuisance, traffic congestion or threat to public, health, safety or welfare.

RECOMMENDATION:

Planning staff recommends approval with Conditions.

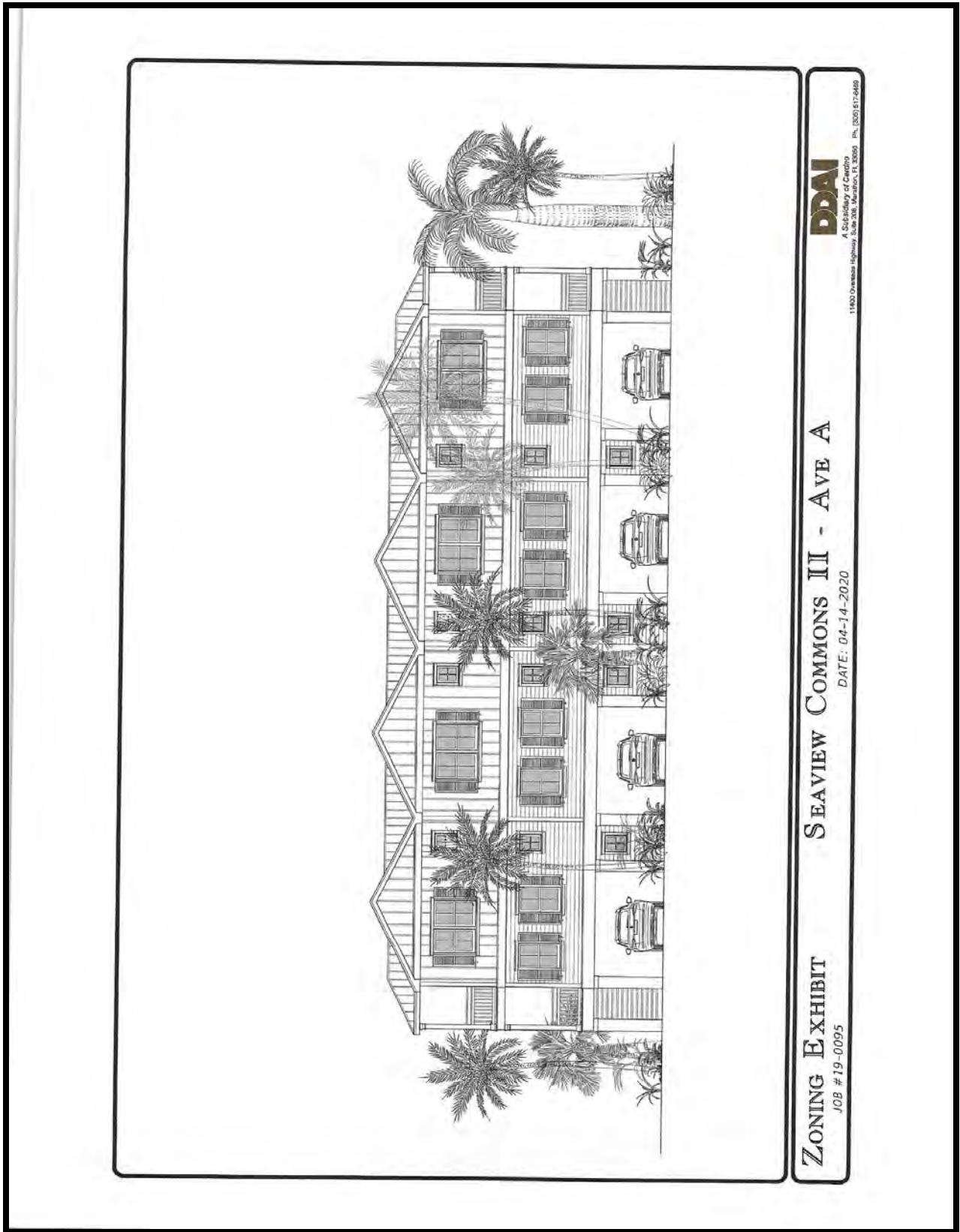
Conditions of Approval

- 1) Ingress and egress shall only occur from Pescayo Avenue and Avenue B.
- 2) As part of the permit application, all conditions of the Fire Marshal must be met prior to permit issuance, and hydrants must be operational prior to buildings going vertical.
- 3) City approval is required for ADA compliant parking spaces prior to Building Permit Approval.
- 4) Bike racks must be shown on the final site plan and approved prior to Building Permit Approval.
- 5) City approval is required for the stormwater management system prior to Building Permit Approval.
- 6) Applicant must obtain all outside agency approvals prior permit issuance and prior to project initiation.
- 7) City approval of the final engineering and connection to the City Wastewater Utility will be required.
- 8) A Unity of Title will be required for the two parcels subject to this review and approval prior to Building Permit Approval. If platting of the six (6) market rate residential sites is contemplated that can happen prior to the initiation of construction on those units
- 9) A Final Landscape Plan must be submitted showing the proper treatments and buffers, including the appropriate treatment types and trees. Since additional buffering was required and agreed to by the applicant, this additional buffering must also be reviewed and approved by the City prior to final project approval.
- 10) A Transplantation / Mitigation plan must be approved for any native trees destroyed as part of proposed construction. This Plan must be provided and approved prior to the initiation of site development.
- 11) If the redevelopment is found to have any effect on the Eastern Indigo Snake, then the prescribed protection measures must be undertaken, and the information poster posted on site.
- 12) A Final Site Plan must be submitted showing the buildings meeting the required setbacks, parking locations, and access drives.
- 13) Sufficient parking for two spaces per unit and additional visitor parking.
- 14) City approval is required for ADA compliant parking spaces prior to Building Permit Approval.
- 15) City approval is required for bike racks prior to Building Permit Approval.
- 16) Caution signs during left or right turns at the Coco Plum Drive intersection with Pescayo Avenue and Avenue B.
- 17) All signs will be reviewed and approved for compliance with the City of Marathon LDR's.
- 18) Applicant must obtain all outside agency approvals, this includes but is not limited to SFWMD, FDOT, ACOE, and DEP.
- 19) Affordable Housing Deed Restrictions must be filed prior to building permit issuance. Said deed restrictions shall be provided in a form acceptable to the City and shall be filed with the Monroe County Clerk of Court and shall run with the land for a period of ninety-nine (99) years.
- 20) The Applicant must obtain a minimum of six (6) market rate and sixty (60) affordable residential allocations to be transferred via the Transfer of Building Rights (TBR's), BPAS process, or any other legally established process prior to building permit issuance. **THE APPROVAL OF THE REQUESTED CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT AMENDMENTS DO NOT CONVEY OR GRANT A VESTED RIGHT OR ENTITLEMENT TO**

FUTURE ALLOCATIONS BY THE CITY OF ANY AFFORDABLE RESIDENTIAL UNITS NOT CURRENTLY IN POSSESSION BY THE APPLICANT AS REFERENCED IN THE PROPOSED CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT.

- 21) The Conditional Use Development Order will constitute the Certificate of Concurrency for the project. The determination will be valid for one year.

Attachment:
Attachment A & B – Site Plan and



ZONING EXHIBIT
JOB # 19-0095

SEAVIEW COMMONS II - AVE A

DATE: 04-14-2020

DDAI

A Subsidiary of Carolina

11400 Overseas Highway, Suite 201, Fort Myers, FL 33905 Ph: (800) 617-0469



CONDITIONAL USE PLAN SEAVIEW COMMONS II - AVE. A

JOB #19-0095

DATE: 03-25-2020



Subsidiary of Carolina
 11400 Overpass Highway, Suite 202, Matthews, NC 28050 Ph: (202) 517-6488

Attachment
Attachment C – Traffic Impact Statement:



a Subsidiary of CARDNO

SERVING S.W. FLORIDA SINCE 1996
CIVIL ENGINEERS
LAND PLANNERS
CONTRACT ADMINISTRATORS

Traffic Impact Statement

For

Seaview Commons II – Avenue A

*Sec 05 Twp 66 Rng 33
Block 6, Lots 5 & 6 Avenue A
Marathon, Florida 33050*

Prepared for:

*Seaview Commons, LLC
c/o Brain Schmitt
11100 Overseas Highway
Marathon, Florida 33050*

Prepared by:

Victoria Crouthamel, E.I.

DDAI Job #19-0095
March 2020

1821 VICTORIA AVENUE, FORT MYERS, FLORIDA 33901
11400 OVERSEAS HIGHWAY, SUITE 208, MARATHON, FLORIDA 33050

PH. 239-337-3330
PH. 305-517-6469

WEB: WWW.DDAI-ENGINEERS.COM

Project Description

The proposed project will be for a sixty (60) unit multi-family community along with six (6) single family lots. The project will also incorporate all associated infrastructure and a new private roadway for the single family residences. The 2.40 +/- acre site will have frontage on Avenue A (Pescayo Avenue) and Avenue B on Coco Plum. The following Traffic Impact Statement will be for the proposed development.

Project Identification and Location

Project Name: Seaview Commons II – Avenue A
 S/T/R: 05 / 66S / 33E
 Street Address: BK 6 Lt 5 & 6 Avenue A, Marathon
 RE No.(s): 00303560-000000 & 00363550-000000

Project Traffic Distribution

The subject property will have three (3) entry/exit points to Avenue A (Pescayo Avenue) and two (2) entry/exit points to Avenue (Reference Exhibits 2 & 3). Directional splits onto the adjacent roadways are based on the property’s geographic location and anticipated vehicle movements. It is assumed that the distribution of traffic will be 100% of vehicle trips entering from and exiting to the East towards Coco Plum Drive.

Abutting Roadway Information

Road	Ownership	Access Classification	Posted Speed	AADT
Avenue A (Pescayo Ave)	Public	Local	20 MPH	Unknown
Avenue B	Public	Local	20 MPH	Unknown

Trip Generation

Vehicular trip ends generated by the proposed project were calculated by OTISS software based on methodology provided by Trip Generation Manual of the Institute of Transportation engineers (10th edition, 2018).

Proposed OTISS Input – Average Vehicle Trips									
ITE Land Use Code	Description	Variable Input	Weekday	AM Total	AM Entry Trips	AM Exit Trips	PM Total	PM Entry Trips	PM Exit Trips
220	Multifamily Housing (Low-Rise)	60 Dwelling Units	412	30	7	23	38	24	14
210	Single Family Detached Housing	6 Dwelling Units	78	9	2	7	7	4	3

Print outs of the trip generation by OTISS for this use are attached.

Summary

Based upon the expected traffic to be generated for the proposed residences and location of the project along Coco Plum Drive, the proposed residential development should not have an adverse impact on the operating characteristics, Level of Service of Avenue A (Pescayo Ave.) or Avenue B. The proposed project is combatable with the residential area and will not have adverse effects or impacts.



SERVING S.W. FLORIDA SINCE 1996
CIVIL ENGINEERS
LAND PLANNERS
CONTRACT ADMINISTRATORS

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Appendix A

- Project Location Map
- Traffic Distribution Diagrams

Appendix B

- Proposed Multifamily and Single Family Residence
OTISS Traffic Software Output
ITE Code: 220 & 210
Independent Variable: Dwelling Units

1821 VICTORIA AVENUE, FORT MYERS, FLORIDA 33901
11400 OVERSEAS HIGHWAY, SUITE 208, MARATHON, FLORIDA 33050

PH. 239-337-3330
PH. 305-517-6469

WEB: WWW.DDAI-ENGINEERS.COM



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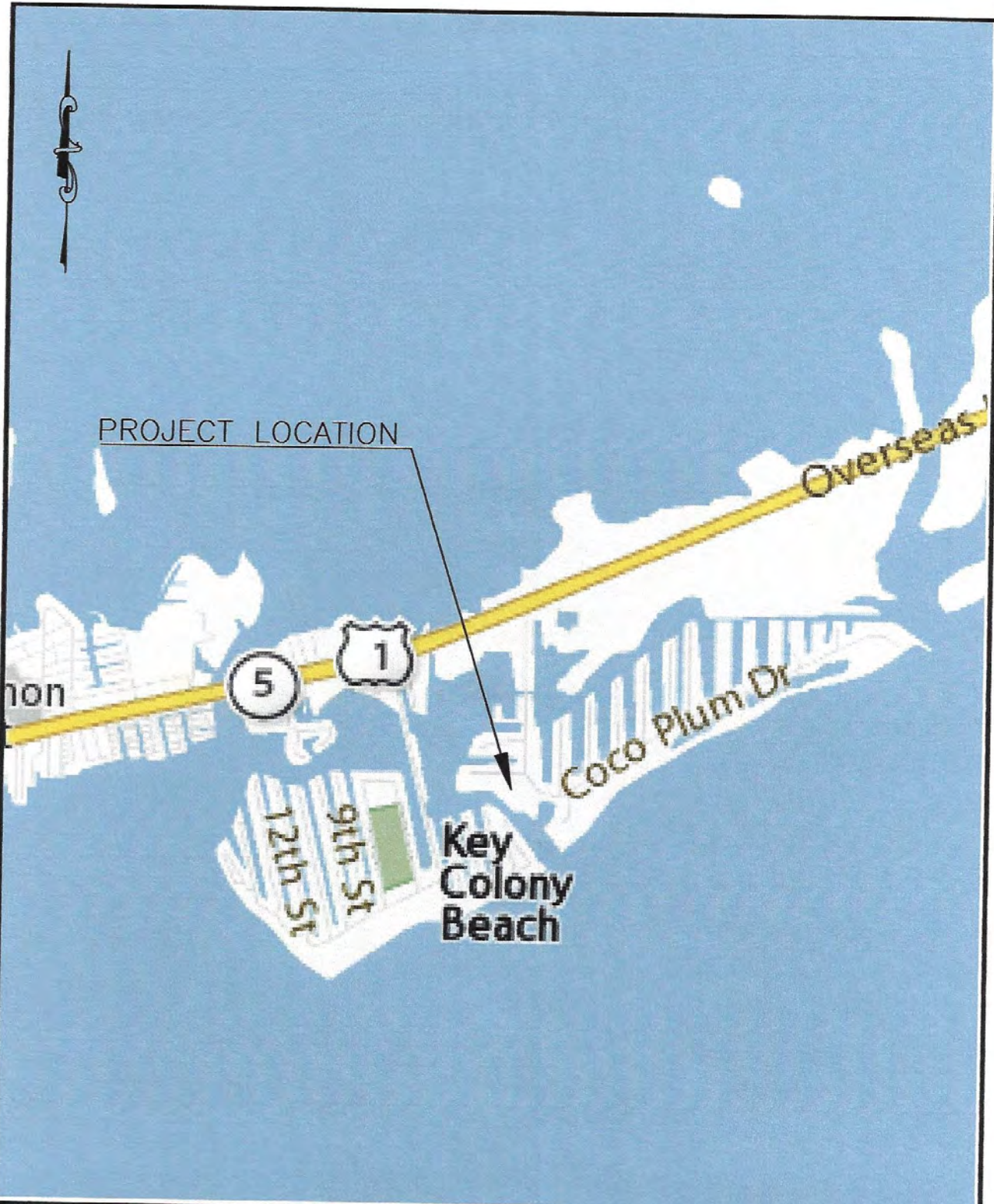
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CIVIL ENGINEERS
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Appendix A.1

1821 VICTORIA AVENUE, FORT MYERS, FLORIDA 33901
11400 OVERSEAS HIGHWAY, SUITE 208, MARATHON, FLORIDA 33050

PH. 239-337-3330
PH. 305-517-6469

WEB: WWW.DDAI-ENGINEERS.COM



FILE : H:\MARATHON-OFFICE-PROJECTS\2019\110086 SAA\CAD\DWG\XX-19-095-TIS.DWG

DATE : 03/31/20	NO.	REVISION
SCALE : N.T.S.		
DESIGN: VJC		
CAD : VJC		

DAVID DOUGLAS ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND PLANNERS - CONTRACT ADMINISTRATORS
 11400 Overseas Hwy, Suite 208 Marathon, FL 33050
 Ph: 305-517-5469
 Web: www.ddai-engineers.com
 Florida Certificate of Authorization # 7568



LOCATION MAP
SEAVIEW COMMONS II
TRAFFIC STUDY
 BK 6 LOT 5&6 AVE. A
 MARATHON, FLORIDA

EXHIBIT
1
 DDAI JOB
 NUMBER
 19-0095



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LAND PLANNERS

CONTRACT ADMINISTRATORS

Appendix A.2

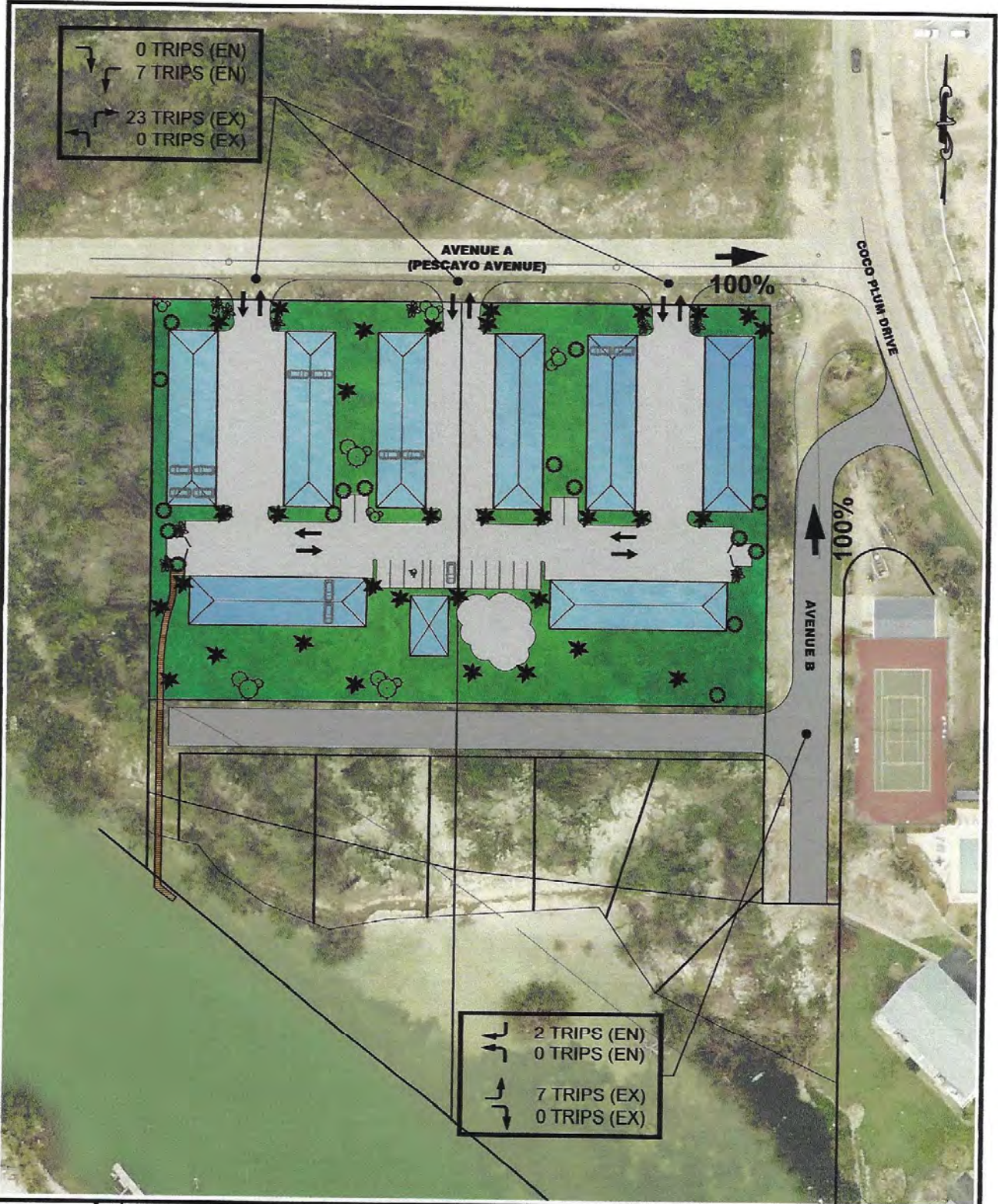
1821 VICTORIA AVENUE, FORT MYERS, FLORIDA 33901

11400 OVERSEAS HIGHWAY, SUITE 208, MARATHON, FLORIDA 33050

PH. 239-337-3330

PH. 305-517-6469

WEB: WWW.DDAI-ENGINEERS.COM



FILE : H:\MARATHON-OFFICE-PROJECTS\2019\150096 SAA\CA\DD\DWG\XX-18-0096-TIS.DWG

DATE : 03/31/20	NO.	REVISION
SCALE : 1"=80'		
DESIGN : VJC		
CAD : VJC		

DAVID DOUGLAS ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND PLANNERS - CONTRACT ADMINISTRATORS
 11400 Overseas Hwy, Suite 208 Marathon, FL 33050
 Ph. 365-517-6469
 Web: www.ddai-engineers.com
 Florida Certificate of Professional # 7598



AM TRIP DISTRIBUTION
SEAVIEW COMMONS II
TRAFFIC STUDY
BK 6 LOT 5&6 AVE. A
MARATHON, FLORIDA

EXHIBIT
2
 DDAI JOB
 NUMBER
 19-0096



FILE : H:\MARATHON-OFFICE-PROJECTS\2019\11\0085 SAA\CADD\DWG\XX-19-009E-TIS.DWG

DATE : 03/31/20	NO.	REVISION
SCALE : 1"=80'		
DESIGN : VJC		
CND : WJC		

DAVID DOUGLAS ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND PLANNERS - CONTRACT ADMINISTRATORS
 11400 Overseas Hwy, Suite 208 Marathon, FL 33950
 Ph: 305-517-6488
 Web: www.ddai-engineers.com
 Florida Certificate of Authorization # 2588



PM TRIP DISTRIBUTION
SEAVIEW COMMONS II
TRAFFIC STUDY
BK 6 LOT 5&6 AVE. A
MARATHON, FLORIDA

EXHIBIT
3
 DDAI JOB
 NUMBER
 19-009E



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Appendix B

1821 VICTORIA AVENUE, FORT MYERS, FLORIDA 33901
11400 OVERSEAS HIGHWAY, SUITE 208, MARATHON, FLORIDA 33050

PH. 239-337-3330
PH. 305-517-6469

WEB: WWW.DDAI-ENGINEERS.COM

Project Name: 19-0095 Schmitt-Ave A
 Project No: 19-0095
 Country: USA
 Analyst Name: David Douglas
 Date: 4/1/2020
 State/Province: Florida
 Analysis Region:

PROJECT DETAILS

Type of Project: Residential
 City: Marathon
 Built-up Area(Sq. Ft):
 Clients Name: Seaview Commons II
 ZIP/Postal Code: 33050
 No. of Scenarios: 3

SCENARIO SUMMARY

Scenarios	Name	No. of Land Uses	Phases of Development	No. of Years to Project Traffic	User Group	Entry	Exit	Total
Scenario - 1	AM Trip	2	1	0		9	30	39
Scenario - 2	PM - Trip	2	1	0		28	17	45
Scenario - 3	Weekday	2	1	0		245	245	490

Scenario - 1
 Scenario Name: AM Trip
 User Group:
 Dev. phase: 1
 No. of Years to Project: 0
 Analyst Note:
 Traffic: 0
 Warning:

VEHICLE TRIPS BEFORE REDUCTION

Land Use & Data Source	Location	IV	Size	Time Period	Method	Entry	Exit	Total
220 - Multifamily Housing (Low-Rise)	General		60	Weekday, Peak Hour of Adjacent Street Traffic	Rate/Equation Best Fit (LOG)	7	23	
Data Source: Trip Gen Manual, 10th Ed	Urban/Suburban	Dwelling Units			$Ln(T) = 0.85Ln(X) - 0.51$	23%	77%	30
210 - Single-Family Detached Housing	General		6	Weekday, Peak Hour of Adjacent Street Traffic	Best Fit (LIN)	2	7	
Data Source: Trip Gen Manual, 10th Ed	Urban/Suburban	Dwelling Units			$T = 0.721(X) + 4.80$	25%	75%	9

VEHICLE TO PERSON TRIP CONVERSION

BASELINE SITE VEHICLE CHARACTERISTICS:

Land Use	Baseline Site Vehicle Mode Share		Baseline Site Vehicle Occupancy		Baseline Site Vehicle Directional Split	
	Entry (%)	Exit (%)	Entry	Exit	Entry (%)	Exit (%)
220 - Multifamily Housing (Low-Rise)	100	100	1	1	23	77
210 - Single-Family Detached Housing	100	100	1	1	25	75

ESTIMATED BASELINE SITE PERSON TRIPS:

Land Use	Person Trips by Vehicle		Percent Trips by Other Modes		Total Baseline Site Person Trips	
	Entry	Exit	Entry	Exit	Entry	Exit
220 - Multifamily Housing (Low-Rise)	7	23	0	0	7	23
210 - Single-Family Detached Housing	2	7	0	0	2	7
NEW VEHICLE TRIPS:	9	30	0	0	9	30

NEW VEHICLE TRIPS

Land Use	New Vehicle Trips		Total
	Entry	Exit	
220 - Multifamily Housing (Low-Rise)	7	23	30
210 - Single-Family Detached Housing	2	7	9
RESULTS	9	30	39

Site Totals

Vehicle Trips Before Reduction	Entry	Exit	Total
External Vehicle Trips	9	30	39
New Vehicle Trips	9	30	39
Total	18	60	78

Scenario - 2

Scenario Name: PM - Trip

User Group:

Dev. phase: 1

No. of Years to Project: 0

Analyst Note:

Traffic: 0

Warning:

VEHICLE TRIPS BEFORE REDUCTION

Land Use & Data Source	Location	IV	Size	Time Period	Method	Entry Split%	Exit Split%	Total
220 - Multifamily Housing (Low-Rise)	General	Dwelling Units	60	Weekday, Peak Hour of Adjacent Street Traffic,	Rate/Equation Best Fit (LOG) Ln(T) = 0.89 ln(X) - 0.02	24	14	38
210 - Single-Family Detached Housing	Urban/Suburban	Dwelling Units	6	Weekday, Peak Hour of Adjacent Street Traffic,	Rate/Equation Best Fit (LOG) Ln(T) = 0.98 ln(X) + 0.20	4	3	7

VEHICLE TO PERSON CONVERSION

BASELINE SITE VEHICLE CHARACTERISTICS:

Land Use	Baseline Site Vehicle Mode Share	Baseline Site Vehicle Occupancy	Baseline Site Vehicle Directional Split
220 - Multifamily Housing (Low-Rise)	Entry (%) 100	Entry 1	Entry (%) 63
210 - Single-Family Detached Housing	Exit (%) 100	Exit 1	Exit (%) 37

ESTIMATED BASELINE SITE PERSON TRIPS:

Land Use	Person Trips by Vehicle		Person Trips by Other Modes		Total Baseline Site Person Trips	
	Entry	Exit	Entry	Exit	Entry	Exit
220 - Multifamily Housing (Low-Rise)	24	14	0	0	24	14
210 - Single-Family Detached Housing	4	3	0	0	4	3
TOTAL	28	17	0	0	28	17

NEW VEHICLE TRIPS

Land Use	New Vehicle Trips	
	Entry	Exit
220 - Multifamily Housing (Low-Rise)	24	14
210 - Single-Family Detached Housing	4	3
TOTAL	28	17

RESULTS

Site Totals	Entry	Exit	Total
Vehicle Trips Before Reduction	28	17	45
External Vehicle Trips	28	17	45
New Vehicle Trips	28	17	45

Scenario - 3
 Scenario Name: Weekday
 User Group:
 Dev. phase: 1
 No. of Years to Project: 0
 Analyst Note:
 Traffic: 0
 Warning:

VEHICLE TRIPS BEFORE REDUCTION

Land Use & Data Source	Location	IV	Size	Time Period	Method	Entry	Exit	Total
220 - Multifamily Housing (Low-Rise)	General	Dwelling Units	60	Weekday	Best Fit (LIN)	206	206	412
Data Source: Trip Gen Manual, 10th Ed	Urban/Suburban				T = 7.56(X) - 40.86	50%	50%	
210 - Single-Family Detached Housing	General	Dwelling Units	6	Weekday	Best Fit (LOG)	39	39	78
Data Source: Trip Gen Manual, 10th Ed	Urban/Suburban				Lq(T) = 0.92Ln(X) + 2.71	50%	50%	

VEHICLE TO PERSON TRIP CONVERSION

BASELINE SITE VEHICLE CHARACTERISTICS:

Land Use	Baseline Site Vehicle Mode Share	Baseline Site Vehicle Occupancy	Baseline Site Vehicle Directional Split
220 - Multifamily Housing (Low-Rise)	Entry (%) 100	Entry 1	Entry (%) 50
210 - Single-Family Detached Housing	Exit (%) 100	Exit 1	Exit (%) 50

ESTIMATED BASELINE SITE PERSON TRIPS:

Land Use	Person Trips by Vehicle		Person Trips by Other Modes		Total Baseline Site Person Trips	
	Entry	Exit	Entry	Exit	Entry	Exit
220 - Multifamily Housing (Low-Rise)	206	206	0	0	206	206
210 - Single-Family Detached Housing	39	39	0	0	39	39
NEW VEHICLE TRIPS	78	78	0	0	78	78

NEW VEHICLE TRIPS

Land Use	New Vehicle Trips	
220 - Multifamily Housing (Low-Rise)	Entry	Exit
210 - Single-Family Detached Housing	39	39
TOTAL	206	206

RESULTS

Site Totals	Entry	Exit	Total
Vehicle Trips Before Reduction	245	245	490
External Vehicle Trips	245	245	490
New Vehicle Trips	245	245	490

ATTACHMENT D
Current List of Affordable Housing Units / Projects

Affordable Housing Project	Units in Place	Units in Process	Units Approved	Units Sought
Anchor Inn (Habitat)	7	4		
Aquarium Encounters				7
Royal Crest		4		
Boat Works			52	
Centennial Bank	5			
Captain Pip's				1
Coral Construction				14
Coral Lagoon	2			
Crain (Individuals)	3			
Crystal Cove Affordables		46		
Marathon Affordables		55		
Diaz		4		
Eastwind Apartments	130			
Fair Acre		1		
Ferrucci	2	4		
GEM (250 Gulf Terrace)				9
Gunnar Holdings		4		
Halioua				8
Holiday Inn Express		2		
Hyatt	14			
Isla Bella	70			
Louisa St (D'Asign Source)	1			
Marlin Bay	8			
Overseas Village	4			
Overseas Village	9			
Overseas Highway (Individual)	1			
Pelican Pond	8			
Sea Grape	84			
Seacrest Apartments	14			
Seaview Commons II				64
Seaview Commons II				60
Seaward		45	8	
Sunset Bay (Individuals)	2			
Serenity Cove				42
Tarpon Harbor	62			
Tingler Ln (Individual)	1			
Tranquility Bay	2			

Affordable Housing Project	Units in Place	Units in Process	Units Approved	Units Sought
Tropical Isle	23			
Wolfe Storage		1		
24 th St (Individuals)	1			
50 th St (Individuals)	3			
52 nd St (Individual)	3			
63 rd St (Individual)	1			
64 th Street (Habitat)	6			
64 th St. (Individuals)	2			
65 th St (Individual)	2			
73 rd St (Habitat)	4			
73 rd St. (Individuals)	2			
73d St (Keys Affordables)	57			
74 th St (Individual)	1			
76 th St (Individuals)	4			
80 th St (Individuals)	2			
91st St		3		
107 th St (Individuals)	2			
123rd St (Habitat)	4			
123 rd St (Individual)	1			
Total	547	173	60	205
GRAND TOTAL	547	720	780	985

PUBLIC COMMENT LETTER

George Garrett

From: savecocoalum@aol.com
Sent: Wednesday, June 3, 2020 11:34 AM
To: George Garrett
Subject: AWHousing

Dear George:

We are inundated with concerned calls about Seaview Commons-II. There is grave concern about the public safety and the impact of 130 unit increase on our community character. Is the end of Build Out time rapidly approaching? How many permits, are in progress for Coco Plum? What is the AWH density per acre for Seaview I and II?

I wish to speak at the June 15 Hearing. Of interest is a reliable assessment of the number of very low, low, middle and high income or Affordable Workforce Housing Units in place in Marathon. What do we have? What do we need? How will they impact community safety and character?

My latest number is 974 AWH units but I have no breakdown of the income levels and rents for the Seaview Projects.

Cheers,
Lynda Berrigan

George Garrett

From: Ramon Cue <rcue1@aol.com>
Sent: Thursday, June 11, 2020 10:49 AM
To: Planning; Council
Subject: Seaview Commons II, -PUBLIC HEARING- Application # DP2020-0043

This letter is directed to the Marathon Planning Commission and City Council regarding the proposed Seaview Commons II, -PUBLIC HEARING- Application # DP2020-0043

As an owner of a unit at Bonefish Towers Condominium I am writing you to express my concerns over the proposed project

Unfortunately, I will not be able to attend the scheduled meeting on June 15th, but felt compelled to let my voice be heard via e-mail.

It is important to note that I have nothing against low income housing, I just don't feel this is the right location for it.

According to the Florida Housing Finance Corporation who controls the development of low income housing in the state of Florida, there are a number of requirements needed in order for a project like this to qualify as low income. Their proximity to Food Stores, Pharmacy, Public Transportation, Schools, and Medical Centers. The proposed location does not allow for any of these.

By approving this project you will be doing a disservice to the local community and the proposed project residents. Adding more traffic to an already dangerous situation, and far from most working destinations for proposed residents.

I would like to think that the city is concerned for the safety of its residents, and the wellbeing of its workers.

Thanking you in advance,
Ramon Cue
Bonefish Towers Unit 302
Marathon, Florida

A SIMPLE REQUEST: If you forward this email, please delete the forwarding history. Erasing the history helps prevent spammers and hackers from mining email addresses and propagating destructive viruses.

June 11, 2020

Marathon City Council
City of Marathon Planning Commission
Via email

Ladies/Gentlemen:

I am a homeowner in Bonefish Yacht Club, at 95 Coco Plum Drive, #5E. I also happen to be a member of the homeowners' association board of directors.

We were recently notified that Seaview Commons II is planning a development abutting our property. While we were to have received a certified letter regarding the project, I did not receive it.

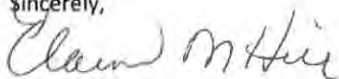
There are several concerns that I have with this project.

Please note,

- It is acknowledged that there is a need for additional affordable housing in Marathon. In that there is no doubt. However, the addition of so many units within a dense space seems ill-advised.
- There is a very precarious curve in the road, where the ingress/egress to our property exists and the ingress/egress to Seaview Commons II will be. As Seaview will add some 66 to 130 or so vehicles to the traffic load, this portion of Coco Plum Drive will become even more dangerous and congested if the project is built. Additionally, Seaview Commons I will result in ingress/egress a block or so away from the curve, for a similar number of vehicles. The impact between the two communities could be 250 or so additional vehicles.
- The bridge on Coco Plum Drive is in need of repairs, repairs that were scheduled prior to the building of Seaview Commons I, that have not been commenced (same goes for other road improvements).
- Density – Between Seaview I and Seaview II additional density will approximate 130 units, which will result in additional noise, traffic, congestion and access to the pedestrian walkway/bike path will result.
- While these are the primary issues, there are others.

I'm asking that, at a minimum, the development of Seaview Commons II be delayed, until at least the impact of Seaview Commons I can be assessed via a formal study and that the scheduled road and bridge improvements be implemented prior to the development of Seaview Commons I, as planned.

Sincerely,



Elaine M Hill

George Garrett

From: Joseph J. Hill <jjhill@ceisreview.com>
Sent: Thursday, June 11, 2020 2:09 PM
To: Planning; Council
Cc: joel deshane
Subject: Seaview Commons II / June 15 Meeting

I live in Bonefish Yacht Club ("BYC").

I am aware of the intended residential development to occur along the Coco Plum Drive Road. My understanding is that there is approved for Seaview Commons 1 development of 64 units that will be across the street from my home in BYC. Also, there is now in consideration an additional 66 units i/n/o Seaview Commons II that will be adjacent to BYC.

I have no issue with affordable housing but I do have issue with the combined increase in living units that will be brought to the immediate area if all developments are approved with the parameters apparently approved and/or in consideration.

Considering that the proposed density will clearly bring a substantial increase in traffic on a road and bridge that is in serious need of attention regarding width and surface; the heightened potential for traffic accidents due to the curve of Coco Plum Drive beginning at Pescaya Avenue / Avenue A and continuing past Avenue D and C; elevated risks with having egress and ingress on two relatively sizeable new developments coupled with that of the existing BYC, likely increased vehicular noise; and worrisome increase in danger to pedestrians that are walking, running, and riding bikes.

We would appreciate if the City would reconsider the density matter relative to the concerns expressed in this email. My request is at a minimum for an impact study be completed prior to proceeding and made available for reading; clearly development of the dimension that is under consideration warrants such a study by a party (firm) that is independent of the City of Marathon and the developer.

Appreciate your consideration.

Thank you,
Joe Hill

Thank you and Best Regards,



Joseph J. Hill

CEIS Review Inc.

75 Broad Street, Suite 820
New York, NY 10004

☎888.967.7380 (Toll Free)

☎212.967.7380 • 📠212.967.7365

Consulting Services to the Financial Community

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June 11, 2020

City Council
Marathon FL

To whom it may concern:

I am writing because of the proposed project Seaview 2.

1. Adding 3 new entrances off of Coco Plum Drive at the extreme curve will be a safety hazard. People make the turn now at a reckless speed and this all occurs as people are walking on the path. Adding more vehicles to this already well-traveled road is a bit reckless on the part of the village.
2. To add another 130 units after putting in the other Seaview is rather extreme. How many people can this area hold safely?
3. The current condition of Coco Plum Drive and the spalling on the bridge have not been addressed and the gravel that has been laid on the road is stupid and a hazard. You can see tire tracks as people swerve going around the curve now.
4. We realize that Marathon needs affordable housing but I think Coco Plum has already done a good share of the load. Please delay passing this until impact studies and assurances can be made.

Sincerely,

Diane E. Merna
Bonefish Tower
Marathon, FL