

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2024-272**

5 AN ORDINANCE MAKING CERTAIN FINDINGS, AND
6 AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO
7 EXECUTE: (1) A DEVELOPMENT AGREEMENT
8 ("AGREEMENT") BETWEEN THE CITY OF JACKSONVILLE
9 ("CITY") AND LOFTS AT SOUTHBANK, LTD.
10 ("COMPANY"); AND (2) LOAN DOCUMENTS AND RELATED
11 DOCUMENTS AS DESCRIBED IN THE AGREEMENT, TO
12 SUPPORT THE DEVELOPMENT BY COMPANY OF AN
13 APPROXIMATELY 0.88 ACRE SITE LOCATED AT THE
14 SOUTHWEST CORNER OF THE INTERSECTION OF
15 PRUDENTIAL DRIVE AND HENDRICKS AVENUE IN THE
16 CITY OF JACKSONVILLE ("PROJECT"); AUTHORIZING A
17 CITY LOAN IN THE AMOUNT OF \$6,000,000 AT ONE
18 PERCENT INTEREST WITH A TERM OF EIGHTEEN YEARS
19 IN CONNECTION WITH THE PROJECT, TO BE
20 APPROPRIATED BY SUBSEQUENT LEGISLATION;
21 DESIGNATING THE HOUSING AND COMMUNITY
22 DEVELOPMENT DIVISION AS CONTRACT MONITOR FOR THE
23 AGREEMENT AND RELATED AGREEMENTS; PROVIDING FOR
24 CITY OVERSIGHT OF THE PROJECT BY THE HOUSING AND
25 COMMUNITY DEVELOPMENT DIVISION; AUTHORIZING THE
26 EXECUTION OF ALL DOCUMENTS RELATING TO THE ABOVE
27 AGREEMENTS AND TRANSACTIONS, AND AUTHORIZING
28 TECHNICAL CHANGES TO THE DOCUMENTS; REQUESTING
29 ONE CYCLE EMERGENCY PASSAGE; PROVIDING AN
30 EFFECTIVE DATE.
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1 **WHEREAS**, Lofts at Southbank, Ltd. (the "Company") intends to
2 acquire certain real property located at 1004 Hendricks Avenue, 1454
3 and 0 Prudential Drive and 0 Home Street in the Southbank area of the
4 City at the southwest corner of the intersection of Prudential Drive
5 and Hendricks Avenue (the "Project Parcel"), which the Company intends
6 to develop into a mixed-use development with ground floor retail
7 vertically integrated with property self-storage and 100 units of
8 multi-family residential (the "Project"), as further detailed in the
9 Development Agreement ("Agreement") placed **On File** with the
10 Legislative Services Division; and

11 **WHEREAS**, the current owners of the Project Parcel submitted a
12 rezoning application for the Project Parcel, and on January 23, 2023,
13 quasi-judicial Ordinance 2023-007 was filed with Council to consider
14 the application; and

15 **WHEREAS**, subsequently, the City entered into a settlement
16 agreement dated December 22, 2023 with the owners of the Project
17 Parcel ("Settlement Agreement") in connection with the rezoning
18 application, and a revised rezoning application is currently before
19 City Council pursuant to 2024-152; and

20 **WHEREAS**, as contemplated under the Settlement Agreement, the
21 Company is seeking a balloon Development Loan from the City in the
22 amount of \$6,000,000 to be disbursed upon substantial completion of
23 the Project, with a 1% interest rate and 18-year term; and

24 **WHEREAS**, the Housing and Community Development Division has
25 considered the Company's request and has determined that the
26 Development Loan will enable the Company to develop the affordable
27 housing component of the Project as further described in the
28 Agreement; and

29 **WHEREAS**, it has been determined to be in the interest of the
30 City to enter into the Agreement and approve of and adopt the matters
31 set forth in this Ordinance; now, therefore,

1 **BE IT ORDAINED** by the Council of the City of Jacksonville:

2 **Section 1. Findings.** It is hereby ascertained, determined,
3 found and declared as follows:

4 (a) The recitals set forth herein are true and correct.

5 (b) The Project will greatly enhance the City and otherwise
6 promote and further the municipal purposes of the City.

7 (c) The City's assistance for the Project will enable and
8 facilitate the Project, the Project will enhance and increase the
9 City's tax base and revenues, and the Project will improve the quality
10 of life necessary to encourage and attract business expansion in the
11 City.

12 (d) Enhancement of the City's tax base and revenues are matters
13 of State and City concern.

14 (e) The Company is qualified to carry out the Project.

15 (f) The authorizations provided by this Ordinance are for public
16 uses and purposes for which the City may use its powers as a
17 municipality and as a political subdivision of the State of Florida
18 and may expend public funds, and the necessity in the public interest
19 for the provisions herein enacted is hereby declared as a matter of
20 legislative determination.

21 (g) This Ordinance is adopted pursuant to the provisions of
22 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
23 Charter, and other applicable provisions of law.

24 **Section 2. Development Agreement and Loan Documents Approved.**

25 The Mayor (or her authorized designee) and the Corporation Secretary
26 are hereby authorized to execute and deliver the Agreement and the
27 loan documents and related documents referenced therein
28 (collectively, the "Agreements") substantially in the form **On File**
29 with the Legislative Services Division (with such "technical" changes
30 as herein authorized), for the purpose of implementing the
31 recommendations of the Housing and Community Development Division as

1 further described in the Agreement.

2 The Agreements may include such additions, deletions and changes
3 as may be reasonable, necessary and incidental for carrying out the
4 purposes thereof, as may be acceptable to the Mayor, or her designee,
5 with such inclusion and acceptance being evidenced by execution of
6 the Agreements by the Mayor or her designee. No modification to the
7 Agreements may increase the financial obligations or the liability of
8 the City and any such modification shall be technical only and shall
9 be subject to appropriate legal review and approval of the General
10 Counsel, or his or her designee, and all other appropriate action
11 required by law. "Technical" is herein defined as including, but not
12 limited to, changes in legal descriptions and surveys, descriptions
13 of infrastructure improvements and/or any road project, ingress and
14 egress, easements and rights of way, performance schedules (provided
15 that no performance schedule may be extended for more than twelve
16 months without Council approval) design standards, access and site
17 plan, which have no financial impact.

18 **Section 3. Authorizing a Development Loan to Company.**

19 Subject to subsequent appropriation by Council, a \$6,000,000
20 Development Loan is hereby authorized pursuant to and in accordance
21 with the terms and conditions of the Agreement.

22 **Section 4. Designation of Authorized Official and Housing
23 and Community Development Division as Contract Monitor.**

24 The Mayor is designated as the authorized official of the City for the purpose
25 of executing and delivering any contracts and documents and furnishing
26 such information, data and documents for the Agreements and related
27 documents as may be required and otherwise to act as the authorized
28 official of the City in connection with the Agreements, and is further
29 authorized to designate one or more other officials of the City to
30 exercise any of the foregoing authorizations and to furnish or cause
31 to be furnished such information and take or cause to be taken such

1 action as may be necessary to enable the City to implement the
2 Agreements according to their terms. The Housing and Community
3 Development Division is hereby required to administer and monitor the
4 Agreement and to handle the City's responsibilities thereunder,
5 including the City's responsibilities under such agreement working
6 with and supported by all relevant City departments.

7 **Section 5. Oversight Department.** The Housing and Community
8 Development Division ("HCDD") shall oversee the Project and
9 Agreements described herein.

10 **Section 6. Further Authorizations.** The Mayor, or her
11 designee, and the Corporation Secretary, are hereby authorized to
12 execute the Agreements and all other contracts and documents and
13 otherwise take all necessary action in connection therewith and
14 herewith. The Director of the HCDD, as contract administrator, is
15 authorized to negotiate and execute all necessary changes and
16 amendments to the Agreements and other contracts and documents, to
17 effectuate the purposes of this Ordinance, without further Council
18 action, provided such changes and amendments are limited to amendments
19 that are technical in nature (as described in Section 2 hereof), and
20 further provided that all such amendments shall be subject to
21 appropriate legal review and approval by the General Counsel, or his
22 or her designee, and all other appropriate official action required
23 by law.

24 **Section 7. Requesting One Cycle Emergency Passage Pursuant**
25 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this
26 legislation is requested. The nature of the emergency is to comply
27 with the requirements of the Settlement Agreement and afford the
28 Company the ability to comply with the Florida Housing and Finance
29 Corporation filing deadline for low-income housing tax credits.

30 **Section 8. Effective Date.** This Ordinance shall become
31 effective upon signature by the Mayor or upon becoming effective

1 without the Mayor's signature.

2 Form Approved:

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4 /s/ John Sawyer

5 Office of General Counsel

6 Legislation Prepared By: John Sawyer

7 Leg. 2024- Lofts At Southside.Docx