

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-373-E**

5 AN ORDINANCE REZONING APPROXIMATELY 22.69±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 7 AT 3229  
7 PERCY ROAD, 0 LEM TURNER ROAD, 12803 LEM  
8 TURNER ROAD AND 12855 LEM TURNER ROAD, BETWEEN  
9 INTERSTATE 295 AND TERRELL ROAD (R.E. NOS.  
10 019455-0000, 019455-0050, 019456-0000 AND  
11 019456-0050), AS DESCRIBED HEREIN, OWNED BY  
12 PERCY OAKS PARTNERS, LLC, FROM AGRICULTURE  
13 (AGR) DISTRICT AND PLANNED UNIT DEVELOPMENT  
14 (PUD) DISTRICT (ORDINANCES 2004-14-E AND 2005-  
15 833-E) TO PLANNED UNIT DEVELOPMENT (PUD)  
16 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
17 ZONING CODE, TO PERMIT SINGLE FAMILY  
18 RESIDENTIAL USES, AS DESCRIBED IN THE PERCY  
19 OAKS PARTNERS PUD; PUD SUBJECT TO CONDITION;  
20 PROVIDING A DISCLAIMER THAT THE REZONING  
21 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
22 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
23 PROVIDING AN EFFECTIVE DATE.  
24

25 **WHEREAS**, Percy Oaks Partners, LLC, the owner of approximately  
26 22.69± acres, located in Council District 7 at 3229 Percy Road, 0  
27 Lem Turner Road, 12803 Lem Turner Road and 12855 Lem Turner Road,  
28 between Interstate 295 and Terrell Road (R.E. Nos. 019455-0000,  
29 019455-0050, 019456-0000 and 019456-0050), as more particularly  
30 described in **Exhibit 1**, dated February 26, 2019, and graphically

1 depicted in **Exhibit 2**, both of which are **attached hereto** and  
2 incorporated herein by this reference (Subject Property), has  
3 applied for a rezoning and reclassification of that property from  
4 Agriculture (AGR) District and Planned Unit Development (PUD)  
5 District (Ordinances 2004-14-E and 2005-833-E) to Planned Unit  
6 Development (PUD) District, as described in Section 1 below; and

7 **WHEREAS**, the Planning Commission has considered the  
8 application and has rendered an advisory opinion; and

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

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

16 **WHEREAS**, the Council finds the proposed rezoning does not  
17 adversely affect the orderly development of the City as embodied in  
18 the Zoning Code; will not adversely affect the health and safety of  
19 residents in the area; will not be detrimental to the natural  
20 environment or to the use or development of the adjacent properties  
21 in the general neighborhood; and will accomplish the objectives and  
22 meet the standards of Section 656.340 (Planned Unit Development) of  
23 the Zoning Code; now, therefore

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

25 **Section 1. Property Rezoned.** The Subject Property is  
26 hereby rezoned and reclassified from Agriculture (AGR) District and  
27 Planned Unit Development (PUD) District (Ordinances 2004-14-E and  
28 2005-833-E) to Planned Unit Development (PUD) District. This new  
29 PUD district shall generally permit single family residential uses,  
30 and is described, shown and subject to the following attached  
31 documents:

1 **Exhibit 1** - Legal Description dated February 26, 2019.

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

3 **Revised Exhibit 3** - Revised Written Description dated October 15,  
4 2019.

5 **Revised Exhibit 4** - Revised Site Plan dated October 15, 2019.

6 **Section 2. Rezoning Approved Subject to Condition.** This  
7 rezoning is approved subject to the following condition. Such  
8 condition controls over the Written Description and the Site Plan  
9 and may only be amended through a rezoning.

10 (1) Development shall proceed in accordance with the  
11 conditions provided by the Transportation Planning Division  
12 Memorandum dated June 5, 2019, and the conditions provided by the  
13 City's Traffic Engineer's Memorandum dated June 4, 2019, or as  
14 otherwise approved by the Transportation Planning Division and the  
15 Planning and Development Department.

16 **Section 3. Owner and Description.** The Subject Property  
17 is owned by Percy Oaks Partners, LLC, and is legally described in  
18 **Exhibit 1, attached hereto.** The agent is Paul M. Harden, Esq., 501  
19 Riverside Avenue, Suite 901, Jacksonville, Florida 32202; (904)  
20 396-5731.

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

1 act that is prohibited or restricted by any federal, state or local  
2 laws.

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

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8 Form Approved:

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10           /s/ Shannon K. Eller          

11 Office of General Counsel

12 Legislation Prepared By: Connor Corrigan

13 GC-#1314270-v2-2019-373-E