

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-51-E**

5 AN ORDINANCE APPROVING A CONCEPTUAL MASTER PLAN
6 FOR DEVELOPMENT OF APPROXIMATELY 1,096.57± ACRES
7 IN COUNCIL DISTRICT 8, AT 0 LEM TURNER ROAD AND
8 14158 LEM TURNER ROAD, WEST OF JACKSONVILLE
9 INTERNATIONAL AIRPORT, SOUTH OF LEM TURNER ROAD,
10 EAST OF BRADDOCK ROAD, BETWEEN LEM TURNER ROAD
11 AND BRADDOCK ROAD (R.E. NOS. 019270-0050 AND
12 019273-0000) (THE "SUBJECT PROPERTY"), OWNED BY
13 LEM TURNER ROAD DEVELOPERS, L.L.C., AS MORE
14 PARTICULARLY DESCRIBED HEREIN; CONCEPTUAL MASTER
15 PLAN APPROVED SUBJECT TO CONDITIONS; PROVIDING A
16 DISCLAIMER THAT THE APPROVAL GRANTED HEREIN SHALL
17 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
19

20 **WHEREAS**, a request for approval of the Thomas Creek Multi-Use
21 Parcel Conceptual Master Plan (the "Conceptual Master Plan") has been
22 filed by Wyman Duggan, Esq., on behalf of Lem Turner Road Developers,
23 L.L.C., the owner of certain real property located in Council District
24 8, as more particularly described herein; and

25 **WHEREAS**, the City of Jacksonville adopted a Large-Scale
26 Amendment to the *2030 Comprehensive Plan* pursuant to Ordinance 2022-
27 50-E and Application Number L-5533-21A, changing the Future Land Use
28 Map designation of the Subject Property from Multi-Use (MU) subject
29 to Future Land Use Element (FLUE) Site Specific Policy 4.3.16 and
30 Public Buildings and Facilities (PBF) to Multi-Use (MU) subject to

1 FLUE Site Specific Policy 4.3.21; and

2 **WHEREAS**, FLUE Site Specific Policy 4.3.21 requires the owner or
3 authorized agent to develop a long-term Conceptual Master Plan for
4 the Subject Property, which must be reviewed and approved by the City
5 Council prior to submittal of any land development reviews or
6 approvals for development of the Subject Property; and

7 **WHEREAS**, FLUE Site Specific Policy 4.3.21 further requires that
8 any land development of the Subject Property must comply with and
9 must be consistent with an approved long-term Conceptual Master Plan;
10 and

11 **WHEREAS**, the Planning and Development Department reviewed the
12 proposed Conceptual Master Plan, prepared a written report, and
13 rendered an advisory recommendation to the City Council with respect
14 to this proposed Conceptual Master Plan; and

15 **WHEREAS**, the Land Use and Zoning (LUZ) Committee held a public
16 hearing on this proposed Conceptual Master Plan, with due public
17 notice having been provided, and having reviewed and considered all
18 testimony and evidence received during the public hearing, made its
19 recommendation to the City Council; and

20 **WHEREAS**, the City Council further considered all oral and
21 written comments received during the public hearings, including the
22 recommendations of the Planning and Development Department and the
23 LUZ Committee; and

24 **WHEREAS**, in the exercise of its authority, the City Council has
25 determined it appropriate and desirable to approve the proposed
26 Conceptual Master Plan for development of the Subject Property; now,
27 therefore

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

29 **Section 1. Purpose and Intent.** This Ordinance is adopted
30 at the request of Lem Turner Road Developers, L.L.C., the owner of
31 certain real property identified in Section 2, to carry out the

1 purpose and intent of, and exercise the authority set out in, the
2 Community Planning Act, Sections 163.3161 through 163.3248, *Florida*
3 *Statutes*, and Chapter 166, *Florida Statutes*, as amended.

4 **Section 2. Subject Property Location and Description.** The
5 approximately 1,096.57± acres are in Council District 8, at 0 Lem
6 Turner Road and 14158 Lem Turner Road, west of Jacksonville
7 International Airport, south of Lem Turner Road, east of Braddock
8 Road, between Lem Turner Road and Braddock Road (R.E. Nos. 019270-
9 0050 and 019273-0000), as more particularly described in **Exhibit 1**
10 dated November 19, 2020, and graphically depicted in **Exhibit 2**, both
11 of which are **attached hereto** and incorporated herein by this reference
12 (the "Subject Property").

13 **Section 3. Owner and Applicant Description.** The Subject
14 Property is owned by Lem Turner Road Developers, L.L.C. The applicant
15 is Wyman Duggan, Esq., 1301 Riverplace Boulevard, Suite 1500,
16 Jacksonville, Florida 32207; (904) 398-3911.

17 **Section 4. Approval of Conceptual Master Plan.** The City
18 Council hereby approves the Thomas Creek Multi-Use Parcel Conceptual
19 Master Plan dated January 7, 2022, **attached hereto** as **Exhibit 3**.
20 Development of the Subject Property shall be consistent with and in
21 compliance with the Conceptual Master Plan and the Large-Scale
22 Amendment to the *2030 Comprehensive Plan*, including FLUE Site Specific
23 Policy 4.3.21, adopted pursuant to Ordinance 2022-50-E.

24 **Section 5. Conceptual Master Plan Approved Subject to**
25 **Conditions.** The Thomas Creek Multi-Use Parcel Conceptual Master Plan
26 dated January 7, 2022 is hereby approved subject to the following
27 conditions:

28 (1) Transportation fees shall be paid in the form of the
29 existing fair share contract (CCAS #34051). Prior to the initial
30 verification of substantial compliance with the PUD (2022-52-E), the
31 developer shall request the City to initiate the establishment of a

1 special account into which the fair share payments will be deposited
2 instead of the 6.2 Fair Share sector fund specifically for
3 intersection, capacity related or roadway improvements on Lem Turner
4 Road. This money will be held in the special account and transferred
5 to the Florida Department of Transportation (FDOT), at the appropriate
6 time, for that purpose. Establishment of the special account and the
7 earmarking of any funds for transfer to the FDOT for improvements on
8 Lem Turner Road as described above shall be subject to approval by
9 the Jacksonville City Council, including any conditions the City
10 Council may deem appropriate or necessary.

11 (2) Right-of-Way along Lem Turner Road abutting the Subject
12 Property will be reserved to accommodate the future widening of Lem
13 Turner Road. Construction shall not occur within 200 feet from the
14 eastern right-of-way line. The right-of-way may be purchased by the
15 FDOT, in the future, at the time of right-of-way acquisition for the
16 widening project.

17 (3) Right-of-Way along Braddock Road abutting the Subject
18 Property will be reserved to accommodate any future widening of
19 Braddock Road. Construction shall not occur within 120 feet from the
20 western right-of-way line. Since Braddock Road is not currently listed
21 in the Mobility Plan, the right-of-way may be purchased by the City
22 in the future, at the time of right-of-way acquisition, when Braddock
23 Road needs to be widened.

24 (4) The Traffic Study prepared by England, Thims and Miller,
25 Inc., dated April 2022, and on file with the Planning and Development
26 Department, will suffice for the purpose of the Multi-Use land use
27 category master plan requirements. Development-specific traffic
28 studies will still be required at the time of verification of
29 substantial compliance with the PUD.

30 **Section 6. Disclaimer.** The approval granted herein shall
31 **not** be construed as an exemption from any other applicable local,

1 state, or federal laws, regulations, requirements, permits or
2 approvals. All other applicable local, state or federal permits or
3 approvals shall be obtained before commencement of the development
4 or use and this approval is based upon acknowledgement, representation
5 and confirmation made by the applicant(s), owner(s), developer(s)
6 and/or any authorized agent(s) or designee(s) that the subject
7 business, development and/or uses on the Subject Property will be
8 operated in strict compliance with all laws. Approval of the Thomas
9 Creek Multi-Use Parcel Conceptual Master Plan does **not** approve,
10 promote or condone any practice or act that is prohibited or
11 restricted by any federal, state or local laws.

12 **Section 7. Effective Date.** This Ordinance shall become
13 effective upon signature by the Mayor or upon becoming effective
14 without the Mayor's signature.

15
16 Form Approved:

17
18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Kristen Reed

21 GC-#1500527-v1-2022-51-E