

RESOLUTION 2021-11-05

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) APPROVING THE FRAMEWORK FOR THE TERMS AND CONDITIONS, SCORING CRITERIA AND TIMELINE TO BE INCLUDED IN A NOTICE OF DISPOSITION OF THAT CERTAIN CITY-OWNED PROPERTY COMMONLY REFERRED TO AS THE FORMER COURTHOUSE PROPERTY; AUTHORIZING THE ISSUANCE OF A NOTICE OF DISPOSITION IN ACCORDANCE WITH THE TERMS ESTABLISHED HEREIN; INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO TAKE ALL NECESSARY ACTION TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; FINDING THAT THIS RESOLUTION FURTHERS THE BUSINESS INVESTMENT AND DEVELOPMENT (“BID”) PLAN, INCLUDING THE COMMUNITY REDEVELOPMENT AREA PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, DIA is the designated Community Redevelopment Agency for the North Bank CRA, for which a BID Plan, inclusive of a Community Redevelopment Plan, was adopted by Ordinance 2014-560-E; and

WHEREAS, the City owns an approximately 2.75 acres of upland riverfront property, exclusive of Courthouse Drive right of way, comprising a portion of Duval County Tax Parcel Number 073358 0000, hereto referred to as the “Property”; and

WHEREAS, DIA desires to seek proposals for the redevelopment of the Property, and to that end has contracted with CBRE for real estate consulting and representation services, including the development of a Notice of Disposition; and

WHEREAS, the DIA has established the timeline attached hereto as Exhibit 1 and framework for the terms and conditions and scoring criteria to be included in a Notice of Disposition, attached hereto as Exhibit 2 and Exhibit 3, respectively; and

WHEREAS, DIA envisions that the Notice of Disposition will be issued immediately following adoption of this Resolution; and

WHEREAS, the terms of the disposition and scoring criteria are hereby adopted in final form; and

WHEREAS, the DIA finds that this resolution furthers the following Redevelopment Goal and Strategic Objectives found in the BID Plan:

Redevelopment Goal No. 1

Reinforce Downtown as the City’s unique epicenter for business, history, culture, education, and entertainment; and

Redevelopment Goal No. 3

Simplify the approval process for downtown development and improve departmental and agency coordination, NOW THERFORE

BE IT RESOLVED, by the Downtown Investment Authority:

Section 1. The DIA finds that the recitals set forth above are true and correct and are incorporated herein by this reference.

Section 2. The DIA approves the Timeline attached hereto as Exhibit 1

Section 3. The DIA approves the Notice of Disposition framework contained in the Terms attached hereto as Exhibit 2 and Scoring Criteria attached hereto as Exhibit 3 for incorporation into the formal Notice of Disposition.

Section 4. The DIA authorizes the issuance of a formal open Notice of Disposition as soon as reasonably practicable following adoption of this Resolution.

Section 5. The DIA instructs the Chief Executive Officer of the Downtown Investment Authority to take all necessary action necessary to effectuate the purposes of this Resolution.

Section 6. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Sybil Chisholm

Carol C. Worsham

11-17-21

W. Braxton Gittam, Esq., Chair

Date

Carol C. Worsham, Vice Chair

VOTE: In Favor: 7 Opposed: 0 Abstained: 0

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EXHIBIT 1

Timeline with conceptual terms and scoring approved October; final terms and scoring approved November 17:

Marketing period pre NOD: October 20- November 18, 2021

NOTICE TIMELINE	DATE*
Issue Notice	November 19, 2021
Pre-proposal Conference	November 29, 2021
Written Questions Due	December 3, 2021
Written Answers Due	December 10, 2021
Bids Due	December 22, 2021
Oral Presentations for short listed Respondents	Week of January 3-7, 2022
Evaluation Committee recommendation to REPD Committee	January 14, 2022
DIA Board Meeting for Selection of Proposal	January 19, 2022
Award Posted	January 20, 2022

*Date to be interpreted as "on or by" with a fourteen (14) calendar day extension at the sole discretion of the DIA CEO. Should the DIA Board not be able to meet within 14 calendar days of its January, 2022 Board Meeting, it will select a proposal at the earlier of a special meeting or its February 2022 regularly scheduled Board Meeting, and the Award Posted date will correspond accordingly.

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EXHIBIT 2

By its adoption of Resolution 2021-11-05, the Downtown Investment Authority approves the following Conceptual Terms for inclusion into a Notice of Disposition and for use in pre-marketing.

A. The Site

This NOD shall be issued only for Area 2 identified in the 2019 disposition- the former County Courthouse site – comprising the City block between Liberty and Market streets east to west and Bay Street and Courthouse Drive on the north and south and shall exclude the existing Courthouse Drive ROW.

(There were three (3) areas included in the 2019 NOD: Area 1 (former Annex site), Area 2 (former Courthouse site) and Area 3 (submerged lands). The City has completed a conceptual design of a public marina to be constructed within Area 3, the submerged lands and will proceed with design as funding permits. Courthouse Drive will remain public but is envisioned to be a pedestrian plaza closed to vehicular traffic)

B. Phasing

The primary-use structures per bid accepted must commence within 120 days of closing. Closing to occur upon receipt of DDRB approvals and proof of financial capacity to complete construction- which shall be completed within nine months of City Council approval of disposition.

C. Mixed Use Development

Proposals shall include a mix of uses such as, but not limited to, multifamily, retail, office, open space and/or hospitality. Unless a stand-alone entertainment venue or restaurant and open /public space is proposed for the site, buildings directly fronting Bay Street shall have a vertical mix of uses. Ground floor retail/restaurant open to Bay is strongly encouraged and will be rewarded in scoring. No responses will be accepted that do not activate Bay Street with entrances, and elements such as common areas, leasing offices, etc. If residential units are proposed, only market rate units should be proposed for this location and a preference for higher density will be communicated to prospective developers.

Retail density, whether located on Bay Street, or on the riverfront in excess of the minimum required, will be scored. Bay Street retail provided at the time of project opening is eligible for bonus points.

D. Bay Street Activation

Proposals for developments other than a free-standing restaurant or entertainment venue shall include ground floor retail uses (e.g., restaurants, retail, etc.) directly fronting on and accessible from Bay Street at a minimum ratio of 30% percent of its ground floor Bay Street building frontage. Both the quantity and quality of retail on Bay will be rewarded in scoring as well as known tenants, if any. At a minimum, the proposal shall include at least one semi-public use

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such as a sidewalk cafe or patio seating along Bay Street. No more than 10% of the Bay Street frontage may be a directly visible parking garage. Ground floor uses other than retail or restaurant shall meet all transparency requirements. Activated tenant spaces such as gyms and community rooms or work/live units or office could comprise the remainder of the frontage but bonus points will be awarded for additional retail or restaurants on Bay Street and additional incentive consideration will be available.

E. St. Johns River

- i) **Setback.** Proposals shall conform to a minimum building setback of fifty (50) feet from the St. Johns River as measured from the landward side of a bulkhead and the Courthouse Drive right of way is not intended to be included in the disposition but will not remain open to vehicular traffic. Any proposal that is set back only to the property line between the subject parcel and Courthouse Drive right of way will be required to comply with height step-backs as well as include the required view corridor between Bay Street and the River. Notwithstanding the foregoing, a free-standing waterfront restaurant directly on the riverfront could be considered for a deviation if alternate pedestrian plaza and Riverwalk circulation was provided in the design.

An optional alternative design would be considered if vertical construction is set back an average of 100 feet or more from the bulkhead to create an activated public plaza. If this design alternative is pursued, DIA staff will support a waiver of the view corridor requirement based on existing block widths and provided adequate façade differentiation is incorporated along Bay Street. Some publicly accessible outdoor seating, etc. could be incorporated in the 50 feet closest to the private development and perhaps a restaurant could extend into this zone but development not generally open to the public would be set back beyond this line. Additional bonus points may be available for activated additional public space as described above.

- ii) **Riverfront Activation.** Proposals shall include riverfront activation and shall include a riverfront Activity Node consistent with the Great Fire of 1901 node described in the "Riverfront Design Guidelines and Activity Nodes Plans" dated August 25, 2018.

Furthermore, a minimum of 10,000 square feet of restaurant/bar space shall be provided on the riverfront, of which at least 7500 square feet must be ground floor. Retail waterfront space must have a minimum frontage on the Riverwalk of 75 linear feet. The DIA desires a full-service restaurant providing a dining opportunity for boaters on the waterfront. The restaurant shall have the ability to serve at meals to at least 100 patrons at one time. Bonus points are available to rooftop/upper story dining/bar accessible to the public.

- iii) **Marina Parking.** The adjacent basin between Market and Liberty will be developed as a public marina (no boat launch). Parking for visitors to the marina should be contemplated in the project design, whether on-street or in a proposed garage.

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- F. Resiliency. The use of resilient construction materials and how the proposal addresses potential flooding and site elevation will be considered. If the site is to be filled, how the development remains pedestrian friendly from the sidewalk will be important. Wave attenuation and on site-storage capability in storm events will be evaluated.
- G. Design and Materials. As a prominent waterfront and Bay Street location, the design and choice of construction materials will be taken into consideration, and we encourage high quality product with architectural details and exterior finish worthy of the site. Bonus points will also be available for unique architectural features that elevate the design.
- H. Construction and Maintenance Contribution. Proposals should include Developer's proposed monetary or in-kind contribution to the construction and ongoing maintenance of the Riverwalk and adjacent plaza/park space at this location, if any.
- I. Development Team
The following criteria will be used to pre-qualify proposals:
- i) **Bid Bond**
A bid bond of \$25,000.00 shall be included with all proposals in a form to be determined by the DIA Chief Executive Officer.
 - ii) Proposals shall be from developers with experience of a singular project with aggregate value in excess of \$50 million and minimum square footage of 300,000. The principal individual or company submitting the proposal shall meet this criterion and the financial capacity of lenders and partners will not replace the experience and financial capacity of the Developer who is leading the project.
 - iii) Proposals shall include descriptions and visual materials related to the qualifying projects detailed above.
 - iv) No proposal shall be accepted for evaluation if the developer has judgement liens (related to development performance) in excess of \$10 million, unpaid taxes in excess of \$1 million or active judgement liens not related to development performance in excess of \$10 million.
- J. Financial Offer and Incentives. Depending upon cash offer price, a multi-family market rate REV grant (Property tax rebate) may be considered for projects meeting the program criteria as well as the goals of this notice of disposition.

EXHIBIT 3
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	REPD RECOMMENDATION
Experience and Qualifications	20
Experience developing mixed use projects of comparable size in an urban setting	10
Financial Strength of Development Team	10
Active litigation, judgement liens and outstanding tax payments	0 to minus 5
Economic Benefit	25
Fee Simple acquisition price	8
Financial return to the City (ROI), Economic impact (e.g. job creation, tax revenues)	9
Equal opportunity / local participation	3
Park & Programming contribution	5
Project Development and Design	75
Project's ability to activate Downtown	10
Thoughtful Mix of Uses	5
Retail Density above minimum required, type, location, marketability, and quality of tenants, if known	25
Development timeline (e.g. construction commencement and delivery timing)	6
Civic and community benefits (e.g. open and green space, access to the river)	5
Activation of the riverfront	5
Incorporation of Designated City Storyline for Site and Activity Node	4
Quality of Construction Material and Design	10
Design for Resiliency	5
Financial Proposal	12
Defined source and percentage of debt and equity	5
Financial feasibility and cash flow analysis	5
Post-Completion Management Plan	2
Oral Presentation	5
Total base score available	142
Bonus Points	30
Roof top/upper story dining/bar	5
Activated setback from river beyond 50'	10
Unique Architectural Features, Character	15