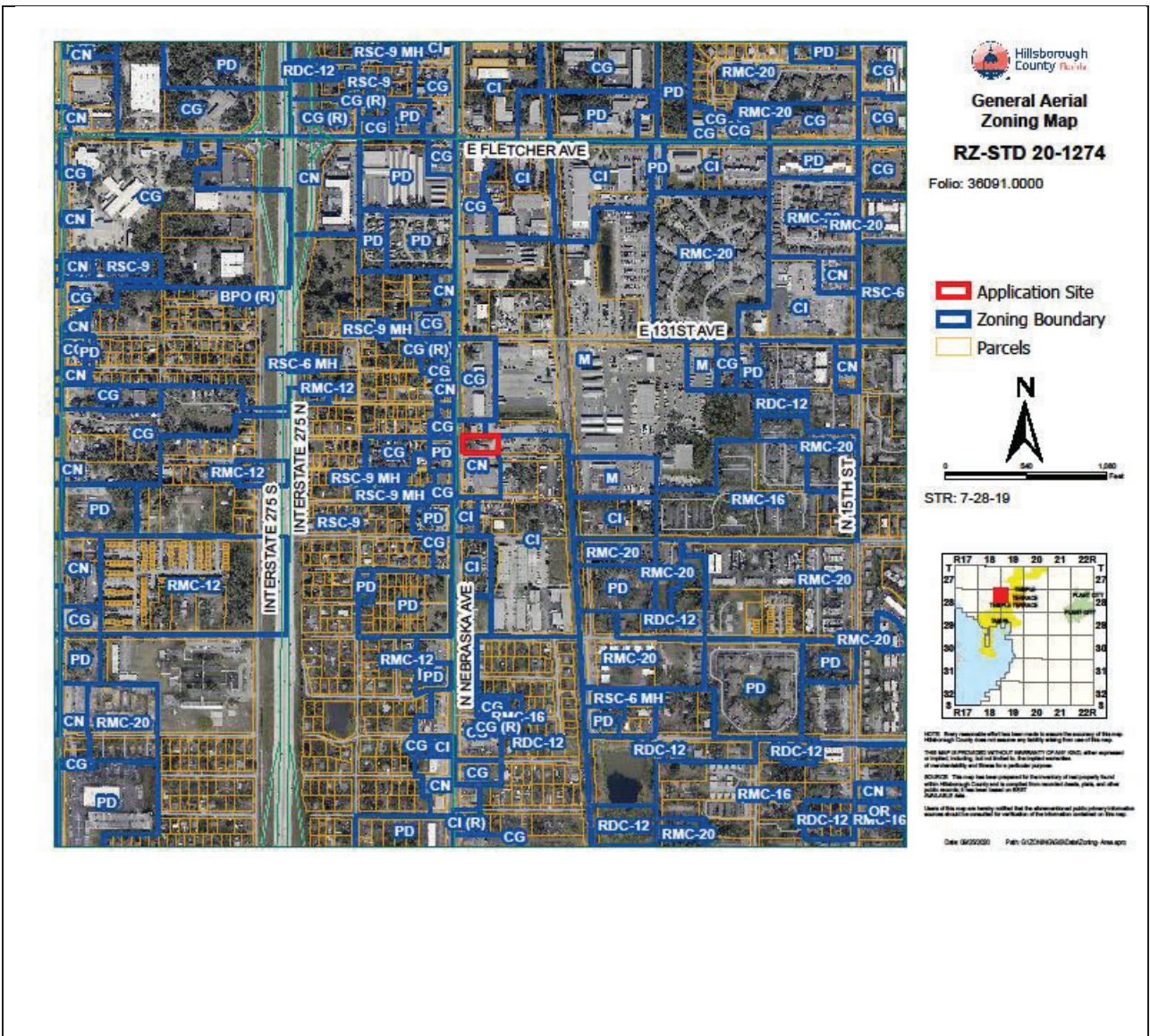




# Hillsborough County Florida

## STAFF REPORT

<b>SUBJECT:</b>	RZ 20-1274	<b>PLANNING AREA:</b>	University Area Community
<b>REQUEST:</b>	Rezoning to CI	<b>SECTOR:</b>	Northwest
<b>APPLICANT:</b>	Robbins Real Estate, Inc		
<b>Existing Zoning:</b>	CN	<b>Comp Plan Category:</b>	OC-20



## Application Review Summary and Recommendation

### 1.0 Summary

#### 1.1 Project Narrative

The request is to rezone a .62-acre parcel from CN (Commercial - Neighborhood) to CI (Commercial - Intensive). There is an existing office on the site. The parcel is located 55 feet northeast of the intersection of East 129<sup>th</sup> Ave and North Nebraska Avenue. The purpose of the rezoning is to expand the allowable uses for future development with the adjacent parcel that is also owned by the applicant.

#### 1.2 Compliance Overview with Land Development Code and Technical Manuals

No variation or variances to the land development code are being requested at this time. The site will comply with and conform to applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code, Site Development and Technical Manuals.

#### 1.3 Evaluation of Existing and Planned Public Facilities

The site is located in the Urban Service Area; therefore, Hillsborough County Water and/or Wastewater Service will be available to serve the subject property.

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 1,272 average daily trips, 109 trips in the a.m. peak hour, and 89 trips in the p.m. peak hour. Please note that N Nebraska Avenue is under the jurisdiction of the Florida Department of Transportation (FDOT). Note that E 129th Avenue is a substandard road. As this is a Euclidean zoning request, substandard roadway requirements will be reviewed at the time of plat/site/construction plan review. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations; however, it is anticipated that access to the lots would be from E 129th Avenue. N Nebraska Avenue and E 129th Avenue are not shown on the Hillsborough County Corridor Preservation Plan as such no right-of-way preservation is needed at this time. Transportation staff has no objection to this request.

Estimated impact and mobility fees are as follows:

Industrial (Per 1,000 square feet)	Manufacturing (Per 1,000 square feet)	Warehouse (Per 1,000 square feet)
Mobility: \$2,727.00	Mobility: \$1,778.00	Mobility: \$877.00
Fire: \$57.00	Fire: \$57.00	Fire: \$34.00

#### 1.4 Comprehensive Plan Consistency

The Comprehensive Plan Designation for the parcel is OC-20. The Planning Commission finds the application **Consistent** with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County.

#### 1.7 Compatibility

The adjacent property to the north and east is owned by the applicant and is used for a scooter rental company and a warehouse. The parcel is zoned CN (Commercial - Neighborhood) and M (Manufacturing) at the northern section and CI (Commercial -Intensive) at the eastern section. To the south across East

APPLICATION: RZ 20-1274

ZHM HEARING DATE: November 16, 2020

BOCC MEETING DATE: January 12, 2021

CASE REVIEWER: Chris Grandlienard

129th Ave is a commercial strip mall zoned CN (Commercial - Neighborhood). To the west across North Nebraska is a welding supply store zoned PD (10-0424) and an auto body repair shop zoned CG (Commercial - General). The surrounding uses in the area consist of mostly commercial and manufacturing and a CI parcel is directly to the east, therefore, the rezoning of the subject parcel from CN to CI would be consistent with the existing zoning pattern of the area.

Based on the above considerations staff finds the requested CI zoning district compatible with the existing zoning and development pattern in the area.

### 1.6 Agency Comments

The following reviewing agencies provided comments and had no objections to this request:

- Conservation and Environmental Lands Management
- Florida Department of Transportation
- Water Resource Services
- Impact & Mobility Fee Assessment

### 1.7 Exhibits

Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

### 2.0 Recommendation

Based on the above considerations, staff finds the request approvable.



<b>Staff's Recommendation: Approvable</b>	
Zoning Administrator Sign-off:	 ↓ Brian Grady Mon Nov 9 2020 17:36:13



# General Aerial Zoning Map

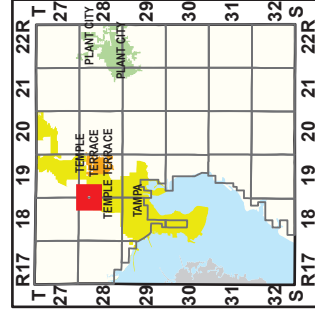
## RZ-STD 20-1274

Folio: 36091.0000

-  Application Site
-  Zoning Boundary
-  Parcels



STR: 7-28-19

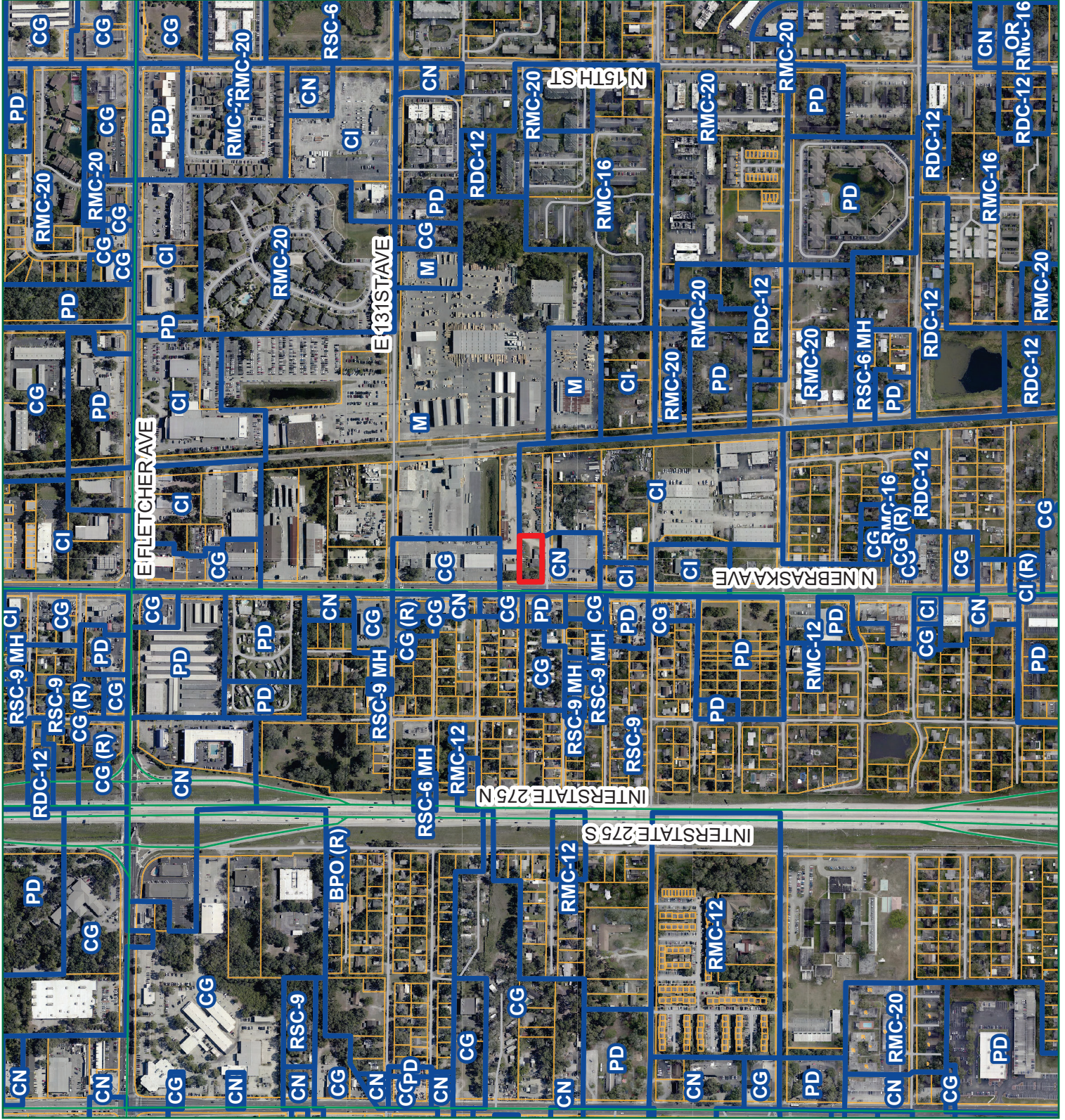


NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records; it has been based on BEST AVAILABLE data.

Users of this map are hereby notified that the aforementioned public information sources should be consulted for verification of the information contained on this map.



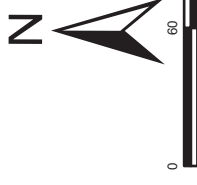


# Immediate Aerial Zoning Map

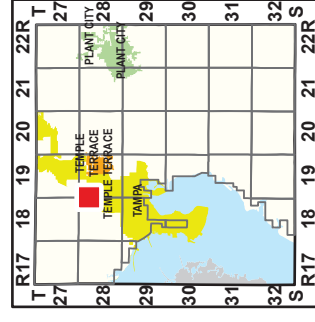
## RZ-STD 20-1274

Folio: 36091.0000

- Application Site
- Zoning Boundary
- Parcels



STR: 7-28-19

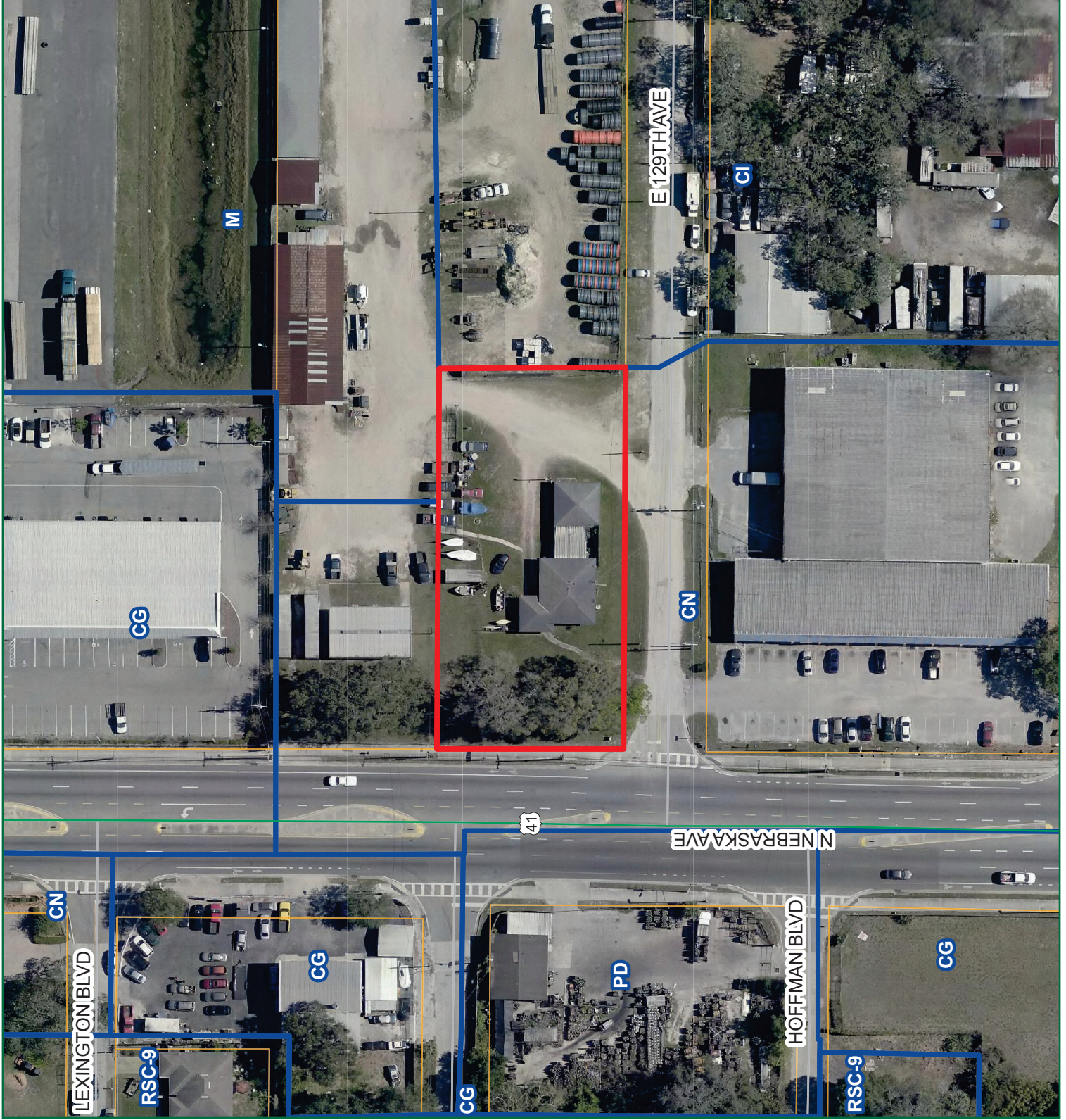


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**COUNTY OF HILLSBOROUGH  
RECOMMENDATION OF THE LAND USE HEARING OFFICER**

**APPLICATION NUMBER:** RZ-STD 20-1274

**DATE OF HEARING:** November 16, 2020

**APPLICANT:** Robbins Real Estate, Inc.

**PETITION REQUEST:** The request is to rezone a .62-acre parcel from CN (Commercial - Neighborhood) to CI (Commercial -Intensive).

**LOCATION:** 12901 N. Nebraska Ave.

**SIZE OF PROPERTY:** 0.62 Acre±

**EXISTING ZONING:** CN

**FUTURE LAND USE:** OC-20

**SERVICE AREA:** Urban

**COMMUNITY PLAN:** University Area

## DEVELOPMENT SERVICES STAFF REPORT

### 1.0 Summary

#### 1.1 Project Narrative

The request is to rezone a .62-acre parcel from CN (Commercial - Neighborhood) to CI (Commercial - Intensive). There is an existing office on the site. The parcel is located 55 feet northeast of the intersection of East 129<sup>th</sup> Ave and North Nebraska Avenue. The purpose of the rezoning is to expand the allowable uses for future development with the adjacent parcel that is also owned by the applicant.

#### 1.2 Compliance Overview with Land Development Codes and Technical Manuals

No variation or variances to the land development code are being requested at this time. The site will comply with and conform to applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code, Site Development and Technical Manuals.

#### 1.3 Evaluation of Existing and Planned Public Facilities

The site is located in the Urban Service Area; therefore, Hillsborough County Water and/or Wastewater Service will be available to serve the subject property.

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 1,272 average daily trips, 109 trips in the a.m. peak hour, and 89 trips in the p.m. peak hour. Please note that N Nebraska Avenue is under the jurisdiction of the Florida Department of Transportation (FDOT). Note that E 129<sup>th</sup> Avenue is a substandard road. As this is a Euclidean zoning request, substandard roadway requirements will be reviewed at the time of plat/site/construction plan review. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations; however, it is anticipated that access to the lots would be from E 129<sup>th</sup> Avenue. N Nebraska Avenue and E 129<sup>th</sup> Avenue are not shown on the Hillsborough County Corridor Preservation Plan as such no right-of-way preservation is needed at this time. Transportation staff has no objection to this request.

Estimated impact and mobility fees are as follows:

<b>Industrial</b> (Per 1,000 square feet)	<b>Manufacturing</b> (Per 1,000 square feet)	<b>Warehouse</b> (Per 1,000 square feet)
Mobility: \$2,727.00	Mobility: \$1,778.00	Mobility: \$877.00
Fire: \$57.00	Fire: \$57.00	Fire: \$34.00.

#### 1.4 Comprehensive Plan Consistency

The Comprehensive Plan Designation for the parcel is OC-20. The Planning Commission finds the application Consistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County.

#### 1.7 Compatibility

The adjacent property to the north and east is owned by the applicant and is used for a scooter rental company and a warehouse. The parcel is zoned CN (Commercial - Neighborhood) and M (Manufacturing) at the northern section and CI (Commercial -Intensive) at the eastern section. To the south across East 129<sup>th</sup> Ave is a commercial strip mall zoned CN (Commercial - Neighborhood). To the west across North Nebraska is a welding supply store zoned PD (10-0424) and an auto body repair shop zoned CG (Commercial - General). The surrounding uses in the area consist of mostly commercial and manufacturing and a CI parcel is directly to the east, therefore, the rezoning of the subject parcel from CN to CI would be consistent with the existing zoning pattern of the area.

Based on the above considerations staff finds the requested CI zoning district compatible with the



existing zoning and development pattern in the area.

### **1.6 Agency Comments**

The following reviewing agencies provided comments and had no objections to this request:

- Conservation and Environmental Lands Management
- Florida Department of Transportation
- Water Resource Services
- Impact & Mobility Fee Assessment

### **1.7 Exhibits**

Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

### **2.0 Recommendation**

Approvable

## **SUMMARY OF HEARING<sup>1</sup>**

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on November 16, 2020. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the Petition.

Jeremy Couch, 17937 Hunting Bow Circle, Lutz, Florida 33558, provided presentation on behalf of the applicant. He testified that the request for rezoning includes a 0.62-acre parcel on the northeast corner of Nebraska and 129<sup>th</sup> Avenue. The requested change is from CN to CI. The applicant owns approximately 10 acres north and east contiguous to the parcel. The requested CI zoning is consistent with the Future Land Use of OC-20. Surrounding uses to the south include a labor pool, smoke shop, and body shop. Uses to the west of Nebraska include a welding shop, auto paint, and auto sales. Uses to the north and east are the applicants. They have CI uses as well as M uses. Mr. Couch stated that these uses are all compatible with the CI district. There were no comments or objections by any reviewers and he did not know of any neighborhood opposition. Staff has recommended approval and the applicant requested the same from the Hearing Officer.

Chris Grandlienard with Development Services provided a summary of his previously submitted staff report.

Melissa Lienhard with the Planning Commission staff testified that the subject property is located in the Office Commercial-20 Future Land Use category. It is in the Urban Service Area and also within the limits of the University Area Community Plan. The proposed rezoning to CI would allow development that is similar to the existing commercial uses nearby fronting North Nebraska Avenue and meets the intent of Future Land Use Element Policy 1.4 with regard to compatibility. With regard to Policies 22.1 and 22.2 of the Future Land Use Element, the rezoning application seeks to intensify a portion of the property from CN zoning to CI zoning that is compatible with the surrounding properties. The proposed zoning district would allow uses compatible with the surrounding commercial uses. Regarding the Community Design Component in the Future Land Use Element, the rezoning will meet the commercial character by using similar commercial design standards and scale in design. It is appropriate for any new commercial zoning to locate at activity centers and commercial redevelopment areas such as this location. Additionally, the redevelopment is in character with the surrounding community and is

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<sup>1</sup> The summary of testimony is intended only to summarize pertinent points of testimony received. For a thorough understanding of testimony the reader is referred to the verbatim transcript made part of the hearing record.

consistent with Goal 9 and the accompanying policies of the Community Design Component. The proposed rezoning will allow for the redevelopment of the site, which is compatible with the surrounding mixed uses, and providing greater flexibility in land-use and density for future development while ensuring the use of neighborhood buffers. This rezoning is compatible with the University Area Community Plan vision. Based upon those considerations, Planning Commission staff found the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County.

The LUHO then asked for any audience members in support of the request. There were none.

The LUHO then asked for any audience members in opposition to the request. There were none.

The hearing was then concluded.

### **EVIDENCE SUBMITTED**

The following evidence was submitted at the hearing:

**None**

### **PREFACE**

All matters that precede the Summary of Hearing section of this Recommendation are hereby incorporated into and shall constitute a part of the ensuing Findings of Fact and Conclusions of Law.

### **FINDINGS OF FACT**

1. The subject site is presently zoned Commercial - Neighborhood (CN). It lies within the OC-20 Future Land Use category of the Comprehensive Plan within the Urban Service Area. It also lies within the boundary of the University Area Community Plan.
2. The 0.62 +/- acre subject site is located 55 feet northeast of the intersection of East 129<sup>th</sup> Ave and North Nebraska Avenue, south of the E. Fletcher Avenue and N. Nebraska Avenue intersection.
3. The request is to rezone the subject parcel from CN (Commercial - Neighborhood) to CI (Commercial -Intensive).
4. OC-20 surrounds the subject site on all sides. The Community Mixed Use-12 (CMU-12) is located to the east of the subject property. A few pockets of the Light Industrial (LI) Future Land Use category are located to the north, east and south of the subject property. The Residential-20 (RES-20) Future Land Use category is located to the south and east.
5. The subject property currently has a single story structure located on site with vehicle and boat storage. Directly adjacent, north and east of the site is a parcel being used for outdoor industrial storage. Industrial manufacturing is located further east of the parcel. To the north are commercial properties. To the west are residential single-family homes with commercial business fronting along N. Nebraska Avenue. There are commercial businesses directly south of the parcel along and behind N. Nebraska Avenue. South and southeast of the subject site are single family homes and multi-family apartment complexes.
6. The subject site is currently zoned CN. CI and Manufacturing (M) zoning districts are located to the north of the site. To the south, properties are zoned CN. CI and M are located to the east of the site and are owned by the applicant. To the west is zoned Planned Development (PD).

7. The proposed rezoning to CI would allow development that is similar to the existing commercial uses nearby fronting North Nebraska Avenue and meets the intent of Future Land Use Element Policy 1.4 with regard to compatibility.
8. The rezoning will meet the commercial character by using similar commercial design standards and scale in design consistent with the FLUE Community Design Component.
9. The proposed rezoning will allow for the redevelopment of the site which is compatible with the surrounding mixed uses; providing greater flexibility in land-use and density for future development while ensuring the use of neighborhood buffers consistent with the vision of the University Area Community Plan.
10. Overall, the subject request for a CI zoning district will result in development that is comparable and compatible with the surrounding area.

#### **FINDINGS OF COMPLIANCE/NON-COMPLIANCE WITH COMPREHENSIVE PLAN**

The rezoning request is in compliance with and does further the intent of the Concept Plan and the Goals, Objectives and Policies of the Future of Hillsborough Comprehensive Plan.

#### **CONCLUSIONS OF LAW**

Based on the Findings of Fact cited above, there is competent substantial evidence to demonstrate that the requested rezoning from Commercial General (CG) to Commercial Intensive (CI) is in conformance with the requirements of the Land Development Code and with applicable zoning and established principles of zoning law.


#### **SUMMARY**

The request is to rezone the subject 0.62 acre parcel from CN (Commercial - Neighborhood) to CI (Commercial -Intensive). CI and Manufacturing (M) zoning districts are located to the north of the site. To the south, properties are zoned CN. CI and M are located to the east of the site and are owned by the applicant. To the west is zoned Planned Development (PD). The proposed rezoning will allow for the redevelopment of the site which is compatible with the surrounding mixed uses; providing greater flexibility in land-use and density for future development while ensuring the use of neighborhood buffers consistent with the vision of the University Area Community Plan.

Overall, the subject request for a CI zoning district will result in development that is comparable and compatible with the surrounding area.

#### **RECOMMENDATION**

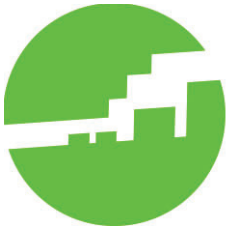
Based on the foregoing, this recommendation is for **APPROVAL** of this rezoning request to a Commercial, Intensive (CI) zoning district as indicated by the Findings of Fact and Conclusions of Law stated above.

  
\_\_\_\_\_  
James A. Scarola  
Land Use Hearing Officer

12/19/20  
Date

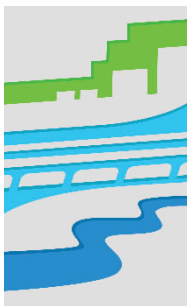
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**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> November 16, 2020  <b>Report Prepared:</b> November 5, 2020	<b>Petition: 20-1274</b>  <b>12901 N. Nebraska Avenue</b>  <i>South of N. Nebraska Avenue and E. Fletcher Avenue intersection</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Office Commercial-20 (20 du/ga; 0.75 FAR)</b>
<b>Service Area</b>	<b>Urban</b>
<b>Community Plan:</b>	<b>University Area</b>
<b>Requested Zoning:</b>	Commercial Neighborhood (CN) to Commercial Intensive (CI)
<b>Parcel Size (Approx.):</b>	0.62 +/- acres (27,007.2 square feet)
<b>Street Functional Classification:</b>	North Nebraska Avenue – <b>State Principal Arterial</b> East 129th Avenue - <b>Local</b>
<b>Locational Criteria</b>	Not required in OC-20
<b>Evacuation Zone</b>	The subject property is not in an Evacuation Zone



### **Context**

- The 0.62 +/- acre subject site is located directly south of the E. Fletcher Avenue and N. Nebraska Avenue intersection. It is in the Urban Service Area and it falls within the limits of the University Area Community Plan. The applicant indicates that they would like rezone the parcel from Commercial Neighborhood (CN) to Commercial Intensive (CI). The applicant also owns the abutting parcel to the north and east which is zoned CI.
- The subject site is designated as Office Commercial-20 (OC-20) on the Future Land Use Map. Typical allowable uses within the OC-20 Future Land Use category include community commercial type uses, office uses, mixed use developments, and compatible residential uses.
- OC-20 surrounds the subject site on all sides. The Community Mixed Use-12 (CMU-12) is located to the east of the subject property. A few pockets of the Light Industrial (LI) Future Land Use category are located to the north, east and south of the subject property. The Residential-20 (RES-20) Future Land Use category is located to the south and east.

The subject site is currently zoned CN. CI and Manufacturing (M) zoning is located to the north of the site. To the south, properties are zoned CN. CI and M are located to the east of the site and are owned by the applicant. To the west is zoned Planned Development (PD).

- The subject property currently has one single family residential dwelling located on site with rear vehicle and boat storage. Directly adjacent, north and east of the site is a parcel being used for outdoor industrial storage. Industrial manufacturing is located further east of the parcel. To the north are commercial properties. To the west are residential single-family homes with commercial business fronting along N. Nebraska Avenue. There are commercial businesses directly south of the parcel along and behind N. Nebraska Avenue. South and southeast of the subject site are single family homes and multi-family apartment complexes.
- The applicant is requesting to rezone the subject site CN to CI.

### **Compliance with Comprehensive Plan:**

The following Goals, Objectives, and Policies apply to this rezoning request and are used as a basis for a consistency finding.

#### ***Future Land Use Element***

##### ***Urban Service Area (USA)***

***Objective 1:*** Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

***Policy 1.4:*** Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and

architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

### **Community Design Component**

#### **4.3 COMMERCIAL CHARACTER**

**GOAL 9:** Evaluate the creation of commercial design standards in a scale and design that complements the character of the community.

**Policy 9-1.1:** Provide incentives for the redevelopment of commercial structures to enhance building facades, signage, landscaping, general buffering and access management. Encourage zero lot line construction for new construction.

**Policy 9-1.2:** Avoid "strip" development patterns for commercial uses.

**Policy 9-1.3:** New commercial zoning is encouraged to locate at activity centers and commercial redevelopment areas.

### **Livable Communities Element – University Area Community Plan**

#### **Section B**

*Eliminate Economically Obsolete Land Uses by:*

*advocating local business and home ownership to promote community stability and reinvestment. discouraging criminal activity and providing a sense of security for area residents through implementation of CPTED (Crime Prevention through Environmental Design) principles; maintaining a variety of land-use options and promoting mixed-use development in the area;*

*developing a zoning district that creates stable, pedestrian friendly neighborhoods with compatible mixed uses, a variety of housing types, and tree lined main streets and boulevards;*

*providing greater flexibility in land-use and density for future development while ensuring that neighborhood buffers and urban amenities are enhanced;*

*creating unified pedestrian links between land uses by means of community Main Streets and side walks;*

*encouraging the redevelopment of sub-standard and deteriorated housing focused along main streets through mixed land uses and higher densities;*

#### **Staff Analysis of Goals, Objectives and Policies:**

**The applicant is requesting to rezone the subject site from Commercial Neighborhood (CN) to Commercial Intensive (CI).**

The proposed rezoning to CI would allow development similar to the existing commercial uses fronting N. Nebraska Avenue which meets the intent of Future Land Use Element (FLUE) Policy 1.4.

With regards to Policy 22.1 and Policy 22.2, the rezoning application seeks to intensify a portion of the property from CN zoning to a CI zoning that is compatibility with the surrounding properties. The proposed zoning district would allow uses compatible with the surrounding commercial uses.

Regarding the Community Design Component, this rezoning will meet the commercial character by using similar commercial design standards in scale and design. It is appropriate for any new commercial zoning to locate at activity centers and commercial redevelopment areas such as this location. Additionally, this redevelopment is in character of the surrounding community and is consistent with Goal 9 and the accompanying policies of the Community Design Component.

The proposed rezoning will allow for the redevelopment of the site, which is compatible with the surrounding mixed uses, and providing greater flexibility in land-use and density for future development while ensuring the use of neighborhood buffers. This rezoning is therefore consistent with the University Area Community Plan.

Overall, the proposed rezoning would allow for development that is consistent with the Goals, Objectives and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and that is compatible with the existing development pattern found in the surrounding area.

#### **Recommendation**

Based upon the above considerations, the Planning Commission staff finds the proposed rezoning **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.



# HILLSBOROUGH COUNTY 2019 FUTURE LAND USE

## RZ 20-1274

<all other values>

Rezonings  
STATUS

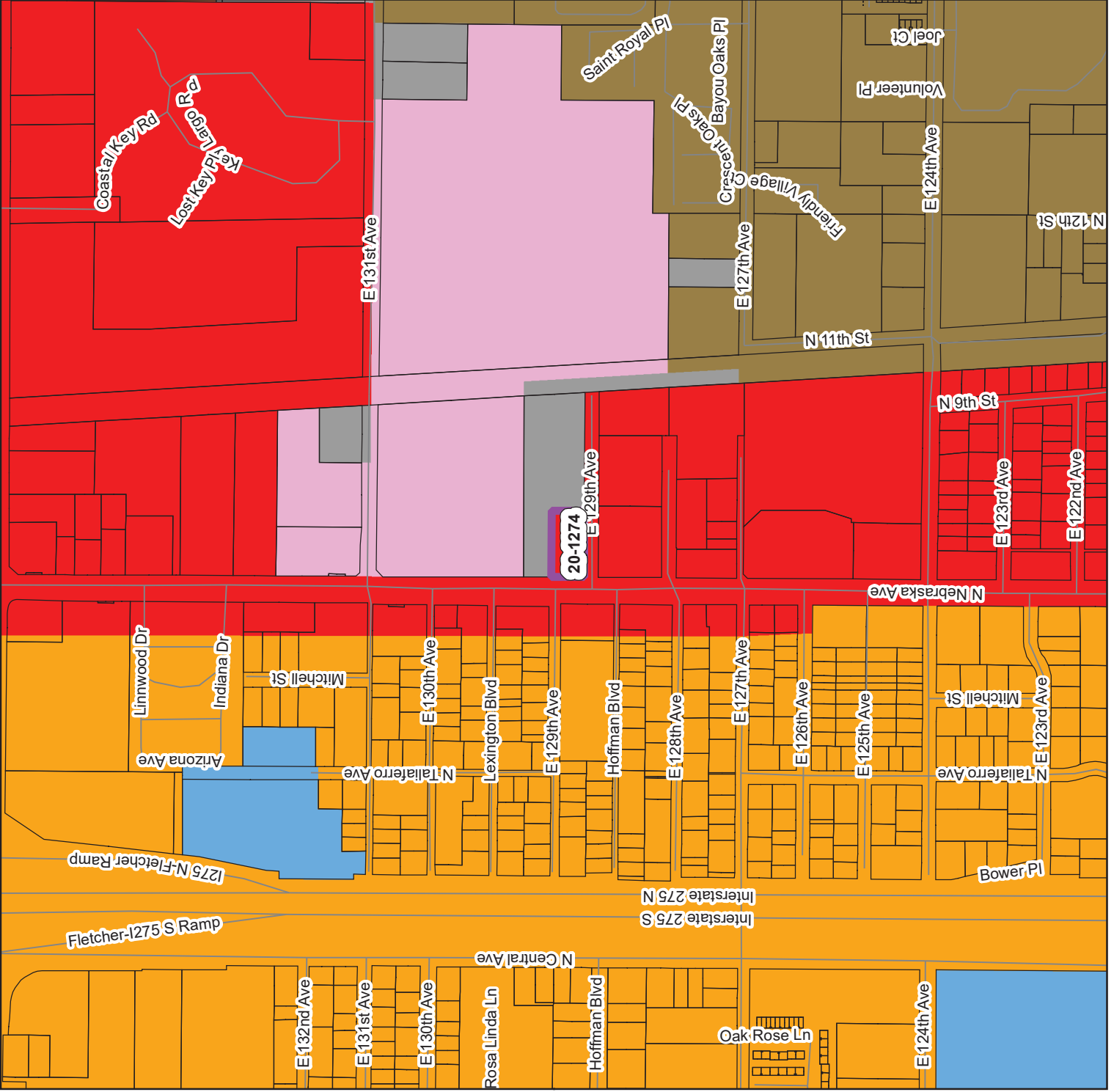
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASI-PUBLIC
- NATURAL PRESERVATION
- WILMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE
- WATER
- WATER

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The map is intended to be used as a reference only and does not constitute an offer to provide any specific services or products. The Hillsborough County City-County Planning Commission.

ACCURACY: It is intended that the map be used as a reference only and does not constitute an offer to provide any specific services or products. The Hillsborough County City-County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate website.



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# **AGENCY COMMENTS**

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**AGENCY REVIEW COMMENT SHEET**

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**TO:** Zoning Technician, Development Services Department

**DATE:** 11/09/2020

**REVIEWER:** Sofia Garantiva, Senior Planner

**AGENCY/DEPT:** Transportation

**PLANNING AREA/SECTOR:** University (USF)

**PETITION NO:** RZ-STD 20-1274

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	This agency has no comments.
<b>X</b>	<b>This agency has no objection.</b>
	This agency has no objection, subject to the listed or attached conditions.
	This agency objects for the reasons set forth below.

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 1,272 average daily trips, 109 trips in the a.m. peak hour, and 89 trips in the p.m. peak hour.
- Please note that N Nebraska Avenue is under the jurisdiction of the Florida Department of Transportation (FDOT).
- Note that E 129<sup>th</sup> Avenue is a substandard road. As this is a Euclidean zoning request, substandard roadway requirements will be reviewed at the time of plat/site/construction plan review.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations; however, it is anticipated that access to the lots would be from E 129<sup>th</sup> Avenue.
- N Nebraska Avenue and E 129<sup>th</sup> Avenue are not shown on the Hillsborough County Corridor Preservation Plan as such no right-of-way preservation is needed at this time.
- Transportation staff has no objection to this request.

**PROJECT SUMMARY AND TRANSPORTATION ANALYSIS**

The applicant is requesting to rezone from Commercial Neighborhood (CN) to Commercial Intensive (CI). The site is on the northeast corner the intersection of N Nebraska Avenue and E 129<sup>th</sup> Avenue (Folio # 36091.0000) and consists of 0.62 acres. The Future Land Use designation is OC-20.

**Trip Generation Analysis**

Since this is a Standard Rezoning, the applicant is not required to submit a transportation analysis study. However, staff has prepared a comparison of the potential trips generated by development permitted, based upon the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition, under the existing and proposed zoning designations utilizing a generalized worst-case scenario. Staff’s analysis is summarized below.

**Existing Use:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CN: 5,401 SF Restaurant with Drive Through (ITE LUC 934)	2,543	217	176

**Proposed Use:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI: 8,102 SF Restaurant with Drive Thru (ITE LUC 934)	3,815	326	265

**Trip Generation Difference:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+) 1,272</b>	<b>(+) 109</b>	<b>(+) 89</b>

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 1,272 average daily trips, 109 trips in the a.m. peak hour, and 89 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE ANALYSIS**

N Nebraska Avenue is a 4-lane, arterial roadway with +/- 10-foot lanes within +/- 80 feet of right-of-way. There is a +/- 6-foot sidewalks and +/- 4-foot bike lanes on either side of the roadway. Please note that N Nebraska Avenue is under the jurisdiction of the Florida Department of Transportation (FDOT). Additional improvements may be required by FDOT.

E 129<sup>th</sup> Avenue is a substandard local roadway with +/-20-foot wide pavement in poor condition within 50 feet of right-of-way. There are no sidewalks or no paved shoulders/ curb and gutter on either side of the roadway.

N Nebraska Avenue and E 129<sup>th</sup> Avenue are not shown on the Hillsborough County Corridor Preservation Plan as such no right-of-way preservation is needed at this time.

**SITE ACCESS ANALYSIS & CONNECTIVITY**

There is one exiting access point to E 129<sup>th</sup> Avenue. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual; however, it is anticipated that access to the lots would be from E 129<sup>th</sup> Avenue.

Note that E 129<sup>th</sup> Avenue is a substandard road. As such, the applicant will be required to improve the roadway to current County standards or obtain recommendation of approval by the County Engineer of a Section 6.04.02.B. variance from Section 6.04.03.L. Recommendations of approval for deviations from Transportation Technical Manual standards may be considered through the Design Exception process. As

this is a Euclidean zoning request, substandard roadway requirements will be reviewed at the time of plat/site/construction plan review.

**ROADWAY LEVEL OF SERVICE (LOS)**

FDOT Generalized Level of Service			
Roadway	From	To	LOS
NEBRASKA AVENUE	FOWLER AVE	FLETCHER AVE	C

E 129<sup>th</sup> Avenue is not considered major county or state roadway and is not included in the [2019 Hillsborough County Level of Service \(LOS\) Report](#).



*Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

11201 N. McKinley Drive  
Tampa, FL 33612

KEVIN J. THIBAUT, P.E.  
SECRETARY

**MEMORANDUM**

DATE: October 1, 2020

TO: Rosa Timoteo, Hillsborough County

FROM: Lindsey Mineer, FDOT

COPIES: Daniel Santos, FDOT  
Mecale' Roth, FDOT  
Jeremy County, Tampa Civil Design

SUBJECT: RZ-STD 20-1274

This project is on a state road, Nebraska Avenue.

The applicant is advised that permits for access to state highways are required, and approval is not guaranteed. The applicant is reminded that zoning application and site development plan approvals by the local government do not guarantee acceptance of external project driveway location(s) on state roads.

It is recommended that the applicant meet with FDOT before zoning approval. Pre-application meetings may be made through Ms. Mecale' Roth at the District Seven Tampa Operations offices of the Florida Department of Transportation.

Contact info:  
Mecale' Roth  
[Mecale.Roth@dot.state.fl.us](mailto:Mecale.Roth@dot.state.fl.us)  
813-612-3237

Also for your information, FDOT has incorporated context-based design into how we plan, design and operate our state transportation system. We have embarked on a new



20-1274

October 1, 2020

Page 2

direction - one that fosters community building by creating a context sensitive system of Complete Streets. Complete Streets will promote safety, quality of life, and economic development by serving the transportation needs of transportation system users of all ages and abilities. This can help local governments to maintain their existing or proposed land use contexts of areas served consistent with their transportation projects (e.g. SR 45) during project development. A hyperlink to the guidelines is attached to provide technical assistance: <https://www.fdot.gov/roadway/csi/default.shtm>

Thank you for the opportunity to comment.

END OF MEMO

**COMMISSION**

Mariella Smith CHAIR  
 Pat Kemp VICE-CHAIR  
 Ken Hagan  
 Lesley “Les” Miller, Jr.  
 Sandra L. Murman  
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 Andy Schipfer, P.E. WETLANDS DIVISION  
 Sterlin Woodard, P.E. AIR DIVISION

**AGENCY COMMENT SHEET**

REZONING	
<p><b>HEARING DATE:</b> 11/16/2020</p> <p><b>PETITION NO.:</b> 20-1274</p> <p><b>EPC REVIEWER:</b> Chantelle Lee</p> <p><b>CONTACT INFORMATION:</b> (813) 627-2600 X 1358</p> <p><b>EMAIL:</b> <a href="mailto:leec@epchc.org">leec@epchc.org</a></p>	<p><b>COMMENT DATE:</b> 11/05/2020</p> <p><b>PROPERTY ADDRESS:</b> 12901 N. Nebraska Ave, Tampa, FL 33612</p> <p><b>FOLIO #:</b> 036091-0000 and 036091-5000</p> <p><b>STR:</b> 07-28S-19E</p>
<p><b>REQUESTED ZONING:</b> From CN to CI</p>	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	11/05/2020
<b>WETLAND LINE VALIDITY</b>	N/A
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	N/A
<p><b>INFORMATIONAL COMMENTS:</b></p> <p>Wetlands Management Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

cl/mst



**AGENCY REVIEW COMMENT SHEET**

**NOTE: THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON THE FEE SCHEDULE AT THE TIME OF BUILDING PERMIT APPLICATION.**

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**TO:** Zoning Review, Development Services **DATE:** 10/15/2020  
**REVIEWER:** Ron Barnes, Impact & Mobility Fee Coordinator  
**APPLICANT:** Robbins Real Estate, Inc **PETITION NO:** 20-1274  
**LOCATION:** 12901 N Nebraska Ave  
**FOLIO NO:** 36091.0000

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**Estimated Fees:**

(Various use types allowed. Estimates are a sample of potential development)

Industrial (Per 1,000 s.f.)	Manufacturing (Per 1,000 s.f.)	Warehouse (Per 1,000 s.f.)
Mobility: \$2,727.00	Mobility: \$1,778.00	Mobility: \$877.00
Fire: \$57.00	Fire: \$57.00	Fire: \$34.00

**Project Summary/Description:**

Urban Mobility, Northwest Fire - Commercial Intensive - non-specific

**AGENCY REVIEW COMMENT SHEET**

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**TO: ZONING TECHNICIAN, Planning Growth Management**

**DATE: 28 Sep 2020**

**REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management**

**APPLICANT: Jeremy Couch**

**PETITION NO: RZ-STD 20-1274**

**LOCATION: 12901 N. Nebraska Ave, Tampa, FL 33612**

**FOLIO NO: 36091.0000**

**SEC: 07 TWN: 28 RNG: 19**

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- This agency has no comments.
  
- This agency has no objection.
  
- This agency has no objection, subject to listed or attached conditions.
  
- This agency objects, based on the listed or attached conditions.

COMMENTS: \_\_\_\_\_.

**WATER RESOURCE SERVICES  
REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER**

**PETITION NO.:** STD20-1274      **REVIEWED BY:** Randy Rochelle      **DATE:** 9/28/2020

**FOLIO NO.:** 36091.0000

This agency would  (support),  (conditionally support) the proposal.

**WATER**

- The property lies within the City of Tampa Water Service Area. The applicant should contact the provider to determine the availability of water service.
- No Hillsborough County water line of adequate capacity is presently available.
- A \_\_\_ inch water main exists  (adjacent to the site),  (approximately \_\_\_ feet from the site) \_\_\_\_\_.
- Water distribution improvements may be needed prior to connection to the County's water system.
- No CIP water line is planned that may provide service to the proposed development.
- The nearest CIP water main (\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_). Expected completion date is \_\_\_\_\_.

**WASTEWATER**

- The property lies within the City of Tampa Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- No Hillsborough County wastewater line of adequate capacity is presently available.
- A \_\_\_ inch wastewater main exists  (adjacent to the site),  (approximately \_\_\_ feet from the site) \_\_\_\_\_.
- Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- No CIP wastewater line is planned that may provide service to the proposed development.
- The nearest CIP wastewater main (\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_). Expected completion date is \_\_\_\_\_.

**COMMENTS:** This site is located within the City of Tampa Water and Wastewater Service Area. The applicant should contact the City of Tampa's Water and Wastewater Departments to determine the availability of Water and/or Wastewater Service and for their Comments.

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# **VERBATIM TRANSCRIPT**

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
November 16, 2020  
ZONING HEARING MASTER: JAMES SCAROLA

C5:  
Application Number: RZ-STD 20-1274  
Applicant: Robbins Real Estate, Inc.  
Location: 12901 N. Nebraska Ave.  
Folio Number: 036091.0000  
Acreage: 0.62 acres, more or less  
Comprehensive Plan: OC-20  
Service Area: Urban  
Existing Zoning: CN  
Request: Rezone to CI

1 MR. GRADY: The next item is agenda item  
2 C-5, Rezoning Standard 20-1274. The applicant is  
3 Robbins Real Estate, Incorporated. The request is  
4 to rezone from Commercial Neighborhood to  
5 Commercial Intensive.

6 Chris Grandlienard will provide staff  
7 recommendation after presentation by the applicant.

8 MR. COUCH: Good evening, Mr. Scarola. My  
9 name is Jeremy Couch, 17937 Hunting Bow Circle,  
10 Lutz, 33558.

11 The proposed request for rezoning tonight is  
12 a 0.62-acre parcel on the northeast corner of  
13 Nebraska and 129th. The change is from CN to CI.

14 The applicant owns approximately 10 acres  
15 north and east of this parcel contiguous to the  
16 parcel. The current request is for CI zoning. CI  
17 is consistent with the Future Land Use of OC-20.

18 Surrounding uses to the south include a  
19 labor pool, smoke shop, body shop. Uses to the  
20 west of Nebraska include a welding shop, auto  
21 paint, and auto sales. Uses to the north and east  
22 are the applicants, and they have CI uses and M  
23 uses.

24 As stated, these uses are all compatible  
25 with the CI category. There were no comments or

1 objections by any reviewers. I did not know of any  
2 neighborhood opposition. And staff has recommended  
3 approval. We request the same from you. Thank  
4 you.

5 HEARING MASTER SCAROLA: Thank you,  
6 Mr. Couch.

7 And Development Services.

8 MR. GRANDLIENARD: Good evening. Chris  
9 Grandlienard again, Development Services.

10 The request is to rezone .62-acre parcel  
11 from CN, Commercial Neighborhood, to CI, Commercial  
12 Intensive. There is an existing office on the  
13 site. The parcel is located 55 feet northeast of  
14 the intersection of east 129th Avenue and North  
15 Nebraska Avenue.

16 The applicant has indicated the purpose of  
17 the rezoning is to expand the allowable uses for  
18 future development with the adjacent parcel that is  
19 also owned by the applicant.

20 The adjacent property to the north and east  
21 is owned by the applicant and is used for a scooter  
22 rental company and a warehouse. The parcel is  
23 zoned CN, Commercial Neighborhood, and M,  
24 Manufacturing, at the northern section and CI,  
25 Commercial Intensive, at the eastern section.

1           To the south across east 129th Avenue is a  
2           commercial strip mall. It's zoned CN, Commercial  
3           Neighborhood. To the west across northern -- north  
4           Nebraska is a welding supply store zoned PD, an  
5           auto repair shop zoned CG, Commercial General.

6           The surrounding uses in the area consists  
7           mostly of Commercial and Manufacturing. And a CI  
8           parcel is directly to the east, which is owned by  
9           the applicant. Therefore, the rezoning of the  
10          subject parcel from CN to CI would be consistent  
11          with the existing zoning pattern of the area.

12          Based on the above considerations, staff  
13          finds the request -- requested CI zoning district  
14          compatible with the existing zoning and development  
15          pattern in the area. There are no agency  
16          objections. Staff finds the request approvable.  
17          I'll be glad to answer any questions you may have.

18          HEARING MASTER SCAROLA: I think I'm good,  
19          but thank you for the testimony.

20          And Planning Commission.

21          MS. LIENHARD: Thank you. Melissa Lienhard,  
22          Planning Commission staff.

23          The subject property is located in the  
24          Office Commercial-20 Future Land Use category. It  
25          is in the Urban Service Area and also within the

1 limits of the University Area Community Plan.

2 The proposed rezoning to CI would allow  
3 development that is similar to the existing  
4 commercial uses nearby fronting North Nebraska  
5 Avenue and meets the intent of Future Land Use  
6 Element Policy 1.4 with regard to compatibility.

7 With regard to Policies 22.1 and 22.2 of the  
8 Future Land Use Element, the rezoning application  
9 seeks to intensify a portion of the property from  
10 CN zoning to CI zoning that is compatible with the  
11 surrounding properties.

12 The proposed zoning district would allow  
13 uses that are compatible and complementary to the  
14 surrounding commercial uses. With regard to the  
15 Community Design Component in the Future Land Use  
16 Element, this rezoning will meet the commercial  
17 character by using similar commercial design  
18 standards and scale in design.

19 It is appropriate for any new commercial  
20 zoning to locate activity centers and commercial  
21 redevelopment areas such as this location.

22 Additionally, this redevelopment is in character  
23 with the surrounding community and is consistent  
24 with Goal 9 and the accompanying policies of the  
25 Community Design Component.

1           The proposed rezoning will allow for the  
2           redevelopment of the site, which is compatible with  
3           the surrounding mix of uses and provide greater  
4           flexibility and the use of land and the density and  
5           intensity for the future development while also  
6           ensuring the use of neighborhood compatibility.

7           This rezoning is compatible with the  
8           University Area Community Plan vision.

9           Based upon those considerations, Planning  
10          Commission staff finds the proposed rezoning  
11          consistent with the Future of Hillsborough  
12          Comprehensive Plan for unincorporated Hillsborough  
13          County. Thank you.

14          HEARING MASTER SCAROLA: All right. Thank  
15          you.

16          Anybody here tonight in support of this  
17          request? No.

18          Any opposition to the request?

19          Have anything else from Mr. Couch?

20          MR. COUCH: No, sir. Thank you so much.

21          HEARING MASTER SCAROLA: All right. After  
22          that, we'll close Rezoning 20-1274.

23          Brian?

24

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**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

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**PARTY OF  
RECORD**

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**NONE**

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