

1 Introduced by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2022-300-E**

5 AN ORDINANCE REZONING APPROXIMATELY 12.88± ACRES  
6 LOCATED IN COUNCIL DISTRICT 9 AT 0 WEST 5TH  
7 STREET AND 2600 WEST 5TH STREET, BETWEEN HURON  
8 STREET AND MCDUFF AVENUE NORTH (R.E. NOS. 049706-  
9 0010 AND 049707-0010), OWNED BY JACKSONVILLE  
10 ALLIANCE FOR KIPP SCHOOLS, INC., AS DESCRIBED  
11 HEREIN, FROM COMMERCIAL COMMUNITY/GENERAL-2  
12 (CCG-2) DISTRICT TO INDUSTRIAL LIGHT (IL)  
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
14 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP  
15 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION  
16 NUMBER L-5638-21C; PROVIDING A DISCLAIMER THAT  
17 THE REZONING GRANTED HEREIN SHALL NOT BE  
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
20

21 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
22 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
23 portions of the Future Land Use Map series (FLUMs) in order to ensure  
24 the accuracy and internal consistency of the plan, pursuant to  
25 companion application L-5638-21C; and

26 **WHEREAS**, in order to ensure consistency of zoning district with  
27 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
28 Amendment L-5638-21C, an application to rezone and reclassify from  
29 Commercial Community/General-2 (CCG-2) District to Industrial Light  
30 (IL) District was filed by Cyndy Trimmer, Esq., on behalf of the  
31 owners of approximately 12.88± acres of certain real property in  
32 Council District 9, as more particularly described in Section 1; and

1           **WHEREAS**, the Planning and Development Department, in order to  
2 ensure consistency of this zoning district with the *2030 Comprehensive*  
3 *Plan*, has considered the rezoning and has rendered an advisory  
4 opinion; and

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

7           **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
8 notice, held a public hearing and made its recommendation to the  
9 Council; and

10          **WHEREAS**, the City Council, after due notice, held a public  
11 hearing, and taking into consideration the above recommendations as  
12 well as all oral and written comments received during the public  
13 hearings, the Council finds that such rezoning is consistent with the  
14 *2030 Comprehensive Plan* adopted under the comprehensive planning  
15 ordinance for future development of the City of Jacksonville; now,  
16 therefore

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

18          **Section 1.           Subject Property Location and Description.** The  
19 approximately 12.88± acres are located in Council District 9 at 0  
20 West 5<sup>th</sup> Street and 2600 West 5<sup>th</sup> Street, between Huron Street and  
21 McDuff Avenue North (R.E. Nos. 049706-0010 and 049707-0010), as more  
22 particularly described in **Exhibit 1** dated November 23, 2021, and  
23 graphically depicted in **Exhibit 2**, both of which are **attached hereto**  
24 and incorporated herein by this reference (the "Subject Property").

25          **Section 2.           Owner and Applicant Description.** The Subject  
26 Property is owned by Jacksonville Alliance for Kipp Schools, Inc.  
27 The applicant is Cyndy Trimmer, Esq., 1 Independent Drive, Suite  
28 1200, Jacksonville, Florida 32202; (904) 807-0185.

29          **Section 3.           Property Rezoned.**        The Subject Property,  
30 pursuant to adopted companion Small-Scale Amendment Application L-  
31 5638-21C, is hereby rezoned and reclassified from Commercial

1 Community/General-2 (CCG-2) District to Industrial Light (IL)  
2 District.

3 **Section 4. Contingency.** This rezoning shall not become  
4 effective until thirty-one (31) days after adoption of the companion  
5 Small-Scale Amendment; and further provided that if the companion  
6 Small-Scale Amendment is challenged by the state land planning agency,  
7 this rezoning shall not become effective until the state land planning  
8 agency or the Administration Commission issues a final order  
9 determining the companion Small-Scale Amendment is in compliance with  
10 Chapter 163, *Florida Statutes*.

11 **Section 5. Disclaimer.** The rezoning granted herein  
12 shall not be construed as an exemption from any other applicable  
13 local, state, or federal laws, regulations, requirements, permits or  
14 approvals. All other applicable local, state or federal permits or  
15 approvals shall be obtained before commencement of the development  
16 or use and issuance of this rezoning is based upon acknowledgement,  
17 representation and confirmation made by the applicant(s), owner(s),  
18 developer(s) and/or any authorized agent(s) or designee(s) that the  
19 subject business, development and/or use will be operated in strict  
20 compliance with all laws. Issuance of this rezoning does not approve,  
21 promote or condone any practice or act that is prohibited or  
22 restricted by any federal, state or local laws.

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

27  
28  
29  
30  
31 Form Approved:

1

2

/s/ Mary E. Staffopoulos

3

Office of General Counsel

4

Legislation Prepared By: Bruce Lewis

5

GC-#1493813-v1-2022-300\_(Z-3916)