

RESOLUTION 2015-05-03

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY SUPPORTING THE DESIGNATION OF ELENA FLATS, LOCATED AT 122 EAST DUVAL STREET IN DOWNTOWN JACKSONVILLE, AS A LOCAL LANDMARK, URGING AND REQUESTING THE CITY COUNCIL TO MAKE THE DESIGNATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Downtown Investment Authority (“DIA”) has been designated by the City of Jacksonville as the Community Redevelopment Agency (“CRA”) for community redevelopment areas within the boundaries of Downtown pursuant to Ordinance 2012-364-E, and was formed in order to revitalize and create a vibrant and dynamic Downtown; and

WHEREAS, the DIA supports the local (City of Jacksonville) landmark designation of 122 East Duval Street, also known as the Elena Flats Building; and

WHEREAS, local landmark designation provides economic incentives in the form of property tax abatement, income tax credit, and access to local, state and federal grants for the renovation of historic buildings; and

WHEREAS, local landmark designation does not prevent an owner of an historic property from demolishing or altering a structure, but does require a deliberative process through the Jacksonville Historic Preservation Commission and the City Council prior to taking those actions; and

WHEREAS, the DIA proposed a Business Investment and Development Strategy for Downtown (“BID Plan”) which was enacted by the City Council in Ordinance 2014-560-E; and

WHEREAS, the BID Plan contains seven (7) Redevelopment Goals, the first of which is “Redevelopment Goal No. 1: Reinforce Downtown as the City’s unique epicenter for business, history, culture, education, and entertainment” with two Strategic Objectives of that Goal being “Protect and revitalize historic assets” and “encourage green building practices”; and

WHEREAS, the DIA recognizes that our few remaining historic structures are an important feature of what makes downtown Jacksonville attractive and provides a unique sense of place; and

WHEREAS, the second Goal of the BID Plan is to “Increase rental and owner-occupied housing downtown, targeting key demographic groups seeking a more urban lifestyle”; and

WHEREAS, the renovation of the Elena Flats building back to its original design would provide 4 large luxury apartments for that key demographic group; and

WHEREAS, the BID Plan also includes specific projects for implementation, one of which, in the first year, is the designation of appropriate areas of downtown as historic districts for listing on the National Register of Historic Places, as administered by the United States Department of the Interior; and

WHEREAS, as one of its first projects, the DIA engaged consultants to study the downtown for National Register listing and prepare an application for National Register designation, which application has now proceeded to the state level for approval; and

WHEREAS, the Elena Flats structure was identified by the consultants as a contributing structure to the primary historic district area as determined by the study; and

WHEREAS, although listing on the National Register does not provide the property owner with local property tax abatement or the City with regulatory control as would a locally designated historic district, such national listing will provide property owners access to state grant funds and federal income tax credits for the renovation of applicable historic buildings without having to endure the delay and cost of pursuing individual National Register landmark status in order to take advantage of those incentives; and

WHEREAS, an application for the demolition of Elena Flats was made by the current property owner who intends to sell the property for use as a surface parking lot; and

WHEREAS, the current property owner has not paid property taxes in at least three years, and the property is currently scheduled for Tax Deed sale by the Duval County Tax Collector at some time this year; and

WHEREAS, the current property owner has owned the property since 2002, has not maintained the property, and as a result during that time has had 16 separate municipal code violations on the property; and

WHEREAS, the DIA objects to the creation of more surface parking lots downtown; and

WHEREAS, DIA's BID Plan *Design Guidelines* state, "Reuse and protect designated historic structures as well as structures eligible for designation" and within that guideline "Require the review and approval of replacement designs before allowing any building to be demolished"; and

WHEREAS, the *Design Guidelines* further state, "Minimize the impact of parking and service areas" by "locat[ing] parking lots and garages away from sidewalks and pedestrian connections; locate them within projects or off of service alleys"; and

WHEREAS, the *Design Guidelines* further state, in regards to the Cathedral District that it "will be promoted as a residential neighborhood", and that "large surface parking lots will be discouraged"; and

WHEREAS, the City Council, through Sec. 656.361.16, *Ordinance Code* discourages surface parking lots throughout downtown and discourages the demolition of existing buildings or structures to create surface parking lots; and

WHEREAS, pursuant to Sec. 656.361.5, *Ordinance Code*, accessory parking lots are only allowed within the Downtown Overlay Zone through an exception process and then only if the Downtown Design Review Board determines: that a parking deficiency exists in the area the lot is proposed, that there is a bona fide need from adjacent property owners and uses that an additional supply of parking is necessary, and that the demand cannot be met by existing parking facilities; and

WHEREAS, the DIA staff and others have tried repeatedly to contact and meet with the owner to gain access to the property to determine the extent of renovation required and to discuss the opportunity for selling to an entity that will restore the building, but have been unsuccessful in those attempts;

WHEREAS, the DIA staff has also met with the entity offering to purchase the property in order to create a surface parking lot for church services, and instead establish a plan for shared parking or other alternatives to the demolition of an historic structure;

WHEREAS, granting the request to demolish an historic structure in downtown by a recalcitrant property owner who has repeatedly and flagrantly violated the law and failed to pay property taxes due would be rewarding bad behavior; now therefore

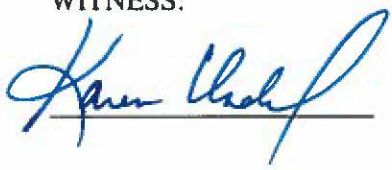
BE IT RESOLVED, by the Downtown Investment Authority:

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 requests that the City Council approve 2015-170 and designate Elena Flats as a local landmark, thereby making it eligible for many incentives, and protecting it from demolition without proper process.

Section 3. This resolution shall become effective upon its approval by the DIA this 27th day of May, 2015.

WITNESS:



Downtown Investment Authority



Oliver Barakat, Chairman

VOTE: In Favor: 5 Opposed: 0 Abstained: 1