

DIA Incentive
Retail Enhancement Programs

The DIA will annually evaluate the Program to refine these guidelines.

I. PURPOSE AND BENEFIT OF RETAIL PROGRAMS

The Downtown Investment Authority (DIA) is a community redevelopment agency for the Downtown Community Redevelopment Areas established by the City of Jacksonville (“City”). The DIA was formed to revitalize and preserve downtown property values and prevent deterioration in the downtown business district. The DIA supports the City’s downtown revitalization objectives and through community workshops and input from numerous stakeholders, has determined that retail and restaurant recruitment and art galleries and entertainment themed businesses are beneficial throughout the Downtown area, and a priority within the area shown on the map attached hereto (the “Core Retail Enhancement Areas”).

Further, within the Core Retail Enhancement Areas, two Targeted Food and Beverage Districts have been established (“FABREP Districts”) to create compact, safe, and walkable dining districts. Sidewalk Enhancement Grants are also authorized within the FAB REP Districts. ~~Outside the boundaries of the Core Retail Enhancement Areas, it is nevertheless recognized that street front retail is important to urban vibrancy.~~

Collectively, these geographies are referred to as the Retail Program Areas and ~~three-four~~ distinct incentive programs have been established under the Retail Enhancement Grant umbrella specific to each of these areas.

II. FUNDING SOURCES

All Retail Enhancement programs ~~will be~~ structured as grants with clawbacks subject to maintaining performance requirements during a defined compliance period ~~but are often referred to as Forgivable Loans.~~ To streamline documentation, DIA has chosen to eliminate Loan agreements and recorded security instruments in favor of grant agreements with applicable clawback language. All eligible properties are located within the boundaries of either the Northbank or Southside CRA (the “Retail Program Areas”). As such, individual awards will be funded from the Retail Enhancement Program funding of the applicable CRA or from the available Forgivable Loan Grant or Retail Enhancement Program funding within the Downtown Economic Development Fund.

The DIA will allocate funds on an as needed basis to provide recoverable grants to any property or business owner with qualified projects to assist with paying some of the costs associated with renovating or preparing commercial space for retail, salon, restaurant, gallery or other similar use for occupancy as identified more completely elsewhere in these guidelines.

III. GENERAL REQUIREMENTS APPLICABLE TO ALL RETAIL PROGRAMS

- Retail tenants for these purposes are identified as: 1) businesses that sell products on a transactional basis to end consumers; 2) food and beverage establishments; or 3) providers of services targeted towards the general public (other than health care, legal, or financial advisory).
- Businesses operating exclusively or primarily on a membership or appointment basis and not welcoming walk-in customers, or providing goods and services targeted principally to other businesses, shall not generally meet this definition, unless approved on a case-by-case basis.
- Business eligibility for may be further limited as outlined in each program guidelines found below.
- The project must be consistent with the Downtown Master Plan and the Downtown Zoning Overlay. ~~Zone.~~

- Locations should be ground floor, street facing, and designed to attract the general public except in the case of second floor restaurants directly accessible from street which may qualify.
- All rehabilitation work and design features must comply with all applicable city codes, ordinances, the established Downtown ~~Development~~sign Review Board Guidelines ~~and, the Downtown Master Plan and~~ the Downtown ~~Zoning~~Overlay Zone Overlay.
- Work must follow plans and specifications submitted to DIA as part of the program application.
- Work must be completed within the time frame established by the DIA for each project.
- All applicable licenses and permits must be obtained, including all permits required by the City of Jacksonville's Planning Department, Development Services Division.
- ~~All loan closing costs (e.g., recording fees and documentary stamp taxes) shall be included in the Grant amount awarded~~
- ~~All costs of enforcement of any clawback shall be the responsibility of the applicant.~~
- Sales reporting shall be a condition of receiving any Retail Enhancement Programs incentive other than the Stand-alone Sidewalk Enhancement Grant.

IV. PROGRAM PARAMETERS

Funds may be used to retain **and improve** existing businesses or to recruit new businesses in the geographic areas identified in each Retail Enhancement Program. The following identifies specific goals for the Program:

- Expand the local property tax base by stimulating new investment in older, Downtown properties;
- Expand state and local sales tax base by increasing sales for new or existing shops; and
- Attract new and retain existing business to/in Downtown by decreasing renovation costs incurred for modernizing retail space in older, commercial properties in the Retail Program Areas.
- Establish new retail businesses in new properties deemed to be making significant contributions to growth within an identified area of importance within ~~the~~ -Retail Program Areas.

To advance recruitment and marketability, the recoverable grant ("Grant") provides an incentive to improve the interior appearance and functionality and the utility of street level storefronts for the purpose of attracting retail and restaurant owners/investors and to draw more commercial activity to the Downtown area.

a. Desired Retail Businesses for the Retail ~~Program Enhancement~~ Areas

The following is a list of desired retail and other businesses in the Retail ~~Program Enhancement~~ Areas. The list below is not all-inclusive but serves as a guide only:

Apparel stores including accessories (purses, scarves, hats)	Specialty retail apparel such as bridal, formal gown, tuxedo, costume.
Toy stores	Hobby stores, craft store and supplies
Art supplies, framing stores	Pet stores and supplies
Specialty food stores/delicatessens	Restaurants
Coffee/Tea shops	Gift Stores
Book stores	Stationery stores
Kitchen/home accessories	Small appliances
Electronics	Sporting goods
Entertainment venues	Jewelry stores
Florists	Shoe stores
Art Galleries	Office supply stores
Pharmacies	Grocery/Butcher/Fresh seafood/Produce market

b. Program Funding Uses

- Remodeling, renovation, rehabilitation, installation, and additions to the interior and exterior of the commercial building are eligible for Grant funds. Grant funds shall be used to modify and improve buildings and shall not be used for normal maintenance or repair.
- The ground floor of mixed-use projects improving multiple floors can qualify for funds; provided the ground floor will be used for retail and only renovations to the ground floor are part of the eligible renovation or build out scope.
- Generally, renovation projects must exceed \$50,000 before DIA will consider the project for grant funding.
- Grantee must remain in the location for three (3) years and must create or retain two (2) or more full-time equivalent jobs (which may include the owner operator) during the term of the agreement for a minimum of thirty-two (32) operating hours per week during which the doors must be open at all times.
- Existing retailers who need to modernize the location or business owners at the end of their lease term who are considering moving from Downtown can qualify for grant funds.
- Applicants proposing to use Grant funds to help relocate from one Downtown building to another are not eligible to receive Grant funds unless the proposed move is necessary for business expansion that includes job creation, involuntary displacement from current space that is unrelated to financial or operating disputes, or similar circumstances.
- Applicants proposing to construct new buildings are not eligible under this program, unless expressly identified otherwise elsewhere within these guidelines.
- Other non-eligible projects include adult entertainment venues, single-serving package stores, business-to-business companies, non-profit and government agencies.
- Eligible Grant expenditures include (among others as may be determined in underwriting):
 - Interior demolition or site preparation costs as part of a comprehensive renovation project.
 - Permanent building improvements, which are likely to have universal functionality. Items including but not necessarily limited to demising walls, exterior lighting, code compliant restrooms, electrical wiring to the panel, HVAC systems.
 - Improvements to meet Fire and Life Safety codes and/or Americans with Disabilities Act requirements.
 - Exterior improvements including signs, painting, or other improvements to the outside of a building.
 - Sanitary sewer improvements.
 - Grease traps.
 - Elevator Installation which services the retail.
- Ineligible Grant expenditures include (among others as may be determined in underwriting):
 - Temporary or movable cubicles or partitions to subdivide space.
 - Office equipment including computers, telephones, copy machines, and other similar items.
 - Renovating space on a speculative basis to help attract new tenants. (Note: This provision can be waived pursuant to the recommendation of the REPD committee and approval by the DIA Board).
 - Moving expenses.
 - Working capital.

c. General Retail Enhancement Grant Requirements

Applicants will be required to execute a grant agreement and other security documents, including personal guarantees, as may be deemed necessary.

The Grants shall be recoverable and amortized over a period of three (3) years. The principal amount of the Grant will fully amortize over a period of three (3) years at a rate of 33.33 percent each year. If the grantee does not default on the Grant terms during the required three(3) year period, the Grant will be closed on the third anniversary date.

V. APPLICATION REQUIREMENTS

A completed application signed by the applicant(s) must be provided to DIA Staff and will serve as the basis for the staff report to be presented to the Retail Enhancement and Property Disposition Committee (“REPD”) of the DIA Board. With the application, each applicant must provide the following, unless stated otherwise elsewhere in these guidelines:

- a. Evidence that the applicant is prepared to do business by including with the application the following required items:
 - Business Plan to include:
 - Concept and target market
 - Advertising/marketing plan
 - Source of cash/start-up capital
 - Summary of management team’s skills and experience related to the proposed business
 - Number of job positions created (will require a commitment to be maintained through the compliance period)
 - Days and hours of operation (will require a commitment to be maintained through the compliance period)
 - Three-year operating pro-forma and cash flow analysis
 - Design for the storefront and interior
 - Plan for merchandising (inventory levels, brands)
- b. A detailed written description and scaled elevation drawing depicting the size, dimension, and location of the improvements and modifications, with samples when applicable.
- c. A legally valid and binding new lease for a period of at least three years with use restricted to an allowable retail use. The lease may be fully negotiated, but not yet executed, but the executed form of the lease will be a requirement of funding.
- d. A fully negotiated agreement and construction budget with a licensed and qualified contractor.
- e. If the tenant is paying for the improvements, the lease must provide for a minimum of free rent, discounted rent, or equivalent thereof in lieu of the property owner having to share the cost of the improvements.
- f. Unless the property owner is the applicant, a notarized statement from the property owner authorizing the construction and improvements.
- g. If the property owner is the applicant, a copy of the property tax bill or deed to confirm ownership of the property.

VI. PROJECT EVALUATION CRITERIA

The primary criteria for approval for any retail incentive will be the feasibility of the business plan. A successful business plan will be the one that conveys the most promising combination of relevant experience, financial feasibility, product and market research, growth potential and job creation.

The Project Evaluation Criteria and allocated points are listed below:

- a. Business Plan (see point breakdown below) – (up to 40 points)

- Plan shows good short-term profit potential and contains realistic financial projections (up to 10 points)
- i. _____
- Plan shows how the business will target a clearly defined market and its competitive edge (up to 5 points)
- ii. _____
- Plan shows that the management team has the skills and experience to make the business successful (up to 10 points)
- iii. _____
- Plan shows that the entrepreneur has made or will make a personal (equity) investment in the business venture (up to 10 points)
- iv. _____
- v. _____ Number of FTE job positions created in excess of the required two (2) positions (up to 5 points)
- b. Expansion of the local property tax base by stimulating new investment in existing Downtown properties (up to 5 points for properties five years and older and an additional 5 points if the property is a historic property (local landmark status or contributing structure status) – maximum of 10 points)
- c. Expansion of the state and local sales tax base by increasing sales for new or existing shops (up to 5 points)

Minimum score of 30 points out of 55 points possible is required to have the proposed project referred to the REPD Committee for funding consideration.

VII. REVIEW AND AWARD PROCEDURE

All completed applications will be reviewed by DIA Staff and if a project is determined to be eligible, presented to the REPD Committee of the DIA Board. The REPD Committee will make recommendations based on the DIA staff's evaluation of the project prepared utilizing the Project Evaluation Criteria below. A minimum score of thirty (30) points must be obtained by the applicant in staff review in order to be eligible for presentation to the REPD Committee. Recommendations of the REPD Committee will be considered at the next regularly scheduled monthly meeting of the DIA Board for approval or denial of the application. Notification of Grant funding approval or denial will be sent to the applicant by the DIA staff within two business days following the DIA Board Meeting.

Applicants will be encouraged during the Grant review process to reuse, rehabilitate or restore historic architectural elements to retain the charm and character of older buildings and incorporate design principles sensitive to neighboring building structures.

1. Applicant shall complete and submit application form with all required supporting documents to the DIA staff. Processing of the application will not commence until the application is deemed complete.
2. DIA staff schedules a meeting with applicant to review the project.
3. DIA staff will review the project and provide comments to the applicant relating to any application requirement deficiencies.
4. If the application requirements have been met, the DIA staff will evaluate the project utilizing the Project Evaluation Criteria and present a staff report summarizing the application, business plan, project budget, and recommended Grant amount to the REPD Committee for review and approval.
5. If the application and Grant amount is approved by the REPD Committee, resolution, term sheet, and staff report will move forward for consideration at the next regularly scheduled DIA Board meeting.
6. DIA Board approves, modifies, or rejects the recommendation of the REPD Committee. If approved or modified, DIA staff is directed to work with the Office of General Counsel to prepare a grant agreement, utilizing the form approved by the DIA and other applicable security documents or guarantees as may be

considered necessary for signature by the applicant. The agreement shall identify the approved scope of work, terms of compliance, and amount of the Grant.

7. Applicant or contractor(s) must secure a building permit and approval from the Downtown Design Review Board for the complete scope of work, and contractors must be registered with the City. Use of JSEB contractors in accordance with Section 126 will be a requirement in each grant agreement.
8. Upon completion of the project and final approvals of all required inspections, the applicant may request reimbursement of eligible expenses. Reimbursement for improvements will require proof of payment (e.g., canceled checks, lien waivers, contractor affidavit).
9. Following a request for reimbursement payment in accordance with the approved disbursement schedule, or upon completion of the project and final inspection and acceptance by the DIA, a one-time lump sum payment will be processed for approval and payment by DIA staff. The payment request will be processed within thirty (30) business days from receipt of the reimbursement request and all supporting documentation as deemed necessary.
10. Prior to reimbursement, the applicant must hold a current occupational license to do business in the City.

Up-front or limited "progress" payments ~~may~~ shall ~~may~~ be available subject to Board approval based on applicant's willingness to provide a personal guarantee and a business plan score of 48 or higher.

VIII. **BASIC RETAIL ENHANCEMENT GRANT PROGRAM**

For areas outside the boundaries of the Core Retail Enhancement Areas, and for certain new construction within the boundaries of the Core Retail Enhancements Areas, the following Base Retail Enhancement Program grants shall be available:

a. **Basic Retail Program Grant Requirements**

In addition to the requirements above, applicant projects will be subject to the following Program requirements:

- Projects located in the Cathedral, Church, LaVilla and Brooklyn Districts within Downtown, outside the boundaries of the Northbank or Southbank Core Retail Enhancement Areas will be eligible.
- New street-level spaces in ground-up construction that are either at least 5,000 sq ft or in corner locations wherever located within Downtown will be eligible.
- Remodeling, renovation, rehabilitation, installation, and additions to the interior and exterior of the existing commercial building, as well as tenant improvement costs beyond ~~vanilla~~~~old dark~~ shell for new corner or large footprint retail establishments are eligible for Grant funds.
- Grant funds shall be used to modify and improve existing ~~buildings, or buildings or~~ build out eligible space in new buildings beyond ~~vanilla~~~~old dark shell, and shell and~~ shall not be used for normal maintenance or repair.

b. **Additional business uses eligible for Basic Program (outside Core Retail Enhancement Areas)**

Provided such businesses meet storefront transparency requirements and access directly from the street, and otherwise comply with the program parameters, creative office uses such as those identified below may participate outside the Core Retail Enhancement Areas.

- Business incubators
- Education/academia
- Information technology offices
- Co-work office spaces

b-c. Basic Retail Program Grant Funding

The Grant offers a maximum grant award of \$20 for every square foot leased or occupied by the proposed tenant or business as recommended by DIA staff, the REPD Committee, and approved by the DIA Board. The amount of incentive dollars awarded shall not exceed 50% of the total project construction costs. The application **may be made by the property owner, the tenant or jointly by the property owner and the tenant.**

The applicant's verified expenditures for the improvements must match or exceed the amount of the Grant funding (a minimum of \$1 to \$1 ratio). The amount of the Grant shall not exceed the \$20 for every eligible square foot leased or occupied by the proposed tenant or business.

IX. CORE RETAIL ENHANCEMENT GRANT PROGRAM

The Core Retail Enhancement Grant Program (the "Program") is designed to create momentum in the critical task of recruiting and retaining restaurant and retail businesses in the Northbank and Southbank **Core Retail Enhancement Areas** as designated in the attached map.

a. Core Retail Program Grant Funding

The Grant offers a maximum grant award of \$30 for every square foot leased or occupied by the proposed tenant or business as recommended by DIA staff, the REPD Committee, and approved by the DIA Board. The amount of incentive dollars awarded shall not exceed 50% of the total project construction costs. The application **may be made by the property owner, the tenant or jointly by the property owner and the tenant.**

- An incentive boost of \$5.00 per square foot shall be available to businesses primarily selling goods as opposed to services.
- An incentive equal to triple-net costs plus \$7.00 per sq ft for percentage-rent only deals (not to exceed 7% of gross sales), with \$1.00 per sq ft less for every \$1.00 per sq ft charged in base rent.

The applicant's verified expenditures for the improvements must match or exceed the amount of the Grant funding (a minimum of \$1 to \$1 ratio). The amount of the Grant shall not exceed the \$30 for every eligible square foot leased or occupied by the proposed tenant or business.

Commented [BL1]: What does this equate to in dollars? examples

X. TARGETED RETAIL ACTIVATION: FOOD AND BEVERAGE ESTABLISHMENT GRANT PROGRAM

a. Program Purpose and Benefit:

Targeted Retail Activation: Food and Beverage Establishments ("FAB-REP") expands upon the Core Retail Enhancement Program to revitalize business corridors and underutilized or vacant buildings with a focus on food and beverage establishments within the Northbank Core Retail Enhancement Area.

The FAB-REP creates two distinct districts that provide concentrated areas of dining, and entertainment opportunities that are visible from the street, open beyond workday hours, and utilize unique place making efforts such as creative lighting, interesting public art and inviting outdoor spaces.

These activated streets will provide the urban lifestyle that many Downtown residents seek and also promote small businesses by cultivating vibrant retail districts that will attract visitors. Further, by encouraging the location of restaurant and beverage establishments within these specific districts, patrons and business owners alike will benefit from the variety of options and the unique, walkable, and visually connected areas.

Operating as an enhanced incentive to the Core Retail Enhancement Grant Program, the Targeted Retail Activation: Food and Beverage Establishment Grant Program (“FAB-REP”), is designed to incentivize the investment and clustering of food and beverage establishments in two target areas: **The Elbow** and the **Hogan x Laura Districts**. These target areas were chosen based on the following factors:

- 1) Existing building stock within the area which can readily be used and/or converted for the targeted street front uses (first and certain second floors eligible);
- 2) Proximity to public parking garages that are not utilized extensively at night, which provide an opportunity for ample parking for patrons at free or reduced rates as the market develops;
- 3) Existing concentration of restaurants, bars, and entertainment venues;
- 4) Existing sidewalk width or ROW convertible to expanded sidewalk;
- 5) Streets designated within the adopted CRA plan for conversion to two-way creating a slower speed, providing greater visibility of street front establishments, and creating a more pedestrian friendly environment; and
- 6) Impact on two City owned sites proposed for redevelopment- Former Courthouse/City Hall annex adjacent to the Elbow and Riverfront Plaza development parcel at the waterfront of Laura and Hogan.

b. The Elbow:

The Downtown bar and entertainment area already branded as The Elbow, with a focus on the following street frontages, which are described and depicted in the map below:

- Street frontage facing Adams St. from the middle of the block traveling east from Main St. and terminating at the west side of Newnan St.
- Street frontage facing Forsyth St. from the middle of the block traveling east from Main Street on the north side, continuing east from Ocean St. and terminating at the west side of Liberty St., with only the south side of Forsyth St. traveling east from Newnan St. included.
- Street frontage facing Ocean St. traveling south to Forsyth St and terminating at the middle of the block between Bay St. and Independent Dr., with only the east side of Bay Street between Forsyth St. and Bay St. included
- Street frontage facing Bay St. traveling east from Ocean St. and terminating at the west side of Liberty St., with only the north side of Bay St. traveling east from Newnan St. included.

**Frontage on Adams St., Forsyth St., and Bay St. is important as Main and Ocean will remain one-way and will be less walkable, however, connections that activate the frontage between districts could be considered.



c. **Hogan x Laura Districts:**

Already home to several restaurants and bars, with a focus on the following street frontages, which are described and depicted in the map below:

- Street frontage facing **Hogan St.** beginning at Ashley St. on the west side of Hogan St., including both sides of the street at Duval St., and terminating at Water St.
- Street frontage facing **Laura St.** beginning at Duval St., continuing south on Laura St. until Bay St. on both sides of the street, and continuing on the west side of Laura St. and terminating at Independence Dr.
- Street frontage facing **Monroe St., Adams St., and Forsyth St.** beginning at the middle of the block between Julia St. and Hogan Street on both sides of the street, and terminating at the middle of the block between Laura St. and Main St.
- Street frontage facing **Bay St.** beginning at the middle of the block between Julia St. and Hogan Street on both sides of the street, and terminating at Laura St.
- Street frontage facing **Bay St.** beginning at Laura St. and continuing east on the north side of Bay St. and terminating at the middle of the block between Laura St. and Main St.
- Street frontage facing **Water St., and Independence Dr.** beginning at the middle of the block between Julia St. and Hogan St. continuing east on the north side of Water St., and Independence Dr. and terminating Laura St.



d. Qualifying Establishments:

The Type of establishment will determine the appropriate incentive level.

- 1) Type 1: Generally, full service (i.e. wait staff, table bussers), full menu, full kitchen, non-disposable serve-ware. Must be open a minimum of five days per week for dinner until at least 9 p.m.
- 2) Type 2: Generally, limited service; order at the counter, self-clearing of tables, partial or full kitchen, buffet line, with on-site preparation and consumption of food. Must be open a minimum of five days per week for either breakfast (by 7:00 a.m.) or dinner/evening hours (until at least 9:00 p.m.).
- 3) Type 3: Generally, no kitchen or minimal kitchen, counter service only, limited menu or beverage only. Must be open a minimum of five days per week for either breakfast (by 7:00 a.m.) or dinner/evening hours (until at least 9:00 p.m.).
- 4) The below table provides various classifications of establishments and the most likely type from the descriptions above. The DIA has the discretion to determine the type of establishment if it is not listed here or it is not clearly defined.

Establishment	Type:
Fine Dining Restaurant	1
Contemporary Casual Restaurant	1 or 2
Casual/Family Style Restaurant	1 or 2
Fast Casual Restaurant	2
Fast Food Restaurant	2 or 3
Café or Deli Restaurant	2 or 3
Pizza Parlor	2 or 3
Multi-vendor Food Hall	2
Coffee Shop	2
Ice Cream Shop	3
Pastry Shop/ Bakery	2
Craft Brewery Tap Room	2
Craft Distillery Tasting Room	2
Bar/Lounge	3
Entertainment Venue, such as music hall or movie theater	2

e. **General Program Requirements:**

1) **Applicants:**

- a) Business Owner and the Property Owner would submit a joint application for a FAB-REP ~~Grant/Loan~~, indicating both the Business Owner and Property Owner's investments towards the eligible improvements.
 - i. The Business Owner and Property Owner must each contribute at least 25% of the cost of eligible improvements or provide a rent concession equal to such amount. Funding received through the Downtown Historic Preservation & Revitalization Trust Fund ("HPTF"), or the related portion paid by the Business Owner or the Property Owner, is not eligible for consideration towards the required contribution to the cost of eligible improvements under FAB-REP.
 - ii. Inclusion of the Business Owner in the Application Process creates alignment between incentive and performance as they are the principal beneficiary of the improvements in the immediate future.
 - iii. Inclusion of the Property Owner in the Application Process creates "buy-in" from the Property Owner as many of the eligible improvements will directly benefit him or her longer than the lease agreement with the Business Owner.
- b) The Business Owner and the Property Owner will execute the same FAB- REP Grant Agreement that will identify specific responsibilities for each.
 - i. The amount of grant funds secured by an agreement that will reflect the total FAB-REP Grant awarded by the DIA, compliance measures, and other terms irrespective of the Property Owner contribution.
 - The DIA reserves the right to determine if a personal guarantee or other form of security is necessary for the note. The decision will be based on the creditworthiness of the Business Owner and/or the Property Owner.
 - ii.
 - iii.

iv. Property Owner will have a cure period of 180 days should the Business Owner abandon the lease during the compliance period of the Grant.

2) Grant Funding

a) Improvement Incentive amounts

Funding under the FAB-REP program will be determined by the Type of establishment and limited to 50% of eligible costs, as outlined in Section III(e).

Establishment Type	Price per Square Foot	Cap of Eligible Costs
Type 1:	\$65/Sq. Ft	50% of eligible costs, not to exceed \$400,000
Type 2:	\$50/Sq. Ft.	50% of eligible costs, not to exceed \$200,000
Type 3:	\$40/ Sq. Ft.	50% of eligible costs, not to exceed \$100,000

b) Historic Preservation/Adaptive Reuse Boost

For properties designated as a local landmark (per the Jacksonville Historic Preservation Section of the Planning & Development Department), applicant can receive an additional \$20 per square foot boost to the grant award (still subject to cap). Any changes to the exterior of local landmarks will need to be approved by the Jacksonville Historic Preservation Section or Jacksonville Historic Preservation Commission.

Costs included in an application for funding, or previously approved for funding, through the Downtown Historic Preservation & Revitalization Trust Fund ("HPTF") at any level may not included for consideration in the FAB-REP or for purposes of the boost, whether covered by the HPTF grant or not. Such costs must be separately identifiable in the construction budget presented at the time of application.

For properties designated as a contributing structure to the Downtown Historic District (per the National Park Service) but not a local landmark, the applicant can, subject to DIA approval, receive an additional \$10 per square foot boost to their grant (still subject to cap). While DIA encourages preservation of the historic façade of contributing structures, it is an intent of the FAB-REP to promote ground floor activation. To that end, the replacement of storefront plate glass windows with window opening systems or similar modifications that promote greater street front visibility and access will not disqualify an applicant from receiving the boost.

c) Type of Funding

i. Zero-interest, Grant, payable upon completion of the work and receipt by DIA of invoices for goods and services rendered, and proof that recipients paid for such goods and services.

a. No interest shall accrue upon the principal of the total loan amount with principal forgiven over a five (5) year period.

- b. Total principal balance will amortize 20% each year of the compliance period.
- c. At end of five years, the loan shall be forgiven in its entirety on the condition the improvements are installed and maintained in reasonably good condition and no City Code violations are incurred during the compliance period.
- d. If it is determined that recipient(s) is in default, interest and full payment of the grant may be demanded.
- e. DIA may help arrange bridge financing with community lenders, to facilitate funding requirements during the construction or build-out phase of the project. However, it is not the responsibility of DIA to arrange such financing arrangement.

e-

a-d) Recipient Eligibility:

- i. **Hours of Operation:** Establishment must be open not less than 5 days per week which must include either breakfast or dinner/evening hours, and specifically including at least one of the following operating periods:
 - 1-a. Breakfast: opening no later than 7:00 am
 - 2-b. Dinner/Evening hours: staying open at least until 9:00 pm, including either Friday or Saturday evening
 - 3-c. DIA will have the authority to modify the required hours of operation in the event market conditions require same.
- ii. **Availability of funding for the specific type:**
 - 1-a. In an effort to create a competitive and diverse mix of establishments in the FAB-REP districts, the DIA will target FAB- REP Grants to a specific number of establishments types each year. Annually, grants will be awarded on a first come, first serve basis, subject to available funds, and allocated as follows:
 - a-1. Type 1: not more than 5 in total for the year
 - b-2. Type 2: not more than 4 in each district
 - c-3. Type 3: not more than 3 in each district
 - 2-b. The DIA reserves the right to adjust this allocation at any time based on market conditions and grant demand. Further, the DIA will evaluate the applicant's business plan, proximity to other establishments, the contribution made to the diversity in the retail mix of the area proposed, the product offering, and price points, in relation to the existing or approved establishments in the FAB-REP district.
- iii. First floor spaces with access from the street or customers visible from the street are eligible. Situations where the upper floor space is related to the operations on the first floor and adds to the street activation may be considered as supplemental space on a case-by-case basis.
- iv. Second floor only spaces may be eligible if open rooftop, balcony, or deck where service is visible from street level and access from street level is provided via stairs or elevator accessible from the sidewalk.
- v. Supplemental space including outdoor seating areas, meeting space, banquet halls, and similar areas should not be included in the calculation of eligible square feet. DIA may award an incentive for supplemental space at a reduced rate per square foot

- depending on the anticipated use and level of finish which must be separately identifiable in the construction budget presented at the time of application.
- vi. Applicant must provide a copy of a fully negotiated lease agreement with at least 3-year term operating during the entirety of the compliance period.
 - vii. The scoring rubric found in the existing Retail Enhancement Program will be utilized in scoring applications.
 - viii. In the event the recipient is unable to meet the above eligibility requirements, a Retail Enhancement Program Grant should be considered.

e) Eligible and Ineligible Improvements:

~~b.~~ Eligible Improvements

To be considered eligible, the improvement must be directly related to the retail food or beverage establishment seeking the grant. Office, distribution, and costs associated with preparation or packaging of food or beverages to be consumed or distributed off-site are considered indirect improvements and not eligible for grant funds. Further, the use of FAB-REP grant funds may not be used for any portion of the cost of improvements submitted as part of an application or already approved for funding through an HPTF Grant. Such costs must be separately identifiable in the construction budget presented at the time of application.

The below list is not exhaustive but is illustrative of those improvements that otherwise would be considered eligible.

- Interior demolition and site preparation
- Code compliance, life safety and ADA
- Electrical, utility, and mechanical improvements (e.g., lighting, HVAC, elevator for establishment use only).
- Doors, windows, flooring, façade improvements (including awnings affixed to the building), and other interior and exterior improvements.
- Cooking, refrigeration, and ventilation systems, but not small appliances (e.g., microwave), fixtures, point-of-sale systems
- Other construction or improvements that would commonly be recognized as permanent or part of the interior or exterior of the tenant space
- 50% reimbursement of infrastructure costs clearly and demonstrably associated with preparation and packaging of food or beverages to be consumed or distributed off-site as a supplemental (not primary) use

~~c.~~ Ineligible Improvements

Generally, any non-permanent improvements or improvements that do not directly relate to food or beverage operation, or any improvement made without the necessary permits are not eligible for grant funds.

- Temporary or movable furniture such as tables, chairs
- China, tablecloths, silverware, etc.
- Small kitchen appliances (i.e. microwaves, toasters)
- Enhancements or improvements generally considered out of scale with the business plan included as part of the grant application. By way of example, an ice cream parlor would generally not require a wine cellar.
- Office equipment

- Moving expense
- Working capital
- Refinancing existing debts for prior improvements
- General periodic maintenance
- Soft costs (e.g. engineering and design, developer fees, etc.)
- New building construction or new building additions

XI. ~~IX.~~ SIDEWALK ENHANCEMENT GRANT PROGRAM

In an effort to encourage more outdoor dining activity and place making, a Sidewalk Enhancement Grant may be awarded to recipients of FAB-REP funding, subject to the following conditions and limitations:

a. Eligibility Requirements

1. Properties must be located within FAB-REP District Boundaries.
2. Additional funds will be available to FAB-REP grant recipients, to cover up to 80% of eligible outdoor dining improvement costs, but not to exceed \$15,000. A separate budget must be provided. The funds can be used for the cost of creating outdoor spaces that enhance the sidewalk experience, such as tables, chairs, and other furniture, lighting, greenery, umbrellas, and awnings.
3. All Sidewalk Grant recipients must hold a valid Sidewalk Café permit to be eligible for the grant.
4. Application for the Sidewalk Enhancement Grant must include a plan to protect the improvements including all equipment and fixtures for the three-year compliance period, subject to approval by DIA staff.
5. DIA reserves the right to inspect the improvements during the compliance period. In the event operator fails to use the improvements as intended or fail to secure and maintain the improvements in good repair as agreed, including but not limited to loss of or irreparable damage (beyond normal wear and tear), the DIA may declare the recipient in default. The recipient will then have a period of thirty days to cure such default or DIA may withhold amortization of funds awarded under this Sidewalk Enhancement Grant.
6. Qualifying existing or new food and beverage operators within the defined FAB-REP districts may also apply for a Stand-alone Sidewalk Enhancement Grant not to exceed \$5,000. Only the Business Owner is required to serve as the applicant for the Stand-alone Sidewalk Enhancement Grant. Other terms and conditions as noted above also apply.