

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-979-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.63± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 12743 LEM TURNER
7 ROAD, AT THE NORTHEASTERN CORNER OF THE
8 INTERSECTION OF PERCY ROAD AND LEM TURNER ROAD
9 (R.E. NO(S). 019494-0055), AS DESCRIBED HEREIN,
10 OWNED BY 2005 LEM TURNER ASSOCIATES, LLC, FROM
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2004-
12 14-E) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT,
13 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
14 TO PERMIT COMMERCIAL USES, AS DESCRIBED IN THE
15 PERCY ROAD PUD; PUD SUBJECT TO CONDITIONS;
16 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
17 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
18 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
19 EFFECTIVE DATE.
20

21 **WHEREAS**, 2005 Lem Turner Associates, LLC, the owner of
22 approximately 3.63± acres located in Council District 8 at 12743 Lem
23 Turner Road, at the northeastern corner of the intersection of Percy
24 Road and Lem Turner Road (R.E. No(s). 019494-0055), as more
25 particularly described in **Exhibit 1**, dated October 1, 2024, and
26 graphically depicted in **Exhibit 2**, both of which are attached hereto
27 (the "Subject Property"), has applied for a rezoning and
28 reclassification of the Subject Property from Planned Unit
29 Development (PUD) District (2004-14-E) to Planned Unit Development
30 (PUD) District, as described in Section 1 below; and

31 **WHEREAS**, the Planning Commission, acting as the local planning

1 agency, has reviewed the application and made an advisory
2 recommendation to the Council; and

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

5 **WHEREAS**, the Council finds that such rezoning is: (1)
6 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
7 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
8 not in conflict with any portion of the City's land use regulations;
9 and

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

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

19 **Section 1. Property Rezoned.** The Subject Property is
20 hereby rezoned and reclassified from Planned Unit Development (PUD)
21 District (2005-120-E) to Planned Unit Development (PUD) District.
22 This new PUD district shall generally permit commercial uses, and is
23 described, shown and subject to the following documents, attached
24 hereto:

25 **Exhibit 1** - Legal Description dated October 1, 2024.

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

27 **Revised Exhibit 3** - Revised Written Description dated January 16,
28 2025.

29 **Exhibit 4** - Site Plan dated September 27, 2024.

30 **Section 2. Rezoning Approved Subject to Conditions.** This
31 rezoning is approved subject to the following conditions. Such

1 conditions control over the Written Description and the Site Plan and
2 may only be amended through a rezoning:

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

6 (2) Any driveway on Percy Road shall align with proposed
7 driveways on the north side of the street or be separated by 75 feet.

8 **Section 3. Owner and Description.** The Subject Property is
9 owned by 2005 Lem Turner Associates, LLC, and is legally described
10 in **Exhibit 1**, attached hereto. The applicant is Hayden Phillips,
11 Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida,
12 32207; (904) 346-5535.

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

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

1 Form Approved:

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3 /s/ Dylan Reingold

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

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