

1 Introduced by Council Member Becton:
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4 **ORDINANCE 2021-497**

5 AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT
6 BETWEEN THE CITY OF JACKSONVILLE AND PG
7 INVESTCO, LLC, CONCERNING A DEVELOPMENT (CDN
8 NO. 9976.0) CONSISTING OF APPROXIMATELY 42.56
9 ACRES LOCATED IN COUNCIL DISTRICT 11, ON A. C.
10 SKINNER PARKWAY, BETWEEN SOUTHSIDE BOULEVARD
11 AND BELFORT ROAD (R.E. NO. 154271-0100 AND
12 R.E. NO. 154377-0100), AS MORE PARTICULARLY
13 DESCRIBED THEREIN, FOR 1003 MULTI-FAMILY
14 DWELLING UNITS PROVIDED IN THREE PHASES,
15 SUBJECT TO A DONATION OF 15.24 ACRES OF THE
16 42.56 ACRES FOR AN ACTIVE PUBLIC PARK,
17 DONATION OF THE BASE ENGINEERING AND
18 PERMITTING FOR THE PARK, DONATION OF ONE
19 MILLION DOLLARS (\$1,000,000), THE PAYMENT OF
20 AN ANNUAL RENEWAL FEE, PURSUANT TO PART 2,
21 CHAPTER 655, *ORDINANCE CODE*; CLOSING AND
22 ABANDONING A 40 FOOT UNNAMED RIGHT-OF-WAY AND
23 TERMINATION OF A DRAINAGE AND UTILITY EASEMENT
24 THROUGH A PARTIAL VACATION OF A. B. CAMPBELL'S
25 DIVISION OF TIGER HOLE PLANTATION; CREATING A
26 NEW SECTION 111.113 (A. C. SKINNER PARKWAY
27 PARK TRUST FUND), *ORDINANCE CODE*, TO CREATE A
28 TRUST FUND FOR CAPITAL IMPROVEMENTS TO THE A.
29 C. SKINNER PARKWAY PARK; PROVIDING AN
30 EFFECTIVE DATE.
31

1 **WHEREAS**, Part 2, Chapter 655, *Ordinance Code*, authorizes
2 Development Agreements, subject to the procedures and requirements
3 set forth therein; and

4 **WHEREAS**, the Planning and Development Department has
5 recommended approval of the Development Agreement between the City
6 of Jacksonville and PG Investco, LLC, concerning a development (CDN
7 No.9976.0) known as "_____ " consisting of
8 approximately 42.56 acres located in Council District 11, on A. C.
9 Skinner Parkway, between Southside Boulevard and Belfort Road (R.E.
10 No. 154271-0100 and R.E. NO. 154377-0100) as more particularly
11 described therein, for 1003 multi-family dwelling units developed
12 in three (3) phases, subject to donation to the City Of
13 Jacksonville of 15.24 acres (of the total 42.56 acres) for an
14 active public park, donation of the base engineering and permitting
15 for the park, donation of one million dollars (\$1,000,000) for the
16 development of the park, other documentation required for the City
17 to accept donation of the land, and the payment of an annual
18 renewal fee; and

19 **WHEREAS**, the required Planning and Development Department
20 informative workshop was held and the required public hearings were
21 held by the Land Use and Zoning Committee and the City Council, all
22 with public notice provided, pursuant to Section 655.206, *Ordinance*
23 *Code*; and

24
25 **WHEREAS**, Section 177.101(3), Florida Statutes, authorizes the
26 governing bodies of counties and municipalities to adopt
27 resolutions vacating plats of subdivisions in said counties and
28 municipalities, in whole or in part, returning the property covered
29 by such plat, either in whole or in part, to acreage upon a showing
30 that the person making application for such vacation is the owner
31 of that portion of the lands covered by the plat sought to be

1 vacated, and further, that the vacation will not affect the
2 ownership or right of convenient access of persons owning other
3 parts of the previously platted subdivision; and

4 **WHEREAS**, the A. B. Campbell's Division of Tiger Hole
5 Plantation is recorded in Deed Book AQ, pages 260 and 261, of the
6 former public records of Duval County, Florida, (the "Plat"), and
7 encompasses lands south of J. Turner Butler Boulevard, north of A.
8 C. Skinner Parkway, east of Belfort Road, and west of Southside
9 Boulevard; and

10 **WHEREAS**, the lands described in that certain survey prepared
11 by Ghiotto & Associates, Inc., bearing the title "JTC Apartments
12 Boundary," Job No. 03-27-20, File No. C-807, dated 03-27-20, and
13 signed and sealed by John S. Thomas, a reduced copy of which is
14 attached hereto as Exhibit A (the "Survey of the Property") **to**
15 **Exhibit 1**, are contained with the Plat; and

16 **WHEREAS**, the rights-of-way located within the Survey of the
17 Property are described in more detail in Exhibit D (Rights-of-Way
18 to be Abandoned) to Exhibit 1 and is attached to the surveyor's
19 affidavit provided by John S. Thomas, Florida Registered Surveyor
20 and Mapper No. 6223; and

21 **WHEREAS**, the Applicant has agreed and understands that
22 vacation of the plats and reversion of the land to acreage will
23 have no effect on the recorded easements previously granted to
24 third parties by the Applicant's predecessors in title, and those
25 easements are unaffected by this resolution and the plat vacation;
26 now therefore

27 **BE IT ORDAINED** by the Council of the City of Jacksonville:

28 **Section 1. Approval of Development Agreement.** The
29 Development Agreement between the City of Jacksonville and PG
30 Investco, LLC, is hereby approved in substantially the same form as
31 **attached hereto as Exhibit 1.** The Mayor and Corporation Secretary

1 are authorized to execute said Agreement on behalf of the City.

2 **Section 2. Vacation of Plat Approved. (Closing and**
3 **Abandonment of Unnamed 40' Right-of-Way and Termination of Drainage**
4 **and Utility Easement.)** Those portions of Exhibit A of the
5 Development Agreement that are described in Exhibits D and H of the
6 Development Agreement are hereby extinguished through the vacation
7 of a portion of the plat of A. B. Campbell's Division of Tiger Hole
8 Plantation.

9 **Section 3. Creating Sec. 111.113 (A. C. Skinner Parkway**
10 **Park Trust Fund), Ordinance Code.** Section 111.113 ((A. C. Skinner
11 Parkway Park Trust Fund), *Ordinance Code*, is hereby created to read
12 as follows:

13 **CHAPTER 111. SPECIAL REVENUE AND TRUST ACCOUNTS.**

14 **PART 1. PARKS, RECREATION, CULTURE AND ENTERTAINMENT**

15 * * *

16 **Sec. 111.113. A. C. Skinner Parkway Park Trust Fund.**

17 There is hereby created the A. C. Skinner Parkway Park Trust
18 Fund, a permanent, ongoing trust fund of the City, which shall
19 carry forward each fiscal year. The fund is authorized to accept
20 gifts, fees and other donations. Monies deposited in the fund,
21 together with any interest accrued thereon, shall carry over fiscal
22 years to be used for the purpose of financing capital improvements
23 to the A. C. Skinner Parkway Park as conceptually framed in the
24 Development Agreement for the A. C. Skinner Parcel C Park
25 Improvements, authorized in Ordinance 2021-497-E. Funds up to the
26 amount of \$1,000,000 are hereby appropriated without the need for
27 further action by Council, and the Director of Finance, or his/her
28 designee, is authorized and directed to make disbursements from the
29 fund upon written requisition of the Director of Recreation and
30 Community Services and the District Council Member.

31 **Section 4. Effective Date.** This ordinance shall become

1 effective upon the signature by the Mayor or upon becoming
2 effective without the Mayor's Signature.

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4 Form Approved:

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6 /s/ Susan C. Grandin

7 Office of General Counsel

8 Legislation Prepared by Susan C. Grandin

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