

## RESOLUTION 2015-10-08

**A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) SUPPORTING AN AMENDMENT TO THE CONSOLIDATED DOWNTOWN DEVELOPMENT OF REGIONAL IMPACT (“DRI”) DEVELOPMENT ORDER, AS AMENDED, PURSUANT TO THE NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT; FINDING THAT THESE CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION FROM THE ORIGINALLY APPROVED DRI DEVELOPMENT ORDER; INSTRUCTING THE DIA CHIEF EXECUTIVE OFFICER TO FILE THE REQUISITE DOCUMENTATION FOR THE NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT; REQUESTING THAT THE CITY COUNCIL OF JACKSONVILLE ADOPT AN ORDINANCE EFFECTUATING THE NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Ordinance 2014-0560-E, DIA is the “Master Developer” with respect to the Consolidated Downtown Development of Regional Impact (“DRI”) Development Order; and

**WHEREAS**, Elements of Jacksonville LLC desires to access Phase II and Phase III development rights from the Southside Component Area of the Consolidated Downtown DRI for use on a specific property known as the “Southside Generating Station Site”; and

**WHEREAS**, pursuant to the City of Jacksonville Comprehensive Plan, as amended by Ordinance 2015-0627, encumbrance or usage of Phase II or Phase III development rights within the Consolidated Downtown DRI requires, in part, a site-specific NOPC; and

**WHEREAS**, said NOPC has been submitted to the appropriate state and local land planning agencies and is being reviewed by the City’s Planning and Development Department, now therefore

**BE IT RESOLVED**, by the Downtown Investment Authority

**Section 1.** The Development Order for the Consolidated Downtown DRI is hereby amended to incorporate the proposed changes and modifications contained in the NOPC included as Exhibit ‘A’ to this resolution, which changes are generally described as follows:

- (1) Modify Consolidated Downtown DRI Development Order, Exhibit E, Section B, to add a General Condition 12, as follows:

The property known as the Southside Generating Station Site (and any additional property adjacent to or near this Site acquired by the developer) located along the St. Johns River near

the Duval County School Board building within the Southside portion of downtown, shall be allowed to be developed with up to the following development rights: 1,170 residential units, 200 hotel rooms, 125 marina slips (subject to DRI DO Exhibit E, Section C, Specific Condition 4(h)), 288,500 commercial retail square feet and 200,000 office square feet uses, (the "Southside Site Development Rights"). Notwithstanding any contrary provisions or limitations in this DRI Development Order, including, but not limited, to phasing, conversions, buildout dates or termination dates, the Southside Site Development Rights may be carried forward to subsequent DRI phases and the developer may accelerate the beginning date of DRI Phases, provided the developer complies with the Mobility Plan as to the Southside Site Development Rights for Phases II and III. The Mobility Plan is the 2030 Mobility Plan (including the 2030 Multi- Modal Transportation Study, as may be amended, and the provisions codified in Chapter 655 of the Ordinance Code (the "Mobility Plan")). The sole DRI mitigation for any project related impacts associated with the Southside Site Development Rights shall be the Mobility Plan for the DRI Phase II and Phase III Southside Site Development Rights and no additional DRI related exaction or mitigation of any kind, including but not limited to, concurrency, is required for the DRI Phase II or Phase III Southside Site Development Rights notwithstanding anything contrary in the DRI Development Order. In addition, there are no DRI exaction or mitigation requirements of any kind, including but not limited to concurrency, associated with impacts for the DRI Phase I Southside Site Development Rights because the required mitigation/exaction has been satisfied.

- (2) Modify Consolidated Downtown DRI Development Order, Exhibit E, Section C, Specific Condition 12, to add a new subsection H as follows:

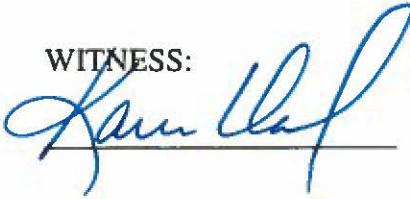
The Southside Generating Station Site project may include the development of no more than 125 marina slips. The approval of the 125- marina slips is contingent on the developer of the Southside Generating Station Site securing all Federal, State and local permits and approvals from applicable regulatory agencies and any necessary consent of use or submerged land lease by the Trustees of the Internal Improvement Trust Fund. Prior to construction of any or all of the marina slips, the Duval County Manatee Protection Plan, 3rd edition, and the Comprehensive Plan shall be modified to include the 125 marina slips within the Southside portion of the Consolidated Downtown DRI for use as part of the Southside Generating Station Site project. All approvals associated with the required permits and approvals and subsequent renewals will apply to the Southside Generating Station Site Project. Any impacts to manatees will be reviewed as part of the permitting process for this project. This Condition shall control as to the development of the Southside Generating Station Site Marina notwithstanding anything contrary in the Consolidated Downtown DRI Development Order.

**Section 2.** Authorizing the DIA Chief Executive Officer to file the requisite documentation for the aforementioned Notification of a Proposed Change to a Previously Approved Development of Regional Impact (a/k/a NOPC).


**Section 3.** Requesting that the City Council of Jacksonville adopt an Ordinance effectuating the aforementioned Notification of a Proposed Change to a Previously Approved Development of Regional Impact (a/k/a NOPC).

**Section 4.** The Effective Date of this Resolution is the date upon execution of the Resolution by the Chairman of the DIA.

WITNESS:

  
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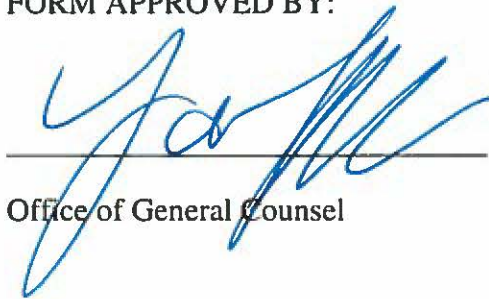
DOWNTOWN INVESTMENT AUTHORITY

  
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Jim Bailey, Chairman

VOTE: In Favor: 6 Opposed: 0 Abstained: \_\_\_\_\_

FORM APPROVED BY:

  
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Office of General Counsel