

RESOLUTION 2024-01-04

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY AS THE APPEAL BODY FOR A WRITTEN DECISION OF THE DOWNTOWN DEVELOPMENT REVIEW BOARD (“DDRB”), [AFFIRMING, REVERSING OR MODIFYING, OR REMANDING BACK TO THE DDRB WITH SPECIFIC INSTRUCTION FOR FURTHER ACTION] A SPECIAL SIGN EXCEPTION WRITTEN DECISION OF THE DDRB (DDRB APPLICATION 2023-022) IN ACCORDANCE WITH SECTION 2 OF THIS RESOLUTION; INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Downtown Investment Authority (“DIA”), pursuant to Sec. 656.361.7.1G - *Appeal of DDRB decision to DIA*, the appeal of a decision by the Downtown Development Review Board (“DDRB”) regarding a Special Sign Exception may be appealed to the DIA; and

WHEREAS, at its November 9, 2023 meeting, the DDRB voted to approve with conditions a Special Sign Exception (DDRB Application 2023-022); and

WHEREAS, the Applicant, in accordance with Sec. 656.361.7.1.G, within 14-days of the effective date of the written decision of the DDRB, filed with the DIA Chief Executive Officer a notice of appeal; and

WHEREAS, after a de novo review of the appeal, and without giving deference or weight to the decision of DDRB, but having benefit of the record of the DDRB meeting as well as additional competent and substantial evidence and testimony, the DIA voted to:

Option 1: Affirm the Written Decision of the Downtown Development Review Board for DDRB Application 2023-022.

Option 2: Reverse or modify Written Decision of the Downtown Development Review Board for DDRB Application 2023-022 as detailed in Section 2 of this Resolution.

Option 3: Remand the matter back to the DDRB with specific instructions for further action, with those instructions detailed in Section 2 of this Resolution,

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. In respect to the Written Decision of the Downtown Development Review Board for DDRB Application 2023-022, the DIA:

Option 1: Affirms the Written Decision of the Downtown Development Review Board for DDRB Application 2023-022.

Option 2: Reverses or modifies the Written Decision of the Downtown Development Review Board for DDRB Application 2023-022 as follows:

DDRB Written Decision

Approve Application DDRB 2023-022 for a Special Sign Exception for the CSX Building at 500 Water Street. This approval allows for installation of two (2) high rise building identification signs, not to exceed 1,201 square feet each, one on the northwest elevation and one on the southeast elevation, subject to the following conditions:

1. Signage for each elevation shall not exceed 1,201 square feet.
2. Signs shall be turned off if not fully operational as designed and permitted.
3. Images/colors on the signs shall remain static; no animations, movements, or flashes shall be permitted, unless the signs' images/colors are being coordinated with City-sponsored waterfront activations (e.g. light and sound shows planned for Friendship Fountain and the riverfront along the Jacksonville Center for the Performing Arts).
4. Images/colors on the signs shall have a hold time (dwell time) of no less than 24 hours, unless the signs' images/colors are being coordinated with City-sponsored waterfront activations (e.g. light and sound shows planned for Friendship Fountain and the riverfront along the Jacksonville Center for the Performing Arts).
5. Brightness shall not exceed the guidance provided in the FHWA Lighting Handbook 2023.

Option 3: Remand the matter back to the DDRB with specific instructions for further action as follows:

Instruction: _____

Section 3. Board hereby authorizes the CEO to take all actions necessary to effectuate the intent of this Resolution.

Section 4. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

A. B. S. W.


Jim Cirano, Chair

1/17/24
Date

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