



DOWNTOWN INVESTMENT AUTHORITY

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September 13, 2023

Jason Gabriel, Esq.
Burr & Forman LLP
50 North Laura Street, Suite 3000
Jacksonville, Florida 32202

RE: Downtown Development Review Board: Final Order:

Final Development Approval, Special Exception Approval, and Deviation Approvals for DDRB Application 2023-003

Dear Mr. Gabriel:

At the August 24th 2023 meeting of the Downtown Development Review Board, the following approvals, as conditioned, were granted for DDRB Application 2023-003, commonly referred to as the "Daily's Mixed-Use Project."

ZONING EXCEPTION

The Downtown Development Review Board grants a **Special Exception sought for up to sixteen (16) fueling stations** subject to the following condition:

The conditions for approval for Final Development Review Board Approval and Deviations are incorporated herein by reference.

DEVIATIONS

- 1. Deviation Request: Build-To Line: Deviation from Section 656.361.6.2.A.2 (a), (b), (d), (g), (k) and (l) - Build-To Lines:**

The Downtown Development Review Board grants the above referenced Deviation, subject to the following conditions:

Deviation granted only to the extent that is illustrated on the site/streetscape plans dated ~~July 6, 2023~~ August 24, 2023 (Exhibit A).

Broad and Bay Street intersection shall be an active node; remaining corners may deviate from the requirements.

(Added As Amendment) With the exception of driveway openings, a minimum sidewalk widths 12' with contiguous 10' buffer (as may be modified for those portions of the site subject to Urban Open Space requirements per this Final Order).

2. Deviation: Urban Open Space: Section 656.361.6.2.B.5

The Downtown Development Review Board grants the above referenced Deviation, subject to the following conditions:

Only to the extent that is shown on the site/streetscape plans dated ~~July 6, 2023~~ August 24, 2023 (Exhibit A).

Semi-private Urban Open Space shall be provided at the corner of Broad and Bay Street; remaining frontage may deviate from Urban Open Space requirements.

(Added as Amendment) The developer shall work with the DDRB staff and the Cultural Council and other downtown stakeholders in activating the following portions of the property as shown in the attached site plan as Urban) Open Space as that term is defined in City Code: the West Forsyth and Broad Street intersection, or corner; the West Bay Street and Broad Street corner; the West Forsyth and Jefferson Street corner of the subject property and the Pedestrian Zones in between those two corners along Broad Street.

3. Deviation: Transparency: Section 656.361.6.2.G.2 as noted below:

- (a) Forsyth Street – from 50% to zero percent;*
- (b) Broad Street – from 50% to 23% noting that the measurement is from 2' to 10' above sidewalk grade per the Ordinance Code; and*
- (c) Bay Street – from 50% to 22% noting that the measurement is from 2' to 10' above sidewalk grade per the Ordinance Code*

The Downtown Development Review Board grants the above referenced Deviation, subject to the following conditions:

Deviation from Section 656.361.6.2.G.2 – Transparency, only to the extent that is illustrated on building elevation plans dated ~~July 6, 2023~~ August 24, 2023 (Exhibit B).

Glazing, where included as part of the transparency calculations for each façade, shall be as illustrated on the elevations dated ~~July 6, 2023~~ August 24, 2023 (Exhibit B) provided by the Applicant for this Final DDRB Approval.

Along Bay and Broad Streets, glazing not otherwise included within the transparency calculations for the ground floor facades will provide for an illusion of depth either through shadow box or spandrel or other treatment as may be approved by DIA staff providing

that the treatment sufficient to accomplish the intent of this condition. Minimum transparency along Bay and Broad Streets shall be 22% and 23%, respectively. All glazing above the first floor shall provide for a minimum visible light transmittance of 60%.

A mural, living wall or other equivalent treatment will be placed along the Forsyth Street elevation.

(Added as amendment) No more than 50 percent of the façade as measured vertically shall be a mural, and the remainder 50 percent be either all living wall or living wall in conjunction with some glazing, whether actual or the appearance of glazing, spandrel or other treatment.

4. Deviation: Parking Deviation from Section 656.361.6.2.K.1(d), (e) and Section 656.361.6.2.K.3(b)(2)

The Downtown Development Review Board grants the above referenced Deviation, subject to the following conditions:

Parking, only to the extent that is shown on the site/streetscape plans dated ~~July 6, 2023~~ August 24, 2023 (Exhibit A) and subject to the following condition:

Number of parking spaces not to exceed 45.

Parking shall be located as shown on the site plan dated ~~July 6, 2023~~ August 24, 2023 (Exhibit A).

(Added as amendment) Parking shall be screened as required by the Ordinance Code (note: subject further to any other requirements granted as part of this Final Order).

5. Deviation: Entrances Section 656.361.6.2.F.2 (Bay Street)

The Downtown Development Review Board grants the above referenced Deviation, subject to the following conditions:

Deviation from Section 656.361.6.2.F.2 – Entrances, only to the extent that is illustrated on building elevation plans dated August 24, 2023 (Exhibit B).

FINAL APPROVAL

Based on the foregoing, the Downtown Development Review Board Staff **supports FINAL REVIEW of DDRB Application 2023-003** subject to the following conditions:

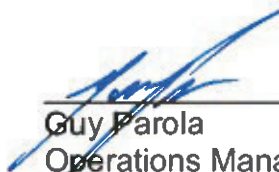
- I. *Subject to the Deviations granted through this Final Order and their respective conditions, all of which are incorporated into this Final Approval by reference.*
- II. *To the extent that wall and canopy signs do not exceed the square footages for wall and canopy signs per Section 656.133, signage is to be as shown on building elevation plans dated June 22, 2023. DDRB staff may approve an increase or decrease of up to 10% in size for any one particular sign, providing that the aggregate of signage does not exceed square footages for wall and canopy signs per Section 656.133. Further, this condition does not eliminate the need for Special Sign Exceptions relating to any free standing sign.*
- III. *The applicant will continue to work with staff to ensure that the requirements for the Amenity Area and Pedestrian Clear Area (i.e. sidewalk) are consistent with the landscape, hardscape, and street furnishings per the LaVilla District standards.*
- IV. *(Added as amendment) Maximum driveway width as measured at 90° from the back of curb shall not exceed 33' in width.*
- V. *(Added as amendment) The (fuel island) canopy awning will match either the building color or be a neutral color tone, at the discretion of staff.*

Engineering plans and permits will be reviewed for consistency with the submittal from the August 24th 2023 meeting. Please note that any changes or modifications to the DDRB approved plans shall be reviewed and approved by DDRB prior to submittal to any other federal, state, or local authorizing entities.

Please also note that there are various approval conditions that must be satisfied prior to submittal for permits. Please also know that this Final Order is subject also to plans (Exhibits A and B) referenced herein to be dated August 24th 2023, which will be attached to this Final Order when provided by the Applicant and determined to be consistent with any conditions for approval identified within this Final Order by DDRB Staff.

[SIGNATURES ON FOLLOWING PAGE]

Respectfully,



Guy Parola
Operations Manager
Downtown Investment Authority



Matt Brockelman
Chair
Downtown Development Review Board