

**Planning Board Meeting
(Public Land Use Hearing - April 07, 2023)**

03 April, 2023

File #: 23-2832 & 23-2833

Planning Board
City of Marco Island
Co. Dan smith
Community Affairs Director
50 Bald Eagle Drive
Marco Island, FL
34145

BY E-MAIL

RE: RESOLUTION - Site Development Plan (SDP-22-000216) for the Construction of a Five-Story Mixed Use Building (including ground floor) located at 711 S. Collier Blvd., Marco Island, FL 34145

RESOLUTION - Conditional Use Petition (CUP-22-000218) for a Mixed-Use Project located at 711 S. Collier Blvd., Marco Island, FL 34145

I Steven Fraser am a current homeowner and near future resident of Marco Island, purchasing our current property at 716 Seagrape Dr. in 2013. I am not against change and nor against viable businesses achieving profit, but there is much more to development than simply building to the extreme. Progress in its definition should be progressive in nature and holistic in its intended results. My interest here is to ensure that happens in a way that balances the needs of the community with the needs of those involved in project developments.

Design of the above proposed E Residences project maneuvers within the extremes of every code allowance and setback. The approach taken on this development is based on the black and white of codes, with the intent to exploit every allowance to maximize benefits for one sole purpose, profit.

One example of this is the planned development would fall outside of a permissible conditional use as specified in Sec. 30-224 (14) (g) *Maximum building height: **Four stories**, not to exceed 50 feet.* The present development design has 3 Parking levels and two levels of mixed use above. By definition floors and stories are interchangeable; therefore, the current design has 5 stories, which should not be permissible; however, the definitions as specified in the *Article VIII*

Sec. 30-629 circumvent this technical requirement, and legal definition, by utilizing parking garage as non-habitable space.

One has to focus not only on what this project would look like but what will Marco Island look like if this approach was put into practice on all future developments for this district.

Simply put, if this project is allowed, precedent will be set, which will then set the stage for the possibility and increases the probability of every development parcel within C3 two-b to maximize development to the exact same specifications.

Now I ask that you envision this... And then ask yourself, is this in line with your future vision of Marco Island and the future vision desired by its constituents.

I can't answer that, but we can look at the Comprehensive Plan for the Marco Island with vision towards 2040 which in its entirety provides direction for action, such as development, and establishes a shared vision of Marco Island's future. The first goal as listed in Comprehensive Plan found under Future Land Use is "**Livable Small Town Community**", which in the document is characterized as costal living consistent with low density and intensity.

Objective 2.2 in the Comprehensive Plan speaks to the requirement to "Protect existing and future residential development from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment" It continues under *Policy 2.2.1* "*Compatibility is defined as the characteristics of different land uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.*" *Policy 2.2.3* "*implement sensitive site design practices to address compatibility with the surrounding neighborhood.*"

I fully understand the zoning is different and other than the residences adjacent to the East of the proposed development; however Objective 1.2 specifically speaks to managing growth to enhance the community, and protect property values. Although zoning is different from the residences, one can compare to other developments in the same area with the same zoning. Every other building located in that zone (C3) two-b) are no more than 2 stories and/or 35 feet in height. No other property in that area with that zoning contains residential units.

Implementing both commercial and residential units that will be positioned to oversee and observe many surrounding residences private property is an apparent and real intrusion which could be addressed in an improved development proposal with consideration towards adjacent and nearby residences.

Restaurants can be great? They are places to socialize, enjoy, and celebrate; however, they are noisy by nature. The current proposal has two restaurant spaces allocated in the building facing the residential neighborhood to the immediate East. Conversations, music, laughter and all the other enjoyments of a restaurant, will not be enjoyable to those in auditory proximity to the project. I truly feel the plan, as currently proposed, will be of no benefit to both restaurant businesses, building owner, or neighborhood.

In line with the above and being a former restaurant owner involved in community planning in Ottawa Canada. It has been proven to be beneficial to storefront rhythm to have doors on traditional main streets. Simply put, it hinders the vibrancy of a main street to not have

continuous retail (inclusive of restaurants) doors at street level. Pedestrian traffic will walk until the perception of retail continuity ends and then turn around and not explore further. The current design does not utilize this best practice for a vibrant unified commercial corridor.

It's stated in the proposal that the commercial space will include restaurants. Restaurants have plenty of deliveries, which are usually 5 ton refrigerated diesel trucks (beverages, food). Presently, as designed, there is no off-street loading capabilities that are conducive to accommodate large delivery vehicles as per Sec. 30-226 (a) *Minimum off-street parking and off-street loading. As required in the land development code.* This will result in numerous delivery trucks blocking Muspa Way with engines running for significant periods of time. This is a noise, air and general safety concern as Muspa Way is open to vehicular traffic and has active no parking signs. This is a real and present issue for residents presently living behind Fin Bistro. As proposed this development will exacerbate and increase that issue, providing no remedy to address it in this area. Below you will find a photo of a building I came across when in my attempt to find a similar situation/building. (roof-top pool) My search led me to the below building. It was and is coincidence that at the time, the google photo of this property demonstrates the issue of off-street parking and the need to have it accounted for and part of the plans to avoid illegal and unsafe parking, idling vehicles, noise and general proliferation of incidental annoyances to the nearby community. (Image A)

Image A: Building with similar setbacks and rooftop pool located at 480 5th St. **Illegally parked maintenance delivery vehicles at rear of building**



With this project and the current layout of diverse uses, the lighting needed and incorporated for access, deliveries, safety, commercial space uses, landscaping and the rooftop pool, along with

increased traffic and headlights, raises concerns over the ability to adhere to: Sec. 30-224. - Conditional uses. (14) (f) Pool lighting standards and requirements are found in *Chapter 64E-9.006(2)(c) of the Florida Administrative Code* and requires the area to be substantially illuminated if to be utilized post 30 minutes prior to sunset. The lighting requirements of this project will increase glare, light trespass, clutter, and increased skyglow which diminishes the natural sequence of day and night. (detrimental to both wildlife and humans)

Turtle Parking presently has issues with cars waiting for parking access while blocking the right hand lane of Collier Blvd. This proposal does not seem to have any additional space or lane access to address this issue with a new design. Turtle parking lot has tried many different ways to alleviate this issue; however, it continues to be an issue that now is being proposed to have additional vehicle volume added to the equation.

Along with congestion on Collier, Seagrape Dr. has seen a significant increase in traffic volume over the years. (Presently less due to Caxambas Park closure, but will return once open). This raises a community safety concern, as an increase in volume and congestion on Collier will push commuters to use internal arteries to travel the island, increasing volume and the potential for vehicle pedestrian interactions. The traffic impact statement does not encompass Seagrape Dr. and does not identify or address the current and ongoing issues with access/exit egress from the parking facility.

With an increase in traffic comes and increase in demand for infrastructure. North of Winterberry has seen sidewalk width increased for the purposes of volume, multiple use and safety. This project and its proposal fails to accommodate the increase in use and demand with an increase in supporting sidewalk capacity. Infrastructure and development must work in concert with one another and have a symbiotic approach to ensure issues are encompassed, incorporated and addressed alongside each other, so that they have the structure to support the proposed growth.

Along with this the setbacks of the project are all to the extreme. Although the plan incorporates landscaping design and development it fails to keep in mind sightlines of Collier Blvd. access point ensuring that it is in line not only with codes but with community standards and alleviates any potential safety concerns. The present plan has an obstructed Stop sign at the end of Muspa Way and the setbacks and sidelines at the corner of Valley and Collier will be the most constricted/restricted and unsafe on the island, as compared to any other.

If approved, I have up to this point seen no planning with respect to construction activity. The City and residences of this area are very familiar with the Marriott expansion and numerous issues created and experienced in this area for an extended period during that time. Turtle Parking was incorporated as a measure to address the parking issue; however, noise, litter, traffic and vehicle parking were all major issues that demonstrated firsthand those, along with numerous other incidental effects associated with the project activity. (Police, By-law, City resources/administration, complaints)

Along with the above direct effects associated with the project there are the known direct effects that will take place with respect to two Burrowing Owl burrows located on the Southern vacant lot. I am understanding that permits will be obtained for their removal; however, this is a threatened species who has found Marco a one of its last retreats and habitable resources. I mention this not in relation to this direct effect but in order to highlight all of the incidental effects that will take place in relation to this project and associated activities. As mentioned above this

project will act as precedent for future development. The increase in people, and traffic are not solely confined to this project. This project will have cumulative effects on not only the area zoned C-3 two-(b), but will have long term incidental consequences for Marco Island as a whole. There are numerous studies on transient user populations and associated levels of crime (Alcohol related, DUI), litter, noise, safety in general. All of these take resources to manage, maintain and control, which takes dollars. It's important to ensure the capital investment required to support this project and the associated effects long term, are balanced by the strategic vision of Marco Island's Comprehensive Plan.

All of the positions found in the planning proposal are not based on enhancing or providing benefit to the area and the community, but instead is well positioned to have a negative drawback on both quality of life and property values of the surrounding area as presently proposed and depicted. It is apparent that instead of a collaborative holistic approach to providing developmental community benefit, this developer has focused solely on the confines and allowances of the development property specifically with a vision of fiscal benefit. There must be a balance between development and the needs and desires of the existing community. Those needs are found within the constituents of Marco Island, for we are not only residents and taxpayers, but we are its stewards. You will find no one more vested in the genuine interest of Marco Island, today and tomorrow than my neighbors and myself. For those that choose to make Marco Island their home, know not only the island, its history and their neighbors, but they are directly connected to the culture, values and spirit of the Island. That is where you will find the heart and soul of the island, and that is where you will find the answer to the vision of this island, past present and future.

Thank you for your time and consideration on this matter,

A handwritten signature in black ink, appearing to read 'Steven Fraser', followed by a long horizontal line.

Steven Fraser

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