

1 Introduced by Council Member Becton and amended by the Land Use and
2 Zoning Committee:

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4
5 **ORDINANCE 2021-497-E**

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

1 EFFECTIVE DATE.
2

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

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

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

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

1 of that portion of the lands covered by the plat sought to be
2 vacated, and further, that the vacation will not affect the
3 ownership or right of convenient access of persons owning other
4 parts of the previously platted subdivision; and

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

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

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

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

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

29 **Section 1. Approval of Development Agreement.** The
30 Development Agreement between the City of Jacksonville and PG

1 Investco, LLC, is hereby approved in substantially the same form as
2 **attached hereto as Revised Exhibit 1.** The Mayor and Corporation
3 Secretary are authorized to execute said Agreement on behalf of the
4 City.

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

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

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

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

18 * * *

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

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

1 designee, is authorized and directed to make disbursements from the
2 fund upon written requisition of the Director of Recreation and
3 Community Services and the District Council Member.

4 **Section 4. Effective Date.** This ordinance shall become
5 effective upon the signature by the Mayor or upon becoming
6 effective without the Mayor's Signature.

7
8 Form Approved:

9
10 /s/ Susan Grandin

11 Office of General Counsel

12 Legislation Prepared by Susan C. Grandin

13 *GC-#1453739-v1-2021-497-E.doc*