

MARKET VALUE: \$1,048,456

LAND AREA: 0.77 ACRES

SOURCE: DUVAL COUNTY PROPERTY APPRAISER



SITE

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NOT TO SCALE



APPRAISED VALUE: \$2,820,000  
LAND AREA: 2.59 ACRES  
SOURCE: 2019 APPRAISAL



SITE



NOT TO SCALE



APPRAISED VALUE: \$1,800,000  
LAND AREA: 1.55 ACRES  
SOURCE: 2019 APPRAISAL



SITE

NOT TO SCALE





APPRAISED VALUE: \$850,000  
LAND AREA: 0.65 ACRES  
SOURCE: 2019 APPRAISAL



SITE



NOT TO SCALE



## Kelley, Steven

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**From:** Kelley, Steven  
**Sent:** Wednesday, June 22, 2022 1:28 PM  
**To:** CM  
**Cc:** Taylor, Kim; Peterson, Phillip; Carraher, Trista; Carraher, Trista; Boyer, Lori; Krieg, Leeann; Zimmer, Rachel; Killingsworth, William; Sawyer, John; Dillard, Joelle  
**Subject:** 2022-372 - DIA BID Plan Update - CM Carlucci Finance Amendment  
**Attachments:** 2020-0527 Ex 1 DPRP Guidelines as further revised FINAL - with PDD Landmark Edits.docx

Good afternoon, Council Members and Officers, Council Committee Chairs, and Council Committee Vice-chairs,

Council Member Carlucci offered an amendment to ordinance 2022-372 in today's Finance Committee Meeting and DIA was asked to provide specific language that provides further detail on that amendment. The information below is what was circulated to Councilman Carlucci, the Council Auditor, and Director Killingsworth and led to that amendment. OGC is in the process of drafting the amendment which will be presented upon completion.

The purpose of this amendment is to eliminate inconsistency currently found in the Downtown Preservation Revitalization Program (DPRP) Guidelines with respect to the status of HPC/HPS review, filing of local landmark legislation, and when the Resolution may be introduced to the DIA SIC Committee and the DIA Board.

This modification streamlines the process to allow the DIA staff to present its recommendation to the SIC committee and DIA board *prior to the filing of the legislation to landmark the property*. However, local landmark status is still required prior to final approval and funding. This modification does not impact the Code Compliance Renovations Forgivable Loan which has its own parameters regarding landmark status.

Specific modifications proposed for the DPRP Guidelines include the following (eliminations are in strikethrough, additions are in highlight):

### Application and Processing

2. Landmark Designation
  - b. A staff report recommending designation **must be provided to DIA Staff and legislation an application** regarding the same must be filed **with the Planning and Development Department** prior to any DIA Action.
3. Scope of Work
  - e. The application for a COA or approval of the scope of work can be submitted and reviewed simultaneously with landmark designation; ~~however, no~~ **and the HPS** staff report regarding scope of work ~~will~~ **may** be issued to DIA prior to the filing of legislation for landmark status **so long as the applicant fully understands the total set of approvals needed prior to being eligible for full approval and funding.**

I have also attached a full copy of the DPRP Guidelines with these modifications incorporated. Changes noted within that document re: appraisal requirements and financial statement requirements, etc. are those that were introduced previously with the legislation.

The email below is the response from Planning Director Bill Killingsworth supporting the change to the guidelines.

Thank you once again, I will be in Rules Committee today and City Council next Tuesday to address any questions that you may have.

Best regards,  
Steve

Steve Kelley  
Downtown Investment Authority  
904-255-5304 O  
904-576-0301 C

**From:** Killingsworth, William <[BILLK@coj.net](mailto:BILLK@coj.net)>  
**Sent:** Thursday, June 16, 2022 9:04 PM  
**To:** Kelley, Steven <[SKelley@coj.net](mailto:SKelley@coj.net)>  
**Cc:** Boyer, Lori <[BoyerL@coj.net](mailto:BoyerL@coj.net)>  
**Subject:** Re: Question on DPRP Language

I believe DIA's preference is acceptable as long as the applicant fully understands the total set of approvals needed prior to being eligible. I allow many of our processes to run in parallel with written request of the applicant stating they understand that an approval in one part of the process does not imply an approval of the project and that they will accept the risk.

On Jun 16, 2022, at 4:12 PM, Kelley, Steven <[SKelley@coj.net](mailto:SKelley@coj.net)> wrote:

Good afternoon, Bill,

As we are modifying the DIA BID Plan and making some program changes as part of that effort, a question came up regarding a requirement as found in the Downtown Preservation and Revitalization Program (DPRP) that was created in 2020 with your help and the help of your HPS team. We are seeking consistency on a single point related to the status of the Landmark application in order for the DIA Committees and Board to hear the application and would appreciate your feedback. I've tried to capture relevant passages from the Guidelines below:

Section B.1. for the Historic Preservation Restoration and Rehabilitation Forgivable Loan Component (HPRR) requires: *"The building must be designated as a local historic landmark at the time of application or an application for local landmark status must be filed and pending. Application may be made for an award under the DPRP prior to final designation; however, request for funding under this component will not be approved prior to the building receiving designation as a local historic landmark."*



Section F.2. Project Approval Process states, "...the redevelopment agreement requires Historic Preservation Commission Landmark (Local) Recommendation, City Council Landmark Designation, Planning and Development Department Approval of Scope of Work, DIA Board Approval, and City Council Approval."

Section F.3. Project Approval Process states. "If applicant requests funding under the CCR Forgivable Loan b) In excess of \$100,000, and the property has or is seeking local historic landmark status, the redevelopment agreement requires Historic Preservation Commission Landmark (Local) Recommendation, City Council Landmark Designation, Planning and Development Department Approval of Scope of Work, DIA Board Approval, and City Council Approval."

#### *Application and Processing*

1. General "Application and processing of historic designation, Certificate of Appropriateness approval and DPRP funding approval through the Planning and Development Department and DIA may occur simultaneously, except as provided below."
2. Landmark Designation
  - a. The Planning and Development Department shall verify whether the building is already a local landmark or is eligible for designation. PDD shall assist the applicant in Local Landmark Designation Procedures as needed and process and landmark designation application through the Historic Preservation Commission and City Council approval process.
  - b. **A staff report recommending designation and legislation regarding the same must be filed prior to any DIA Action.**

This is the gist of it, and the question we are seeking to clarify is whether DIA can hear the application after the applicant has begun the landmark process with HPC, or if DIA must wait until the legislation has actually been filed? Unless Planning has a strong preference for waiting until the legislation is filed, it would be our preference to hear the application once the application process has been started with HPC, and HPS staff is able to write a memo summarizing their findings and preliminary recommendation as they are doing today.

I greatly appreciate your thoughts and will be glad to discuss this with you at your convenience.

Steve

**Steven. T. Kelley, DBA**

Director of Downtown Real Estate and Development  
Downtown Investment Authority  
City of Jacksonville  
117 W. Duval Street, Suite 310  
Jacksonville, Florida 32202  
Phone: (904) 255-5304  
Cell/Text: (904) 576-0301

PLEASE NOTE THAT UNDER FLORIDA'S PUBLIC RECORDS LAW, COMMUNICATIONS TO AND FROM CITY OF JACKSONVILLE OFFICIALS ARE SUBJECT TO PUBLIC DISCLOSURE.

## 2022-372 - Summary of DIA Incentive Programs

Incentive	New or Existing	Funding Source	Payment Structure	Repayment Terms	Minimum ROI	Maximum Incentive
1. Retail Enhancement Program	Existing but being restructured	Downtown Economic Development Fund (General Fund), or CRA	Payable upon completion of work/reimbursement		None	
a. Basic Retail Enhancement				Forgiven over 3 years		\$20/sq. ft. / 50% of total project construction costs
b. Core Retail Enhancement				Forgiven over 3 years		\$35/sq. ft. / 50% of total project construction costs
c. Food and Beverage Establishment				Forgiven over 5 years		\$100,000, \$200,000, or \$400,000 depending on sq. ft. and establishment type / 50% of eligible costs
d. Waterfront Restaurant Program				Forgiven over 5 years		\$400,000 or \$500,000 depending on sq. ft. and establishment type / 50% of eligible costs (free standing restaurant cap of \$750,000 depending on sq. ft. and establishment type, subject to 50% limit)
e. Sidewalk Enhancement				Forgiven over 3 years		80% of eligible costs not to exceed \$15,000 if receiving FAB-REP; 80% of eligible costs not to exceed \$5,000 if stand alone
2. Commercial Revitalization Program	Existing but being restructured	CRA	Paid annually over the term of the lease	Grant	None	\$730,000
3. Multi-Family Housing REV Grant	Existing (15 yr/75%) New (20 yr/75%)	CRA (or General Fund if term of REV grant extends beyond CRA expiration)	Payable upon completion of work over REV grant period	Grant	No minimum, but greater than 1.0 by default	No cap
4. Small Scale Multi-Family Housing Grant	New	CRA	Payable upon completion of work	Grant	None	\$270,000
5. Affordable Housing Support Loan	Existing but being formalized	Downtown Economic Development Fund (General Fund) or CRA	Varies with structure required by Florida Housing Finance Corporation	Per DIA, typically interest only with principal repayment at 20 years.	0.50X as calculated over a 20-year timeline	No cap; shall materially mirror the requirements of the Florida Housing Finance Corporation Request for Application
6. Targeted Hotel REV Grant (Boutique Hotels)	New (20 yr/75%)	CRA (or General Fund if term of REV grant extends beyond CRA expiration)	Payable upon completion of work over REV grant period	Grant	No minimum, but greater than 1.0 by default	No cap
7. DIA Mobility Fee Credit	Existing but being formalized	N/A (funded through existing bank of mobility fee credits allocated to DIA; available balance of \$32,532,974.39)	Provided from pool of credits	Fee waiver	None	No cap
8. DIA Parking Screening Grant	New (Compliance, not grant, required by Ordinance)	CRA	Reimbursement	Grant	None	\$25,000, \$50,000 or \$100,000 depending on date of agreement execution and if applicant sought a deviation from 656.361.6.2.L
9. DIA Storefront Facade Grant Program	Existing	CRA	Payable upon completion of work	Grant	None	\$75,000
10. Downtown Preservation and Revitalization Program (DPRP)	Existing	General Fund	Payable upon completion of work/Reimbursement	HPRR & CCR forgiven over 5 years, Deferred Principal Loan - interest only with principal due at 10 years	0.50X as calculated over a 20-year timeline	No dollar cap but subject to limits from the lesser of demonstrated financial need, line item funding limits, ROI, or calculated as a percentage of total development costs.
11. The Downtown Historic Preservation and Revitalization Trust Fund	Existing	Downtown Historic Preservation and Revitalization Trust Fund (General Fund)	Payable upon completion of work/Reimbursement	Forgiven over 5 years	0.50X as calculated over a 20-year timeline	\$100,000
12. Water Quality Compensatory Credits	Existing	N/A	N/A	Grant	None	No cap



**Council Auditor's Office**  
**Bill 2022-372 Comments/Concerns Updated**

1. Currently, the DIA is authorized to approve incentives that are in compliance with the Public Investment Policy (PIP) Downtown Programs and Business Investment and Development (BID) Strategy if sufficient funding has been appropriated, or if the incentive is self-funding (i.e. REV Grant). The BID Update revises the criteria for existing incentives and adds new incentives that can be approved by the DIA Board without City Council approval, subject to the incentive guidelines in the BID.
  - a. The BID Update authorizes three new incentive programs:
    - i. Small Scale Multi-Family Housing Grant (paid upon completion)
    - ii. DIA Parking Screening Grant (paid upon completion)
    - iii. Targeted Hotel REV Grant
  - b. The BID Update revises the criteria for REV grants from 75%/15 years to 75%/20 years and authorizes REV grants to exceed the life of the CRA (no further than 2045). Two of the downtown CRAs expire in 2041 and one expires in 2045.

The following are consistent with current practices but should be considered:

- c. DIA has been operating with the understanding that additional incentives may be approved for a project for which City Council previously approved incentives, so long as those incentives are for a stand-alone need, are under a program approved by the BID Strategy, and do not modify any incentive approved by City Council.
- d. There is no limit established for performance schedule extension approval.

**Council Auditor's Office Recommendations:**

City Council should consider whether the delegation of this authority is appropriate. City Council may consider the following to limit the delegation of authority:

1. Add language in the BID to clarify that additional incentives can approved by the DIA Board as long as those incentives are for a stand-alone need, are under a program approved by the BID Strategy, and do not modify any incentive approved by City Council.
2. Require City Council approval for performance schedule extensions beyond a 6-month time period unless otherwise provided in a Council-approved Redevelopment Agreement.

**NCSPHS Amendment:**

1. Include language in the BID to clarify that additional incentives can approved by the DIA Board as long as those incentives are for a stand-alone need, are under a program approved by the BID Strategy, and do not modify any incentive approved by City Council.
2. Require City Council approval for performance schedule extensions beyond a 6-month time period unless otherwise provided in a Council-approved Redevelopment Agreement.

2. The Council Auditor's Office will be required to verify ROI calculations for property dispositions having a Property Appraiser's Office market value of more than \$25,000, and where the sales price is below the appraised value and does not exceed \$250,000. There is no maximum time period over which the ROI is to be calculated.

**Council Auditor's Office Recommendation:**

1. The maximum period over which an ROI is calculated for property dispositions that include other incentives should be 20 years or the life of the incentive, whichever is greater. The ROI for a stand-alone property disposition should be calculated over 20 years.



2. Additionally, City Council approval should be required for the disposition of property when the Council Auditor's Office disagrees with DIA's ROI calculation, and arrives at an ROI of less than 1.

**NCSPHS Amendment:**

1. Calculate the ROI for property dispositions that include other incentives over a maximum of 20 years or the life of the incentive, whichever is greater. Calculate the ROI for a stand-alone property disposition over 20 years.
  2. Require City Council approval for the disposition of property when the Council Auditor's Office disagrees with DIA's ROI calculation, and arrives at an ROI of less than 1.
3. This legislation authorizes the DIA Board to execute Cost Disbursement Agreements without City Council approval, to the extent that the purpose is integral to a development agreement, and authorizes execution of the agreement as long as funding is included in year 1, 2, 3, 4 or 5 of the CIP, thereby committing future funding for a project.

**Council Auditor's Office Recommendation:**

Cost Disbursement Agreements should contain language that the City's funding will be paid no earlier than the year in which the project funding shows up on the CIP at the time of execution of the Cost Disbursement Agreement, unless specifically approved by Council.

**NCSPHS Amendment:**

Include language within Cost Disbursement Agreements that the City's funding will be paid no earlier than the year in which the project funding shows up on the CIP at the time of execution of the Cost Disbursement Agreement, unless specifically approved by Council.

4. The legislation raises the threshold for which property within the CRA can be disposed of without City Council approval from a sales price of \$25,000 or less to a sales price of \$1 million or less (provided the sales price equals or exceeds the appraised value of the property).

**Council Auditor's Office Recommendation:**

City Council should consider whether the delegation of this authority at the proposed sales price is appropriate.

**NCSPHS Amendment:**

Revise the threshold for DIA approval of property dispositions without City Council approval to a sales price of \$750,000 or less.

5. Incentives can be approved by the DIA Board even if a proposal goes against staff recommendations or if there is not a recommendation from the staff.

**Council Auditor's Office Recommendation:**

We recommend that all development projects that include incentives or property dispositions be required to have a staff report prior to consideration by the DIA Board and that City Council be required to approve all projects where the DIA Board approves a project that the staff did not recommend.

**NCSPHS Amendment:**

Require all development projects that include incentives or property dispositions to have a staff report prior to consideration by the DIA Board and require City Council approval for all projects where the DIA Board approves a project that the staff did not recommend.



6. There is no reporting requirement of the DIA Board to City Council on the incentives the DIA Board approves.

**Council Auditor's Office Recommendation:**

We recommend that the DIA be required to submit a quarterly report to the City Council and the Council Auditor's Office on all incentives approved by the DIA Board identifying the project, incentive type and funding source, anticipated payout by fiscal year, and authorizing resolution.

**NCSPHS Amendment:**

Require DIA to submit a semi-annual report to the City Council, the Finance Committee, and the Council Auditor's Office on all incentives approved by the DIA Board identifying the project, incentive type and funding source, anticipated payout by fiscal year, and authorizing resolution.

7. There is no maximum dollar value of incentives that the DIA Board can approve.

**Council Auditor's Office Recommendation:**

We recommend that a cumulative maximum total incentive amount be established (i.e. even if awarded in various increments by the Board) and that if this dollar amount is exceeded, City Council approval is required.

**NCSPHS Amendment:**

Require City Council approval for cumulative total incentives in excess of \$18 million per project.

8. Specific mention of the use of JSEBs is not a required component of all incentives.

**Council Auditor's Office Recommendation:**

The BID should include language striving to meet the JSEB goal set forth in Ordinance Code Ch. 126, Part 6 for all incentives.

**NCSPHS Amendment:**

Revise the BID to include language on striving to meet the JSEB goal set forth in Ordinance Code Ch. 126, Part 6 for all incentives.



## **Finance Amendment**

### **Bill**

1. Revise explanation of appropriation to include funding source
2. Correct employee cap
3. Clarify 2045 is the final year of eligibility for REV grants approved by DIA
4. Clarify approval authority for incentives
5. Include Council Auditor's Office within audit rights language
6. Strike ability for DIA designee to execute Cost Disbursement Agreements
7. Include Risk Management Division within authorization to make changes to the Cost Disbursement agreements
8. Clarify property disposition language
  - a. Clarify DIA is authorized to dispose of property for a sales price less than the appraised value provided the sales price is equal to or greater than the fair value provided other conditions are met
  - b. Clarify DIA is authorized to sell property with a Property Appraiser's Office market value of \$25,000 or less irrespective of fair market value
9. Include language authorizing the revised CRA Plan and BID Strategy to be placed on file at a later date to reflect all changes authorized by the amendments and correct scrivener's errors
10. Place Cost Disbursement Agreement template on file
11. Correct scrivener's errors

### **CRA Plan**

1. Update property disposition process

### **BID**

1. Commercial Revitalization Program – Include maximum lease term of 120 months for calculating grant
2. Affordable Housing Support Loan – Clarify that loans approved under this incentive will not be forgivable
3. Targeted Hotel REV Grant – Clarify that hotels are required to maintain boutique status for term of REV grant
4. Mobility Fee Credit – Clarify language regarding parking requirements
5. Place revised BID on file to include appendices A-D

Include NCSPHS Amendments noted on pages 1-3.

Revise Downtown Preservation and Revitalization Program (DPRP) guidelines to allow DIA Board to hear the application and staff recommendation for a project prior to the filing of legislation to landmark the property.



1 Introduced by the Council Member Newby:

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3  
4 **ORDINANCE 2022-162**

5 AN ORDINANCE CONCERNING THE COUNCIL RULES;  
6 AMENDING RULE 4.505 (DISRUPTION OF MEETING),  
7 COUNCIL RULES, TO STRIKE THE CONTENTS OF THE  
8 SECTION AND REPLACE IT WITH NEW LANGUAGE TO  
9 CLARIFY DISRUPTIVE TYPES OF BEHAVIOR; PROVIDING  
10 AN EFFECTIVE DATE.  
11

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

13 **Section 1. Rule 4.505 (Disruption of Meeting), Council**  
14 **Rules.** Rule 4.505 (Disruption of Meeting), *Council Rules*, is hereby  
15 amended to read as follows:

16 **PART 5. RULES OF DECORUM.**

17 \* \* \*

18 **Rule 4.505. Disruption of Meeting.**

19 ~~Any person, not a Council Member, making personal, impertinent or~~  
20 ~~slandorous remarks or who shall become boisterous while the Council is in~~  
21 ~~session, shall forthwith be barred from further audience before the Council~~  
22 ~~by the presiding officer in his/her discretion. No demonstrations of~~  
23 ~~approval or disapproval from the audience shall be permitted, and if such~~  
24 ~~demonstrations are made, the audience shall be cleared from the Council~~  
25 ~~Chambers. The presiding officer shall call upon the Sergeant At Arms to~~  
26 ~~enforce directions given by the presiding officer for any violation of this~~  
27 ~~Rule.~~

28 Any person who disrupts a Council meeting may be forthwith barred,  
29 removed, or otherwise ejected, in the discretion of the presiding officer,  
30 from further attendance at that meeting. If necessary due to the nature of  
31 the disruption, the audience may be cleared from the Council Chambers or



1 meeting location in the discretion of the presiding officer. The presiding  
2 officer may call upon the Sergeant-At-Arms to enforce directions given by  
3 the presiding officer to address violations of this Rule.

4 Disruption of a meeting includes the following types of behaviors:

- 5 1) Any form of political campaigning or electioneering regarding a  
6 specific candidate or group of candidates in City elections;
- 7 2) Impeding the orderly progress of the meeting by shouting, yelling,  
8 whistling, chanting, singing, dancing, clapping, foot stomping,  
9 cheering, jeering, using artificial noise makers or musical  
10 instruments, or engaging in any other display of excessive noise,  
11 sounds, or movement;
- 12 3) Displaying or waving signs of any sort, regardless of message;
- 13 4) Audible noise from cellphones or other electronic devices;
- 14 5) Consumption of alcohol or controlled substances;
- 15 6) Making vulgar or offensive remarks or gestures, or using threatening  
16 language or gestures, including but not limited to pantomiming  
17 discharging a firearm, choking, or throat-cutting;
- 18 7) Refusing to stop speaking when his or her time has expired or is  
19 otherwise directed by the presiding officer to do so;
- 20 8) Returning to the meeting after having been removed or ejected, or  
21 attempting to do so.

22  
23 "Council meeting" includes regular meetings of Council, standing committees,  
24 special or select committees, sub-committees or any other public meeting  
25 presided over by a Council Member.

26 \* \* \*

27 **Section 2. Effective.** This Ordinance shall become  
28 effective upon signature by the Mayor or upon becoming effective  
29 without the Mayor's signature.  
30  
31



1 Form Approved:

2

3 /s/ Margaret M. Sidman

4 Office of General Counsel

5 Legislation Prepared By: Margaret M. Sidman

6 GC-#1484453-v1-Rule\_4\_505\_Change.docx



## NEWBY AMENDMENT

Council Member Newby offers the following amendment to File 2022-162:

- (1) On page 2, line 16, strike "pantomiming" and insert "pantomiming,";
- (2) On page 2, lines 18-19, strike "Refusing to stop speaking when his or her time has expired or is otherwise directed by the presiding officer to do so;" and insert "Refusing to stop speaking when his or her time has expired or is otherwise directed by the presiding officer to do so due to disruptive behavior as described herein;"
- (3) On page 1, line 1, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

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Office of General Counsel

Legislation Prepared By: Paige H. Johnston

GC-#1502394-v1-2022-162\_Newby\_Amd.docx



## CARLUCCI AMENDMENT

Council Member Carlucci offers the following amendment to File 2022-162:

- (1) On **page 2, line 1**, after "officer." insert "Furthermore, the presiding officer shall expect audience members and speakers to conduct themselves with civility and shall expect audience members to refrain from threatening behavior or language.";
- (2) On **page 2, line 16**, strike "pantomiming" and insert "pantomiming,";
- (3) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

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Office of General Counsel

Legislation Prepared By: Margaret M. Sidman

GC-#1492781-v3-2022-162\_Carlucci\_Amd.docx