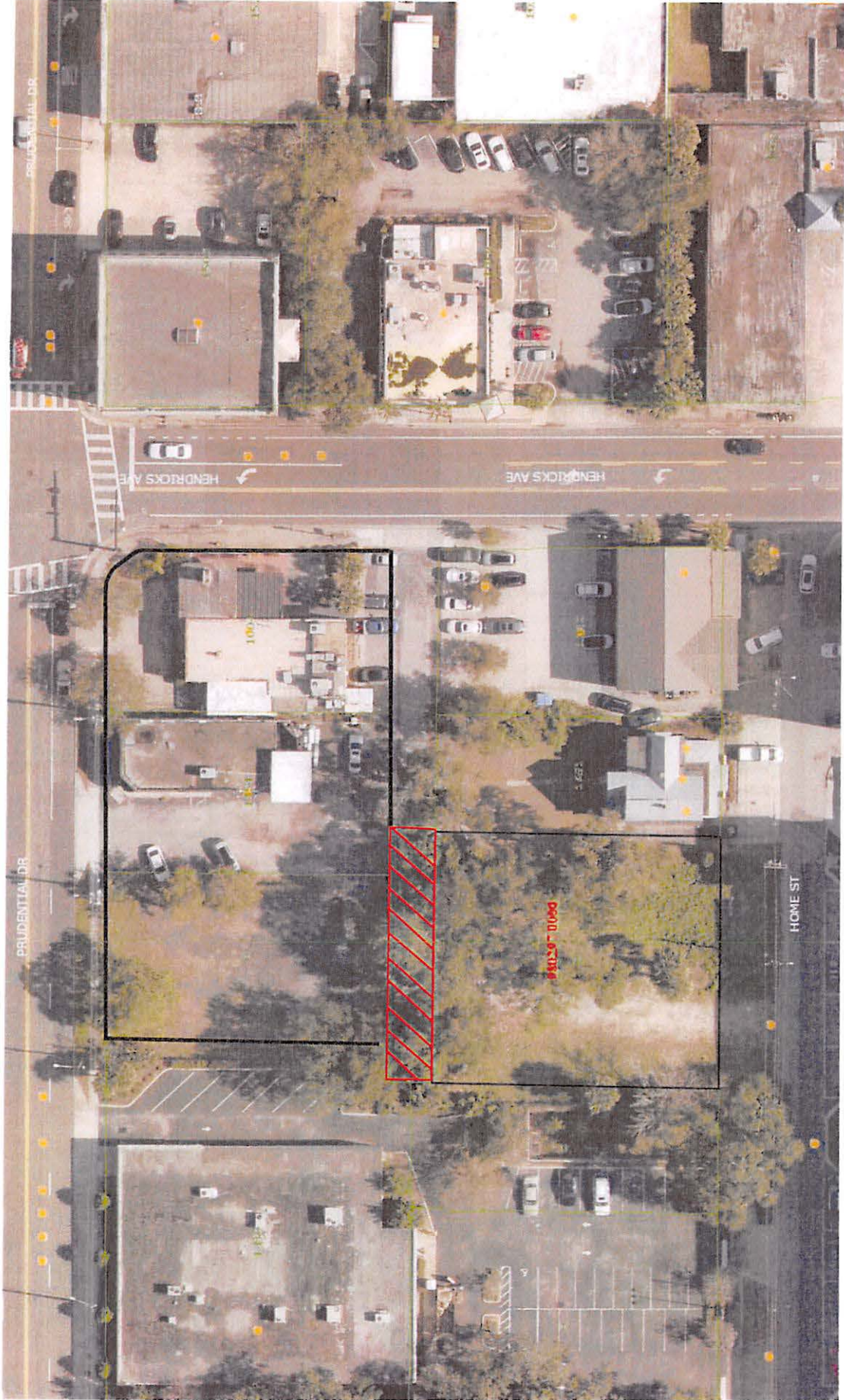


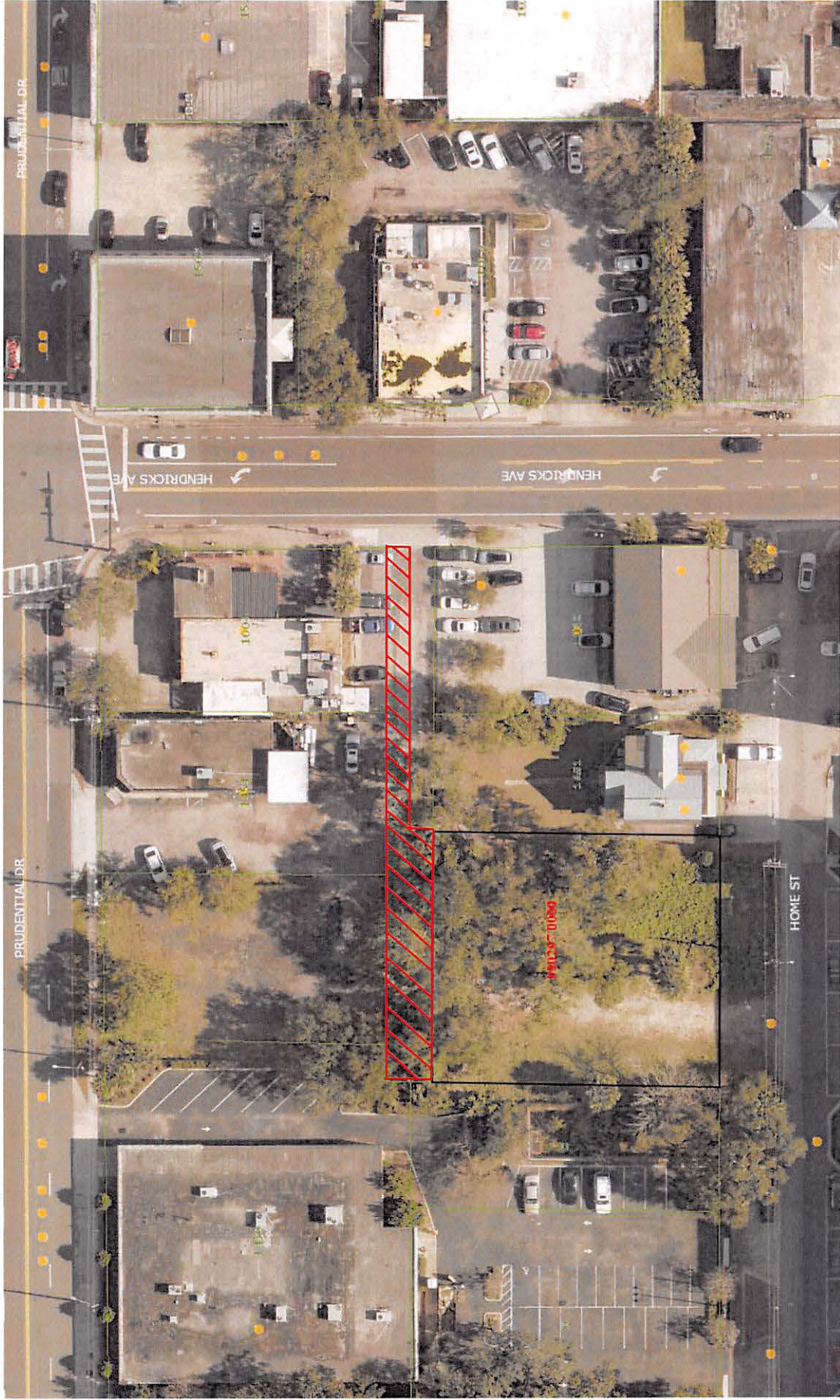
Proposed Hendricks Avenue Alley Closure
080297-0000



Hendricks Ave Alley

080297-0000

Aerial View Map



Resident-DeVon Hardy, 1431 Riverplace Blvd –
STRONGLY OPPOSED TO 2023-007 – A STORAGE BUILDING

Why Oppose Such A Facility-Here Are Some Facts:

1. **FACT 1: The proposed facility does not meet the council definition of a Planned Urban Development (PUD).**
2. **FACT 2: Last year the DDRB, the LUZ and the City Council all voted NO on this project at this site, and nothing has changed-it is still a storage warehouse at the same site.**
3. **FACT 3: A survey of residents in the largest condominium on the Southbank indicated that 99% of those residents do not need or want such a facility.**
4. **FACT 4: The 2019 Comprehensive Overlay specifically prohibits self-storage Downtown.**
5. **FACT 5: 24/7 traffic in around such a facility will cause a danger to pedestrians-especially those walking to events on the Southbank Riverwalk. THERE WAS ANOTHER TRAGIC ACCIDENT AT THIS CORNER JUST THIS MORNING.**
6. **FACT 6: According to police statistics burglary, personal assault and identity theft reports are increased around storage facilities.**
7. **FACT 7: Storage facilities are a cash cow for developers but does not produce a net benefit to the local economy-because of the added costs incurred by police and public service providers.**
8. **FACT 8: Poor maintenance, lack of safety and security, negligence and frequent break-ins have been reported at storage facilities across the country.**
9. **FACT 9: In cities across the country, self-storage facilities have been found to be sites for the sale of stolen property, human trafficking and even hiding dead bodies-because no one knows what goes on inside a rented locker.**
10. **FACT 10: Residents and businesses in the neighborhood of the proposed facility have a realistic fear that-such a facility will impact negatively on their safety, property values, livelihoods and quality of life.**

KEEP SAN MARCO AND THE SOUTHBANK FREE FROM
UNWANTED AND UNNECESSARY
STORAGE UNITS

UPHOLD THE 2019 COMPREHENSIVE OVERLAY PLAN



VOTE NO

PUD #2023-0007 and ORD #2023-0213

March 13th, 2023

To Whom It May Concern,

I am writing on behalf of bb's restaurant and bar located at 1019 Hendricks Avenue in San Marco.

Bb's has had the great fortune of calling the South Bank

it's "home" for the last 22 years and counting. We are nestled between Historic San Marco and the downtown business district.

I'd like to express my misgivings regarding Bill PUD #2023-007.

San Marco simply does not need 4 floors of Cube Smart self-storage regardless of retail spaces being part of the package or not.

I firmly believe that the out-of-town developers plan does not benefit the Southbank neighborhood, downtown's resonance, not to mention the businesses and residents, in the least.

I appreciate your time and attention to this very important matter at hand and urge you to keep both the future as well as the preservation of our quaint, captivating, historic neighborhood in the forefront of your minds.

Sincerely,



Jonas Loh

Proprietor bb's Restaurant

Kristanna Broward Barnes
Wick A Candle Bar
1641 Hendricks Avenue
Jacksonville, Florida 32207

March 17, 2023

The Honorable Carrico, Chair LUZ
The Honorable Diamond, Vice Chair LUZ
The Honorable Priestly Jackson
The Honorable Becton
The Honorable Howland
The Honorable White
The Honorable Newby

Re: **PUD #2023-0007**

Dear Honorable Carrico and LUZ Members,

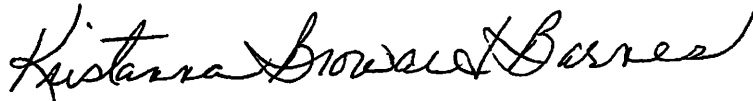
My son, Hampton Barnes, and I chose to start our candle scenting business, WICK: A Candle Bar, on Hendricks Avenue just south of the San Marco Library in 2019 because the area was being revitalized. As a native Jacksonville resident for over 60 years, I have watched as the Southbank changed from an "undesirable" area for development because of the JEA Southside generating plant to a bustling, active neighborhood where people come to network, meet friends and family, and experience exciting restaurants and retail experiences amongst others.

I, for one, am extremely proud of the transformation the Southbank has undergone. It makes me sad and disappointed that our leaders would even consider an exception to the 2019 Comprehensive Overlay Plan for Downtown Development in which storage units were specifically mentioned as non-compatible with the area. I do not want to see us take a step backwards to allow such a facility that will not enhance or add to the experience of our customers and Jacksonville residents in general.

As an example, when our customers finish pouring their candles, our process requires 90 minutes before they can take the finished product home. We send them out into the neighborhood to shop, visit museums or experience some of our fabulous restaurants and coffee shops. Each of the 3+ years we have been open we have seen an increase in people walking the area. Having 5-story storage facility .06 miles from our business will not be beneficial to us at all.

I am pleading with you all to please consider the vision I believe we all share for making Jacksonville's downtown, north bank, and south bank the most "livable" we possibly can and not give in to the pressures of out-of-town developers who do not know nor have a personal investment in our community. I trust that you all, as our leaders, will make the right decision to deny the exemption request and uphold your commitment to your constituents.

With kind regards,

A handwritten signature in black ink that reads "Kristanna Broward Barnes". The signature is written in a cursive, flowing style.

Kristanna Broward Barnes
847 Alhambra Drive North
Jacksonville, FL 32207
904-343-7834
kristannabb@gmail.com

OSSI & NAJEM, P.A.

injury attorneys

Michael A. Ossi
Lawrence J. Najem
Andrew M. Leone
Licensed in Florida and Minnesota
Nollys R. Solarte
Slade C. Sermos

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Board Certified Civil Trial Lawyer -
The National Board of Trial
Advocacy and The Florida Bar
Mariano Rosario, Jr. *
*Admitted also in New York
and Georgia

March 8, 2023

Dear City Council Member, Jacksonville:

Please accept this letter in opposition to the proposed rezoning of the southwest corner of Hendricks Avenue and Prudential Drive, PUD bill #2023-0007.

As an adjacent property owner since 1993, I believe the rezoning proposal will adversely affect not only the property values in the area, but the overall comprehensive plan for the redevelopment/development of the San Marco downtown area. Over the last 30 years, I have enjoyed watching the positive progress ongoing in our San Marco area and specifically the construction and maintenance of the Riverwalk, Riverplace Boulevard, residential buildings and friendship Park fountain areas. Allowing the rezoning and construction of a five story self-storage building at the entry gateway of San Marco would adversely affect many elements of the progress financed by the city over the last 30 years.

I urge you to vote no to the PUD Bill proposal and prevent the construction project development as presented.

Sincerely,
OSSI & NAJEM P.A.



Michael A. Ossi, Esq.

Jacksonville City Council
Transportation, Electric and Utilities
City Hall, City Council Chambers
Bill PUD #2023-0007

CITY COUNCIL MEMBERS:

By way of introduction, my name is Karen Belloit Thomas. I'm a third generation Jacksonville native. My husband, John Nagy, and I are restaurant owner operators in the Jacksonville area.

As a matter of fact, my very first restaurant, The Filling Station, 1987-1994, was located at the corner of Hendricks and Prudential Drive. My partner at the time, Susan Morrow, and I took over an old gas station property and renovated it. It was the oldest gas station in Southside, which we now refer to as The Southbank. A gentleman, named Gus, owned and operated this station, along with his parrot. Many people still remember him fondly.

John and I are currently renovating the much beloved Wine Cellar Restaurant property and we are reopening as The City Grille & Raw Bar in June. We have invested significant time and resources into converting this 47 year old restaurant landmark into a sophisticated, Southbank destination that our community can be proud of. Our address is 1314 Prudential Drive.

I am horrified to think, as a 3rd generation Jacksonville native, as we carefully develop City Grille as a cultural & historically significant addition to the Southbank area, that the Jacksonville City Council is considering to allow an Atlanta based investor group to construct a storage facility that is considered "non compatible with the area" within The Comprehensive Overlay Plan for Downtown Development.

It hurts my heart to see our cityscapes turn into eyesores. Please consider other cities where they have kept the neighborhood's appearance in mind. Consider our fabulous Treaty Oak Park, where our neighborhood culture can flourish with weddings, events and gatherings. It is surrounded by a parking garage, a poorly designed gas station with zero landscaping and a massive private parking lot. Do we really want to add a storage unit to this disaster-scape.

John and I are local entrepreneurs investing both our time and money to contribute to the continued development of the Southbank - San Marco neighborhood, a neighborhood that we love. History, culture, restaurants, shops, community, it is these considerations of THOUGHTFUL EXPANSION that have allowed other communities like Charleston, Savanna, Nashville, Hilton Head and Asheville to maintain both their identity and commercial success while they continue their growth. Jacksonville needs to follow this same approach.

The addition of another storage unit, located in a "non-compatible area" is DEFINITELY NOT contributing to our neighborhood's growth and appearance. Please consider the development of the Southbank, our residents, and our businesses!

We implore your consideration.

Karen Belloit Thomas & John R Nagy
HOPETOWN HOSPITALITY GROUP
1400 Prudential Drive, Suite #2
Jacksonville, Florida 32207

Linda Cunningham Designs
1049 Kings Avenue
Jacksonville, Florida
32207

March 7, 2023

re: OPPOSED to PUD #2023-007

Dear Council Members,

As a long time business owner in the San Marco/Southbank area I have seen positive changes that have occurred with good design and planning. The tax dollars that fueled the beautification and walkability of Riverplace Boulevard is something that has visibly helped business owners.

That is why I am amazed and astounded that a rezoning for the corner of Prudential Drive and Hendricks Avenue is for a five story Cube Smart storage facility. This is outrageous, and incompatible with the neighborhood.

This ill thought out plan was foisted on our community last year and thankfully was removed. Please repeat that same action and protect our businesses by voting no on PUD #2023-0007.

Sincerely,

A handwritten signature in black ink that reads "Linda Cunningham". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the name.

Linda Cunningham
Designer and Owner
Linda Cunningham Designs

OSSI & NAJEM, P.A.

injury attorneys

Michael A. Ossi
Lawrence J. Najem
Andrew M. Leone
Licensed in Florida and Minnesota
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Advocacy and The Florida Bar
Mariano Rosario, Jr. *
*Admitted also in New York
and Georgia

March 8, 2023

Dear City Council Member, Jacksonville:

I am writing this letter to you in regard to the proposed rezoning of the southwest corner of Hendricks Avenue and Prudential Drive, PUD bill # 2023-0007.

I have been a property owner in the area since 1993. My law offices are located directly across the street from the proposed location. Over the years, I have watched with interest changes to the neighborhood, improvements, remodeling, and construction of new buildings, etc. I am in agreement and support the comprehensive overlay plan for downtown development that was enacted in 2019.

Unfortunately, I believe the proposal to rezone the opposite corner and build a self-storage building at that location is in direct contradiction to the ongoing improvements occurring in our neighborhood and business district. Moreover, I think such a development would devalue the property values presently benefiting from the ongoing improvements, which would also directly affect the cities property tax revenue stream. **Our city block is clearly not the appropriate location for a five story self-storage unit.**

Please accept this letter as an objection to the PUD Bill proposed and an encouragement to vote no to the proposal before the city Council.

Sincerely,
OSSI & NAJEM P.A.


Lawrence J. Najem, Esq.

3/8/2023

From: Mr. Harry Mill, Owner, Fifis Fine Resale Apparel

To: Land use and Zoning Committee / Downtown Development

My Name is Harry Mill and I am the Owner of Fifis Fine Resale Apparel located at 1068 Hendricks Ave.

This letter is in reference to the detrimental rezoning concerning Bill PUD #2023-007

In 2019, The Comprehensive Overlay Plan for Downtown Development has already established that storage units were specifically pointed out as "NON-COMPATABLE" in this specific area! The standard has been set. There are no exceptions to what has been previously established. Much time and consideration has been spent to achieve this goal! Let us not rewind time and mess this up.

As a small business Owner and resident of over 15 years, we strongly oppose this attempted override of what has already been stated as unacceptable and definitely should not be allowed under any loopholes, no matter what their reasoning is.

As a taxpayer and as a tax collector for the city, we severely oppose this attempted change as everyone knows storage units extremely reduce all property values of residents and many other businesses in the immediate area. This area is one of Downtowns only safe and social areas to walk and shop the local businesses. It would be ruined.

The City has invested time and money to help beautify this area and make it a more walkable scenic area for visitors and locals alike, so please don't ruin it by allowing this to happen!

Additionally, this format has already been attempted on Prudential Drive with first floor retail and has failed. They are not retail at all. They turned into business offices that no one shops in ever. So this "idea" is a proven failure in the same general location.

Let us learn from our mistakes and let us stand by what has already been established concerning storage rental units.

Thank you in Advance!

Harry Mill

904-333-3611



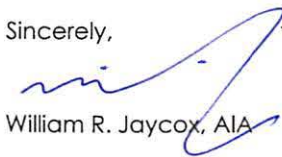
As you are most likely aware, a developer is attempting to place a 5-story building on the corner of Prudential Drive and Hendricks Avenue. This one-acre site would consist of first floor unspecified retail, and 4 floors of Cube Smart self-storage.

In 2019 the city adopted a Comprehensive Overlay Plan for Downtown Development in which storage units were specifically mentioned as non-compatible with the area. This developer is seeking an exception using the lure of first floor retail to override that point.

As a long-term Architect here in Jacksonville, I strongly oppose this change. I feel this would be a change that defeats the purpose of a comprehensive plan that makes the downtown more walkable and pedestrian friendly. The current overlay encourages more people not more trucks and storage. Storage already has the proper zoning less than one mile away. No one needs to walk to their storage unit! What we need is 5 stories of people enjoying Downtown. This site and our community has much more promise of growing and prospering with that concept and the current overlay. It makes no sense to change the zoning to include storage. As taxpayers, we oppose this change as it reduces the property value of residents, as well as the investments the City has made in beautification and walkability for our area.

Please vote no!

Sincerely,

A handwritten signature in blue ink, appearing to read "William R. Jaycox".
William R. Jaycox, AIA



1468 Hendricks Ave Jacksonville Florida, 32207

February 7, 2023

City of Jacksonville Downtown Development Review Board
117 West Duval Street
Jacksonville, FL 32202

Dear Chairman and Committee:

On behalf of the Board of Directors of the San Marco Preservation Society, in its capacity as the registered neighborhood organization for San Marco, please accept the following feedback about the proposed Downtown Southbank Mixed-Use PUD (2023-0007) as the organization's qualifying written statement as defined in Section 656.137(e).

The mission of the SMPS is to preserve the historic fabric of our unique neighborhood, in both residential and commercial areas. Within that mission, one of our core principles is to advocate for compatible projects and zonings which complement our community. The proposed site for this PUD is a prominent and vibrant corner just two blocks from the St. Johns River, which makes it an important site to further the goals of Downtown redevelopment. The SMPS urges you to oppose the PUD for the following reasons:

LEGISLATIVE HISTORY:

The Downtown Overlay is not an ancient, antiquated text. It was passed in 2019, and contemplated both current and future development as a driving factor in its crafting. Furthermore, the exact project proposed in this PUD was reviewed just last year in a legislative process by the City Council. It was overwhelmingly opposed by the public, SMPS, DIA, DDRB, the office of General Counsel, and the Planning and Development Department. The bill was ultimately withdrawn when the sponsor of the bill "lost faith in it."

Currently, the project is being presented as a PUD in a quasi-judicial manner, but the substance of the project has not changed since it was last heard as a legislative decision. As a quasi-judicial proceeding, the City Council should only consider policy *application*, not policy setting. Approval of this PUD would reverse the legislative decision which does not allow personal property storage as a use on the Southbank. To approve this action would equate to policy setting, since the only goal of this PUD is to allow personal property storage as a use, and therefore should not be allowed.

COMPREHENSIVE PLAN:

The SMPS finds that the proposed PUD is inconsistent with the city's 2030 Comprehensive Plan. Furthermore, the SMPS believes that the PUD does not further the goals of the Comprehensive Plan and in fact "diminishes the usual application of the provisions of the zoning code." The sole purpose of this application is to create a use that was intentionally excluded from the Overlay, with the sole beneficiary of such zoning being the property owner. Allowing this use at this site, in the middle of incompatible uses, would promote spot zoning.



BID PLAN:

The SMPS agrees with the DIA staff report that the proposed PUD is inconsistent with the BID plan.

INTERNAL/EXTERNAL COMPATIBILITY:

The PUD is incompatible with the surrounding area. The “mixed-use” project is not clearly defined in any way except for the use of personal property storage. As personal property storage does not further the walkability or vibrancy of Downtown and would also eliminate vital space for doing so, this PUD would serve to hinder the realization of the goals of Downtown redevelopment. In addition, the mixed uses, however ill-defined, do not relate to one another. Retail/office/restaurant uses within storage spaces are not complimentary to one another. The project, as a whole, is neither compatible within itself, nor within the existing external uses.

WALKABILITY:

The PUD which largely consists of storage space (150,000 sq. ft.) does not provide shade trees for sidewalks, a defined origin or destination for pedestrians, or density/intensity to promote walkability and pedestrian safety.

REDEVELOPMENT GOAL NO. 8 (SIMPLIFY THE APPROVAL PROCESS):

The PUD is complicating an already streamlined process for approvals. PUD’s are inherently more complicated than following the existing law, thus they conflict with this redevelopment goal.

HISTORIC PRESERVATION:

This site directly abuts the oldest residential building on the Southbank, which was constructed as a part of the City of South Jacksonville. This project is not in scale with regard to this historic building. There is no transition in mass, scale, bulking and there is zero buffering. The SMPS has serious concerns regarding the preservation of this residential building during potential construction, and believes that the development would interrupt the historical rhythm and scale of the neighborhood.

HISTORIC FABRIC:

Finally, it should be noted that the PUD requires the closure of an alleyway. Alleyways are a part of the historic grid pattern of the Southbank, therefore closure of alleyways should be discouraged in an effort to protect the historic fabric of our neighborhood.

For these reasons, the SMPS is opposed to the PUD (2023-0007).

Thank you for your time and consideration of the San Marco Preservation Society’s feedback on this project.

Sincerely,

Lauren Carlucci
President, Board of Directors

cc: City of Jacksonville Office of Legislative Services
Jacksonville City Council Members
City of Jacksonville Land Use and Zoning Committee
City of Jacksonville Downtown Investment Authority

DUTTON LAW GROUP, P.A.

ATTORNEYS AND COUNSELORS AT LAW

Reply to Jacksonville

March 21, 2023

Members, LUZ Committee

Re: PUD 2023-007

Dear LUZ Committee Members:

I own the office building at 1054 Kings Ave., and I have maintained my offices there since 2003. During that time, I have witnessed my commercial neighbors, redeveloping their properties and trying to improve our street scape. In fact, many of them ordered plaques to display outside their buildings, describing the historical use of their buildings. All of the commercial neighbors in this area support the further development of housing on the Southbank, as well as eateries and other commercial office uses.

The placement of a storage facility on a major intersection in Southbank would be a tremendous mistake. Even with retail on the first floor, this large project would better meet the development goals for the Southbank with housing development. A storage facility should be on land that is compromised - not favorable for housing. For instance, the storage facility on Kings Avenue is located adjacent to the railroad tracks, as well as an electrical substation and a water treatment facility. I cannot think of a better place to put a storage facility. Because the railroad runs through the Southbank, there are many other, more appropriate, locations for building a storage facility.

The overlay Jacksonville citizens created and legislated for the Southbank several years ago specifically excludes development of things like storage facilities. The City Council should defer to the expressed will of the citizens, as enacted by people who put a lot of time and effort into creating that well considered overlay.

Please vote "no" PUD 2023-007.

Very Truly Yours,

/s/ James C. Rinaman, III
James C. Rinaman, III, Esquire

JACKSONVILLE - 1054 KINGS AVENUE • JACKSONVILLE, FLORIDA 32207 • 904-421-6900

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www.duttonlawgroup.com



"Making the world safer one case at a time."

March 09, 2023

City Council of Jacksonville

Re: Rezoning Proposal PUD Bill #2023-0007
Southwest Corner Hendricks Ave & Prudential Drive

To Whom It May Concern:

I am a long time adjacent property owner of the 1506 Prudential Drive building and its related business located across the street from this proposed rezoning effort to accommodate a five story self-storage building project. I want to express my vehement opposition to this inappropriate and self-defeating use of prime real estate in this vibrant evolving residential and business area which is critical to downtown Jacksonville.

This important area serves as both a gateway to San Marco, the Riverwalk, surrounding parks and Friendship Fountain. Recognizing its critical importance the City has dedicated millions of dollars to properly develop this area in accordance with the Comprehensive Overlay Plan for Downtown Development enacted in 2019.

I am familiar with this overutilized "urban sprawl" type development which is not in any way compatible with the existing surroundings in this vibrant riverfront area and already exists nearby in more suitable locations. You will not find such development in such areas as Brickell Avenue in Miami, the Wharf in San Francisco or Sydney Harbour in Queensland. Jacksonville will only get one shot at properly developing the Southbank in a way that determines whether people and families want to live, work and play downtown. Just say "no" to this ill advised proposed re-zoning effort.

Best,

A handwritten signature in black ink, appearing to read 'Howard G. Butler', is written over a horizontal line. The signature is stylized and somewhat cursive.

Howard G. Butler

From: Pamela Sorenson matayogahug@gmail.com
Subject:
Date: April 3, 2023 at 8:36 AM
To: Pam Sorenson matayogahug@gmail.com

PS



R. WARD LARISCY, INC.
1633 San Marco Blvd Unit 7
Jacksonville, Florida 32207
904 739-3606
rwjlx@aol.com

2 April 2023

Jacksonville City Council
Transportation, Electric, and Utility Committee
City Hall, City Council Chambers
Bill PUD #2023-0007

Dear City Council members,

I am a Savannah native, where a city refrains from tearing down, where adaptive reuse or restoration is practiced on it's buildings. The Savannah downtown area is booming with tourist that fill it's streets to gaze in admiration at buildings from the 1700s that have been preserved and add to the reason tourist fill its hotels weekly.

What do we do here in Jacksonville, tear down the old and attempt to replace with inferior or out of place buildings. In 1985 I moved my design business to 1520 Prudential Drive to what was once a falling down empty warehouse. I remodeled and improved the area with a classic façade being the second business on the block to bring change. Since that time other business followed suite investing thousands of dollars on old buildings that have improved the visual sights on a street that most avoided traveling.

Now we are pleading with the majority of San Marco residents for the Atlanta investors NOT BUILD A STORAGE facility on Prudential Drive and Hendricks Avenue. The Comprehensive Overlay Plan for Downtown Development specifically mentions storage units are NON-COMPATIBLE with the area. Why must we waste time and energy on fighting for upholding previous plans for our city? The citizens have spoken—NO MORE STORAGE buildings for San Marco. Follow some of the plans of our neighboring city Savannah as an excellent exemple to copy. The old charm of our neighborhood is being changeled every day with all the highrise apartments now being built, but NO, we do not need a large warehouse building in the midst of old Jacksonville,

Yours,

R. Ward Lariscy

My name is Jeff Schembera. I am currently President of the Peninsula Condominium at St. John's Center Association. The Peninsula is a 39 story condominium with 234 residential units and 475 residents. We also have four commercial units. We are approximately 100 feet from the Strand which is a high rise Apartment building and directly across the street from San Marco Place another high rise condominium. The location of these three residential high rises makes this block the most dense residential block in Jacksonville with approximately 1,200 residents.

In order to gauge opinion The Peninsula is conducted a resident survey on changing zoning to allow self storage warehouse on the corner of Hendricks and Prudential the southern entrance to San Marco. The response was overwhelmingly against changing with 174 against the change, two for and one undecided. Comments from Peninsula owners focused on children and Senior Citizens traffic safety if a self storage facility is located two blocks from the Peninsula, as well as the loss of property value due to an incompatible facility.

The CityCouncil approved the multi million dollar road diet on Riverplace Blvd. which reduced traffic lanes from four to two lanes and increased bike and Pedestrian traffic multi fold. Again this is only two blocks from the proposed Self Storage in San Marco. What do you think will happen when moving trucks, u haul trailers and other vehicles moving furniture clog your new road diet lanes jeopardizing the residents, bike riders and pedestrians your road diet brought to the area.

I would urge you to give long consideration to the problems that will jeopardize your citizens if a self Storage warehouse is added to the most densely populated residential area of Jacksonville.

Jeff Schembera

President

Peninsula at St. John's Center Condominium Association, Inc.

Below you will see the 4-Story Cube Smart developed by Mr. Debinow's client in Winter Park. It is one block and within view of a U-Haul Truck Rental Facility.

It is **not** anywhere near the Historic Area of the Winter Park.

It **is** actually 1.8 miles to the Winter Park Train Station centrally located on Park Avenue, by crossing Interstate 17-92, a multi-lane highway.



In contrast, the proposed 5-story multi-use storage facility at the corner of Prudential Drive and Hendricks Avenue is:

1 mile to Balis Park centrally located in Historic San Marco Square, crossing no highways.

.6 miles to the San Marco Public Library.

.5 miles to Friendship Fountain on the Southbank Riverwalk.

.2 miles to The Lone Soldier, a Naval Memorial heavily visited by residents and tourists alike.

.4 miles to the popular city owned and operated Southside Tennis Complex.



The following pages contain the DDRB Staff Report, that gives an in depth and logical analysis as to why this PUD rezoning was denied. It gives all of us a reaffirmation as to why the Comprehensive Overlay Plan was needed and passed unanimously in 2019. As a taxpayer, I am impressed with the DDRB Staff's attention to detail and a concern for our community.

Following that is the traffic report for the last 26 months showing the danger of this intersection. This is a major concern of residents as prior to this proposed project, walkability and pedestrian access was a primary Downtown Development concern.

We thank you for taking the time to thoroughly review this information and consider the future of not just the residents of our neighborhood, but the direction of Jacksonville, as a modern day city driven with a Master Plan.

REQUEST FOR REZONING - ORDINANCE 2023-007

STAFF REPORT

February 9, 2023

The Downtown Investment Authority hereby forwards to the Downtown Development Review Board, Land Use and Zoning Committee, and City Council its report and recommendation regarding Application for Rezoning Ordinance **2023-007** to Planned Unit Development.

Project Name: Southbank Mixed-Use PUD

Location: 1004 Hendricks Avenue, at the southwest corner of Prudential Drive and Hendricks Avenue

Real Estate Number(s): 080289-0000; 080290-0000; 080288-0000; and 080297-0000

Downtown Overlay District: Southbank District

Current Zoning District: Commercial Central Business District (CCBD)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Central Business District (CBD)

Planning District: Urban Core, District 1

Applicant/Agent: Steve Diebenow, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: G.I.S. Holdings, Inc.
570 Jacksonville Drive
Jacksonville Beach, FL 32250

A. Walter Hirshberg Family Trust
1994 River Road
Jacksonville, FL 32207

Karen R. Hirshberg Living Trust
1994 River Road
Jacksonville, FL 32207

Karen Hirshberg
1994 River Road
Jacksonville, FL 32207

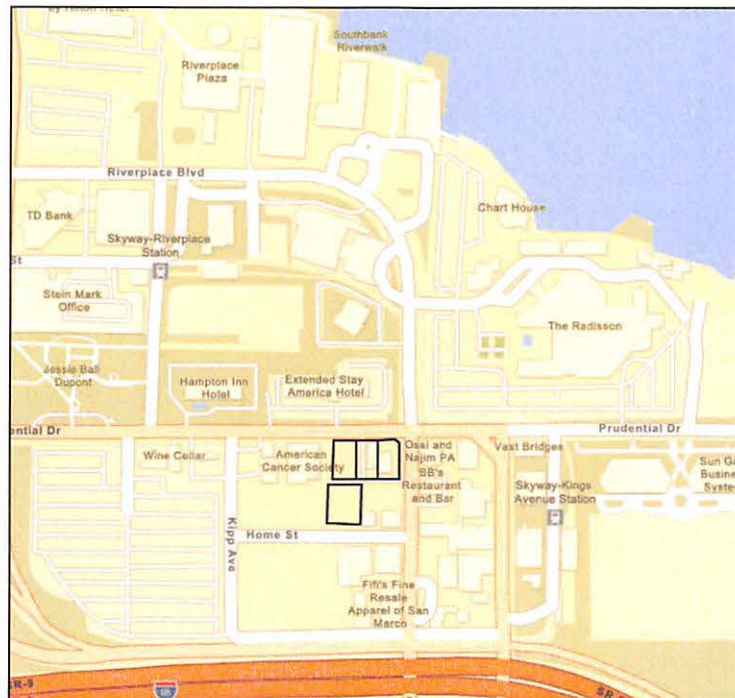
Staff Recommendation: **DENY**

GENERAL INFORMATION

Application for Planned Unit Development 2023-007 seeks to rezone approximately 1.01 acres of land from Commercial Central Business District (CCBD) to Planned Unit Development (PUD). The subject site consists of four (4) parcels. The parcels are within the Downtown Overlay Zone, Subpart H of Chapter 656, and as such, development is subject to the Downtown District Use and Form Regulations.

The rezoning to PUD is being sought to allow for a mixed-use structure with ground floor retail, office, restaurant, or other commercial programming with personal property self-storage uses on the second through fifth floor. Approximately 16,042 square feet of retail space; 149,033 square feet of personal property self-storage; and 16,730 square feet of covered drives and parking are planned for the proposed development.

The subject site is located at the southwest corner of Hendricks Avenue and Prudential Drive. The site abuts office and retail development. Offices and restaurants are located across Hendricks Avenue from the subject site, and hotels are located across Prudential Drive from the subject site. The intersection of Prudential Drive and Hendricks Avenue is a major commercial node as it establishes a change in character from mid-rise office and commercial uses to high-rise, hospitality-driven uses that address, or cater to, the Southbank Riverwalk, which is less than 1,000 feet from the subject site.



Location Map

Across Prudential Drive, Hendricks Avenue becomes Riverplace Boulevard. The intersection of Hendricks/Riverplace with Prudential is a significant cycling node according to the City's On-street Bikeways and Trails Network. Bike lanes and shared lanes are provided on both sides of each roadway at this location, as shown on the map below.



Hendricks Avenue/Riverplace and Prudential Drive intersection, On-street Bikeways and Trails Network

REVIEW

The Downtown Investment Authority's vision for Downtown, as stated in the recently adopted Business Investment and Development (BID) Plan (Ordinance 2022-0372-E), is that Downtown Jacksonville is a dynamic, resilient, people friendly, urban center that capitalizes on the importance of the River and is the premier center for business, sports and entertainment, culture, and urban living in the heart of the Southeastern U.S.

The evaluation in this staff report shows that the proposed rezoning from CCBD to PUD conflicts with the City's Land Use Regulations; does not further the goals, objectives, and policies of the Comprehensive Plan or BID Plan; and is not aligned with the spirit and intent of the Zoning Code. Furthermore, the proposed zoning district would constitute spot zoning and would also deviate from the established and intended development pattern for the Southbank District of Downtown.

While the ground floor retail/restaurant use is a welcome addition at this location, the proposed use of personal property self-storage poses a significant obstacle to Downtown's continued growth and revitalization as that use lacks the intensity and density needed for this location to achieve the vision of a dynamic, populated, urban center.

Section 656.125(b) – Limitations on rezoning of land

Per Section 656.125(b), an applicant for a proposed rezoning is required to prove by substantial, competent evidence that the proposed rezoning:

- (1) Is consistent with the Comprehensive Plan;
- (2) Furthers the goals, objectives and policies of the Comprehensive Plan; and
- (3) Is not in conflict with any portion of the City's Land Use Regulations.

If the applicant proves the proposed rezoning complies with this criterion, the City Council shall grant the rezoning request unless they determine that there is substantial, competent evidence that maintaining the current zoning district accomplishes a "legitimate public purpose." This is defined in Section 656.125(c) and includes that the proposed rezoning not constitute "spot zoning" and the uses permitted under the proposed rezoning not be inconsistent and incompatible with the existing and proposed land uses and zoning of adjacent and nearby properties or the general area, or deviate from an established or developing logical and orderly development pattern.

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Downtown Investment Authority, Downtown Development Review Board (serving as Planning Commission) and City Council (including the appropriate committee) shall evaluate and consider the following criteria for review of an application for rezoning to Planned Unit Development.

(1) Is consistent with the Comprehensive Plan

- Finding: Staff finds that the subject property is located in the Central Business District (CBD) functional land use category as defined by the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) adopted as part of the 2030 *Comprehensive Plan*. The CBD category is a mixed-use category that is coterminous with the DIA jurisdictional boundaries. PUD zoning districts are permitted as secondary zoning districts in the CBD category, and as such, the request for a proposed rezoning to a PUD is allowed within the CBD land use category.

(2) Furthers the goals, objectives and policies of the Comprehensive Plan?

- Finding: The proposed rezoning to Planned Unit Development is inconsistent with the 2030 *Comprehensive Plan*, specifically with respect to the following:

Future Land Use Element (FLUE) Policy 1.1.2

As depicted on the FLUM series, Development Areas have been established to determine appropriate locations for land uses and densities and consist of five tiers of development intensities ranging from high density infill development in the historic core to very low density in the outlying rural areas. These include: the Central Business District (CBD); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA). These Development Areas determine differing development characteristics and a gradation of densities for each land use plan category as provided in the Operative Provisions of this element.

FLUE Objective 2.3

Continue to strengthen the Central Business District (CBD) as the regional center of finance, government, retail and cultural activities for Northeast Florida.

FLUE Policy 2.3.1

Recognize the Central Business District (CBD) and its periphery as a significant urban area of the City appropriate for residential and mixed use projects at higher densities/intensities than the remainder of the City.

In general, the Comprehensive Plan promotes mixed-use developments, particularly in the urban areas of the City. The project incorporates retail/restaurant uses at the ground level. However, using approximately 80 percent of the building space at a prominent commercial node within Downtown for storage is inconsistent with FLUE Objective 2.3 as it does not strengthen the Central Business District as a regional center for finance, government, retail or cultural activities. Rather, it establishes a low intensity use at a location that should be used to further the existing and established character of the area. This location functions as a gateway/transition to hospitality and high-rise uses that support the Central Core District and support the Southbank Riverwalk as a premiere destination. By the same logic, the proposed development is inconsistent with FLUE Policy 1.1.2, which establishes a tiered system of densities/intensities throughout the City, ranging from high density infill development in the Central Business District to very low densities in the outlying Rural Development Area.

FLUE Policy 2.3.1 recognizes the CBD and its periphery as a significant urban area of the City appropriate for residential and mixed-use projects at higher densities/intensities than the remainder of the City. The proposed development, which includes approximately 150,000 square feet of storage space, does not utilize this location effectively with regards to intensity. Intensity and density metrics are important to urban areas as they illustrate whether a use contributes to vibrancy, walkability, and transit-demand. By nature of their function, personal property self-storage facilities create less "people-on-the-street," which is a key feature of vibrant Downtowns.

Personal property self-storage facilities are considered "support" uses to multi-family. However, unlike other support uses, personal property self-storage facilities do not need to be adjacent to the multi-family that they support. These facilities are permissible by grant of a zoning exception in the Church, Brooklyn, and LaVilla Districts within the Downtown Zoning Overlay and within conventional zoning districts, with vacant land, that are less than ½ mile from the subject site.

(3) Is not in conflict with any portion of the City's Land Use Regulations

- Finding: Per Section 656.340, "it is not the intent to utilize the Planned Unit Development district solely to diminish the usual application of the provisions of the Zoning Code." The proposed written description and the site plan are not consistent with the City's land use regulations, including Subpart H, and do not further their intent.

The applicant correctly states in the written description of the PUD (Exhibit 3, page 2) that "The first sentence of the Downtown Overlay in Section 656.361.5.1 of the Jacksonville Zoning Code effectively prohibits personal property self-storage uses in the Southbank District when read together with Section 656.361.5.2.H."

In 2019, after over a year of analysis, public meetings, public input, and vetting through the DIA, the Planning and Development Department (PDD), the Downtown Development Review Board (DDRB), various stakeholders, and City Council, Ordinance 2019-196 amended the Downtown portion (Chapter 656, Part 3, Subpart H) of the Zoning Code.

This was a wholistic amendment which, with regards to personal property storage facilities, resulted in (a) identification by District of where personal property storage should be located by grant of a zoning exception, and (b) the additional development standards for personal property storage facilities.

Ultimately, after all the stakeholder input, public meetings and actions by the various required bodies, including City Council, personal property storage facilities were excluded from the Southbank District, the Cathedral District, the Central Core District, the Sports and Entertainment District, and the Working Waterfront District. As such, the proposed use of personal property self-storage in the Southbank District conflicts with the City's Land Use Regulations and the intent of the Code.

The applicant asserts within the written description (Exhibit 3, page 2) that the exclusion of personal property self-storage uses in the Southbank District was established before the multi-family units were "proposed, entitled, or developed." While development of these units may not have come to fruition in 2019, it is faulty to assume that this density was not contemplated or anticipated at the time the proposed use was excluded from specific Downtown Districts.

Section 656.341(d) Criteria for Review

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Downtown Investment Authority, Downtown Development Review Board and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

(1) Consistency with the 2030 Comprehensive Plan

- Finding: In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the Central Business District (CBD) functional land use category as identified in the Future Land Use Map series (FLUMs). PUD Zoning Districts are permitted as a secondary district within the CBD functional land use category, and as such, the request for a proposed rezoning to a PUD is allowed within the CBD land use category. Specifics regarding the consistency evaluation for the proposed rezoning with Comprehensive Plan goals, objectives, and policies can be found in the section above.

(2) Consistency with the Concurrency Mobility and Management System

- Finding: Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the developer would be obliged to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals. Because the project is located within the DIA jurisdictional boundaries, an approval letter from the DIA/DDRB would also be required.

(3) Allocation of residential land use

- Finding: This criterion is not applicable for review as the current intended plan of development, as shown on the proposed site plan, does not include residential uses.

(4) Internal compatibility

- Finding: Per Section 656.341.d(4), all land uses proposed within a Planned Unit Development should be compatible with other proposed uses and not have any undue adverse impact on any neighboring use. The proposed PUD has been evaluated against the following internal compatibility factors:

(iii) The use of existing and proposed landscaping: Landscaping will be reviewed by DDRB for consistency with the Code, specifically with regards to the Downtown Use and Form Regulations as well as the District Design Standards.

(viii) The use and variety of building setback lines, separations and buffering: Based on the proposed site plan, the building setback lines are uniform with no variety. No separations or buffering between buildings are present because only one building is planned. The use and variety of building setback lines, separations and buffering is not compatible with this factor.

(ix) The use and variety of building groupings: No building groupings are present based on the site plan for the intended plan of development. The structure appears as one large continuous structure. The use and variety of building groupings is not compatible with this factor.

(x) The use and variety of building sizes and architectural styles: While renderings have been provided with Exhibit 4, this submittal is insufficient for development review by the DDRB and may conflict with the findings of the Board. As such, staff has not prepared an analysis of the building size and architecture.

(xiv) The particular land uses proposed and the conditions and limitations thereon: Approximately 150,000 square feet of space for storage is being proposed at a prominent commercial node within Downtown. This use would establish a low density/intensity use at a location that should be used to further the existing and established character of the area. This location functions as a gateway/transition to hospitality and high-rise uses that support the Central Core District and support the Southbank Riverwalk as a premiere destination. Staff finds that the proposed development is inconsistent with this factor.

(xvi) Compatible relationship between land uses in a mixed use project: The proposed uses of retail, parking, and personal property self-storage do not complement each other, specifically the retail and self-storage use do not have a strong, compatible relationship. Retail would more typically be compatible with residential or office uses, and while self-storage uses are compatible with residential uses, personal property self-storage facilities do not need to be within close proximity of residential uses as described previously in this report. As such, the proposed development promotes an incompatible relationship between the uses of the project.

(5) External Compatibility

- Finding: Per Section 656.341.d(5), all land uses within a proposed Planned Unit Development should be compatible with existing and planned uses of properties surrounding the proposed PUD and not have any avoidable or undue adverse impact on existing or planned surrounding uses. Using the written description of the intended plan of development and the proposed site plan, the Downtown Investment Authority has evaluated the proposed PUD against the following external compatibility factors:

(i) Those areas of the proposed Planned Unit Development located on or near its perimeter and the conditions and limitations thereon: The development pattern of this portion of the Southbank consists of blocks that contain several lots and individual structures on each block. As such, the buildings themselves are separate from one another with smaller footprints. Buildings along Prudential Drive and Hendricks Avenue in this area are generally one (1) to three (3) stories and offer residents and visitors a lot of variety in terms of facades, materials, and character. Based on the submitted site plan, the proposed structure is one large structure that does not allow for the “nooks and crannies” of the established development pattern. As a result, staff finds that the proposed development is incompatible with the existing context.

(ii) The type, number and location of surrounding external uses: The subject site is located at the southwest corner of Hendricks Avenue. Offices and restaurants are located across Hendricks Avenue from the subject site, and hotels are located across Prudential Drive from the subject site. The intersection of Prudential Drive and Hendricks Avenue is a major commercial node as it establishes a change in character from mid-rise office and commercial uses to high-rise, hospitality-driven uses that address, or cater to, the Southbank Riverwalk, which is less than 1,000 feet from the subject site. Given the type and location of adjacent uses, a five (5) story personal property self-storage facility would dominate the intersection and be inconsistent with the surrounding external uses.

(iii) The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning districts and land use categories are shown below. Granting a PUD zoning district at this location would promulgate spot zoning and be inconsistent with the spirit and intent of the Code.

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CBD	CCBD	Hotel
South	CBD	CCBD	Hair/Nail Salon and Offices
East	CBD	CCBD	Offices/Restaurant
West	CBD	CCBD	Offices

(iv) Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The proposed use is not compatible with the accepted and anticipated intensities and densities for the area. Approximately 150,000 square feet of storage space at a prominent commercial node within Downtown would impact the pedestrian activity of this area and, as a result, the vibrancy of the Southbank.

(6) Intensity of Development

- Finding: Per Section 656.341.d(6), the intensity of a proposed Planned Unit Development should be compatible with and have no undue adverse impact upon the physical and environmental characteristics of the site and surrounding lands. Using the written description of the intended plan of development and the proposed site plan, the Downtown Investment Authority has evaluated the proposed PUD against the following factors:

(i) The locations of various proposed uses within the proposed Planned Unit Development and the degree of compatibility of such uses with each other and with surrounding uses: The proposed development, which includes approximately 150,000 square feet of storage space, does not utilize this location effectively with regards to intensity. Intensity and density metrics are important to urban areas as they illustrate whether a use contributes to vibrancy, walkability, and transit-demand. By nature of their function, personal property self-storage facilities create less “people-on-the-street,” resulting in less vibrancy and activity than traditional urban uses, such as office or residential. The proposed use is not compatible with the accepted and anticipated intensities and densities for the area.

(viii) The access to and suitability of transportation arteries within the proposed Planned Unit Development and existing external transportation systems and arteries: The Transportation Planning Division of the Planning and Development Department reviewed the application and found that Hendricks Avenue between I-95 and Prudential Drive is currently operating at 28.9 percent of capacity and that the proposed development would not impact the roadway link in that area with regards to traffic volume.

(7) Usable open spaces plazas, recreation areas.

- Finding: This criterion is not applicable as property within the Central Business District is not subject to minimum open space requirements.

(8) Impact on wetlands

- Finding: Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site.

(9) Listed species regulations

- Finding: This criterion is not applicable as wildlife surveys are not required as the project is less than the 50-acre threshold.

(10) Off-street parking including loading and unloading areas.

- Finding: This criterion is not applicable as there are no off-street parking requirements in the Downtown Overlay Zone. The site plan for the intended plan of development

shows 33 parking spaces located internal to the parcel, at grade, and in general, parking is readily available in the area.

(11) Sidewalks, trails, and bikeways

- Finding: As mentioned in the “General Information” section above, sidewalks and bicycle facilities are located on Prudential Drive and Hendricks Avenue. These corridors and this intersection are notable bicycle and shared use pathways. As such, uses along these corridors should provide destinations for residents and visitors; personal property self-storage facilities do not typically serve as an origin or destination for pedestrians and cyclists.

Subpart H – Downtown Overlay Zone and Downtown District Use and Form Regulations

Per Section 656.361.4, General Standards, all development and redevelopment within the Downtown Overlay Zone shall be subject to the Use Regulations, Form Regulations, Design Guidelines, Riverwalk Park Design Criteria, and the following general standards:

A. The use shall be consistent with the BID Plan which includes the Community Redevelopment Plans and with the Central Business District Future Land Use Category as described in the Future Land Use Element of the City’s adopted Comprehensive Plan.

- Finding: The majority of the proposed use (+/- 149,033 square feet, approximately 80 percent of the development) is designed to be personal property self-storage. Generally, this use, at this location, is inconsistent with the recently adopted BID Plan (Ordinance 2022-0372-E), as illustrated below.

Redevelopment Goal No. 1: Increase commercial office utilization, occupancy, and job growth to reinforce Downtown as the region’s epicenter for business.

While the proposed mixed-use development will require jobs and office space, it is unclear if a net increase in employment and office space will be achieved over the existing uses on the site.

Redevelopment Goal No. 2: Increase rental and owner-occupied housing Downtown targeting diverse populations identified as seeking a more urban lifestyle.

The proposed development does not contemplate housing, and the primary use of personal property self-storage does not contribute to an urban lifestyle.

Redevelopment Goal No. 3: Increase and diversify the number and type of retail, food and beverage, and entertainment establishments within Downtown.

Given that 80 percent of the proposed development is designed to be personal property self-storage, the applicant places a lot of weight and value on the ground floor retail space. However, it is unclear what specific uses will activate this corner, as the retail space is clearly not the main intent of the development proposal.

Redevelopment Goal No. 4: Increase the vibrancy of Downtown for residents and visitors through arts, culture, history, sports, theater, events, parks, and attractions.

The primary proposed use of personal property self-storage is not compatible with the accepted and anticipated intensities and densities for the area. Approximately 150,000 square feet of storage space at a prominent commercial node within Downtown would impact the pedestrian activity of this area and, as a result, the vibrancy of the Southbank.

Redevelopment Goal No. 6: Improve the walkability/bike-ability of Downtown and pedestrian and bicycle connectivity between Downtown and adjacent neighborhoods and the St. Johns River.

The proposed written description reinforces the intent that the ground floor of the development will promote, and be used to, activate the streetscape. Staff is supportive of that intent. However, walkability and bike-ability inherently requires origins and destinations for the pedestrians and cyclists. The proposed 150,000 square feet of storage space does not provide an origin or destination for those residing in or visiting Downtown.

B. The form shall be in keeping with the general purpose and intent of the Downtown Overlay Zone, and Downtown Districts, including the Downtown Design Guidelines, or any amendments thereto, and the Riverwalk Park Design Criteria.

Finding: Any design presented and incorporated within the application for PUD is required to comply with the Downtown Overlay Zone, District Standards, and Downtown Design Guidebook. While renderings have been provided with Exhibit 4, this submittal is insufficient for development review by the DDRB and may conflict with the findings of the Board. As such, staff has not prepared an analysis of the building size, form, and architecture.

C. The use, building or structure will not negatively impact or injure the value of adjacent properties by noise, lights, traffic or other factors or otherwise detract from the immediate environment.

- Finding: Personal property self-storage facilities pose a challenge to the continued revitalization of Downtown in that they require that a large mass/structure occupy a significant amount of space within Downtown but provide small densities in return (jobs, residential, or otherwise). Given the approximate square footages for each use, the proposed development presents this challenge.

Density and activity metrics are important as they illustrate whether a use contributes to vibrancy, walkability, and transit-demand. By nature of their function, personal property self-storage facilities create less “people-on-the-street,” resulting in less vibrancy for the Southbank District of Downtown. For these reasons, staff finds that the proposed development is inconsistent with this standard.

D. All applications and plans submitted shall be considered within the context of the BID Plan, the Downtown District Regulations, the Downtown Design Guidelines, and the Riverwalk Park Design Criteria to assure a consistency and compatibility among proposed and existing

development, with respect to parking requirements, access, setbacks, building height, mass and transparency, etc.

- Finding: As previously mentioned, the intensity of the proposed personal property self-storage use is not compatible at this location.

Any design presented and incorporated within the application for PUD is required to comply with the Downtown Overlay Zone, District Standards, and Downtown Design Guidebook and shall be reviewed by the DDRB during conceptual and final review.

E. All applications and plans submitted shall be consistent with the City's adopted Mobility Plan and Public Facility Level of Service Standards identified in the Capital Improvements Element of the Comprehensive Plan. The requirements associated with the above are implemented separately with DIA through the approval of a redevelopment agreement and associated allocation of development rights which includes mitigation of impacts (transportation, utilities, police and fire protection, and similar impacts) by the applicant resulting from the development. Approval of the application and plans can occur during the above review, or before the above review, at the discretion of the applicant, subject to compliance with the above requirements before building permit applications are filed with the Building Official.

- Finding: If approved, the proposed development would be required to comply with the City's Mobility Plan.

F. All permitted activities (sale, service and display, preparation and storage) within the Downtown Overlay Zone shall be conducted within a completely enclosed building, unless specifically provided otherwise. Any person or entity seeking to hold an outdoor commercial or recreational activity shall first obtain a permit from the City's Special Events Division, pursuant to Part 1 of Chapter 191, Ordinance Code.

- Finding: The proposed written description states that all personal property self-storage shall be located within the building. No outside storage shall be permitted.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on January 18, 2023, the required Notice of Public Hearing signs were posted.



Picture of public notification sign

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Downtown Investment Authority that Application for Rezoning **2023-007** be **DENIED**.

TRAFFIC REPORTS

Signal 4 indicates a traffic crash

Signal 4 53 is traffic crash with injury

Total of 18 crashes in 26 months, 4 of which had injuries

Address Range
1/1/2020 - 3/1/2023

Incident Number	Address	Apt Number	Primary Unit	Sector	Signal	Source	Created	Dispatched	Arrived	Closed
JSO/220105-00010160	PRUDENTIAL DR / RIVERPLACE BLVD		G163	G	4	TEL	01/05/2022 23:30:25	23:32:01	00:04:09	02:04:10
JSO/220105-00010160	PRUDENTIAL DR / RIVERPLACE BLVD		G163	G	4	TEL	01/05/2022 23:30:25	23:32:01	00:04:09	02:04:10
JSO/220201-00063802	PRUDENTIAL DR / RIVERPLACE BLVD		CS313	G	4	HQ	02/01/2022 11:28:49	11:32:21	11:49:39	12:29:24
JSO/210224-00114127	PRUDENTIAL DR / RIVERPLACE BLVD		CS326	G	4 53	HQ	02/24/2021 10:59:33	11:01:18	11:05:23	11:51:22
JSO/210611-00348707	PRUDENTIAL DR / RIVERPLACE BLVD		CS312	G	4	HQ	06/11/2021 06:43:45	06:46:10	07:00:13	07:52:02
JSO/211117-00684764	PRUDENTIAL DR / RIVERPLACE BLVD		CS312	Z	4	HQ	11/17/2021 06:56:37	06:57:30	07:12:24	08:34:51
JSO/221206-00719034	PRUDENTIAL DR / RIVERPLACE BLVD		CS336	G	4	HQ	12/06/2022 16:32:18	16:33:12	16:57:55	18:00:39
JSO/211214-00740367	PRUDENTIAL DR / RIVERPLACE BLVD		CS312	G	4	HQ	12/14/2021 06:19:44	06:21:08	06:44:24	07:48:17

Total Records: 20

Address Range
1/1/2020 - 3/1/2023

Incident Number	Address	Apt Number	Primary Unit	Sector	Signal	Source	Created	Dispatched	Arrived	Closed
JSO/220131-00061937	PRUDENTIAL DR / HENDRICKS AVE		CS338	G	4	HQ	01/31/2022 14:33:23	14:42:41	14:55:29	15:44:07
JSO/230203-00069772	PRUDENTIAL DR / HENDRICKS AVE		CS312	G	4	HQ	02/03/2023 08:44:51	08:48:02	09:12:50	10:00:21
JSO/200207-00087804	PRUDENTIAL DR / HENDRICKS AVENUE		2303	Z	4	HQ	02/07/2020 08:21:27	08:24:03	08:44:18	10:52:28
JSO/230207-00077880	PRUDENTIAL DR / HENDRICKS AVE		CS321	G	4 53	HQ	02/07/2023 07:02:12	07:02:56	07:14:21	08:25:22
JSO/200305-00150870	PRUDENTIAL DR / HENDRICKS AVE		CS324	G	4	HQ	03/05/2020 15:29:02	15:29:54	15:35:21	16:00:15
JSO/210402-00198131	PRUDENTIAL DR / HENDRICKS AVE		G147	G	4	HQ	04/02/2021 20:38:59	20:39:30	20:42:50	00:05:46
JSO/220528-00376853	PRUDENTIAL DR / HENDRICKS AVE		CS311	G	4	HQ	06/28/2022 09:59:01	10:02:43	10:21:09	11:15:20
JSO/210911-00543442	PRUDENTIAL DR / HENDRICKS AVE		G122	G	4 53	HQ	09/11/2021 13:26:28	13:29:55	13:39:30	16:29:18
JSO/210922-00566650	PRUDENTIAL DR / HENDRICKS AVE		CS327	G	4 53	HQ	09/22/2021 09:27:54	09:28:34	09:43:32	12:42:36
Total Records: 20										

1 Introduced and substituted by Council Member Carlucci:
2
3

4 **ORDINANCE 2023-0316**

5 AN ORDINANCE AMENDING CHAPTER 111 (SPECIAL
6 REVENUE AND TRUST ACCOUNTS), PART 9 (NEIGHBORHOOD
7 DEVELOPMENT), *ORDINANCE CODE*, TO CREATE A NEW
8 SECTION 111.909 TO ESTABLISH A PERMANENT SPECIAL
9 REVENUE FUND FOR A PROGRAM TO BE ENTITLED THE
10 "RESTORE ENDANGERED HISTORIC ADAPTABLE BUILDINGS
11 SPECIAL REVENUE FUND"; PROVIDING FOR CREATION OF
12 THE CRITERIA AND SELECTION OF GRANT RECIPIENTS
13 BY THE PLANNING AND DEVELOPMENT DEPARTMENT;
14 PROVIDING FOR OVERSIGHT OF THE FINANCIAL ASPECTS
15 OF THE PROGRAM BY THE CHIEF ADMINISTRATIVE
16 OFFICER OR THEIR DESIGNEE; PROVIDING A CARRYOVER
17 OF FUNDS INTO SUBSEQUENT FISCAL YEARS; PROVIDING
18 A PROGRAM START DATE; PROVIDING AN EFFECTIVE
19 DATE.
20

21 **WHEREAS**, Jacksonville has over 20,000 historic buildings,
22 structures, and sites listed on the Florida Master Site File, many
23 of which fall outside of the boundaries of Downtown; and

24 **WHEREAS**, the Council of the City of Jacksonville finds that
25 historic preservation, revitalization, and reuse of Jacksonville's
26 historic buildings is important to the City's overall social and
27 economic welfare; and

28 **WHEREAS**, many of the historic buildings throughout Jacksonville
29 are in need of repair, rehabilitation, and restoration to maintain
30 their historic use, or to be adaptively reused; and

31 **WHEREAS**, there currently exists a program that concentrates on

1 the preservation and restoration of historic properties in Downtown
2 Jacksonville, however, there is no program for the historic properties
3 that lie outside of Downtown Jacksonville; and

4 **WHEREAS**, a program that would financially incentivize the
5 repair, restoration or rehabilitation of qualified historic buildings
6 could provide the missing link of financial support that would make
7 such repair, restoration or rehabilitation financially feasible; now,
8 therefore

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

10 **Section 1. Creating Section 111.909 (Restore Endangered**
11 **Historic Adaptable Buildings Special Revenue Fund), Part 9**
12 **(Neighborhood Development), Chapter 111 (Special Revenue and Trust**
13 **Accounts), Ordinance Code.** Section 111.909 (Restore Endangered
14 Historic Adaptable Buildings Special Revenue Fund), Part 9
15 (Neighborhood Development), Chapter 111 (Special Revenue and Trust
16 Accounts), *Ordinance Code*, is hereby created as follows.

17 **CHAPTER 111 - SPECIAL REVENUE AND TRUST ACCOUNTS**

18 * * *

19 **PART 9 - NEIGHBORHOOD DEVELOPMENT**

20 * * *

21 **Sec. 111.909. Restore Endangered Historic Adaptable Buildings Special**
22 **Revenue Fund.**

23 (a) *Fund creation.* There is hereby created an account to be known
24 as the *Restore Endangered Historic Adaptable Buildings* ("REHAB")
25 *Special Revenue Fund*, an ongoing fund which shall carry forward
26 each fiscal year and not lapse. The REHAB Special Revenue Fund
27 shall be comprised of funds as may be appropriated from time to
28 time by Council, and all fees, fines, and civil penalties as may
29 be designated for deposit into the Fund from time to time by
30 Council. It shall also include all such donations,
31 contributions, gifts, and related sponsorships received by the

1 City for use toward the general purpose of furthering the goals
2 of this Fund. All monies and interest placed into this fund are
3 hereby appropriated for the purposes of this fund, and all
4 appropriations shall carry forward each fiscal year and shall
5 not lapse.

6 (b) *Fund purpose.* These funds are designated to pay for the
7 repair, rehabilitation and restoration of non-residential
8 income-producing historic buildings, mixed-use historic
9 buildings and historic buildings owned by not-for-profit
10 corporations, located throughout Jacksonville, excluding the
11 Downtown Area as defined in Sec. 55.105, Ordinance Code.

12 (c) *Grant funding limitations.* Grant requests from the REHAB
13 Special Revenue Fund shall not exceed \$100,000 and shall be
14 administratively approved pursuant to this program. Subject to
15 availability of unencumbered funds, applicants that request
16 \$100,000 or less in the aggregate for a project may be approved
17 by the Historic Preservation Section of the Planning and
18 Development Department, without further Council action, in
19 accordance with Subsection (e) below and the REHAB Special
20 Revenue Fund Guidelines, available on the City's website. For
21 the purpose of this Section, the dollar amounts in all grant
22 applications for any one project submitted within five years of
23 the first grant approved under this fund for the project, shall
24 be aggregated to determine if the grant amount exceeds \$100,000.

25 (d) *Fund administration.* The Historic Preservation Section shall
26 follow the REHAB Special Revenue Fund Guidelines. The Historic
27 Preservation Section shall review and approve the design aspects
28 of the grant application, and the City's Chief Administrative
29 Officer ("CAO") or their designee shall review and approve the
30 financial aspects of the grant application and administer fund
31 allocation, in accordance with the REHAB Special Revenue Fund

1 Guidelines. Changes to the REHAB Special Revenue Fund Guidelines
2 which have financial impact shall be jointly approved by the CAO
3 or their designee and the Historic Preservation Section and
4 shall be submitted to the Council for approval. Approved
5 applicants may receive financial assistance through
6 reimbursement grants as set forth in the REHAB Special Revenue
7 Fund Guidelines. Funds may only be used for one or more of the
8 purposes specified in subsection (b) above.

9 (e) Eligibility Criteria:

10 (1) The building must be located within Jacksonville outside of
11 the Downtown Area, as defined in Section 55.105, Ordinance Code;
12 and

13 (2) The building must be at least 50 years old; and

14 (3) The building must be non-residential income-producing, mixed-
15 use or owned by a not-for-profit corporation; and

16 (4) The building must be architecturally or historically
17 significant, as determined by the Historic Preservation Section,
18 in accordance with Section 307.102(s), Ordinance Code; and

19 (5) The building must be:

20 (i) a local landmark, designated by the City pursuant to
21 Chapter 307, Ordinance Code; or

22 (ii) a contributing structure to a local historic district,
23 designated by the City pursuant to Chapter 307, Ordinance
24 Code; or

25 (iii) declared a potential local landmark, as defined in
26 Chapter 307, Ordinance Code, however, final local landmark
27 designation must be obtained from City Council prior to final
28 approval of the grant by the CAO or their designee; and

29 (6) The building must be declared critically endangered by the
30 Jacksonville Historic Preservation Commission (the "JHPC"). In

1 considering a building for critically endangered status, the JHPC
2 shall consider the following criteria:

3 (i) Evidence of a physical threat of loss, damage, or neglect;

4 (ii) If the building is currently vacant;

5 (iii) The building's susceptibility to development pressures
6 or natural disasters;

7 (iv) The building's suitability for preservation or
8 rehabilitation; and

9 (v) Any other criteria the JHPC considers relevant.

10 (f) *Historic Preservation Section Review.* To receive grant
11 assistance from the Fund, the owner of a historic building, or
12 their agent, shall submit a grant application to the Historic
13 Preservation Section for eligibility review, and an application
14 to the Historic Preservation Section for a Certificate of
15 Appropriateness for the improvements proposed, in accordance
16 with the REHAB Special Revenue Fund Guidelines.

17 (1) The Historic Preservation Section shall review the grant
18 application for eligibility pursuant to the criteria in
19 Subsections (e) (1-5) above, and the REHAB Special Revenue Fund
20 Guidelines. If the Historic Preservation Section finds that a
21 building meets the eligibility criteria in Subsections (e) (1-5)
22 above, they shall issue a recommendation regarding whether the
23 building is critically endangered, as required by Subsection
24 (e) (6) above. Said recommendation shall be forwarded to the
25 JHPC.

26 (2) The Historic Preservation Section shall also review the
27 application for the Certificate of Appropriateness for
28 compliance with the United States Secretary of Interior's
29 Standards for Rehabilitation and any applicable historic
30 preservation design guidelines. The Historic Preservation
31 Section shall evaluate Certificate of Appropriateness

1 applications based on the historic importance and significance
2 of the project, the overall contribution of the project to the
3 restoration of the historic fabric, and the overall preservation
4 of the building. If appropriate, the Historic Preservation
5 Section shall issue administrative approval of the Certificate
6 of Appropriateness in accordance with the Administrative Matrix,
7 pursuant to the authority granted in Sec. 307.107, Ordinance
8 Code; otherwise, they shall forward a recommended approval,
9 denial, or approval with conditions to the JHPC.

10 (g) *Jacksonville Historic Preservation Commission Review.* The JHPC
11 shall review all REHAB Special Revenue Fund grant applications
12 and the recommendations of the Historic Preservation Section,
13 for a determination on the critically endangered status of each
14 building, pursuant to Subsection (e)(6) above. The JHPC shall
15 also review those related applications for Certificates of
16 Appropriateness which are not eligible to receive administrative
17 approval according to Sec. 307.102(a), Ordinance Code. The JHPC
18 shall issue its decision to the CAO or their designee in
19 accordance with the REHAB Special Revenue Fund Guidelines.

20 (h) *Review by the CAO or their designee.* To receive a reimbursement
21 grant from the fund, the owner of a historic building, or his
22 or her agent, shall submit, in accordance with the REHAB Special
23 Revenue Fund Guidelines, a grant application to the CAO or their
24 designee for the grant requested. The CAO or their designee
25 shall analyze the specific finances of the project for the
26 express purpose of determining if the project meets the REHAB
27 Special Revenue Fund Guidelines.

28 (i) *Fund programs.* The owner of a historic building which meets the
29 eligibility requirements in Subsection (e) above, or their
30 agent, may apply for assistance from the fund in the form of
31 reimbursement grants for repair, rehabilitation or restoration,

1 according to the REHAB Special Revenue Fund Guidelines which
2 includes, but is not limited to: restoration or rehabilitation
3 of the building exterior, restoration of historic features on
4 the building interior, rehabilitation of the building interior,
5 code compliance improvements and general requirements and
6 overhead of the general contractor, as further detailed in the
7 REHAB Special Revenue Fund Guidelines.

8 (j) *Final inspection.* A final inspection shall be conducted within
9 90 days following completion of the project to ensure compliance
10 with the terms of the approved Certificate of Appropriateness
11 and REHAB Special Revenue Fund grant application. The final
12 inspection shall be conducted by, or at the direction of, the
13 Historic Preservation Section staff. An applicant whose project
14 fails to meet the REHAB Special Revenue Fund Guidelines and
15 criteria set forth herein shall be deemed ineligible for a grant
16 under this program.

17 The inspection required by this subsection shall not replace or
18 supersede any other inspection required by local, State, or
19 federal law.

20 **Section 2. REHAB Special Revenue Fund Guidelines.** The
21 REHAB Special Revenue Fund Guidelines, attached hereto as **Exhibit 1**,
22 are hereby placed on file with the Office of Legislative Services and
23 on the City's website. A copy of the Guidelines will also be kept
24 with the Historic Preservation Section. These Guidelines shall be the
25 operative guidelines for projects funded by the REHAB Special Revenue
26 Fund unless and until these Guidelines are amended by Council action
27 as provided herein.

28 **Section 3. Program Start Date.** The REHAB Special Revenue
29 Grant Program shall commence on October 1, 2023, or upon funding of
30 the Special Revenue Fund.

31 **Section 4. Effective Date.** This ordinance shall become

1 effective upon signature by the Mayor or upon becoming effective
2 without the Mayor's signature.

3

4 Form Approved:

5

6

7 Office of General Counsel

8

Legislation Prepared by: Carla Lopera

9

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REHAB Special Revenue Fund Guidelines
Revised Exhibit 1 to Ordinance 2023-0316

REHAB Special Revenue Fund Purpose

The purpose of the Restore Endangered Historic Adaptable Buildings (“REHAB”) Special Revenue Fund Guidelines is to establish the parameters for use of the REHAB Special Revenue Fund and to facilitate rehabilitation of historic buildings within Jacksonville (exclusive of Downtown), specifically buildings designated as landmarks or contributing structures in locally designated historic districts. The REHAB Special Revenue Fund was created to foster the repair, rehabilitation and restoration of non-residential income-producing or mixed-use historic buildings or historic buildings owned by not-for-profit corporations, located throughout Jacksonville, excluding the Downtown Area as defined in Sec. 55.105, Ordinance Code. The Chief Administrative Officer (“CAO”) or their designee shall, in coordination with the Planning and Development Department (“PDD”), process applications for REHAB Special Revenue Fund grants and the CAO or their designee shall administer grants awarded from the REHAB Special Revenue Fund.

REHAB Special Revenue Fund Limitations

1. Only projects that apply for \$100,000 or less in the aggregate are eligible for funding from the REHAB Special Revenue Fund.
2. All CAO approvals of REHAB Special Revenue Fund allocations are subject to the available unencumbered balance in the Fund at time of award, and all grants awarded by the CAO shall encumber the related balance in the REHAB Special Revenue Fund upon execution of a Rehabilitation Agreement.

REHAB Special Revenue Fund Eligibility

All proposed buildings that apply for the REHAB Special Revenue Fund must meet the following criteria:

- a. The building must be at least 50 years old; and
- b. The building must be non-residential income-producing, mixed-use or owned by a not-for-profit corporation; and
- c. The building must be located within Jacksonville, excluding the Downtown Area as defined in Sec. 55.105, Ordinance Code; and
- d. The building must be architecturally or historically significant, as determined by HPS, in accordance with Section 307.102, Ordinance Code; and
- e. The building must be:
 - i. a local landmark, designated by the City pursuant to Chapter 307, Ordinance Code; or
 - ii. a contributing structure to a local historic district, designated by the City pursuant to Chapter 307, Ordinance Code; or
 - iii. declared a potential local landmark, as defined in Chapter 307, Ordinance Code, however, final local landmark designation must be obtained from City Council prior to final approval of the grant by the CAO or their designee. Any

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grant award will expire after 12 months if landmark designation is not obtained by the property owner.

- f. The building must be declared critically endangered by the Jacksonville Historic Preservation Commission (the "JHPC"), who shall consider the following criteria:
 - i. Evidence of a physical threat of loss, damage, or neglect;
 - ii. If the building is currently vacant;
 - iii. The building's susceptibility to development pressures or natural disasters;
 - iv. The building's suitability for preservation or rehabilitation; and
 - v. Any other criteria the JHPC considers relevant.

REHAB Special Revenue Fund Expenditures

- g. Eligible expenses include up to:
 - i. 75% of eligible costs for the Restoration or Rehabilitation of the building Exterior
 - ii. 75% of eligible costs for the Restoration of Historic features on the building Interior
 - iii. 30% of eligible costs for the Rehabilitation of the building Interior, and
 - iv. 75% of eligible costs for bringing the property up to levels as required for Code Compliance or related fire and safety requirements. Environmental remediation or abatement within the building such as asbestos removal is included as well as new code requirements.
 - v. 20% of the above eligible costs for General Requirements and Overhead of the GC
- h. REHAB Special Revenue Fund grants will be awarded for work that commences within 12 months from the date of grant approval and is completed within five years. Grants are subject to forfeiture, cancellation, or re-evaluation in the event of sale, transfer within five years, or default.
- i. All funds will be disbursed upon completion of improvements, subject to cost verification and other approvals as specified below.
- j. Project must be located within Jacksonville but be outside the boundaries of the Downtown Overlay Zone, as defined in Sec. 656.361.2, *Ordinance Code*.
- k. Applicant and/or their General Contractor must demonstrate significant, relevant experience and performance on projects of similar type and scale.
- l. REHAB Special Revenue Fund grants, in the aggregate may not exceed 40% of Total Development Costs.
- m. Total Development Costs ("TDC") are defined as:
 - i. For properties under contract or owned less than one year, the lesser of the current appraised value or the costs for the acquisition of eligible buildings and associated land, less any associated debt, and;
 - ii. the negotiated construction costs with a qualified General Contractor; and
 - iii. additional soft costs typically eligible for capitalization in development activity of this type.
 - iv. Developer Fee is to be excluded from both Sources and Uses.

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- v. The current market value of property owned for more than one year, and any related debt, may be included in TDC for purposes of these calculations. Appraisals must be dated within one year of the application.
- n. Developer Equity (less Developer Fee) shall be not less than 10% of TDC.
- o. Total Development Costs must be determined reasonable for the scope of the project utilizing third party verification where available.
- p. All property, business, and income taxes must be current at the time of application and maintained in a current status during the approval process, the term of the Rehabilitation Agreement and through the REHAB Special Revenue Fund grant period.
- q. REHAB Special Revenue Fund grants are subject to standard claw back language related to disposition of the property within five years of disbursement, or similar circumstances of conversion (100% due back if disposed within one year of receiving grant, 80% if between years one and two, 60% if between years two and three, 40% if between years three and four, and 20% if between years four and five).

REHAB Special Revenue Fund Application Process

1. Pre-Application

- a. A pre-application meeting will be held for all proposed developments planning to utilize the REHAB Special Revenue Fund program. Attendees shall include the Applicant and related members of the proposed development team, members of the COJ PDD Historic Preservation Section staff, and the CAO or their designee, as appropriate. From this meeting, a strategy that incorporates the following steps and requirements will be formulated to include task assignments and a timeline for target dates to accomplish the application processing goals.

2. Application and Processing

- a. Application and processing of historic designation, Certificate of Appropriateness approval and REHAB Special Revenue Fund grant approval through the PDD and the CAO or their designee may occur simultaneously, except as provided below.
- b. Landmark Designation
 - i. Application shall be made to the PDD for Local Landmark designation unless the building is already a local landmark or a contributing structure within a local historic district.
 - ii. PDD shall verify whether the building is already a local Landmark, a local contributing structure or is eligible for designation. PDD shall assist the applicant in Local Landmark Designation Procedures as needed and process any landmark designation application through the Historic Preservation Commission and City Council approval process.
 - iii. A staff report recommending designation and legislation approving the same must be filed prior to any grant approval by the CAO or their designee.

3. Scope of Work

**REHAB Special Revenue Fund Guidelines
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- a. Application shall also be made to PDD for a Certificate of Appropriateness or other approval for the scope of work to be performed.
 - i. Such application shall categorize the work to be performed among exterior restoration and renovation work; interior restoration; interior renovation; or code compliance work.
- b. The PDD shall review applications for work to be performed on any local landmark or or contributing structure within a locally designated historic district for compliance with the United States Secretary of the Interior Standards for Restoration or Rehabilitation, and any applicable historic preservation design guidelines, and shall issue an approval, denial, or approval with conditions and comments.
- c. The application for a COA or approval of the scope of work can be submitted and reviewed simultaneously with landmark designation; however, no staff report regarding scope of work will be issued to the CAO or their designee prior to the approval of legislation for landmark status.
- d. Any work not approved through the COA review process by the Jacksonville Historic Preservation Commission, PDD Staff, or determined to not meet the Secretary of the Interior Standards or other design guidelines will be removed from the list of qualified eligible expenses for consideration.

4. REHAB Special Revenue Fund Grant Approval

Simultaneously, application shall be made to the CAO or their designee for funding pursuant to the REHAB Special Revenue Fund Guidelines. The CAO or their designee shall receive and analyze project information as outlined below:

- a. Rehabilitation plan to include:
 - i. Proposed usage of the property following completion and contribution towards the relevant United States Secretary of Interior Standards and applicable design guidelines.
 - ii. Demonstrated compliance with the purpose of the Trust Fund.
 - iii. Proposed timeline of anticipated improvements and completion of work.
- b. Applications to include detailed Total Development Cost estimate for proposed acquisition and/or improvements along with sources and uses of funds, evidence of ownership or control of the subject property, and unless waived by the CAO or their designee, a thorough and detailed three-year pro forma financial statements (including time to stabilization).
- c. A detailed construction budget must be provided that reconciles to the contract with the General Contractor, and that clearly allocates costs between Restoration or Rehabilitation of the building Exterior, Restoration of Historic features on the building Interior, Rehabilitation of the building Interior, General Requirements and Overhead of the GC, and Code Compliance Renovations, as may be appropriate per the REHAB Special Revenue Fund Grant request being made.

**REHAB Special Revenue Fund Guidelines
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- d. Corporate applicants shall submit two most recent years' tax returns (if available) and nonprofit applicants shall submit 990s and/or audited financial statements.
 - e. Applications must be accompanied with a personal financial statement and the two most recent years' tax returns of principals with ownership of more than 20% of the project, the project's general partner, and/or the project's controlling member.
 - f. Provide evidence that all property, business, and income taxes are current.
 - g. Evidence of local Landmark or local contributing structure status for the subject property as outlined above or application for the same, to be submitted as appropriate for the request made.
 - h. PDD staff recommendation as to eligibility of the approved scope of work on any local landmark or local contributing structure shall be required prior to CAO or their designee or City Council approval of any program funding, however a contingent staff report will be accepted. The level of certainty required before presentation to the CAO or their designee or City Council will depend on the extent to which eligible costs exceed the request.
5. Following Final Funding Approval
- a. Upon approval by the CAO or their designee or City Council of REHAB Special Revenue Fund funding, the CAO or their designee staff will negotiate a proposed Rehabilitation Agreement and associated grant documents.
 - b. The Rehabilitation Agreement will be routed for execution.
 - c. The CAO or their designee to be provided copies of periodic inspections and/or progress reports as applicable.
6. Distribution of Funding
- a. The REHAB Special Revenue Fund Grant will be funded following review and approval of the Request for Disbursement by the Applicant following issuance of the last needed Certificate of Occupancy for the project.
 - b. All work on approved buildings must be inspected by the Planning and Development Department or designee for compliance with the approved application prior to funding.
 - c. COJ PDD, and CAO or their designee jointly, or other appropriate COJ Department, will verify that paid invoices submitted for reimbursement align with the construction budget as approved, and confirm Developer's compliance with previously approved building permits, COA, and all P DD, as applicable.
 - d. All existing liens and code violations must be cleared prior to disbursement of funds and recordation of Loan security documents.
 - e. Funds will be authorized for distribution in accordance with the approved Rehabilitation Agreement including evidence of all permanent funding commitments, satisfaction of all liens and waiver of claims from General Contractor and subcontractors, verification that there are no delinquent property taxes or other tax

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obligations outstanding beyond their respective due dates, and other requirements as may be found in that agreement.