

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

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; PROVIDING A DISCLAIMER THAT
20 THE REZONING GRANTED HEREIN SHALL NOT BE
21 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
22 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

23
24 **WHEREAS**, Percy Oaks Partners, LLC, the owner of approximately
25 22.69± acres, located in Council District 7 at 3229 Percy Road, 0
26 Lem Turner Road, 12803 Lem Turner Road and 12855 Lem Turner Road,
27 between Interstate 295 and Terrell Road (R.E. Nos. 019455-0000,
28 019455-0050, 019456-0000 and 019456-0050), as more particularly
29 described in **Exhibit 1**, dated February 26, 2019, and graphically
30 depicted in **Exhibit 2**, both of which are **attached hereto** and
31 incorporated herein by this reference (Subject Property), has

1 applied for a rezoning and reclassification of that property from
2 Agriculture (AGR) District and Planned Unit Development (PUD)
3 District (Ordinances 2004-14-E and 2005-833-E) to Planned Unit
4 Development (PUD) District, as described in Section 1 below; and

5 **WHEREAS,** the Planning Commission has considered the
6 application and has rendered an advisory opinion; and

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

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

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

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

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

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

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

1 **Exhibit 3** - Written Description dated May 10, 2019.

2 **Exhibit 4** - Site Plan dated March 1, 2019.

3 **Section 2. Owner and Description.** The Subject Property
4 is owned by Percy Oaks Partners, LLC, and is legally described in
5 **Exhibit 1, attached hereto.** The agent is Paul M. Harden, Esq., 501
6 Riverside Avenue, Suite 901, Jacksonville, Florida 32202; (904)
7 396-5731.

8 **Section 3. Disclaimer.** The rezoning granted herein
9 shall **not** be construed as an exemption from any other applicable
10 local, state, or federal laws, regulations, requirements, permits
11 or approvals. All other applicable local, state or federal permits
12 or approvals shall be obtained before commencement of the
13 development or use and issuance of this rezoning is based upon
14 acknowledgement, representation and confirmation made by the
15 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
16 or designee(s) that the subject business, development and/or use
17 will be operated in strict compliance with all laws. Issuance of
18 this rezoning does **not** approve, promote or condone any practice or
19 act that is prohibited or restricted by any federal, state or local
20 laws.

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

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26 Form Approved:

27
28 _____ /s/ Shannon K. Eller

29 Office of General Counsel

30 Legislation Prepared By: Connor Corrigan

31 GC-#1283759-v1-Percy_Oaks_PUD_Z-2285