

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2022-200-E**

5 AN ORDINANCE REZONING APPROXIMATELY 19.09±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 7 AT 0 LEM  
7 TURNER ROAD, BETWEEN INTERSTATE-295 AND PERCY  
8 ROAD (R.E. NO. 019521-0020 (PORTION)), AS  
9 DESCRIBED HEREIN, OWNED BY LEM TURNER  
10 JACKSONVILLE, LTD., FROM PLANNED UNIT  
11 DEVELOPMENT (PUD) DISTRICT (2006-493-E) TO  
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS  
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO  
14 PERMIT MULTI-FAMILY RESIDENTIAL USES, AS  
15 DESCRIBED IN THE LEM TURNER/I-295 NORTHEAST  
16 QUADRANT RESIDENTIAL PUD; PUD SUBJECT TO  
17 CONDITIONS; PROVIDING A DISCLAIMER THAT THE  
18 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
20 PROVIDING AN EFFECTIVE DATE.  
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22 **WHEREAS**, Lem Turner Jacksonville, Ltd., the owner of  
23 approximately 19.09± acres, located in Council District 7 at 0 Lem  
24 Turner Road, between Interstate-295 North and Percy Road (R.E. No.  
25 019521-0020 (Portion)), as more particularly described in **Exhibit 1**,  
26 dated January 6, 2022, and graphically depicted in **Exhibit 2**, both  
27 of which are attached hereto (the "Subject Property"), has applied  
28 for a rezoning and reclassification of that property from Planned  
29 Unit Development (PUD) District (2006-493-E) to Planned Unit  
30 Development (PUD) District, as described in Section 1 below; and

31 **WHEREAS**, the Planning Commission has considered the application

1 and has rendered an advisory opinion; and

2 **WHEREAS**, the Land Use and Zoning Committee, after due notice and  
3 public hearing, has made its recommendation to the Council; and

4 **WHEREAS**, the Council finds that such rezoning is: (1) consistent  
5 with the *2030 Comprehensive Plan*; (2) furthers the goals, objectives  
6 and policies of the *2030 Comprehensive Plan*; and (3) is not in  
7 conflict with any portion of the City's land use regulations; and

8 **WHEREAS**, the Council finds the proposed rezoning does not  
9 adversely affect the orderly development of the City as embodied in  
10 the Zoning Code; will not adversely affect the health and safety of  
11 residents in the area; will not be detrimental to the natural  
12 environment or to the use or development of the adjacent properties  
13 in the general neighborhood; and will accomplish the objectives and  
14 meet the standards of Section 656.340 (Planned Unit Development) of  
15 the Zoning Code; now, therefore

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

17 **Section 1. Property Rezoned.** The Subject Property is  
18 hereby rezoned and reclassified from Planned Unit Development (PUD)  
19 District (2006-493-E) to Planned Unit Development (PUD) District.  
20 This new PUD district shall generally permit multi-family residential  
21 uses, and is described, shown and subject to the following documents,  
22 attached hereto:

23 **Exhibit 1** - Legal Description dated January 6, 2022.

24 **Exhibit 2** - Subject Property per P&DD.

25 **Revised Exhibit 3** - Revised Written Description dated June 16, 2022.

26 **Revised Exhibit 4** - Revised Site Plan dated June 1, 2022.

27 **Section 2. Rezoning Approved Subject to Conditions.** This  
28 rezoning is approved subject to the following conditions. Such  
29 conditions control over the Written Description and the Site Plan and  
30 may only be amended through a rezoning:

31 (1) Developer shall provide sidewalk on the frontage of Percy

1 Road, or as otherwise approved by the Planning and Development  
2 Department.

3 (2) A traffic study shall be provided at Civil Site Plan  
4 Review. Prior to the commencement of the traffic study, the traffic  
5 professional shall conduct a methodology meeting to determine the  
6 limits of the study. The methodology meeting shall include the Chief  
7 of the Traffic Engineering Division, the Chief of the Transportation  
8 Division, and the traffic reviewer from Development Services.

9 **Section 3. Owner and Description.** The Subject Property  
10 is owned by Lem Turner Jacksonville, Ltd., and is legally described  
11 in **Exhibit 1**, attached hereto. The applicant is Wyman Duggan, Esq.,  
12 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;  
13 (904) 398-3911.

14 **Section 4. Disclaimer.** The rezoning granted herein  
15 shall not be construed as an exemption from any other applicable  
16 local, state, or federal laws, regulations, requirements, permits or  
17 approvals. All other applicable local, state or federal permits or  
18 approvals shall be obtained before commencement of the development  
19 or use and issuance of this rezoning is based upon acknowledgement,  
20 representation and confirmation made by the applicant(s), owner(s),  
21 developer(s) and/or any authorized agent(s) or designee(s) that the  
22 subject business, development and/or use will be operated in strict  
23 compliance with all laws. Issuance of this rezoning does not approve,  
24 promote or condone any practice or act that is prohibited or  
25 restricted by any federal, state or local laws.

26 **Section 5. Effective Date.** The enactment of this Ordinance  
27 shall be deemed to constitute a quasi-judicial action of the City  
28 Council and shall become effective upon signature by the Council  
29 President and the Council Secretary.

1 Form Approved:

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3           /s/ Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

6 GC-#1506349-v1-2022-200-E