



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
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Jacksonville, FL 32202
(904) 630-CITY
Jacksonville.gov

January 23, 2025

The Honorable Randy White
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report
Ordinance No.: 2024-0979 Application for: Percy Road PUD

Dear Honorable Council President White, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve w/ Conditions**

Planning Commission Recommendation: **Approve w/ Conditions**

This rezoning is subject to the following exhibits:

1. The Original Legal Description dated October 1, 2024
2. The Revised Written Description dated January 16, 2025
3. The Original Site Plan dated September 27, 2024

Planning Commission Conditions:

1. A traffic study shall be provided at Civil Site Plan Review. The traffic study shall meet the requirements of the Land Development Procedures Manual Section 1.1.11 (January 2024).
2. Any driveway on Percy Road shall align with proposed driveways on the south side of the street or be separated by 75 feet.

Planning Department Conditions:

1. A traffic study shall be provided at Civil Site Plan Review. The traffic study shall meet the requirements of the Land Development Procedures Manual Section 1.1.11 (January 2024).

2. Any driveway on Percy Road shall align with proposed driveways on the south side of the street or be separated by 75 feet.

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	7-0
Mark McGowan, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mon'e Holder, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Charles Garrison	Aye
Julius Harden	Aye
Ali Marar	Absent

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Erin L. Abney, MPA

Chief, Current Planning Division
Planning & Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2024-979 TO
PLANNED UNIT DEVELOPMENT

JANUARY 23, 2025

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2024-979** to Planned Unit Development.

Location: 12743 Lem Turner Road - northeast quadrant of Lem Turner Road and Percy Road

Real Estate Number(s): 019494-0055

Current Zoning District(s): Planned Unit Development (PUD 2004-14-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Neighborhood Commercial (NC)

Planning District: North, District 6

Council District: District 8

Applicant/Agent: Hayden Phillips, Esq.
Rogers Towers, PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: 2005 Lem Turner Associates, LLC
151 Sawgrass Corners Drive, Suite 202
Ponte Vedra Beach, Florida 32082

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2024-979** seeks to rezone approximately 3.63 acres of land from PUD to PUD. The rezoning to PUD is being sought to construct a Gate filling station/convenience store, including the retail sale of beer and wine for off-premises consumption. The PUD also allows for medical and professional offices, restaurants, and neighborhood retail and service establishments.

The current PUD, 2004-14-E, allows for the same medical and professional offices, restaurants, and neighborhood retail and service establishments, hotel/motel, personal property storage, retail plant nursery, schools, churches and day care centers. A filling station/convenience store was not listed in this PUD and therefore a new rezoning is required.

PUD 2004-14 contains the following six conditions:

- (a) Development shall proceed in accordance with the Traffic Engineering Division Memorandum dated April 22, 2005 and attached hereto as Exhibit 4, or as otherwise approved the Traffic Engineering Division and FDOT.
- (b) The Northlake Community shall be given an easement over a ten by twelve parcel of land contiguous to the Percy Road right-of-way with the location to be determined, for an entryway sign. This sign shall not be calculated as signage for this PUD and the building material and design of the sign shall be approved by the Subject Property owner.
- (c) Superseding anything in the written description to the contrary, the height of each sign on the two outparcels shall be limited to six feet.
- (d) All buildings shall be stucco with brick accents on all sides facing rights-of-way. All architectural features are subject to the review and approval of the Planning and Development Department.
- (e) Any drive-through shall be screened from the public right-of-way.
- (f) A tree survey shall be submitted to the Planning and Development Department for review to determine the feasibility of providing undisturbed natural buffer areas, or other landscaped buffer areas.

The Planning & Development Department has reviewed the conditions and recommends the following:

- (a) Not be continued as the new development will be reviewed by the Transportation Planning Division.
- (b) This condition has been completed.
- (c) The PUD contains language that limits signs on Percy Road to 15 feet.
- (d) The PUD contains architectural elevations, and the condition is not needed.
- (e) This condition may be difficult to enforce.
- (f) This condition is not needed as a landscape plan is already required during Civil Site Plan Review.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

(A) Is the proposed zoning district consistent with the 2045 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Neighborhood Commercial (NC) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2045 Comprehensive Plan.

Neighborhood Commercial (NC) is a category primarily intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. These uses shall generally be located within walking distance of residential neighborhoods in order to reduce the number of Vehicles Miles Traveled. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2045 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

(B) Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?

Yes. This proposed rezoning to Planned Unit Development is consistent with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

Goal 1 To ensure that the character and location of land uses optimize the combined potentials of economic benefit and enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.9 Promote the use of Planned Unit Developments (PUD) zoning districts, cluster developments, and other innovative site planning and smart growth techniques in order to allow for appropriate combinations of complementary land uses, densities and intensities consistent with the underlying land use category or site specific policy, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations. These techniques should consider the following criteria in determining uses, densities, intensities, and site design:

- Potential for the development of blighting or other negative influences on abutting properties
- Traffic Impacts
- Site Access
- Transition of densities and comparison of percentage increase in density above average density of abutting developed properties
- Configuration and orientation of the property
- Natural or man-made buffers and boundaries
- Height of development
- Bulk and scale of development
- Building orientation
- Site layout
- Parking layout
- Opportunities for physical activity, active living, social connection, and access to healthy food

Airport Environment Zone

The site is located within the 150-foot Height and Hazard Zone for Jacksonville International Airport. Zoning will limit development to a maximum height of 150 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

(1) Consistency with the 2045 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Neighborhood Commercial (NC). The Planning and Development Department finds that the proposed PUD is consistent with the 2045 Comprehensive Plan, as evaluated in Criteria (B).

(2) Consistency with the Concurrency Mobility and Management System

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a filling station/convenience store. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for 2045 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The use of existing and proposed landscaping: The written description and site plan show that internal landscaping will comply with the Zoning Code, ensuring an attractive aesthetic for the area.
- The use and variety of building setback lines, separations, and buffering: The PUD will provide a 10-foot building setback on all sides. This is in excess of a conventional commercial zoning district.
- The use and variety of building sizes and architectural styles: The PUD has provided typical architectural elevations of the proposed building.
- Traffic and pedestrian circulation patterns: Application was reviewed by the Transportation Divisions and received the following comments per Transportation Review dated December 17, 2024:

The subject site is approximately 3.63 acres and is located on the northeast corner of Percy Road, a local roadway, and Lem Turner Road, a minor arterial roadway. Lem Turner Road between Perry Drive and Gerald Road is currently operating at 42% of capacity. This segment currently has a maximum daily capacity of vehicles per day of 28,500 (vpd) and average daily traffic of 12,000 vpd.

The applicant requests a Gas Station with 24 VFPs (ITE Code 945) which could produce 2,272 daily trips.

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

- Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: The Written Description will provide an 8-foot high, 100% opaque visual screen along the eastern boundary adjacent to the residential area. This screen exceeds the required 6 foot high, 85% opacity required by the Zoning Code.
- The type, number and location of surrounding external uses: The surrounding area is developing with a variety of residential dwelling types. It is expected commercial uses will be required to meets the needs of the additional residential rooftops.
- The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	AGR	Single family dwelling
South	CGC	PUD (06-493) PUD (22-200)	
East	LDR	PUD (19-373)	Single family dwellings
West	RR MDR	RR-Acre PUD (22-891)	Single family dwellings Duplex subdivision

- Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The Written Description includes a provision to reduce lighting glare or excessive illumination to the surrounding area. The lighting plan will be reviewed and approved by the Planning Department.

(6) Intensity of Development

The proposed development is consistent with the Neighborhood Commercial (NC) functional land use category as a filling station/convenience store. The PUD is appropriate at this location

- The existing residential density and intensity of use of surrounding lands:
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: Traffic Engineering has the following comments
 - Lem Turner Road is an FDOT right of way. Permitting for access to this ROW shall be through FDOT.

- A traffic study shall be provided at Civil Site Plan Review. The traffic study shall meet the requirements of the Land Development Procedures Manual Section 1.1.11 (January 2024).
- Any driveway on Percy Road shall align with proposed driveways on the south side of the street or be separated by 75 feet,
- Any driveway on Percy Road shall comply with City of Jacksonville Code of Ordinances 654.115(b) and (g).

(7) Usable open spaces plazas, recreation areas.

The commercial development does not require open space or recreation area.

(8) Impact on wetlands

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

No wildlife survey was required as the project is less than the 50-acre threshold.

(10) Off-street parking including loading and unloading areas.

The site will be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The PUD indicates the project will contain a pedestrian system that meets the 2045 Comprehensive Plan. Sidewalks will be required along Lem Turner Road and Percy Road.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on December 17, 2024, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2024-979** be **APPROVED** with the following exhibits:

1. The original legal description dated October 1, 2024
2. The Revised written description dated January 16, 2025
3. The original site plan dated September 27, 2024

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2024-979** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. A traffic study shall be provided at Civil Site Plan Review. The traffic study shall meet the requirements of the Land Development Procedures Manual Section 1.1.11 (January 2024).
2. Any driveway on Percy Road shall align with proposed driveways on the south side of the street or be separated by 75 feet.



Aerial view of subject property

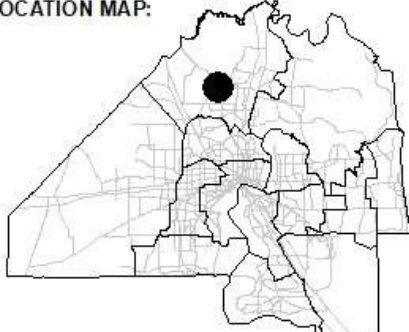



View of subject property



Adjacent residential subdivision



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>0 100 200 400 Feet</p> <p>COUNCIL DISTRICT: 8</p>
<p>ORDINANCE NUMBER ORD-2024-0979</p>	<p>TRACKING NUMBER T-2024-5888</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>