

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

4 **ORDINANCE 2020-480-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.95± OF AN
6 ACRE LOCATED IN COUNCIL DISTRICT 9 AT 5565
7 ALPHA AVENUE, 5583 PLYMOUTH STREET AND 5591
8 PLYMOUTH STREET, BETWEEN ELLIS ROAD SOUTH AND
9 ORTON STREET (R.E. NOS. 067893-0000, 067901-
10 0000 AND 067902-0000), OWNED BY PLANK PARKLAND,
11 LLC, AS DESCRIBED HEREIN, FROM RESIDENTIAL LOW
12 DENSITY-60 (RLD-60) AND INDUSTRIAL BUSINESS
13 PARK (IBP) DISTRICTS TO INDUSTRIAL LIGHT (IL)
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
16 SERIES (FLUMS) SMALL-SCALE AMENDMENT
17 APPLICATION NUMBER L-5461-20C; PROVIDING A
18 DISCLAIMER THAT THE REZONING GRANTED HEREIN
19 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
20 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
21 DATE.
22

23 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2030 Comprehensive Plan* for the purpose of
25 revising portions of the Future Land Use Map series (FLUMs) in
26 order to ensure the accuracy and internal consistency of the plan,
27 pursuant to application L-5461-20C and companion land use Ordinance
28 2020-479; and

29 **WHEREAS**, in order to ensure consistency of zoning district
30 with the *2030 Comprehensive Plan* and the adopted companion Small-
31 Scale Amendment L-5461-20C, an application to rezone and reclassify

1 from Residential Low Density-60 (RLD-60) and Industrial Business
2 Park (IBP) Districts to Industrial Light (IL) District was filed by
3 Adis E. Cosic, on behalf of the owner of approximately 0.95± of an
4 acre of certain real property in Council District 9, as more
5 particularly described in Section 1; and

6 **WHEREAS**, the Planning and Development Department, in order to
7 ensure consistency of this zoning district with the 2030
8 *Comprehensive Plan*, has considered the rezoning and has rendered an
9 advisory opinion; and

10 **WHEREAS**, the Planning Commission has considered the
11 application and has rendered an advisory opinion; and

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

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

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

23 **Section 1. Subject Property Location and Description.** The
24 approximately 0.95± of an acre (R.E. Nos. 067893-0000, 067901-0000
25 and 067902-0000) is located in Council District 9 at 5565 Alpha
26 Avenue, 5583 Plymouth Street and 5591 Plymouth Street, between
27 Ellis Road South and Orton Street, as more particularly described
28 in **Exhibit 1**, dated July 28, 2020, and graphically depicted in
29 **Exhibit 2**, both of which are **attached hereto** and incorporated
30 herein by this reference (Subject Property).

31 **Section 2. Owner and Applicant Description.** The Subject

1 Property is owned by Plank Parkland, LLC. The applicant is Adis E.
2 Cosic, 1179 Ellis Road South, Jacksonville, Florida 32205; (904)
3 343-7092.

4 **Section 3. Property Rezoned.** The Subject Property,
5 pursuant to adopted companion Small-Scale Amendment Application L-
6 5461-20C, is hereby rezoned and reclassified from Residential Low
7 Density-60 (RLD-60) and Industrial Business Park (IBP) Districts to
8 Industrial Light (IL) District.

9 **Section 4. Contingency.** This rezoning shall not become
10 effective until 31 days after adoption of the companion Small-Scale
11 Amendment; and further provided that if the companion Small-Scale
12 Amendment is challenged by the state land planning agency, this
13 rezoning shall not become effective until the state land planning
14 agency or the Administration Commission issues a final order
15 determining the companion Small-Scale Amendment is in compliance
16 with Chapter 163, *Florida Statutes*.

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

30 **Section 6. Effective Date.** The enactment of this
31 Ordinance shall be deemed to constitute a quasi-judicial action of

