

**RESOLUTION 2018-08-04**

**A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) ALLOCATING UP TO 120 UNITS OF MULTI-FAMILY ENTITLEMENTS FROM THE NORTHSIDE EAST COMPONENT AREA OF THE CONSOLIDATED DOWNTOWN DEVELOPMENT OF REGIONAL IMPACT (“DRI”) TO BLUE SKY COMMUNITIES LLC; AUTHORIZING THE DIA CHIEF EXECUTIVE OFFICER TO EXECUTE ANY CONTRACTS AND DOCUMENTS AND OTHERWISE TAKE ALL NECESSARY ACTION IN CONNECTION THEREWITH TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Ordinance 2014-0460-E, DIA is the “Master Developer” with respect to the Consolidated Downtown Development of Regional Impact (“DRI”) Development Order; and

**WHEREAS**, Blue Sky Communities, LLC, proposes to construct up to 120 multi-family units (“Development”) at the corner of Newnan Street and Ashley Street within the Northside East Component Area of the Consolidated Downtown DRI; and

**WHEREAS**, the Development is predicated on an award from the Florida Housing Finance Corporation of Low Income Housing Tax Credits (“LIHTCs”); and

**WHEREAS**, an award of LIHTCs will not be made until January 2019; and

**WHEREAS**, it is the intent of the DIA to allocate up to 120 multi-family units of entitlements from the Northside East Component area of the DRI, predicated upon an award of LIHTCs to Blue Sky Communities, LLC, by the Florida Housing Finance Corporation; and

**WHEREAS**, upon an award by Florida Housing Finance Corporation of LIHTCs to Blue Sky Communities, LLC, the DIA Chief Executive Officer will determine, by availability of unencumbered multi-family entitlements, which phase or phases to effectuate the allocation, **NOW THEREFORE**

**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 finds that this Resolution 2018-08-04 is consistent with and in furtherance of the North Bank Downtown and Southside Community Redevelopment Area Plans adopted as part of the Business Investment and Development Plan, and in particular Redevelopment Goal 2, which reads: *Increase rental and owner-occupied housing downtown, targeting key demographic groups seeking a more urban lifestyle.*

**Section 3.** The DIA allocates up to 120 multi-family units of development rights (a/k/a entitlements) to Blue Sky Communities, LLC, for use on Duval County Tax Parcels 073987 0000 and 073988 0000. Upon confirmation of a LIHTCs award by the Florida Housing Finance Corporation to Blue Sky Communities, LLC, the DIA Chief Executive Officer will effectuate the allocation of up to 120 multi-family units of Phase I entitlements; in the event that there are insufficient Phase I entitlements at that time, any necessary entitlements will be allocated from Phase II; in the event that there are insufficient Phase II entitlements at that time, any necessary entitlements will be allocated from Phase III. An allocation of Phase II or Phase III entitlements are in accordance with Future Land Use Element Policy 2.3.10 adopted as part of the 2030 Comprehensive Plan.

**Future Land Use Element Policy 2.3.10:** *The Downtown DRI shall maintain adopted Levels of Service in the 2030 Comprehensive Plan for all public facilities (drainage, sanitary sewer, solid waste, potable water, recreation, and when applicable, schools) reviewed under concurrency, except for transportation facilities, which shall be governed by the Consolidated Downtown DRI Development Order through Phase I, and the Mobility Plan for development authorized for Phases II and III of the DRI.*

**Section 4.** In the event that Blue Sky Communities, LLC, or their assigns, fails to receive a LIHTC award from the Florida Housing Finance Corporation on or by February 1, 2019, this Resolution 2018-08-04 and the allocation of entitlements shall become null and void without any further action by the DIA. The DIA Chief Executive Officer may grant a 30 day extension at their sole discretion.

**Section 5.** Should Blue Sky Communities, LLC, or their assigns, fail to obtain a permit for vertical construction within 12 months from a LIHTC award, this Resolution 2018-08-04 and the allocation of entitlements shall become null and void without any further action by the DIA. The DIA Chief Executive Officer may grant a 60 day extension at their sole discretion.

**Section 6.** Should Blue Sky Communities, LLC, or their assigns, fail to commence construction within 6 months of the issuance of a permit for vertical construction this Resolution 2018-08-04 and the allocation of entitlements shall become null and void without any further action by the DIA. The DIA Chief Executive Officer may grant a 60 day extension at their sole discretion.

**Section 7.** Blue Sky Communities, LLC, may assign the allocation of entitlements upon approval by the DIA Chief Executive Officer, who shall not unduly withhold such approval.

**Section 8.** The DIA Chief Executive Officer is authorized to execute any contracts and documents and otherwise take all necessary action in connection therewith to effectuate the purposes of this resolution.

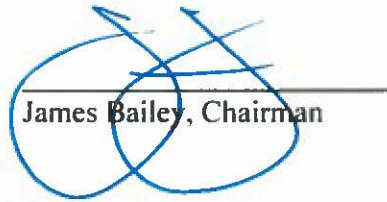
**Section 9.** This Resolution, 2018-08-04, shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

**DOWNTOWN INVESTMENT AUTHORITY**



Kam Chelof



James Bailey, Chairman

8/15/18  
Date

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

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