

Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2025-249-E

AN ORDINANCE DENYING A REQUEST FOR REZONING APPROXIMATELY 13.91± ACRES LOCATED IN COUNCIL DISTRICT 3 AT 4901 GATE PARKWAY, ON THE NORTHEAST CORNER OF GATE PARKWAY AND J. TURNER BUTLER BOULEVARD (R.E. NO(S). 167727-1700), AS DESCRIBED HEREIN, OWNED BY COSTCO WHOLESALE CORPORATION, FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2000-228-E) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO PERMIT A FUEL FACILITY AND COMMERCIAL USES IN THE COSTCO PUD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Costco Wholesale Corporation, the owner of approximately 13.91± acres located in Council District 3 at 4901 Gate Parkway, on the northeast corner of Gate Parkway and J. Turner Butler Boulevard (R.E. No(s). 167727-1700), as more particularly described in **Exhibit 1**, dated June 27, 2024, and graphically depicted in **Exhibit 2**, both of which are attached hereto (the "Subject Property"), has applied for a rezoning and reclassification of the Subject Property from Planned Unit Development (PUD) District (2000-228-E) to Planned Unit Development (PUD) District, as described in Section 1 below; and

WHEREAS, the Planning Commission, acting as the local planning agency, has reviewed the application and made an advisory recommendation to the Council; and

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

1 therefore

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

3 **Section 1. Property Rezoning Denied.** The City Council
4 denies the rezoning of the Subject Property from Planned Unit
5 Development (PUD) District (2000-228-E) to Planned Unit Development
6 (PUD) District, which would have generally permitted a fuel facility
7 and commercial uses, as set forth in the following documents submitted
8 by the applicant, attached hereto:

9 **Exhibit 1** - Legal Description dated June 27, 2024.

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

11 **Exhibit 3** - Written Description dated June 27, 2024.

12 **Exhibit 4** - Site Plan dated April 26, 2024.

13 Pursuant to section 656.341(d), *Ordinance Code*, in addition to
14 the criteria set forth in Section 656.125, *Ordinance Code*, there are
15 criteria to be considered specifically when evaluating an application
16 for rezoning to the Planned Unit Development district. One of those
17 criteria is internal compatibility. Pursuant to section
18 656.341(d)(4), *Ordinance Code*, all land uses proposed within a
19 proposed Planned Unit Development should be compatible with other
20 proposed uses and not have any undue adverse impact on any neighboring
21 use. An evaluation of the internal compatibility of a proposed Planned
22 Unit Development includes an analysis of the traffic and pedestrian
23 circulation pattern. As noted by Jason Gabriel at the Planning
24 Commission meeting, the fuel station site is about ten percent of the
25 Subject Property. "And that's just a static brick and mortar part
26 of the fuel operation. That does not take into account the long lines
27 and traffic flow dynamic that will come within that packed parking
28 lot." This statement is bolstered by the Aerial View of Subject
29 Property picture in the Planning Department staff report, which shows
30 an already crowded parking lot an existing 143,463 square foot Costco
31 store. The Planning Department staff report indicates that this

1 rezoning will further exacerbate the problem by eliminating 123
2 parking spaces, while at the same time intensifying the use of the
3 Subject Property with a fuel facility.

4 Another one of those criteria is external compatibility.
5 Pursuant to section 656.341(d)(5), *Ordinance Code*, all land uses
6 within a proposed Planned Unit Development should be compatible with
7 existing and planned uses of properties surrounding the proposed
8 Planned Unit Development and not have any avoidable or undue adverse
9 impact on existing or planned surrounding uses. The evaluation of
10 external compatibility of a proposed Planned Unit Development is
11 based on several enumerated factors, including any other factor deemed
12 relevant to the privacy, safety, preservation, protection or welfare
13 of lands surrounding the proposed Planned Unit Development which
14 includes any existing or planned use of such lands. Based upon his
15 firsthand observation, Jason Gabriel at the Planning Commission
16 meeting, noted that the Subject Property "is already wedged within a
17 highly intense and trafficked retail area, and that's surrounded by
18 a host of constant commercial traffic flow." This statement is
19 bolstered by the Aerial View of Subject Property contained in the
20 Planning Department report. The Aerial View of Subject Property
21 shows cars backed up on Gate Parkway outside of the Subject Property
22 almost all the way to the intersection with the J. Turner Butler
23 offramp. And the Aerial View of Subject Property then shows a lengthy
24 backup of cars on the offramp itself. This "bad traffic circulation
25 situation" is in close proximity to the narrow entranceway into the
26 Subject Property.

27 Additionally, pursuant to section 656.125(c), *Ordinance Code*,
28 the proposed rezoning and the development permitted thereunder cannot
29 detract from the character and quality of life in the general area
30 or neighborhood by creating excessive traffic, noise, lights,
31 vibration, fumes, odors, dust, physical activities or other

1 detrimental effects or nuisances. As noted above, the rezoning will
2 create excess traffic and other detrimental effects concerning
3 parking and traffic circulation issues.

4 **Section 2. Owner and Description.** The Subject Property is
5 owned by Costco Wholesale Corporation and is legally described in
6 **Exhibit 1**, attached hereto. The applicant is Edward McDonald, 1502
7 W. Fletcher Avenue, Suite 101, Tampa, Florida, 33612; (813) 379-4100.

8 **Section 3. Effective Date.** The enactment of this Ordinance
9 shall be deemed to constitute a quasi-judicial action of the City
10 Council and shall become effective upon signature by the Council
11 President and Council Secretary.

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13 Form Approved:

14
15 /s/ Dylan Reingold

16 Office of General Counsel

17 Legislation Prepared By: Erin Abney

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