

THE CITY OF KEY WEST
PLANNING BOARD
Staff Report



To: Chair and Planning Board Members
From: Mario Duron, AICP, The Corradino Group
Through: Patti McLaughlin, City Manager
Meeting Date: May 19, 2022
Agenda Item: Final Determination of Award for Year 9 Building Permit Allocation System (BPAS) Applications pursuant to Sections 108-995 and 108-997 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: Approval of the final rankings of Year 9 (July 1, 2021 – June 30, 2022) BPAS applications for award of nine (9) market-rate housing units and twenty-eight (28) affordable-rate housing units.

Background:

BPAS Year 9 covers the application cycle between July 1, 2021 and June 30, 2022. For Year 9, a maximum of forty-six (46) market-rate units are available for allocation, by Code, and a minimum of forty-five (45) affordable units may be allocated.

A total of 38.4 market-rate units were set aside during Year 9 for development at the 3.2 acres through City Commission Ordinances No. 22-05 and No. 22-06, therefore only 7.6 (7) market-rate unit allocations remained. In May 2022, two market rate units allocated to the 3.2-acre project were surrendered back to the City of Key West; in sum a total of nine (9) market-rate BPAS permits are now available for award. As of the date of this report, the number of market-rate BPAS allocations available for Year 9 are nine (9) market-rate residential units. City of Key West Code Section 108-995 establishes that there is no limitation to the total number of affordable housing allocations on a year to year basis. For Year 9, the City has received applications for 27.78 Equivalent Single Family Units (28 building permit allocations).

The deadline to submit applications for Year 9 was November 5, 2021, by 3 PM EST. As of that date, the City received sixteen (16) BPAS applications requesting a total of thirteen (13) market-rate units and one hundred four (104) affordable units.

The applications were evaluated by staff for completeness. On December 17th, 2021, applicants were notified of any deficiencies and were allowed approximately one month to resolve the deficiencies and change their BPAS score. One application requesting seventy-six (76) affordable units was withdrawn on January 31, 2022 and one application requesting one (1) market-rate unit was withdrawn on January 3, 2022. One additional application reduced the number of market-rate units from two (2) to one (1) unit on May 3, 2022.

The remaining Year 9 BPAS applications are summarized in the following table:

Year 9 BPAS Applications	2719 Staples Ave	1618 N Roosevelt Boulevard	250 Trumbo Road (vacant)	1020 Margaret Street	913 White Street	1501 South Street (vacant)	700 Front Street	1307 1309 Whitehead Street	317 Whitehead Street	608 Duval Street	630 Mickens Lane (vacant)	1905 Staples Avenue (vacant)	704 Russell Lane (vacant)	1110 Truman Avenue
Existing/Recognized Units	1 (MR)	0	0	5 (MR)	1 (MR)	0	0	8 (MR)	0	0	0	0	0	0
New Market Rate Units					1	1	2**	1	1	1**	1	1	1	1**
New Affordable Units	1*	2**	24	1										
Total Existing + Proposed Year 9 BPAS Units	2	2	24	6	2	1	2	9	1	1	1	1	1	1
Zoning	Single Family	General Commercial	Historic Residential Commercial Core - 2	Historic Medium Density Residential	Historic Medium Density Residential & Historic Neighborhood Commercial - 1	Single Family	Historic Residential Commercial Core - 2	Historic High Density Residential	Historic Residential / Office	Historic Residential Commercial Core - 1	Historic Residential / Office	Limited Commercial	Historic Medium Density Residential	Historic Neighborhood Commercial - 1
Maximum Density (du/acre)	8 du/acre	Affordable Housing: 40 du/acre	Workforce Affordable Housing: 40 du/acres	16 du/acre	16 du/acre	8 du/acre	8 du/acres	22 du/acre	16 du/acre	22 du/acre	16 du/acre	16 du/acre	16 du/acre	16 du/acre
Land Area (SF)	9,059	119,995	49,500	17,512	11,642	4694.8	57,193	18786.25	6537	2479	4470 x	2550	5184 x	2583
Land Area (AC)	0.21	2.76	1.14	0.40	0.27	0.11	1.31	0.43	0.15	0.06	0.10	0.06	0.12	0.06
Proposed Density (du/acre)	9.5 du/acre	0.7 du/acre	21 du/acre	15 du/acre	7.4 du/acre	9.1 du/acre	1.5 du/acre	20.9 du/acre	6.6 du/acre	16.7 du/acre	20 du/acre	16.6 du/acre	8.3 du/acre	16.6 du/acre
Maximum Dwelling Units Allowed	1.6	110.4	45.6	6.4	4.3	0.9	10.5	9.5	2.4	1.3	1.6	0.9	1.9	0.9

**Section 122-233 (a) (10): "Density shall be calculated based only upon the number of principal units on a site." This application is for an accessory unit.*

***Section 108-998. – Compact infill development and mixed-use development incentives. This application is for additional density allowed based on commercial floor area.*

(MR): Market Rate

Analysis:

Staff evaluated, scored, and ranked the final BPAS applications according to the prerequisites and criteria outlined in City Code Section 108-997 (b) and (c).

A total of ten (10) applicants were competing for the nine (9) available market-rate units. One market-rate applicant is applying for two units. Staff is recommending allocation of the first six (6) market-rate units to the five (5) applicants receiving the top scores. The remaining five market-rate applicants tied with zero points after ranking.

As required in Code Section 108-997, a drawing was performed by the City Clerk on May 10, 2022 to allocate the remaining three available market-rate units.

Applicants with properties listed below were selected during the drawing:

- 608 Duval Street – 1 market-rate unit
- 704 Russell Lane – 1 market-rate unit
- 630 Mickens Lane – 1 market-rate unit

The City of Key West is not able to allocate market-rate permits for properties at 1905 Staples Avenue and 1110 Truman Avenue during the Year 9 BPAS cycle.

Attached are the resulting scores and final rankings. Staff's evaluation of the final applications is summarized in the score review sheet, which is attached to the application package.

Pursuant to City Code Section 108-995, a maximum of forty-six (46) market-rate units are available for Year 9 (July 1, 2021– June 30, 2022) of the BPAS. The following market-rate projects are recommended for award:

YEAR 9 MARKET-RATE BPAS APPLICATIONS – RECOMMENDED FOR AWARD						
Rank	Project	Units Requested	ESFU Factor	ESFUs Requested	Major/Minor Renovation	Score
1	1501 South Street	1	1.00	1	Major	25
Tied	913 White Street	1	1.00	1	Minor	15
Tied	700 Front Street	2	1.00	2	Minor	15
3	1307 1309 Whitehead Street	1	1.00	1	Major	10
4	317 Whitehead Street	1	1.00	1	Major	5
Tied	608 Duval Street	1	1.00	1	Minor	0
Tied	704 Russell Lane	1	1.00	1	Major	0
Tied	630 Mickens Lane	1	1.00	1	Major	0

Pursuant to City Code Section 108-995, a minimum of forty-five (45) affordable units are available for Year 9 (July 1, 2021 – June 30, 2022) of the BPAS. The following affordable projects are recommended for award:

YEAR 9 AFFORDABLE-RATE BPAS APPLICATIONS - RECOMMENDED FOR AWARD						
Rank	Project	Units Requested	ESFU Factor	ESFUs Requested	Major/Minor Renovation	Score
1	1618 N Roosevelt Boulevard	2	1.00	2	Major	95
2	2719 Staples Ave	1	0.78	0.78	Major	35
Tied	255 Trumbo Road	24	1.00	24	Major	0
Tied	1020 Margaret Street	1	1.00	1	Major	0

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends to the Planning Board **APPROVAL** of the final Year 9 BPAS rankings, the award of nine (9) market-rate housing units and twenty-eight (28) affordable-rate housing units.

YEAR 9 AFFORDABLE-RATE BPAS APPLICATIONS

AFFORDABLE-RATE PROJECTS																			
1618 N Roosevelt Boulevard	2	1.00	2	Major	5	30	40	0	0	0	0	5	5	0	0	95	95	95	None.
255 Trumbo Road	24	1.00	24	Major	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Proposed Site Plan requires: - HARC meeting - Major Development Plan approval - Should CS/HB 1499 be signed by the Governor, the 24 affordable BPAS allocations associated with 255 Trumbo Road will revert back to the City of Key West as recovered units for allocation during the sequential award year.
1020 Margaret Street	1	1.00	1	Major	0	0	0	0	20	0	0	0	0	0	0	0	0	0	Proposed Site Plan will require HARC meeting Previous approvals: - Variances approved PB 2021-25 - Minor Development Site Plan approved PB 2021-30
2719 Staples Ave	1	0.78	0.78	Major	5	0	0	0	20	0	0	0	5	5*	0	40	35	35	Previous approvals: - Variances approved PB2021-65 Proposed Site Plan will require: - Tree Commission meeting
TOTAL REQUESTED:	28	3.78	27.78																

- NOTES:**
- YEAR 9 MARKET-RATE UNITS AVAILABLE: 46 MAXIMUM
 - YEAR 9 AFFORDABLE-RATE UNITS AVAILABLE: 45 MINIMUM
 - In the event that two applications are determined to have the same numerical ranking score, and units are not available to provide awards to both projects, a drawing of lots will determine the awardee.
 - All new units must be constructed with a rainwater catchment system (unless exempt). Final site plans must include roof and corresponding cistern size for permitting and CO.
 - All new units shall be constructed in compliance with and obtain a baseline green building certification.
 - The Year 9 document, "Exhibit C- Applicant's Estimated Score Sheet BPAS Application" erroneously included an allocation of +5 points for "Using light-colored, high-reflectivity materials...". This feature is not reflected in City of Key West Code, therefore no bonus points can be allocated.
 - All proposed site plans underwent a preliminary development review.
 - All final BPAS application are pending development review.
 - All final BPAS applications are pending final density/zoning review.
 - All Affordable-Rate Projects shall provide a deed restriction running with the land and binding on owners, for at least 50 years demonstrating continuing affordability for the applicable income designation, and provide an annual report to the City Manager ensuring continued compliance with affordability criteria.