#### **PD Modification Application:** MM 24-1152

**Zoning Hearing Master Date:** 

May 19, 2025

**BOCC Land Use Meeting Date:** 

July 22, 2025



**Development Services Department** 

#### **1.0 APPLICATION SUMMARY**

Applicant: 17710 Hwy 41 LLC

FLU Category: NMU-4

Service Area: Rural

Site Acreage: 11.74

Community

Plan Area:

Overlay: None



#### Introduction Summary:

PD 03-0348 was approved in 2003 to allow the development of 50,000 square feet of office uses and 12,000 square feet of retail or CN uses, with use exceptions. In 2013, the PD was modified by PRS 13-0032 introduced two development options for Parcels A & B, with modified entitlements.

The applicant is requesting modifications to the entitlements of Parcel A & B for both options. Changes to the site plan, including access points, are also proposed as part of the Major Modification.

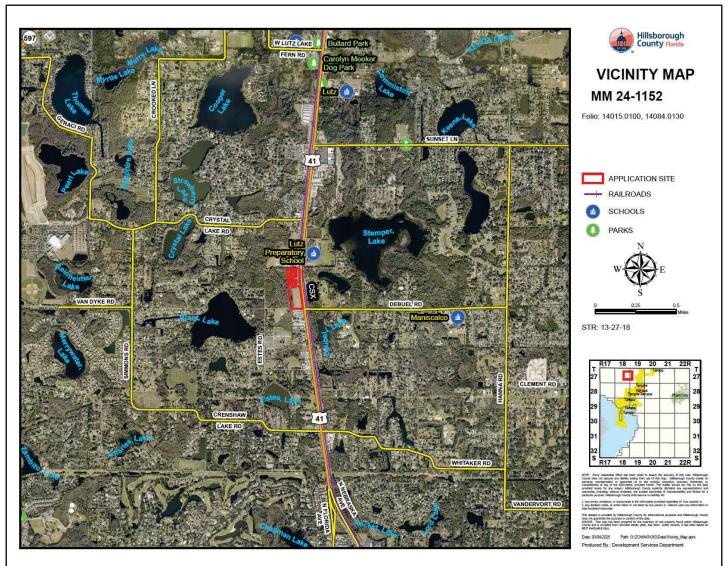
Existing Approval(s):	Proposed Modification(s):
Development Option 1	Development Option 1
Parcel A: 50,000 square feet of office uses	Parcel A: 46,375 square feet of office uses
Parcel B: 12,000 square feet of restricted retail uses	Parcel B: 29,500 square feet of restricted retail uses
62,000 sf total (0.12 FAR)	75,875 sf total (0.14 FAR)
Development Option 2	Development Option 2
Parcel A: 46,000 square feet of office uses	Parcel A: 46,375 square feet of office uses
Parcel B: 16,000 square feet of restricted retail uses	Parcel B: 20,000 square feet of restricted retail uses and
62,000 sf total (0.12 FAR)	60,000 square feet of Mini-warehouses
	126,375 sf (00.24 FAR)
No individual structure to exceed 20,000 sf in size	Mini-warehouse building(s) permitted to exceed 20,000 sf
(Lutz Rural Area Development Standard)	in size.

Additional Information:	
PD Variation(s):	None Requested as part of this application
Waiver(s) to the Land Development Code:	None Requested as part of this application

Planning Commission Recommendation:	Development Services Recommendation:
Consistent	Approvable, subject to proposed conditions

#### 2.0 LAND USE MAP SET AND SUMMARY DATA

#### 2.1 Vicinity Map



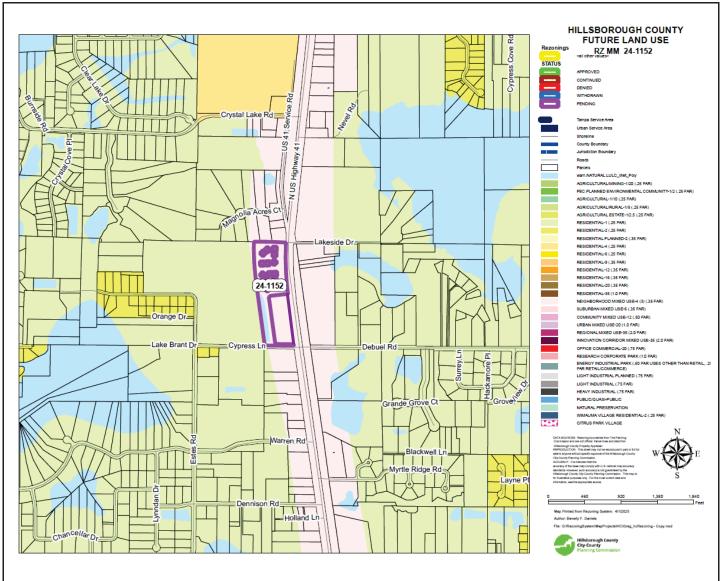
#### **Context of Surrounding Area:**

The subject property is located within the Rural Service Area and within the Lutz Community Plan Area. The surrounding area primarily consists of agriculture and residential zoning, with some commercially zoned property along US Highway 41. Uses in the vicinity along US Highway 41 consist of office, auto repair/sales, restaurants, and contractor offices. To the west and east of US Highway 41, residential single-family is the primary use.

Case Reviewer: Jared Follin

#### 2.0 LAND USE MAP SET AND SUMMARY DATA

#### 2.2 Future Land Use Map

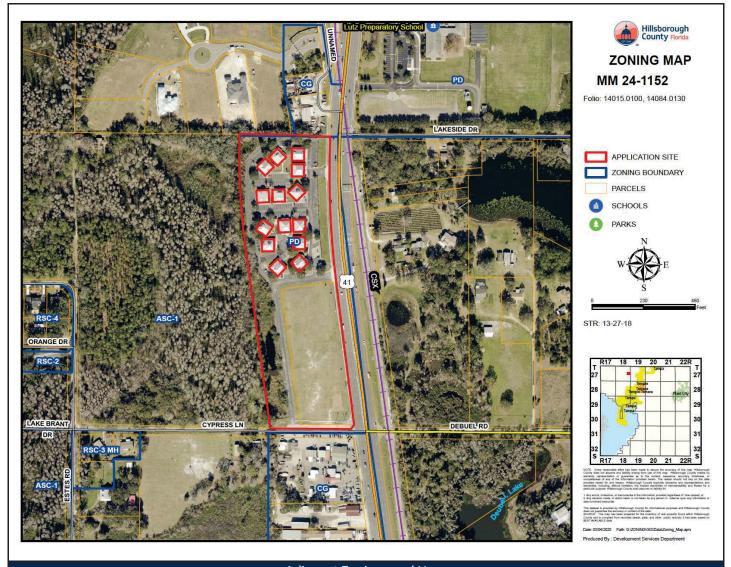


Subject Site Future Land Use Category:	Neighborhood Mixed Use-4 (NMU-4)
Maximum Density/F.A.R.:	4.0 DU per acre / 0.5 FAR
Typical Uses:	Residential, suburban commercial, offices, research parks, multi-purpose, clustered residential, mixed-use

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#### 2.0 LAND USE MAP SET AND SUMMARY DATA

#### 2.3 Immediate Area Map

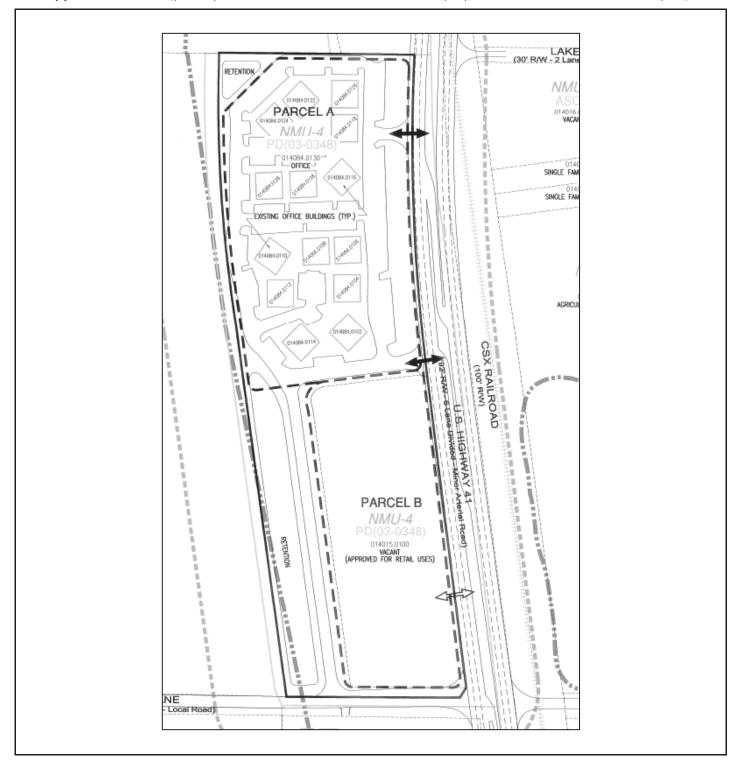


Adjacent Zonings and Uses				
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CG ASC-1	CG: 0.27 FAR ASC-1: 1 unit per acre	CG: Commercial ASC-1: Single-Family Residential	CG: Commercial ASC-1: Vacant
South	CG	0.27 FAR	Commercial Uses	Automobile Repair
East	ASC-1	1 DU per acre	Single-Family Conventional / Agriculture	Railroad, Single-Family, Agriculture
West	ASC-1	1 DU per acre	Single-Family Conventional / Agriculture	Single-Family / Agriculture

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#### 2.0 LAND USE MAP SET AND SUMMARY DATA

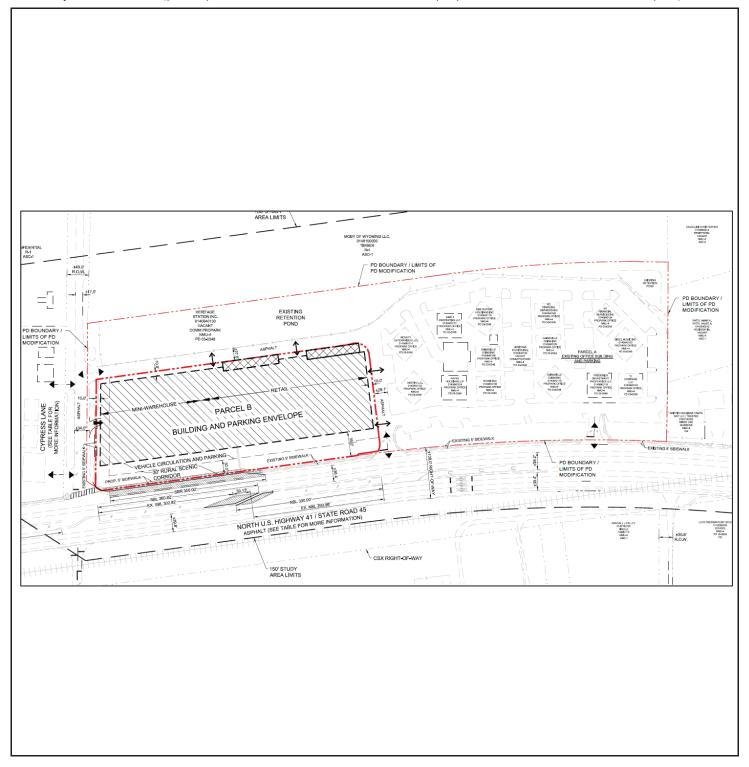
2.4 Approved Site Plan (partial provided below for size and orientation purposes. See Section 8.1 for full site plan)



BOCC LUM MEETING DATE: July 22, 2025 Case Reviewer: Jared Follin

#### 2.0 LAND USE MAP SET AND SUMMARY DATA

2.5 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.2 for full site plan)



#### 3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

Adjoining Roadways (check if applicable)				
Road Name	Classification	<b>Current Conditions</b>	Select Future Improvements	
		6 Lanes	☐ Corridor Preservation Plan	
US Hwy 41	FDOT Principal Arterial - Rural	□Substandard Road □Sufficient ROW Width	⊠ Site Access Improvements	
			☐ Substandard Road Improvements	
			☐ Other	
		2 Lanes	☐ Corridor Preservation Plan	
Cypress Ln.	County Local - Rural	⊠ Substandard Road	☐ Site Access Improvements	
 		☐ Sufficient ROW Width	☐ Other	

Project Trip Generation ☐ Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	2,026	196	258
Proposed	1,962	200	263
Difference (+/1)	-64	+4	+5

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access ☐ Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South	Х	Choose an item.	Choose an item.	Choose an item.
East	Х	Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

<b>Design Exception/Administrative Variance</b> □ Not applicable for this request			
Road Name/Nature of Request	Туре	Finding	
Cypress Ln./Substandard Roadway	Design Exception Requested	Approvable	
Cypress Ln./Access Spacing	Administrative Variance Requested	Approvable	
Multiple/Number of Accesses	Administrative Variance Requested	Approvable	
Notes:			

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#### 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY					
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments	
Environmental Protection Commission	⊠ Yes □ No	☐ Yes ⊠ No	□ Yes ⊠ No	No wetlands	
Natural Resources	☐ Yes ⊠ No	☐ Yes ⊠ No	☐ Yes ⊠ No		
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ⊠ No	☐ Yes ⊠ No		
Check if Applicable:  ☐ Wetlands/Other Surface Waters  ☐ Use of Environmentally Sensitive Land Credit  ☐ Wellhead Protection Area (Zone 1)	☐ Significan☐ Coastal H	<ul> <li>☑ Potable Water Wellfield Protection Area</li> <li>☐ Significant Wildlife Habitat</li> <li>☐ Coastal High Hazard Area</li> <li>☐ Urban/Suburban/Rural Scenic Corridor</li> </ul>			
☐ Surface Water Resource Protection Area	Other Comments		Conditions	Additional	
Public Facilities:	Received	Objections	Requested	Information/Comments	
Transportation  ☑ Design Exc./Adm. Variance Requested ☑ Off-site Improvements Provided	⊠ Yes □ No	□ Yes ⊠ No	⊠ Yes □ No		
Service Area/ Water & Wastewater  ☐ Urban ☐ City of Tampa  ☐ Rural ☐ City of Temple Terrace	⊠ Yes □ No	□ Yes ⊠ No	□ Yes ⊠ No		
Hillsborough County School BoardAdequateK-56-89-12N/AInadequateK-56-89-12N/A	☐ Yes ☐ No	☐ Yes ☐ No	□ Yes □ No		
(Various use types allowed. Estimates are samples of potential development)  Retail – Shopping Center (Per 1,000 s.f.)  Mobility: \$15,962.00  Fire: \$313.00  Health Club (Per 1,000 s.f.)  Mobility: \$36,438.00	Gen Office (Per 1,000 s.f.)  Mobility: \$11,777.00 ire: \$158.00 ingle Tenant Office (Per 1,000 s.f.)  Mobility: \$44,025 ire: \$158  Mini-Warehouse (Per 1,000 s.f.)  Mobility: \$1,084.00 ire: \$32.00		Mobility: \$ Fire: \$158  Med. Offic  Mobility: \$ Fire: \$158	ce <= 10k s.f. (per 1,000 s.f.) 630,637 ce >10k s.f. (per 1,000 s.f.) 644,025	
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments	
Planning Commission  ☐ Meets Locational Criteria ☑ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☑ N/A	⊠ Yes □ No	☐ Inconsistent ☑ Consistent	□ Yes ⊠ No	,	

#### 5.0 IMPLEMENTATION RECOMMENDATIONS

#### 5.1 Compatibility

Subject site is located at the southwest corner of Highway 41 and Cypress Lane. It is amongst other office and commercial uses, primarily zoned CG, but BPO and other PD zonings are present as well. Existing non-residential development along Highway 41 is located along the west of the roadway. This places the proposed development in line with the development trends of the area. Across Highway 41 from the subject site lies a property zoned ASC-1 developed with a single-family home; however, the existing home is placed to the north of property and is not directly adjacent to the subject site. Due to the separation provided by the highway and the location of the home, an increase to the entitlements of the PD and the addition of mini warehouse on Parcel B is not foreseen to cause negative impacts to this property. Other residential uses are in the vicinity of the subject site, but due to their distance, impacts to these residential uses are not expected. In addition, the development will be subject to restricted hours of operation and must adhere to the Lutz Rural Development standards, unless otherwise stated.

Both the Lutz Rural Development Standards and conditions of approval limit building size to 20,000 per building. As part of this modification request, the applicant proposes to allow only the mini warehouse building to exceed 20,000 sf per building. Given the building form of a mini-warehouse use, the layout of several 20,000 sf buildings would not look significantly different than one single building. At the proposed location, the subject building is separated from the west by screening and retention areas. Additionally, the site is located along US Hwy 41 (an eight lane roadway), which a larger building would not appear to be out of scale with the immediate area. All other building design and parking location requirements of the Lutz Rural Development Standards will be met.

#### 5.2 Recommendation

Based on the above considerations, staff finds the proposed Major Modification, subject to the conditions, approvable.

#### 6.0 PROPOSED CONDITIONS

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted March 4, 2025.

- Option 1: The project shall be limited to 50,000 46,375 square feet of office uses in Parcel A and 12,000 29,500 square feet of retail uses in Parcel B. Option 2: The project shall be limited to 46,000 46,375 square feet of office uses in Parcel A and 16,000 20,000 square feet of retail uses and 60,000 sq. ft. of Mini-Warehouse use in Parcel B. Retail uses shall include all CN district uses with the following exceptions:
  - Billiards and pool parlors
  - Bowling alleys
  - Brewery on premises
  - Free standing taverns, bars, lounges, nightclubs and dance halls
  - Funeral homes and mortuaries
  - Liquor stores
  - Kennels
  - Commercial apartments
  - Neighborhood fairs
  - Swimming pools
  - Ultralight flight park
  - Hotels and motels
  - Dry cleaning (pick-up only is allowed)
  - Auto Repair
  - Convenience store with gas pumps ("country store" type convenience store is allowed)
  - Gas Stations
  - Fast food/restaurants
  - 1.1 Only one restaurant, sit down, is allowed.
- 2. Unless otherwise specified within these conditions, the project shall be developed in accordance with the CN zoning district standards and Lutz Rural Area Development Standards, unless otherwise stated. The 2:1 setback requirement shall not apply within Parcel B.
- 3. Designs of buildings with the project shall incorporate the following architectural features:
  - Pitched roofs
  - Wood or wood-simulated siding
  - Covered wooden porch on the front facades of building
  - Residential style windows with mullions
  - Tin roofs
  - Wooden trim on accessory structures
- 4. <u>Except for the mini-warehouse structure/building, 4no individual structures of the project shall exceed 20,000 square feet.</u>
- 5. In addition to the requirements of the Land Development Code, landscaping along U.S. Highway 41 and Cypress Lane frontages shall be designed in accordance with the Rural Scenic Roadway requirements set forth in Section 6.06.03.1 of the Hillsborough County Land Development Code, which required a 30-foot buffer easement with vegetation left in its natural state.

6. Buffering and screening shall be provided in accordance with the Land Development Code, unless otherwise specified herein.

- 7. Project signage shall be restricted to monument signage which will be designed to be consistent with the wooden style of the building, including materials consistent with the building. The base area of the sign shall be landscaped. Prior to issuance of a sign permit, the design of the project building(s) must be revised and approved by the Hillsborough County Development Services Department as part of the Site Development Process.
- 8. Dumpsters shall be screened with wooden materials consistent with the design of the building. Dumpsters shall not be visible from U.S. Highway 41.
- 9. Hours of operation and of delivery for the office portion of the project shall be limited to 6:00 a.m. to 8:00 p.m. Hours of operation and of delivery for the retail portion of the project shall be restrict to 6:00 a.m. to midnight.
- 10. Approval of this petition does not ensure that water will be available at the time when to developer seeks permits to actually develop.
- 11. Approval of the petition does not constitute a guarantee that the Environmental Protections Commission approvals necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands and does not grant any implied or vested rights to environmental impact approval.
- 12. The general design, location and number of access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code. The design and construction of curb cuts are subject to approval by the Hillsborough County Development Services Department and/or the Florida Department of Transportation (FDOT). Final design, if approved by Hillsborough County Planning and Growth Management Department and/or the FDOT, may include, but is not limited to, left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements.
- 13. Prior to construction site plan approval, the developer shall provide a traffic analysis, signed by a professional engineer, showing the amount of left turn storage needed to serve development traffic. If, with the addition of background and project traffic, and if warranted by the results of the traffic analysis, as determined by Hillsborough County, the developer shall provide, at their expense, left turn storage lanes of sufficient length to accommodate anticipated left turning traffic, (for northbound to westbound traffic) on U.S. Highway 41 onto Cypress Land, and at each access to the project where a left turn is permitted. The design and construction of these left turn lanes shall be approved by the Hillsborough County Development Services Department and/or FDOT, where applicable. All roadway construction of said left turn lanes shall be completed with proper transitions from the widened section to the existing roadway pavement.
- 1412. The applicants shall show the ability to provide cross access to/along the norther property boundary at such time like uses (commercial, office) are developed on the norther property. The provision of said cross access shall be subject to a determination by County staff during the preliminary construction plan approval process pursuant to criteria in Section 6.04.03.Q of the Land Development Code.
- 1513. The project shall be designed with an internal pedestrian walkway system.
- <u>1614</u>. In the event there is conflict between a zoning condition of approval, as stated herein, and any written or graphic notation on the general site plan, the more restrictive requirement shall apply.

1715. Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.

- 18. Within ninety days of approval of PRS 13-0032 MM 24-1152 by the Hillsborough County Board of the County Commissioners, the developer shall submit to the County Development Services Department a revised General Development Plan for certification reflecting all the conditions outlined above.
- 16. If the MM 24-1152 is approved, the County Engineer will approve a Design (dated March 3, 2025) to the Hillsborough County Transportation Technical Manual to meet Land Development Code Section 6.04.03L for Cypress Lane substandard roadway improvements. The Design Exception, which was found approvable by the County Engineer on April 7, 2025, will result in the following improvements to be constructed by the developer:
- 17. If the MM 24-1152 is approved, the County Engineer will approve a Design (dated March 3, 2025) to the Hillsborough County Transportation Technical Manual to meet Land Development Code Section 6.04.03L for Cypress Lane substandard roadway improvements. The Design Exception, which was found approvable by the County Engineer on April 7, 2025, will result in the following improvements to be constructed by the developer:
  - a. Restripe Cypress Lane from US 41 to the western access to provide 11-foot lanes and 6-foot bike lanes.
  - b. Provide 5-foot sidewalk on the north side of Cypress Lane.
- 18. If MM 24-1152 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated September 23, 2024) to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.I, which was found approvable on April 7, 2025. Approval of this Administrative Variance will waive the limitation on the maximum number of access connections to allow the proposed right-in access only on Cypress Ln as part of said proposed major modification.
- 19. If MM 24-1152 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated September 23, 2024), which was found approvable on April 7, 2024. Approval of this Administrative Variance will permit a reduction of the minimum access spacing (between the Cypress Ln. access and US Hwy 41 and the next closest driveway connection) such that a minimum spacing of +/- 145 feet from US Hwy 41 and +/- 97 feet from the next closest driveway connection is permitted. The eastern most vehicular access connection on Cypress Ln shall be restricted to right-in ingress only and shall have a minimum 50-foot throat depth.
- 20. Concurrent with the initial increment of development of Parcel B, the developer shall construct the following site access improvements on US 41 at Cypress Lane, subject to FDOT approval:
  - a. a new southbound right turn lane,
  - b. extend the existing southbound left turn lane, and
  - c. extend the existing northbound left turn lane.
- 21. Any existing vehicular access points not shown on the PD site plan shall be removed and restored to typical roadway section standards.
- 22. No development shall be permitted in Parcel "B" that causes cumulative development to exceed 1,962 gross average daily trips, 200 gross a.m. peak hour trips, or 263 gross p.m. peak hour trips; or 1,476 net average daily trips, 172 net a.m. peak hour trips, or 207 net p.m. peak hour trips. Additionally:
  - a. Concurrent with each increment of development, the developer shall provide a list of existing and previously approved uses within the PD. The list shall contain data including gross floor area, number of seats (if applicable), type of use, date the use was approved by Hillsborough County, references to the

site subdivision Project Identification number (or if no project identification number exists, a copy of the permit or other official reference number), calculations detailing the individual and cumulative gross and net trip generation impacts for that increment of the development, and source(s) for the data used to develop such estimates. Calculations showing the remaining number of available trips for each analysis period (i.e. average daily, a.m. peak and p.m. peak) shall also be provided.

- 23. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
- 24. Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.
- 25. Development on site will be subject to the restrictions and prohibitions found with the PWWPA and Wellhead Protection Areas.
- 26. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land

  Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
- 27. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

**Zoning Administrator Sign Off:** 

SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

J. Brian Grady

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

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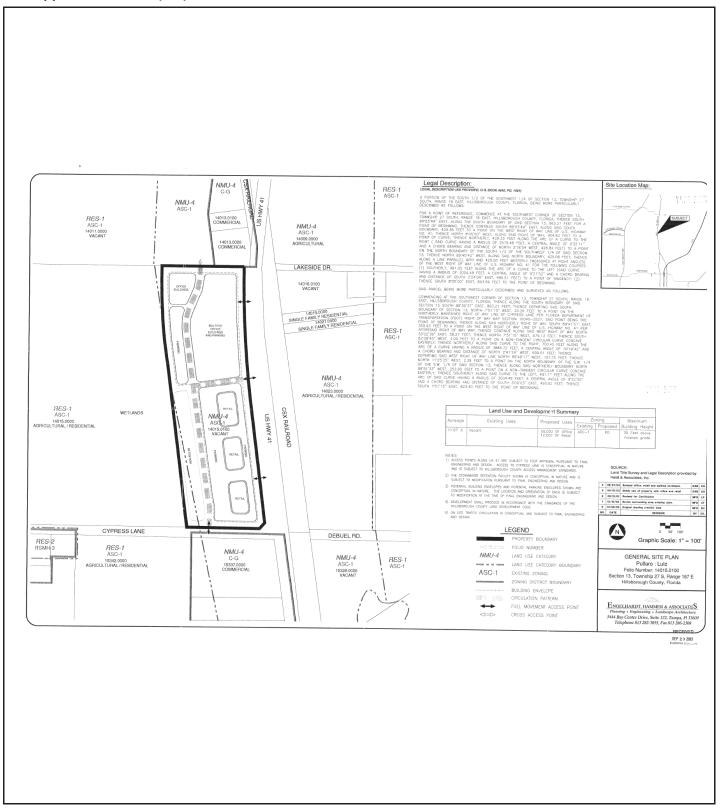
#### 7.0 ADDITIONAL INFORMATION AND/OR GRAPHIC

APPLICATION NUMBER: MM 24-1152

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#### 8.0 SITE PLANS (FULL)

#### 8.1 Approved Site Plan (Full)



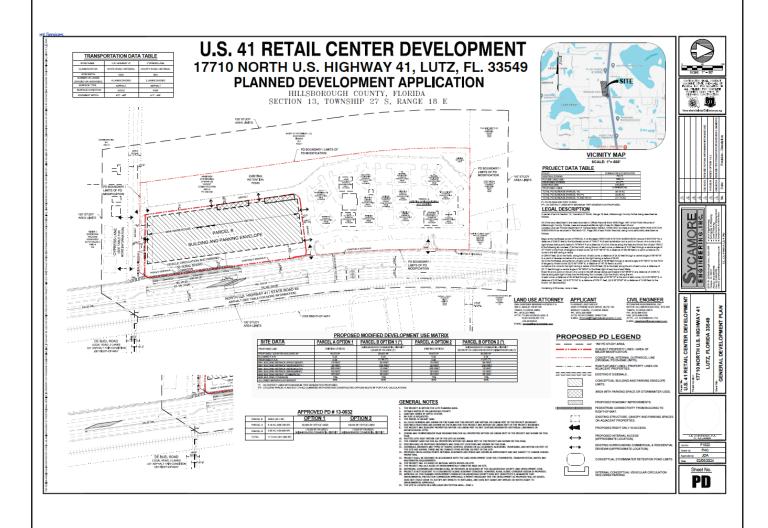
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#### 8.0 SITE PLANS (FULL)

#### 8.2 Proposed Site Plan (Full)



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#### 9.0 FULL TRANSPORTATION REPORT (see following pages)

#### AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department REVIEWER: Richard Perez, AICP PLANNING AREA: LUTZ/NW		DATE: 4/07/2025 AGENCY/DEPT: Transportation PETITION NO: MM 24-1152
	This agency has no comments.	
	This agency has no objection.	
X	This agency has no objection, subject to the listed or attack	ched conditions.
	This agency objects for the reasons set forth below.	

#### CONDITIONS OF ZONING APPROVAL

#### **NEW CONDITIONS:**

- If the MM 24-1152 is approved, the County Engineer will approve a Design (dated March 3, 2025) to the Hillsborough County Transportation Technical Manual to meet Land Development Code Section 6.04.03L for Cypress Lane substandard roadway improvements. The Design Exception, which was found approvable by the County Engineer on April 7, 2025, will result in the following improvements to be constructed by the developer:
  - a. Restripe Cypress Lane from US 41 to the western access to provide 11-foot lanes and 6-foot bike lanes.
  - b. b. Provide 5-foot sidewalk on the north side of Cypress Lane.
- If MM 24-1152 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated September 23, 2024) to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.I, which was found approvable on April 7, 2025. Approval of this Administrative Variance will waive the limitation on the maximum number of access connections to allow the proposed right-in access only on Cypress Ln as part of said proposed major modification.
- If MM 24-1152 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated September 23, 2024), which was found approvable on April 7, 2024. Approval of this Administrative Variance will permit a reduction of the minimum access spacing (between the Cypress Ln. access and US Hwy 41 and the next closest driveway connection) such that a minimum spacing of +/- 145 feet from US Hwy 41 and +/-97 feet from the next closest driveway connection is permitted. The eastern most vehicular access connection on Cypress Ln shall be restricted to right-in ingress only and shall have a minimum 50-foot throat depth.
- Concurrent with the initial increment of development of Parcel B, the developer shall construct the following site access improvements on US 41 at Cypress Lane, subject to FDOT approval:
  - a) a new southbound right turn lane,
  - b) extend the existing southbound left turn lane, and
  - c) extend the existing northbound left turn lane.

- Any existing vehicular access points not shown on the PD site plan shall be removed and restored to typical roadway section standards.
- No development shall be permitted in Parcel "B" that causes cumulative development to exceed 1,962 gross average daily trips, 200 gross a.m. peak hour trips, or 263 gross p.m. peak hour trips; or 1,476 net average daily trips, 172 net a.m. peak hour trips, or 207 net p.m. peak hour trips. Additionally:
  - a. Concurrent with each increment of development, the developer shall provide a list of existing and previously approved uses within the PD. The list shall contain data including gross floor area, number of seats (if applicable), type of use, date the use was approved by Hillsborough County, references to the site subdivision Project Identification number (or if no project identification number exists, a copy of the permit or other official reference number), calculations detailing the individual and cumulative gross and net trip generation impacts for that increment of the development, and source(s) for the data used to develop such estimates. Calculations showing the remaining number of available trips for each analysis period (i.e. average daily, a.m. peak and p.m. peak) shall also be provided.
- Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
- Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.

#### **REVISED CONDITIONS:**

12. The general design, location and number of access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code. The design and construction of curb cuts are subject to approval by the Hillsborough County Development Services Department and/or the Florida Department of Transportation (FDOT). Final design, if approved by Hillsborough County Planning and Growth Management Department and/or the FDOT, may include, but is not limited to, left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements.

[Staff recommends deletion of this condition. By its nature, a PD is a site plan-controlled zoning district and the number and location of access points are governed by the PD site plan and conditions of approval. Furthermore, the applicant's transportation analysis indicates where auxiliary turn lanes are anticipated. Final evaluation of turn lane warrants will be done in accordance with Section 6.04.04.D. at the time of plat/site/construction plan review.]

13. Prior to construction site plan approval, the developer shall provide a traffic analysis, signed by a professional engineer, showing the amount of left turn storage needed to serve development traffic. If, with the addition of background and project traffic, and if warranted by the results of the traffic analysis, as determined by Hillsborough County, the developer shall provide, at their expense, left turn storage lanes of sufficient length to accommodate anticipated left turning traffic, (for northbound to westbound traffic) on U.S. Highway 41 onto Cypress Lane, and at each access to the project where a left turn is permitted. The design and construction of these left turn lanes shall be approved by the Hillsborough County Development Services Department and/or FDOT, where applicable. All roadway construction of said left turn lanes shall be completed with proper transitions from the widened section to the existing roadway pavement.

[Staff recommends deletion of this condition. The applicant's transportation analysis indicates where

auxiliary turn lanes are anticipated. Final evaluation of turn lane warrants will be done in accordance with Section 6.04.04.D. at the time of plat/site/construction plan review.]

#### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a major modification to PD 03-0348, as amend by PRS 13-0032. The 11.67-acre site is located at the northwest corner of US Hwy 41 and Cypress Lane and approved for office and retail uses split into two separate parcels. The future land use designation is Neighborhood Mixed Use 4 (NMU-4).

The approved entitlements are for one of two development options:

#### OPTION 1:

Parcel A -50,000 sf of Office

Parcel B – 12,000 sf of Commercial Neighborhood Retail with restrictions including convenience stores, gas stations and fast-food restaurants

#### OPTION 2:

Parcel A – 46,000 sf of Office

Parcel B -16,000 sf of Commercial Neighborhood Retail with restrictions including convenience stores, gas stations and fast food restaurants

The applicant is proposing change the following changes:

#### OPTION 1:

Parcel A -46,375 sf of Office

Parcel B – 29,500 sf of restricted Commercial Neighborhood (CN) Retail uses\*

#### OPTION 2:

Parcel A -46,375 sf of Office

Parcel B -20,000 sf of restricted Commercial Neighborhood (CN) Retail uses\*

\*CN uses not permitted include:

- Billiards and pool parlors
- Bowling alleys
- Brewery on premises
- Free standing taverns, bars, lounges, nightclubs and dance halls
- Funeral homes and mortuaries
- Liquor stores
- Kennels
- Commercial apartments
- Neighborhood fairs
- Swimming pools
- Ultralight flight park
- Hotels and motels
- Dry cleaning (pick-up only is allowed)
- Auto Repair
- Convenience store with gas pumps ("country store" type convenience store is allowed)
- Gas Stations
- Fast food/restaurants

Only one site down restaurant is allowed.

#### Trip Generation Analysis

As provided for in the Development Review Procedures Manual (DRPM), the applicant submitted a transportation analysis study. Since the project will potentially generate more than 50 peak hour trips at buildout, a detailed transportation analysis is required per the Development Review Procedures Manual (DRPM).

Staff has prepared a comparison of the trips potentially generated under the existing and proposed Option 1 uses, utilizing a generalized worst-case scenario. Staff notes that the applicant has proposed to cap the trips to what was studied in their submitted site access analysis. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 11<sup>th</sup> Edition.

**Approved Zoning for Parcel B:** 

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips			
<u> </u>	Two-Way Volume	AM	PM		
PD: 6,000 SF High Turnover Restaurant (ITE 932)	644	58	54		
PD: 6,000 SF Bank w/Drive thru (ITE code 912)	602	60	126		
PD: 4,000 SF/1 Tunnel Carwash (ITE 948)	780*	78*	78		
Total Trips	2,026	196	258		

<sup>\*</sup>Estimated by County staff.

**Proposed Modification (Option 1):** 

Zoning, Lane Use/Size	24 Hour Two-Way	Total Peak I	Hour Trips
·	Volume	AM	PM
PD: Development Pursuant to Trip Cap (gross trips)	1,962	200	263

**Trip Generation Difference:** 

Zoning Lang Hog/Size	24 Hour	Total Peak Hour Trips		
Zoning, Lane Use/Size	Two-Way Volume	AM	PM	
Difference (+/-)	-64	+4	+5	

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The subject property is located on the northwest corner of US Highway 41 and Cypress Lane.

<u>US Hwy 41</u> is a 6-lane, divided, arterial roadway maintained by FDOT. The roadway is characterized by +/- 12-foot wide travel lanes within +/- 125 feet of right-of-way. There is a +/- 5-foot sidewalk along the project frontage and +/- 5-foot bicycles lanes are present in the vicinity of the project.

Cypress Lane is a substandard 2-lane, rural roadway characterized by 34ft of pavement in average condition with 11 ft lanes within +/- 68 ft of right of way. Cypress Lane has a sidewalk on the north side along the project frontage with the exception of an +/- 85-foot gap. There are no bicycle lanes or paved shoulder within the vicinity of the project. There are no curbs beyond the corner radii at US Highway 41.

According to the County's Transportation Technical Manual, 2-lane local and collector rural roadways must be consistent with the TS-7, typical section. The typical section consists of 12ft travel lanes and 8ft

shoulders with 5ft paved bicycle lanes and sidewalks. A design exception request was submitted by the applicant's Engineer of Record for review and approval, as discussed herein below.

#### SITE ACCESS

The approved PD site plan has the following access connections:

- One (1) right-in/right-out access to US 41 through Parcel A (existing)
- One (1) left-in/right-in/right-out access to US 41 through Parcel A (existing)
- One (1) full access to Cypress Lane (existing)

The applicant is proposing a new right-in ingress only on Cypress Lane. The ingress shall be subject to a 50-foot minimum throat depth to ensure safe flow of traffic into the site and prevent disruption of traffic flow on Cypress Lane.

The existing driveway access located +/-113 feet north of Cypress Lane shall be removed and restored to its original condition as it is non-conforming with FDOT's requirements.

Based on the applicant's site access analysis improvements are recommended at the intersection of US Hwy 41 and Cypress Lane to facilitate project traffic accessing the site. Cypress Lane has left-in/right-in/right-out access to US 41. A new 350-foot southbound right turn lane is warranted, the existing northbound left turn lane is recommended to be extended to 450 feet and the existing southbound left turn lane at the intersection is recommended to be extended to 400 feet, subject to FDOT approval.

#### REQUESTED DESIGN EXCEPTION – CYPRESS LANE

Cypress Lane is a substandard roadway. The applicant's Engineer of Record (EOR) submitted a Design Exception Request (dated March 3, 2025) to the Hillsborough County Transportation Technical Manual to meet Land Development Code Section 6.04.03L for Cypress Lane from the western project access to US Hwy 41. Based on factors presented in the Design Exception Request, the County Engineer found the request approvable on April 7, 2025. If this rezoning is approved, the County Engineer will approve the Design Exception request. The Design Exception will result in the following improvements to be constructed by the developer:

- a. Restripe Cypress Lane from US 41 to the western access to provide 11-foot lanes and 6-foot bike lanes.
- b. Provide 5-foot sidewalk on the north side of Cypress Lane.

#### REQUESTED ADMINISTRATIVE VARIANCE - # OF DRIVEWAYS

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated September 23, 2024) from the Section 6.04.03.I. LDC requirement, governing number of driveways which may be permitted. Based upon the functional classification of adjacent roadways, the LDC requires (and permits) only two (2) access connections for the subject PD. The applicant is proposing three (3) access connections to serve the proposed project. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on April 7, 2025. If this rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request.

#### REQUESTED ADMINISTRATIVE VARIANCE - CYPRESS LN ACCESS SPACING

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated September 23, 2024) from the Section 6.04.07. LDC requirement, governing spacing for the proposed Cypress Lane access. The applicant is proposing the driveway in a location which is +/- 143

feet from the intersection of US Hwy 41 and Cypress Ln., and +/- 97 feet from the project's western access on Cypress Ln. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on April 7, 2025. If this rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request.

#### **LEVEL OF SERVICE (LOS)**

Level of Service (LOS) information is reported below. Note, Cypress Lane is not regulated.

FDOT Generalized Level of Service									
Roadway	From	То	LOS Standard	Peak Hr Directional LOS					
US HWY 41	SUNSET LANE	DEBUEL RD	D	С					
US HWY 41	DEBUEL RD	NEBRASKA/FLORIDA	D	С					

Source: 2020 Hillsborough County Level of Service (LOS) Report

From: Williams, Michael [WilliamsM@hcfl.gov]

**Sent:** Monday, April 7, 2025 12:27 PM **To:** Steven Henry [shenry@lincks.com]

CC: Joe Moreda [jmoreda@gardnerbrewer.com]; Follin, Jared [FollinJ@hcfl.gov]; Heinrich,

Michelle [HeinrichM@hcfl.gov]; Perez, Richard [PerezRL@hcfl.gov]; Drapach, Alan

[DrapachA@hcfl.gov]; Tirado, Sheida [TiradoS@hcfl.gov]; De Leon, Eleonor

[DeLeonE@hcfl.gov]; PW-CEIntake [PW-CEIntake@hcfl.gov]

Subject: FW: MM 24-1152 Design Exception/Administrative Variance Review

**Attachments:** 24-1152 DEReq 03-05-25 2.pdf; 24-1152 AVReq 09-25-24 1.pdf; 24-1152

AVReq 09-25-24 2.pdf

#### Steve,

I have found the attached two Section 6.04.02.B. Administrative Variances (AV) and Design Exception (DE) for PD 24-1152 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (<u>DeLeonE@hcfl.gov</u> or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to <a href="PW-celntake@hcfl.gov">PW-celntake@hcfl.gov</a>

Mike

Michael J. Williams, P.E.

**Director, Development Review County Engineer**Development Services Department

P: (813) 307-1851

M: (813) 614-2190 E: Williamsm@HCFL.gov

W: HCFLGov.net

**Hillsborough County** 

601 E. Kennedy Blvd., Tampa, FL 33602

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Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hcfl.gov> Sent: Saturday, April 5, 2025 4:54 PM

To: Williams, Michael < Williams M@hcfl.gov>

**Cc:** Perez, Richard < PerezRL@hcfl.gov>; Drapach, Alan < DrapachA@hcfl.gov>; De Leon, Eleonor

<DeLeonE@hcfl.gov>

Subject: MM 24-1152 Design Exception/Administrative Variance Review

Hello Mike,

The attached DE and AVs are **Approvable** to me, please include the following people in your response:

shenry@lincks.com imoreda@gardnerbrewer.com follinj@hcfl.gov heinrichm@hcfl.gov perezrl@hcfl.gov drapacha@hcfl.gov

Best Regards,

#### Sheida L. Tirado, PE

#### **Transportation Review Manager**

**Development Services Department** 

E: TiradoS@HCFL.gov

P: (813) 276-8364 | M: (813) 564-4676

601 E. Kennedy Blvd., Tampa, FL 33602

**HCFL.gov** 

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#### Hillsborough County Florida

Please note: All correspondence to or from this office is subject to Florida's Public Records law.



### **Supplemental Information for Transportation Related Administrative Reviews**

#### Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Eleonor de Leon at <u>deleone@HCFL.gov</u> or via telephone at (813) 307-1707 if you have questions about how to complete this form.

Request Type (check one)	<ul> <li>Section 6.04.02.B. Administrative Variance</li> <li>▼ Technical Manual Design Exception Request</li> <li>□ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.)</li> <li>□ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)</li> </ul>						
Submittal Type (check one)	■ New Request						
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)							
submittal number/name to each separate request number previously identified. It is critical that the ap	vests (whether of the same or different type), please use the above fields to assign a unique. Previous submittals relating to the same project/phase shall be listed using the name and applicant reference this unique name in the request letter and subsequent filings/correspondence. If information related to a previously submitted request, then the applicant would check the						
Project Name/ Phase US 41 Retail Cer	nter Development						
Important: The name selected must be used on all full frequest is specific to a discrete phase, please also	iture communications and submittals of additional/revised information relating to this variance. list that phase.						
Folio Number(s) 014015.0000	☐ Check This Box If There Are More Than Five Folio Numbers						
numbers must be provided in the format provided b	to a maximum of five. If there are additional folios, check the box to indicate such. Foliony the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, 789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789;						
Name of Person Submitting Request	Steven J. Henry, P.E.						
Important: For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The						
Current Property Zoning Designation							
Designation. Typing "N/A" or "Unknown" will result i County Zoning Atlas, which is available at https://mc	mily Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) in your application being returned. This information may be obtained via the Official Hillsborough aps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, for Development Services at (813) 272-5600 Option 3.						
Pending Zoning Application Number	MM 24-1152						
	ter the application number proceeded by the case type prefix, otherwise type "N/A" or "Not 100 for major modifications, PRS for minor modifications/personal appearances.						
Related Project Identification Number	N/A						

1 of 1

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".



March 3, 2025

Mr. Mike Williams County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 22<sup>nd</sup> Floor Tampa, FL 33602

Re: US 41 Retail Center Development

MM 24-1152

Folio Number: 014015.0000 Lincks Project No.: 21176

The purpose of this letter is to request a Design Exception per Section 1.7.2 of the Hillsborough County Transportation Technical Manual to meet Land Development Code Section 6.04.03L – Existing Facilities for Cypress Lane from US 41 to the western project access. According to the Hillsborough County Roadways Functional Classification Map, Cypress Lane is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area. The subject property is currently zoned PD for the following land uses:

- Office 50,000 Square Feet
- Retail 12,000 Square Feet

The office component of the project has been constructed. The PD is proposed to be modified to allow the development options for the remaining retail portion the property:

#### Option 1:

- Retail 16,000 Square Feet
- High-Turnover Restaurant 3,000 Square Feet
- Day Care 10,500 Square Feet
  - 188 Students

#### Option 2:

- Retail 6,500 Square Feet
- High-Turnover Restaurant 3,000 Square Feet
- Day Care 10,500 Square Feet
  - 188 Students
- Self-Storage 60,000 Square Feet

5023 West Laurel Street Tampa, FL 33607 813 289 0039 Telephone 8133 287 0674 Telefax www.Lincks.com Website Mr. Mike Williams March 3, 2025 Page 2

Tables 1, 2, and 3 provide the trip generation for the proposed retail portion of the project.

The access to serve the project is proposed to be as follows:

- One (1) right-in/right-out access to US 41 (existing)
- One (1) left-in/right-in/right-out access to US 41 (existing)
- One (1) full access to Cypress Lane (existing)
- One (1) right-in only access to Cypress Lane (proposed)

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for Cypress Lane from US 41 to the existing western access. The subject segment of Cypress Lane is currently a two (2) lane roadway. The following exceptions are requested to accommodate the proposed project.

- 1. Lane width TS-7 has 12 foot lanes. The total width of pavement ranges between 20 feet and 35 feet.
- 2. Shoulder TS-7 has 8 foot shoulders with 5 feet paved. There is an existing unpaved shoulder.
- 3. Sidewalk TS-7 has 5 foot sidewalk on both sides of the roadway. There is an existing 5 foot sidewalk on the north side of Cypress Lane.

The justification for the Design Exception is as follows:

- 1. The developer proposed to add the following improvements to Cypress Lane:
  - a. Restripe Cypress Lane from US 41 to the western access to provide 11 foot lanes and 6 foot bike lanes.
  - b. Provide 5 foot sidewalk on the north side of Cypress Lane.

Figure 1 illustrates the proposed improvements and Figure 2 illustrates the proposed typical section.

Based on the above, it is our opinion, the proposed improvements to Cypress Lane mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Please do not hesitate to contact us if you have any questions or require any additional information.

Mr. Mike Williams March 3, 2025 Page 3

Best Regards

Steven J. Henry President

Lincks & Associates, LLC A TMC Company P.E. #51555



Disapproved
Approved
Approved with Conditions

Sincerely,

Michael J. Williams Hillsborough County Engineer

TABLE 1

# ESTIMATED DAILY PROJECT TRIP ENDS

New Daily Trip Ends	523	184	<u>769</u>	1476	212	184	492	87	1,252
Passerby Capture (2)	348	138	ol	486	142	138	0	Ol	280
Daily Trip Ends (1)	871	322	269	1962	354	322	769	87	1,532
Size	16,000 SF	3,000 SF	188 Students	Sub-Total	6,500 SF	3,000 SF	188 Students	60,000 SF	Sub-Total
밀의	822	932	565		822	932	565	151	
Land Use	Retail	High-Turnover Restaurant	Day Care		Retail	High-Tumover Restaurant	Day Care	Self Storage	
Option	_				2				

(1) Based on ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021.

(2) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Passerby Trips:

Retail (16,000 SF) - 40%

 $871 \times 0.40 = 348$ 

Retail (6,500 SF) - 40%

High-Turnover Restaurant (3,000 SF) - 43%  $354 \times 0.40 = 142$ 

 $322 \times 0.40 = 138$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

 $45,933 (a) \times 0.10 = 4,593 > 290$ 

(a) Based on PM peak hour peak season traffic at the intersection of Cypress Lane and US 41 and K = 0.09.

TABLE 2

ESTIMATED AM PEAK HOUR PROJECT TRIP ENDS

'n	Total	23	16	133	172	o	16	133	ΙΩ	163
ak Hou nds	160	. 4	•				-		116	
VM Peak F Trip Ends	Out	0	7	63	79	4	7	63	21	92
New AM Peak Hour Trip Ends	듸	4	o	70	93	ß	6	70	ကျ	87
.y 2)	Total	15	13	01	28	9	13	0	0	19
Passerby Capture (2)	Ort	9	9	Ol	12	7	9	0	Ol	œ
₽ %	듸	တ	7	Ol	16	4	7	0	Ol	7
our (1)	Total	38	58	133	200	15	29	133	اک	182
AM Peak Hour Trip Ends (1)	N N	15	5	63	91	9	13	63	7	84
AM F Trip	듸	23	16	2	109	6	16	70	നി	86
	Size	16,000 SF	3,000 SF	188 Students	Sub-Total	6,500 SF	3,000 SF	188 Students	60,000 SF	Sub-Total
믵	TOC	822	932	565		822	932	565	151	
	Land Use	Retail	High-Tumover Restaurant	Day Care		Retail	High-Turnover Restaurant	Day Care	Self Storage	
	Option	~				2				

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021.

(2) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Passerby Trips: Retail (16,000 SF) - 40%

In:  $23 \times 0.40 = 9$ 

Out:  $15 \times 0.40 = 6$ 

Retail (6,500 SF) - 40% Out:  $6 \times 0.40 = 2$ In:  $9 \times 0.40 = 4$ 

High-Turnover Restaurant (3,000 SF) - 43%  $\ln 16 \times 0.43 = 7$ 

Out:  $13 \times 0.43 = 6$ 

 Passerby trips should not exceed 10% of the adjacent street traffic. 4,475 (a)  $\times 0.10 = 448 > 20$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41,

TABLE 3

ESTIMATED PM PEAK HOUR PROJECT TRIP ENDS

Hour	"	Total	65	15	127	207	34	15	127	രി	185
M Peak	Trip Ends	Ont	32	9	<u>79</u>	105	17	9	29	12	92
New PM Peak Hour Trip Ends	듸	33	တ	09	102	17	6	09	41	06	
> 6	Total	44	12	OI	99	23	12	0	01	35	
Passerby	Capture (2)	lot lot	22	2	OI	27	7	Ŋ	0	01	16
п	Ö	듸	22	7	0	29	12	7	0	0	19
our	3	Total	109	27	127	263	22	27	127	61	220
PM Peak Hour	Trip Ends (1)	Ort	54	7	79	132	28	7	29	(O)	111
PM	Triğ	듸	55	16	00	131	29	16	09	41	109
		Size	16,000 SF	3,000 SF	188 Students	Sub-Total	6,500 SF	3,000 SF	188 Students	60,000 SF	Sub-Total
	빝	TNC	822	932	565		822	932	565	151	
		Land Use	Retail	High-Turnover Restaurant	Day Care		Retail	High-Turnover Restaurant	Day Care	Self Storage	
		Option	~				2				

Based on TE <u>Trip Generation Manual</u>, 11<sup>th</sup> Edition, 2021.
 Based on TE <u>Trip Generation Manual</u>, 11<sup>th</sup> Edition, 2021.

• Passerby Trips: Retail (16,000 SF) - 40%

ln:  $55 \times 0.40 = 22$ Out:  $54 \times 0.40 = 22$ 

Retail (6,500 SF) - 40%

 $\ln: 29 \times 0.40 = 12$ Out: 28 x 0.40 = 11

High-TurnoverRestaurant (3,000 SF) - 43% In:  $16 \times 0.43 = 7$ 

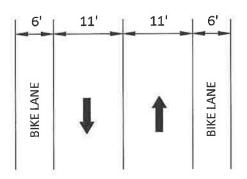
 $\bullet$  Passerby trips should not exceed 10% of the adjacent street traffic. 4,134 (a) x 0.10 = 413 > 36 Out:  $11 \times 0.43 = 5$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41.



FIGURE 1

Mr. Mike Williams March 3, 2025 Page 8



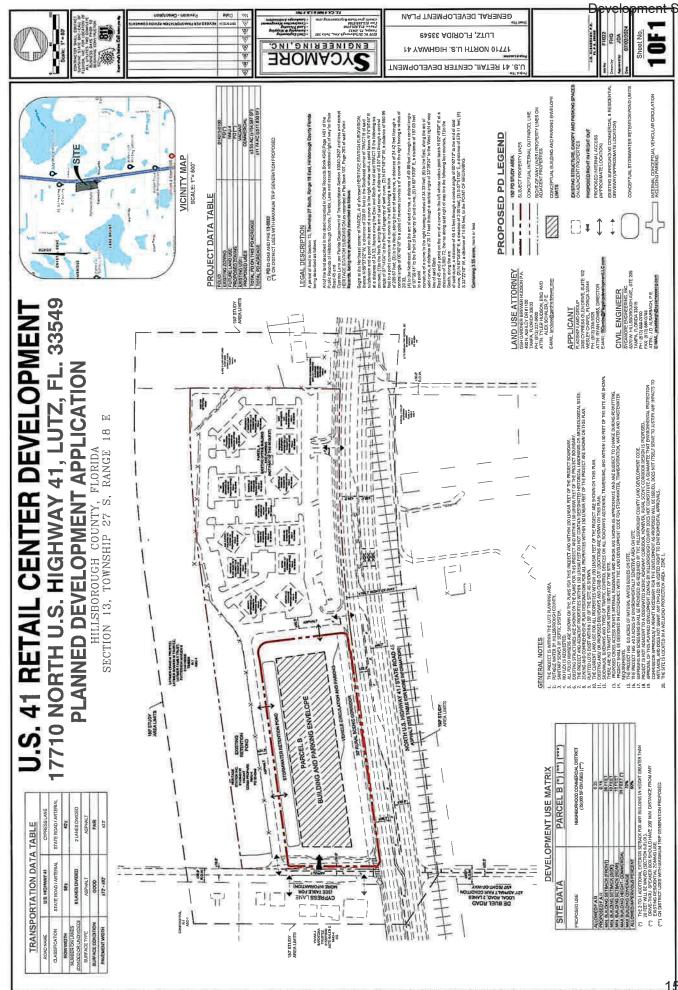


## TYPICAL SECTION CYPRESS LANE

FIGURE 2

	Received March 5, 2025 Development Services
	Development dervices
	1
	1
	1
	1
	1
	1
PD PLAN	
	1

LINCKS & ASSOCIATES, A TIME Company



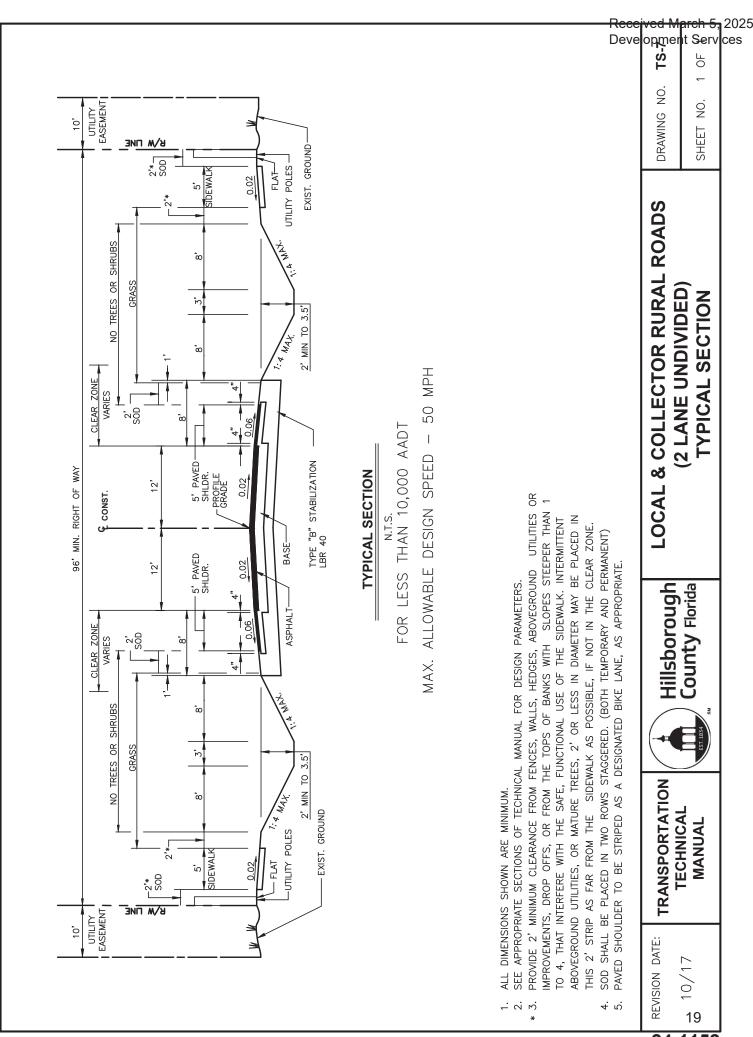
	Received March 5, 2025 Development Services
HILLSBOROUGH COUNTY ROADWAYS	
FUNCTIONAL CLASSIFICATION MAP	1

Received March 5, 2025 **Development Services** FUNCTIONAL CLASSIFICATION Infrastructure & Development Services HILLSBOROUGH COUNTY Urban Service Area Boundary Hillsborough County, Florida ROADWAYS State, Principal Arterial Hillsborough, Collector Hillsborough, Arterial Locator Map Functional Classifications Legend Authority, Classification State, Arterial 75 R 19 E R 19 E COUNTY

		Development Services
		Development Services
		ľ
	TS-7	
*		

LINCKS & ASSOCIATES, A TMC Company

18



	Received March 5, 2025  Development Services
	Bevelo siment eer vices
ROADWAY ASSESSMENT	
TO ABANAT AGGEGGMENT	





Parcels

Cypres	Cypress Lane				Lan	Lane Pavement	ent	Type of Road:	Type of Road: 2 lane, crown, asphalt with painted median	sphalt with p	painted median	
Special F	Feld Survey for S	ubstandard	Special Field Survey for Substandard Road Assessment	ent	Left Slope	Width	Right Slope	Pav't condition:	Pav't condition: fair to poor with block cracking throughout	olock cracki	ng throughout	
N. US 41	N. US 41 thence west about 400'	out 400'		Minimum:	2.0%	19.6	%6.0	Shoulder cond.:	Shoulder cond.: unstabilized, limited width	ted width		
	B	By: WLR		Maximum:	4.2%	35,6'	2.4%	Swales:	Swales: Ill-defined LT side, small swale RT	e, small sw	ale RT	
	Date of Survey: 12/15/21	7: 12/15/21 7: 25 mph		Average:	3.0%	34.7'	1.5%	Notes:	Notes: * Shoulders nominal at 6' or as defined by obstructions	inal at 6' or	as defined by	
	Left Si	Left Slopes and Swales	wales	Left Shoulder	Lan	Lane Pavement	ent	Right Shoulder	Right S	Right Slopes and Swales	Swales	
Station	Back Slope (Width/slope)	Bottom (width)	Front Slope (width/slope)	Total/Paved/ Slope	Left Slope	Width	Right Slope	Total/Paved/ Slope	Front Slope (width/slope)	Bottom (width)	Back Slope (width/slope)	
1+00		₩,		*4'/0'/-3%	2.0%	35.6'	-0.9%	*6'/0'/+5%	47/+5%	+3% AF	+3% AFR behind S/W	
	6' CLF 9' LT, 0+	73 end C&	LT 6' CLF 9' LT, 0+73 end C&G, 0+98 U.P. 5' LT	١. ا								
P.	5' Conc. S/W 10	)' RT, 0+56	RTS' Conc. S/W 10' RT, 0+56 U.P. 1' BOC, 0+75 end	75 end C&G, 0+92 U.P. 4' RT	U.P. 4'	RT						
Notes	0+00 set at EOF	N. US 41,	0+04 to 0+16 cr	Notes 0+00 set at EOP N. US 41, 0+04 to 0+16 crosswalk, 0+24 stop bar, 0+40 Type 5 inlets both sides, painted median slope -0.3%	o bar, 04	-40 Type	5 inlets l	ooth sides, painte	d median slope -	0.3%		,
2+00		-9% to fence	a)	*4'/0'/-9%	4.2%	33,8'	-1.1%	*6'/0'/+5%	47/+5%	+3% AF	+3% AFR behind S/W	
	LT 6' CLF 9' LT, 2+25 U.P. 7' LT	-25 U.P. 7' I	17									_,
R	5' Conc. S/W 10	)' RT, 2+12	RT 5' Conc. S/W 10' RT, 2+12 to 2+47 swale 5' RT w/		ront slop	oe 33% t	rom EOP	5' bottom, front slope 33% from EOP, back slope 40% to S/W, 2+65 decorative light pole 10' RT	to S/W, 2+65 de	corative lig	ht pole 10' RT	_
Notes	III-defined swale	along fenc	e line LT side to	Notes III-defined swale along fence line LT side to culvert under driveway, asph. Cond. Fair with block cracking, 12' painted median	way, as	ph. Con	d. Fair wit	h block cracking,	12' painted medi	ian		
3+00		-7% to fence	a	*2'/0./-7%	2.8%	19.61	-2.4%	1000		Drive to RT		-
	LT Mailboxes 2' LT, 3+24 U.P. 8' LT	, 3+24 U.P.	. 8' LT									_,
R	RT Drive											-
Notes	SASph. Cond. Fa	ir with block	k cracking, 2+11	Notes Asph. Cond. Fair with block cracking, 2+11 to 3+30 painted median taper, 3+39 change in asph. Cond. To good	edian ta	per, 3+3	9 change	in asph. Cond. T	o good.			
							10 4 4		+			
			20	3+84 end of segment and beginfing of 16 wide aspitalt load west	It and be	gunnig	OI TO MIC	le aspilait roau wi	185			-
	Notes:											
	1. Segment is a	flushed sh	1. Segment is a flushed shoulder roadway except	except for first 75'								
	2. There an ill-d	efined swal	le at the fence or	2. There an ill-defined swale at the fence on the left side and two short swales on the right side.	wo shor	t swales	on the ric	tht side.				-,
•	3. Utility poles h	ave less th	an 6' clear from t	3. Utility poles have less than 6' clear from the edge of pavement at stations 0+98 LT, and 0+92 RT	ent at st	ations 0-	+98 LT, a	nd 0+92 RT				
	4. There is one	dedicated c	decorative light p	4. There is one dedicated decorative light pole within the R/W at station 2+65, 10' RT, Two light poles are behind the fence on the left side	at static	n 2+65,	10' RT, '	Two light poles ar	e behind the fend	se on the le	ft side	-,
	5. Pavement co	ndition is fa	5. Pavement condition is fair throughout with block cracking	h block cracking								
	6. Shoulders ha	we insufficion	ent width both sic	<ol><li>Shoulders have insufficient width both sides, are not paved and shoulder slopes vary from -9% to +5%.</li></ol>	and sho	oulder sk	pes vary	from -9% to +5%				
	7. Westbound r	ight turn on	7. Westbound right turn only at intersection with N. US 41.	with N. US 41								
	8. Vehicle traffic	s is very ligh	nt and through tr	8. Vehicle traffic is very light and through truck traffic of more than 2 axles is not allowed	than 2 a	xles is no	ot allower	_				_,
	9. Most traffic s	igns are les	is than the FDOT	9. Most traffic signs are less than the FDOT recommended 12' from edge of pavement and are not breakaway	" from e	dge of pa	svement a	and are not break	away			
												_
												-
												7

From: Williams, Michael [WilliamsM@hcfl.gov]

**Sent:** Monday, April 7, 2025 12:27 PM **To:** Steven Henry [shenry@lincks.com]

CC: Joe Moreda [jmoreda@gardnerbrewer.com]; Follin, Jared [FollinJ@hcfl.gov]; Heinrich,

Michelle [HeinrichM@hcfl.gov]; Perez, Richard [PerezRL@hcfl.gov]; Drapach, Alan

[DrapachA@hcfl.gov]; Tirado, Sheida [TiradoS@hcfl.gov]; De Leon, Eleonor

[DeLeonE@hcfl.gov]; PW-CEIntake [PW-CEIntake@hcfl.gov]

Subject: FW: MM 24-1152 Design Exception/Administrative Variance Review

**Attachments:** 24-1152 DEReq 03-05-25 2.pdf; 24-1152 AVReq 09-25-24 1.pdf; 24-1152

AVReq 09-25-24 2.pdf

#### Steve,

I have found the attached two Section 6.04.02.B. Administrative Variances (AV) and Design Exception (DE) for PD 24-1152 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (<u>DeLeonE@hcfl.gov</u> or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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Mike

Michael J. Williams, P.E.

**Director, Development Review County Engineer**Development Services Department

P: (813) 307-1851

M: (813) 614-2190 E: Williamsm@HCFL.gov

W: HCFLGov.net

**Hillsborough County** 

601 E. Kennedy Blvd., Tampa, FL 33602

Facebook | Twitter | YouTube | LinkedIn | HCFL Stay Safe

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From: Tirado, Sheida <TiradoS@hcfl.gov> Sent: Saturday, April 5, 2025 4:54 PM

To: Williams, Michael < Williams M@hcfl.gov>

**Cc:** Perez, Richard < PerezRL@hcfl.gov>; Drapach, Alan < DrapachA@hcfl.gov>; De Leon, Eleonor

<DeLeonE@hcfl.gov>

Subject: MM 24-1152 Design Exception/Administrative Variance Review

Hello Mike,

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shenry@lincks.com imoreda@gardnerbrewer.com follinj@hcfl.gov heinrichm@hcfl.gov perezrl@hcfl.gov drapacha@hcfl.gov

Best Regards,

#### Sheida L. Tirado, PE

### **Transportation Review Manager**

**Development Services Department** 

E: TiradoS@HCFL.gov

P: (813) 276-8364 | M: (813) 564-4676

601 E. Kennedy Blvd., Tampa, FL 33602

**HCFL.gov** 

<u>Facebook</u> | <u>X</u> | <u>YouTube</u> | <u>LinkedIn</u> | <u>Instagram</u> | <u>HCFL Stay Safe</u>

#### Hillsborough County Florida

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# **Supplemental Information for Transportation Related Administrative Reviews**

#### Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at <a href="mailto:padroni@hcpafl.gov">padroni@hcpafl.gov</a> or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<ul> <li>✓ Section 6.04.02.B. Administrative Variance</li> <li>☐ Technical Manual Design Exception Request</li> <li>☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.)</li> <li>☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)</li> </ul>
Submittal Type (check one)	■ New Request
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	×1. MM 24-1152          □4.          □2.       □5.         □3.       □6.
submittal number/name to each separate request. number previously identified. It is critical that the ap	riests (whether of the same or different type), please use the above fields to assign a unique Previous submittals relating to the same project/phase shall be listed using the name and uplicant reference this unique name in the request letter and subsequent filings/correspondence. I information related to a previously submitted request, then the applicant would check the
Project Name/ Phase U.S. 41 Retail Ce	enter Development
Important: The name selected must be used on all fu If request is specific to a discrete phase, please also	ture communications and submittals of additional/revised information relating to this variance. list that phase.
Folio Number(s) 14015.0100	☐ Check This Box If There Are More Than Five Folio Numbers
numbers must be provided in the format provided b	to a maximum of five. If there are additional folios, check the box to indicate such. Foliony the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, 789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789;
Name of Person Submitting Request	Joe Moreda AICP
<b>Important:</b> For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The
<b>Current Property Zoning Designation</b>	PD 03-0348 / PRS 12-0032
Designation. Typing "N/A" or "Unknown" will result i County Zoning Atlas, which is available at <a "rmc-9".="" (813)="" (flu)="" 272-5600="" 3.<="" additional="" application="" aps.hillsboroughcounty.org="" as="" assistance,="" at="" be="" being="" development="" for="" future="" hillsborough="" href="https://maxage:ntps://m&lt;/th&gt;&lt;td&gt;mily Conventional – 9" in="" information="" is="" land="" maphillsborough="" maphillsborough.html.="" may="" not="" obtained="" official="" option="" or="" property's="" returned.="" same="" services="" td="" the="" this="" use="" via="" your=""></a>	
Pending Zoning Application Number	MM 24-1152
	ter the application number preceded by the case type prefix, otherwise type "N/A" or "Not 100 for major modifications, PRS for minor modifications/personal appearances.
Related Project Identification Number (Site/Subdivision Application Number)	

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".

1 of 1

23 05/2020



# **LINCKS & ASSOCIATES, LLC**

September 23, 2024

Mr. Michael Williams, PE County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 22<sup>nd</sup> Floor Tampa, FL 33602

Re: US 41 Retail Center Development

MM 24-1152

Folio 014015.0100

Lincks Project No.: 21176

The purpose of this letter is to request a Section 6.04.02.B Administrative Variance to Section 6.04.03I of the Hillsborough County Land Development Code, for the number of accesses to the project. The subject property is currently zoned PD for the following land uses:

- Office 50,000 Square Feet
- Retail 12,000 Square Feet

The office component of the project has been constructed. The PD is proposed to be modified to allow the following land uses for the remaining retail portion the property:

- Fast Food Restaurant w/Drive Thru 3,500 Square Feet
- Day Care 12,000 Square Feet
  - 188 Students
- Retail 11,000 Square Feet

Tables 1, 2, and 3 provide the trip generation for the proposed retail portion of the project.

The access to serve the project is proposed to be as follows:

- One (1) right-in/right-out access to US 41 (existing)
- One (1) left-in/right-in/right-out access to US 41 (existing)
- One (1) full access to Cypress Lane (existing)
- One (1) right-in only access to Cypress Lane (proposed)

Based on the trip generation for the project, the adjacent roadways, and Section 6.04.03 of the Hillsborough County LDC, two (2) accesses would be allowed for the project. This letter is to request a waiver to the number of accesses to serve the project.

5023 West Laurel Street Tampa, FL 33607 813 289 0039 Telephone 8133 287 0674 Telefax www.Lincks.com Website Mr. Mike Williams September 23, 2024 Page 2

# (a) there is an unreasonable burden on the applicant,

The project has three (3) existing accesses and one (1) additional right-in only access that is proposed for Cypress Lane. The subject access provides additional traffic distribution and circulation for the project. The developer does not have the right to eliminate any of the existing three (3) accesses.

# (b) the variance would not be detrimental to the public health, safety and welfare,

The additional access is proposed to be right-in only with a 50 foot throat depth. Based on the limited access, the variance would not be detrimental to the public health, safety and welfare.

(c) without the variance, reasonable access cannot be provided. In the evaluation of the variance request, the issuing authority shall give valid consideration to the land use plans, policies, and local traffic circulation/operation of the site and adjacent areas.

Given three (3) of these accesses are existing, the additional access to Cypress Lane is needed to provide reasonable access circulation for the project.

Mr. Mike Williams September 23, 2024 Page 3

Please do not hesitate to contact us if you have any questions or require any additional information.  Best Regards,  Steven J Henry  President  Lincks & Associates, LLC  P.E. #51555
Based on the information provided by the applicant, this request is:  Disapproved Approved Approved with Conditions
If there are any further questions or you need clarification, please contact Sheida L. Tirado, P.E, (813) 276-8364, TiradoS@hillsboroughcounty.org.
Date Sincerely,
Michael J. Williams Hillsborough County Engineer

TABLE 1

ESTIMATED DAILY PROJECT TRIP ENDS

Passerby New Daily Capture (2) Trip Ends	818 818	692 0	240 359	1,058 1,946
Daily P.	1,636	692	299	3,004
Size	3,500 SF	188 Students	11,000 SF	Total
LUC	934	565	822	
Land Use	Fast Food Restaurant w/ Drive Thru	Day Care	Retail	

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Based on ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021.

Passerby Trips:

Fast Food Restaurant w/ Drive Thru - 50%

 $1,636 \times 0.50 = 818$ 

Retail - 40%

 $599 \times 0.40 = 240$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

45,933 (a)  $\times 0.10 = 4,593 > 1,058$ 

(a) Based on PM peak hour peak season traffic at the intersection of Cypress Lane and US 41

TABLE 2

ESTIMATED AM PEAK HOUR PROJECT TRIP ENDS

			AM	AM Peak Hour	lour	ш	Passerby	>	New Al	New AM Peak Hour	Hour
	빝		Tri	Trip Ends (1	(1)	S	Capture (2)	(2)	Ī	Trip Ends	
Land Use	TNC	Size	듸	Ont	Total	드	Ont	Total	듸	Out	Total
Fast Food Restaurant w/ Drive Thru	934	3,500 SF	80	9/	156	40	40 38	78	40	40 38 78	78
Day Care	565	188 Students	20	63	133	0	0	0	70	63	133
Retail	822	11,000 SF	9	19	26	ဖျ	ကျ	ଠା	인	7	17
		Total	166	149	315	46	4	87	120	108	228

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021.

(2) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Passerby Trips:

Fast Food Restaurant w/ Drive Thru - 50%

In:  $80 \times 0.50 = 40$ Out:  $76 \times 0.50 = 38$ 

Retail - 40%

ln:  $16 \times 0.40 = 6$ Out:  $7 \times 0.40 = 3$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

4,475 (a)  $\times 0.10 = 448 > 88$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41,

TABLE 3

ESTIMATED PM PEAK HOUR PROJECT TRIP ENDS

	11E LUC 934 565
000 SF 42 41	12,000 SF 63 11,000 SF 42
	11,000 SF 42

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021. (2) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Fast Food Restaurant w/ Drive Thru - 55% Passerby Trips:

In:  $60 \times 0.55 = 33$ Out:  $56 \times 0.55 = 31$ 

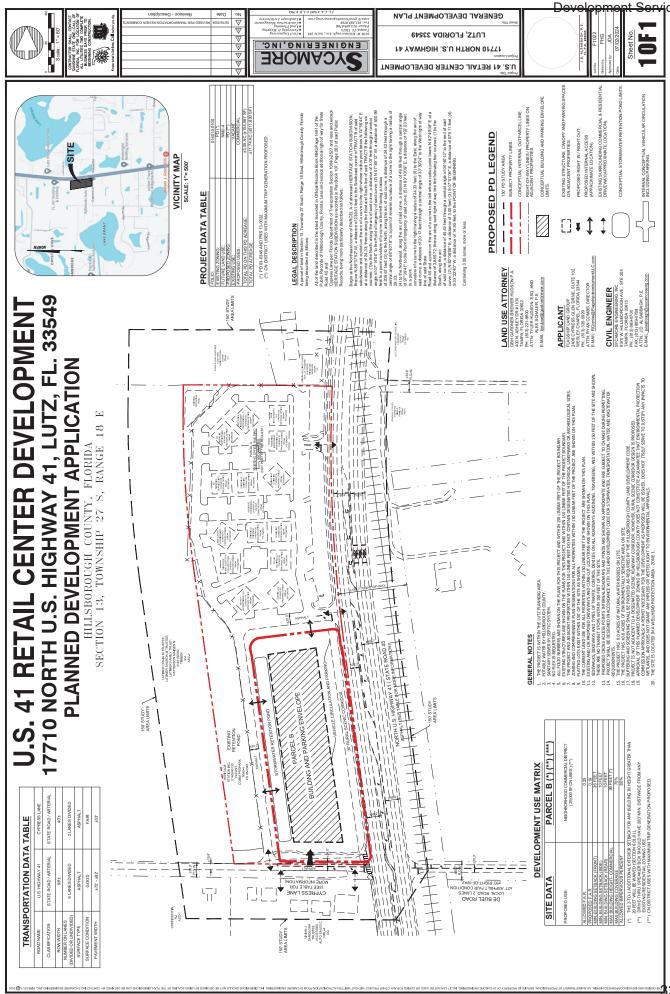
In:  $42 \times 0.40 = 17$ Retail - 40%

Out:  $41 \times 0.40 = 16$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

 $4,134(a) \times 0.10 = 413 > 97$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41.



Received September 25, 2024 Development Services FUNCTIONAL CLASSIFICATION Infrastructure & Development Services HILLSBOROUGH COUNTY Urban Service Area Boundary Hillsborough County, Florida ROADWAYS State, Principal Arterial Hillsborough, Collector Hillsborough, Arterial Locator Map Functional Classifications Legend Authority, Classification State, Arterial 75 R 19 E COUNTY

from a street, alley or driveway of lawfully oncoming traffic from any direction in the intersecting public street, between heights of two and one-half feet and eight feet, as measured from the pavement edge, of the adjacent roadway across sight distances complying with the Hillsborough County Transportation Technical Manual. Alternatively, the comparable design standards of the Florida Department of Transportation may be utilized.

# G. Operational Characteristics of Access

The driveway should be constructed so that all entering and exiting movements can be accomplished with minimum disruption to traffic flow on the intersecting roadway. For developments having drive-in services, the service area should be far enough from the roadway to ensure adequate vehicle storage space within the property limits, i.e., avoid vehicle backups blocking the service operation and interfering with the safe movement of highway traffic. Where possible, a minimum of 50' (for Type II) or 100' (for Type III or higher) of the driveway throat shall remain free of internal connections or parking spaces which might interfere with the movement of vehicles into or out of the access. The applicant may submit an analysis showing that for his particular site, a throat of less than 100' is appropriate and will result in no adverse impact to the public roadway system.

### H. Access Along Acceleration/Deceleration Lanes

A driveway shall not be constructed along acceleration or deceleration tapers connecting to interchange ramp terminals, intersecting roadways, bus bays or other driveways unless access would be unreasonably denied and the driveway can be made to function properly, i.e., safe and efficient traffic operation.

#### I. Number of Access Points

- The minimum number of driveways should be allowed that will adequately serve the need for the abutting property, and yet not seriously impact the function and capacity of the highway to which access is desired.
- 2. The number of entrances shall be determined based on the maximum desirable vehicle flow rate at entrances for residential and non-residential land uses based on the street characteristics.
- 3. All access drives shall be required to comply with access spacing criteria and cross access connections are considered as a driveway connection for the purpose of complying with this section of the LDC. Cross access connections shall be consistent with <u>Section 6.04.03</u> (Q) of the Land Development Code.
- 4. Properties that are bordered by physical impediments such as railroad tracks, limited access highways, existing navigable river or government owned property with restrictions may request an Administrative Variance pursuant to <a href="Section 6.04.02">Section 6.04.02</a>(B) of the Land Development

#### Code.

- 5. The applicant may be permitted fewer driveway connections than required by the threshold matrix if through an approved traffic engineering study it is demonstrated that the proposed driveway connections will provide adequate capacity for the project to operate in a safe and efficient manner without causing delays or backups on the impacted roadways.
- 6. Where Non-Residential development abuts Collector/Arterial and Local roads primary driveway connections shall be at Collector/Arterial roads and Local roads shall be use for secondary access.

**Table 1: Function and Driveway Guidelines** 

#### **Residential Uses**

Street Character	Maximum Vehicle Flow
Function	Peak Hour Total
Local	90
Collector/Arterial	180

**Table 2: Function and Driveway Guidelines** 

#### Non-Residential Uses

Street Character	Maximum Vehicle Flow
Function	Peak Hour Total
Local	180
Collector/Arterial	300

7. A permit which becomes invalid as a result of the expiration of the time limits and extensions, if any, after construction has, in the opinion of the issuing authority substantially begun, may be required to submit a new application which will be reviewed as per the requirements of this document and which may result in the issuance of a new permit which may contain new or modified conditions of approval.

(Ord. No. 01-26, § 2, 9-12-01)

Sec. 6.04.03. - General Access Standards

### A. Applicability

The following standards apply to all Connection Types.

### B. Access to Residential Property

Direct access from residential property adjacent to arterial streets shall be prohibited when access can be provided via a collector roadway, unless it can be demonstrated by the applicant that access to the arterial roadway will provide a greater public benefit.

### C. Primary Access to Non-Residential Property

If non-residential property is located such that access can be provided to either an arterial or collector facility, primary access shall be via the collector facility, unless it can be demonstrated by the applicant that primary access to the arterial roadway will provide a greater public benefit.

#### D. Shared Access

Shared access facilities onto arterial and collector streets are encouraged when two or more contiguous sites are planned for compatible uses. Shared access is desirable where the trip generation from the anticipated land uses will not be large enough to warrant a traffic signal.

### E. Off-site Street Parking

Except for Single Family Residential Units or other types of residential units approved by the County, off-site street parking shall be designed to insure that all vehicles leaving or entering the public street right-of-way shall be traveling in a forward motion.

#### F. Sight Distance; Visibility At Intersections

- Sight Distance Access points shall be located along the property frontage in such a manner as
  to provide adequate sight distance per the requirements of the Hillsborough County
  Transportation Technical Manual latest edition and Florida Department of Transportation
  Standard(s).
- No structure or portion of any structure shall be placed or erected, no motor vehicle, trailer or
  equipment shall be allowed to park, stand, stop or be stored, and no vegetation shall be
  maintained, planted or allowed to grow in a manner which materially impedes the visibility

From: Williams, Michael [WilliamsM@hcfl.gov]

**Sent:** Monday, April 7, 2025 12:27 PM **To:** Steven Henry [shenry@lincks.com]

CC: Joe Moreda [jmoreda@gardnerbrewer.com]; Follin, Jared [FollinJ@hcfl.gov]; Heinrich,

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Mike

Michael J. Williams, P.E.

**Director, Development Review County Engineer**Development Services Department

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Best Regards,

#### Sheida L. Tirado, PE

### **Transportation Review Manager**

**Development Services Department** 

E: TiradoS@HCFL.gov

P: (813) 276-8364 | M: (813) 564-4676

601 E. Kennedy Blvd., Tampa, FL 33602

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#### Hillsborough County Florida

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# Additional / Revised Information Sheet

Office Use Only		
Application Number: 24-1152	Received Date:	Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, the second page of this form <u>must</u> be included indicating the additional/revised documents being submitted with this form.

	additional/revised docume	· ·	with this form.
Application Number: 2	24-1152	Applicant's Name:	Gardner Brewer Hudson
			Date: 09/25/2024
Application Type:  Planned Development	nt (PD) 🔲 Minor Modificat	ion/Personal Appeara	ance (PRS) 🔲 Standard Rezoning (RZ)
☐ Variance (VAR)	Development of	Regional Impact (DRI	) Major Modification (MM)
Special Use (SU)	Conditional Use	(CU)	Other
Current Hearing Date (if	applicable):	<del> </del>	
Important Project Size Change Information  Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.			
Will this revision add land to the project?			
Will this revision remove land from the project?			
Email this form along with all submittal items indicated on the next page in pdf form to:  ZoningIntake-DSD@hcflgov.net			
titled according to its c		submitted in one en	n item should be submitted as a separate file nail with application number (including prefix)
For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.			
	scribed above are the only o al submission and certificat	_	en made to the submission. Any further changes
	Signature		 Date



# Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact <u>Hillsborough County Development Services</u> to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development</u> Services to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No			
I hereby con	firm that the material submitted with application Includes sensitive and/or protected information.	24-1152	
	Type of information included and location		
×	Does not include sensitive and/or protected info	rmation.	
Please note: Se	ensitive/protected information will not be accepted/requeste	d unless it is required for the processing of the application.	
		o determine if the applicant can be processed with the data owledge that any and all information in the submittal wil	
become pub	lic information if not required by law to be protect	ted.	
Signature: _	Joe Moreda, AICP  (Must be signed by applicant of	Digitally signed by Joe Moreda, AICP Date: 2024.09.25 14:54:28 -04'00' rauthorized representative)	
Intake Staff S	Signature:	Date:	



# Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Incl	uded	Submittal Item
1		Cover Letter*+ If adding or removing land from the project site, the final list of folios must be included
2		Revised Application Form*+
3		Copy of Current Deed* Must be provided for any new folio(s) being added
4		Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6		Property Information Sheet*+
7		Legal Description of the Subject Site*+
8		Close Proximity Property Owners List*+
9	$\boxtimes$	Site Plan*+ All changes on the site plan must be listed in detail in the Cover Letter.
10		Survey
11		Wet Zone Survey
12	$\boxtimes$	General Development Plan
13	$\boxtimes$	Project Description/Written Statement
14	$\boxtimes$	Design Exception and Administrative Variance requests/approvals
15		Variance Criteria Response
16		Copy of Code Enforcement or Building Violation
17	$\boxtimes$	Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):

<sup>\*</sup>Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

<sup>\*</sup>Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



# **Supplemental Information for Transportation Related Administrative Reviews**

#### Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at <a href="mailto:padroni@hcpafl.gov">padroni@hcpafl.gov</a> or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<ul> <li>✓ Section 6.04.02.B. Administrative Variance</li> <li>☐ Technical Manual Design Exception Request</li> <li>☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.)</li> <li>☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)</li> </ul>	
Submittal Type (check one)	■ New Request	
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	×1. MM 24-1152          □4.          □2.       □5.         □3.       □6.	
<b>Important:</b> To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.		
Project Name/ Phase U.S. 41 Retail Ce	enter Development	
Important: The name selected must be used on all fu If request is specific to a discrete phase, please also	ture communications and submittals of additional/revised information relating to this variance. list that phase.	
Folio Number(s) 14015.0100	☐ Check This Box If There Are More Than Five Folio Numbers	
<b>Important:</b> List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").		
Name of Person Submitting Request	Joe Moreda AICP	
<b>Important:</b> For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.		
<b>Current Property Zoning Designation</b>	PD 03-0348 / PRS 12-0032	
Important: For Example, type "Residential Multi-Family Conventional — 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at <a href="https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html">https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html</a> . For additional assistance, please contact the <a href="https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html">https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html</a> . For additional assistance, please contact the <a href="https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html">https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html</a> . For additional assistance, please contact the <a href="https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html">https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html</a> .		
Pending Zoning Application Number	MM 24-1152	
<b>Important:</b> If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.		
Related Project Identification Number (Site/Subdivision Application Number)		

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".

1 of 1

65/2020



# LINCKS & ASSOCIATES, LLC

September 23, 2024

Mr. Mike Williams County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 22<sup>nd</sup> Floor Tampa, FL 33602

Re: US 41 Retail Center Development

MM 24-1152

Folio Number: 014015.0000 Lincks Project No.: 21176

The purpose of this letter is to request a Section 6.04.02.B Administrative Variance to Section 6.04.07 of the Hillsborough County Land Development Code for the access to Cypress Lane for the above project. The subject property is currently zoned PD for the following land uses:

- Office 50,000 Square Feet
- Retail 12,000 Square Feet

The office component of the project has been constructed. The PD is proposed to be modified to allow the following land uses for the remaining retail portion the property:

- Fast Food Restaurant w/Drive Thru 3,500 Square Feet
- Day Care 12,000 Square Feet
  - 188 Students
- Retail 11,000 Square Feet

Tables 1, 2, and 3 provide the trip generation for the proposed retail portion of the project.

The access to serve the project is proposed to be as follows:

- One (1) right-in/right-out access to US 41 (existing)
- One (1) left-in/right-in/right-out access to US 41 (existing)
- One (1) full access to Cypress Lane (existing)
- One (1) right-in only access to Cypress Lane (proposed)

The request is for an Administrative Variance to Section 6.04.07 of the Hillsborough County LDC for the access spacing on Cypress Lane. Based on Section 6.04.07, the access spacing on Cypress Lane is 245 feet and the spacing is as follows:

Mr. Mike Williams September 23, 2024 Page 2

- 145 feet from US 41
- 97 feet from the western access

This is graphically shown in Figure 1.

The justification for the variance is as follows:

(a) there is an unreasonable burden on the applicant,

The property has limited frontage along Cypress Lane. The proposed right-in only access allows a better distribution of the project traffic.

(b) the variance would not be detrimental to the public health, safety and welfare,

The proposed access is to be limited to right-in only and provides a minimum 50 foot throat depth. Therefore, the proposed variance would not be detrimental to the public health, safety and welfare.

(c) without the variance, reasonable access cannot be provided. In the evaluation of the variance request, the issuing authority shall give valid consideration to the land use plans, policies, and local traffic circulation/operation of the site and adjacent areas.

Given the proposed layout for the project, the variance is required to allow proper circulation for the proposed land uses.

Mr. Mike Williams September 23, 2024 Page 3

Best Regard

Lincks & Associates, LLC P.E. #51555



 Disapproved
Approved
Approved with Conditions

Sincerely,

Michael J. Williams Hillsborough County Engineer

TABLE 1

ESTIMATED DAILY PROJECT TRIP ENDS

New Daily Trip Ends	818	769	359	1,946
Passerby Capture (2)	818	0	240	1,058
Daily Trip Ends (1)	1,636	769	299	3,004
Size	3,500 SF	188 Students	11,000 SF	Total
LUC TE	934	565	822	
Land Use	ast Food Restaurant w/ Drive Thru	Day Care	Retail	

<sup>(1)</sup> Based on ITE Trip Generation Manual, 11th Edition, 2021.

Fast Food Restaurant w/ Drive Thru - 50%

 $1,636 \times 0.50 = 818$ 

Retail - 40%

 $599 \times 0.40 = 240$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

45,933 (a)  $\times 0.10 = 4,593 > 1,058$ 

(a) Based on PM peak hour peak season traffic at the intersection of Cypress Lane and US 41

and K=0.09

<sup>(2)</sup> Based on ITE <u>Trip Generation Manual</u>, 11<sup>th</sup> Edition, 2021.Passerby Trips:

TABLE 2

ESTIMATED AM PEAK HOUR PROJECT TRIP ENDS

_	<u>-</u>		က		œ
k Hou	Total	78	133	17	228
VM Peak F	Out	40 38 78	63	7	108
New AM Peak Hour Trip Ends	듸	40	20	9	120
2 ×	Total	78	0	രി	87
Passerby Capture (2)	Ort	40 38	0	ကျ	4
<u>م</u> ي	드	40	0	ØΙ	46
lour (1)	Total	156	133	26	315
AM Peak Hour Trip Ends (1)	Ort	80 76	63	9	149
AM	드	80	20	16	166
	Size	3,500 SF	188 Students	11,000 SF	Total
빝		934	565	822	
	Land Use	Fast Food Restaurant w/ Drive Thru	Day Care	Retail	

(1) Based on ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021,

(2) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Fast Food Restaurant w/ Drive Thru - 50% Passerby Trips:

In:  $80 \times 0.50 = 40$ Out:  $76 \times 0.50 = 38$ 

Retail - 40%

In:  $16 \times 0.40 = 6$ Out:  $7 \times 0.40 = 3$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

4,475 (a)  $\times 0.10 = 448 > 88$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41,

TABLE 3

ESTIMATED PM PEAK HOUR PROJECT TRIP ENDS

Hour	Out Total	52	133	20	235
w PM Peak F Trip Ends		27 25 52	63 70 133	25	120
New PM Peak Hour	1 2	27	63	25	115
> 6	Total	33 31 64	0	33	26
Passerby	Out Total	31	0 0 0	9	47
ڻ	듸	33	0	17	20
our	Total	60 56 116	133	83	332
PM Peak Hour	In Out Total	56	70	4	167
PM	듸	09	63	42	165
	Size	3,500 SF	12,000 SF	11,000 SF	Total
Ë	LUC	934	565	822	
	<u>Land Use</u>	Fast Food Restaurant w/ Drive Thru	Day Care	Retail	

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021.

(2) Based on ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021.Passerby Trips:

Fast Food Restaurant w/ Drive Thru - 55%

In:  $60 \times 0.55 = 33$ Out:  $56 \times 0.55 = 31$ 

Out: 56 x 0.55 : Retail - 40% ln:  $42 \times 0.40 = 17$ Out:  $41 \times 0.40 = 16$  Passerby trips should not exceed 10% of the adjacent street traffic.

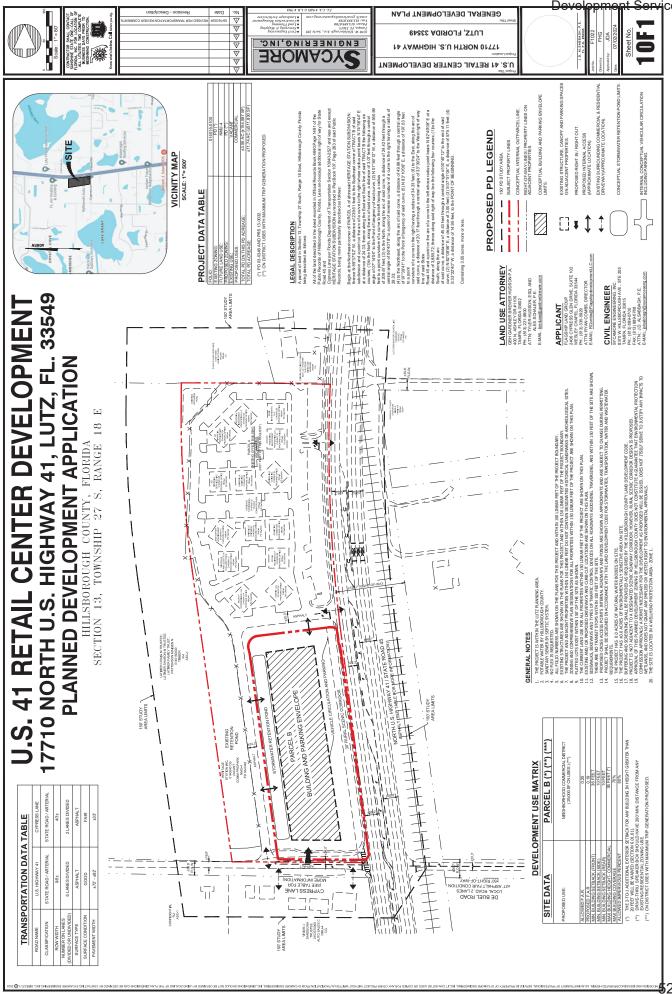
 $4,134(a) \times 0.10 = 413 > 97$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41,

Mr. Mike Williams September 23, 2024 Page 7



FIGURE 1



Received September 25, 2024 Development Services FUNCTIONAL CLASSIFICATION Infrastructure & Development Services HILLSBOROUGH COUNTY Urban Service Area Boundary Hillsborough County, Florida ROADWAYS State, Principal Arterial Hillsborough, Collector Hillsborough, Arterial Locator Map Functional Classifications Legend Authority, Classification State, Arterial 75 R 19 E COUNTY

### A. Driveway Width/Length

Driveways provide the physical transition between a site and the abutting roadway. Driveways should be located and designed to minimize impacts on traffic while providing safe entry and exit from the development served. The location and design of the connection must take into account characteristics of the roadway, the site, and the potential users.

The actual width and length of driveways shall be subject to internal and external traffic flow considerations. The driveway width considerations include, but are not limited to the number of lanes, the driveway geometrics, internal obstructions, traffic safety, etc. The length of driveways shall be designed to provide for an uninterrupted traffic flow on the public street. This will require that the entering vehicles not be confronted with maneuvering vehicles at the immediate point of entry, thus requiring other entering vehicle(s) to stop in the through traffic flow. The driveway length therefore, will be subject to the anticipated required stacking length of entering and exiting vehicle during the peak period.

- 1. For driveways that will be signalized, driveway length should be determined by a traffic study of expected traffic and queues.

  An important measurement in determining the driveway length is the outbound queue.
- 2. For unsignalized driveways, the following minimum lengths will be used:

Land Use	Driveway Length (In Feet)
Any major entrance with 4 or more total lanes in the in the driveway. Typically malls, and "Super" retail centers	300 or greater, based on
	traffic study
Regional Shopping Centers (over 150,000 sq. ft.)	250
Community Shopping Center (100-150,000 sq. ft.) (Supermarket, drug store, etc.)	150
Small Strip Shopping Center	50
Smaller Commercial Development (convenience store with gas pumps)	30

3. For residential developments, the maximum length shall be:

Land Use	Driveway Length (In Feet)
Residential Developments	250

### B. Driveway Grades

- 1. Driveway grades shall conform to the requirements of FDOT Roadway and Traffic Design Standard Indices, latest edition.
- 2. For driveways with high volumes and where curve radii turnouts would be a prime benefit to traffic movements, the following factors should be considered:
  - a. It is desirable to have driveway slope upward from gutter line without any vertical curve. The upward slope with curbs will allow better control of drainage.

- b. It is desirable to have a relatively flat area adjacent to the roadway, where vehicles may turn off without an immediate climbing or descending need. Then exiting vehicles may wait to enter traffic flow at approximately roadway level.
- c. Within the limits of curve radii, no drop curb shall be allowed except as required for curb cut ramps.

### C. Traffic Control Devices

- 1. The installation of signs and pavement markings at private roadways and residential or commercial driveways, and the installation of traffic signals at high-volume commercial Type III driveways may be required in order to provide for safe and efficient movement of traffic. All traffic control devices shall be installed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and the current County standards and specifications and shall be approved by the County Public Works Department, Traffic Section.
- 2. The approval to install traffic signals shall be based on a traffic engineering study which addresses the warrants, the design, and the operation of the signals. The study and design shall be approved by the County Public Works Department, Traffic Section and FDOT, if on the State Highway System. The responsibility for the engineering study shall rest with the permittee. If traffic signal is installed, all signal elements and appropriate portions of the access approach to assure efficient signal operation, shall be on public right-of-way or on easements granted to the public.
- 3. Any required traffic control devices, including signs, signals or pavement markings shall be installed by the permittee. The permittee shall be responsible for all purchase and installation costs involved.

### D. Auxiliary Lanes

Auxiliary Lanes refer to left-turn, right-turn, acceleration, deceleration, and storage lanes. Developments which generate AM or PM Peak Hour Traffic which exceeds the following thresholds shall provide the following site related acceleration, deceleration, and storage lanes:

- 1. If more than 20 left turning vehicles per hour on a two-lane arterial or collector roadway, then left turn lanes are warranted,
- 2. If more than 50 right turning vehicles per hour on a two-lane arterial or collector roadway, then right turn lanes are warranted,
- 3. If more than 40 right turning vehicles per hour, on a four-lane rural roadway, then a right turn lane is warranted,
- 4. If more than 80 right turning vehicles per hour, on a four-lane urban roadway, then a right turn lane is warranted,
- 5. If more than 60 right turning vehicles per hour, on a six-lane rural roadway, then a right turn lane is warranted,
- 6. If more than 100 right turning vehicles per hour, on a six-lane urban roadway, then a right turn lane is warranted,
- 7. On multi-lane roadways, left turn lanes shall be constructed when there are more than 20 left turning vehicles.

(Ord. No. 00-38, § 2, 11-2-00; Ord. No. 05-22, § 2, 11-17-05; Ord. No. 07-18, § 2, 7-19-07, eff. 10-1-07)

Any required traffic control devices, including signs, signals or pavement markings shall be installed by the permittee. The permittee shall be responsible for all purchase and installation costs involved.

### D. Auxiliary Lanes

Auxiliary Lanes refer to left-turn, right-turn, acceleration, deceleration, and storage lanes.

Developments which generate AM or PM Peak Hour Traffic which exceeds the following thresholds shall provide the following site related acceleration, deceleration, and storage lanes:

- 1. If more than 20 left turning vehicles per hour on a two-lane arterial or collector roadway, then left turn lanes are warranted,
- 2. If more than 50 right turning vehicles per hour on a two-lane arterial or collector roadway, then right turn lanes are warranted,
- 3. If more than 40 right turning vehicles per hour, on a four-lane rural roadway, then a right turn lane is warranted,
- 4. If more than 80 right turning vehicles per hour, on a four-lane urban roadway, then a right turn lane is warranted,
- 5. If more than 60 right turning vehicles per hour, on a six-lane rural roadway, then a right turn lane is warranted,
- 6. If more than 100 right turning vehicles per hour, on a six-lane urban roadway, then a right turn lane is warranted,
- 7. On multi-lane roadways, left turn lanes shall be constructed when there are more than 20 left turning vehicles.

(Ord. No. 00-38, § 2, 11-2-00; Ord. No. 05-22, § 2, 11-17-05; Ord. No. 07-18, § 2, 7-19-07, eff. 10-1-07)

### **Transportation Comment Sheet**

### 3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
US Hwy 41	FDOT Principal Arterial - Rural	6 Lanes □ Substandard Road □ Sufficient ROW Width	<ul><li>□ Corridor Preservation Plan</li><li>⋈ Site Access Improvements</li><li>□ Substandard Road Improvements</li><li>□ Other</li></ul>
Cypress Ln.	County Local - Rural	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	<ul><li>□ Corridor Preservation Plan</li><li>□ Site Access Improvements</li><li>⋈ Substandard Road Improvements</li><li>□ Other</li></ul>

Project Trip Generation ☐ Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	2,026	196	258	
Proposed	1,962	200	263	
Difference (+/-)	-64	+4	+5	

<sup>\*</sup>Trips reported are based on gross external trips unless otherwise noted.

Connectivity and Cross Access ☐ Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South	Х	Choose an item.	Choose an item.	Choose an item.
East	Х	Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:			-	

<b>Design Exception/Administrative Variance</b> □ Not applicable for this request			
Road Name/Nature of Request	Туре	Finding	
Cypress Ln./Substandard Roadway	Design Exception Requested	Approvable	
Cypress Ln./Access Spacing	Administrative Variance Requested	Approvable	
Multiple/Number of Accesses	Administrative Variance Requested	Approvable	
Notes:			

4.0 Additional Site Information & Agency Comments Summary				
Transportation	Objections	Conditions Requested	Additional Information/Comments	
<ul><li>☑ Design Exception/Adm. Variance Requested</li><li>☑ Off-Site Improvements Provided</li></ul>	☐ Yes ☐ N/A ☑ No	⊠ Yes □ No	See report.	

### COUNTY OF HILLSBOROUGH ZONING HEARING MASTER'S RECOMMENDATION

Application number:	MM 24-1152
Hearing date:	May 19, 2025
Applicant:	Tyler Hudson; Gardner, Brewer, Hudson
Request:	Major Modification of a PD
Location:	Northwest quadrant of North U.S. Highway 41 and Cypress Lane intersection
Parcel size:	11.74 acres +/-
Existing zoning:	PD 03-0348
Future land use designation:	NMU-4 (4 du/ga; 0.25 FAR)
Service area:	Rural
Community planning area:	Lutz Community Plan

### A. APPLICATION REVIEW

### DEVELOPMENT SERVICES STAFF REPORT APPLICATION REVIEW SUMMARY AND RECOMMENDATION

### **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Zoning Hearing Master on May 19, 2025. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

### **Applicant**

Mr. Joe Moreda spoke on behalf of the applicant. Mr. Moreda presented the rezoning request and provided testimony as reflected in the hearing transcript.

### **Development Services Department**

Mr. Jared Folin, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted to the record, and provided testimony as reflected in the hearing transcript.

### **Planning Commission**

Ms. Alexis Myers, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted into the record.

### **Proponents**

The Zoning Hearing Master asked whether there was anyone at the hearing in person or online to speak in support of the application. There were none.

### **Opponents**

The Zoning Hearing Master asked whether there was anyone at the hearing in person or online to speak in opposition to the application. There were none.

### **Development Services Department**

Ms. Heinrich stated the Development Services Department had nothing further.

### Applicant Rebuttal

Mr. Moreda stated the applicant had nothing further.

The zoning master closed the hearing on RZ-PD 24-1152.

### C. EVIDENCE SUMBITTED

No additional documentary evidence was submitted to the record at the hearing.

### D. FINDINGS OF FACT

- 1. The Subject Property consists of approximately 11.74 acres located on the west side of North U.S. Highway 41, north of Cypress Lane in Lutz.
- 2. The Subject Property is designated NMU-4 on the Future Land Use Map and is zoned PD 03-0348.

- 3. The Subject Property is in the Rural Services Area and is located within the boundaries of the Lutz Community Plan.
- 4. The general area surrounding the Subject Property consists of residential, agricultural, and commercial uses. Adjacent properties include commercial properties and a residential single-family subdivision to the north; a forested area zoned ASC-1 to the west; a vehicle sales and repair business to the south across Cypress Lane; and agricultural and single-family residential uses to the east across North U.S. Highway 41.
- 5. The Subject Property's PD 03-0348 zoning, as modified by PRS 13-0032, allows two development options on two parcels designated "Parcel A" and "Parcel B" as follows:

	Parcel A	Parcel B
Option 1	50,000 s.f. of office uses	12,000 s.f. of retail uses
Option 2	46,000 s.f. of office uses	16,000 s.f. of retail uses

PD 03-0348 zoning allows retail uses on Parcel B to include all CN zoning district uses except certain uses specified in the approval conditions.

- 6. After PD 03-0348 was approved, Parcel A was subdivided into 14 discrete lots and a common area. The Heritage Station Subdivision plat was recorded March 8, 2006 in Plat Book 107, page 263, public records of Hillsborough County, Florida. The property legal description on the Heritage Station Subdivision plat shows Parcel A, including the 14 lots and common area, has an area of 8.12 acres, more or less. (See attached plat of Heritage Station Subdivision.)
- 7. After being subdivided, Parcel A was developed into an office park with 14 office buildings on the subdivided lots. The subdivided lots were assigned separate folio parcel numbers and conveyed to subsequent owners. Therefore, Parcel A now consists of fifteen separate folio parcels, including the common area and the 14 lots developed with individual office buildings. The common area parcel owner, Heritage Station, Inc., is an applicant in this case. The owners of the 14 office building lots are not applicants in this case and their folio parcel numbers are not listed in the application even though those properties are within Parcel A.
- 8. PD Parcel B remains unimproved and exists under a single folio parcel, 014015.0100, and a single owner. The Parcel B owner, 17710 Hwy 41 LLC, is an applicant in this case. Parcel B has an area of approximately 3.55 acres.
- 9. The applicants are requesting to modify PD 03-0348 to allow the following:

	Parcel A	Parcel B	
Option 1	46,375 s.f. of office uses	29,500 s.f. of CN uses	
Option 2	46,375 s.f. of office uses	20,000 s.f. of CN uses and	
		60,000 s.f. of mini-warehouse	

- 10. The applicants' site plan shows Parcel A consists of an area of 8.19 acres <sup>1</sup> (356,756 square feet), and Parcel B consists of an area of 3.55 acres (154,638 square feet), for a total combined area of 11.74 acres (511,394 square feet) in Parcel A and Parcel B.
- 11. The applicants are using the entire area of Parcel A, including the common area and the subdivided lots, to calculate the proposed F.A.R. for this PD major modification.
- 12. For Parcel B in particular, the "Proposed Development Modified Use Matrix" on the applicants' site plan shows as follows:
  - a. The proposed F.A.R. for Parcel B Option 1 is 0.148, which is based on 46,275 s.f. of existing offices and 29,500 s.f. of proposed CN uses (total 75,875 s.f.) divided by 511,394 total area of Parcel A (356,756 square feet including constructed offices and common area) and Parcel B (154,638 square feet). (75,875 / 511,394 = 0.148)
  - b. The proposed F.A.R. for Parcel B Option 2 is 0.247, which is based on 46,275 s.f. of existing offices and 80,000 s.f. of proposed CN and miniwarehouse uses (total 126,375 s.f.) divided by 511,394 total area of Parcel A (356,756 square feet including constructed offices and common area) and Parcel B (154,638 square feet). (126,375 / 511,394 = 0.2469)
- 13. Under the "Proposed Development Modified Use Matrix," the applicant's site plan notes that the applicants are "Utilizing Parcel A and B (11.74 acres) combined with existing constructed offices 46,375 s.f. for F.A.R. calculations."
- 14. In addition, the applicant's revised project narrative dated February 20, 2025 states:

The Major Modification for the subject PD 03-348 has been expanded from the original submittal to include Parcel A (in addition to Parcel B). The total amended acreage for the proposal is approximately 11.74 acres and is generally located at the northwest corner of N. Highway 41 and Cypress Lane in unincorporated Hillsborough County, Florida. The purpose of the additional acreage is to utilize the entire acreage of the PD for Floor Area Ratio (FAR) compliance and to introduce Mini Warehouse as an allowed use on Parcel B.

15. Therefore, the applicants' site plan and narrative in the record demonstrate that the entire area of Parcel A, including the common area and the existing

<sup>&</sup>lt;sup>1</sup> This is generally consistent with the legal description on the Heritage Station Subdivision Plat of Parcel A, which states "Said Parcel Containing 8.12 Acres, More Or Less."

- constructed office building lots, is included in the total land area for calculation of the F.A.R.
- 16. The record also shows the development entitlements for Parcel A Option 1 are proposed to be modified from 50,000 square feet of office uses to 46,375 square feet of office uses.
- 17. However, the owners of the existing constructed office building lots are not included as applicants in this case even though their properties are included in the modification for calculating the F.A.R. and their development entitlements are proposed to be modified.
- 18. The application in this case identifies only two folio parcel numbers: folio 014015.0100, which is Parcel B; and folio 014084-0130, which is the Parcel A common area that is developed with access driveway, driving aisles, parking areas, and other site improvements serving the 14 subdivided lots. The application in this case does not list the 14 subdivided lots in Parcel A and the owners of those lots are not named as applicants even though those properties are within Parcel A, are included in calculation of the F.A.R., and the development entitlements of Parcel A are proposed to be modified.
- 19. If only the Parcel A common area, folio 014084-0130, were used for calculating F.A.R. and the 14 office building lots on Parcel A were not included, the total area would be reduced by 46,375 square feet and the resulting F.A.R. for Parcel B Option 2 would be 0.27, which is greater than the 0.25 F.A.R. allowed in the NMU-4 Future Land Use category. (126,375 s.f. proposed building area / 465,019 s.f. land area [511,394 46,375] = 0.271 F.A.R.)
- 20. Since the owners of the 14 office building lots on Parcel A are not included as applicants in this case yet their properties are included for calculation of the F.A.R. and their development entitlements are proposed to be modified, the record shows this case does not meet the LDC procedural requirements.
- 21. The LDC at section 5.03.07 provides that Major Modifications to existing approved PD districts shall be reviewed in accordance with procedures in section 10.03.00. The LDC at section 10.03.02 states "The owner of one or more parcels of land may seek to rezone any such parcel pursuant to the procedures prescribed herein." In this case, the owners of the 14 subdivided lot parcels in Parcel A have not sought to rezone or modify the PD zoning of their lots. Despite this, the proposed major modification includes the 14 subdivided parcels in calculating the F.A.R. and proposes to amend their PD zoning entitlements, essentially transferring development entitlements from Parcel A to Parcel B in Option 2 without the consent of all Parcel A owners.
- 22. The *Unincorporated Hillsborough County Comprehensive Plan* at Future Land Use Policy 9.2 states, "Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the

State of Florida, and the federal government unless such requirements have been previously waived by those governmental bodies." In this case, the application does not comply with LDC 10.03.02 because the owners of the 14 subdivided lot parcels in Parcel A have not sought to rezone or modify the PD zoning of their lots and yet the proposed major modification includes the 14 subdivided parcels in the F.A.R. and proposes to amend their PD zoning entitlements. Therefore, the record shows the application is not consistent with Future Land Use Policy 9.2.

- 23. The LDC at Part 3.09.00-Lutz Rural Area Development Standards sets out requirements for development within the boundaries of the Lutz Community Plan. The LDC at section 3.09.06.A.1. states, "All nonresidential buildings, excluding agricultural structures, churches and schools, and those buildings located within the Lutz Downtown Center Zoning District shall be limited to two stories in height and shall individually have no more than 20,000 square feet of gross floor space..."
- 24. The Development Services Department staff report states on the first page under "Proposed Modification(s)" the following: "Mini-warehouse building(s) permitted to exceed 20,000 sf in size." In section 5.1, "Compatibility," the staff report states, "Both the Lutz Rural Development Standards and conditions of approval limit building size to 20,000 per building. As part of this modification request, the applicant proposes to allow only the mini warehouse building to exceed 20,000 sf per building..." Proposed Condition 4. in the Development Services Department staff report has been amended to state, "Except for the mini-warehouse structure/building, Nno individual structures of the project shall exceed 20,000 square feet."
- 25. The applicants' revised narrative dated February 20, 2025 requests 60,000 square feet of mini-warehouse use, but does not request any PD variation and does not mention any proposal to allow the mini-warehouse use to exceed 20,000 square feet per building. The applicants' hearing testimony also did not raise this issue. Therefore, the record does not show how or when this request was made and does not include any justifications for the condition or variation from LDC requirements.
- 26. Proposed Condition 4. of the Development Services Department staff report, allowing the proposed mini-warehouse use to exceed 20,000 square feet per building, does not comply with LDC section 3.09.06.A.1. requiring all nonresidential buildings except agricultural structures, churches, schools, and buildings in the Lutz Downtown Center Zoning District shall individually have no more than 20,000 square feet of gross floor space.
- 27. Development Services Department staff found the proposed major modification approvable, subject to conditions based on the applicant's general site plan submitted March 4, 2025.
- 28. Hillsborough County Transportation Review staff stated no objections, subject to the conditions set out in the Transportation Review Comment Sheet and Development Services Department staff report.

- 29. The applicants requested a Design Exception for substandard roadway improvements on Cypress Lane, which the County Engineer found approvable. The applicants requested an Administrative Variance from LDC section 6.04.03.I., governing the number of driveways that may be allowed. The County Engineer found the Administrative Variance approvable to allow three access connections. The applicants requested an Administrative Variance from LDC section 6.04.07 governing access spacing for the proposed Cypress Lane access. The County Engineer found the Administrative Variance approvable for an access point that is 143 feet from the U.S. Highway 41 and Cypress Lane intersection, and 97 feet from the Subject Property's western access on Cypress Lane.
- 30. Planning Commission staff found the proposed planned development is an allowable use in the NMU-4 Future Land Use category, is compatible with the existing development pattern of the surrounding area, and does support the vision of the Lutz Community Plan. Staff concluded the proposed rezoning is consistent with the *Unincorporated Hillsborough County Comprehensive Plan*.

### E. FINDINGS OF COMPLIANCE OR NON-COMPLIANCE WITH COMPREHENSIVE PLAN

Based on the above facts from evidence in the record, the record demonstrates the proposed Major Modification request is not in compliance with and does not further the intent of the Goals, Objectives, and Policies of *Unincorporated Hillsborough County Comprehensive Plan*.

### F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if "the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government." § 163.3194(3)(a), Fla. Stat. (2024). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, there is substantial competent evidence demonstrating the requested Major Modification does not meet the LDC procedural requirements of section 10.03.02, does not comply with LDC section 3.09.06.A.1., is inconsistent with Future Land Use Policy 9.2, and therefore is not consistent with the *Unincorporated Hillsborough County Comprehensive Plan* and does not comply with the applicable requirements of the Hillsborough County Land Development Code.

### **G. SUMMARY**

The applicants are requesting to modify PD 03-0348 to allow the following:

	Parcel A	Parcel B
Option 1	46,375 s.f. of office uses	29,500 s.f. of CN uses
Option 2	46,375 s.f. of office uses	20,000 s.f. of CN uses and
		60,000 s.f. of mini-warehouse

The applicants are using PD 03-0348 Parcel A and Parcel B (11.74 acres), including existing constructed office lots on Parcel A, for F.A.R. calculations.

The applicants requested a Design Exception for substandard roadway improvements on Cypress Lane, which the County Engineer found approvable. The applicants requested an Administrative Variance from LDC section 6.04.03.I., governing the number of driveways that may be allowed. The County Engineer found the Administrative Variance approvable. The applicants requested an Administrative Variance from LDC section 6.04.07 governing access spacing for the proposed Cypress Lane access. The County Engineer found the Administrative Variance approvable.

### H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **DENIAL** of request for a Major Modification of PD 03-0348.

amela Qo Hatley June 5, 2025

Pamela Jo Hatley PhD, D Land Use Hearing Officer

Date:

# HERITAGE STATION SUBDIVISION WITH NO IMPROVEMENTS

SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 27 SOUTH, RANGE 18 EAST HILLSBOROUGH COUNTY, FLORIDA

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PLAT APPROVALS:

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CLERK OF CIRCUIT COURT: STATE OF FLORIDA COUNTY OF HILLSBOROUGH

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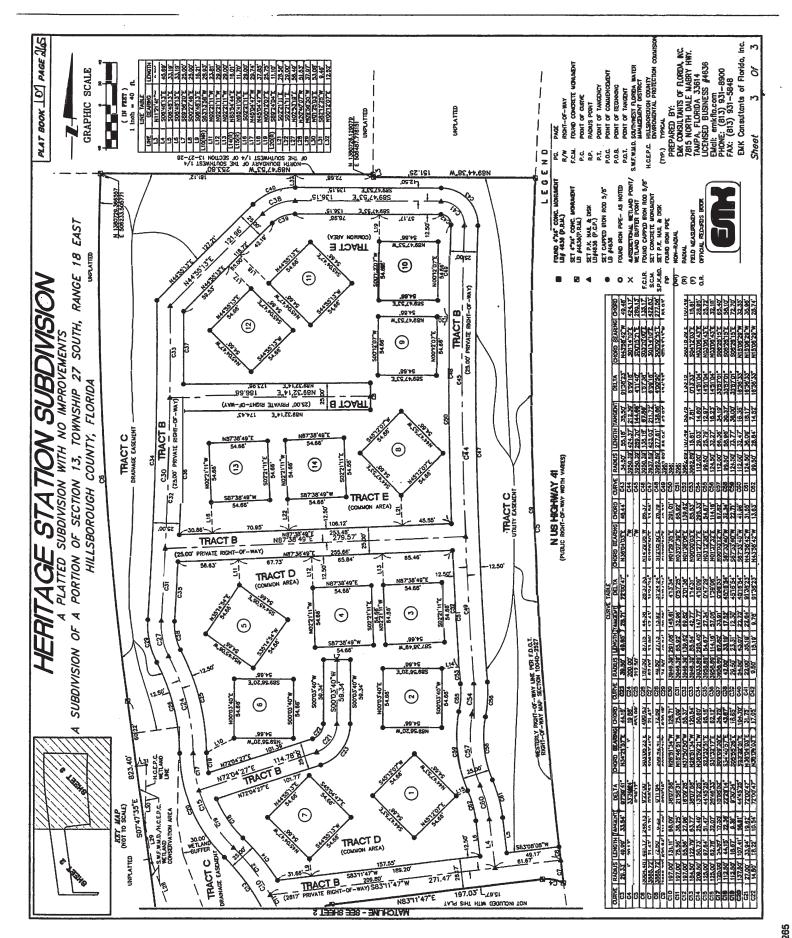
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TAMPA, FLORIDA 53614
LICENSED BUSINESS #4636 EMail: emkfla.com PHONE: (813) 931-8900 FAX: (813) 931-5848

EMK Consultants of Florida, Inc.

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Plan Hillsborough planhillsborough.org planner@plancom.org 813 - 272 - 5940 601 E Kennedy Blvd 18<sup>th</sup> floor Tampa, FL, 33602

Unincorporated Hillsborough County Rezoning Consistency Review				
Hearing Date: May 19, 2025	Case Number: MM 24-1152			
Report Prepared: May 8, 2025	Folio(s): 14015.0100 & 14084.0130			
	<b>General Location</b> : North of Cypress Lane and west of North US Highway 41			
Comprehensive Plan Finding	CONSISTENT			
Adopted Future Land Use	Neighborhood Mixed Use-4 (3) (4 du/ga; 0.25 FAR)			
Service Area	Rural			
Community Plan(s)	Lutz			
Rezoning Request	Major Modification (MM) to modify the allotted entitlements.			
Parcel Size	11.74 ± acres			
Street Functional Classification	Cypress Lane – <b>Local</b> North US Highway 41 – <b>State Principal Arterial</b>			
Commercial Locational Criteria	Not applicable			
Evacuation Area	None			

Table 1: COMPARISON OF SURROUNDING PROPERTIES					
Vicinity	Future Land Use Designation	Zoning	Existing Land Use		
Subject Property	Neighborhood Mixed Use- 4(3)	PD	Vacant Land		
North	Neighborhood Mixed Use- 4(3)	PD + CG + ASC-1	Vacant Land + Light Commercial +		
South	Neighborhood Mixed Use- 4(3)	CG	Heavy Commercial + Light Commercial + Light Industrial + Agriculture		
East	Residential-1	ASC-1	Agriculture + Single Family Residential + Vacant Land		
West	Residential-1	PD + ASC-1	Vacant Land + Natural + Single Family Residential		

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

The 11.74  $\pm$  acre subject site is located north of Cypress Lane and west of North US Highway 41. The site is in the Rural Area and is within the limits of the Lutz Community Plan. The applicant is requesting a Major Modification (MM) to Planned Development (PD) 03-0348 to modify the allotted entitlements.

The PD includes two parcels; the subject property (referred to as Parcel B) and the 8.2 ± acre tract directly north (referred to as Parcel A). Parcel A is developed in accordance with the approved PD and contains an office park. Currently, the conditions of approval contain two development options for Parcel B: 12,000 square feet of retail (explained to include all CN uses with the exception of a prohibited list in the conditions) or 16,000 square feet of retail, the amount being governed by the amount of office square footage developed on Parcel A. The applicant seeks to increase the square footage ceiling in two (2) development options as follows:

Option 1: The project shall be limited to 46,375 square feet of office uses in Parcel A and 29,500 square feet of retail uses in Parcel B.

Option 2: The project shall be limited to 46,375 square feet of office use in Parcel A; and, 20,000 square feet of retail uses and 60,000 sq. ft. Mini-Warehouse use in Parcel B

The applicant noted in the revised request, which was uploaded into Optix on April 21, 2025, the retail uses shall include all Commercial Neighborhood (CN) zoning district uses with the following exceptions: billiards and pool parlors, bowling alleys, brewery on premises, free standing taverns, bars, lounges, nightclubs and dance halls, funeral homes and mortuaries, liquor stores, kennels, commercial apartments,

neighborhood fairs, swimming pools, ultralight flight park, hotels and motels and dry cleaning (pick-up only is allowed).

The Future Land Use Element permits new development within the Rural Area that is similar in character to the existing community. Objective 4 of the Future Land Use Element (FLUE) of the Comprehensive Plan notes that 20% of the growth in the region will occur within the Rural Area without the threat of urban or suburban encroachment. FLUE Policy 4.1 characterizes the Rural Area as low-density, large lot residential. The subject site is currently vacant. There is also vacant land to the north, west and east. The area is comprised of mixed uses. The proposed Major Modification is compatible for the surrounding area and meets the intent of FLUE Objective 4.

FLUE Objective 7, FLUE Objective 8 and each of their respective policies establish the Future Land Use Map (FLUM) as well as the allowable range of uses for each Future Land Use category. The character of each land use category is defined by building type, residential density, functional use and the physical composition of the land. The integration of these factors set the general atmosphere and character of each Future Land Use category. Each category has a range of potentially permissible uses which are not exhaustive but are intended to be illustrative of the character of uses within the land use designation. Appendix A contains a description of the character and intent permitted in each of the Future Land use categories. The site is located in the Neighborhood Mixed Use-4(3) (NMU-4(3)) Future Land Use category. The subject property can be considered for a maximum density of 4 dwelling units per gross acre and a maximum of 0.25 Floor Area Ratio (FAR). Typical uses in the designation include residential, suburban scale neighborhood commercial, office uses, research corporate park uses, multi-purpose and clustered residential and/or mixed use projects at appropriate locations. Office uses are not subject to locational criteria. Both options fall under the maximum allowable FAR for the NMU-4(3) Future Land Use category. The proposal to modify the allotted entitlements meets the intent of FLUE Objective 7, FLUE Objective 8 and each of its respective policies.

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2). However, at the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The proposal meets the intent of FLUE Objective 16 and its accompanying policies 16.1,16.2, 16.3, 16.5 and 16.10 that require new development to be compatible to the surrounding neighborhood. Goal 12 and Objective 12-1 of the Community Design Component (CDC) of the FLUE require new developments to recognize the existing community and be designed to relate to and be compatible with the predominant character of the surrounding area. In this case, the surrounding land use pattern is mixed use but comprised mostly of residential uses, vacant land, light commercial and agriculture.

The site is within the limits of the Lutz Community Plan. The Lutz community desires to retain existing and encourage new commercial uses geared to serving the daily needs of area residents in a scale and design that complements the character of the community. The community also seeks to ensure that commercial development and special uses in the community are properly placed to enhance the utility and historic character. The community does not want new commercial and special use development to force the creation of development that does not complement the character of the area. The Community Plan ensures that commercial uses are developed in character and/or scale with the rural look of the community and the environment. The proposed Major Modification would complement the area that is comprised of mixed uses and aligns with the character of the community and environment.

Overall, staff finds that the proposed use is an allowable use in the NMU-4(3) category, is compatible with the existing development pattern found within the surrounding area and does support the vision of the Lutz Community Plan. The Major Modification would allow for development that is consistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

### Recommendation

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed Major Modification **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the proposed conditions by the Development Services Department..

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Staff Identified Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* Related to the Request:

### **FUTURE LAND USE ELEMENT**

### Rural Area

**Objective 4:** The Rural Area will provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.

### **Land Use Categories**

**Objective 8:** The Future Land Use Map will include Land Use Categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. A table of the land use categories and description of each category can be found in Appendix A.

**Policy 8.1:** The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative of the character of uses permitted within the land use designation. Not all of those potential uses are routinely acceptable anywhere within that land use category.

### **Relationship to Land Development Regulations**

**Objective 9:** All existing and future land development regulations shall be made consistent with the Comprehensive Plan, and all development approvals shall be consistent with those development regulations as per the timeframe provided for within Chapter 163, Florida Statutes. Whenever feasible and

consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.

**Policy 9.1:** Each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category, and development shall not be approved for zoning that is inconsistent with the plan.

**Policy 9.2:** Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been previously waived by those governmental bodies.

### Neighborhood/Community Development

**Objective 16: Neighborhood Protection** – The neighborhood is the functional unit of community development. There is a need to protect existing, neighborhoods and communities and those that will emerge in the future. To preserve, protect, and enhance neighborhoods and communities, all new development must conform to the following policies.

**Policy 16.2:** Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering, and screening techniques and control of specific land uses.

**Policy 16.3:** Development and redevelopment shall be integrated with the adjacent land uses through:

- a) the creation of like uses; or
- b) creation of complementary uses; or
- c) mitigation of adverse impacts; and
- d) transportation/pedestrian connections

**Policy 16.5:** Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

**Policy 17.7:** New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.

### **Community Design Component (CDC)**

### 5.0 NEIGHBORHOOD LEVEL DESIGN 5.1 COMPATIBILITY

**OBJECTIVE 12-1:** New developments should recognize the existing community and be designed in a way that is compatible with the established character of the surrounding neighborhood.

**Policy 12-1.4:** Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.

### 7.0 SITE DESIGN

### 7.1 DEVELOPMENT PATTERN

**GOAL 17:** Develop commercial areas in a manner which enhances the County's character and ambiance.

**OBJECTIVE 17-1:** Facilitate patterns of site development that appear purposeful and organized.

**Policy 17-1.4:** Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.

### LIVABLE COMMUNITIES ELEMENT: LUTZ COMMUNITY PLAN

### **Strategies**

To ensure the implementation of the Vision formulated by the residents of the Lutz community the following strategies will guide future growth and redevelopment.

### **Commercial Character**

The Lutz community desires to retain existing and encourage new commercial uses geared to serving the daily needs of area residents in a scale and design that complements the character of the community. Currently there is approximately 301,559 square feet of commercial approved but not built within the community planning area.

The Lutz community seeks to ensure that commercial development and special uses in the community are properly placed to enhance the utility and historic character of the downtown. The community does not want new commercial and special use development to force the creation of development that does not complement the character of the area. To ensure that new commercial development is consistent with the character of the Lutz community, design guideline standards have been created and adopted into the County's land development regulations.

### These regulations ensure that:

• commercial uses are developed in character and/or scale with the rural look of the community and the environment

### HILLSBOROUGH COUNTY **FUTURE LAND USE**

RZ MM 24-1152

Tampa Service Area WITHDRAWN PENDING

Jurisdiction Boundary County Boundary Shoreline

AGRICULTURAL/MINING-1/20 (.25 FAR)

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR) AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL ESTATE-1/2.5 (.25 FAR) AGRICULTURAL/RURAL-1/5 (.25 FAR)

RESIDENTIAL PLANNED-2 (.35 FAR) RESIDENTIAL-1 (.25 FAR) RESIDENTIAL-2 (.25 FAR)

RESIDENTIAL-4 (.25 FAR)

RESIDENTIAL-6 (.25 FAR)

RESIDENTIAL-12 (.35 FAR) RESIDENTIAL-16 (.35 FAR) RESIDENTIAL-9 (.35 FAR)

RESIDENTIAL-35 (1.0 FAR)

NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)

COMMUNITY MIXED USE-12 (.50 FAR) SUBURBAN MIXED USE-6 (.35 FAR)

REGIONAL MIXED USE-35 (2.0 FAR) URBAN MIXED USE-20 (1.0 FAR)

INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR) OFFICE COMMERCIAL-20 (.75 FAR)

ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE) RESEARCH CORPORATE PARK (1.0 FAR)

LIGHT INDUSTRIAL PLANNED (.75 FAR)

NATURAL PRESERVATION PUBLIC/QUASI-PUBLIC

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR) CITRUS PARK VILLAGE



920

Map Printed from Rezoning System: 4/1/2025

File: G:\RezoningSystem\MapPro

## GENERAL SITE PLAN FOR CERTIFICATION



#### **DEVELOPMENT SERVICES**

PO Box 1110, Tampa, FL 33601-1110 (813) 272-5600

### HILLSBOROUGH COUNTY DEVELOPMENT SERVICES DEPARTMENT

#### **GENERAL SITE PLAN REVIEW/CERTIFICATION**

#### BOARD OF COUNTY COMMISSIONERS

Chris Boles
Donna Cameron Cepeda
Harry Cohen
Ken Hagan
Christine Miller
Gwendolyn "Gwen" Myers
Joshua Wostal

#### **COUNTY ADMINISTRATOR**

Bonnie M. Wise

#### **COUNTY ATTORNEY**

Christine M. Beck

#### **COUNTY INTERNAL AUDITOR**

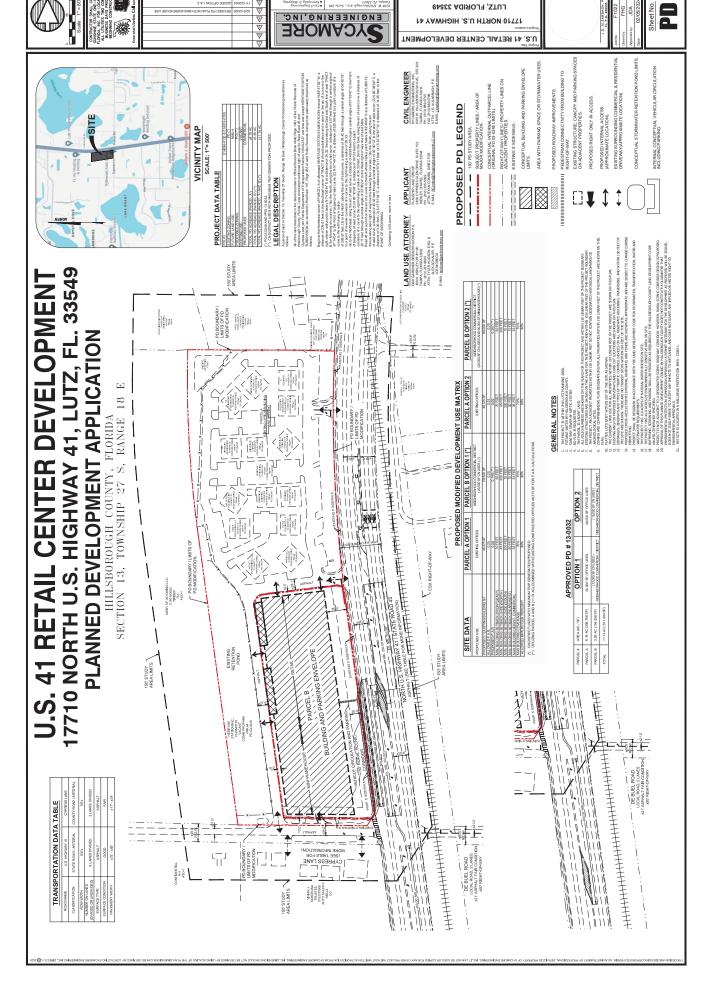
Melinda Jenzarli

#### **DEPUTY COUNTY ADMINISTRATOR**

Gregory S. Horwedel

Project Name: U.S 41 Retail (	Center Development
Zoning File: RZ-PD 03-0348	Modification: MM 24-1152
Atlas Page: None	Submitted: 06/26/25
To Planner for Review: 06/26/25	Date Due: ASAP
Contact Person: Tyler Hudson & Joe Moreda	813-392-9495/landuse@gardnerbrewer.com & jmoreda@gardnerbrewer.com
Right-Of-Way or Land Required for I	Dedication: Yes  No ✓
The Development Services Departm	ent HAS NO OBJECTION to this General Site Plan.
The Development Services Departm Site Plan for the following reasons:	ent RECOMMENDS DISAPPROVAL of this General
Reviewed by: Jared Follin	Date: 06/27/25
Date Agent/Owner notified of Disapp	roval:

Received June 26, 2025 Development Services



# AGENCY COMMENTS

#### AGENCY REVIEW COMMENT SHEET

REVIEW	ng Technician, Development Services Department (ER: Richard Perez, AICP NG AREA: LUTZ/NW	DATE: 4/07/2025 AGENCY/DEPT: Transportation PETITION NO: MM 24-1152
	This agency has no comments.	
	This agency has no objection.	
X	This agency has no objection, subject to the listed or attack	ched conditions.
	This agency objects for the reasons set forth below.	

#### CONDITIONS OF ZONING APPROVAL

#### **NEW CONDITIONS:**

- If the MM 24-1152 is approved, the County Engineer will approve a Design (dated March 3, 2025) to the Hillsborough County Transportation Technical Manual to meet Land Development Code Section 6.04.03L for Cypress Lane substandard roadway improvements. The Design Exception, which was found approvable by the County Engineer on April 7, 2025, will result in the following improvements to be constructed by the developer:
  - a. Restripe Cypress Lane from US 41 to the western access to provide 11-foot lanes and 6-foot bike lanes.
  - b. b. Provide 5-foot sidewalk on the north side of Cypress Lane.
- If MM 24-1152 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated September 23, 2024) to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.I, which was found approvable on April 7, 2025. Approval of this Administrative Variance will waive the limitation on the maximum number of access connections to allow the proposed right-in access only on Cypress Ln as part of said proposed major modification.
- If MM 24-1152 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated September 23, 2024), which was found approvable on April 7, 2024. Approval of this Administrative Variance will permit a reduction of the minimum access spacing (between the Cypress Ln. access and US Hwy 41 and the next closest driveway connection) such that a minimum spacing of +/- 145 feet from US Hwy 41 and +/-97 feet from the next closest driveway connection is permitted. The eastern most vehicular access connection on Cypress Ln shall be restricted to right-in ingress only and shall have a minimum 50-foot throat depth.
- Concurrent with the initial increment of development of Parcel B, the developer shall construct the following site access improvements on US 41 at Cypress Lane, subject to FDOT approval:
  - a) a new southbound right turn lane,
  - b) extend the existing southbound left turn lane, and
  - c) extend the existing northbound left turn lane.

- Any existing vehicular access points not shown on the PD site plan shall be removed and restored to typical roadway section standards.
- No development shall be permitted in Parcel "B" that causes cumulative development to exceed 1,962 gross average daily trips, 200 gross a.m. peak hour trips, or 263 gross p.m. peak hour trips; or 1,476 net average daily trips, 172 net a.m. peak hour trips, or 207 net p.m. peak hour trips. Additionally:
  - a. Concurrent with each increment of development, the developer shall provide a list of existing and previously approved uses within the PD. The list shall contain data including gross floor area, number of seats (if applicable), type of use, date the use was approved by Hillsborough County, references to the site subdivision Project Identification number (or if no project identification number exists, a copy of the permit or other official reference number), calculations detailing the individual and cumulative gross and net trip generation impacts for that increment of the development, and source(s) for the data used to develop such estimates. Calculations showing the remaining number of available trips for each analysis period (i.e. average daily, a.m. peak and p.m. peak) shall also be provided.
- Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
- Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.

#### **REVISED CONDITIONS:**

12. The general design, location and number of access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code. The design and construction of curb cuts are subject to approval by the Hillsborough County Development Services Department and/or the Florida Department of Transportation (FDOT). Final design, if approved by Hillsborough County Planning and Growth Management Department and/or the FDOT, may include, but is not limited to, left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements.

[Staff recommends deletion of this condition. By its nature, a PD is a site plan-controlled zoning district and the number and location of access points are governed by the PD site plan and conditions of approval. Furthermore, the applicant's transportation analysis indicates where auxiliary turn lanes are anticipated. Final evaluation of turn lane warrants will be done in accordance with Section 6.04.04.D. at the time of plat/site/construction plan review.]

13. Prior to construction site plan approval, the developer shall provide a traffic analysis, signed by a professional engineer, showing the amount of left turn storage needed to serve development traffic. If, with the addition of background and project traffic, and if warranted by the results of the traffic analysis, as determined by Hillsborough County, the developer shall provide, at their expense, left turn storage lanes of sufficient length to accommodate anticipated left turning traffic, (for northbound to westbound traffic) on U.S. Highway 41 onto Cypress Lane, and at each access to the project where a left turn is permitted. The design and construction of these left turn lanes shall be approved by the Hillsborough County Development Services Department and/or FDOT, where applicable. All roadway construction of said left turn lanes shall be completed with proper transitions from the widened section to the existing roadway pavement.

[Staff recommends deletion of this condition. The applicant's transportation analysis indicates where

auxiliary turn lanes are anticipated. Final evaluation of turn lane warrants will be done in accordance with Section 6.04.04.D. at the time of plat/site/construction plan review.]

#### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a major modification to PD 03-0348, as amend by PRS 13-0032. The 11.67-acre site is located at the northwest corner of US Hwy 41 and Cypress Lane and approved for office and retail uses split into two separate parcels. The future land use designation is Neighborhood Mixed Use 4 (NMU-4).

The approved entitlements are for one of two development options:

#### OPTION 1:

Parcel A -50,000 sf of Office

Parcel B – 12,000 sf of Commercial Neighborhood Retail with restrictions including convenience stores, gas stations and fast-food restaurants

#### OPTION 2:

Parcel A – 46,000 sf of Office

Parcel B -16,000 sf of Commercial Neighborhood Retail with restrictions including convenience stores, gas stations and fast food restaurants

The applicant is proposing change the following changes:

#### OPTION 1:

Parcel A -46,375 sf of Office

Parcel B – 29,500 sf of restricted Commercial Neighborhood (CN) Retail uses\*

#### OPTION 2:

Parcel A -46,375 sf of Office

Parcel B -20,000 sf of restricted Commercial Neighborhood (CN) Retail uses\*

\*CN uses not permitted include:

- Billiards and pool parlors
- Bowling alleys
- Brewery on premises
- Free standing taverns, bars, lounges, nightclubs and dance halls
- Funeral homes and mortuaries
- Liquor stores
- Kennels
- Commercial apartments
- Neighborhood fairs
- Swimming pools
- Ultralight flight park
- Hotels and motels
- Dry cleaning (pick-up only is allowed)
- Auto Repair
- Convenience store with gas pumps ("country store" type convenience store is allowed)
- Gas Stations
- Fast food/restaurants

Only one site down restaurant is allowed.

#### Trip Generation Analysis

As provided for in the Development Review Procedures Manual (DRPM), the applicant submitted a transportation analysis study. Since the project will potentially generate more than 50 peak hour trips at buildout, a detailed transportation analysis is required per the Development Review Procedures Manual (DRPM).

Staff has prepared a comparison of the trips potentially generated under the existing and proposed Option 1 uses, utilizing a generalized worst-case scenario. Staff notes that the applicant has proposed to cap the trips to what was studied in their submitted site access analysis. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 11<sup>th</sup> Edition.

**Approved Zoning for Parcel B:** 

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips		
<u> </u>	Two-Way Volume	AM	PM	
PD: 6,000 SF High Turnover Restaurant (ITE 932)	644	58	54	
PD: 6,000 SF Bank w/Drive thru (ITE code 912)	602	60	126	
PD: 4,000 SF/1 Tunnel Carwash (ITE 948)	780*	78*	78	
Total Trips	2,026	196	258	

<sup>\*</sup>Estimated by County staff.

**Proposed Modification (Option 1):** 

Zoning, Lane Use/Size	24 Hour Two-Way	Total Peak I	Hour Trips
·	Volume	AM	PM
PD: Development Pursuant to Trip Cap (gross trips)	1,962	200	263

**Trip Generation Difference:** 

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips		
Zonnig, Lane Ose/Size	Two-Way Volume	AM	PM	
Difference (+/-)	-64	+4	+5	

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The subject property is located on the northwest corner of US Highway 41 and Cypress Lane.

<u>US Hwy 41</u> is a 6-lane, divided, arterial roadway maintained by FDOT. The roadway is characterized by +/- 12-foot wide travel lanes within +/- 125 feet of right-of-way. There is a +/- 5-foot sidewalk along the project frontage and +/- 5-foot bicycles lanes are present in the vicinity of the project.

Cypress Lane is a substandard 2-lane, rural roadway characterized by 34ft of pavement in average condition with 11 ft lanes within +/- 68 ft of right of way. Cypress Lane has a sidewalk on the north side along the project frontage with the exception of an +/- 85-foot gap. There are no bicycle lanes or paved shoulder within the vicinity of the project. There are no curbs beyond the corner radii at US Highway 41.

According to the County's Transportation Technical Manual, 2-lane local and collector rural roadways must be consistent with the TS-7, typical section. The typical section consists of 12ft travel lanes and 8ft

shoulders with 5ft paved bicycle lanes and sidewalks. A design exception request was submitted by the applicant's Engineer of Record for review and approval, as discussed herein below.

#### SITE ACCESS

The approved PD site plan has the following access connections:

- One (1) right-in/right-out access to US 41 through Parcel A (existing)
- One (1) left-in/right-in/right-out access to US 41 through Parcel A (existing)
- One (1) full access to Cypress Lane (existing)

The applicant is proposing a new right-in ingress only on Cypress Lane. The ingress shall be subject to a 50-foot minimum throat depth to ensure safe flow of traffic into the site and prevent disruption of traffic flow on Cypress Lane.

The existing driveway access located +/-113 feet north of Cypress Lane shall be removed and restored to its original condition as it is non-conforming with FDOT's requirements.

Based on the applicant's site access analysis improvements are recommended at the intersection of US Hwy 41 and Cypress Lane to facilitate project traffic accessing the site. Cypress Lane has left-in/right-in/right-out access to US 41. A new 350-foot southbound right turn lane is warranted, the existing northbound left turn lane is recommended to be extended to 450 feet and the existing southbound left turn lane at the intersection is recommended to be extended to 400 feet, subject to FDOT approval.

#### REQUESTED DESIGN EXCEPTION – CYPRESS LANE

Cypress Lane is a substandard roadway. The applicant's Engineer of Record (EOR) submitted a Design Exception Request (dated March 3, 2025) to the Hillsborough County Transportation Technical Manual to meet Land Development Code Section 6.04.03L for Cypress Lane from the western project access to US Hwy 41. Based on factors presented in the Design Exception Request, the County Engineer found the request approvable on April 7, 2025. If this rezoning is approved, the County Engineer will approve the Design Exception request. The Design Exception will result in the following improvements to be constructed by the developer:

- a. Restripe Cypress Lane from US 41 to the western access to provide 11-foot lanes and 6-foot bike lanes.
- b. Provide 5-foot sidewalk on the north side of Cypress Lane.

#### REQUESTED ADMINISTRATIVE VARIANCE - # OF DRIVEWAYS

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated September 23, 2024) from the Section 6.04.03.I. LDC requirement, governing number of driveways which may be permitted. Based upon the functional classification of adjacent roadways, the LDC requires (and permits) only two (2) access connections for the subject PD. The applicant is proposing three (3) access connections to serve the proposed project. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on April 7, 2025. If this rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request.

#### REQUESTED ADMINISTRATIVE VARIANCE - CYPRESS LN ACCESS SPACING

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated September 23, 2024) from the Section 6.04.07. LDC requirement, governing spacing for the proposed Cypress Lane access. The applicant is proposing the driveway in a location which is +/- 143

feet from the intersection of US Hwy 41 and Cypress Ln., and +/- 97 feet from the project's western access on Cypress Ln. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on April 7, 2025. If this rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request.

#### **LEVEL OF SERVICE (LOS)**

Level of Service (LOS) information is reported below. Note, Cypress Lane is not regulated.

FDOT Generalized Level of Service									
Roadway	From	То	LOS Standard	Peak Hr Directional LOS					
US HWY 41	SUNSET LANE	DEBUEL RD	D	С					
US HWY 41	DEBUEL RD	NEBRASKA/FLORIDA	D	С					

Source: 2020 Hillsborough County Level of Service (LOS) Report

From: Williams, Michael [WilliamsM@hcfl.gov]

**Sent:** Monday, April 7, 2025 12:27 PM **To:** Steven Henry [shenry@lincks.com]

CC: Joe Moreda [jmoreda@gardnerbrewer.com]; Follin, Jared [FollinJ@hcfl.gov]; Heinrich,

Michelle [HeinrichM@hcfl.gov]; Perez, Richard [PerezRL@hcfl.gov]; Drapach, Alan

[DrapachA@hcfl.gov]; Tirado, Sheida [TiradoS@hcfl.gov]; De Leon, Eleonor

[DeLeonE@hcfl.gov]; PW-CEIntake [PW-CEIntake@hcfl.gov]

Subject: FW: MM 24-1152 Design Exception/Administrative Variance Review

**Attachments:** 24-1152 DEReq 03-05-25 2.pdf; 24-1152 AVReq 09-25-24 1.pdf; 24-1152

AVReq 09-25-24 2.pdf

#### Steve,

I have found the attached two Section 6.04.02.B. Administrative Variances (AV) and Design Exception (DE) for PD 24-1152 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (<u>DeLeonE@hcfl.gov</u> or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to <a href="PW-celntake@hcfl.gov">PW-celntake@hcfl.gov</a>

Mike

Michael J. Williams, P.E.

**Director, Development Review County Engineer**Development Services Department

P: (813) 307-1851

M: (813) 614-2190 E: Williamsm@HCFL.gov

W: HCFLGov.net

**Hillsborough County** 

601 E. Kennedy Blvd., Tampa, FL 33602

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Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hcfl.gov> Sent: Saturday, April 5, 2025 4:54 PM

To: Williams, Michael < Williams M@hcfl.gov>

**Cc:** Perez, Richard < PerezRL@hcfl.gov>; Drapach, Alan < DrapachA@hcfl.gov>; De Leon, Eleonor

<DeLeonE@hcfl.gov>

Subject: MM 24-1152 Design Exception/Administrative Variance Review

Hello Mike,

The attached DE and AVs are **Approvable** to me, please include the following people in your response:

shenry@lincks.com imoreda@gardnerbrewer.com follinj@hcfl.gov heinrichm@hcfl.gov perezrl@hcfl.gov drapacha@hcfl.gov

Best Regards,

#### Sheida L. Tirado, PE

#### **Transportation Review Manager**

**Development Services Department** 

E: TiradoS@HCFL.gov

P: (813) 276-8364 | M: (813) 564-4676

601 E. Kennedy Blvd., Tampa, FL 33602

**HCFL.gov** 

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#### Hillsborough County Florida

Please note: All correspondence to or from this office is subject to Florida's Public Records law.



## **Supplemental Information for Transportation Related Administrative Reviews**

#### Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Eleonor de Leon at <u>deleone@HCFL.gov</u> or via telephone at (813) 307-1707 if you have questions about how to complete this form.

Request Type (check one)	<ul> <li>Section 6.04.02.B. Administrative Variance</li> <li>▼ Technical Manual Design Exception Request</li> <li>□ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.)</li> <li>□ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)</li> </ul>					
Submittal Type (check one)	New Request   Revised Request   Additional Information					
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	x 1. DE-Cypress Lane       4.         12.       5.         3.       6.					
submittal number/name to each separate request number previously identified. It is critical that the ap	uests (whether of the same or different type), please use the above fields to assign a unique representation. Previous submittals relating to the same project/phase shall be listed using the name and oplicant reference this unique name in the request letter and subsequent filings/correspondence. In information related to a previously submitted request, then the applicant would check the					
Project Name/ Phase US 41 Retail Cer	nter Development					
Important: The name selected must be used on all full frequest is specific to a discrete phase, please also	Iture communications and submittals of additional/revised information relating to this variance. list that phase.					
Folio Number(s) 014015.0000	☐ Check This Box If There Are More Than Five Folio Numbers					
numbers must be provided in the format provided b	to a maximum of five. If there are additional folios, check the box to indicate such. Foliony the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, 789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789;					
Name of Person Submitting Request	Steven J. Henry, P.E.					
Important: For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The					
Current Property Zoning Designation						
Designation. Typing "N/A" or "Unknown" will result i County Zoning Atlas, which is available at https://mc	mily Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) in your application being returned. This information may be obtained via the Official Hillsborough aps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, for Development Services at (813) 272-5600 Option 3.					
Pending Zoning Application Number	MM 24-1152					
	nter the application number proceeded by the case type prefix, otherwise type "N/A" or "Not 14M for major modifications, PRS for minor modifications/personal appearances.					
Related Project Identification Number	N/A					

1 of 1

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".



March 3, 2025

Mr. Mike Williams County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 22<sup>nd</sup> Floor Tampa, FL 33602

Re: US 41 Retail Center Development

MM 24-1152

Folio Number: 014015.0000 Lincks Project No.: 21176

The purpose of this letter is to request a Design Exception per Section 1.7.2 of the Hillsborough County Transportation Technical Manual to meet Land Development Code Section 6.04.03L – Existing Facilities for Cypress Lane from US 41 to the western project access. According to the Hillsborough County Roadways Functional Classification Map, Cypress Lane is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area. The subject property is currently zoned PD for the following land uses:

- Office 50,000 Square Feet
- Retail 12,000 Square Feet

The office component of the project has been constructed. The PD is proposed to be modified to allow the development options for the remaining retail portion the property:

#### Option 1:

- Retail 16,000 Square Feet
- High-Turnover Restaurant 3,000 Square Feet
- Day Care 10,500 Square Feet
  - 188 Students

#### Option 2:

- Retail 6,500 Square Feet
- High-Turnover Restaurant 3,000 Square Feet
- Day Care 10,500 Square Feet
  - 188 Students
- Self-Storage 60,000 Square Feet

5023 West Laurel Street Tampa, FL 33607 813 289 0039 Telephone 8133 287 0674 Telefax www.Lincks.com Website Mr. Mike Williams March 3, 2025 Page 2

Tables 1, 2, and 3 provide the trip generation for the proposed retail portion of the project.

The access to serve the project is proposed to be as follows:

- One (1) right-in/right-out access to US 41 (existing)
- One (1) left-in/right-in/right-out access to US 41 (existing)
- One (1) full access to Cypress Lane (existing)
- One (1) right-in only access to Cypress Lane (proposed)

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for Cypress Lane from US 41 to the existing western access. The subject segment of Cypress Lane is currently a two (2) lane roadway. The following exceptions are requested to accommodate the proposed project.

- 1. Lane width TS-7 has 12 foot lanes. The total width of pavement ranges between 20 feet and 35 feet.
- 2. Shoulder TS-7 has 8 foot shoulders with 5 feet paved. There is an existing unpaved shoulder.
- 3. Sidewalk TS-7 has 5 foot sidewalk on both sides of the roadway. There is an existing 5 foot sidewalk on the north side of Cypress Lane.

The justification for the Design Exception is as follows:

- 1. The developer proposed to add the following improvements to Cypress Lane:
  - a. Restripe Cypress Lane from US 41 to the western access to provide 11 foot lanes and 6 foot bike lanes.
  - b. Provide 5 foot sidewalk on the north side of Cypress Lane.

Figure 1 illustrates the proposed improvements and Figure 2 illustrates the proposed typical section.

Based on the above, it is our opinion, the proposed improvements to Cypress Lane mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Please do not hesitate to contact us if you have any questions or require any additional information.

Mr. Mike Williams March 3, 2025 Page 3

Best Regards

Steven J. Henry President

Lincks & Associates, LLC A TMC Company P.E. #51555



Disapproved
Approved
Approved with Conditions

Sincerely,

Michael J. Williams Hillsborough County Engineer

TABLE 1

# ESTIMATED DAILY PROJECT TRIP ENDS

New Daily Trip Ends	523	184	<u>769</u>	1476	212	184	492	87	1,252
Passerby Capture (2)	348	138	ol	486	142	138	0	Ol	280
Daily Trip Ends (1)	871	322	269	1962	354	322	769	87	1,532
Size	16,000 SF	3,000 SF	188 Students	Sub-Total	6,500 SF	3,000 SF	188 Students	60,000 SF	Sub-Total
밀의	822	932	565		822	932	565	151	
Land Use	Retail	High-Turnover Restaurant	Day Care		Retail	High-Tumover Restaurant	Day Care	Self Storage	
Option	_				2				

(1) Based on ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021.

(2) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Passerby Trips:

Retail (16,000 SF) - 40%

 $871 \times 0.40 = 348$ 

Retail (6,500 SF) - 40%

High-Turnover Restaurant (3,000 SF) - 43%  $354 \times 0.40 = 142$ 

 $322 \times 0.40 = 138$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

 $45,933 (a) \times 0.10 = 4,593 > 290$ 

(a) Based on PM peak hour peak season traffic at the intersection of Cypress Lane and US 41 and K = 0.09.

TABLE 2

ESTIMATED AM PEAK HOUR PROJECT TRIP ENDS

5	Total	23	16	133	172	o	16	133	ΙΩ	163
ak Hou nds	160	. 4	•				-		116	
VM Peak F Trip Ends	Out	0	7	63	79	4	7	63	21	92
New AM Peak Hour Trip Ends	듸	4	o	70	93	ß	6	70	ကျ	87
	Total	15	13	01	28	9	13	0	0	19
Passerby Capture (2)	Ort	9	9	Ol	12	7	9	0	Ol	œ
₽ %	듸	တ	7	Ol	16	4	7	0	Ol	7
our (1)	Total	38	58	133	200	15	29	133	اک	182
AM Peak Hour Trip Ends (1)	N N	15	50	63	91	9	13	63	7	84
AM F Trip	듸	23	16	2	109	6	16	20	നി	86
	Size	16,000 SF	3,000 SF	188 Students	Sub-Total	6,500 SF	3,000 SF	188 Students	60,000 SF	Sub-Total
믵	TOC	822	932	565		822	932	565	151	
	Land Use	Retail	High-Tumover Restaurant	Day Care		Retail	High-Tumover Restaurant	Day Care	Self Storage	
	Option	~				2				

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021.

(2) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Passerby Trips: Retail (16,000 SF) - 40%

In:  $23 \times 0.40 = 9$ 

Out:  $15 \times 0.40 = 6$ 

Retail (6,500 SF) - 40% Out:  $6 \times 0.40 = 2$ In:  $9 \times 0.40 = 4$ 

High-Turnover Restaurant (3,000 SF) - 43%  $\ln 16 \times 0.43 = 7$ 

Out:  $13 \times 0.43 = 6$ 

 Passerby trips should not exceed 10% of the adjacent street traffic. 4,475 (a)  $\times 0.10 = 448 > 20$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41,

TABLE 3

ESTIMATED PM PEAK HOUR PROJECT TRIP ENDS

Hour	"	Total	65	15	127	207	34	15	127	രി	185
New PM Peak Hour	Trip Ends	Ont	32	9	<u>79</u>	105	17	9	29	2	92
New PI	Ē	듸	33	တ	09	102	17	6	09	41	06
>	2)	Total	44	12	OI	99	23	12	0	01	35
Passerby	Capture (2)	lot lot	22	c)	Ol	27	7	rC	0	01	16
п	Ö	듸	22	7	0	29	12	7	0	0	19
our	3	Total	109	27	127	263	22	27	127	61	220
PM Peak Hour	Trip Ends (1)	Ort	54	7	79	132	28	7	29	l(O)	111
P	Triğ	듸	55	16	00	131	29	16	09	41	109
		Size	16,000 SF	3,000 SF	188 Students	Sub-Total	6,500 SF	3,000 SF	188 Students	60,000 SF	Sub-Total
	빝	TNC	822	932	565		822	932	565	151	
		Land Use	Retail	High-Turnover Restaurant	Day Care		Retail	High-Turnover Restaurant	Day Care	Self Storage	
		Option	~				2				

Based on ITE <u>Trip Generation Manual</u>, 11<sup>th</sup> Edition, 2021.
 Based on ITE <u>Trip Generation Manual</u>, 11<sup>th</sup> Edition, 2021.

• Passerby Trips: Retail (16,000 SF) - 40%

ln:  $55 \times 0.40 = 22$ Out:  $54 \times 0.40 = 22$ 

Retail (6,500 SF) - 40%

 $\ln: 29 \times 0.40 = 12$ Out: 28 x 0.40 = 11

High-TurnoverRestaurant (3,000 SF) - 43% In:  $16 \times 0.43 = 7$ 

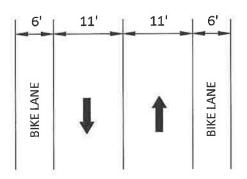
 $\bullet$  Passerby trips should not exceed 10% of the adjacent street traffic. 4,134 (a) x 0.10 = 413 > 36 Out:  $11 \times 0.43 = 5$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41.



FIGURE 1

Mr. Mike Williams March 3, 2025 Page 8



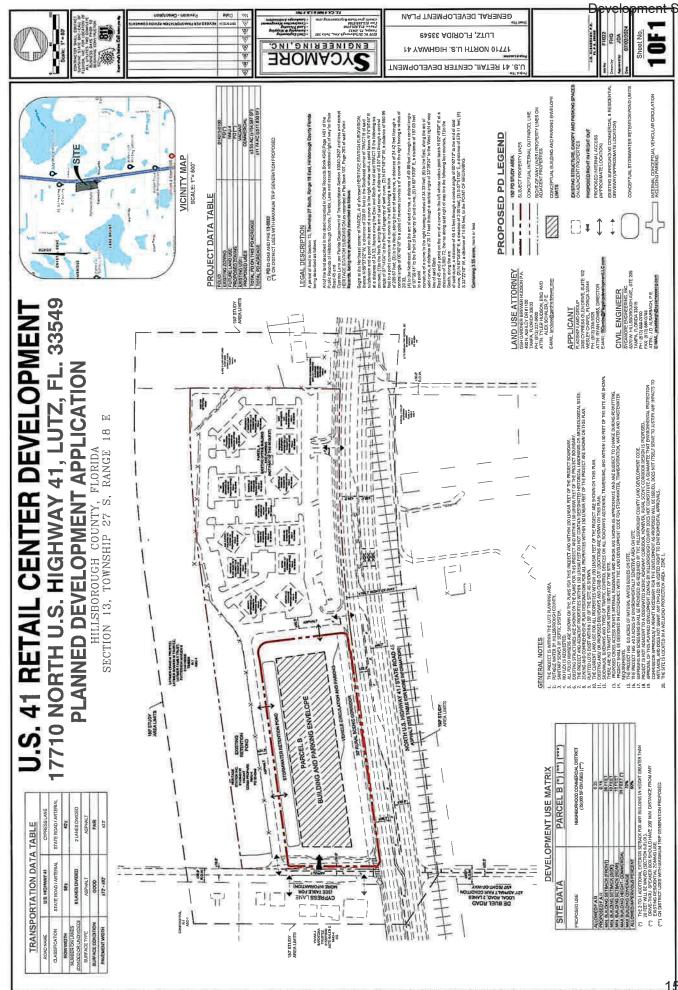


## TYPICAL SECTION CYPRESS LANE

FIGURE 2

	Received March 5, 2025 Development Services
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PD PLAN	
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		 Received March 5, 2025  Development Services
		•
	HILLSBOROUGH COUNTY ROADWAYS	
	FUNCTIONAL CLASSIFICATION MAP	
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Received March 5, 2025 **Development Services** FUNCTIONAL CLASSIFICATION Infrastructure & Development Services HILLSBOROUGH COUNTY PART 30 ON THEST YES AD LANGE DOES COPAGE. TO REPORT MAY 10 OR CITIES PARK! VILLAGE DESCRIPTION OF THE WARNES PART 10 OR CITIES PARK! VILLAGE ENCHORENT DESTRUCTS THAN AND PART 10 OR DEMORS AND WALLS.

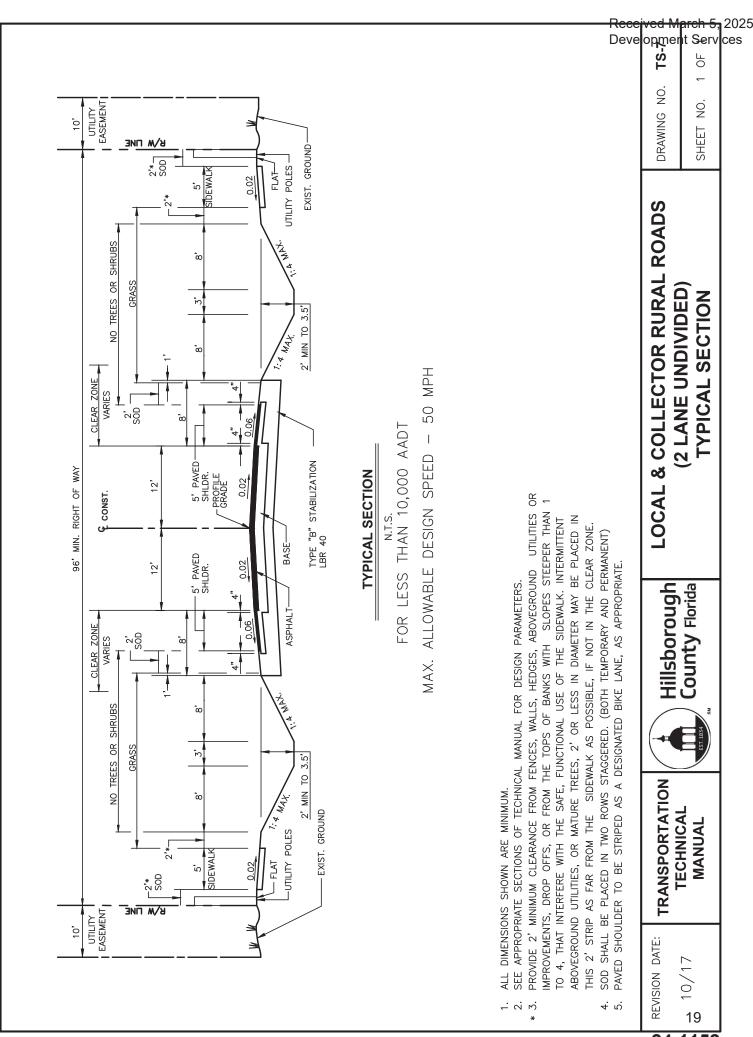
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Parcels

Cypres	Cypress Lane				Lan	Lane Pavement	ent	Type of Road:	Type of Road: 2 lane, crown, asphalt with painted median	sphalt with p	painted median	
Special F	Field Survey for S	ubstandard	Special Field Survey for Substandard Road Assessment	ent	Left Slope	Width	Right Slope	Pav't condition:	Pav't condition: fair to poor with block cracking throughout	olock cracki	ng throughout	
N. US 41	N. US 41 thence west about 400'	out 400'		Minimum:	2.0%	19.6	%6.0	Shoulder cond.:	Shoulder cond.: unstabilized, limited width	ted width		
	B	By: WLR		Maximum:	4.2%	35,6'	2.4%	Swales:	Swales: III-defined LT side, small swale RT	e, small sw	ale RT	
	Date of Survey: 12/15/21	7: 12/15/21 7: 25 mnh		Average:	3.0%	34.7	1.5%	Notes:	Notes: * Shoulders nominal at 6' or as defined by obstructions	inal at 6' or	as defined by	
	Left Si	Left Slopes and Swales	wales	Left Shoulder	Lan	Lane Pavement	ent	Right Shoulder	Right S	Right Slopes and Swales	Swales	
Station	Back Slope (Width/slope)	Bottom (width)	Front Slope (width/slope)	Total/Paved/ Slope	Left Slope	Width	Right Slope	Total/Paved/ Slope	Front Slope (width/slope)	Bottom (width)	Back Slope (width/slope)	
1+00		₩,		*4'/0'/-3%	2.0%	35.6'	-0.9%	*6'/0'/+5%	47/+5%	+3% AF	+3% AFR behind S/W	
17	6' CLF 9' LT, 0+	73 end C&	LT 6' CLF 9' LT, 0+73 end C&G, 0+98 U.P. 5' LT	١. ا								
R	5' Conc. S/W 10	)' RT, 0+56	RTS' Conc. S/W 10' RT, 0+56 U.P. 1' BOC, 0+75 end	75 end C&G, 0+92 U.P. 4' RT	U.P. 4'	RT						-
Notes	0+00 set at EOF	N. US 41,	0+04 to 0+16 cr	Notes 0+00 set at EOP N. US 41, 0+04 to 0+16 crosswalk, 0+24 stop bar, 0+40 Type 5 inlets both sides, painted median slope -0.3%	o bar, 0+	-40 Type	5 inlets l	ooth sides, painte	d median slope -	0.3%		-
2+00		-9% to fence	Ф	*4'/0'/-9%	4.2%	33,8'	-1.1%	*6'/0'/+5%	47+5%	+3% AF	+3% AFR behind S/W	
	LT 6' CLF 9' LT, 2+25 U.P. 7' LT	-25 U.P. 7' I	LT									_,
R	5' Conc. S/W 10	)' RT, 2+12	RT 5' Conc. S/W 10' RT, 2+12 to 2+47 swale 5' RT w/		ront slop	oe 33% t	rom EOP	5' bottom, front slope 33% from EOP, back slope 40% to S/W, 2+65 decorative light pole 10' RT	to S/W, 2+65 de	corative lig	ht pole 10' RT	_
Notes	III-defined swale	along fenc	e line LT side to	Notes III-defined swale along fence line LT side to culvert under driveway, asph. Cond. Fair with block cracking, 12' painted median	way, as	ph. Con	d. Fair wit	h block cracking,	12' painted med	ian		-
3+00		-7% to fence	е	*2'/0/-7%	2.8%	19.61	-2.4%	1000		Drive to RT		-
	LT Mailboxes 2' LT, 3+24 U.P. 8' LT	, 3+24 U.P.	. 8' LT									
  R	RT Drive											_
Notes	SAsph. Cond. Fa	ir with block	k cracking, 2+11	Notes Asph. Cond. Fair with block cracking, 2+11 to 3+30 painted median taper, 3+39 change in asph. Cond. To good	edian ta	per, 3+3	9 change	in asph. Cond. T	o good.			
							10.63		+			
			ý	3+84 end of segment and beginfing of 16 wide aspitalt load west	It and be	aginning	OI TO MIC	le aspirait roau w	185			-
	Notes:											
	1. Segment is a	flushed sh	1. Segment is a flushed shoulder roadway except	except for first 75'								
	2. There an ill-d	efined swal	le at the fence or	2. There an ill-defined swale at the fence on the left side and two short swales on the right side.	wo shor	t swales	on the ric	ght side.				
•	3. Utility poles h	ave less th	an 6' clear from t	3. Utility poles have less than 6' clear from the edge of pavement at stations 0+98 LT, and 0+92 RT	ent at st	ations 0-	+98 LT, a	nd 0+92 RT				_
	4. There is one	dedicated c	decorative light p	4. There is one dedicated decorative light pole within the R/W at station 2+65, 10' RT, Two light poles are behind the fence on the left side	at static	n 2+65,	10' RT, '	Two light poles ar	e behind the fend	se on the le	ft side	-,
	5. Pavement co	ndition is fa	5. Pavement condition is fair throughout with block cracking	h block cracking								-
	6. Shoulders ha	we insufficion	ent width both sic	<ol><li>Shoulders have insufficient width both sides, are not paved and shoulder slopes vary from -9% to +5%.</li></ol>	and sho	oulder sk	pes vary	from -9% to +5%				-
	7. Westbound r	ight turn on	7. Westbound right turn only at intersection with N. US 41.	with N. US 41								
	8. Vehicle traffic	s is very ligh	ht and through tr	8. Vehicle traffic is very light and through truck traffic of more than 2 axles is not allowed	than 2 a	xles is no	ot allower					_
	9. Most traffic s	igns are les	is than the FDOT	9. Most traffic signs are less than the FDOT recommended 12' from edge of pavement and are not breakaway	" from e	dge of pa	svement a	and are not break	away			
												_
												-
												_

From: Williams, Michael [WilliamsM@hcfl.gov]

**Sent:** Monday, April 7, 2025 12:27 PM **To:** Steven Henry [shenry@lincks.com]

CC: Joe Moreda [jmoreda@gardnerbrewer.com]; Follin, Jared [FollinJ@hcfl.gov]; Heinrich,

Michelle [HeinrichM@hcfl.gov]; Perez, Richard [PerezRL@hcfl.gov]; Drapach, Alan

[DrapachA@hcfl.gov]; Tirado, Sheida [TiradoS@hcfl.gov]; De Leon, Eleonor

[DeLeonE@hcfl.gov]; PW-CEIntake [PW-CEIntake@hcfl.gov]

Subject: FW: MM 24-1152 Design Exception/Administrative Variance Review

**Attachments:** 24-1152 DEReq 03-05-25 2.pdf; 24-1152 AVReq 09-25-24 1.pdf; 24-1152

AVReq 09-25-24 2.pdf

#### Steve,

I have found the attached two Section 6.04.02.B. Administrative Variances (AV) and Design Exception (DE) for PD 24-1152 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (<u>DeLeonE@hcfl.gov</u> or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to <a href="PW-celntake@hcfl.gov">PW-celntake@hcfl.gov</a>

Mike

Michael J. Williams, P.E.

**Director, Development Review County Engineer**Development Services Department

P: (813) 307-1851

M: (813) 614-2190 E: Williamsm@HCFL.gov

W: HCFLGov.net

**Hillsborough County** 

601 E. Kennedy Blvd., Tampa, FL 33602

Facebook | Twitter | YouTube | LinkedIn | HCFL Stay Safe

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hcfl.gov> Sent: Saturday, April 5, 2025 4:54 PM

To: Williams, Michael < Williams M@hcfl.gov>

**Cc:** Perez, Richard < PerezRL@hcfl.gov>; Drapach, Alan < DrapachA@hcfl.gov>; De Leon, Eleonor

<DeLeonE@hcfl.gov>

Subject: MM 24-1152 Design Exception/Administrative Variance Review

Hello Mike,

The attached DE and AVs are **Approvable** to me, please include the following people in your response:

shenry@lincks.com imoreda@gardnerbrewer.com follinj@hcfl.gov heinrichm@hcfl.gov perezrl@hcfl.gov drapacha@hcfl.gov

Best Regards,

#### Sheida L. Tirado, PE

#### **Transportation Review Manager**

**Development Services Department** 

E: TiradoS@HCFL.gov

P: (813) 276-8364 | M: (813) 564-4676

601 E. Kennedy Blvd., Tampa, FL 33602

**HCFL.gov** 

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#### Hillsborough County Florida

Please note: All correspondence to or from this office is subject to Florida's Public Records law.



## **Supplemental Information for Transportation Related Administrative Reviews**

#### Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at <a href="mailto:padroni@hcpafl.gov">padroni@hcpafl.gov</a> or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<ul> <li>✓ Section 6.04.02.B. Administrative Variance</li> <li>☐ Technical Manual Design Exception Request</li> <li>☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.)</li> <li>☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)</li> </ul>			
Submittal Type (check one)	■ New Request			
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	×1. MM 24-1152          □4.          □2.       □5.         □3.       □6.			
submittal number/name to each separate request. number previously identified. It is critical that the ap	riests (whether of the same or different type), please use the above fields to assign a unique Previous submittals relating to the same project/phase shall be listed using the name and uplicant reference this unique name in the request letter and subsequent filings/correspondence. I information related to a previously submitted request, then the applicant would check the			
Project Name/ Phase U.S. 41 Retail Ce	enter Development			
Important: The name selected must be used on all fu If request is specific to a discrete phase, please also	ture communications and submittals of additional/revised information relating to this variance. list that phase.			
Folio Number(s) 14015.0100	☐ Check This Box If There Are More Than Five Folio Numbers			
<b>Important:</b> List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").				
Name of Person Submitting Request	Joe Moreda AICP			
<b>Important:</b> For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.				
<b>Current Property Zoning Designation</b>	PD 03-0348 / PRS 12-0032			
<b>Important:</b> For Example, type "Residential Multi-Family Conventional $-9$ " or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at <a href="https://maps.hillsborough.county.org/maphillsborough/maphillsborough.html">https://maps.hillsborough.county.org/maphillsborough/maphillsborough.html</a> . For additional assistance, please contact the <a href="https://counselors">Zoning Counselors</a> at the Center for Development Services at (813) 272-5600 Option 3.				
Pending Zoning Application Number	MM 24-1152			
	ter the application number preceded by the case type prefix, otherwise type "N/A" or "Not 100 M for major modifications, PRS for minor modifications/personal appearances.			
Related Project Identification Number (Site/Subdivision Application Number)				

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".

1 of 1

23 05/2020



#### **LINCKS & ASSOCIATES, LLC**

September 23, 2024

Mr. Michael Williams, PE County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 22<sup>nd</sup> Floor Tampa, FL 33602

Re: US 41 Retail Center Development

MM 24-1152

Folio 014015.0100

Lincks Project No.: 21176

The purpose of this letter is to request a Section 6.04.02.B Administrative Variance to Section 6.04.03I of the Hillsborough County Land Development Code, for the number of accesses to the project. The subject property is currently zoned PD for the following land uses:

- Office 50,000 Square Feet
- Retail 12,000 Square Feet

The office component of the project has been constructed. The PD is proposed to be modified to allow the following land uses for the remaining retail portion the property:

- Fast Food Restaurant w/Drive Thru 3,500 Square Feet
- Day Care 12,000 Square Feet
  - 188 Students
- Retail 11,000 Square Feet

Tables 1, 2, and 3 provide the trip generation for the proposed retail portion of the project.

The access to serve the project is proposed to be as follows:

- One (1) right-in/right-out access to US 41 (existing)
- One (1) left-in/right-in/right-out access to US 41 (existing)
- One (1) full access to Cypress Lane (existing)
- One (1) right-in only access to Cypress Lane (proposed)

Based on the trip generation for the project, the adjacent roadways, and Section 6.04.03 of the Hillsborough County LDC, two (2) accesses would be allowed for the project. This letter is to request a waiver to the number of accesses to serve the project.

5023 West Laurel Street Tampa, FL 33607 813 289 0039 Telephone 8133 287 0674 Telefax www.Lincks.com Website Mr. Mike Williams September 23, 2024 Page 2

### (a) there is an unreasonable burden on the applicant,

The project has three (3) existing accesses and one (1) additional right-in only access that is proposed for Cypress Lane. The subject access provides additional traffic distribution and circulation for the project. The developer does not have the right to eliminate any of the existing three (3) accesses.

## (b) the variance would not be detrimental to the public health, safety and welfare,

The additional access is proposed to be right-in only with a 50 foot throat depth. Based on the limited access, the variance would not be detrimental to the public health, safety and welfare.

(c) without the variance, reasonable access cannot be provided. In the evaluation of the variance request, the issuing authority shall give valid consideration to the land use plans, policies, and local traffic circulation/operation of the site and adjacent areas.

Given three (3) of these accesses are existing, the additional access to Cypress Lane is needed to provide reasonable access circulation for the project.

Mr. Mike Williams September 23, 2024 Page 3

Please do not hesitate to contact us if you have any questions or require any additional information.  Best Regards,  Steven J Henry  President  Lincks & Associates, LLC  P.E. #51555
Based on the information provided by the applicant, this request is:  Disapproved Approved Approved with Conditions
If there are any further questions or you need clarification, please contact Sheida L. Tirado, P.E, (813) 276-8364, TiradoS@hillsboroughcounty.org.
Date Sincerely,
Michael J. Williams Hillsborough County Engineer

TABLE 1

ESTIMATED DAILY PROJECT TRIP ENDS

New Daily Trip Ends	818	769	359	1,946
Passerby Capture (2)	818	0	240	1,058
Daily Trip Ends (1)	1,636	692	288	3,004
Size	3,500 SF	188 Students	11,000 SF	Total
TE CINC	934	565	822	
Land Use	Fast Food Restaurant w/ Drive Thru	Day Care	Retail	

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021.

) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Passerby Trips:

Fast Food Restaurant w/ Drive Thru - 50%

 $1,636 \times 0.50 = 818$ 

Retail - 40% 599 x 0.40 = 240

Passerby trips should not exceed 10% of the adjacent street traffic.

45,933 (a)  $\times 0.10 = 4,593 > 1,058$ 

(a) Based on PM peak hour peak season traffic at the intersection of Cypress Lane and US 41 and K=0.09

TABLE 2

ESTIMATED AM PEAK HOUR PROJECT TRIP ENDS

			AM	AM Peak Hour	lour	ш	Passerby	>	New Al	New AM Peak Hour	Hour
	빝		Tri	Trip Ends (1	(1)	S	Capture (2)	(2)	Ī	Trip Ends	
Land Use	TNC	Size	듸	Ont	Total	드	Ont	Total	듸	Out	Total
Fast Food Restaurant w/ Drive Thru	934	3,500 SF	80	9/	156	40	40 38	78	40	40 38 78	78
Day Care	565	188 Students	20	63	133	0	0	0	70	63	133
Retail	822	11,000 SF	9	19	26	ဖျ	ကျ	ଠା	인	7	17
		Total	166	149	315	46	4	87	120	108	228

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021.

(2) Based on ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021.

Passerby Trips:

Fast Food Restaurant w/ Drive Thru - 50%

In:  $80 \times 0.50 = 40$ Out:  $76 \times 0.50 = 38$ 

Retail - 40%

ln:  $16 \times 0.40 = 6$ Out:  $7 \times 0.40 = 3$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

4,475 (a)  $\times 0.10 = 448 > 88$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41,

TABLE 3

ESTIMATED PM PEAK HOUR PROJECT TRIP ENDS

	11E LUC 934 565
000 SF 42 41	12,000 SF 63 11,000 SF 42
	11,000 SF 42

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021. (2) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Fast Food Restaurant w/ Drive Thru - 55% Passerby Trips:

In:  $60 \times 0.55 = 33$ Out:  $56 \times 0.55 = 31$ 

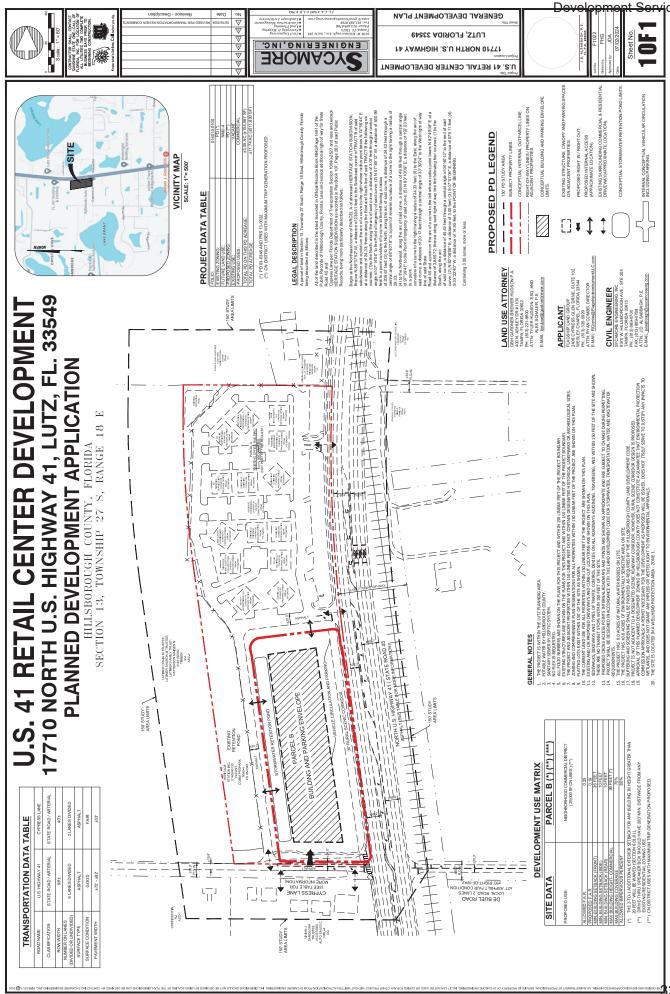
In:  $42 \times 0.40 = 17$ Retail - 40%

Out:  $41 \times 0.40 = 16$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

 $4,134(a) \times 0.10 = 413 > 97$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41.



Received September 25, 2024 Development Services FUNCTIONAL CLASSIFICATION Infrastructure & Development Services HILLSBOROUGH COUNTY Urban Service Area Boundary Hillsborough County, Florida ROADWAYS State, Principal Arterial Hillsborough, Collector Hillsborough, Arterial Locator Map Functional Classifications Legend Authority, Classification State, Arterial 75 R 19 E COUNTY

from a street, alley or driveway of lawfully oncoming traffic from any direction in the intersecting public street, between heights of two and one-half feet and eight feet, as measured from the pavement edge, of the adjacent roadway across sight distances complying with the Hillsborough County Transportation Technical Manual. Alternatively, the comparable design standards of the Florida Department of Transportation may be utilized.

#### G. Operational Characteristics of Access

The driveway should be constructed so that all entering and exiting movements can be accomplished with minimum disruption to traffic flow on the intersecting roadway. For developments having drive-in services, the service area should be far enough from the roadway to ensure adequate vehicle storage space within the property limits, i.e., avoid vehicle backups blocking the service operation and interfering with the safe movement of highway traffic. Where possible, a minimum of 50' (for Type II) or 100' (for Type III or higher) of the driveway throat shall remain free of internal connections or parking spaces which might interfere with the movement of vehicles into or out of the access. The applicant may submit an analysis showing that for his particular site, a throat of less than 100' is appropriate and will result in no adverse impact to the public roadway system.

### H. Access Along Acceleration/Deceleration Lanes

A driveway shall not be constructed along acceleration or deceleration tapers connecting to interchange ramp terminals, intersecting roadways, bus bays or other driveways unless access would be unreasonably denied and the driveway can be made to function properly, i.e., safe and efficient traffic operation.

#### I. Number of Access Points

- The minimum number of driveways should be allowed that will adequately serve the need for the abutting property, and yet not seriously impact the function and capacity of the highway to which access is desired.
- 2. The number of entrances shall be determined based on the maximum desirable vehicle flow rate at entrances for residential and non-residential land uses based on the street characteristics.
- 3. All access drives shall be required to comply with access spacing criteria and cross access connections are considered as a driveway connection for the purpose of complying with this section of the LDC. Cross access connections shall be consistent with <u>Section 6.04.03</u> (Q) of the Land Development Code.
- 4. Properties that are bordered by physical impediments such as railroad tracks, limited access highways, existing navigable river or government owned property with restrictions may request an Administrative Variance pursuant to <a href="Section 6.04.02">Section 6.04.02</a>(B) of the Land Development

#### Code.

- 5. The applicant may be permitted fewer driveway connections than required by the threshold matrix if through an approved traffic engineering study it is demonstrated that the proposed driveway connections will provide adequate capacity for the project to operate in a safe and efficient manner without causing delays or backups on the impacted roadways.
- 6. Where Non-Residential development abuts Collector/Arterial and Local roads primary driveway connections shall be at Collector/Arterial roads and Local roads shall be use for secondary access.

**Table 1: Function and Driveway Guidelines** 

#### **Residential Uses**

Street Character	Maximum Vehicle Flow
Function	Peak Hour Total
Local	90
Collector/Arterial	180

**Table 2: Function and Driveway Guidelines** 

#### Non-Residential Uses

Street Character	Maximum Vehicle Flow
Function	Peak Hour Total
Local	180
Collector/Arterial	300

7. A permit which becomes invalid as a result of the expiration of the time limits and extensions, if any, after construction has, in the opinion of the issuing authority substantially begun, may be required to submit a new application which will be reviewed as per the requirements of this document and which may result in the issuance of a new permit which may contain new or modified conditions of approval.

(Ord. No. 01-26, § 2, 9-12-01)

Sec. 6.04.03. - General Access Standards

#### A. Applicability

The following standards apply to all Connection Types.

#### B. Access to Residential Property

Direct access from residential property adjacent to arterial streets shall be prohibited when access can be provided via a collector roadway, unless it can be demonstrated by the applicant that access to the arterial roadway will provide a greater public benefit.

#### C. Primary Access to Non-Residential Property

If non-residential property is located such that access can be provided to either an arterial or collector facility, primary access shall be via the collector facility, unless it can be demonstrated by the applicant that primary access to the arterial roadway will provide a greater public benefit.

#### D. Shared Access

Shared access facilities onto arterial and collector streets are encouraged when two or more contiguous sites are planned for compatible uses. Shared access is desirable where the trip generation from the anticipated land uses will not be large enough to warrant a traffic signal.

#### E. Off-site Street Parking

Except for Single Family Residential Units or other types of residential units approved by the County, off-site street parking shall be designed to insure that all vehicles leaving or entering the public street right-of-way shall be traveling in a forward motion.

#### F. Sight Distance; Visibility At Intersections

- Sight Distance Access points shall be located along the property frontage in such a manner as
  to provide adequate sight distance per the requirements of the Hillsborough County
  Transportation Technical Manual latest edition and Florida Department of Transportation
  Standard(s).
- No structure or portion of any structure shall be placed or erected, no motor vehicle, trailer or
  equipment shall be allowed to park, stand, stop or be stored, and no vegetation shall be
  maintained, planted or allowed to grow in a manner which materially impedes the visibility

From: Williams, Michael [WilliamsM@hcfl.gov]

**Sent:** Monday, April 7, 2025 12:27 PM **To:** Steven Henry [shenry@lincks.com]

CC: Joe Moreda [jmoreda@gardnerbrewer.com]; Follin, Jared [FollinJ@hcfl.gov]; Heinrich,

Michelle [HeinrichM@hcfl.gov]; Perez, Richard [PerezRL@hcfl.gov]; Drapach, Alan

[DrapachA@hcfl.gov]; Tirado, Sheida [TiradoS@hcfl.gov]; De Leon, Eleonor

[DeLeonE@hcfl.gov]; PW-CEIntake [PW-CEIntake@hcfl.gov]

Subject: FW: MM 24-1152 Design Exception/Administrative Variance Review

**Attachments:** 24-1152 DEReq 03-05-25 2.pdf; 24-1152 AVReq 09-25-24 1.pdf; 24-1152

AVReq 09-25-24 2.pdf

#### Steve,

I have found the attached two Section 6.04.02.B. Administrative Variances (AV) and Design Exception (DE) for PD 24-1152 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (<u>DeLeonE@hcfl.gov</u> or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to <a href="PW-celntake@hcfl.gov">PW-celntake@hcfl.gov</a>

Mike

Michael J. Williams, P.E.

**Director, Development Review County Engineer**Development Services Department

P: (813) 307-1851

M: (813) 614-2190 E: Williamsm@HCFL.gov

W: HCFLGov.net

**Hillsborough County** 

601 E. Kennedy Blvd., Tampa, FL 33602

Facebook | Twitter | YouTube | LinkedIn | HCFL Stay Safe

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hcfl.gov> Sent: Saturday, April 5, 2025 4:54 PM

To: Williams, Michael < Williams M@hcfl.gov>

**Cc:** Perez, Richard < PerezRL@hcfl.gov>; Drapach, Alan < DrapachA@hcfl.gov>; De Leon, Eleonor

<DeLeonE@hcfl.gov>

Subject: MM 24-1152 Design Exception/Administrative Variance Review

Hello Mike,

The attached DE and AVs are **Approvable** to me, please include the following people in your response:

shenry@lincks.com imoreda@gardnerbrewer.com follinj@hcfl.gov heinrichm@hcfl.gov perezrl@hcfl.gov drapacha@hcfl.gov

Best Regards,

#### Sheida L. Tirado, PE

#### **Transportation Review Manager**

**Development Services Department** 

E: TiradoS@HCFL.gov

P: (813) 276-8364 | M: (813) 564-4676

601 E. Kennedy Blvd., Tampa, FL 33602

**HCFL.gov** 

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#### Hillsborough County Florida

Please note: All correspondence to or from this office is subject to Florida's Public Records law.



# Additional / Revised Information Sheet

	Office Use Only	
Application Number: 24-1152	Received Date:	Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, the second page of this form <u>must</u> be included indicating the additional/revised documents being submitted with this form.

	additional/revised docume	· ·	with this form.
Application Number: 2	24-1152	Applicant's Name:	Gardner Brewer Hudson
			Date: 09/25/2024
Application Type:  Planned Development	nt (PD) 🔲 Minor Modificat	ion/Personal Appeara	ance (PRS)   Standard Rezoning (RZ)
☐ Variance (VAR)	Development of	Regional Impact (DRI	) Major Modification (MM)
Special Use (SU)	Conditional Use	(CU)	Other
Current Hearing Date (if	applicable):	<del> </del>	
•	ize Change Information nay result in a new hearing d	ate as all reviews will	be subject to the established cut-off dates.
	nd to the project? above please ensure you inc	Yes No clude all items marked	with * on the last page.
	e land from the project? e above please ensure you inc		l with <sup>+</sup> on the last page.
Email this fo	•	tal items indicated take-DSD@hcflgov	on the next page in pdf form to:
titled according to its c		submitted in one en	item should be submitted as a separate file nail with application number (including prefix)
For additional help a	and submittal questions, plea	ase call (813) 277-16	33 or email ZoningIntake-DSD@hcflgov.net.
	scribed above are the only o al submission and certificat	_	en made to the submission. Any further changes
	Signature		 Date



# Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact <u>Hillsborough County Development Services</u> to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development</u> Services to obtain a release of exempt parcel information.

Are you seek to Chapter 1		ted information submitted with your application pursuant
I hereby con	firm that the material submitted with application Includes sensitive and/or protected information.	24-1152
	Type of information included and location	
×	Does not include sensitive and/or protected info	rmation.
Please note: Se	ensitive/protected information will not be accepted/requeste	d unless it is required for the processing of the application.
		o determine if the applicant can be processed with the data owledge that any and all information in the submittal wil
become pub	lic information if not required by law to be protect	ted.
Signature: _	Joe Moreda, AICP  (Must be signed by applicant of	Digitally signed by Joe Moreda, AICP Date: 2024.09.25 14:54:28 -04'00' r authorized representative)
Intake Staff S	Signature:	Date:



# Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Incl	uded	Submittal Item
1		Cover Letter*+ If adding or removing land from the project site, the final list of folios must be included
2		Revised Application Form*+
3		Copy of Current Deed* Must be provided for any new folio(s) being added
4		Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6		Property Information Sheet*+
7		Legal Description of the Subject Site*+
8		Close Proximity Property Owners List*+
9	$\boxtimes$	Site Plan*+ All changes on the site plan must be listed in detail in the Cover Letter.
10		Survey
11		Wet Zone Survey
12	$\boxtimes$	General Development Plan
13	$\boxtimes$	Project Description/Written Statement
14	$\boxtimes$	Design Exception and Administrative Variance requests/approvals
15		Variance Criteria Response
16		Copy of Code Enforcement or Building Violation
17	$\boxtimes$	Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):

<sup>\*</sup>Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

<sup>\*</sup>Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



# **Supplemental Information for Transportation Related Administrative Reviews**

#### Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at <a href="mailto:padroni@hcpafl.gov">padroni@hcpafl.gov</a> or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<ul> <li>✓ Section 6.04.02.B. Administrative Variance</li> <li>☐ Technical Manual Design Exception Request</li> <li>☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.)</li> <li>☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)</li> </ul>
Submittal Type (check one)	■ New Request
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	×1. MM 24-1152          □4.          □2.       □5.         □3.       □6.
submittal number/name to each separate request. number previously identified. It is critical that the ap	riests (whether of the same or different type), please use the above fields to assign a unique Previous submittals relating to the same project/phase shall be listed using the name and uplicant reference this unique name in the request letter and subsequent filings/correspondence. I information related to a previously submitted request, then the applicant would check the
Project Name/ Phase U.S. 41 Retail Ce	enter Development
Important: The name selected must be used on all fu If request is specific to a discrete phase, please also	ture communications and submittals of additional/revised information relating to this variance. list that phase.
Folio Number(s) 14015.0100	☐ Check This Box If There Are More Than Five Folio Numbers
numbers must be provided in the format provided b	to a maximum of five. If there are additional folios, check the box to indicate such. Foliony the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, 789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789;
Name of Person Submitting Request	Joe Moreda AICP
<b>Important:</b> For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The
<b>Current Property Zoning Designation</b>	PD 03-0348 / PRS 12-0032
Designation. Typing "N/A" or "Unknown" will result i County Zoning Atlas, which is available at <a "rmc-9".="" (813)="" (flu)="" 272-5600="" 3.<="" additional="" application="" aps.hillsboroughcounty.org="" as="" assistance,="" at="" be="" being="" development="" for="" future="" hillsborough="" href="https://maxage:ntps://m&lt;/th&gt;&lt;td&gt;mily Conventional – 9" in="" information="" is="" land="" maphillsborough="" maphillsborough.html.="" may="" not="" obtained="" official="" option="" or="" property's="" returned.="" same="" services="" td="" the="" this="" use="" via="" your=""></a>	
Pending Zoning Application Number	MM 24-1152
	ter the application number preceded by the case type prefix, otherwise type "N/A" or "Not 100 for major modifications, PRS for minor modifications/personal appearances.
Related Project Identification Number (Site/Subdivision Application Number)	

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".

1 of 1

65/2020



### LINCKS & ASSOCIATES, LLC

September 23, 2024

Mr. Mike Williams County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 22<sup>nd</sup> Floor Tampa, FL 33602

Re: US 41 Retail Center Development

MM 24-1152

Folio Number: 014015.0000 Lincks Project No.: 21176

The purpose of this letter is to request a Section 6.04.02.B Administrative Variance to Section 6.04.07 of the Hillsborough County Land Development Code for the access to Cypress Lane for the above project. The subject property is currently zoned PD for the following land uses:

- Office 50,000 Square Feet
- Retail 12,000 Square Feet

The office component of the project has been constructed. The PD is proposed to be modified to allow the following land uses for the remaining retail portion the property:

- Fast Food Restaurant w/Drive Thru 3,500 Square Feet
- Day Care 12,000 Square Feet
  - 188 Students
- Retail 11,000 Square Feet

Tables 1, 2, and 3 provide the trip generation for the proposed retail portion of the project.

The access to serve the project is proposed to be as follows:

- One (1) right-in/right-out access to US 41 (existing)
- One (1) left-in/right-in/right-out access to US 41 (existing)
- One (1) full access to Cypress Lane (existing)
- One (1) right-in only access to Cypress Lane (proposed)

The request is for an Administrative Variance to Section 6.04.07 of the Hillsborough County LDC for the access spacing on Cypress Lane. Based on Section 6.04.07, the access spacing on Cypress Lane is 245 feet and the spacing is as follows:

Mr. Mike Williams September 23, 2024 Page 2

- 145 feet from US 41
- 97 feet from the western access

This is graphically shown in Figure 1.

The justification for the variance is as follows:

(a) there is an unreasonable burden on the applicant,

The property has limited frontage along Cypress Lane. The proposed right-in only access allows a better distribution of the project traffic.

(b) the variance would not be detrimental to the public health, safety and welfare,

The proposed access is to be limited to right-in only and provides a minimum 50 foot throat depth. Therefore, the proposed variance would not be detrimental to the public health, safety and welfare.

(c) without the variance, reasonable access cannot be provided. In the evaluation of the variance request, the issuing authority shall give valid consideration to the land use plans, policies, and local traffic circulation/operation of the site and adjacent areas.

Given the proposed layout for the project, the variance is required to allow proper circulation for the proposed land uses.

Mr. Mike Williams September 23, 2024 Page 3

Best Regard

Lincks & Associates, LLC P.E. #51555



 Disapproved
Approved
Approved with Conditions

Sincerely,

Michael J. Williams Hillsborough County Engineer

TABLE 1

ESTIMATED DAILY PROJECT TRIP ENDS

New Daily Trip Ends	818	692	359	1,946
Passerby Capture (2)	818	0	240	1,058
Daily Trip Ends (1)	1,636	692	299	3,004
Size	3,500 SF	188 Students	11,000 SF	Total
	934	565	822	
Land Use	ast Food Restaurant w/ Drive Thru	Day Care	Retail	

<sup>(1)</sup> Based on ITE Trip Generation Manual, 11th Edition, 2021.

Fast Food Restaurant w/ Drive Thru - 50%

 $1,636 \times 0.50 = 818$ 

Retail - 40%

 $599 \times 0.40 = 240$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

45,933 (a)  $\times 0.10 = 4,593 > 1,058$ 

(a) Based on PM peak hour peak season traffic at the intersection of Cypress Lane and US 41

and K=0.09

<sup>(2)</sup> Based on ITE <u>Trip Generation Manual</u>, 11<sup>th</sup> Edition, 2021.Passerby Trips:

TABLE 2

ESTIMATED AM PEAK HOUR PROJECT TRIP ENDS

1					
. Hour	Total	78	133	17	228
AM Peak H Trip Ends	Ont	40 38 78	63	7	108
New AM Peak Hour Trip Ends	듸	40	20	19	120
, y (2)	Total	78	0	രା	87
Passerby Capture (2)	Ort	40 38 78	0	ကျ	41
۳ %	듸	40	0	ωl	46
lour (1)	Total	156	133	56	315
AM Peak Hour Trip Ends (1)	Ort	80 76 156	63	9	149
AM	듸	80	70	16	166
	Size	3,500 SF	188 Students	11,000 SF	Total
11	TOC	934	565	822	
	Land Use	Fast Food Restaurant w/ Drive Thru	Day Care	Retail	

(1) Based on ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021,

(2) Based on ITE Trip Generation Manual, 11th Edition, 2021.

Passerby Trips:

Fast Food Restaurant w/ Drive Thru - 50%

In:  $80 \times 0.50 = 40$ Out:  $76 \times 0.50 = 38$ 

In:  $16 \times 0.40 = 6$ Retail - 40%

Out:  $7 \times 0.40 = 3$ 

Passerby trips should not exceed 10% of the adjacent street traffic.

4,475 (a)  $\times 0.10 = 448 > 88$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41.

TABLE 3

ESTIMATED PM PEAK HOUR PROJECT TRIP ENDS

Hour	S	Total	52	133	20	235
M Peak	Trip Ends	Ont	25 52	20	25	120
New	듸	27	63	25	115	
_	2)	In Out Total	64	0	33	26
Passerby	apture (2	Out	33 31 64	0 0	16	47
			33	0	17	20
our	(1)	In Out Total	56 116	133	83	332
PM Peak Hour	Ends (	Out	56	70	4	167
P	Trip	듸	09	63	42	165
		Size	3,500 SF	12,000 SF	11,000 SF	Total
	빝		934	565	822	
		Land Use	Fast Food Restaurant w/ Drive Thru	Day Care	Retail	

(1) Based on ITE Trip Generation Manual, 11th Edition, 2021.

(2) Based on ITE Trip Generation Manual, 11th Edition, 2021. Passerby Trips:

Fast Food Restaurant w/ Drive Thru - 55%

In:  $60 \times 0.55 = 33$ 

Out:  $56 \times 0.55 = 31$ 

Out:  $41 \times 0.40 = 16$  $\ln 2 \times 0.40 = 17$ Retail - 40%

Passerby trips should not exceed 10% of the adjacent street traffic.

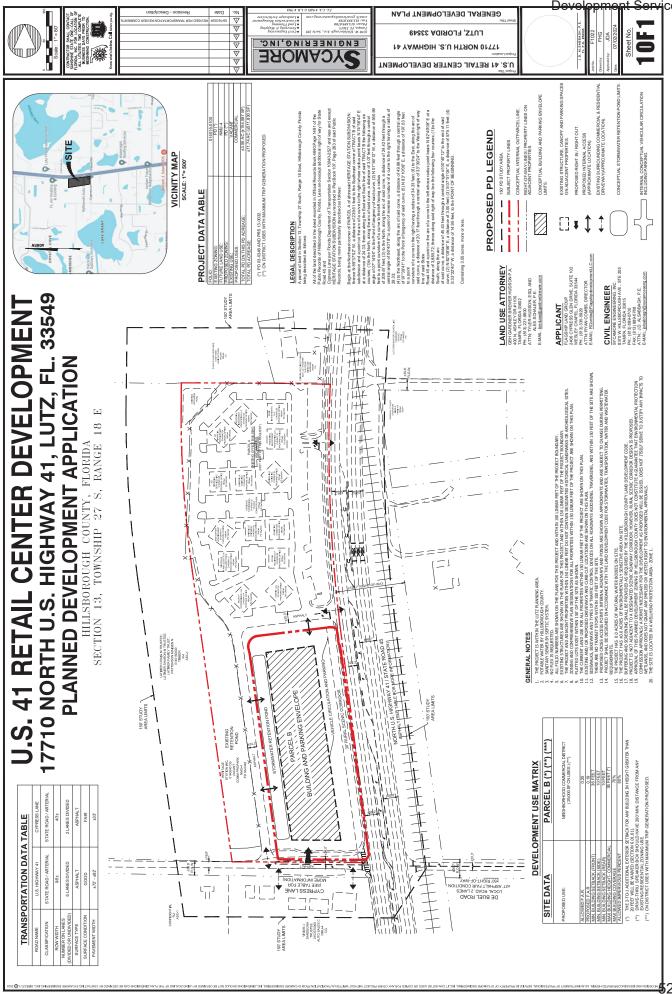
 $4,134(a) \times 0.10 = 413 > 97$ 

(a) Based on AM peak hour peak season traffic at the intersection of Cypress Lane and US 41,

Mr. Mike Williams September 23, 2024 Page 7



FIGURE 1



Received September 25, 2024 Development Services FUNCTIONAL CLASSIFICATION Infrastructure & Development Services HILLSBOROUGH COUNTY Urban Service Area Boundary Hillsborough County, Florida ROADWAYS State, Principal Arterial Hillsborough, Collector Hillsborough, Arterial Locator Map Functional Classifications Legend Authority, Classification State, Arterial 75 R 19 E COUNTY

#### A. Driveway Width/Length

Driveways provide the physical transition between a site and the abutting roadway. Driveways should be located and designed to minimize impacts on traffic while providing safe entry and exit from the development served. The location and design of the connection must take into account characteristics of the roadway, the site, and the potential users.

The actual width and length of driveways shall be subject to internal and external traffic flow considerations. The driveway width considerations include, but are not limited to the number of lanes, the driveway geometrics, internal obstructions, traffic safety, etc. The length of driveways shall be designed to provide for an uninterrupted traffic flow on the public street. This will require that the entering vehicles not be confronted with maneuvering vehicles at the immediate point of entry, thus requiring other entering vehicle(s) to stop in the through traffic flow. The driveway length therefore, will be subject to the anticipated required stacking length of entering and exiting vehicle during the peak period.

- 1. For driveways that will be signalized, driveway length should be determined by a traffic study of expected traffic and queues.

  An important measurement in determining the driveway length is the outbound queue.
- 2. For unsignalized driveways, the following minimum lengths will be used:

Land Use	Driveway Length (In Feet)	
Any major entrance with 4 or more total lanes in the in the driveway. Typically malls, and "Super" retail centers	300 or greater, based on	
	traffic study	
Regional Shopping Centers (over 150,000 sq. ft.)	250	
Community Shopping Center (100-150,000 sq. ft.) (Supermarket, drug store, etc.)	150	
Small Strip Shopping Center	50	
Smaller Commercial Development (convenience store with gas pumps)	30	

3. For residential developments, the maximum length shall be:

Land Use	Driveway Length (In Feet)
Residential Developments	250

#### B. Driveway Grades

- 1. Driveway grades shall conform to the requirements of FDOT Roadway and Traffic Design Standard Indices, latest edition.
- 2. For driveways with high volumes and where curve radii turnouts would be a prime benefit to traffic movements, the following factors should be considered:
  - a. It is desirable to have driveway slope upward from gutter line without any vertical curve. The upward slope with curbs will allow better control of drainage.

- b. It is desirable to have a relatively flat area adjacent to the roadway, where vehicles may turn off without an immediate climbing or descending need. Then exiting vehicles may wait to enter traffic flow at approximately roadway level.
- c. Within the limits of curve radii, no drop curb shall be allowed except as required for curb cut ramps.

#### C. Traffic Control Devices

- 1. The installation of signs and pavement markings at private roadways and residential or commercial driveways, and the installation of traffic signals at high-volume commercial Type III driveways may be required in order to provide for safe and efficient movement of traffic. All traffic control devices shall be installed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and the current County standards and specifications and shall be approved by the County Public Works Department, Traffic Section.
- 2. The approval to install traffic signals shall be based on a traffic engineering study which addresses the warrants, the design, and the operation of the signals. The study and design shall be approved by the County Public Works Department, Traffic Section and FDOT, if on the State Highway System. The responsibility for the engineering study shall rest with the permittee. If traffic signal is installed, all signal elements and appropriate portions of the access approach to assure efficient signal operation, shall be on public right-of-way or on easements granted to the public.
- 3. Any required traffic control devices, including signs, signals or pavement markings shall be installed by the permittee. The permittee shall be responsible for all purchase and installation costs involved.

#### D. Auxiliary Lanes

Auxiliary Lanes refer to left-turn, right-turn, acceleration, deceleration, and storage lanes. Developments which generate AM or PM Peak Hour Traffic which exceeds the following thresholds shall provide the following site related acceleration, deceleration, and storage lanes:

- 1. If more than 20 left turning vehicles per hour on a two-lane arterial or collector roadway, then left turn lanes are warranted,
- 2. If more than 50 right turning vehicles per hour on a two-lane arterial or collector roadway, then right turn lanes are warranted,
- 3. If more than 40 right turning vehicles per hour, on a four-lane rural roadway, then a right turn lane is warranted,
- 4. If more than 80 right turning vehicles per hour, on a four-lane urban roadway, then a right turn lane is warranted,
- 5. If more than 60 right turning vehicles per hour, on a six-lane rural roadway, then a right turn lane is warranted,
- 6. If more than 100 right turning vehicles per hour, on a six-lane urban roadway, then a right turn lane is warranted,
- 7. On multi-lane roadways, left turn lanes shall be constructed when there are more than 20 left turning vehicles.

(Ord. No. 00-38, § 2, 11-2-00; Ord. No. 05-22, § 2, 11-17-05; Ord. No. 07-18, § 2, 7-19-07, eff. 10-1-07)

Any required traffic control devices, including signs, signals or pavement markings shall be installed by the permittee. The permittee shall be responsible for all purchase and installation costs involved.

#### D. Auxiliary Lanes

Auxiliary Lanes refer to left-turn, right-turn, acceleration, deceleration, and storage lanes.

Developments which generate AM or PM Peak Hour Traffic which exceeds the following thresholds shall provide the following site related acceleration, deceleration, and storage lanes:

- 1. If more than 20 left turning vehicles per hour on a two-lane arterial or collector roadway, then left turn lanes are warranted,
- 2. If more than 50 right turning vehicles per hour on a two-lane arterial or collector roadway, then right turn lanes are warranted,
- 3. If more than 40 right turning vehicles per hour, on a four-lane rural roadway, then a right turn lane is warranted,
- 4. If more than 80 right turning vehicles per hour, on a four-lane urban roadway, then a right turn lane is warranted,
- 5. If more than 60 right turning vehicles per hour, on a six-lane rural roadway, then a right turn lane is warranted,
- 6. If more than 100 right turning vehicles per hour, on a six-lane urban roadway, then a right turn lane is warranted,
- 7. On multi-lane roadways, left turn lanes shall be constructed when there are more than 20 left turning vehicles.

(Ord. No. 00-38, § 2, 11-2-00; Ord. No. 05-22, § 2, 11-17-05; Ord. No. 07-18, § 2, 7-19-07, eff. 10-1-07)

#### **Transportation Comment Sheet**

#### 3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)

Adjoining Roadways (check if applicable)					
Road Name	Classification	Current Conditions	Select Future Improvements		
US Hwy 41	FDOT Principal Arterial - Rural	6 Lanes □ Substandard Road □ Sufficient ROW Width	<ul><li>□ Corridor Preservation Plan</li><li>⋈ Site Access Improvements</li><li>□ Substandard Road Improvements</li><li>□ Other</li></ul>		
Cypress Ln.	County Local - Rural	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	<ul><li>□ Corridor Preservation Plan</li><li>□ Site Access Improvements</li><li>⋈ Substandard Road Improvements</li><li>□ Other</li></ul>		

Project Trip Generation	<b>n</b> $\square$ Not applicable for this reques	t	
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	2,026	196	258
Proposed	1,962	200	263
Difference (+/-)	-64	+4	+5

<sup>\*</sup>Trips reported are based on gross external trips unless otherwise noted.

Connectivity and Cros	oss Access ☐ Not applicable for this request			
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South	Х	Choose an item.	Choose an item.	Choose an item.
East	Х	Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:			-	

<b>Design Exception/Administrative Variance</b> □ Not applicable for this request					
Road Name/Nature of Request	Туре	Finding			
Cypress Ln./Substandard Roadway	Design Exception Requested	Approvable			
Cypress Ln./Access Spacing	Administrative Variance Requested	Approvable			
Multiple/Number of Accesses	Administrative Variance Requested	Approvable			
Notes:					

4.0 Additional Site Information & Agency Comme	ents Summary		
Transportation	Objections	Conditions Requested	Additional Information/Comments
<ul><li>☑ Design Exception/Adm. Variance Requested</li><li>☑ Off-Site Improvements Provided</li></ul>	☐ Yes ☐ N/A ☑ No	⊠ Yes □ No	See report.

#### **COMMISSION**

Gwendolyn "Gwen" W. Myers CHAIR Harry Cohen VICE-CHAIR Donna Cameron Cepeda Ken Hagan Pat Kemp Christine Miller Joshua Wostal



#### **DIRECTORS**

Janet D. Lorton EXECUTIVE DIRECTOR
Elaine S. DeLeeuw ADMIN DIVISION
Sam Elrabi, P.E. WATER DIVISION
Diana M. Lee, P.E. AIR DIVISION
Michael Lynch WETLANDS DIVISION
Rick Muratti, Esq. LEGAL DEPT
Steffanie L. Wickham WASTE DIVISION

#### **AGENCY COMMENT SHEET**

REZON	NING
HEARING DATE: 11/12/2024	COMMENT DATE: 8/29/2024
PETITION NO.: 24-1152	PROPERTY ADDRESS: 17710 N 41 Hwy, Lutz, FL 33549
EPC REVIEWER: Melissa Yañez	
CONTACT INFORMATION: (813) 627-2600 X 1360	FOLIO #: 0140150100
EMAIL: yanezm@epchc.org	STR: 13-27-18

**REQUESTED ZONING:** Major modification to PD

FINDI	NGS
WETLANDS PRESENT	NO
SITE INSPECTION DATE	11/15/2021
WETLAND LINE VALIDITY	Site Visit
WETLANDS VERIFICATION (AERIAL PHOTO,	NA
SOILS SURVEY, EPC FILES)	

The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again.

#### **INFORMATIONAL COMMENTS:**

The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.

EPC staff reviewed the above referenced parcel 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 aerial photography, soil surveys, and reviewing EPC files. Through this review, it appears that no wetlands or other surface waters exist onsite/ within the proposed construction boundaries.

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.

My/cb

ec: kami.corbett@hwhlaw.com

	FDOT Pre-Application N	/leetin	ng Information		
	Meeting date: Tuesday, August 6, 2024		10 a.m.		FDOT
	Meeting title: 17710 N. US 41 retail				
FD	OT Coordinator: Allison Carroll (allison.carro	oll@de	ot.state.fl.us, 813.245.1680	O)	
Lo	cation/Address: 17710 N. US 41, Lutz, Flori	da			
Sta	te Road: SR 45		Section ID:	40	
	MP: 12.38		R/L roadway:	L	-
Roa	ad class: 5 Posted speed: 50 m	nph	Connection spacing:	440'	Signal spacing: 2640'
	Mediar	n-oper	ning spacing: Full:	2640	Directional: 660'
Fo	olio #(s): 014015.0000				
Pro	ect narrative: construction of two drive-thru	ı resta	aurants (daily trips - 2.977	total for tv	vo), one day-care (951
	daily trips) & one auto parts (	495 d	aily trips) with related stor	m and acc	ess.
Att	endees: J.D. Alsabbagh, Ryan Combs, Steve	Henry	y and Richard Perez		
FDC	OT Staff: Todd Croft, Mecale' Roth, Allison C			orter, Lear	nna Schaill,
	Amanda Serra, Lindsey Mineer, An	thony	Celani and Dan Santos		
	All checked boxes apply to this project	per th	e information provided a	nd review	ved in this meeting
	All comments are non-binding and subj		•		· ·
	All comments related to FDOT specs and s			the curre	ent version when the
	standards are revised. Plans should meet o	curren	t standards at the time per	mit packaç	ge is submitted in OSP.
	Per	mit-Aı	pplication Checklist		
<b>√</b>	Property owner's information	<b>√</b>	Notarized LOA - letter(s) of	of authoriz	ation from owner for
✓	Deed or other proof of ownership		anyone representing on the	heir behal	f (EOR, PM, Construction
✓	EOR's contact information	1	Coordinator, etc.), Includi	ng 3rd-pai	rty representatives
✓	EOR certification	<b>√</b>	Local approval(s) - Approv	als by all o	other local agencies
✓	MOT tech (use EOR's info in application;		(county, city, SWFWMD, E	EPA, zonin	g, etc.)
	update when the MOT Tech is chosen)	<b>√</b>	Plans - signed and sealed		-
	Access Permit		Add	litional De	tails
✓	Existing land use		**Please see attached Ac	cess Mana	gement notes/checklist**
✓	Existing trips				
✓	Proposed land use				
✓	Proposed trips				
✓	Permit category & fee				
✓	Significant change				
	Access to State Road				
	FDOT in favor				
	FDOT NOT in favor			(reason)	

Subject to closure in future when alternate access is available

Required stub-out to both north and south properties

✓ Resubmit new design for further review

Cross access and court recorded easement

Pedestrian (if required by the local municipality)

Conforming access

Non conforming access

Vehicular

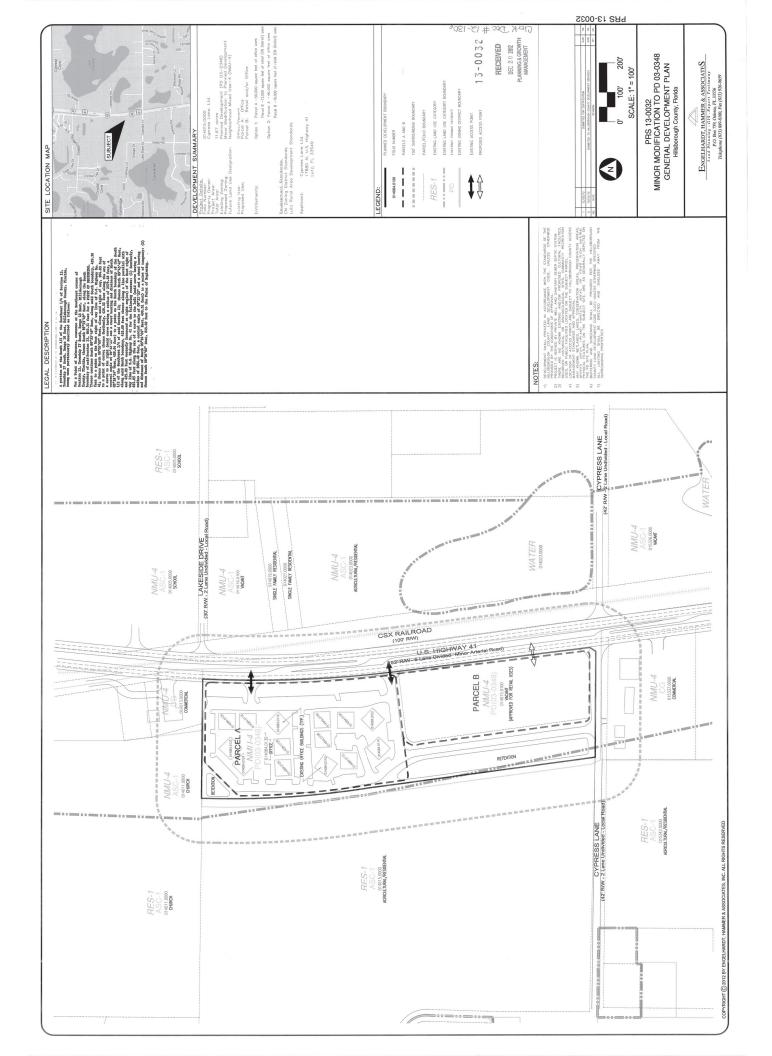
### Permit-application checklist, continued

<b>√</b>	Autoturn template	including for fire truck and trash truck
✓	COI - liability insurance	
	Land donation & easement	
<b>√</b>	Traffic study	
<b>√</b>	Meet with emergency services	
✓	Show dumpster location	
✓	Sufficient driveway throat depth per FDM	
<b>√</b>	Remove and restore at existing driveway apron	
<b>√</b>	Sidewalk to be brought up to current FDOT standards	
<b>√</b>	Show driveway design, internal circulation plan	
✓	Minimum 15' inbound, 12' outbound, both 35' radii	
$\checkmark$	Zoning/local governmental approval required	
✓	Design variation, if any	
✓	MOT indices	
$\checkmark$	TTCP plan	
		Additional Details
	Drainage Permit	Additional Details
✓	Permit	
✓	Exception	
	✓ Exception questionnaire (attached)	including full set of plans and stormwater report
_	Unsure	
✓	Survey - Signed & sealed	
<b>√</b>	SWFWMD approval	
<b>√</b>	100-year storm (or SWFWMD 24-hour)	(with 1' freeboard to TOB)
<b>√</b>	1' of freeboard	
✓	36 storms per RC 14-86	
✓	Pre and post drainage maps and volumes	Show elevations and flow arrows
✓	Sheet flow to nearest inlet	
✓	Include photos of the site	
✓	Show compliance with master system permit	
	Construction Agreements	Additional Details
$\checkmark$	Construction Agreement	if/as required
	Turnlane	
	Median Modification	
	Sidewalk	
	Other	
	Median modification letters	
	Security Instrument	
	Easement - court recorded	
	Cost estimate - signed & sealed	
	LOA - construction coordinator, managing LLC,	
	GM, any 3rd party authorized agent	

### Permit-application checklist, continued

		Utility Permits			Additiona	l Details	
✓ Water							
	Sewer						
	Other						
		Lu a a de la característica de	1				
	ī .	ral Use & Other Permits			Additiona	I Details	$\dashv$
	General Use						$\dashv$
	Other						
		FDOT CO	onstri	ıction I	Projects In Area		$\neg$
FPID # Type of Work Start Date			Project Manager	Contact Info	$\dashv$		
		. , , , , , , , , , , , , , , , , , , ,	-				
							$\Box$
			Add	itional	Notes		

Permit-application checklist, continued						



ONING REQUEST:	HILLSBOROUGH COU		
ONING REQUEST:	PD 10 PD		
PETITION FILE NUMBER:	PRS 13-0032 LU (RZ	03-0348)	
ZHM HEARING DATE:	None		
BOCC MEETING DATE:	December 11, 2012		
This is to certify that this Si County Commissioners and			Board of
X APPROVED WITH certified site plan.	CONDITIONS AS NOTE	D: and attached to	
1-4-13		Hagu	
DATE		MAN, BOARD OF O	COUNTY
[8]			1
1-4-17	Bur	usly ann	miller
DATE	ATTE:	T: DEPUTY CLERK	
		COF THE CIRCUIT	1099/1003

FINAL CONDITIONS OF APPROVAL

PETITION NUMBER: PRS 13-0032 LU
MEETING DATE: December 11, 2012
DATE TYPED: December 17, 2012

- 5. In addition to the requirements of the Land Development Code, landscaping along U.S. Highway 41 and Cypress Lane frontages shall be designed in accordance with the Rural Scenic Roadway requirements set forth in Section 6.60.3.1 of the Hillsbooragh County Land Development Code, which requires a 30-foot buffer easement with vegetation left in its natural state.
- Buffering and screening shall be provided in accordance with the Land Development Code, unless otherwise specified herein.
- 7. Project signage shall be restricted to monument signage which will be designed to be consistent with the wooden style of the building, including materials consistent with the building. The base area of the sign shall be landesqued. Prior to the insurance of a sign permit, the design of the project building(s) must be reviewed and approved by the Hillsborough County Development Searvices Department as part of the Site Development Process.
- Dumpsters shall be screened with wooden materials consistent with the design of the building. Dumpsters shall not be visible from U.S. Highway 41.
- Hours of operation and of delivery for the office portion of the project shall be limited to 6:00 a.m. to 8:00 p.m. Hours of operation and of delivery for the retail portion of the project shall be restricted to 6:00 a.m. to midnight.
- Approval of this petition does not ensure that water will be available at the time when the developer seeks permits to actually develop.
- Approval of the petition does not constitute a guarantee that the Environmental Protection Commission approvals necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands and does not grant any implied or vested rights to environmental impact approval.
- The general design, location and number of access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code. The design and construction of curb cuts are subject to approval by the Hillsborough County Development Services Department and/or the Finds Department of Transportation (FDOT). Final design, if approved by Hillsborough County Flaming and Growth Management Department and/or the FDOT, may include, but is not limited to, left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements.
- Prior to construction site plan approval, the developer shall provide a traffic analysis, signed by a professional engineer, showing the amount of left mus storage needed to serve development traffic. With the addition of background and project traffic, and if avaranted by the results of the traffic analysis, as determined by Hillishowugh County, the developer shall provide, at their expense, left must storage leases of sufficient length in accommodate anticipated left turning traffic, for northbound to westbound traffic) on U.S. Highway 41 cont Cypress Lane, and at each access to the project where a left turn is permitted. The design and construction of these left turn less shall be approved by the Hillsborough County Development Services Department and/or FDOT, where

FINAL CONDITIONS OF APPROVAL

PETITION NUMBER: PRS 13-0032 LU
MEETING DATE: December 11, 2012
DATE TYPED: December 17, 2012

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted October 16, 2012.

- Option 1: The project shall be limited to 50,000 square feet of office uses in Purcel A and 12,000 square feet of retail uses in Purcel B. Option 2: The project shall be limited to 46,000 square feet of rotfice uses in Purcel A and 16,000 square feet of retail uses in Purcel B. Retail uses shall include all CN district uses with the following exceptions:

  - clude all CN district uses with the following exceptions:

    Billiards and pool parlors
    Bowling allors
    Beworting allors
    Brewery on premises
    Free standing towers, bars, lounges, nightclubs and dance halts
    Financial homes and normaries
    Liquor stores
    Liquor stores
    Liquor stores
    Liquor stores
    Commercial apartnenss
    Neighborhood fairs
    Swimming pools
    Ultraight flight pack
    Hotels and motels
    Dry cleaning (sickey only is allowed)
    Auto Repair
    Conveniences store with gas pumps ("country store" type convenience. Auto Repair
     Convenience store with gas pumps ("country store" type convenience store is allowed)
     Gas stations
     Fast food/restaurants

  - 1.1 Only one restaurant, sit down, is allowed.
- Unless otherwise specified within these conditions, the project shall be developed in accordance with the CN zoning district standards and the Lutz Rural Area Development Standards.
- 3. Designs of buildings within the project shall incorporate the following architectural features:

  - Pitched roofs
    Wood or wood-simulated siding
    Covered wooden porch on front facades of building
    Residential style windows with mullions
    Tin roofs
    Wooden trim on accessory structures
- No individual structure within the office or retail portions of the project shall exceed 20,000 square feet

FINAL CONDITIONS OF APPROVAL

PETITION NUMBER: PRS 13-0032 LU MEETING DATE: December 11, 2012 DATE TYPED: December 17, 2012

applicable. All roadway construction of said left turn lanes shall be completed with proper transitions from the widened section to the existing roadway pavement.

- 14. The applicant shall show the ability to provide cross access to/along the northern property boundary at soch tille users (commercial, office) are developed on the northern property. The provision of said cross access shall be subject to a determination by comyst staff during the preliminary construction plan approval process pursuant to criteria in Section 6.04.03.Q of the Land Development Code.
- 15. The project shall be designed with an internal pedestrian walkway system.
- In the event there is conflict between a zoning condition of approval, as stated herein, and any
  written or graphic notation on the general site plan, the more restrictive requirement shall apply.
- Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.
- 18. Within ninety days of approval of PRS 13-0032 by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Development Services Department revised General Development Plan for certification reflecting all the conditions outlined above.

TRANSPORTATION DATA TABLE	N DATA TABLE
ROAD NAME	U.S. HIGHWAY 41
CLASSIFICATION	STATE ROAD / ARTERIAL
ROW WIDTH	26
NUMBER ON LANES (DIVIDED OR UNDIVIDED)	6 LANES DIVIDED
SURFACE TYPE	ASPHALT
SURFACE CONDITION	0000
PAVEMENT WIDTH	±72'-±9Z

# 17710 NORTH U.S. HIGHWAY 41, LUTS, FL. 33549 PLANNED DEVELOPMENT APPLICATION **U.S. 41 RETAIL CENTER**

HILLSBOROUGH COUNTY, FLORIDA SECTION 13, TOWNSHIP 27 S, RANGE 18 E



VICINITY MAP SCALE: 1"= 500'

ROJECT DATA TABLE



# LEGAL DESCRIPTION



LUTS, FLORIDA 33549

14 YAWHƏIH .S.U HTAON 01771 U.S. 41 RETAIL CENTER

150 PD STUDY AREA.
SUBJECT PROPERTY LINES.
INTERNAL OUTPARCEL LINE.
RIGHT OF WAYLINES. PROPER

PROPOSED RIGHT IN / RIGHT OUT.

APPLICANT FLACSHIP LAND GROUP

PROJECT 8 LCOATED WITHIN THE CREATER CARROLLWOODANDR THOLLE COMMUNTES PLANINAD AREA THE THE CHANNESS AND STORKED, OR PREPERCIONED, SEE OF STRUCTURES ARE LCOATED WITHIN THE PROJECT THEREFORE, THERE ARE NO BOSTING RESOURCES TO REMAIN THE AREA DO ROGHOFFANNY SIN ASSEMBLY NEW STORM LOST THE LOCY WITHIN THE PROJECT BOLINDARY. TO SEE AND BOTH CHANNY SIN ASSEMBLY NEW STORM LOST THE LOCY WITHIN THE PROJECT BOLINDARY. TO SEE AND BOTH CHANNY SIN ASSEMBLY THE STORM STOR

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CIRCULATION

EXISTING STOPMWATER RETENTION F	INTERNAL CONCEPTUAL VEHICULAR C INCLUDING DRIVE-THRU.	, INTERNAL CONCEPTUAL PEDESTRIAN CIRCULATION	CONCEPTUAL STRIPED / SIGNED AREA TURNAROUNDS - NO PARKING OR LOA	PROPOSED CONCEPTUAL RAISED CON
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) (				
CIVIL ENGINEER /	SYCAMORE ENGINEERING, INC. 8370 W. HILLSBOROUGH AVE., STE 205 TAMPA, FLORIDA 33615 PH - 1813, 89047700	FAX: (813) 899-07.88 ATTN: J.D. ALSABBAGH, P.E. E-MAIL: jalsabbagh@sycamoreorg.com		

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INTERNAL CONCEPTUAL PEDESTRIAN CIRCULATION
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PROPOSED CONCEPTUAL RAISED CONCR

**DP-1** 

	<u>Q                                      </u>	
	AREA LIMITS	
of special control of the control of	N. U.S. HWY 41 / STATE ROAD 45	GENERAL NOTES
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#### ACCESS MANAGEMENT PERMIT CHECKLIST

#### PERMIT APPLICATION

- All permits Category C and above must have a Pre-Application Meeting with FDOT Staff and provide the permit application and conceptual site plan for the meeting. This is to be coordinated with the local operations center. The preapplication meeting is a courtesy and intended to be advisory only; the results of this meeting are not binding on the Department or the Applicant.
- The Department shall not be obligated to permit or approve any connection, traffic control feature or device, or any other site related improvement that has been specified in a development approval process separate from the official connection approval process described in this rule chapter.
- Staff recommendations and determination of traffic impact areas will be provided at the Pre-Application meeting to expedite the review of the permit submittal in One Stop Permitting.

#### FDOT - One Stop Permitting

The permit submittal in OSP must include a complete set of signed and sealed plans, a signed and sealed Traffic Study, and the required project-related information in accordance with Florida Administrative Code 14-96.

PROJECT INFORMATION:

17710 N. US 41 retail center, Lutz

SR 45

10 040 000

MP 12.0378

Class 5 @ 50 MPH

Connection/signal spacing – 440'/2640' Directional/full median opening spacing – 660'/2640'

Folio # 014015-0000

GENER	AL INFORMATION	
	The Department does not permit development in phases.	All property under ownership is to be included in the complete submittal. Entire property to be included in both plans and traffic study. New phases of an existing development requiring a new permit will have their fee based on the development in the individual phase.
	Access and Drainage permits are reviewed and approved simultaneously.	<ul> <li>Ensure all permit submittals are made simultaneously via the OSP website.</li> <li>Plans for drainage, access permits, and construction agreements are required to match.</li> </ul>
	Off-system Improvements	Any proposed changes to city or county access will require the provision of a signed Letter of Authorization from the appropriate agency.
$\boxtimes$	Drainage permits	Any proposed development adjacent to the State Road, irrespective of access connection, is required to submit a drainage application per F.A.C. 14-86.
PLANS		

	Cover Sheet	<ul> <li>Include Location</li> <li>Include vicinity map.</li> <li>Include permit application numbers.</li> </ul>
	Existing Conditions	<ul> <li>Include entire property under ownership.</li> <li>Include all existing buildings.</li> <li>Include all existing driveways.</li> <li>Include all parking and internal site circulation plan.</li> </ul>
	Proposed Site plan	<ul> <li>Include entire property under ownership.</li> <li>Include all proposed buildings.</li> <li>Include all proposed driveways.</li> <li>Include all parcels to be served with requested access.</li> <li>Include all parking and internal site circulation plan.</li> </ul>
	Roadway Improvements	<ul> <li>Roadway Improvement Plans</li> <li>All proposed improvements, left turn lane(s), right turn lane(s), signal plans, intersection improvements, etc.</li> <li>Cross sections every 50-feet (FDM 905.2)</li> <li>All existing and proposed connections are to be called out.</li> <li>Must be designed in accordance with Florida Design Manual (FDM).</li> </ul>
	Truck turning/AutoTurn Exhibit	<ul> <li>Utilize FDOT-approved software.</li> <li>Utilize the largest anticipated vehicle.</li> <li>Provide ingress and egress to all connection locations.</li> <li>Provide internal site circulation.</li> <li>The truck turning wheel path shall not illustrate movements in the adjacent through and/or opposing lanes.</li> </ul>
$\boxtimes$	Driveway Detail Sheet	<ul> <li>Driveway geometrics (lane widths, radii, etc. (standards 16'inbound, 12'outbound, and 35' radii)</li> <li>Centerline profile(s) with elevation and slope percentage from the centerline of State Road to 50' beyond the property line.</li> </ul>
	Signing and Pavement Marking Sheet	<ul> <li>Include the signing and pavement marking plan sheet.</li> <li>Ensure all signing and pavement markings comply with FDM Chapter 230.</li> <li>Call outs are to reference FDOT Standard Plans Index.</li> <li>All required signing and pavement markings for all work in FDOT R/W including turn lanes, median/intersection modifications are to be shown on the plans.</li> </ul>

	Aerial Exhibit	<ul> <li>Show all connection and median features along property frontage(s) and within 660' of the property lines for a roadway with a speed of 45 mph or less.</li> <li>Show all connection and median features along property frontage(s) and within 1320' of the property lines for a roadway with a speed greater than 45 mph.</li> </ul>
	Boundary Survey	<ul> <li>Show adjacent parcels, label ownership, and all known easements.</li> <li>Show location of all property boundaries.</li> <li>Provide a copy of the Warranty Deed.</li> </ul>
NON-CO	NFORMING ACCESS	
	Draft cross-access agreement	<ul> <li>Submitted via OSP in conjunction with the permit application.</li> <li>Subject to review and approval by FDOT Legal and Surveying and Mapping.</li> </ul>
	Existing cross access connections	Existing cross access connections proposed to remain in the proposed condition are to be recorded with the permit. Please provide a copy of the existing agreement documentation.
	Court recorded cross access agreement required by Access Management Staff prior to permit approval.	Permit will not be approved prior to the provision of the Court Recorded cross access agreement. The complete and final copy of the Agreement will be included in the permit record set in OSP.
EXISTING	MEDIAN OPENINGS	
	Existing median openings	Existing median openings which are non- conforming impacted by the proposed development are required to be brought into current standards per F.A.C. 14-97.
	Proposed median modifications	Impacts to adjacent median openings are to be evaluated for turn lane and queue storage requirements. Any additional impacts are to be mitigated by the applicant.
TRAFFIC S	TUDY	
	Background and project description	<ul> <li>Project location map and site plan</li> <li>Type of proposed uses</li> <li>Size - building square footages, units, etc.</li> <li>Construction schedule – opening and build-out years.</li> <li>The study needs to include posted and planned speed limits, design speeds for major roadways, context classification, and access classification. Include spacing requirements for Access Class.</li> <li>The cover page includes FDOT Section and MP numbers from FDOT Straight Line Diagram:</li> </ul>

	https://fdotewp1.dot.state.fl.us/slogis/Reviewed and approved by FDOT Legal and Surveying and Mapping.
Existing Conditions	<ul> <li>Document field review of existing conditions, including turn lane lengths and queueing conditions during peak hours.</li> <li>Include Aerial of intersections.</li> <li>Signal timings - for the study area</li> <li>Multimodal accommodations including transit, pedestrians, and bicyclists.</li> <li>AM/PM turning movement counts (TMCs) - include truck, pedestrian, and bicycles. Show graphically.</li> <li>Include any discussions/agreements with the local entity.</li> <li>Account for other planned developments in the area</li> <li>Document programmed improvements on state and local roads in the study area</li> </ul>
Traffic Forecasts: Utilize the most recent version of the ITE Trip Generation (currently 11 <sup>th</sup> Edition).	<ul> <li>Daily/AM/PM Peak hours. Provide source, trip rates, and table of calculations by land-use.</li> <li>Trip Distribution - Include model data and historical data. Show Graphically.</li> <li>FDOT Planning assists in the approval of trip distributions and growth rates. Show graphic of percent distribution and trips.</li> <li>Use ITE-approved internal capture rates, where applicable.</li> <li>Passer-by trips are not to exceed 10%</li> <li>Background traffic - adjust appropriately. Show graphically.</li> <li>Background plus project trips. Show graphically.</li> </ul>
Traffic Analysis	<ul> <li>Capacity analysis- project driveways and impacted intersections</li> <li>AM and PM peak hours analyses - unless special circumstances require midday/weekends.</li> <li>Analysis volumes match graphics, and truck percentages match TMC.</li> <li>Multimodal evaluation</li> <li>Reasonable signal timings</li> <li>Existing analysis results match field conditions</li> <li>Intersection impact evaluation for intersections for both adjacent median openings.</li> <li>Include input and output data sheets.</li> <li>Summarize LOS/Delay - with and without project results.</li> <li>Signal warrant analysis - provide signed and sealed based on FDOT D7 procedures.</li> <li>If warrants met - separate ICE required.</li> <li>Access spacing - meet agency access spacing guidelines.</li> <li>Turn lane analysis.</li> </ul>

		•	Mitigation measures result in acceptable operations
SIGNAL W	ARRANT ANALYSIS Manual on Uniform Traffic Contr	ol De	vices (MUTCD) - FHWA (dot.gov)
	To be provided if signal warrants are met in accordance with MUTCD.	•	Submitted upon approval of Traffic Study Only Complete document in PDF format Document to be signed and sealed. Future signal installation will be required to meet criteria contained in the attached document. See Access Connection Permit Future Traffic Signal Installation process.
INTERSECT	ION CONTROL 'ICE' ANALYSIS Intersection Operation	ons ai	nd Safety (fdot.gov)
	ICE Analysis required	•	Proposed signal locations Reconstruction of existing intersections Driveway Access Category E and above Complete document in PDF format Provide the Excel Spreadsheets with all data for review. Document to be signed and sealed

#### **Access Control Classification**

	Class Medians Median Openings		Signal	Connection			
	500.00000	Branch La College	Full	Directional		More than 45MPH Posted Speed	45 MPH and less Posted Speed
	2	Restrictive w/Service Roads	2,640	1,320	2,640	1,320	660
]	3	Restrictive	2,640	1,320	2,640	660	440
]	4	Non-Restrictive			2,640	660	440
	5	Restrictive	2,640 at greater than 45 MPH Posted Speed	660	2,640 at greater than 45 MPH Posted Speed	440	245
			1,320 At 45 MPH or less Posted Speed		1,320 At 45 MPH or less Posted Speed		
]	6	Non-Restrictive			1,320	440	245
٦	7	Both Median Types	660	330	1,320	125	125

#### Project specific requirements:

• Class 05 50mph, 440 spacing for driveway.

- The department would not accept a previously approved PUD plan as approval for an access to the state roadway.
- The Department would not permit an access to US 41 as there is insufficient frontage on US 41 for the development to meet the minimum spacing criteria for a connection to the state roadway. The minimum spacing standards of 440' is required between connections.
- The site is required to have reasonable and adequate access to the state roadway which
  can be obtained via the connection to Cypress Lane to the south and internal access to
  the north.
- The submitted traffic impact analysis will be reviewed to ascertain the need for south bound right turn lane(s) and/or extension of the northbound left turn lanes to mitigate the impacts of the proposed development.
- Turn lane requirements are based on NCHRP requirements.
- The submitted application is required to include the proposed connection to Cypress Lane to the south and Heritage Glen connection to the north.
- The submitted application is to include any proposed improvements to the connection of Cypress Lane required by the County.
- Local government approval is required for permit approval by FDOT. Please ensure zoning has been approved as the department will required the application to reflect the highest and best use based on approved zoning.
- The department will require sufficient clarification there will be no potential for stacking from the site into the FDOT r/w as a result of the proposed uses.
- No access to the state roadway as the site has reasonable and adequate access to the side street and does not have adequate spacing for a driveway connection.
- The site has access to Cypress Lane.
- Provide cross access agreement to connect to the parcel owned by Heritage Station LLC.
- The permit for Heritage Lane LLC is to be modified to include the traffic that will be connecting to that existing access connection.
- The department will be reviewing the entire site development at highest and best use, with the existing connection traffic shown in the TIA as background traffic.
- Submit a complete TIA reflecting the impacts to the NBLT at Cypress Lane, NBLT at the entrance to Heritage Glen, and the SBRT movements at the access to Heritage Glen.
- The department will review the requirements provided in the recent Multimodal Handbook issued by the department for determining the need for SBRTL and need to extend the NBLTL(s).
- A complete permit application is required to connect to the existing driveway.
- The application is to include complete site development plans, complete roadway improvement plans and traffic impact analysis.
- The owner of the access is to be the applicant and can provide a letter of authorization for the developer to apply for the permit modification on their behalf.
- All submittals to be completed via the OSP website.

These comments are not intended to be all-inclusive of errors and omissions. It should not be assumed that any issues that are not addressed are acceptable to the Department. The consultant is solely responsible for technical accuracy, engineering judgment, and the quality of their work.

#### 12-06-2023

#### FDOT District & - Traffic Operations:

Access Connection Permit Future Traffic Signal Installation Process.

For those applicants seeking an Access Connection Permit or Construction Agreement from FDOT whose impacts have been determined to meet signal warrants, the following will be required:

- A complete permit application package in accordance with F.A.C. 14-96 is required to be submitted and reviewed by Traffic Operations.
- The Access Connection Permit submittal is to include 60% (minimum) signalization plans. Final (100%) signal design plans will be provided for review and approval in conjunction with the Construction Agreement to install the traffic signal when required.
- The Access Connection Permit submittal is to include the approved Traffic Impact Analysis, Signal
  Warrant Analysis, and Intersection Control Evaluation (ICE) Analysis. The included information
  will clearly define the signal warrant thresholds at which the applicant is required to install the
  traffic signal.
- 4. The Access Connection Permit package is required to include a letter from Permittee/Applicant acknowledging 100% responsibility for acquisition and installation of the required traffic signal when the warrant threshold has been met or a safety and operational concern has been identified by FDOT which requires the installation of the signal.
- The approved Access Connection Permit Form 850-040-18 will include special provisions outlined on Page 3 defining the signal warrant threshold, minimum requirements for the signal installation, and all other project specific requirements.
- The Notice of Intent to Issue Permit (NOI) is required to be court recorded with complete permit package by the applicant. A copy of the recorded document provided to FDOT via the One Stop Permitting website, prior to permit issuance.

Please reach out to District 7 Traffic Operations with any questions or for any additional information.

# Appendix B

14-86 Exception Questionnaire

Yes No

				July	2010
		14-86 Exception	n Questionnaire		
	App	licant:	Project Name:		
	Does the project need a Drainage Connection Permit?				
	proj follo	t, the project must be regulated by Rule 14-8 ect does not qualify for an exception, you owing questions will help determine if the eption under the rule.	ı will need a drainage connection per	mit.	The
	Is the project regulated? Note: Only stormwater flows are regulated under 14-86, not dewatering or groundwater flows.				
	1	Are you proposing to make changes to the poccurred since November 12, 1986?	property or have changes already	Yes	No
	2	Does the property share a boundary with FD	OOT rights of way?	Yes	No
If "Yes" to questions 1 and 2, the project is regulated and it will either qualify for an exception or require a drainage connection permit.  Does the project qualify for an exception? There are four (4) categories of exceptions. Please indicate below which categories you believe are appropriate. You may need to answer several of the following questions to determine the appropriate category and then return here to note it.			ase		
	3	14-86.003(3)(a): Improvements to property the indirectly, to the Department's right of way.	•		
		14-86.003(3)(b): Single family residential imp			
		14-86.003(3)(c): Agricultural and Silvicultura 14-86.003(3)(d): Minor improvements.	i improvements.		
14-86.003(3)(a): Improvements to property that does not drain, either directly or indirectly, to the Department's right of way.			he		
	4	In the pre-improvement condition, does the	entire site drain away from FDOT?	Yes	No
	5	In the post-improvement condition, will the	entire site drain away from FDOT?	Yes	No
	qua und app	Tes" to questions 4 and 5, the project qualification in the project qualified for an exception under another category, er this category and requests you provide lication package.  16.003(3)(b): Single family residential improv	the Department would like to verify the eassurances by submitting a comple	excep	tion

If "Yes" to question 6, the improvement qualifies for an exception.

plan of improvement or a larger common plan of sale?

Is the improvement a single family residence that is not part of a larger common

14-86 Exception Questionnaire				
App	licant:	Project Name:		
14-8	6.003(3)(c): Agricultural and Silvicultural imp	rovements.		
7	Is the project an agricultural or silvicultural	improvement subject to regulation by	Yes	No
	the Florida Department of Environmental Pro			
8	Management District?     Is the project an agricultural or silvicultural improvement that is exempt under the   Yes   N		No	
	provisions of Section 373.406?			
9			Yes	No
	applicable best management practices adop Agriculture and Consumer Services in Rule			
	F.A.C.?	Jim, 1.A.G., of Rule Chapter 31-6,		
If "Y	es" to any one of questions 7, 8, or 9, the pro	eject qualifies for an exception.		
14-8	6.003(3)(d): Minor improvements.			
	se projects are felt to be small enough tha	t they will not have a substantial imp	act to	the
	artment's facilities and would not create an u			
10	Does the post-improvement condition have	a total imporvious area (new	Yes	No
10	impervious and existing to remain) less than			
11	Is the post-improvement total impervious ar	ea (existing to remain and new	Yes	No
	impervious) less than 40% of that portion of the property that drains to the			
12	Department's right of way in the pre-developed condition?		No	
12	Will the improvement keep any existing drainage connection as it exists, i.e. not alter or modify existing drainage connections?		Yes	
13			Yes	No
	of way remain unchanged?			
14	Will the surface area draining to the Department	nent's right of way remain unchanged	Yes	No
15	or be reduced?  Does the property drain to a Department sto	rmwater facility that has a necitive	Yes	No
15	outlet?	iniwater facility that has a positive	Tes	
16	Does the improvement represent the entire i	mprovement for the site, i.e. it is not	Yes	No
	part of a larger common plan of improvemen	nt or sale?		
it "V	'as" to all guartians 40 through 46, the project	at qualifies for an exception		
"	If "Yes" to all questions 10 through 16, the project qualifies for an exception.			
Sig	ignature: * Date:			

\*Signature shall be a licensed professional except for a small project that would otherwise not require a licensed professional. In this case, the applicant's signature with local building permit application information provided will be sufficient.

An exception shall not apply if the drainage connection threatens the safety and integrity of the Department's facilities, creates an unreasonable burden on lower property owners, or causes violations of water quality standards [14-86.003(4)].

#### **ENVIRONMENTAL SERVICES DIVISION**

Hillsborough County Florida

PO Box 1110 Tampa, FL 33601-1110

#### **Agency Review Comment Sheet**

**NOTE:** Wellhead Resource Protection Areas (WRPA), Potable Water Wellfield Protection Areas (PWWPA), and Surface Water Resource Protection Areas (SWRPA) reviews are based on the most current available data on the Hillsborough County maps, as set forth in Part 3.05.00 of the Land Development Code.

TO: Zoning Review, Development Services REQUEST DATE: 3/12/2025

**REVIEWER:** Kim Cruz, Environmental Supervisor **REVIEW DATE:** 3/17/2025

**PROPERTY OWNER:** Heritage Station Inc. & 17710 Hwy 41 PID: 24-1152

LLC

**APPLICANT:** Tyler Hudson & Gardner Brewer Hudson, P.A.

**LOCATION:** 17710 North 41 Hwy. Lutz, FL 33549

**FOLIO NO.:** 14084.0130 and 14015.0100

#### **AGENCY REVIEW COMMENTS:**

#### **Summary of Applicant's Request**

The applicant requests a major modification to the existing Planned Development ("PD") 03-0348 to modify allotted entitlements and increase the square footage ceiling in the following two options with exceptions:

- Option 1: The project shall be limited to 46,375 square feet of office uses in Parcel A and 29,500 square feet of retail uses in Parcel B. Retail uses are proposed to include all CN district uses with the following exceptions: Billiards and pool parlors, bowling alleys, brewery on premises, free standing taverns, bars, lounges, nightclubs and dance halls, funeral homes and mortuaries, liquor stores, kennels, commercial apartments, neighborhood fairs, swimming pools, ultralight flight park, hotels and motels, dry cleaning (pick-up only is allowed), auto repair, convenience store with gas pumps ("country store" type convenience store is allowed), gas stations, and fast food/restaurants.
- Option 2: The project shall be limited to 46,375 square feet of office use in Parcel A; and 20,000 square feet of retail uses, and 60,000 sq. ft. Mini-Warehouse use in Parcel B.

#### **Source Water Protection Review**

At this time, according to the Hillsborough County BOCC approved maps adopted in the Comprehensive Plan, the site appears to be located within Potable Water Wellfield Protection Area (PWWPA) and Wellhead Resource Protection Area (WRPA) Zone 1. Allowable activities on the

property are limited and subject to the restrictions and prohibitions associated with the PWWPA and WRPA Zone 1 which can be found in Rule 62-521.400 Florida Administrative Code (F.A.C.), along with Sec. 3.05.03.A. and Sec. 3.05.04.A. of the Hillsborough County Land Development Code (LDC).

LDC Sec. 3.05.06 provides a general exemption from requiring an Operating Permit for retail sales establishments which store and handle, for resale, Regulated Substances provided the *Regulated Substances remain in the substance's original and unopened containers* when using, handling, storing, producing, transporting or disposing of Regulated Substances, use applicable Best Management Practices, and are generally exempt from the provisions of this Part.

At this time, according to the Hillsborough County BOCC approved maps adopted in the Comprehensive Plan, the site does not appear to be located within a Surface Water Resource Protection Area, Wellhead Resource Protection Area (WRPA) Zone 2, as defined in Part 3.05.00 of the Hillsborough County Land Development Code (LDC).



#### **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.

TO: Zoning Review, Development Services DATE: 03/12/2025

**REVIEWER:** Ron Barnes, Impact & Mobility Fee Coordinator

**APPLICANT:** 17710 Hwy 41 LLC **PETITION NO:** 24-1152

**LOCATION:** 17710 N 41 Hwy

**FOLIO NO:** 14015.0100

#### **Estimated Fees:**

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

Retail - Shopping Center Health Club Gen Office Single Tenant Office

(Per 1,000 s.f.) (Per 1,000 s.f.) (Per 1,000 s.f.) (Per 1,000 s.f.) Mobility: \$15,962 Mobility: \$36,438 Mobility: \$11,777 Mobility: \$14,099

Fire: \$313 Fire: \$158 Fire: \$158

Mini-Warehouse Hi-Turnover Rest. Med. Office <= 10k s.f. Med. Office >10k s.f.

(Per 1,000 s.f.) Mobility: \$1,084 Mobility: \$51,533 Mobility: \$30,637 Mobility: \$44,025

Fire: \$32 Fire: \$313 Fire: \$158 Fire: \$158

#### **Project Summary/Description:**

Rural Mobility, Northwest Fire - up to 38,000 s.f. CN - non-specific, except:

- Billiards and pool parlors Bowling alleys Brewery on premises Free standing taverns, bars, lounges, nightclubs and dance halls Funeral homes and mortuaries Liquor stores Kennels
- Commercial apartments Neighborhood fairs Swimming pools Ultralight flight park
- Hotels and motels Dry cleaning (pick-up only is allowed) Auto Repair Convenience store with gas pumps ("country store" type convenience store is allowed) Gas stations Fast food/restaurants

Only one restaurant, sit down, is allowed.

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

PETITION NO.: <u>MM 24-1152</u> REVIEWED BY: <u>Clay Walker, E.I.</u> DATE: <u>8/16/2024</u> FOLIO NO.: 14015.0100		
	WATER	
	The property lies within the Water Service Area. The applicant should contact the provider to determine the availability of water service.	
	A inch water main exists _ (adjacent to the site), _ (approximately feet from the site) This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.	
	Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include and will need to be completed by the prior to issuance of any building permits that will create additional demand on the system.	
	WASTEWATER	
	The property lies within the Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.	
	A inch wastewater gravity main exists _ (adjacent to the site), _ (approximately _ feet from the site) This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.	
	Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include and will need to be completed by the prior to issuance of any building permits that will create additional demand on the system.	
COMN	MENTS: The subject site is located outside of the Hillsborough County Urban Service Area, therefore water and/or wastewater service is not generally allowed. If the site is required or otherwise allowed to connect to the potable water and/or wastewater systems, there will be offsite improvements required that extend beyond a connection to the closest location with existing infrastructure. These points-of-connection will have to be determined at time of application of service as additional analysis will be required to make the final determination.	

#### AGENCY REVIEW COMMENT SHEET

TO:	<b>ZONING TECHNICIAN, Planning</b>	<b>Growth Management</b>	<b>DATE:</b> 7 Aug. 2024
REVI	IEWER: Bernard W. Kaiser, Cons	ervation and Environmental Lar	nds Management
APPI	LICANT: Tyler Hudson	PETITION NO:	MM 24-1152
LOC	<b>ATION:</b> <u>17710 N. 41 Hwy, Lutz, FI</u>	33549	
FOLI	<b>IO NO:</b> <u>14015.0100</u>	SEC: <u>13</u> TWN:	<u>27</u> <b>RNG</b> : <u>18</u>
$\boxtimes$	This agency has no comments.		
	This agency has no objection.		
	This agency has no objection, sub	oject to listed or attached condit	ions.
	This agency objects, based on the	e listed or attached conditions.	
COMN	MENTS:		

# VERBATIM TRANSCRIPT

# HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

IN RE:

ZONE HEARING MASTER MEETING

ZONE HEARING MASTER MEETING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: Pamela Jo Hatley

Zone Hearing Master

DATE: Monday, May 19, 2025

TIME: Commencing at 6:00 p.m.

Concluding at 8:17 p.m.

LOCATION: Board of County Commissioners Boardroom

601 East Kennedy Boulevard

Tampa, Florida 33602

Reported by: Diane DeMarsh, AAERT No. CER-1654 Digital Reporter

MS. HEINRICH: Our next item is Item D.3, Major Mod, 24-1152. The applicant is requesting a Major Mod to PD 03-0348. Jared Follin in Development Services has reviewed this request and will provide staff findings after the applicant's presentation.

MR. MOREDA: Good evening, Madam Hearing Officer. Joe Moreda, 400 North Ashley. Good to see you again. We're here to represent our client on Major Modification 24-1152. Major Modification is a edit to the Planned Development, the existing Planned Development, which is number 03-0348. It's located at the northwest corner of US 41 and Cypress Lane, in Lutz. It has the neighborhood mixed use 3 category, which permits a 0.25 FAR. It's also in the Lutz Community Plan.

The site acreage is 11.74. Right now, the way it's existing on the -- on the site, there's two parcels. Parcel A, which is developed out with office and multiple buildings; and parcel B, which is primarily what we're going to be talking about, is located in the south at the intersection.

The existing Planned Development allows two parcels of development and two development options. In option one, Parcel A, which is to the north, which is essentially developed at a lower amount, but it's developed at -- it -- it's -- it allows up to 50,000 square feet of office. And Parcel B, in option one, allows 12,000 square feet of limited CN retail. Of note, there's no drive thrus allowed and a restaurant, only sit down,

one of which is allowed.

In option two, Parcel A also permits office at 46,000 square feet. Parcel B retains the same restrictions on the use and allows 16,000 square feet of those CN limited uses.

Moving on to the Major Modification, in Option one and Option two, we're proposing to keep the amount of square footage for the office in Parcel A consistent. In both options, it will permit 46,375 square feet of office. And moving to parcel B, in Option one, we're proposing 29,500 square feet, and we're also limiting the retail, the CN retail, and no drive thru, and the other restrictions that I mentioned in terms of restaurants, et cetera. And then in Option two, we're requesting Parcel B 20,000 square feet with the limitations on the retail and 60,000 square feet of mini warehouse.

Moving to the context of the area, the PD itself is flanked by more intense CG zoning to the north and to the south, as you can see in red on the -- on -- on the graphic here. The major modification returns -- retains the CN use limitations, including the no drive thru, which was very important in our neighborhood meeting to the folks that attended. The plan also includes a transition down to office in north, which is already existing. It also retains extensive buffers and screens on all the boundaries. It retains the -- the -- the screening that's required by the -- by the corridor plan on the arterial. It also retains a screening on the perimeter as well; includes an

extensive setback to the west.

We feel it's consistent and compatible with the surrounding development pattern and uses of the area. As I noted before, we also had a neighborhood meeting. And we do have a letter of support from the Lake Grant Special District. In their opinion, they feel like the way the proposed zoning is conditioned that it will allow for minimal traffic and environmental impact. And it also retains the prohibited uses in terms of the scope of use, the type of use, that was unanimously created by two different Board of Commissions.

We also have the support of the Planning Commission. They found it consistent. They referenced a -- a number of different policies that they feel come into play that makes it consistent. And we also have a recommendation of approval with staff based on a number of conditions that we agreed to. We have no proposed changes, and we would respectfully request your support on this. Now, if you have any questions.

HEARING MASTER: All right. Thank you. No questions for you.

MR. MOREDA: Thank you.

MR. FOLLIN: Good evening. Jared Follin with Development Services. So this is Major Modification to Plan Development 03-0348 for the property located at 17710 North Highway 41, which is located in the Lutz Community Plan Area. The site is located along Highway 41, which is a primary

arterial and is in the vicinity of other commercial zoned properties and uses to the north and south.

2.4

The subject property is adjacent to ASD-1 to the west, which primarily -- which is primarily wetlands and is undeveloped. This wetland area serves as a buffer between the residential areas, that lies further to the west. Across the highway, you also have ASD-1 properties consisting of single-family homes. Most of the area adjacent to the highway is vacant, and there is no existing homes directly across from Parcel B. Railroad tracks also run along the highway on this residential side.

So due to the proximity of the highway and the distance of single-family uses, we do not find the proposed Major Modification to be out of character of the area. In addition, buffer and screening shall be implemented as per Code, and landscaping will be provided along Highway 41 and Cypress Lane in accordance with the Rural Scenic Road requirements. With this in mind, we find the proposed Major Modification approvable.

HEARING MASTER: All right. Thank you. No questions for you.

MR. FOLLIN: Thank you.

HEARING MASTER: All right. Planning Commission.

MS. MYERS: Alexis Myers. Planning Commission Staff.

The subject site is located in a Neighborhood Mixed Use land

1	category. It's in the Rural Area and within the community plan.
2	The proposal, I'm sorry, the proposed Major Modification is
3	compatible with the surrounding area and meets the intent of
4	Future Land Use Element Objective 4 and Objective 16, as the
5	surrounding land use pattern is of mixed use.
6	Based upon those considerations, the Planning
7	Commission staff find the proposed Major Modification consistent
8	with the Unincorporated Hillsborough County Comprehensive Plan,
9	subject to the proposed conditions by the Development Services
10	Department.
11	HEARING MASTER: All right. Thank you very much. All
12	right. Is there anyone here or online who wishes to speak in
13	support of this application? I don't hear anyone. Is there
14	anyone here or online who wishes to speak in opposition to this
15	application? I do not hear anyone. Development Services,
16	anything further?
17	MS. HEINRICH: No, ma'am.
18	HEARING MASTER: Okay. And applicant, did you have
19	anything further?
20	MR. MOREDA: No, ma'am. Thank you very much.
21	HEARING MASTER: All right. Thank you. So this
22	closes the hearing on Major Modification 24-1152.
23	
24	
25	

#### ZHM Hearing April 15, 2025

# HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

IN RE:

ZONE HEARING MASTER HEARINGS

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH

Zoning Hearing Master

DATE: TUESDAY, APRIL 15, 2025

TIME: Commencing at 6:00 p.m.

Concluding at 8:42 p.m.

LOCATION: HILLSBOROUGH COUNTY BOCC

DEVELOPMENT SERVICES DEPARTMENT

601 EAST KENNEDY BOULEVARD, 2ND FLOOR

TAMPA, FLORIDA 33601

Reported by: CRYSTAL REYES, AAERT No. 1660

#### ZHM Hearing April 15, 2025

1	Let me start by introducing Ms. Michelle Heinrich.
2	She's with the Development Services department, and she will
3	introduce other staff members that will participate in tonight's
4	hearing.
5	Ms. Heinrich?
6	MS. HEINRICH: Hi, good evening, Michelle Heinrich.
7	Development Services. Also up at the dais to my left, we have
8	Mary Dorman with the County Attorney's Office, Tyrek Royal with
9	the Planning Commission, and Richard Perez with Transportation
10	Review and Development Services.
11	HEARING MASTER: All right. I understand we have some
12	changes unpublished changes to the agenda?
13	MS. HEINRICH: Yes, ma'am. The first one is Agenda
14	Page 7, Item D.3, major mod $\frac{24-1152}{}$ . The applicant is
15	requesting a continuance to the May 19th, 2025 hearing. And
16	this is not a matter-of-right continuance, it would require your
17	authorization.
18	HEARING MASTER: Okay. Is the applicant here?
19	UNIDENTIFIED SPEAKER: Can you crank up the volume? I
20	can't hear you. I'm sorry.
21	MS. HEINRICH: Sure. Would you like me to repeat
22	everything? Sorry.
23	UNIDENTIFIED SPEAKER: Well, I heard some of it, but I
24	don't read that quick anymore.
25	MS. HEINRICH: Sure. This is for Agenda Page 7, Item

#### ZHM Hearing April 15, 2025

1 D.3 major mod 24-1152. The applicant is requesting a continuance to the May 19th, 2025 ZHM hearing. And this is not 2 a matter-of-right, so the applicant will need to make that 3 4 request and have it be approved by the hearing officer. All 5 right? MR. MOREDA: Yes, ma'am. This is Joe Moreda, 400 6 North Ashley, Suite 1100. We're here to request a continuance for this item. We're making a revision to the application 8 itself, and staff needs the additional time to review that 9 10 revision. And so we will be submitting the revised narrative 11 tomorrow, and we request a continuance to the May hearing. 12 Thank you. 13 HEARING MASTER: Okay. All right. Is there anyone in 14 the audience or online that would like to speak about this case 15 only to the continuance, not the merits of the case. All right. 16 Seeing no one, then we'll grant the continuance for major 17 modification 24-1152 to the May 19th, 2025, zoning hearing master hearing at 6 p.m. 18 19 MS. HEINRICH: The next item is found --20 THE CLERK: I'm sorry. Sir, can you please sign in 21 for the record? 22 MS. HEINRICH: Our next item is Agenda Page 9, Item 23 D.9, PD rezoning 25-0270. The applicant is requesting 24 continuance to the May 19th, 2025 hearing and this would require 25 you to approve or deny this request as it's not a matter-of-

#### Zoning Hearing Master Hearing March 24, 2025

HILLSE	BOROUGH COUNTY, FLORIDA
	of County Commissioners
	Y
	)
IN RE:	) )
ZONE HEARING MASTER HEARINGS	) )
	) X
	HEARING MASTER HEARING OF TESTIMONY AND PROCEEDINGS
BEFORE:	Susan Finch and
	Pamela Jo Hatley Land Use Hearing Master
DATE:	Monday, March 24, 2025
TIME:	Commencing at 6:02 p.m. Concluding at 11:24 p.m.
LOCATION:	Hillsborough County Commission 601 East Kennedy Boulevard, Second Floor Tampa, Florida 33602
Reported by:	
Diane DeMarsh, AAERT No. DIGITAL REPORTER	1654

### Zoning Hearing Master Hearing March 24, 2025

April 15, 2025 ZHM Hearing. 1 Item A.2, PD 24-0921. This application is out of order to be heard and is being continued to the April 15, 2025 3 ZHM Hearing. Item A.3, PD 24-0924. This application is being continued by the applicant to the April 15, 2025 ZHM hearing. Item A.4, PD 24-1013. This application is out of order to be heard and is being continued to the April 15, 2025 ZHM Hearing. 9 Item A.5, PD 24-1116. This application is out of 10 11 order to be heard and is being continued to the May 19, 2025 ZHM Hearing. 12 13 Item A.6, Major Mod 24-1141. This application is out of order to be heard and is being continued to the 14 15 April 15, 2025 ZHM Hearing. Item A.7, Major Mod 24-1152. This application is out 16 17 of order to be heard and is being continued to the 18 April 15, 2025 ZHM Hearing. 19 Item A.8, PD 24-1155. This application is out of order to be heard and is being continued to the April 15, 2025 20 21 ZHM Hearing. 22 Item A.9, PD 24-1202. This application is being 23 continued by the applicant to the May 19, 2025 ZHM Hearing. Item A.10, PD 24-1240. This application is out of 24 order to be heard and is being continued to the May 19, 2025 ZHM 25

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1
                     HILLSBOROUGH COUNTY, FLORIDA
                     BOARD OF COUNTY COMMISSIONERS
 2
 3
 4
    IN RE:
    ZONE HEARING MASTER
 5
    HEARINGS
 6
 7
                     ZONING HEARING MASTER HEARING
                TRANSCRIPT OF TESTIMONY AND PROCEEDINGS
 8
 9
              BEFORE:
                              Pamela Jo Hatley
10
                              Land Use Hearing Master
11
              DATE:
                              Tuesday, February 18, 2025
12
              TIME:
                              Commencing at 6:00 p.m.
                              Concluding at 9:02 p.m.
13
14
15
16
                              Hillsborough County BOCC
17
                  LOCATION:
                               601 East Kennedy Boulevard
                               Tampa, Florida 33601
18
19
20
21
22
23
    Reported by:
    Crystal Reyes, AAERT No. 1660
24
25
```

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withdrawals and continuance from the agenda.
 1
 2
              HEARING MASTER: Okay.
              MS. HEINRICH: The first one is Item A.1, PD 24-0591.
 3
    This application is out of order to be heard and is being
    continued to the May 19, 2025 ZHM hearing.
              Item A.2, Major Mod 24-0675. This application is out
 6
    of order to be heard and is being continued to the
    March 24, 2025 ZHM hearing.
 8
              Item A.3, PD 24-1013.
                                     This application is being
 9
    continued by the applicant to the March 24, 2025 ZHM hearing.
10
11
              Item A.4, PD 24-1075. This application is out of
    order to be heard and is being continued to the April 15, 2025
12
13
    ZHM hearing.
14
              Item A.5, PD 24-1116. This application is out of
15
    order to be heard and is being continued to the March 24, 2025
    ZHM hearing.
16
17
              Item A.6, PD 24-1139. This application is being
18
    continued by the applicant to the March 24, 2025 ZHM hearing.
19
              Item A.7, PD 24-1147. This application is out of
    order to be heard and is being continued to the April 15, 2025
20
21
    ZHM hearing.
22
              Item A.8, Major Mod 24-1152. This application is out
23
    of order to be heard and is being continued to the
    March 24, 2025 ZHM hearing.
24
              Item A.9, PD 24-1169. This application is out of
25
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#### Zoning Hearing Master Hearing January 14, 2025

	Canadi, 11, 2020			
HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS				
	X			
IN RE:				
ZONE HEARING MASTER HEARINGS	)			
	, ) x			
	**			
	G HEARING MASTER HEARING OF TESTIMONY AND PROCEEDINGS			
BEFORE:	Susan Finch Land Use Hearing Master			
DATE:	Tuesday, January 14, 2025			
TIME:	Commencing at 6:00 p.m. Concluding at 9:09 p.m.			
LOCATION	: Hillsborough County BOCC 601 East Kennedy Boulevard, Second Floor Tampa, Florida 33601			
Reported by:	0 1660			
Crystal Reyes, AAERT No DIGITAL REPORTER	J. 100U			

#### Zoning Hearing Master Hearing January 14, 2025

Philippine Cultural Foundation Incorporated. This application 1 is out of order to be heard and is being continued to the February 18, 2025 Zoning Hearing Master Hearing. 3 Item A.8, Rezoning 24-1135. The applicant is Provident Partners Real Estate, LLC. This application is out of order to be heard and is being continued to the February 18, 2025 Zoning Hearing Master Hearing. Item A.9, Major Modification 24-1137. The applicant 8 is Eisenhower Property Group, LLC. This application is out of 9 order to be heard and is being continued to the 10 11 February 18, 2025 Zoning Hearing Master Hearing. 12 Item A.10, Rezoning 24-1139 -- 39. The applicant is 13 American I, LLC, American II, LLC. American Landings -- Land 14 Holdings, LLC. This application is continued by the applicant 15 to the February 18, 2025 Zoning Hearing Master Hearing. 16 Item A.11, Major Modification 24-1141. The applicant 17 is Todd Pressman. This application is out of order to be heard 18 and is being continued to the February 18, 2025 Zoning Hearing 19 Master Hearing. 20 Item A.12, Major Modification 24-1152. The applicant is 17710 Highway 41, LLC. This application is out of order to 21 22 be heard and is being continued to the February 18, 2025 Zoning 23 Hearing Master Hearing. Item A.13, Rezoning 24-1289. Applicant is Holly M. 24 Boyer. This application is out of order to be heard and is 25

## Zoning Hearing Master Hearing CORRECTED December 16, 2024

	0011201 107 1011
	OROUGH COUNTY, FLORIDA F COUNTY COMMISSIONERS
IN RE:	X ) ) )
ZONE HEARING MASTER HEARINGS	) ) X
	HEARING MASTER HEARING F TESTIMONY AND PROCEEDINGS
BEFORE:	Pamela Jo Hatley Land Use Hearing Master
DATE:	Monday, December 16, 2024
TIME:	Commencing at 6:00 p.m. Concluding at 9:07 p.m.
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard, Second Floor Tampa, Florida 33601
Reported by: Crystal Reyes, AAERT No. Digital Reporter	1660

### Zoning Hearing Master Hearing CORRECTED December 16, 2024

1 Item A.16, PD 24-1139. This application is being continued by the applicant to the January 14, 2025 ZHM Hearing. 2 Item A.17, Major Mod 24-1141. This application is out 3 of order to be heard and is being continued to the January 14, 2025 ZHM Hearing. Item A.18, PD 24-1147. This application, is out of 6 order to be heard and is being continued to the February 18, 2025 ZHM -- 2025 ZHM Hearing. 8 Item A.19, Major Mod 24-1152. This application is 9 being continued by staff to the January 14, 2025 ZHM Hearing. 10 11 Item A.20, PD 24-1155. This application is out of order to be heard and is being continued January 14, 2025 ZHM 12 13 Hearing. 14 Item A.21, PD 24-1169. This application is out of 15 order to be heard and is being continued to the February 18, 2025 ZHM Hearing. 16 Item A.22, PD 24-1172. This application has been 17 18 withdrawn from the hearing process. 19 Item A.23, Standard Rezoning 24-1180. This 20 application is out of order to be heard and is being continued 21 to the January 14, 2025 ZHM Hearing. 22 Item A.24, PD Rezoning 24-1202. This application is 23 being continued by the applicant to January 14, 2025 ZHM Hearing. 24 25 Item A.25, Standard Rezoning 24-1210. This

NOVEILLOEI 12, 2024		
HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS		
IN RE:  ZONE HEARING MASTER HEARINGS	) ) ) ) ) ) )	
	G HEARING MASTER HEARING OF TESTIMONY AND PROCEEDINGS	
BEFORE:	SUSAN FINCH Zoning Hearing Master	
DATE:	Tuesday, November 12, 2024	
TIME:	Commencing at 6:01 p.m. Concluding at 8:42 p.m.	
LOCATION:	Hillsborough County BOCC Development Services Department 601 East Kennedy Boulevard, 2nd Floor Tampa, Florida 33601	
Reported by: Crystal Reyes, AAERT No. 1660 Notary Public for the State of Florida		

1	Page 11 Item A.9. PD 24-1075. This application is out of
2	order to be heard and is being continued to the December 16th,
3	2024 ZHM hearing.
4	Item A.10. Major Mod 24-1110. This application is out
5	of order to be heard and is being continued to the December
6	16th, 2024 ZHM hearing.
7	Item A.11. PD 24-1116. This application is out of
8	order to be heard and is being continued to the December 16th,
9	2024 ZHM hearing.
10	Item A.12. PD 24-1135. This application is out of
11	order to be heard and is being continued to the December 16th,
12	2024 ZHM hearing.
13	Item A.13. Major Mod 24-1137. This application is out
14	of order to be heard and is being continued to the December
15	16th, 2024 ZHM hearing.
16	Item A.14. PD 24-1139. This application is being
17	continued by the applicant to the December 16th, 2024 ZHM
18	hearing.
19	Item A.15. Major Mod 24-1141. This application is out
20	of order to be heard and is being continued to the December
21	16th, 2024 ZHM hearing.
22	Item A.16. PD 24-1147. This application is out of
23	order to be heard and is being continued to the December 16th,
24	2024 ZHM hearing.
25	Item A.17. Major Mod <mark>24-1152</mark> . This application is

1	Page 12 being continued by the applicant to the December 16th, 2024 ZHM
2	hearing.
3	Item A.18. Standard Rezoning 24-1203. This
4	application is out of order to be heard and is being continued
5	to the December 16th, 2024 ZHM hearing.
6	Item A.19. Standard Rezoning 24-1210. This
7	application is being continued by the applicant to the December
8	16th, 2024 ZHM hearing.
9	Item A.20. PD 24-1212. This application is out of
10	order to be heard and is being continued to the December 16th,
11	2024 ZHM hearing.
12	Standard Rezoning 24-1289, which is Item A.21. This
13	application is out of order to be heard and is being continued
14	to the December 16th, 2024 ZHM hearing.
15	And, lastly, Item A.22. Standard Rezoning 24-1297.
16	This application is being continued by the applicant to the
17	December 16th, 2024 hearing.
18	And that concludes our with withdrawals and
19	continuances.
20	HEARING MASTER: Thank you so much. I appreciate it.
21	Let me start by going over our procedures for
22	tonight's hearing. Our hearing today consists of agenda items
23	that require a public hearing by a zoning hearing master. I'll
24	conduct a hearing on each agenda item, and we'll file a
25	recommendation within 15 business days following tonight's

	Page 118
1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
2	X
3	) IN RE:
4	)
5	ZONE HEARING MASTER ) HEARINGS )
6	) X
7	TRANSCRIBER'S CERTIFICATE ON CORRECTIONS
8	TO THE ZONING HEARING MASTER HEARING WHICH TOOK PLACE ON November 12, 2024
9	Under penalties of perjury, I declare that I, Austin Goodrich, have reviewed the transcript audio and found the following
10	errors:
11	Page 7, Line 12, "26" and "24-2924" should be "D.6." and "24-0924".
12	Page 32, Line 22, "24-0360" should be "24-0368".
13	Page 104, Line 7, "24-0983" should be "24-0933".
14	Per additional correction:
15	Page 12, Line 15, "26" and "24-1257 " should be "24-1297 ".
16	DATED this 21st day of November 2024.
17	
18	austin Doodack
19	Austin Goodrich, TRANSCRIPTIONIST
20	
21	
22	
23	
24	
25	

# EXHIBITS SUBMITTED DURING THE ZHM HEARING

## **NONE**

# PARTY OF RECORD



## Additional / Revised Information Sheet

Office	Use	Onl	y
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Application Number: MM 24-1152	Received Date:	Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, the second page of this form <u>must</u> be included indicating the additional/revised documents being submitted with this form.

project size the cover letter must list any new folio number(s) added. Ac included indicating the additional/revised documents being submitted	
Application Number: MM 24-1152 Applicant's Name:	Flagship Companies Group
Reviewing Planner's Name:	Date:
Application Type:  Planned Development (PD)  Minor Modification/Personal Appear.	ance (PRS)   Standard Rezoning (RZ)
☐ Variance (VAR) ☐ Development of Regional Impact (DR	I) Major Modification (MM)
Special Use (SU) Conditional Use (CU)	Other
Current Hearing Date (if applicable): 04/15/2025	
Important Project Size Change Information Changes to project size may result in a new hearing date as all reviews will	be subject to the established cut-off dates.
Will this revision add land to the project?	
Will this revision remove land from the project?	
Email this form along with all submittal items indicated ZoningIntake-DSD@hcflgov	
Files must be in pdf format and minimum resolution of 300 dpi. Each titled according to its contents. All items should be submitted in one er included on the subject line. Maximum attachment(s) size is 15 MB.	
For additional help and submittal questions, please call (813) 277-16	33 or email ZoningIntake-DSD@hcflgov.net.
I certify that changes described above are the only changes that have be will require an additional submission and certification.	een made to the submission. Any further changes
Joe Moreda, AICP Digitally signed by Joe Moreda, AICP Date: 2025.04.06 13:02:55 -04'00'	
Signature	Date



# Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact <u>Hillsborough County Development Services</u> to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development</u> Services to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes			
I hereby con	Includes sensitive and/or protected information	n.	
	Type of information included and location		
X	Does not include sensitive and/or protected info	ormation.	
Please note: Se	ensitive/protected information will not be accepted/request	ted unless it is required for the processing of the application.	
being held f		to determine if the applicant can be processed with the data knowledge that any and all information in the submittal will ected.	
Signature:	Joe Moreda, AICP	Digitally signed by Joe Moreda, AICP Date: 2025.04.06 13:02:26 -04'00'	
_		or authorized representative)	
Intake Staff S	Signature:	Date:	



## Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Inc	luded	Submittal Item
1		Cover Letter*+ If adding or removing land from the project site, the final list of folios must be included
2		Revised Application Form*+
3		Copy of Current Deed* Must be provided for any new folio(s) being added
4		Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6		Property Information Sheet*+
7		Legal Description of the Subject Site*+
8		Close Proximity Property Owners List*+
9		Site Plan*+ All changes on the site plan must be listed in detail in the Cover Letter.
10		Survey
11		Wet Zone Survey
12		General Development Plan
13		Project Description/Written Statement
14		Design Exception and Administrative Variance requests/approvals
15		Variance Criteria Response
16		Copy of Code Enforcement or Building Violation
17		Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):
		Letter of support

<sup>\*</sup>Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

<sup>\*</sup>Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.

Lake Brant Special Dependent District

MM 24-1152

17510 Estes Road Lutz, Florida 33548 chriscapkovic@yahoo.com 813 482-6825

April 4, 2025

Zoning Hearing Master Hillsborough County 601 E. Kennedy Blvd Tampa, FL, 33602

RE: Support for Rezoning Request MM 24-1152: Increased Density and Self-Storage Use

Dear Zoning Hearing Master,

On behalf of the Lake Brant Special Dependent District, we express our support for rezoning request MM 24-1152, which seeks to increase the allowable density of development and incorporate storage as a permitted use. We believe this proposal aligns with the needs of the surrounding community and contributes positively to responsible growth in our area.

#### **Key Benefits of the Rezoning Proposal:**

- Minimal Traffic and Environmental Impact: Unlike high-intensity commercial or industrial uses, storage facilities generate minimal traffic and low noise levels, making them a compatible addition to mixed-use developments. Additionally, with proper site planning, stormwater management, and landscaping, any environmental concerns can be effectively mitigated.
- 2. **Retained Zoning Restrictions**: This rezoning request retains the prohibited list of uses that were unanimously created by 2 different Boards of County Commissioners and has protected Lake Brant and the surrounding community for over 20 years.

We respectfully urge you to approve this rezoning request, as it represents a forward-thinking approach to balanced development while meeting the needs of local residents and businesses.

Thank you for your time and consideration. Please feel free to contact us with any questions.

Sincerely,

Chris Capkovic
Treasurer/Trustee

Lake Brant Special Dependent District